

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	4A Oxford Street, Chevy Chase	Meeting Date:	10/23/2024
Resource:	Non-Contributing Resource Chevy Chase Village Historic District	Report Date:	10/16/2024
Applicant:	Dafna Tapiero (Andrew Moore, Agent)	Public Notice:	10/9/2024
Review:	1088689	Tax Credit:	n/a
Proposal:	Fence Installation	Staff:	Dan Bruechert

STAFF RECOMMENDATION

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

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Non-Contributing Resource within the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: 1989



Figure 1: The subject property is located near the intersection of Oxford St. and Connecticut Ave.

PROPOSAL

The applicant proposes to install a fence with a mechanical gate between the house and existing fence.

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 the historic preservation review guidelines in the approved and adopted amendment for the Chevy Chase Village 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.

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.

- *Fences* should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not.
- 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.

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.

Secretary of the Interior’s Standards for Rehabilitation:

#2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

#9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

#10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The subject property is a two-story brick Colonial Revival house categorized as a ‘Non-contributing resource’ to the Chevy Chase Village Historic District. To the right of the house, there is a cobbled paver driveway. The applicant proposes to construct a wrought iron fence with a mechanical gate. The fence and gate are 6’ (six feet tall) and the total width is just under 19’ (nineteen feet). The fence and gate will be installed approximately 5’ (five feet) to the rear of the front wall plane.

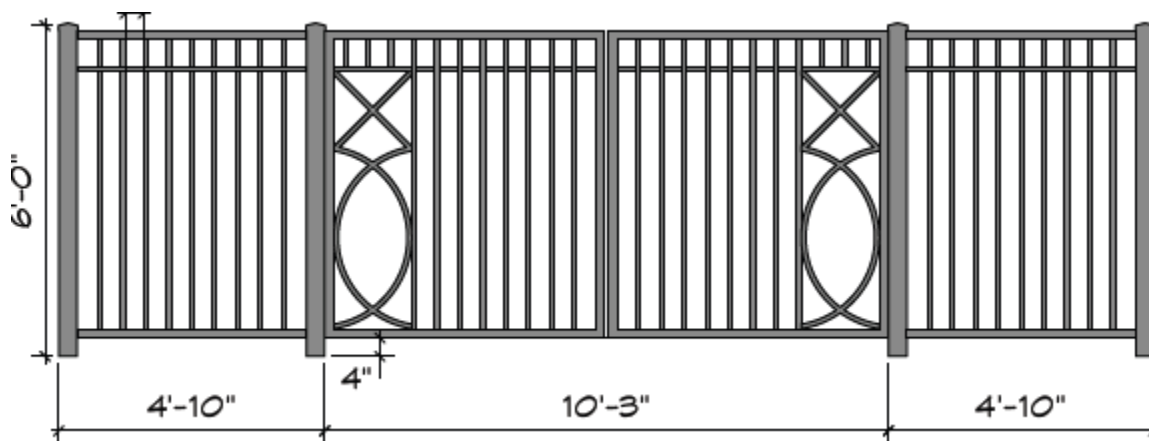


Figure 2: Elevation of the proposed fence.

Ordinarily, fences in the Chevy Chase Village Historic District forward of the rear wall plane are limited

to 48” (forty-eight inches). This helps to preserve the open, park-like setting identified as characteristic of the district. However, Staff finds that the current proposal will retain that sense of openness, because of the wide - 4” (four-inch) - gaps between the vertical iron pickets. This design creates a fence with much more void than solid and takes cues from the existing wrought iron handrail on the front stairs. Staff finds the design will not detract from the character of the resource or surrounding district.

Staff additionally finds wrought iron fencing is an appropriate material for the house and surrounding district. Staff recommends the HPC approve the HAWP under the *Design Guidelines*, 24A-8(d), and Standard 2.

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 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 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 dan.bruechert@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:

