

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7823 Overhill Rd., Bethesda	Meeting Date:	9/6/2023
Resource:	Contributing Resource Greenwich Forest Historic District	Report Date:	8/30/2023
Applicant:	Michael Bern & Rachel Roth Luke Olson, Architect	Public Notice:	8/23/2022
Review:	HAWP	Tax Credit:	Partial
Permit No.:	REVISION 967939	Staff:	Dan Bruechert
Proposal:	Porch repairs and alterations and fence installation.		

STAFF RECOMMENDATION

Staff recommends the HPC **approve** the HAWP with **one (1) condition**.

1. The replacement columns shall be wood. Revised plans and material specifications showing this change shall be submitted to staff prior to the approval of the building permit.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Greenwich Forest Historic District
STYLE: Colonial Revival
DATE: 1936



Figure 1: 7823 Overhill Road.

BACKGROUND

The HPC unanimously approved a HAWP with conditions at the October 17, 2021 HPC meeting¹ for a large rear addition and alterations to the historic house, including front dormers. The applicant has subsequently submitted amendments to the HAWP that include hardscape/landscape plans and a stormwater management plan at the January 5, 2022 HPC meeting

PROPOSAL

The applicant proposes to install a fence and make alterations to the existing front porch.

APPLICABLE GUIDELINES

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

Greenwich Forest Historic District Guidelines

A. PRINCIPLES

The preservation of the following essential elements of Greenwich Forest is the highest priority in making decisions concerning applications for work permits. These Principles are not meant to stop or create unreasonable obstacles to normal maintenance, reasonable modifications, and the evolving needs of residents.

A1. Greenwich Forest was conceived of, built, and to a great degree preserved as a park-like canopied forest with gentle topographic contours, in which the presence of houses and hardscape are understated relative to the natural setting. The removal of mature trees and the significant alteration of topographic contours on private property, the Greenwich Forest Triangle, and the public right-of-way in Greenwich Forest should be avoided whenever possible. The Greenwich Forest Citizens Association (GFCA) will continue to support the replacement of trees. In order to protect mature trees and the natural setting of Greenwich Forest, and to limit runoff into the Chesapeake Bay, the creation of extensive new impermeable hardscape surfaces should be avoided whenever possible.

A2. The houses in Greenwich Forest create an integrated fabric well-suited to its forest setting. These Guidelines are intended to preserve this environment by ensuring that approved work permits include appropriate safeguards that protect the following three essential elements of this fabric:

c. High quality building materials and high level of craftsmanship.

A3. The neighborhood needs to evolve to meet the needs of its residents while maintaining the charm and architectural integrity that have been maintained since the 1930s. Introducing new *architectural styles* that are not already present in the neighborhood will detract from its integrated fabric.

¹ The Staff Report for HAWP at the subject property is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/10/I.N-7823-Overhill-Road-Bethesda-967939.pdf> and the recording of the hearing is available here: http://mncppc.granicus.com/MediaPlayer.php?publish_id=f314961f-2cf6-11ec-88a7-0050569183fa.

B. BALANCING PRESERVATION AND FLEXIBILITY

Greenwich Forest represents a period in the evolution of Montgomery County worthy of preservation, but it has also changed in response to the needs of residents since it was created in the 1930s. These Guidelines seek a reasonable compromise between preservation and the needs of residents in several ways.

B1. Most of the houses in the Greenwich Forest Historic District are designated “contributing” because they contribute to the architectural and historic nature of the district. Contributing structures are shown in the map of the districts. These Guidelines are more specific for contributing structures.

B2. Other houses in the district are designated non-contributing either because (1) they were built more recently than contributing houses with other architectural styles (see Appendix 3) or (2) their original features have been significantly altered by subsequent modifications. Non-contributing structures are shown on the map of the District. The Guidelines provide greater flexibility for owners of non-contributing houses.

B3. These Guidelines reflect the reality that nearly all houses in Greenwich Forest have been modified since their construction. Owners are not expected to return their houses to their original configurations. The modifications they are permitted to make under these Guidelines are based on the current reality in the neighborhood, provided that those modifications are consistent with the Principles in these Guidelines.

B4. Property owners have additional flexibility under these Guidelines to make more extensive changes to the parts of their houses that are less visible from the public rights-of-way in front of their houses. The Guidelines accomplish this by stipulating different levels of review for specific elements on different parts of houses.

