MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 20 West Lenox Street, Chevy Chase Meeting Date: 1/8/2025

Resource: Contributing Resource **Report Date:** 12/31/2024

Chevy Chase Village Historic District

Applicant: Dan Coughlan **Public Notice:** 12/25/2024

(Scott Freedman, Agent)

Review: Historic Area Work Permit **Tax Credit:** n/a

Case Number: 1095563 Staff: Dan Bruechert

Proposal: Hardscape Alterations, Installation of In-Ground Pool, and New Fence

STAFF RECOMMENDATION

Staff recommends that the HPC <u>approve with two (2) conditions</u> the HAWP application with final approval delegated to staff:

- 1. The applicant must install a 5' (five foot tall) dark metal fence that may not extend further west than the property line and may not project into the right-of-way.
- 2. Dimensions of the proposed patio must be provided on all plan sheets.

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District

STYLE: Colonial Revival

DATE: 1924



Figure 1: The subject property is at the corner of W. Lenox St. and Magnolia Pkwy.

PROPOSAL

The applicant proposes to install an inground swimming pool and associated mechanical systems, a new patio with a grill, and new fencing.

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.

<u>Fences</u> should be subject to strict scrutiny if they detract significantly from an existing open streetscape. Otherwise, fences should be subject to moderate scrutiny if they are visible from the public-right-of-way, lenient scrutiny if they are not.

<u>Lot Coverage</u> should be subject to strict scrutiny in view of the critical importance of preserving the Village's open park-like character.

<u>Swimming Pools</u> should be subject to lenient scrutiny. However, tree removal should be subject to strict scrutiny as noted below.

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

III.E

- 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

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
 - (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 clapboard sided side-gable Colonial Revival house located at the corner of West Lenox Street and Magnolia Parkway. A 3' (three foot tall) painted wood picket fence surrounds the side and rear yards. There have been two prior HAWP applications at this address: one for the removal of a large tree and one for construction of a rear and side addition with alterations to the garage and hardscape (only the prelim staff reports are available for the latter). The applicant proposes to

¹ See the staff reports here:

III,E

install a swimming pool with associated mechanical systems and hardscape, expand the existing patio, and install a new fence on the property.

Swimming Pool

Directly behind the house, the applicant proposes to install a rectangular in-ground swimming pool and a raised, square, hot tub. No trees will be impacted by the installation of the pool. Directly to the south of the pool, the applicant proposes to install a 5' (five foot tall) freestanding stone wall to separate the pool area from the pool equipment, HVAC mechanicals, and generator. A wooden timber retaining wall, no taller than 18" (eighteen inches) will support the mechanical pad.

Staff finds under a lenient scrutiny review, the proposed pool will not impact the size or mass of the resource and will not have an impact on the surrounding streetscape. Additionally, no trees will be impacted by this work, as called out for evaluation in the *Design Guidelines*. Staff further finds the proposed free-standing wall is approximately 12' (twelve feet) off of the property line near the southeast corner of the lot, adjacent to the existing garage, in a location that will not disrupt the character of the streetscape. Staff finds the mechanical systems for the pool, HVAC, and emergency generator will not have a significant impact on the character of the lot and surrounding district. Staff recommends the HPC approve the pool, wall, and mechanicals under 24A-8(b)(2) and (d), the *Design Guidelines*, and *Standard* 2 and *10*.

Patio Construction

To the southwest corner of the house, there is a large flagstone patio. The applicant proposes to remove the existing patio and install a larger patio and pave the area around the pool with porcelain tile. No trees will be impacted by the patio and pool area.

Dimensions of the existing and proposed patio were not identified in the submitted materials, however, Staff finds that the proposed patio will not overwhelm the character of this very large yard. All of the patio is to the east of the west wall plan and, as this will be installed on grade, will not substantially change the visual character of the site and surrounding district. Staff recommends the HPC approve the patio under 24A-8(b)(2) and (d) and *Standard* 2.

Fence Installation

Finally, the applicant proposes to remove the existing painted wood picket fence (between three and four feet tall), that is located partially within the right of way of Magnolia Parkway, and install a 5' (five foot tall) solid board, pressure treated wood fence in its place.

