

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	8 East Lenox Street, Chevy Chase	Meeting Date:	12/20/2023
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	12/13/2023
Applicant:	Paul Gallagher	Public Notice:	12/06/2023
Review:	HAWP	Tax Credit:	No
Permit Number:	1048169	Staff:	John Liebertz
PROPOSAL:	Window replacement.		

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Commission (HPC) **approve with one (1) condition** the HAWP application with final approval delegated to staff:

1. The applicant shall replace the proposed composite windows with a full frame, aluminum-clad, wood-sash windows that match the general dimensions of the existing windows.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Shingle
DATE: Ca. 1912

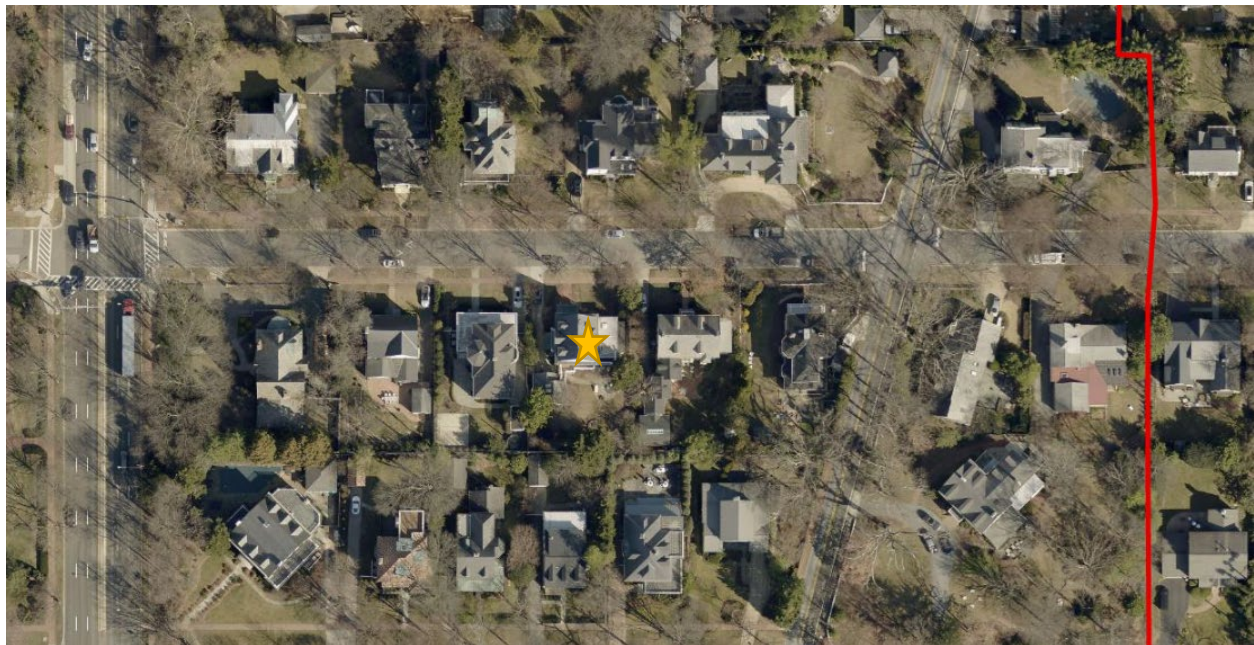


Figure 1: The subject property at 8 East Lenox Street is located mid-block on the south side of Lenox Street. The yellow star is the subject property and the red outline is the boundary of the historic district. Source: Montgomery Planning.

PROPOSAL

The applicant proposes the following alterations on the façade and west (side) elevation of the house: 1) remove the five, nine-over-one, double-hung, wood-sash windows on the first and second stories of the original house and the ribbon of four, eight-light, wood-sash, casement windows on the non-historic, one-story addition; 2) remove the existing storm windows; and 3) install five, one-over-one (nine-over-one simulated divided light with 3/4" muntins), double-hung, Fibrex (composite) windows on the first and second stories of the original house and a ribbon of four, one-over-one (with eight-light simulated divided light with 3/4" muntins), Fibrex (composite) windows, on the non-historic, one-story addition.

