



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

Thomas Jester
Chairperson

Date: 9/8/10

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

FROM: Anne Fothergill 
Planner Coordinator
Historic Preservation Section-Planning Department
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #546687—retaining wall and pool installation

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP) and this application was **approved** by the HPC on September 7, 2010.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: John Gorman and Susan Schmedes
Address: 45 West Lenox Street, Chevy Chase

This HAWP approval is subject to 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. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 to schedule a follow-up site visit.





DEPARTMENT OF PERMITTING SERVICES
MONTGOMERY COUNTY, MARYLAND
301/563-3400

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Gary Sipes
Daytime Phone No.: 410-320-6139

Tax Account No.: 07-00457850
Name of Property Owner: John J. Gorman + Susan Schmides Daytime Phone No.: 301-706-2215
Address: 45 W. Lenox St. Chevy Chase MD 20815
Street Number City Street Zip Code

Contractor: Maryland Pools Phone No.: 410-995-6600
Contractor Registration No.: _____
Agent for Owner: Gary Sipes Daytime Phone No.: 410-320-6139

LOCATION OF BUILDING/PREMISE

House Number: 45 W. Lenox St. Street: W. Lenox Street
Town/City: Chevy Chase Nearest Cross Street: Cedar Parkway
Lot: _____ Block: _____ Subdivision: 9 Chevy Chase Village
Liber: _____ Folio: _____ Parcel: P 594

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: In-Ground concrete pool

1B. Construction cost estimate: \$ 25,000

1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____

2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 4' feet 0 inches Replace existing timber wall with stone

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line
- Entirely on land of owner
- On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

[Signature] Signature of owner or authorized agent 8/16/2010 Date

Approved: [Signature] For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: 11/8/10

Application/Permit No.: 546687 Date Filed: 8/18/10 Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

Rear yard existing multiple timber retaining walls
and landscaping (shrubs + trees). No historical features.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

Remove existing upper yard timber walls + replace with concrete
block walls, feathered stone facing and slate top. Lower timber
wall to be removed + rebuilt with new timber at fence (in front of wood fence)
Construct concrete in-ground pool 15' x 26', natural shape, stone (slate)
coping, diamond brick pavers interior, stone paver patio, install
stone pavers over existing concrete patio under existing raised deck.
None of this can be seen from the street. Pool will not be
seen from golf course.
Dense existing trees behind
property.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

Liber 4097 Folio 198
 "CHEVY CHASE - SECTION TWO"

Montgomery County, Maryland

Scale: 1"=20'