Staff does not find the proposed fence is compatible with the character of the site or surrounding district. The typical requirement for fences in the Chevy Chase Village Historic District is that they be no taller that 48" (forty-eight inches) with an open picket design in front of the historic rear wall plane. Behind the historic rear wall plane, they can be taller and have a solid appearance. However, that requirement does not usually apply to corner lots, such as the subject property. Corner properties are generally held to a more rigorous standards, because their frontage helps to foster the district's open, park-like setting; one of the five basic policies that should be adhered to in the *Guidelines*. Solid fences, especially ones taller than 4' have a tendency to create a wall-like appearance, which is the opposite of an open park like setting. This fact is compounded when the fence is so close to the street. The proposed fence will be 6' 7 1/8" (six feet, seven and one-eight inch) from the street. Staff does not recommend the HPC approve the proposed fence. The character of this portion of Magnolia Avenue is of particular concern. Staff is unable to find any instances of solid board fencing installed along Magnolia Avenue. All the fences for several blocks are of an open wood picket design. The open parklike character of the district is exemplified by this streetscape, enhanced by the mature tree canopy and open landscaped yards. Using the strict scrutiny

https://mcatlas.org/tiles6/06_HistoricPreservation_PhotoArchives/HAWP/HAWP_Archive/UNKNOWN_CHEVY% 20CHASE%20VILLAGE%20HISTORIC%20DISTRICT_20%20WEST%20LENOX%20STREET,%20CHEVY% 20CHASE_04062011.PDF

review, staff finds that a solid board fence would be incongruous with the district and this portion of Magnolia Avenue in particular. The proposal would interrupt the open vistas of the properties and appear out of character with the district. A compatible fence should be more transparent and open; such a design can be achieved through utilizing an open picket in a material that would be an incongruous as possible. Additionally, it appears from examining the plans and GIS that the existing fence is installed within the right of way of Magnolia Avenue. Any fence must be installed on the property itself.

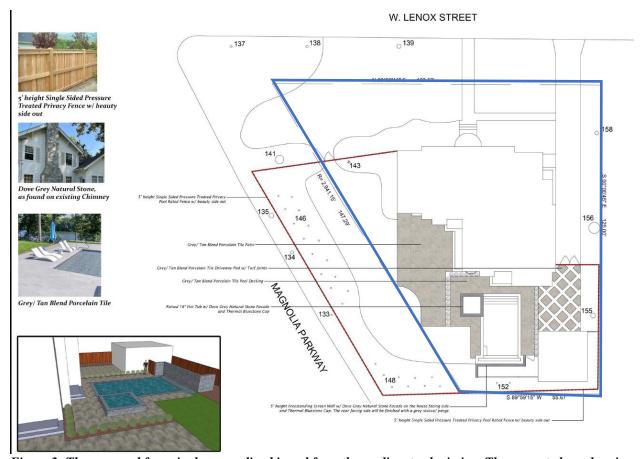


Figure 2: The proposed fence is shown outlined in red from the applicant submission. The property boundary is outlined in blue. The existing picket fence is installed partially within the right of way.



Figure 3: Streetview of Magnolia Avenue looking south from the subject property. 20 West Lenox Street is on the left.





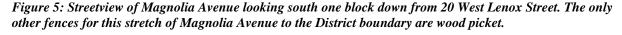




Figure 6: Streetview of Magnolia Avenue looking north from the subject property. 20 West Lenox Street is on the right.

Staff would support the applicant installing a 5' (five foot tall) metal fence from the house's front wall plane, provided the fence followed the property line along the western edge. The fence could then continue along the rear property line. Staff finds that a dark colored metal fence would be less visible than a larger wood fence and the dark color would recede into the background, again, reinforcing the district's open park-like setting. Additionally, requiring the fence to stay within the boundaries of the property and not into the right-of-way will better preserve the character of the streetscape. Staff is recommending approval of the HAWP under 24A-8(b)(2) and (d), the *Design Guidelines*, and *Standard* 2 and *10* with the proposed conditions to modify the fence.

STAFF RECOMMENDATION

Staff recommends that the Commission <u>approve with two (2) conditions</u> the HAWP application with final approval delegated to staff:

- 1. The applicant must install a 5' (five foot tall) dark metal fence that may not extend further west than the property line and may not project into the right-of-way;
- 2. Dimensions of the proposed patio must be provided on all plan sheets;

under the Criteria for Issuance in Chapter 24A-8(b)(2) and (d), and the *Chevy Chase Village Historic District Guidelines*, having found that the proposal 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, 9 and 10;

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.