APPLICABLE GUIDELINES

The Historic Preservation Office and Historic Preservation Commission (HPC) consult several documents when reviewing alterations and new construction within the Chevy Chase Village Historic District. These documents include the historic preservation review guidelines in the approved and adopted amendment for the *Chevy Chase 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 three documents is outlined below.

Chevy Chase Village Historic District Guidelines

The *Guidelines* break down specific projects into three levels of review - Lenient, Moderate and Strict Scrutiny.

"Lenient Scrutiny" means that the emphasis of the review should be on issues of general massing and scale, and compatibility with the surrounding streetscape, and should allow for a very liberal interpretation of preservation rules. Most changes should be permitted unless there are major problems with massing, scale or compatibility.

"Moderate Scrutiny" involves a higher standard of review than "lenient scrutiny." Besides issues of massing, scale and compatibility, preserving the integrity of the resource is taken into account. Alterations should be designed so that the altered structure still contributes to the district. Use of compatible new materials, rather than the original building materials, should be permitted. Planned changes should be compatible with the structure's existing design, but should not be required to replicate its architectural style.

"Strict Scrutiny" means that the planned changes should be reviewed to insure that the integrity of the significant exterior architectural or landscaping features and details is not compromised. However, strict scrutiny should not be "strict in theory but fatal in fact" i.e. it does not mean that there can be no changes but simply that the proposed changes should be reviewed with extra care.

The *Guidelines* state five basic policies that should be adhered to, including:

- Preserving the integrity of the 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.
- Preserving the integrity of contributing structures. Alterations should be designed in such a way that the altered structure still contributes to the district.
- Maintaining the variety of architectural styles and the tradition of architectural excellence.
- 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.

- Alterations to the portion of a property that are not visible from the public-right-of-way should be subject to a very lenient review. Most changes to the rear of the properties should be approved as a matter of course.

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

- Windows (including window replacement) should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not. For outstanding resources, they should be subject to strict scrutiny. Addition of compatible exterior storm windows should be encouraged, whether visible from the public right-of-way or not. Vinyl and aluminum windows (other than storm windows) should be discouraged. Addition of security bars should be subject to lenient scrutiny, whether visible from the public right-of-way or not.

Montgomery County Code, Chapter 24A-8

The following guidance which pertains to this project are as follows:

- (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 ensure 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;
- (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 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 Contributing Resource in the Chevy Chase Village Historic District. The Shingle-styled, wood-frame house was constructed ca. 1912. Several alterations to the form of the house occurred in the mid-twentieth century. This includes the removal of the wraparound porch, potential relocation of the front door, and construction of the one-story addition on the east elevation. There are no relevant Historic Area Work Permits (HAWPS) for the property.¹

