

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	9 West Kirke Street, Chevy Chase	Meeting Date:	8/14/2024
Resource:	Non-Contributing Resource (Chevy Chase Village Historic District)	Report Date:	8/7/2024
Applicant:	Joshua Harrison (Lacreisha Phillips, Agent)	Public Notice:	7/31/2024
Review:	HAWP	Tax Credit:	No
Permit Number:	1077108 RETROACTIVE	Staff:	Chris Berger
PROPOSAL:	Retroactive approval for hardscape alterations and lantern installation.		

STAFF RECOMMENDATION

Staff recommends that the HPC **approve** the HAWP application.

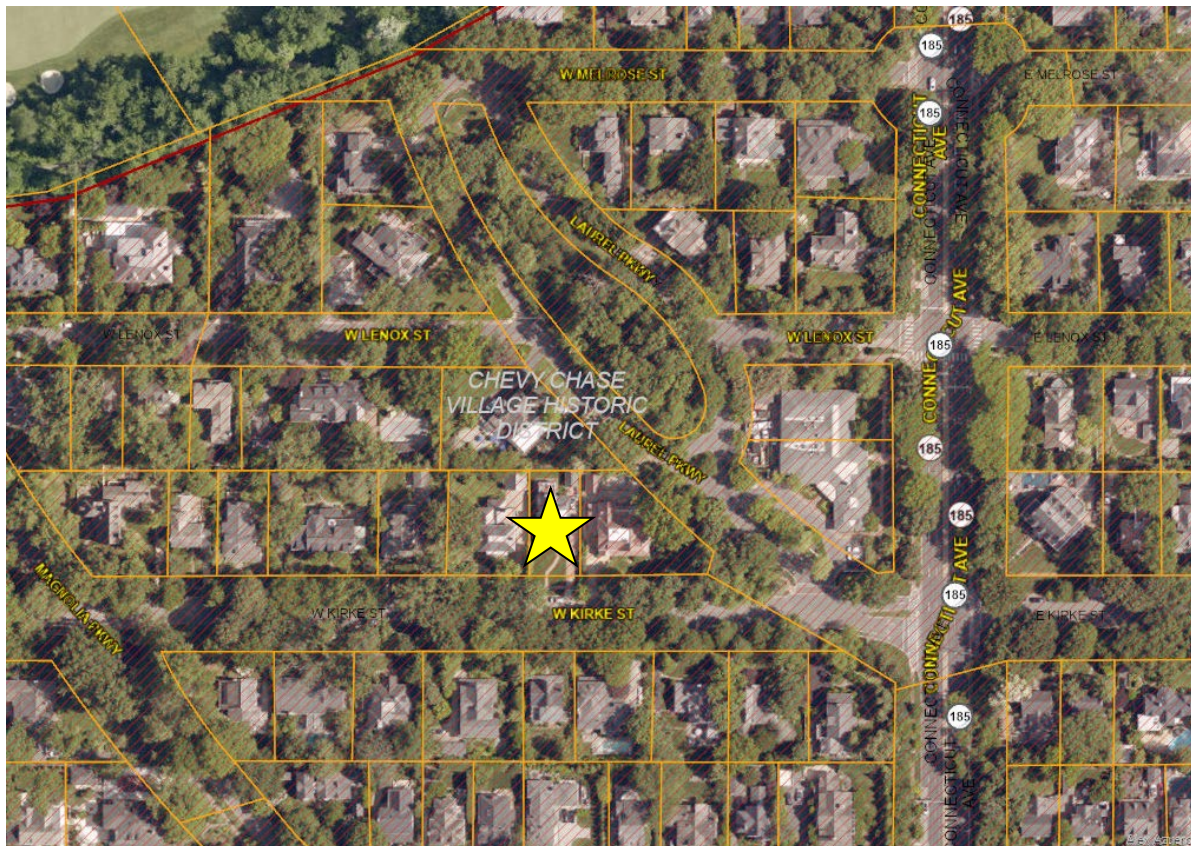


Figure 1: The subject property in the Chevy Chase Historic District is indicated with a yellow star. The district boundaries are marked with red cross hatching.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource within the Chevy Chase Village Historic District
 STYLE: Vernacular (previously Colonial Revival)
 DATE: 2022 (previous building constructed circa 1892-1916)



Figure 2: The hardscape alterations include the installation of a lantern and stone pavers in the front yard as seen in these photos provided by the applicant.

BACKGROUND

At its February 21, 2021, meeting, the HPC approved the demolition and new construction of a single-family house on the property with HAWP #939482.¹

The HPC approved HAWP #1018710 at its February 8, 2023, meeting for hardscape alteration, fence installation, and driveway alteration.²

PROPOSAL

The applicant seeks retroactive approval for the hardscape alterations. These include:

- the installation of stone pavers in the front yard near the front entrance;
- the installation of stone pavers to create a path from the front yard along the left-side elevation; and
- the installation of an approximately 10-foot tall gas lantern in the front yard with an 18-inch concrete footer.