FOR STAFF ONLY:	
HAWP# 1095563	
DATE ASSIGNED	



APPLICANT: Name: Dan Coughlan E-mail: dcoughlan@tritecre.com
Chevy Chase Zip: 20815
Tax Account No.: 07-00456013 Address: 20 W Lenox Street

Daytime Phone: 240-744-4801 AGENT/CONTACT (if applicable): Name: Scott Freedman

19301 New Hampshire Ave.

Daytime Phone: 301-758-3100 Name: Scott Freedman sfreedman@rollingacreslandscaping.com City: Brinklow zip: 20862 Contractor Registration No.: 150657 LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property M: 35-99 Is the Property Located within an Historic District? __Yes/District Name___Chevy Chase Village No/Individual Site 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: 20 Town/City: Chevy Chase

Nearest Cross Street: Magnolia Pkwy.

P11

Block: 38

Subdivision Sec. 2 Subdivision: Sec. 2 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: Shed/Garage/Accessory Structure New Construction Deck/Porch Solar Addition Fence Tree removal/planting Demolition Hardscape/Landscape Window/Door Grading/Excavation 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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFING [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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFING

[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address
Dan and Kris Coughlan
20 W Lenox Street
Chevy Chase, MD 20815

Owner's Agent's mailing address Scott Freedman 19301 New Hampshire Avenue Brinklow, MD 20862

Adjacent and confronting Property Owners mailing addresses

Peter Wellington
or Current Resident
18 W Lenox Street
Chevy Chase, MD 20815

John Ryan or Current Resident 33 W Lenox Street Chevy Chase, MD 20815

Lenox Living Trust or Current Resident 35 W Lenox Street Chevy Chase, MD 20815

Peter Keisler or Current Resident 20 Magnolia Pkwy. Chevy Chase, MD 20815

Andrew Laurov or Current Resident 25 W Kirke Street Chevy Chase, MD 20815

Thomas Brown or Current Resident 27 W Kirke Street Chevy Chase, MD 20815 Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

This corner lot contains a single family home and detached garage. In the rear yard, where the work is proposed, there is a flagstone patio and adjoining lawn space. The perimeter of the rear yard has a picket fence and is nicely landscaped with screen trees, and a mix of ornamental trees, shrubs, and perennials.

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

We are proposing an inground swimming pool with adjoining raised hot tub. The patio will be rebuilt at grade level to connect to the pool and hot tub. The perimeter fence will be rebuilt in order to meet Montgomery County pool barrier code. The perimeter plantings will remain as is. The lawn area will be modified slightly to fit the proposed patio. A small outdoor kitchen with grill will be tied into the patio space. A screen wall separating the swimming pool from the pool equipment is also being proposed.

Work Item 1: Pool and Hot Tub

Description of Current Condition:

Flagstone Patio and Lawn space at existing grade.

Proposed Work:

Installation of an inground swimming pool at existing grade. The adjoining hot tub will be raised 18" and will be facade with Dove Gray natural stone that matches the chimney of the existing single family house.

Work Item 2: Fence

Description of Current Condition:

Pressure Treated White Picket fence at 48" height

Proposed Work:

Pressure Treated Single- Sided Privacy fence at 60" height.

Work Item 3: Outdoor Kitchen and Screen Wall

Description of Current Condition:

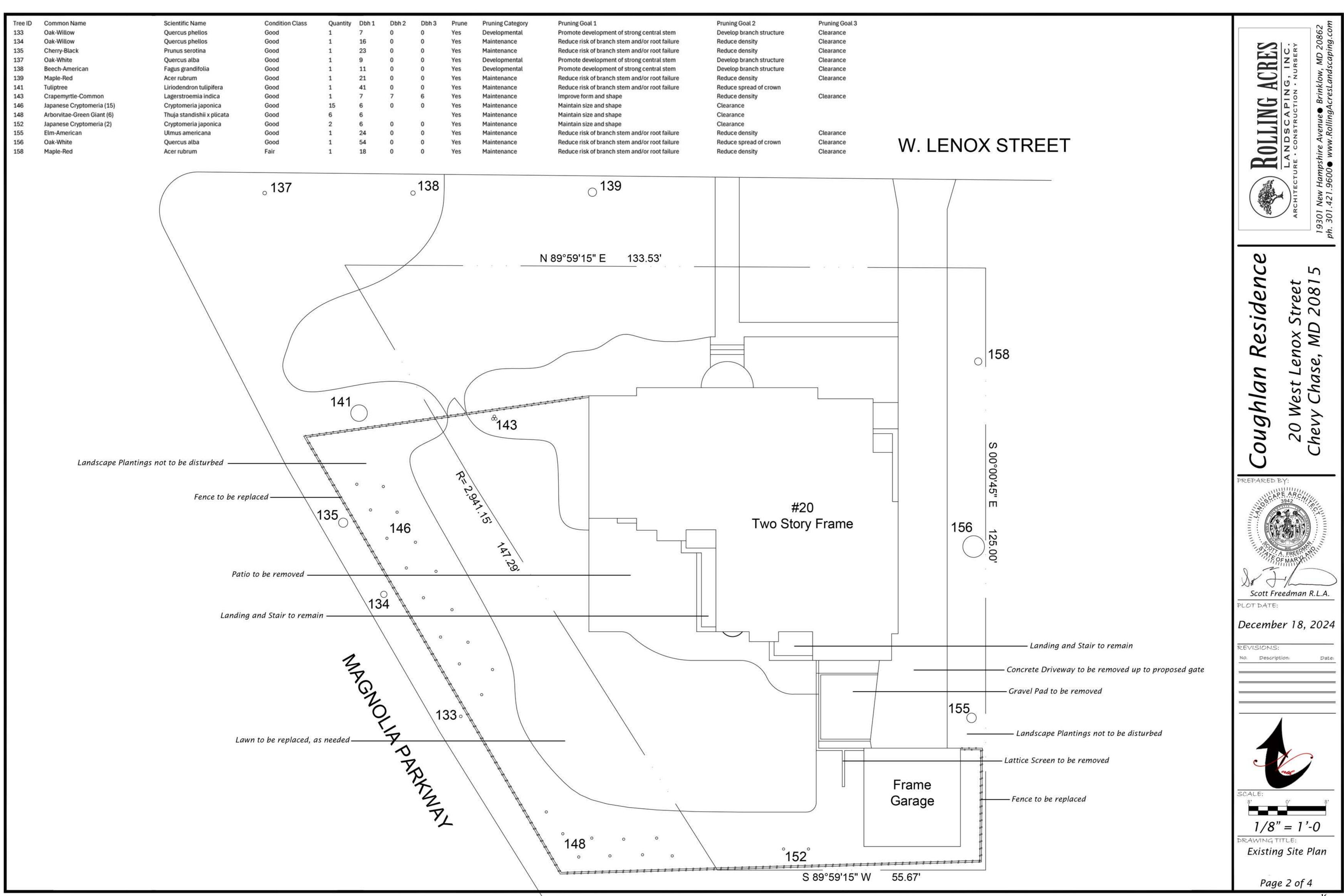
Flagstone Patio and Lawn space at existing grade.

Proposed Work:

Installation of an outdoor kitchen at 42" height, and facade with Dove Gray natural stone that matches the chimney of the existing single family house.

Installation of a screen wall at 60" height. The front facing sides of the wall will be facade with Dove Gray natural stone that matches the chimney of the existing single family house. The rear facing sides of the wall will be finished with a stucco/ parge.