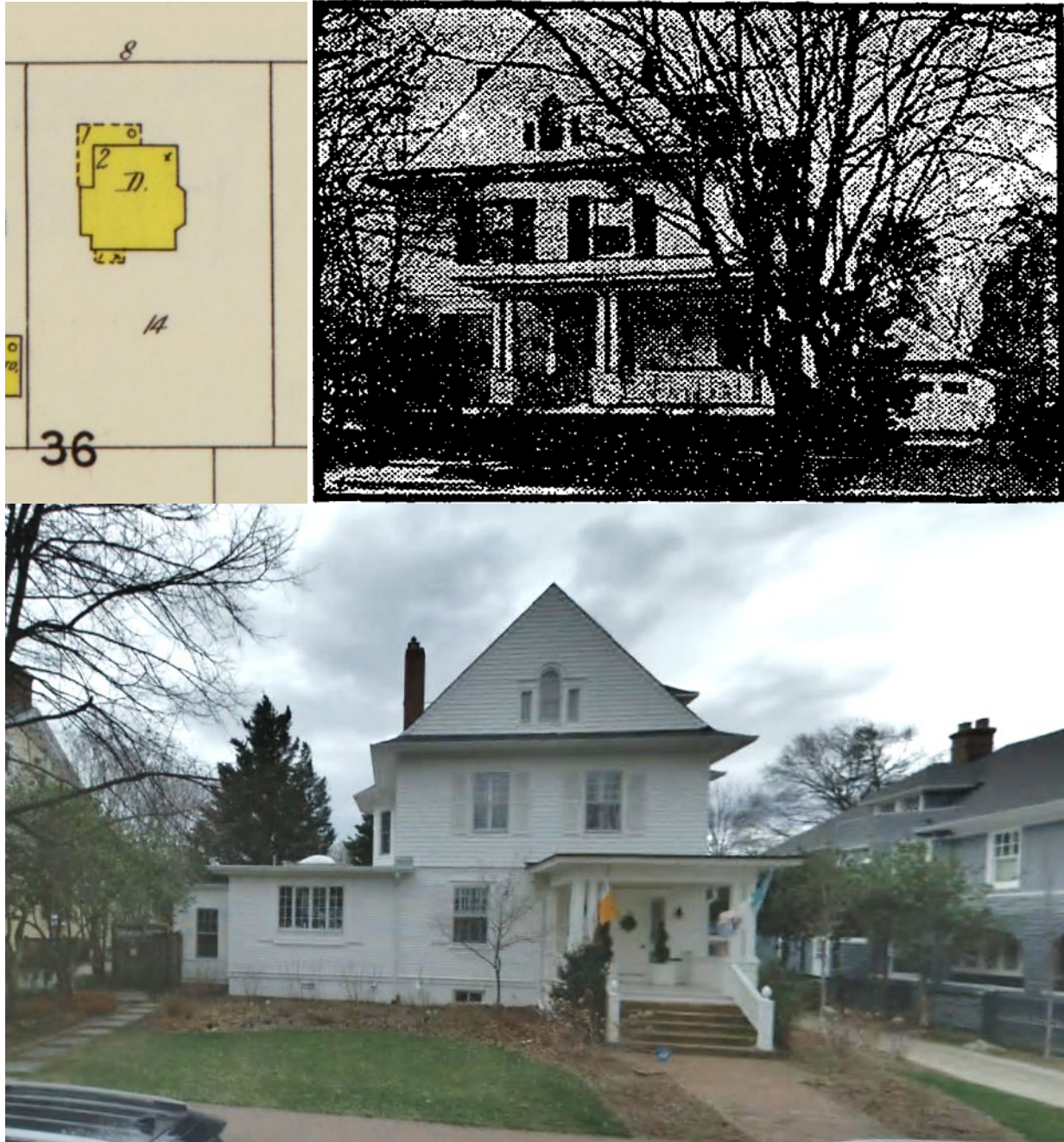


Figure 2: View of the façade of 8 East Lenox Street, 1916 Sanborn Fire Insurance Map (upper left), 1931 (upper left) and 2022 (bottom). Source: Sanborn Fire Insurance Company, Washington Post, and Bing.

¹ For more information, see

https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640008/Box069/35-15-06II_Old%20School%20House_8%20Lenox%20St_10-26-2006.pdf.

Window Replacement

Staff finds that the replacement of the original windows on the façade of the house to be consistent with the applicable guidelines and recommends approval with conditions. Staff reviewed the replacement of the windows with “moderate scrutiny” per the guidelines which permits the use of “new compatible materials.” The applicant proposes the installation of Fibrex Anderson windows. Fibrex is a blend of 40 percent wood fiber (by weight) with 60 percent thermoplastic polymer (by weight). This material has not been reviewed or approved for use in the Chevy Chase Historic District. The Commission has approved Fibrex Anderson windows in the Takoma Park Historic District, but under different circumstances. In that case, the HPC allowed for its installation for fenestration on a new rear addition with limited visibility from the public rights-of-way. Also, Chevy Chase and Takoma Park have their own set of design guidelines and regulations with different standards of review. Staff would not support the use of the composite windows on the façade of a contributing resource in either historic district due to the incompatibility of the material. Therefore, staff recommends the applicant replace the proposed composite windows with a full-frame, aluminum-clad, wood-sash replacement window that matches the dimension of the existing windows.