Surveyor's Certificate

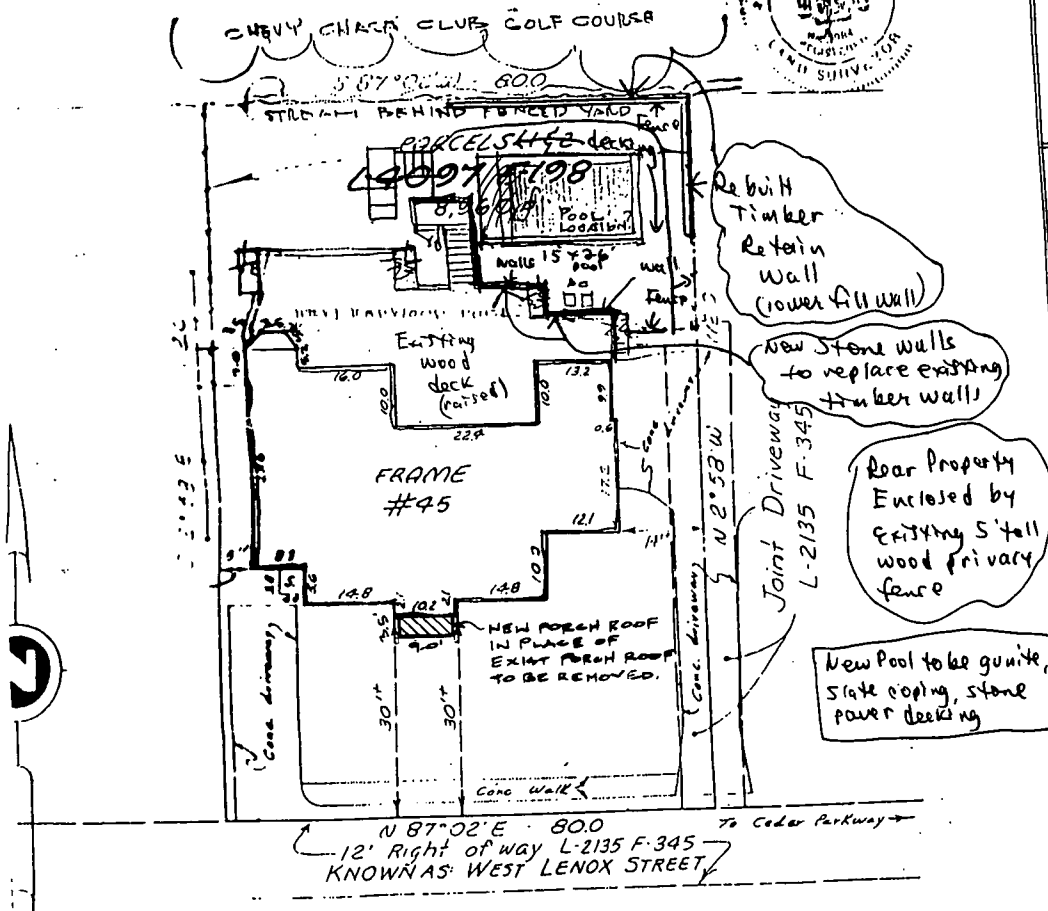
We hereby certify that we have carefully examined the property shown hereon in accordance with record description; that all of the existing buildings have been located by a transit-tape survey; that lot corners have not been set by this survey unless otherwise shown:

Date: December 18, 1982

Frey, Sheehan, Stoker & Assoc., Inc.
 Land Planning Consultants
 Phone 588-3110

Liber 4097
 Folio 198

By: *James F. Sheehan*
 James F. Sheehan
 Professional Land Surveyor
 Md. No. 7984

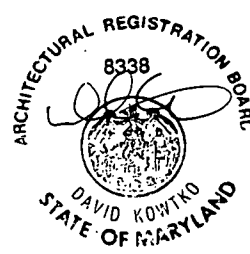
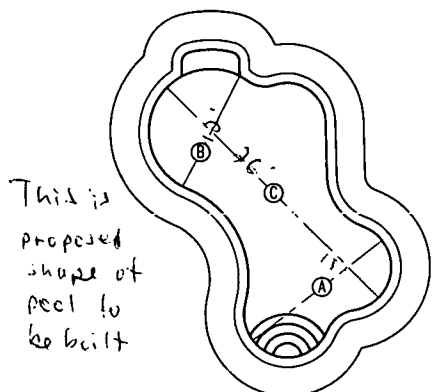


Guest & Co., Inc.
 4607 Norwood Drive, Chevy Chase, MD
 phone (301) 652-1204 fax (301) 652-1204

GORMAN RESIDENCE
 45 W. LENOX ST. CHEVY CHASE, MD

Maryland POOLS Inc.
 SHAPE:

= Stone paver decking proposed



12-12-83 DRAWINGS FOR PERMIT + CONSTRUCTION

SITE PLAN
 CONSTRUCTION NOTES
 ROOF FRAMING PLAN

SHEET
 A-1
 OF 2
 12-12-83

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	45 West Lenox Street, Chevy Chase	Meeting Date:	9/7/10
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	9/1/10
Applicant:	John Gorman and Susan Schmedes	Public Notice:	8/25/10
Review:	HAWP	Tax Credit:	None
Case Numbers:	35/13-10R	Staff:	Anne Fothergill
Proposal:	Retaining wall and pool installation		

STAFF RECOMMENDATION

Staff recommends that the HPC approve the HAWP application.

