Address:	9 West Kirke Street, Chevy Chase	Meeting Date:	2/8/2023	
Resource:	Non-Contributing Resource (Chevy Chase Village Historic District)	Report Date:	2/1/2023	
		Public Notice:	1/25/2023	
Applicant:	Josh Harrison and Jamillia Ferris (Phillip Long, Agent)	Tax Credit:	N/A	
<b>Review:</b>	HAWP	Staff:	Michael Kyne	
Permit Number: 1018710				
PROPOSAL:	Hardscape alteration, fence installation, and driveway alteration			

#### MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

#### **STAFF RECOMMENDATION:**

Staff recommends that the HPC **approve with one condition** the HAWP application.

1. The proposed fencing along the right side of the property will transition from 6' privacy fencing to 4' picket fencing at the approximate rear of the house, with final review and approval delegated to staff.

#### **ARCHITECTURAL DESCRIPTION:**

SIGNIFICANCE:Non-Contributing Resource within the Chevy Chase Village Historic DistrictSTYLE:Colonial RevivalDATE:c. 1892-1916

1

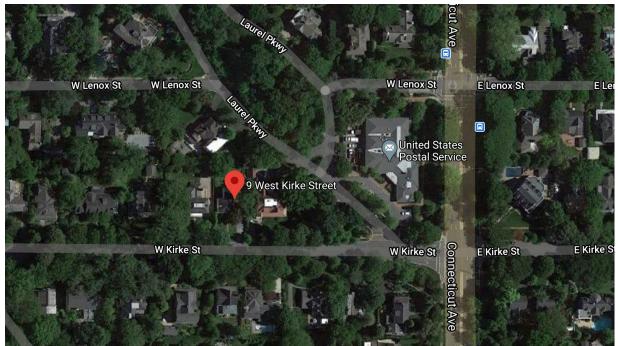


Fig. 1: Subject property, north side of West Kirke Street.

### **PROPOSAL:**

The applicants propose hardscape alteration, fence installation, and driveway alteration at the subject property.

#### **APPLICABLE GUIDELINES:**

When reviewing alterations and new construction within the Chevy Chase Village Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include *Montgomery County Code Chapter 24A* (*Chapter 24A*), the historic preservation review guidelines in the approved and adopted amendment for the *Chevy Chase Village Historic District (Guidelines)*, and *the Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

#### Montgomery County Code; Chapter 24A-8

- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:
  - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
  - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
  - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a

manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

- (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
- (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

#### Chevy Chase Village Historic District Guidelines

The Guidelines state that the following five basic policies should be adhered to:

- 1. Preserving the integrity of the proposed Chevy Chase Village Historic District. Any alterations should, at a minimum, perpetuate the ability to perceive the sense of time and place portrayed by the district.
- 2. Preserving the integrity of the contributing structures in the district. Alterations to contributing structures should be designed in such a way that the altered structure still contributes to the district.
- 3. Maintaining the variety of architectural styles and the tradition of architectural excellence.
- 4. Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.
- 5. Alterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.

The Guidelines that pertain to this project are as follows:

#### Non-Contributing/Out-of-Period Resources

Non-contributing/out-of-period resources are either buildings that are of little or no architectural and historical significance to the historic district or newer buildings constructed outside the district's primary period of historical importance. HAWP applications for exterior alterations, changes, and/or additions to these types of resources should receive the most lenient level of design review.

Most alterations and additions to non-contributing/out-of-period resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of the structure which affect the surrounding streetscape and/or landscape and could impair the character of the historic district as a whole.

#### Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values." The applicable *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

#### **STAFF DISCUSSION:**

The subject property is designated as a c. 1892-1916, Colonial Revival-style, Non-Contributing Resource within the Chevy Chase Village Historic District. At the February 24, 2021 HPC meeting, the Commission approved a HAWP for demolition of the historic house and construction of a new single-family house at the subject property, finding the proposal consistent with the *Guidelines* for Non-Contributing/Out-of-Period Resources and New Construction.<sup>1</sup>

The current proposal calls for hardscape alteration, fence installation, and driveway alteration at the subject property. Specifically: a 3' high brick retaining wall is proposed at the rear/left side of the new house; the previously proposed driveway is to be expanded between the rear porch and garage; a new brick-paved walkway, which will serve as a trash enclosure area, is proposed at the right side of the garage; the previously proposed front walkway has been revised, going from straight to curved; and new fencing is proposed at the rear/left, rear, right side, and front of the property.