While the guidelines discourage the installation of “vinyl and aluminum windows,” aluminum-clad wood windows are a superior product than the referenced “aluminum windows” and should not be considered in a similar light. The replacement of the original wood windows with simulated divided light, aluminum-clad, wood-sash windows would diminish the historic integrity (materials, design, and workmanship) of the contributing resource, but not to the extent that it would change the property’s classification to non-contributing. The windows would retain the existing fenestration pattern, size of the opening, and design of the windows. Therefore, the windows would be compatible with the architectural features of the site and historic district. In a similar case, the Board of Appeals of Montgomery County found that the HPC incorrectly denied an applicant’s request to replace original wood windows with similar aluminum-clad wood windows at 22 Hesketh Street—a Contributing Resource in the Chevy Chase Historic District—in 2013.²

After full and fair consideration of the applicant’s submission, staff finds the proposal, as modified by the conditions, consistent with the Criteria for Issuance in Chapter 24A-8(b)(1), (2) and (d), having found the proposal is consistent with the *Secretary of the Interior’s Standards for Rehabilitation #2 and #9*, and *Chevy Chase Village Historic District Guidelines* outlined above.

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Commission (HPC) **approve with one (1) condition** the HAWP with final approval delegated to staff:

1. The applicant shall replace the proposed composite windows with a full frame, aluminum-clad, wood-sash windows that match the general dimensions of the existing windows.

under the Criteria for Issuance in Chapter 24A-8(b), (1), (2), and (d), having found that the proposal is consistent with the *Chevy Chase Village Historic District Guidelines*, 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;

² Board of Appeals of Montgomery County, Case No. A-6402, Appeal of Margaret S. Marcus, May 8, 2013. For more information, <https://mcatlas.org/filetransfer/HistoricPreservation/Temp%20Files/22%20Hesketh%20Street.%20Chevy%20Chase%20Appeal%20-%20-%20A-6402%20Decision.pdf>.

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



APPLICATION FOR HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP#
DATE ASSIGNED

APPLICANT:

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
Tax Account No.:

AGENT/CONTACT (if applicable):

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
Contractor Registration No.:

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property

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 /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: Street:

Town/City: Nearest Cross Street:

Lot: Block: Subdivision: 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:

- Checklist of work types: New Construction, Addition, Demolition, Grading/Excavation, Deck/Porch, Fence, Hardscape/Landscape, Roof, Shed/Garage/Accessory Structure, Solar, Tree removal/planting, Window/Door, Other.

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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

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

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

Work Item 1: _____	
Description of Current Condition:	Proposed Work:

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

**HISTORIC AREA WORK PERMIT
CHECKLIST OF
APPLICATION REQUIREMENTS**

	Required Attachments						
Proposed Work	1. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

Gallagher Residence - Exterior Window Views

Side View (Facing East from Driveway – 2nd Floor)



Side View (Facing East from Driveway)



Front View (Facing South from East Lenox Street)



Gallagher Residence - Interior Window Views



Window #1 – Kitchen



Window #2



Window #5



Window #3



Window #4



Window #6



Window #6 – Close-up

Gallagher Residence - Interior Window Damage



Gallagher Residence – Original Historic Window Measurements



Window #2



Window #3

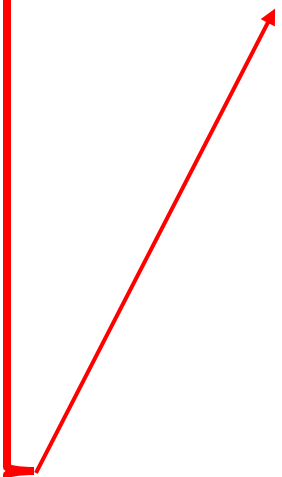


Window #4



Window #5

Windows #2, #3, #4, #5 have same measurements as shown below:





Window #1 – Kitchen



Window #6 – 2nd Floor Bathroom

Gallagher Residence – Window Measurement Comparison

7.