PROPERTY DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: 1923

PROPOSAL

The applicants are proposing to construct a 15' x 26' pool with a stone paver patio. They will cover the existing concrete patio that is located under the existing deck with stone pavers. They also propose to remove the existing timber retaining walls in the upper yard and install 4' tall concrete block walls with stone facing and in the lower yard the timber wall will be rebuilt. The existing privacy fencing will remain.

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

The *Guidelines* define a Contributing Resource as "A resource which contributes to the overall character of the district and its streetscape, but which is of secondary architectural and historical significance. A resource may be classified as contributing if it is a common or ubiquitous example of an architectural style that is important to the historic district, or if it was an outstanding resource that, while still identifiable as a specific architectural style, has

lost some degree of its architectural integrity due to alterations. Contributing resources add to the overall streetscape due to their size, scale, and architectural character.”

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.

One of the basic policies stated in the *Guidelines* is “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 the rear of the properties should be approved as a matter of course. The *Guidelines* also state:

Swimming pools should be subject to lenient scrutiny. However, tree removal should be subject to strict scrutiny as noted below.

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
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any one period or architectural style.

- (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:

- #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

All of the proposed alterations are at the rear of the property and the property directly behind this house (golf course) is outside the historic district. Swimming pools are reviewed with leniency and the proposed size and location of the pool will not have an adverse impact the historic house or district.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b)(1) & (2);

and with the *Secretary of the Interior's Standards for Rehabilitation*;

and with the general condition that the applicant shall present the **3 permit sets 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 the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

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Liber: _____ Folio: _____ Parcel: P594

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- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- AC
- Slab
- Room Addition
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- Fireplace
- Woodburning Stove
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1B. Construction cost estimate: \$ 25,000

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[Signature] Signature of owner or authorized agent 8/16/2010 Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 546687 Date Filed: 8/18/10 Date Issued: _____

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

<p>Owner's mailing address John Gorman + Susan Schneider 45 W. Lenox Street Chevy Chase, MD 20815</p>	<p>Owner's Agent's mailing address MD Pools 9515 Gerwig Ln. #121 Columbia, MD 21046 Attn: Gary Sipes</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>CARY EUWER, JR. 43 W. LENOX ST Chevy Chase MD 20815</p>	<p>Jim, Leslie + MARY WOODFORD. 47 W LENOX ST Chevy Chase MD 20815</p>
<p>MR. + MRS LAWRENCE Gibbs 5918 Cedar PKWAY Chevy Chase, MD 20815</p>	<p>Chevy Chase Club CONNECTICUT AVE Chevy Chase MD 20815</p>

Liber 4097 Folio 198
"CHEVY CHASE - SECTION TWO"

Montgomery County, Maryland
Scale: 1"=20'
Surveyor's Certificate

We hereby certify that we have carefully examined the property shown hereon in accordance with record description; that all of the existing buildings have been located by a transit-tape survey; that lot corners have not been set by this survey unless otherwise shown:

Date: December 28, 1982

Liber 4097
Folio 198

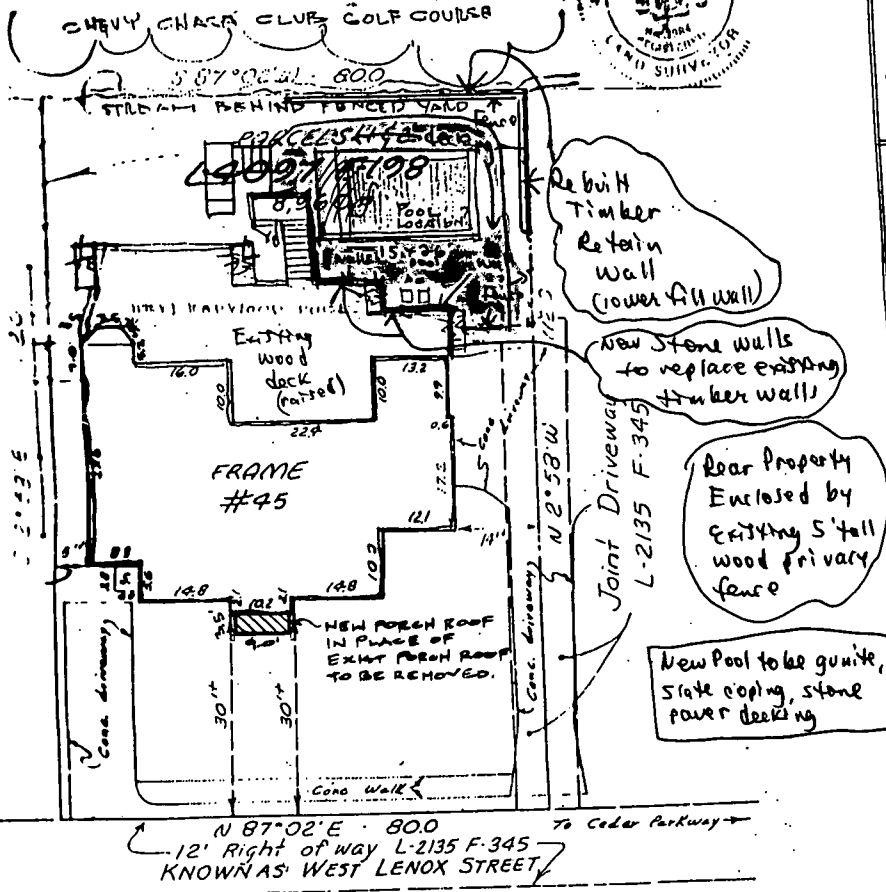
Frey, Sheehan, Stoker & Assoc., Inc.
Land Planning Consultants
Phone 588-1110

By: James T. Sheehan
James T. Sheehan
Professional Land Surveyor
Md. No. 3984



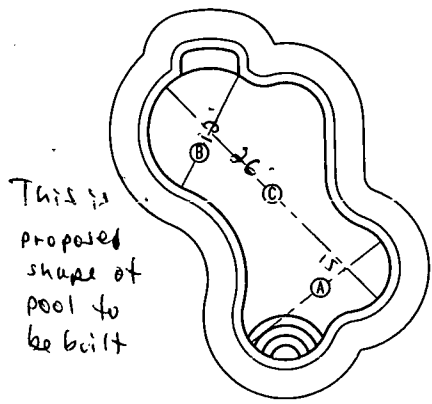
Guest & Co., Inc.
4607 Norwood Drive, Chevy Chase, MD
phone (301) 652-1204 fax (301) 652-

GORMAN RESIDENCE
45 W. LENNOX ST. CHEVY CHASE, MD



Maryland POOLS Inc.
SHAPE:

= Stone paver decking, proposed

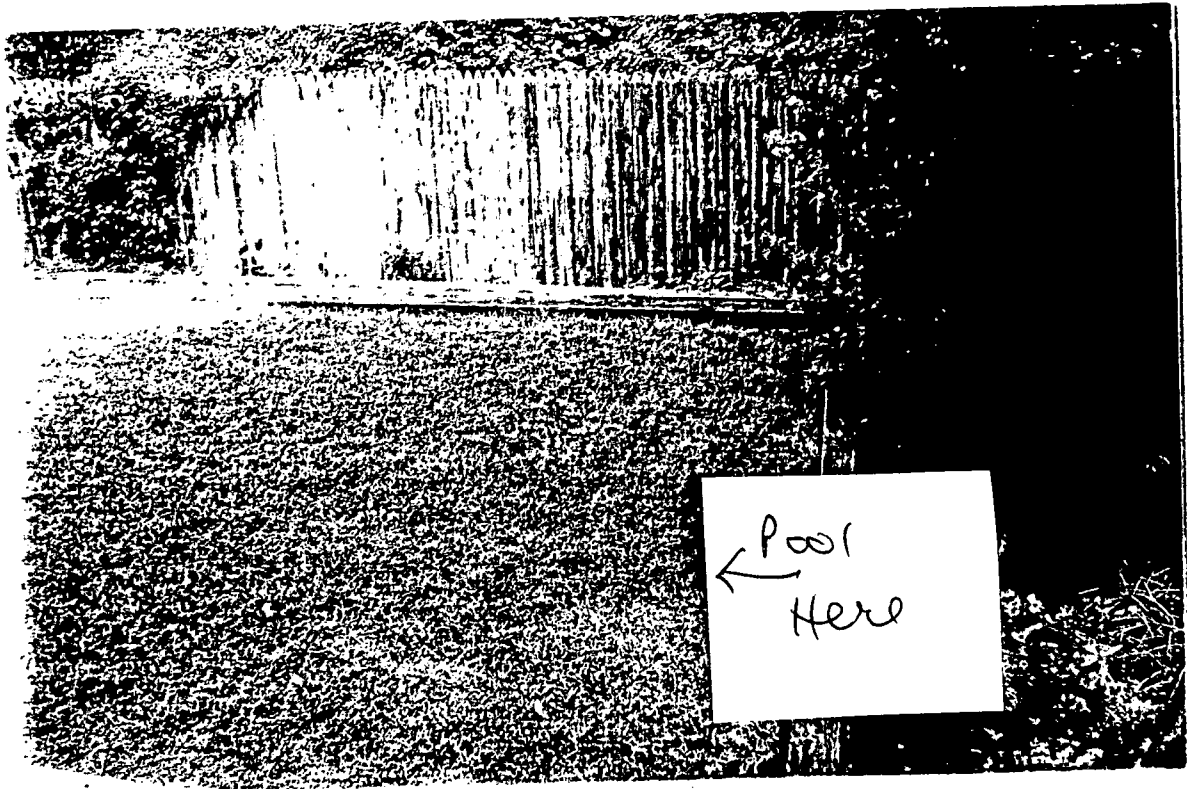
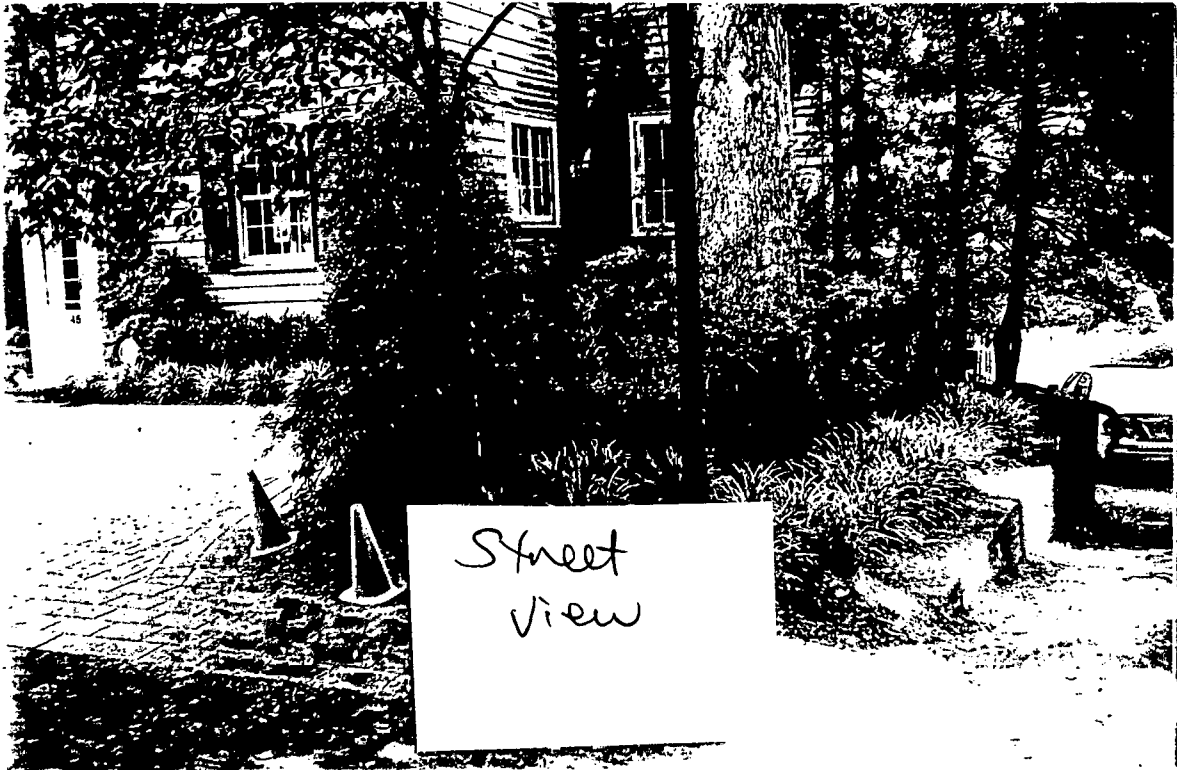