The *Guidelines* that pertain to this project are as follows:

- D7. Building materials: Replacement of roofs, siding, and trim with original materials is strongly recommended and is considered maintenance that will not require an application for a work permit. Use of non-original “like materials” such as architectural asphalt shingles requires a work permit to ensure that they match the scale, texture, and detail of the original materials and are consistent with the overall design of the existing house. For example, homeowners wishing to replace slate or tile roofs may use alternative materials that match the scale, texture, and detail of the roof being replaced. If an original slate or tile roof had been replaced with non-original material before July 1, 2011, the homeowner may replace the existing roof in kind or with another material consistent with the architectural style of that house.
- D9. Fences and walls: Fences were not part of the original Greenwich Forest streetscape. No front yard fences have been added since then, though some homeowners have added backyard fences and/or fences along side yard property lines. To preserve the uninterrupted green space adjacent to the public right-of-way, front fences are not allowed. To enable the creation of enclosed yards for residents, fences up to 6’6” tall are permitted in back and side yards. In the case of side yards, fences may extend up to just behind the front plane of the house, preserving at least a 3’ setback from the facade. Fence style and material should be in keeping with the architectural style of the house and the forest surroundings. Properties confronting Wilson Lane merit special consideration due to heavy traffic volumes. Construction of fences or walls is permitted on these properties, with review, in order to help ensure the safety and privacy of residents and the safety of drivers and neighbors. The decision-making body is directed to show flexibility in reviewing applications for work permits for such fences and walls.
- D10. Porches: The addition of front porches is permitted if they are compatible with the architectural style

of the house. Enclosures of existing side and rear porches have occurred throughout Greenwich Forest and they are permitted, subject to the decision-making body's review of the work permit, to ensure that they are compatibly designed.

According to the *Guidelines*, the three levels of review are as follows:

Limited scrutiny is the least rigorous level of review. With this level, the scope or criteria used in the review of applications for work permits is more limited and emphasizes the overall structure rather than materials and architectural details. The decision-making body should base its review on maintaining compatibility with the design, texture, scale, spacing and placement of surrounding houses and the impact of the proposed change on the streetscape.

Moderate scrutiny is a higher level of review than limited scrutiny and adds consideration of the preservation of the property to the requirements of limited scrutiny. Alterations should be designed so the altered structure does not detract from the fabric of Greenwich Forest while affording homeowners reasonable flexibility. Use of compatible new materials or materials that replicate the original, rather than original building materials, should be permitted. Planned changes should be compatible with the structure's existing architectural designs.

Strict scrutiny is the highest level of review. It adds consideration of the integrity and preservation of significant architectural or landscape features and details to the requirements of the limited and moderate scrutiny levels. Changes may be permitted if, after careful review, they do not significantly compromise the original features of the structure or landscape.

Sec. 24A-8. Same-Criteria for Issuance

(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

(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*)

Secretary of 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.” Standards 2, 9, and 10 most directly apply to the application before the commission:

#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.

STAFF DISCUSSION

The subject property is a two-story, side gable, brick Colonial Revival house. Its building addition and rehabilitation (discussed above) are currently under construction. The applicant proposes work in two areas. First, the applicant proposes to construct a fence and gate on the right (south) side of the house between the house and property line. The second area of work is on the front porch and consists of repointing the brick, installing a bluestone porch floor, and installing new columns.

Fence Installation

The applicant proposes to construct a fence with a pair of 42" (forty-two inch wide) gates from the southern wall of the proposed addition to the property line. It will match the size, design, and materials of the existing fence that runs along the south property line.