Work not subject to a HAWP includes a bench placed on top of pavers and the planting of a tree and shrubs.

¹ The staff report for HAWP #939482 is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/02/I.C-9-West-Kirke-Street-Chevy-Chase-939482.pdf>

The approved plans are available here: https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/HAWP/24-2021/9%20West%20Kirke%20Street,%20Chevy%20Chase%20-%20Approval%20Letter%20-%2020939482.pdf

² The staff report for HAWP #1018710 is available here: <https://montgomeryplanning.org/wp-content/uploads/2023/02/I.B-9-West-Kirke-Street-Chevy-Chase-1018710.pdf>

The approved plans are available here: https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/HAWP/2-08-2023/9%20west%20kirke%20street,%20chevy%20chase%20-%201018710%20-%20approval.pdf

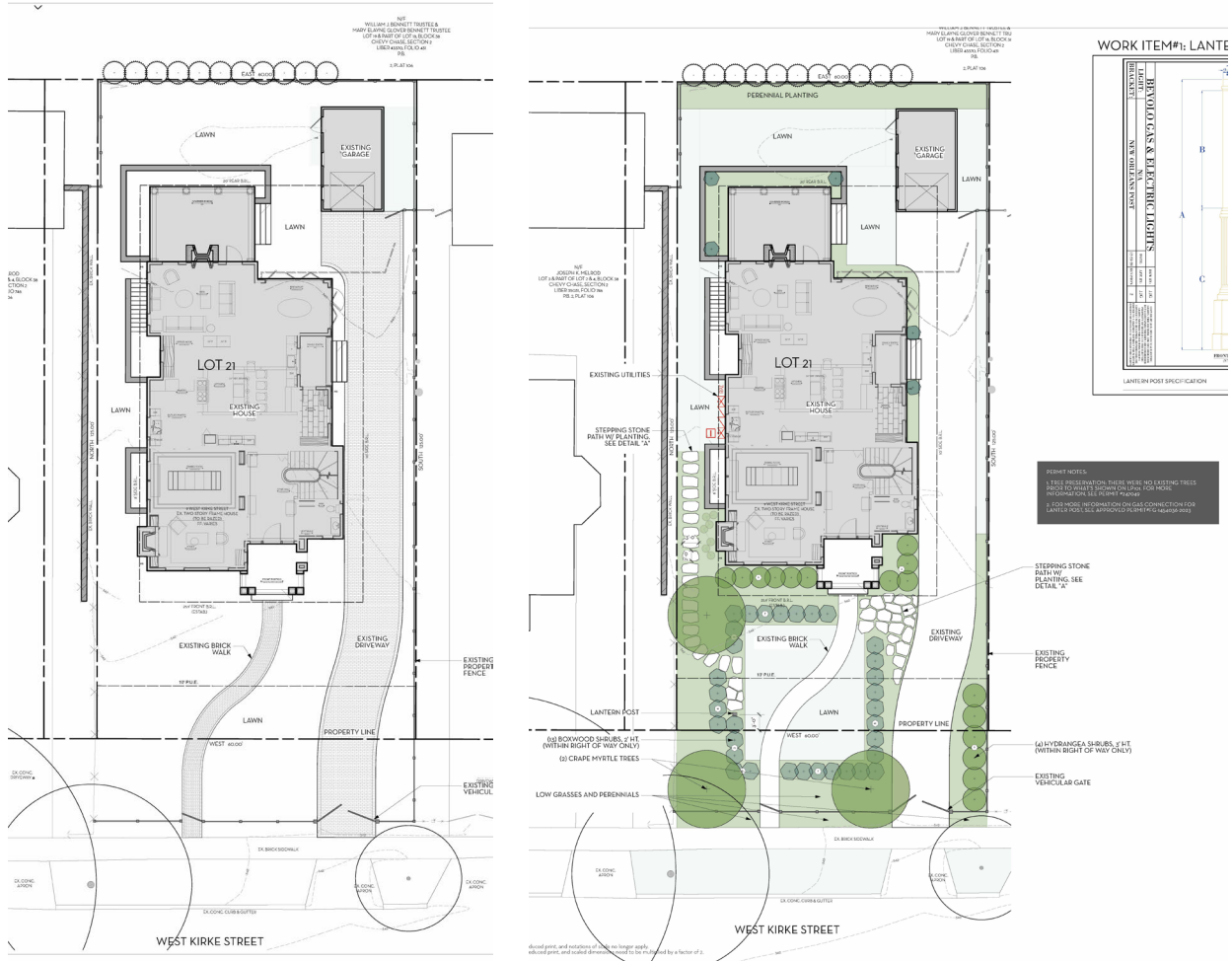


Figure 3: The previous site plan (left) and the existing site plan (right) showing the front hardscape alterations and lantern installation.