W. LENOX STREET .138 **139** . 137 ROLLING N 89°59'15" E 133.53' _ 158 Pressure Treated Privacy Pool Rated Fence and Lenox Street ase, MD 2081 Single Gate to replace existing 141_ 143 Existing Landscape Plantings not to be disturbed oughlan 15' Setback -Chevy 135 147.29 156 Porcelain Tile Patio — - Pressure Treated Privacy Pool Rated Fence and Double Gate 134 000000 Small Boxwood Hedge -Existing Landscape Plantings not to be disturbed – Porcelain Tile Pool Decking Scott Freedman R.L.A. – Porcelain Tile Driveway Pad w/ Turf Joints PLOT DATE: 7' x 7' Raised 18" Hot Tub w/ Natural Stone Facade and Cap — – Small Boxwood Hedge 133. December 18, 2024 – Existing Fence to be removed REVISIONS: No. Description: -26'-9<mark>3</mark>"-Pressure Treated Privacy Pool Rated Fence to replace existing --14' x 24' Swimming Pool w/ Autocover Content: – Natural Stone Facade Screen Wall w/ Cap - 6x6 Wooden Timber Retaining Wall to hold back grade, max 18" height Design Layout and Cover Sheet 148 152 Pressure Treated Privacy Pool Rated Fence to replace existing with labeled Design Features and Dimensions to Property Line / Street S 89°59'15" W 55.67' Existing Site Plan Sheet Page 2 with Tree Survey details for Existing Trees with a DBH of 6" or greater Existing Images Sheet Page 3 1/8" = 1'-0-Pool Equipment Enclosure w/ HVAC and Generator tbd DRAWING TITLE: Materials Plan Sheet Page 4 Design Layout with Perspective of proposed design and Images of proposed materials and Cover Sheet Page 1 of 4



View of the existing Patio and Rear of House/ Screened Porch



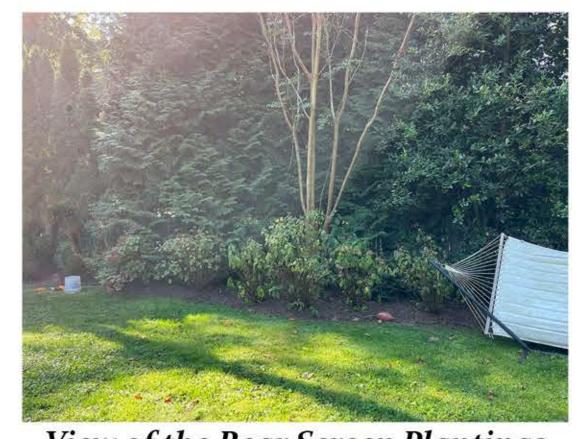
View of the existing Patio/ Walkway and Rear of House



View of the Detached Garage and Rear Screen Plantings



View of the Rear Screen Plantings



View of the Rear Screen Plantings





Scott Freedman R.L.A.

December 18, 2024

PLOT DATE:

REVISIONS:

No. Description:



View of the Detached Garage



View of the Rear of House. Proposed stone facade will match the chimney



View of the Rear/Side Screen Plantings along Magnolia



View of the Detached Garage and Driveway









View of the Rear/ Side Screen Plantings along Magnolia



View of the Fence and Plantings separating Front and Rear Yards

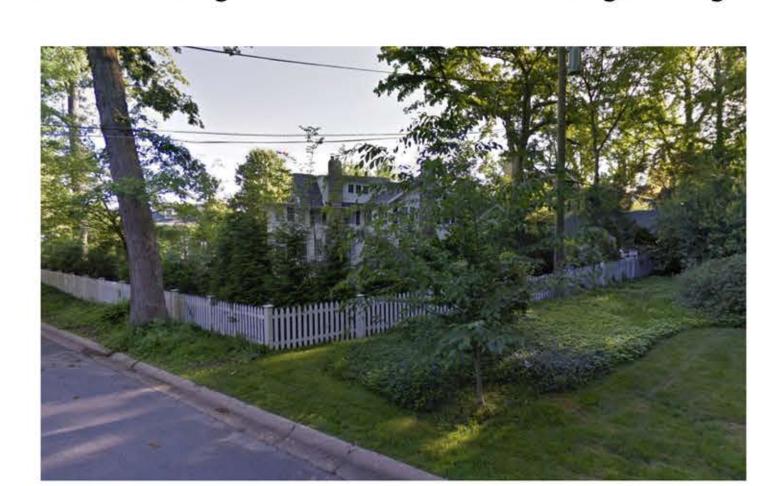


View of the Fence and Plantings next to the Screened Porch



View of the side of the Screened

View towards the Rear Yard from Magnolia



View towards the Rear Yard from Magnolia



View towards the Rear Yard from W Lenox

1/8" = 1'-0

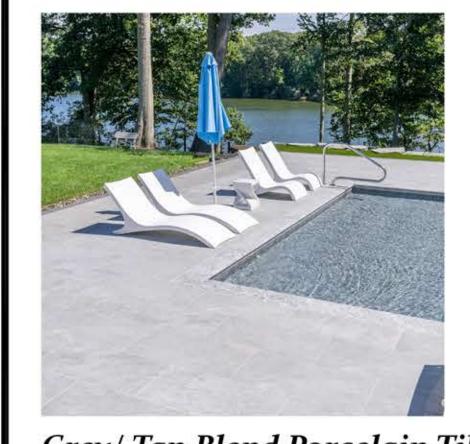
Existing Images

Page 3 of 4

5' height Single Sided Pressure Treated Privacy Fence w/ beauty side out



Dove Grey Natural Stone, as found on existing Chimney



Grey/ Tan Blend Porcelain Tile



W. LENOX STREET



oughlan Residence

PREPARED BY:

Scale ARCH

3942

Scott Freedman R.L.A.

December 18, 2024

REVISIONS:

No. Description: De

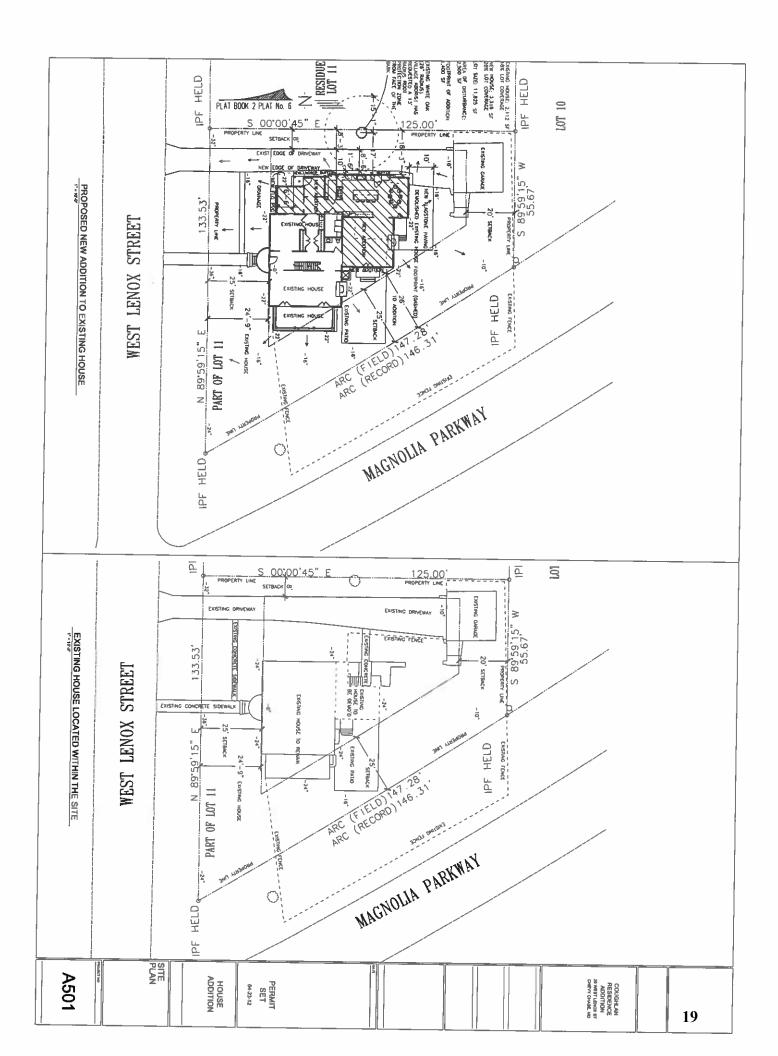


SCALE:

1/8" = 1'-0 DRAWING TITLE:

Materials Plan

Page 4 of 4





DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan *Director*

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 12/3/2024

Application No: 1095563

AP Type: HISTORIC Customer No: 1306472

Affidavit Acknowledgement

The Contractor is the Primary applicant authorized by the property owner This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 20 W LENOX ST

CHEVY CHASE, MD 20815

Othercontact Rolling Acres Landscaping (Primary)

Historic Area Work Permit Details

Work

ALTER

Type

Scope of We are proposing to rebuild the existing fence, in order to meet Montgomery County Pool Codes. In addition to adding an in-ground pool, we will also Work be adding elevated hardscape features, such as a spa, outdoor kitchen, and screen wall.