	Rail	Muntin	Stile
Windows #2-5 (Original)	3.25"	.75"	1.75"
Renewal by Andersen	3.90"	.75"	1.84"
Window #6 (not original)	3.15"	1"	1.75"
Renewal by Andersen	3.90"	.75"	1.84"
Window #1 (not original)	1.5	.75"	2"
Renewal by Anderson	1.25"	.75"	2.75"

Gallagher Residence – Andersen Window Specifications*

8.

*More detailed spec sheets attached to email

77 W
51 H

Window #1

Window: Casement , Triple, 1:2:1, Left Vent / Stat / Right Vent, Base Frame, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: All Sash: High Performance SmartSun Glass, No Pattern
Hardware: White **Screen:** TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 2w x 4h , Sash 2: Colonial 4w x 4h, Sash 3: Colonial 2w x 4h
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

40 W
66 H

Window #4

Window: Double-Hung (DG) , 1:1, Flat Sill, Base Frame, Traditional Checkrail, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: All Sash: High Performance SmartSun Glass, No Pattern
Hardware: White , Standard Color Extra Lock, Standard Color Recessed Hand Lift, Standard Color Extra Recessed Hand Lift
Screen: TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 3w x 3h , Sash 2: No Grille
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

40 W
66 H

Window #2

Window: Double-Hung (DG) , 1:1, Flat Sill, Base Frame, Traditional Checkrail, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: All Sash: High Performance SmartSun Glass, No Pattern
Hardware: White , Standard Color Extra Lock, Standard Color Recessed Hand Lift, Standard Color Extra Recessed Hand Lift
Screen: TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 3w x 3h , Sash 2: No Grille
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

40 W
66 H

Window #5

Window: Double-Hung (DG) , 1:1, Flat Sill, Base Frame, Traditional Checkrail, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: All Sash: High Performance SmartSun Glass, No Pattern
Hardware: White , Standard Color Extra Lock, Standard Color Recessed Hand Lift, Standard Color Extra Recessed Hand Lift
Screen: TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 3w x 3h , Sash 2: No Grille
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

40 W
66 H

Window #3

Window: Double-Hung (DG) , 1:1, Flat Sill, Base Frame, Traditional Checkrail, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: All Sash: High Performance SmartSun Glass, No Pattern
Hardware: White , Standard Color Extra Lock, Standard Color Recessed Hand Lift, Standard Color Extra Recessed Hand Lift
Screen: TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 3w x 3h , Sash 2: No Grille
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