Staff notes that, except for a section of existing retaining wall at the rear/right side of the property, both the existing and previously proposed right-side retaining walls have been removed from the plan. The feature called out as "Prop. Curb/Wall" at the right side of the driveway on the revised site plan will be a minimal rolled curb.

<sup>&</sup>lt;sup>1</sup> Link to February 24, 2021 staff report: <u>https://montgomeryplanning.org/wp-content/uploads/2021/02/I.C-9-West-</u> Kirke-Street-Chevy-Chase-939482.pdf

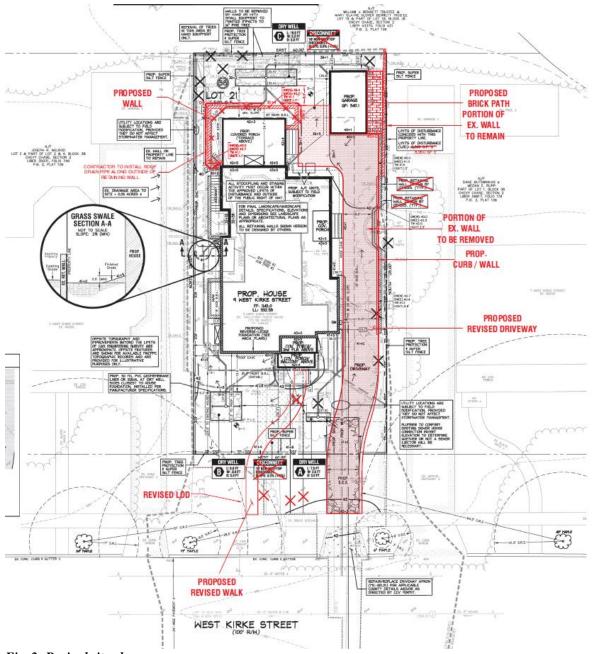


Fig. 2: Revised site plan.

The proposed new fencing includes a 6' high board-on-board wooden privacy fence at the rear/left, rear, and right side of the property. On the right side, the proposed 6' fence will transition to a 4' high wooden picket fence near the front of the property. Additionally, a 4' section of board-on-board fencing with gate is proposed between the right-side fence and garage for a trash enclosure, and 4' high wooden picket fencing with a pedestrian and vehicular gate is proposed at the front of the property.

5

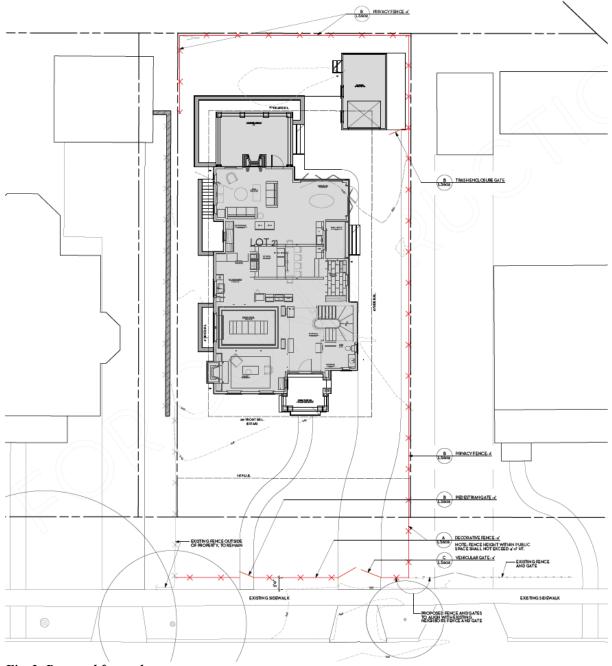


Fig. 3: Proposed fence plan.

Staff is generally supportive of the applicants' proposal, finding it compatible with the subject property and *Guidelines* for Non-Contributing/Out-of-Period Resources. However, in order to ensure compatibly with the surrounding streetscape and preserve the open park-like character of the district, staff finds that the proposed 6' high privacy fencing at the right side of the property should not extend forward of the rear wall plane of the house. Any additional fencing in front of the rear wall plane should be no higher 4' and open picket style.