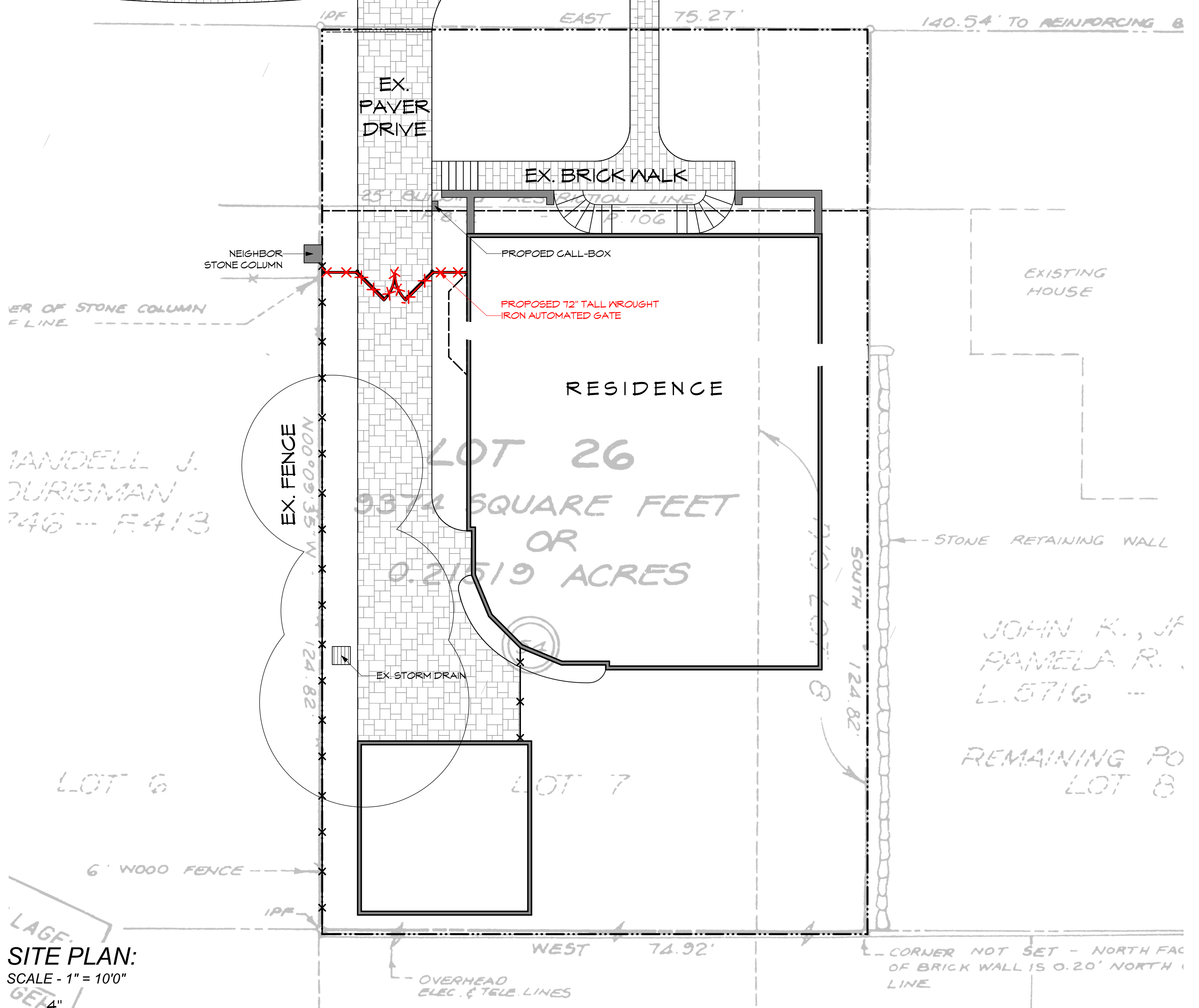
Work Item 3: _____	
Description of Current Condition:	Proposed Work:

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

	Required Attachments						
Proposed Work	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	*	*	*	*	*		*