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

- (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

Staff supports the applicant's retroactive proposal and recommends approval. The subject property was designated as a circa 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, finding the proposal consistent with the *Guidelines* for Non-Contributing/Out-of-Period Resources and New Construction.

At the February 8, 2023, HPC meeting, the Commission approved a 3-foot tall brick retaining wall; driveway expansion between the rear porch and garage; a new brick-paved walkway at the right side of the garage; a revision to the previously proposed front walkway; and new fencing.

As part of this retroactive review, the applicant seeks approval for the hardscape alterations and lantern installation in the front yard.

The alterations meet the *Guidelines* for Non-Contributing/Out-of-Period Resources and Chapter 24A-8(d), which both call for the most lenient level of review and recommend alterations be approved as a matter of course unless the alteration is so major that it affects the streetscape and landscape and character of the district. Staff does not find that to be the case for the work, which have not substantially altered the exterior features of the historic resource within the historic district and are compatible with the district's character in accordance with Chapter 24A-8(b)(1) and (2). Further, in conformance with the *Standards*, the historic character of the property has been retained and preserved and no historic materials that characterized the property were destroyed.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application 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* 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 contact the staff person assigned to this application at 301-495-4571 or chris.berger@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:

- 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	I. 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	*	*	*	*	*		*

Consultants:

This drawing and the design shown hereon are the property of Campion Hruby Landscape Architects. The reproduction, copying or use of this drawing without written consent is prohibited and any infringement will be subject to legal action.