After full and fair consideration of the applicant's submission staff finds the proposal, as modified by the recommended condition on Page 1, as being consistent with the Criteria for Issuance in Chapter 24A-(b)(1), and (2), and (d), having found the proposal is consistent with the *Secretary of the Interior's Standards for Rehabilitation #2* and *#9*, and the *Chevy Chase Village Historic District Guidelines* 

outlined above.

#### **STAFF RECOMMENDATION:**

Staff recommends that the Commission **approve with the one condition specified on Page 1** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b) (1), (2), and (d), having found that the proposal, as modified by the condition, is consistent with the *Chevy Chase Village Historic District Guidelines* identified above, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation #2 and #9;

and with the general condition that the applicant shall present an electronic set of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will <u>contact the staff person</u> assigned to this application at 301-563-3400 or <u>michael.kyne@montgomeryplanning.org</u> to schedule a follow-up site visit.

	For Staff only: HAWP#_1018710			
APPLICATIO				
HISTORIC AREA W HISTORIC PRESERVATION 301.563.340	ORK PERMIT			
APPLICANT:				
Name:	E-mail:			
Address: 6916 33rd Street, NW	Washington zip: 20015   Tax Account No.: 07-00457438			
Daytime Phone:	Tax Account No.: 07-00457438			
AGENT/CONTACT (if applicable):				
<sub>Name:</sub> Phillip Long	<sub>E-mail:</sub> phil@cas-dc.com			
Address: 10 S Bentz Street	<sub>city:</sub> Frederick <sub>zip:</sub> 21701			
Daytime Phone: 240-418-3204	Contractor Registration No.:			
LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property 9 West Kirke Street				
Is the Property Located within an Historic District?Yes/District Name No/Individual Site Name				
Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.				
Are other Planning and/or Hearing Examiner Approvals (Conditional Use, Variance, Record Plat, etc.?) If YES, in supplemental information.	· · · · · ·			
Building Number: 9 Street: We	st Kirke Street			
	<sub>s Street:</sub> Laurel Parkway			
Lot: 21 Block: 38 Subdivision:	Chevy Chase Parcel:			
TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not				
<b>be accepted for review.</b> Check all that apply: New Construction Deck/Porch	Shed/Garage/Accessory Structure			
☐ Addition ✓ Fence	Tree removal/planting			
Demolition I Hardscape/Lands				
Grading/Excavation Roof	Other: wall, walkway,			
I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.				
( spx	01/17/2022			



Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

New home built in 2022, approved under HAWP # 939482.

Description of Work Proposed: Please give an overview of the work to be undertaken:

Proposed retaining and curb walls, expansion of driveway between rear porch and garage, brick path, reconfiguration front walk, and fencing.

Adjacent and Confronting Properties:

Chevy Chase, MD 20815

14 West Kirke Street

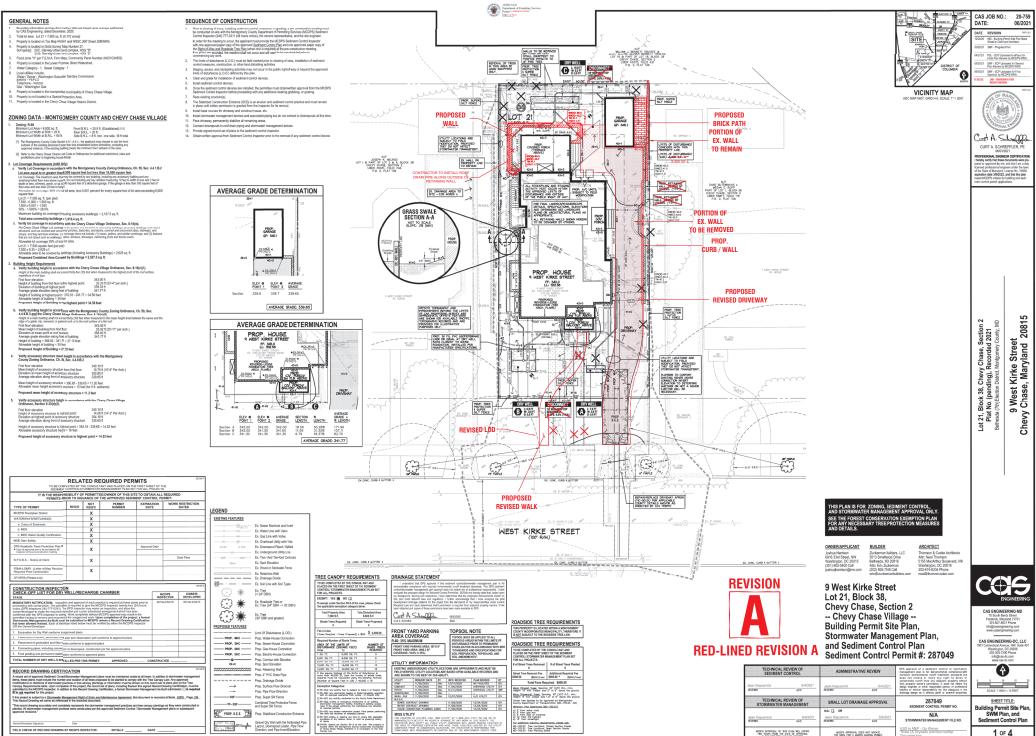
12 West Kirke Street

11 West Kirke Street

10 Wet Kirke Street

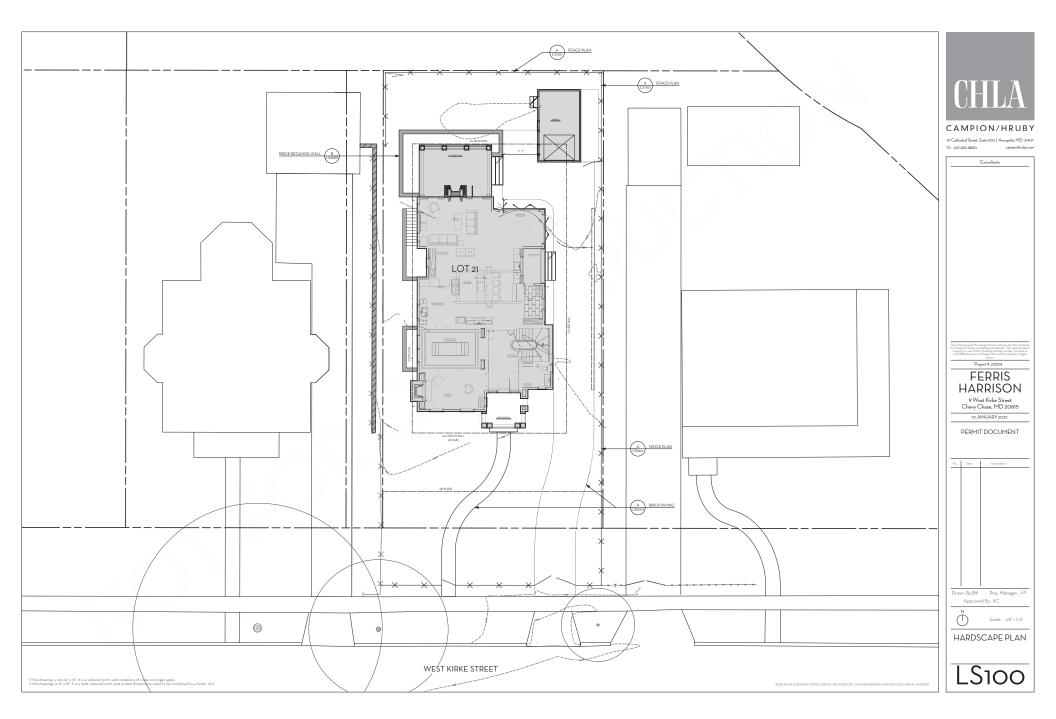
7 West Kirke Street

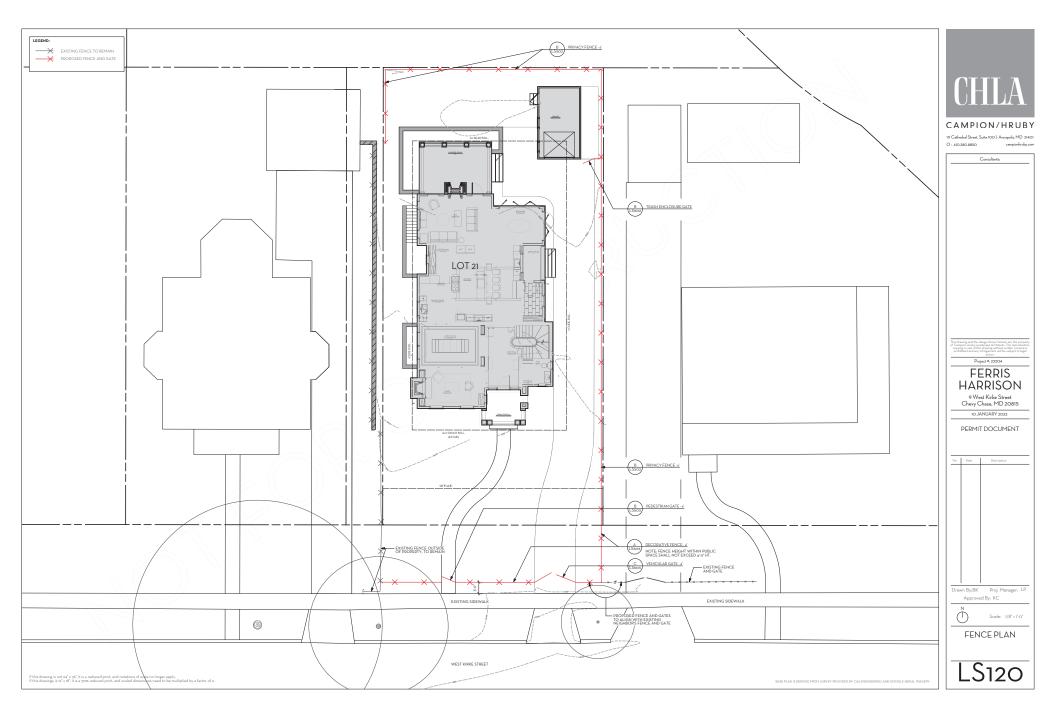
4 Laurel Parkway