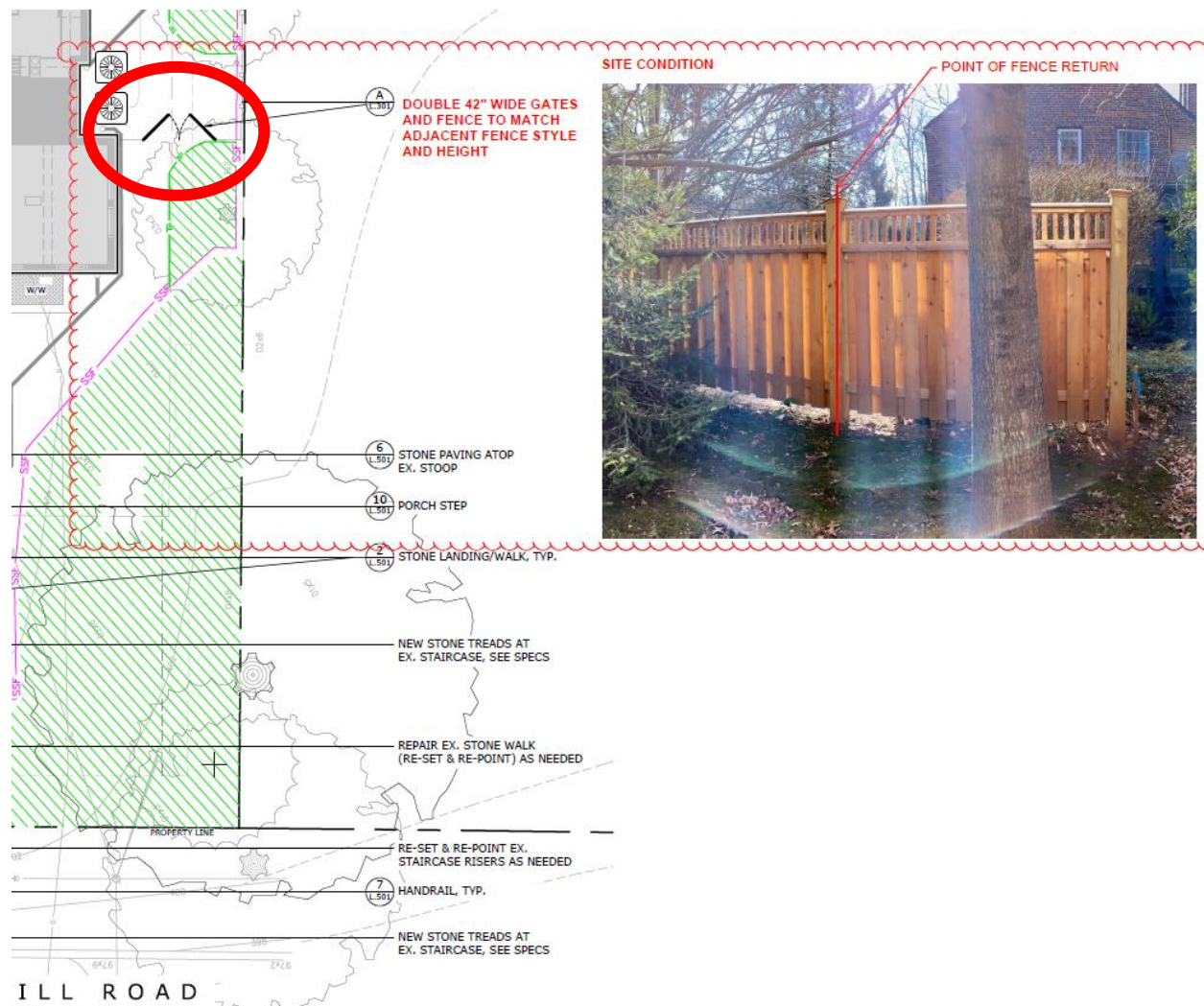


Figure 2: Proposed gate location (circled in red) and fence design.

Staff finds the proposed fence and gate are consistent with the previous approval and satisfy the height, material, and setback requirements for fences in D9. Staff recommends the HPC approve the fence under the Design Guidelines and 24A-8(b)(2) and Standard 2.

Porch Alterations

Only after much of the landscaping was removed was the applicant able to thoroughly evaluate the

condition of the porch. The porch needs significant repointing, which is considered and in-kind repair and is eligible for the County Historical Preservation Tax Credit. The applicant also identified that the porch flooring was uneven and was a mix of concrete with brick edging. The applicant proposes to install a flagstone floor with coping on the front porch. After the flagstone flooring is installed, the porch floor will be approximately 2" (two inches) higher. The existing porch columns will no longer be the correct height and the applicant proposes to remove the existing wood columns and install new fiberglass columns.