40 W
66 H

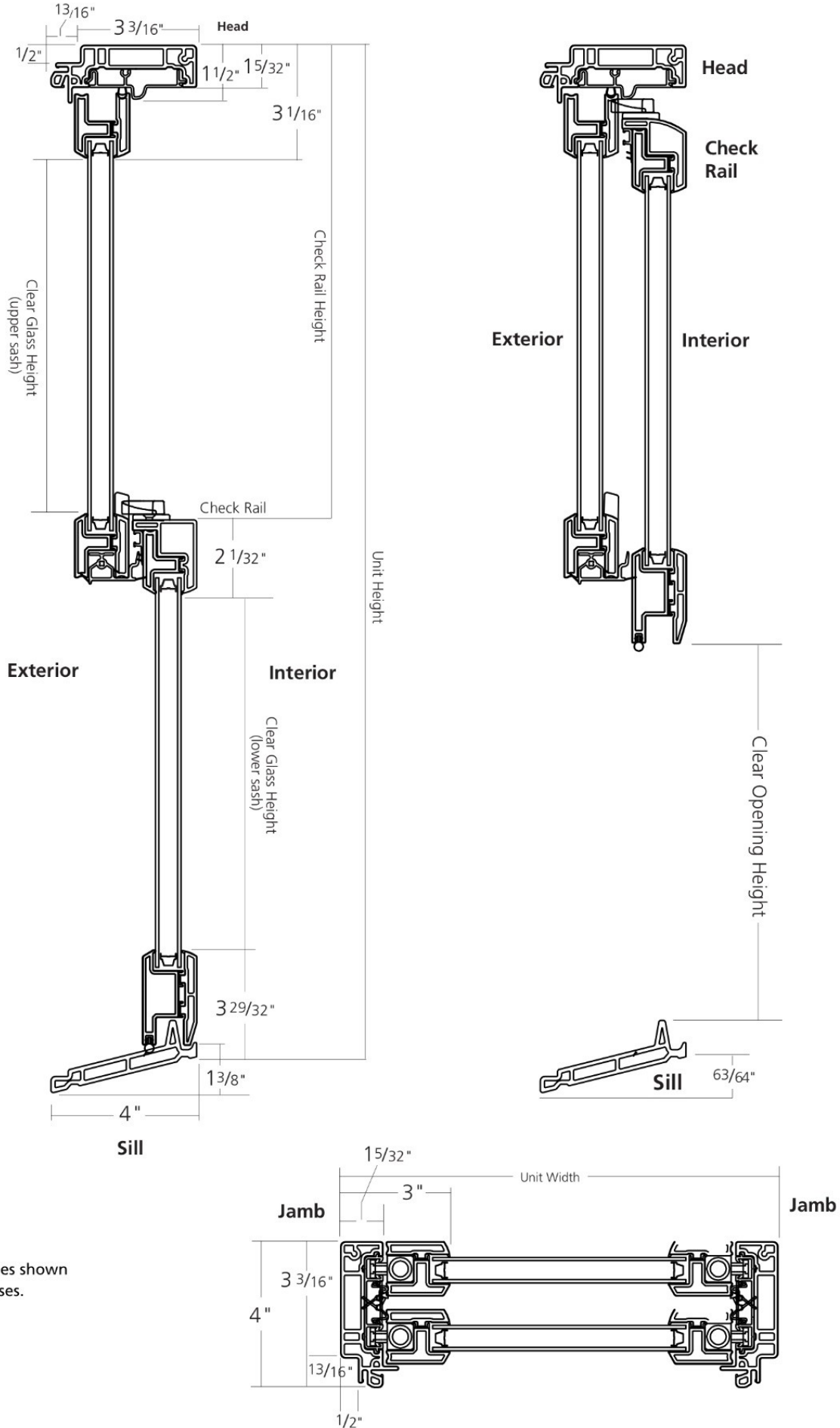
Window #6

Window: Double-Hung (DG) , 1:1, Flat Sill, Base Frame, Traditional Checkrail, Exterior White, Interior White
Performance Calculator: PG Rating: 40 | DP Rating: + 40 / - 40
Glass: Sash 1: High Performance SmartSun Glass , No Pattern, Sash 2: High Performance SmartSun Glass, No Pattern, Tempered Glass
Hardware: White , Standard Color Extra Lock, Standard Color Recessed Hand Lift
Screen: TruScene , Full Screen
Grille Style: Full Divided Light (FDL with spacer) **Grille Pattern:** Sash 1: Colonial 3w x 3h , Sash 2: No Grille
Misc: Trim- Omit Interior , New Interior Trim not needed/desired.

CLEAR OPENING AND CLEAR GLASS DIMENSIONS, cont.

DOUBLE-HUNG WINDOW

SLOPED SILL INSERT



Window profiles shown for measurement purposes.

WINDOW OPENING AND DIMENSIONAL SPECIFICATIONS

CASEMENT SINGLE WINDOW (CS)



Window profiles shown for measurement purposes.



All dimensions shown are approximate.
For precise clear opening and clear glass dimensions, refer to the Clear Opening, Clear Glass, and Vent Opening Dimensions charts on the 1-15.