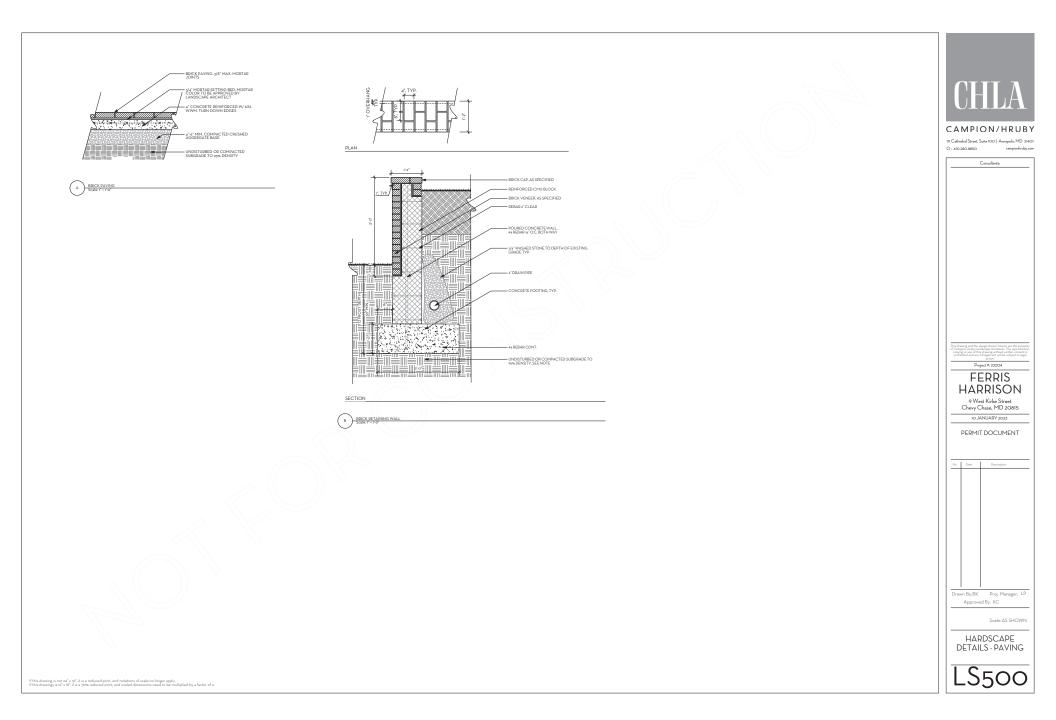


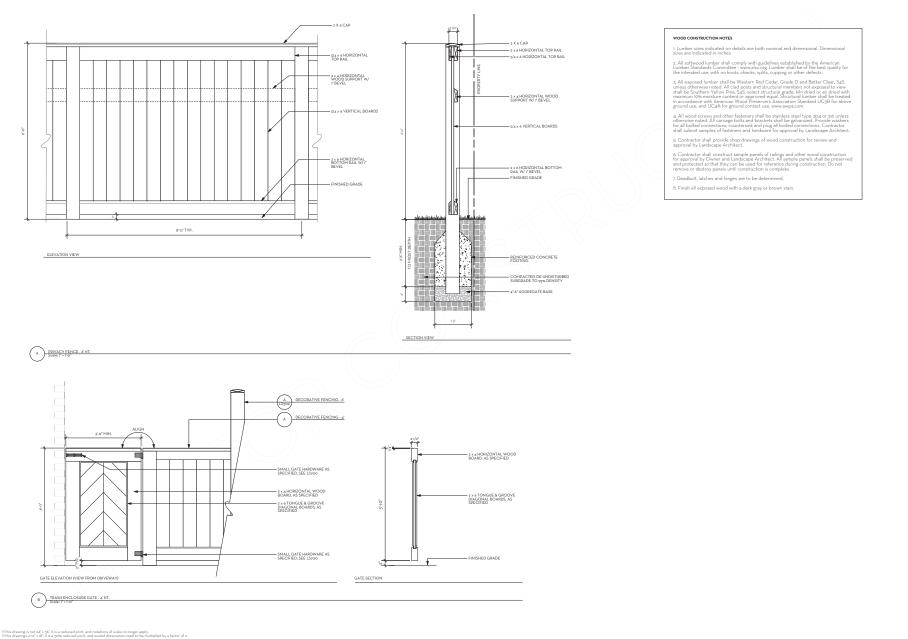
MODPS APPROVAL OF THIS PLAN WILL EXPRE-TWO YEARS FROM THE DATE OF APPROVAL JE THE PROJECT HAS NOT STARTED.

1









# CHLA

#### CAMPION/HRUBY

111 Cathedral Street, Suite 100 | Annapolis, MD 21401 O : 410.280.8850 campionhruby.com

Project #: 22204 FERRIS HARRISON 9 West Kirke Street Chevy Chase, MD 20815 10 JANUARY 2023 PERMIT DOCUMENT No. Date Description Drawn By:BK Proj. Manager: LP Approved By: KC Scale: AS SHOWN HARDSCAPE DETAILS -CARPENTRY LS502