This is proposed shape of pool to be built



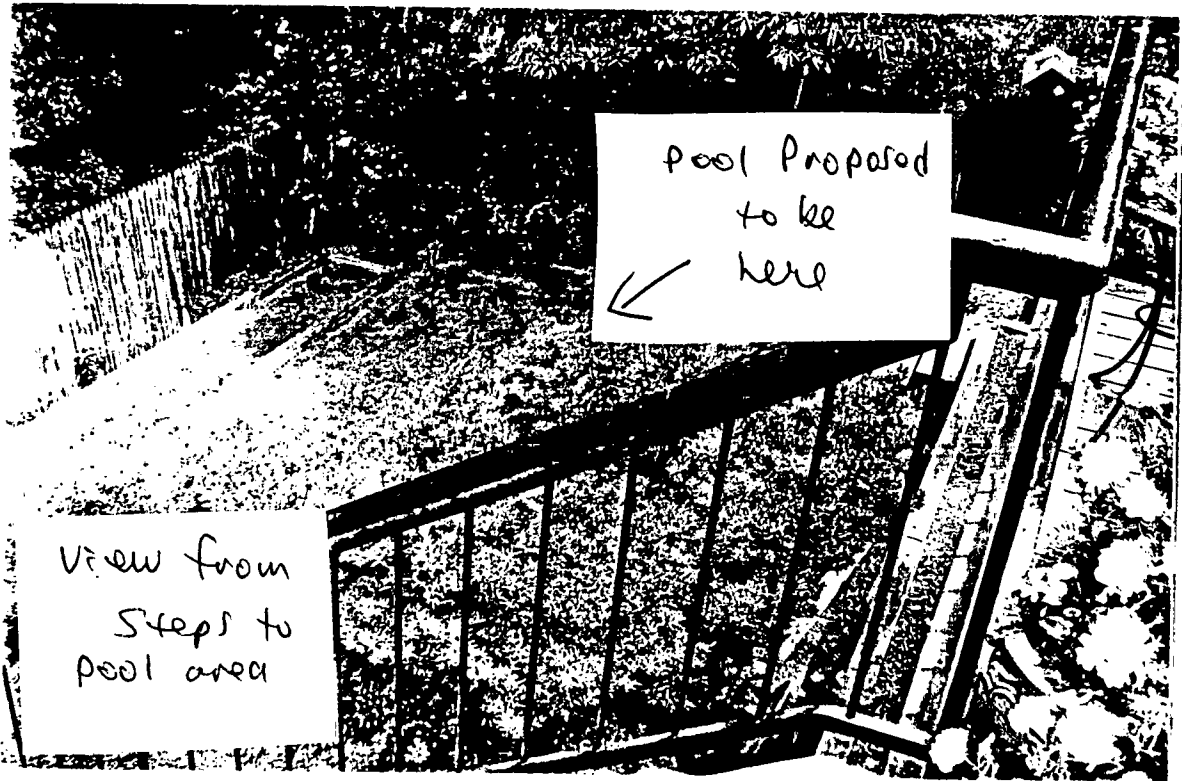
12-12-82 DRAWINGS FOR PERMIT + CONSTRUCTION
SITE PLAN
CONSTRUCTION NOTES
ROOF FRAMING PLAN
SHEET
A-1
OF 2
12-12-82