Guideline D9 - 'Porches' is not particularly helpful in this instance because it only provides guidance on new porches (i.e., front porches are permitted if they are compatible with the architectural style; and enclosing side/rear porches has occurred throughout the district and is allowed provided they are compatibly designed). Staff finds installing flagstone flooring over the existing concrete flooring will not significantly alter the character of the house or surrounding district. As this is a front porch, strict scrutiny, as defined in the Design Guidelines, applies. Strict scrutiny requires the HPC to consider the integrity and preservation of significant architectural features and directs the HPC to approve a HAWP if they do not significantly compromise the original features of the structure. Now, if the HPC concurs with Staff's finding that the porch flooring may be replaced with flagstones that will raise the surface by a few inches, Staff finds it is preferable to remove and replace the columns than to require the retention of the original columns which are now too tall for the porch opening. Staff supports replacing the columns. Staff finds that wood is the correct material and has written a condition for the applicant to replace the existing wood columns with new appropriately sized wood columns. The applicant, however, proposes to install fiberglass columns but did not provide a material specification. Fiberglass columns are typically structural, as opposed to PVC columns which are ornamental and need to have a wood or steel interior to provide support. Most fiberglass columns also take paint well, so their finished appearance is consistent with painted wood columns. The major drawback to fiberglass columns is that they do not feel like wood nor do they wear and weather like traditional building materials. Guideline A.2.c. strongly encourages, "High quality building materials and high level of craftsmanship." Fiberglass columns do not meet this Guideline and staff finds the appropriate replacement for a prominent architectural element on the front porch should be wood. This rehabilitation item will also qualify for the County's tax credit.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application with one condition;

1. The replacement columns shall be wood. Revised plans and material specifications showing this change shall be submitted to staff prior to the approval of the building permit.

under the Criteria for Issuance in Chapter 24A-8(b)(2) and (d), and the *Greenwich Forest Historic District Design Guidelines*, having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the surrounding district and the purposes of Chapter 24A;

and with the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made;

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 contact the staff person assigned to this application at 301-563-3400 or dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# 967939
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Michael Bern & Rachel Roth E-mail: michael.e.bern@gmail.com
RachelR511@gmail.com
Address: 7823 Overhill Rd City: Bethesda Zip: MD
Daytime Phone: 617-515-3015 Tax Account No.: 00495264

AGENT/CONTACT (if applicable):

Name: LUKE OLSON E-mail: LOLSON@GTMARCHITECTS.COM
Address: 7735 OLD GEORGETOWN RD STE 700 City: BETHESDA Zip: 20814
Daytime Phone: 240-333-2021 Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name Greenwich Forest
 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 /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 7823 Street: Overhill Rd
Town/City: Bethesda Nearest Cross Street: Midwood Rd
Lot: 25 Block: R Subdivision: 0026 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 be accepted for review. Check all that apply:

- | | | |
|--|---|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input checked="" type="checkbox"/> Shed/Garage/Accessory Structure |
| <input checked="" type="checkbox"/> Addition | <input type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input checked="" type="checkbox"/> Demolition | <input checked="" type="checkbox"/> Hardscape/Landscape | <input checked="" type="checkbox"/> Tree removal/planting |
| <input checked="" type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input checked="" type="checkbox"/> Other: <u>DRIVEWAY</u> |

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.

Signature of owner or authorized agent

Date 7/16/23

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

EXISTING 2-STORY BRICK COLONIAL REVIVAL HOUSE WITH FLAGSTONE LEAD WALKS, CONCRETE DRIVEWAY AND BRICK PATIO IN REAR YARD. PREVIOUS APPLICATION FOR A 2-STORY RIGHT SIDE/REAR ADDITION WITH DETACHED 2-CAR GARAGE WAS APPROVED AS PART OF 10/13/21 HPC MEETING AGENDA

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

REPOINT EXISTING FRONT PORCH BRICK BASE, REWORK EXISTING BRICK ROWLOCK COURSE TO BE FLUSH WITH REST OF BRICK AND REPLACE WHERE MISSING, ADD NEW FLAGSTONE COPING WITH RANDOM RECTANGULAR FLAGSTONE FIELD ABOVE EXISTING ROWLOCK AND CONCRETE SLAB. REPLACE EXSITING WOOD COLUMNS & PILASTERS WITH NEW PTD. FIBERGLASS COLUMNS TO MATCH EXG. STYLE, CAP & BASE & MOULDING PROFILES & SHAPES, COLUMN HEIGHT TO BE APPROX. 2" SHORTER TO ACCOUNT FOR NEW FLAGSTONE CAP AT PORCH

PROVIDE NEW FENCE AND GATE ON RIGHT SIDE OF EXISTING HOUSE, MATCH EXG. PROPERTY LINE FENCE HEIGHT, MATERIALS AND DETAILS.