8'-o\* TYP. 5/4 CUSTOM WOOD FRAME W/ 1° BEVEL 5/4 X 4 CAP 5/4 X 4 CAP 5/4 X 4 CAP CAMPION/HRUBY 5/4 X 4 WOOD TOP RAIL WITH 1/2" BEVEL - 2 X 4 WOOD FRAME GATE LATCH AS SPECIFIED 111 Cathedral Street, Suite 100 | Annapolis, MD 21401 X 4 WOOD FRAME O: 410.280.8850 campionhruby.com = 2 X 2 VERTICAL WOOD PICKETS = 2 X 2 VERTICAL WOOD PICKETS - 2 X 2 VERTICAL WOOD PICKETS Consultants: 1 X 4 DIAGONAL BOARD 9 - SEE DETAIL C FOR SECTION VIEW 6 X 6 PRESSURE TREATED POST GATE HINGES AS SPECIFIED EXISTING WALKWAY TO BE CUT WHERE NECESSARY TO INSTALL POSTS 5/4 X 8 BOTTOM RAIL WITH 1/2" BEVEL A CUSTOM WOOD EDAME V.4\* - 2 X 8 WOOD FRAME WITH 1° BEVEL NΝ ELEVATION VIEW SECTION VIEW ELEVATION VIEW FROM STREET A DECORATIVE FENCE - 4' HT. B PEDESTRIAN GATE - 4'HT. 4 SQ, STEEL POST WRAPPED IN 2 X 6 (2) DUMMY RING LATCH AS WOOD BOARDS AND CAP Project #: 22204 FERRIS - 2 X 4 WOOD FRAME WOOD CONSTRUCTION NOTES 5'-5 1/2" TYP. - 5/4 X 4 CAP 5/4 CUSTOM WOOD FRAME WITH 1" BEVEL HARRISON - 2 X 2 VERTICAL WOOD PICKETS 1. Lumber sizes indicated on details are both nominal and dimensional. Dimensional sizes are indicated in inches. 5/4 X 4 CAP = 1 X 4 DIAGONAL BOARD 9 West Kirke Street Chevy Chase, MD 20815 All softwood lumber shall comply with guidelines established by the American Lumber Standards Committee - www.als.corg. Lumber shall be of the best quality for the intended use, with no knots, checks, splits, cupping or other defects. . 6 2 X 4 WOOD ERAME 00 10 JANUARY 2023 3. All exposed lumber shall be Western Red Cedar, Grade D and Better Clear, S4S, unless of herwise noted. All Cled posits and structural members not exposed to view maximum 79% motivate content or approved equal. Shoutural lumber table treated in accordance with American Wood Preserver Association Standard UC3B for above ground use, and UC4A for ground cast, and UC4A for groun PERMIT DOCUMENT - 2 X 2 VERTICAL WOOD RICKETS 1 X 4 DIAGONAL BOARD 4. All wood screws and other fasteners shall be stainless steel type 304 or 3% unless otherwise noted. All carriage bolts and brackets shall be galvanized. Provide washers for all bolted connections, counters sink and pug all bolted connections. Contractor shall submit samples of fasteners and hardware for approval by Landscape Architect. 0 No. Date Desc 5. Contractor shall provide shop drawings of wood construction for review and approval by Landscape Architect. 6. Contractor shall construct sample panels of railings and other wood construction for approval by Owner and Landscape Architect. All sample panels shall be presen and protected so that they can be used for reference during construction. Do not remove or destroy panels until construction is complete. 1/4 CUSTOM WOOD FRAME WITH 1" BEVEL 11/-2 X 8 WOOD FRAME WITH 1' BEVEL 7. Deadbolt, latches and hinges are to be determined. 8. Finish all exposed wood with a dark gray or brown stain. SECTION VIEW  $\sim$ EXISTING DRIVEWAY TO BE CUT WHERE NECESSARY TO INSTALL GATE OPENER - COBBLESTONE GATE REST, SECURED TO FROST DEPT 2.4" MIN. STRAP HINGE AND PINTLE AS SPECIFIED, SECURED TO STEEL POST VIIIII - FAAC MODULE 750: IN-GROUND SWING HYDRAULIC GATE OPENER (TYP, BOTH SIDES), CONTRACTOR TO COORDINATE 322 ANCHOR BOLTS TO SECURE STEEL POST TO FOOTING Drawn By:BK Proj. Manager: LP CONCRETE FOOTING Approved By: KC Scale: AS SHOWN ELEVATION VIEW FROM STREET HARDSCAPE DETAILS -CARPENTRY C VEHICULAR GATE - 4'HT. Scale: 1' + 1'-0"

If this drawing is not  $z_4^* \times 5^6$ , it is a reduced print, and notations of scale no longer apply. If this drawings is  $12^* \times 18^*$ , it is a 50% reduced print, and scaled dimensions need to be multiplied by a factor of 2.

16

LS503



DEPARTMENT OF PERMITTING SERVICES

Ehsan Motazedi Acting Director

#### Marc Elrich County Executive

## HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 1/17/2023

Application No: 1018710 AP Type: HISTORIC Customer No: 1455387

#### Affidavit Acknowledgement

The Homeowner is the Primary applicant This application does not violate any covenants and deed restrictions

#### **Primary Applicant Information**

Address 9 W KIRKE ST CHEVY CHASE, MD 20815

Homeowner Joshua Harrison (Primary)

Othercontact CAS Engineering

#### **Historic Area Work Permit Details**

Work TypeALTERScope of WorkProposed retaining and curb walls, expansion of driveway between rear porch and garage, brick path, reconfiguration front walk, and fencing