Project #: 22204

FERRIS HARRISON

9 West Kirke Street
Chevy Chase, MD 20815

3 JULY 2024

PERMIT SUBMISSION

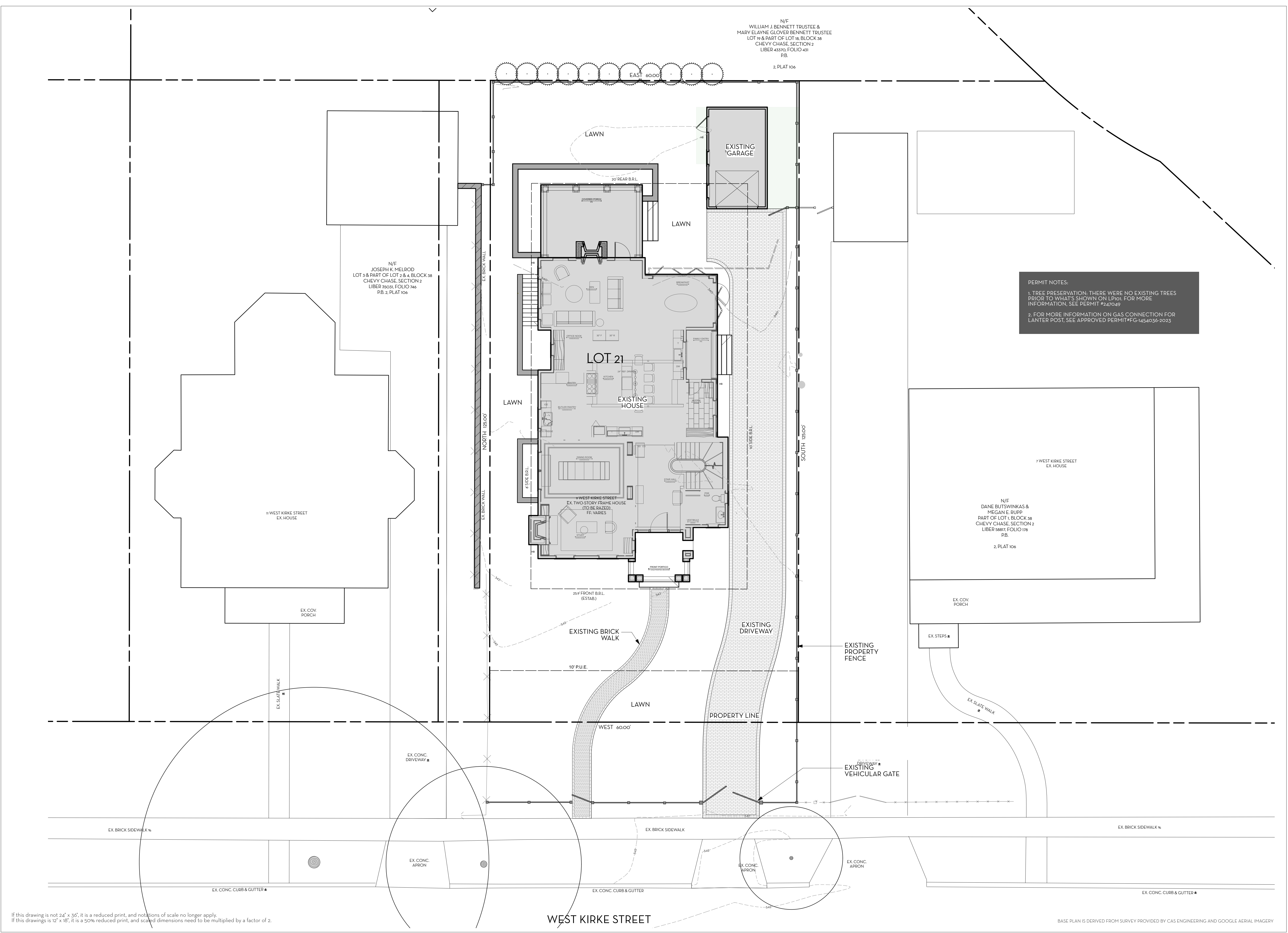
No.	Date	Description

Drawn By: BK / LP Proj. Manager: LP
Approved By: KC

N
Scale: 1/8" = 1'-0"

EXISTING CONDITIONS

LP-100



PERMIT NOTES:

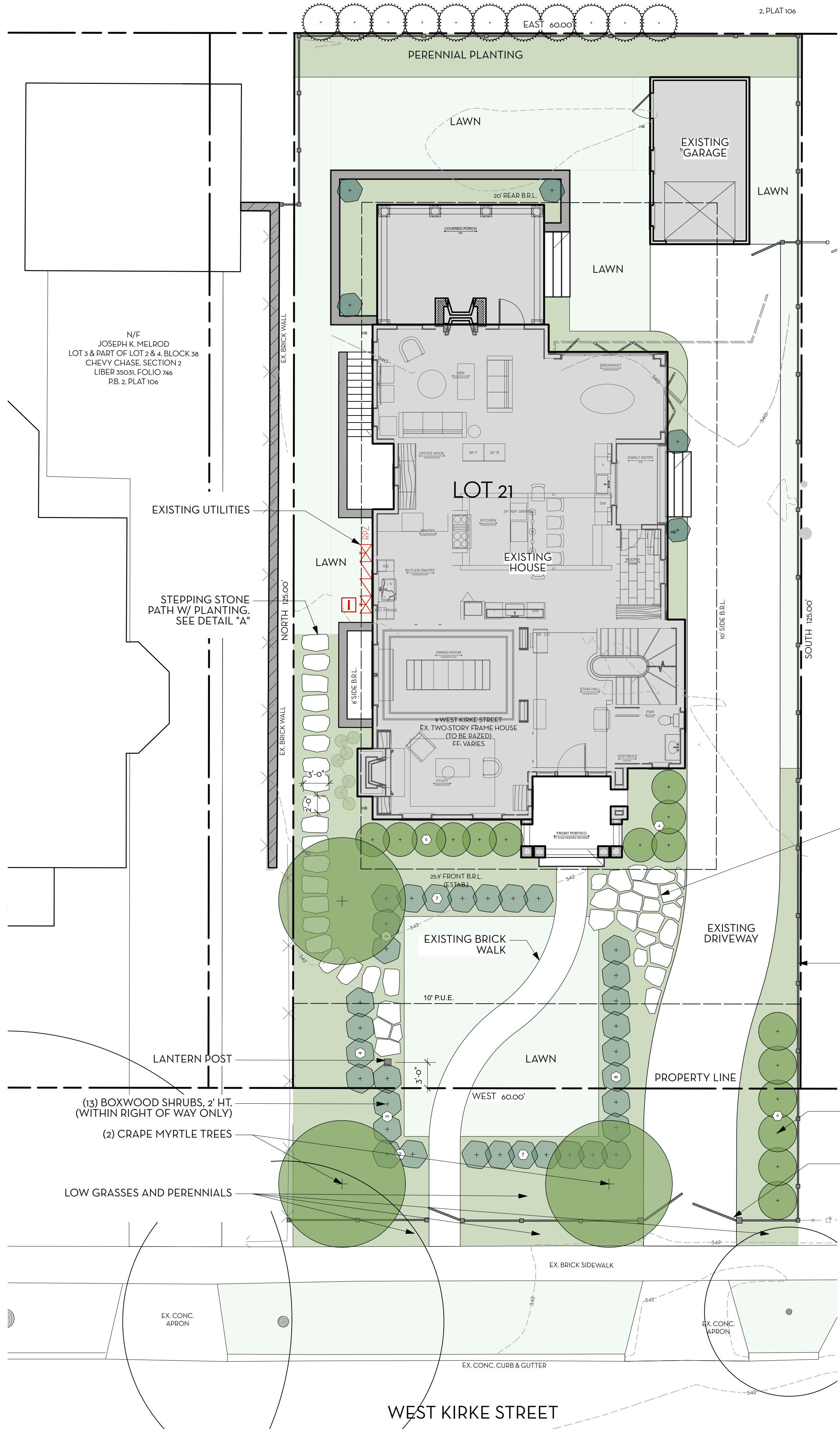
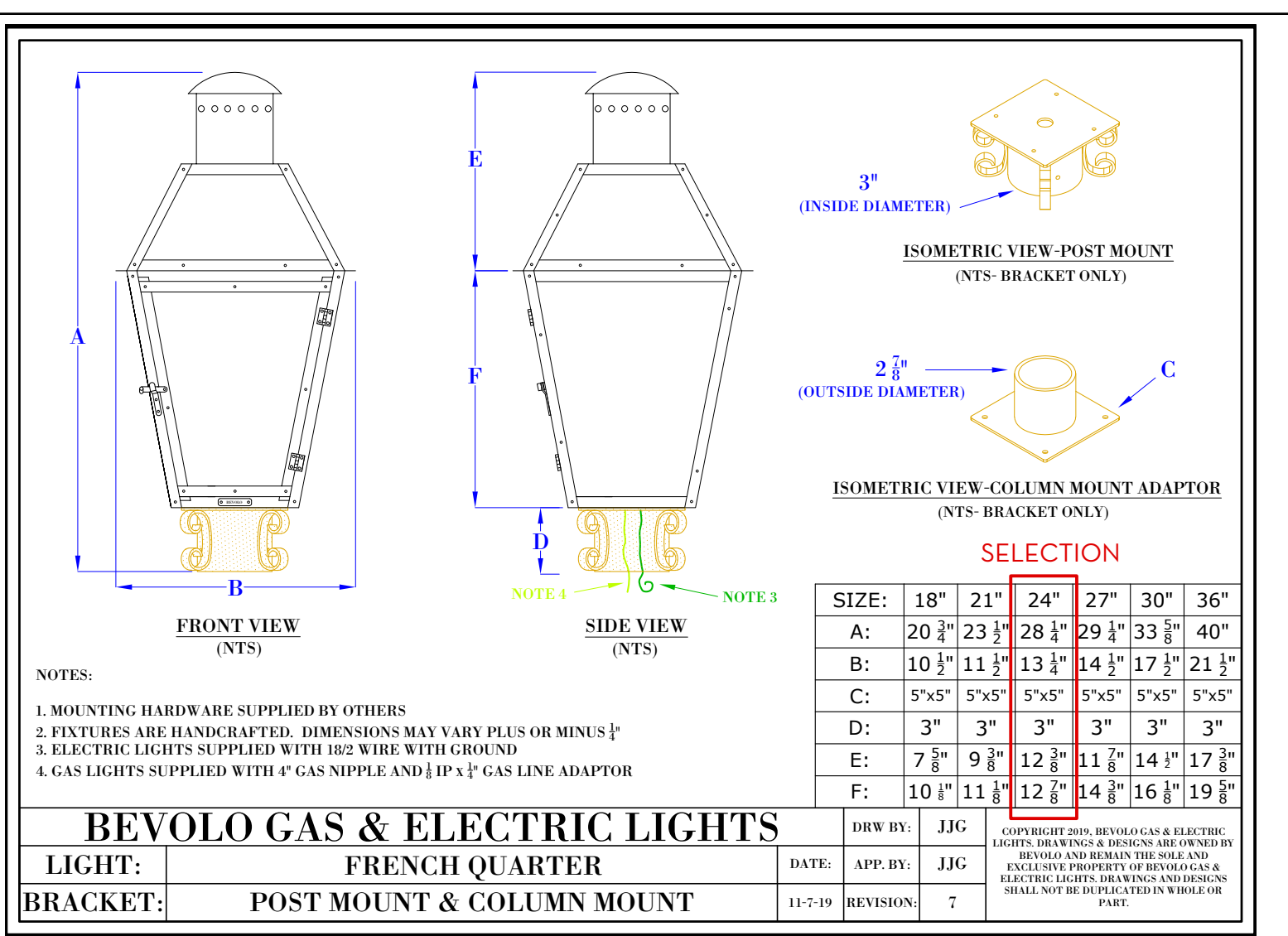
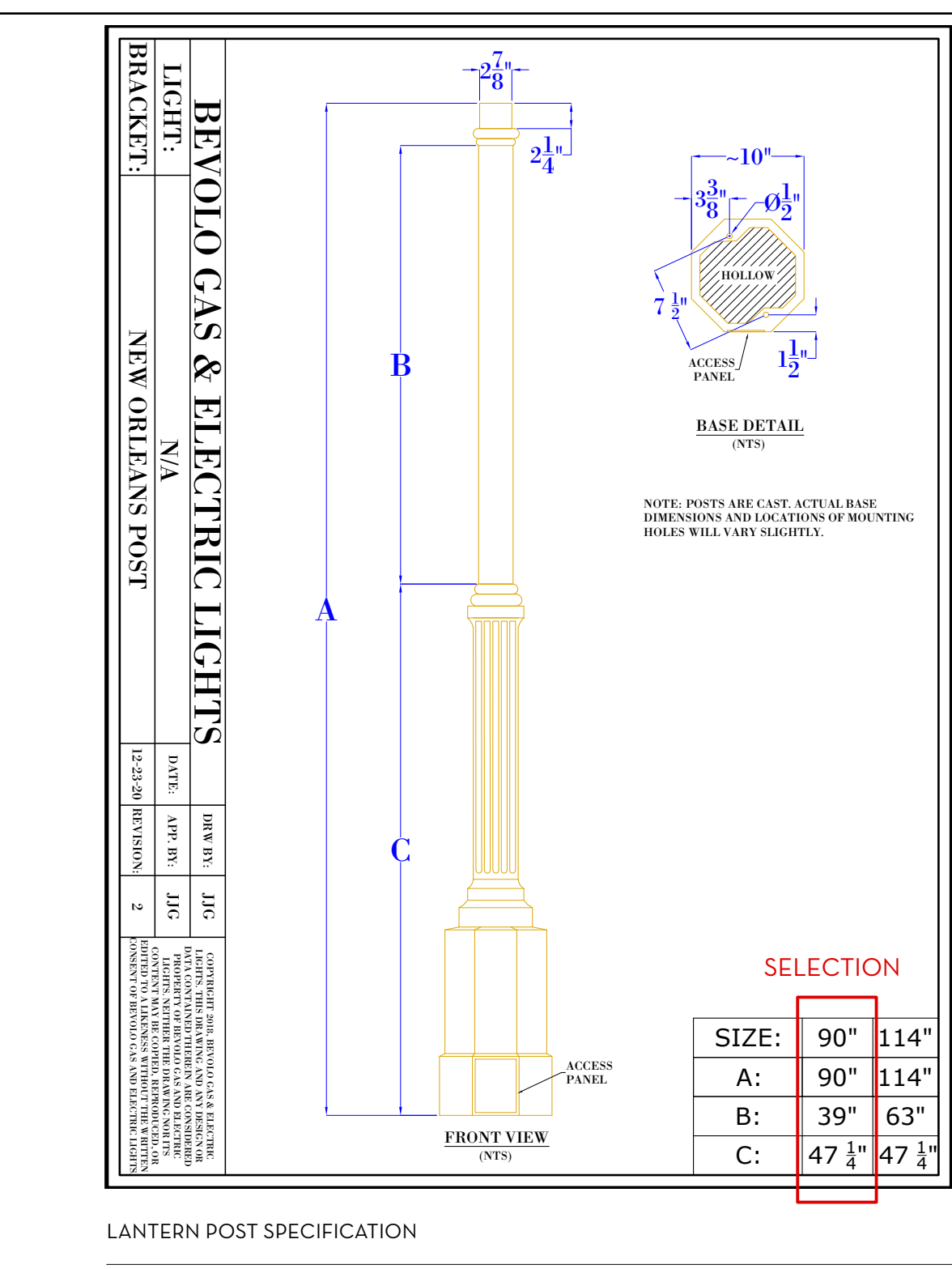
1. TREE PRESERVATION: THERE WERE NO EXISTING TREES PRIOR TO WHAT'S SHOWN ON LP101. FOR MORE INFORMATION, SEE PERMIT #247049
2. FOR MORE INFORMATION ON GAS CONNECTION FOR LANTER POST, SEE APPROVED PERMIT #FG-1454036-2023