OXFORD STREET

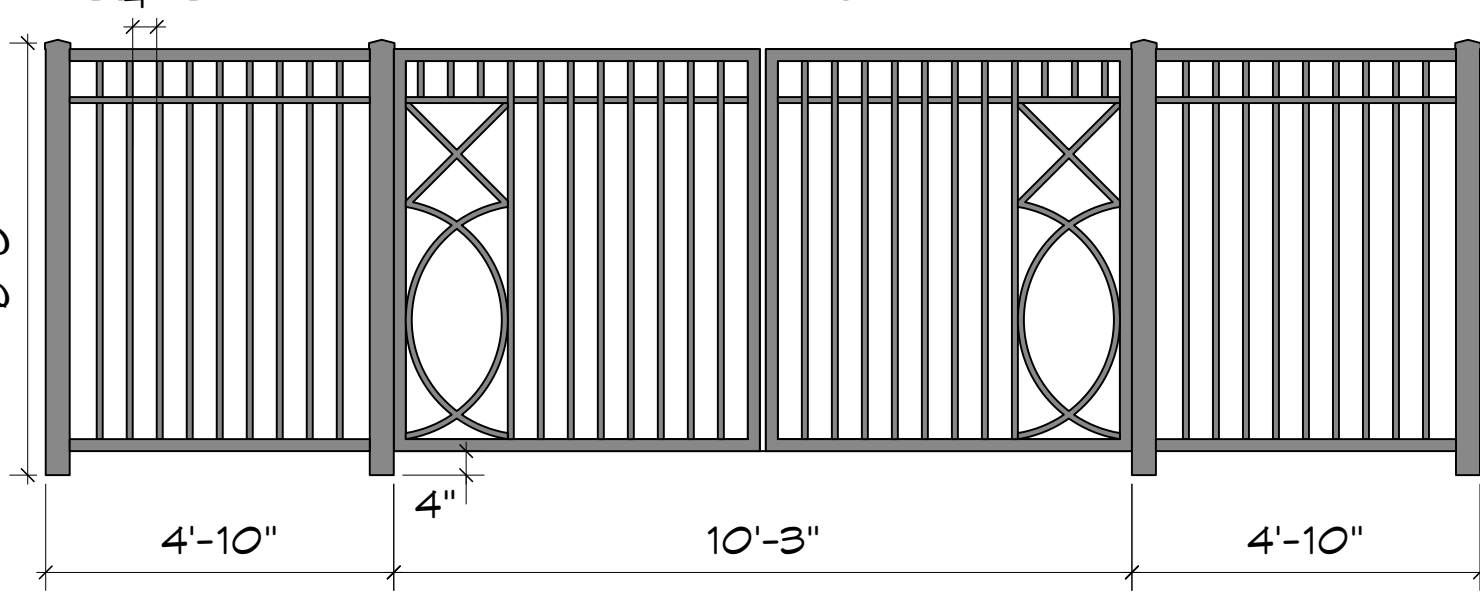
(60' WIDE)
P.B. 2 - P. 106



MANDELL J.
DURISMAN
746 - F413

JOHN K., JR
PAMELA R.
L. 5716 -
REMAINING PO
LOT 8

SITE PLAN:
SCALE - 1" = 10'0"

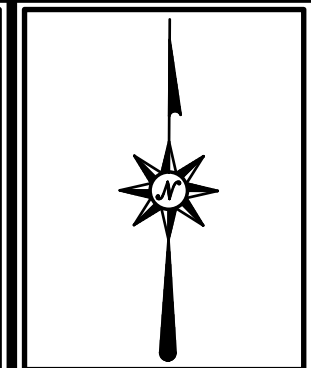


DRIVEWAY GATE ELEVATION:
SCALE - 3/8" = 1'0"

SCALE: AS NOTED
DATE: 10.02.24
REVISION DATE
SHEET NO.: 1 OF 1

TAPIERO RESIDENCE
4A OXFORD STREET,
CHEVY CHASE, MD 20815

SITE PLAN



McHALE
LANDSCAPE
DESIGN, INC.
911 WEST STREET
ANNAPOLIS, MD 21401
(410) 990-0894
FAX (410) 990-0897
www.mchalelandscape.com

HAWP – CHECKLIST OF APPLICATION REQUIREMENTS

WRITTEN DESCRIPTION: FURNISH AND INSTALL 6' TALL AUTOMATED IRON DRIVEWAY GATE AND SIDE FENCING. ALL WORK TO BE COMPLETED ON PROPERTY. ALL WORK TO BE COMPLETED BEHIND THE FRONT OF THE PROPERTY. (BEHIND FRONT FAÇADE OF RESIDENCE.) IRON WORK TO MATCH EXISTING BLACK IRON RAILINGS CURRENTLY ON THE PROPERTY.

SITE PLAN: Z001-SITE PLAN-4A OXFORD-10.02.24 (ATTACHED IN EMAIL)

PLANS/ELEVATIONS: INCLUDED IN Z001-SITE PLAN-4A OXFORD-10.02.24

MATERIAL SPECIFICATIONS: BLACK IRON PAINTED TO MATCH EXISTING IRON WORK ON PROPERTY

PHOTOGRAPHS: ATTACHED ON NEXT PAGE

TREE SURVEY: INCLUDED IN Z001-SITE PLAN-4A OXFORD-10.02.24 – NO TREES TO BE REMOVED OR EFFECTED BY THIS PROJECT.

PROPERTY OWNER ADDRESSES: HAVE BEEN INCLUDED IN HAWP APPLICATION FORM

HAWP – CHECKLIST OF APPLICATION REQUIREMENTS