REVISION TO PREVIOUSLY APPROVED HAWP #967939

Adjacent and Confronting Properties:

Bethesda, MD 20814

7825 Overhill Road

7819 Overhill Road

7820 Mooreland Lane

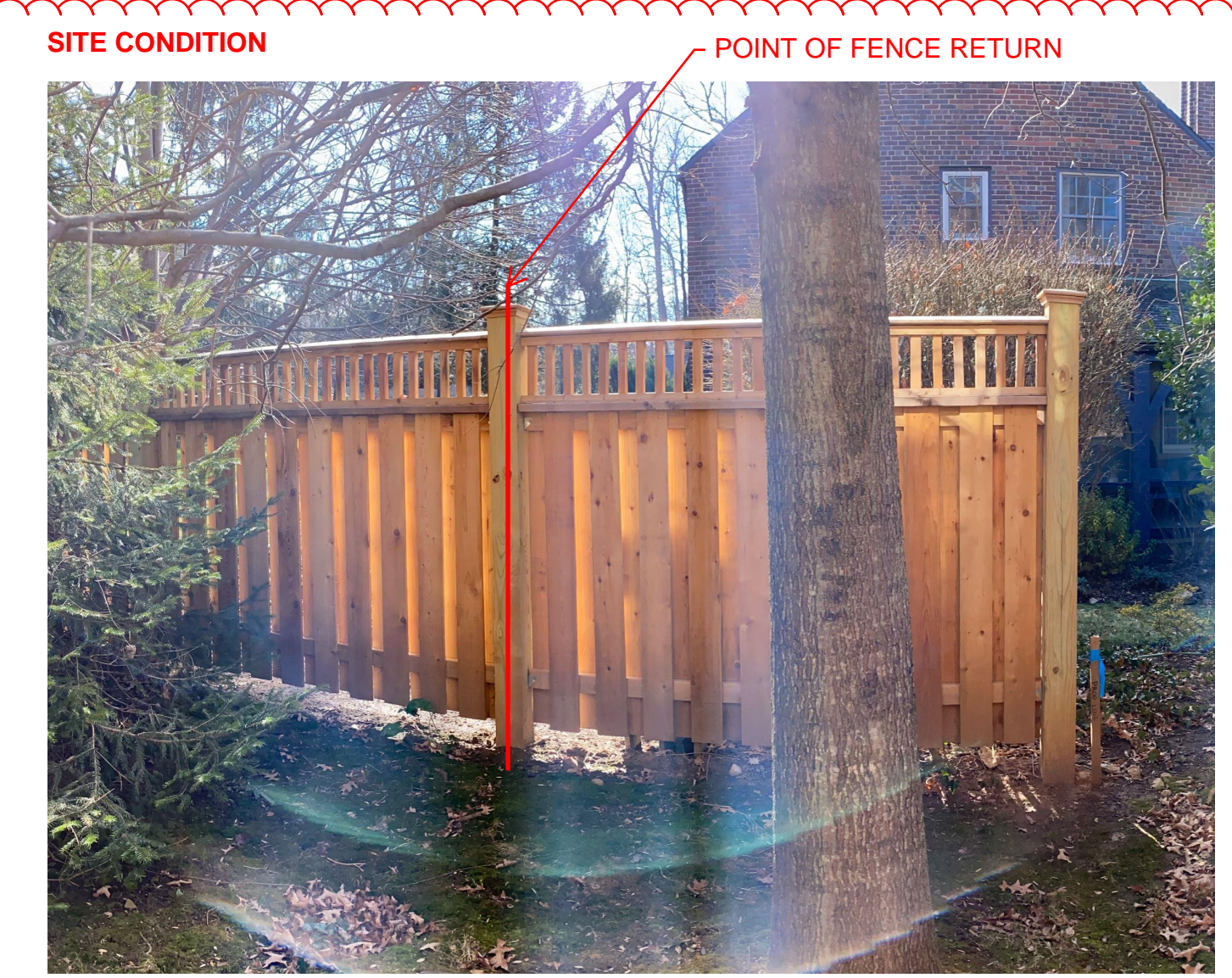
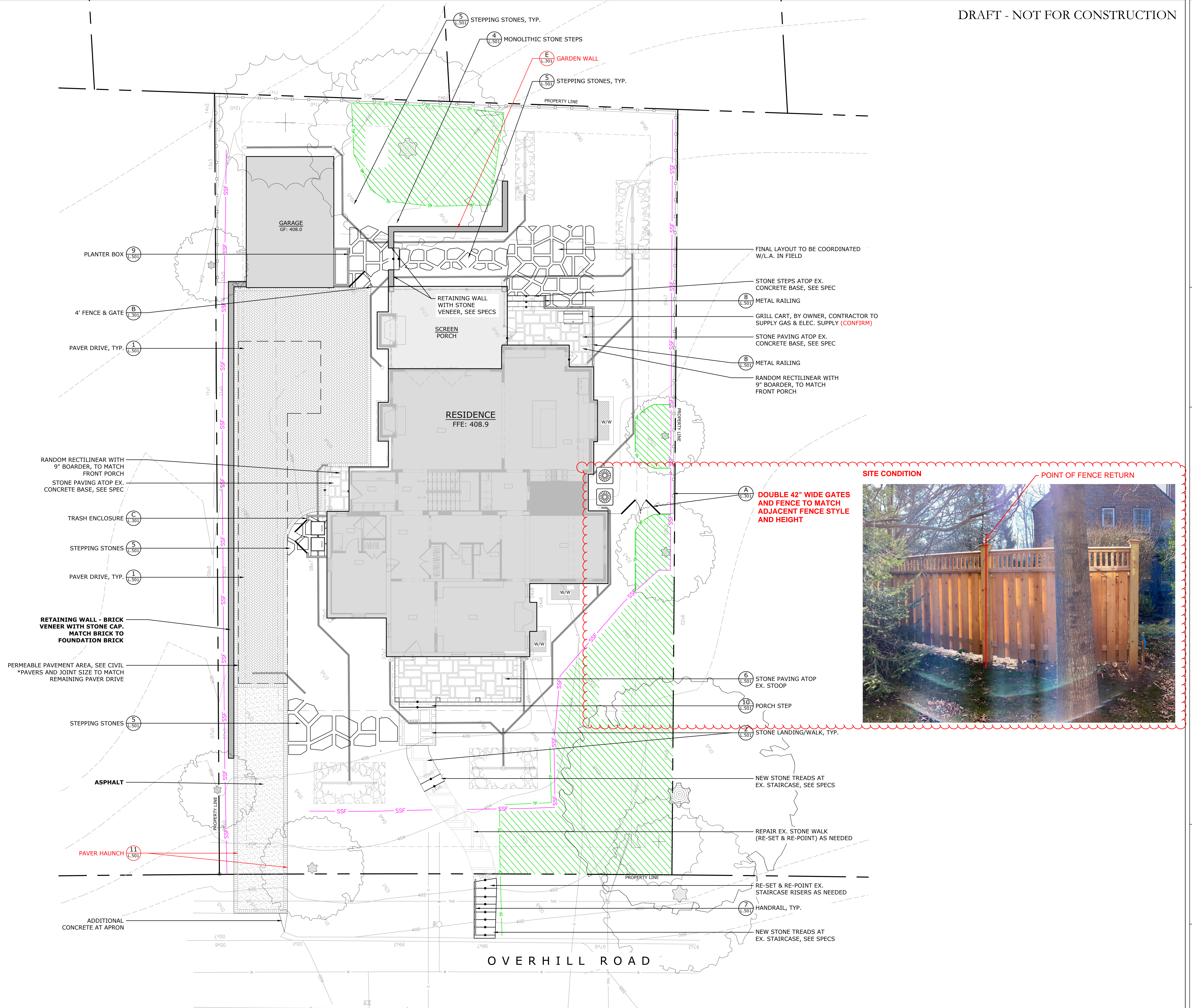
7818 Mooreland Lane

REPLACE EXG. WOOD COLUMNS/PILASTERS WITH PTD. FIBERGLASS COLUMNS, MATCH DIAMETER, BASE, CAP AND NECKING PROFILES AS CLOSELY AS POSSIBLE, REDUCE HEIGHT BY 2" TO ACCOUNT FOR NEW FLAGSTONE AT FRONT PORCH

REPOINT EXG. BRICK BASE, REMOVE. REINSTALL BRICK ROWLOCK COURSE FLUSH WITH BRICK BELOW AND ADD NEW 2" FLAGSTONE COPING AT PERIMETER WITH 3/4" RANDOM RECTANGULAR FLAGSTONE FIELD ABOVE EXG. CONC. SLAB



REVISIONS	DATE	DESCRIPTION
1	2022.04.05	65% HARDSCAPE PRICING
2	2022.08.26	65% HARDSCAPE PRICING REVISED
3	2023.05.01	65% HARDSCAPE PRICING REVISED



BERN RESIDENCE
7823 OVERHILL RD, BETHESDA, MD
SITE PLAN

DATE	MARCH 2022
SCALE	1/8" = 1'-0"
SHEET NUMBER	L.101