If this drawing is not 24" x 36", it is a reduced print, and notations of scale no longer apply.
If this drawings is 12" x 18", it is a 50% reduced print, and scaled dimensions need to be multiplied by a factor of 2.

BASE PLAN IS DERIVED FROM SURVEY PROVIDED BY CAS ENGINEERING AND GOOGLE AERIAL IMAGERY

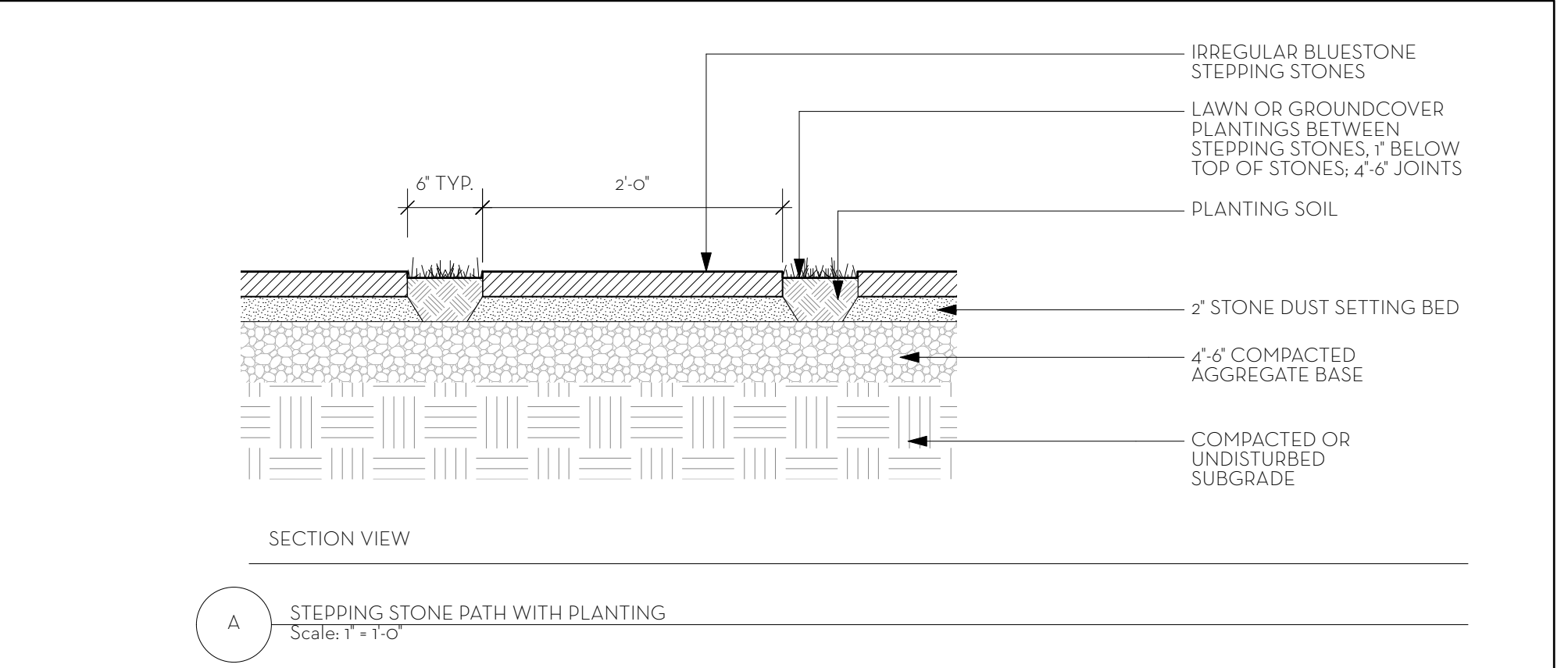
WILLIAMS-J. DENNIS, F.F. MUSTILL & MARY ELAYNE GLOVER BENNETT TRU
 LOT 19 & PART OF LOT 18, BLOCK 34
 CHEVY CHASE, SECTION 2
 LIBER 43370, FOLIO 497
 P.B.

WORK ITEM#1: LANTERN POST

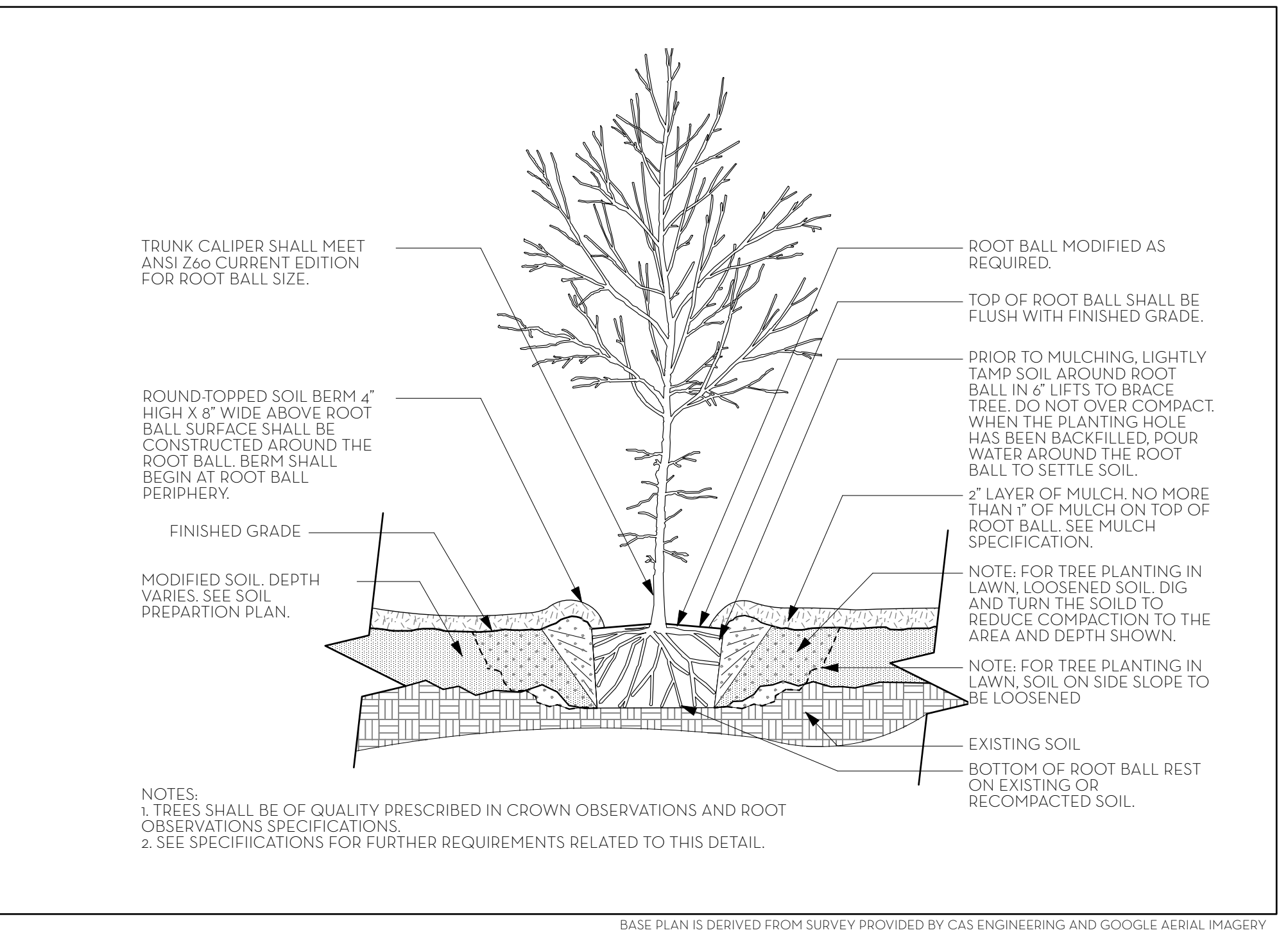


PERMIT NOTES:
 1. TREE PRESERVATION: THERE WERE NO EXISTING TREES PRIOR TO WHAT'S SHOWN ON L.P.101. FOR MORE INFORMATION, SEE PERMIT #247049.
 2. FOR MORE INFORMATION ON GAS CONNECTION FOR LANTERN POST, SEE APPROVED PERMIT #CG-1454026-2023.

WORK ITEM#2: GARDEN STEPPERS, DRY LAID



WORK ITEM#3: NEW TREES IN RIGHT-OF-WAY



If this drawing is not 24" x 36", it is a reduced print, and notations of scale no longer apply.
 If this drawing is 12" x 18", it is a 50% reduced print, and scaled dimensions need to be multiplied by a factor of 2.

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

Consultants:
 Project #: 22204
FERRIS HARRISON
 9 West Kirke Street
 Chevy Chase, MD 20815
 3 JULY 2024

PERMIT SUBMISSION

No.	Date	Description

Drawn By: BK / LP Proj. Manager: LP
 Approved By: KC

N
 Scale: 1/8" = 1'-0"

SITE PLAN

LP-101

BASE PLAN IS DERIVED FROM SURVEY PROVIDED BY CAS ENGINEERING AND GOOGLE AERIAL IMAGERY



WSSC

FINAL INSPECTION PLUMBING/GASFITTING

This installation meets the requirements of the Plumbing and Gasfitting Regulations of the Washington Suburban Sanitary District. These regulations require the Master Plumber/Gasfitter to provide a three year warranty for outside/underground work and one year warranty for inside and other work from date of Final Inspection listed below. If unresolved warranty problems develop during the period, the WSSC Regulatory Services Group may be contacted for the name of the Master Plumber/Gasfitter, a more detailed explanation of their responsibilities, and insurance information when appropriate.

Bldg. Address 9 W Kirke St

Permit No. FB-1454036-2023

PLUMBING

INSPECTOR

ID NO.

DATE

GASFITTING

[Signature]

7695

2-16-24

INSPECTOR

ID NO.

DATE

Gas light







AMERICAN
TURF
(410) 721-1861

9



AMERICAN
TURF
(410) 721-1881

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