(7)



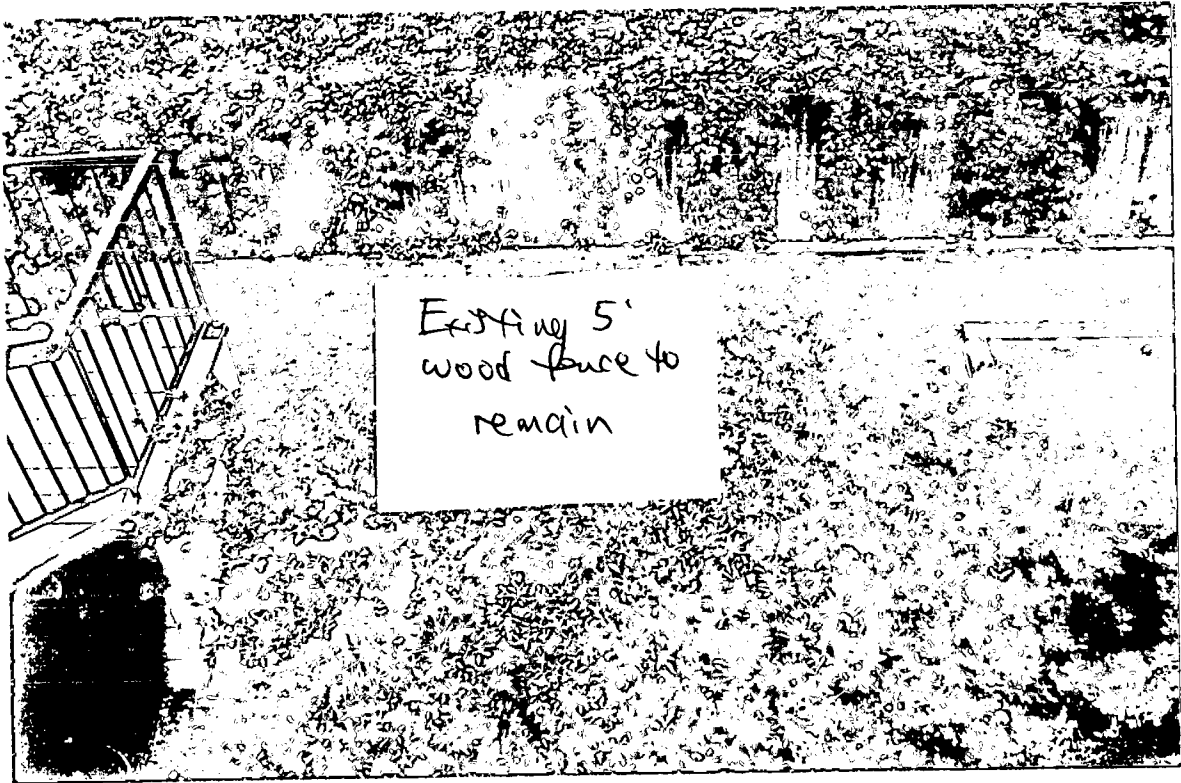


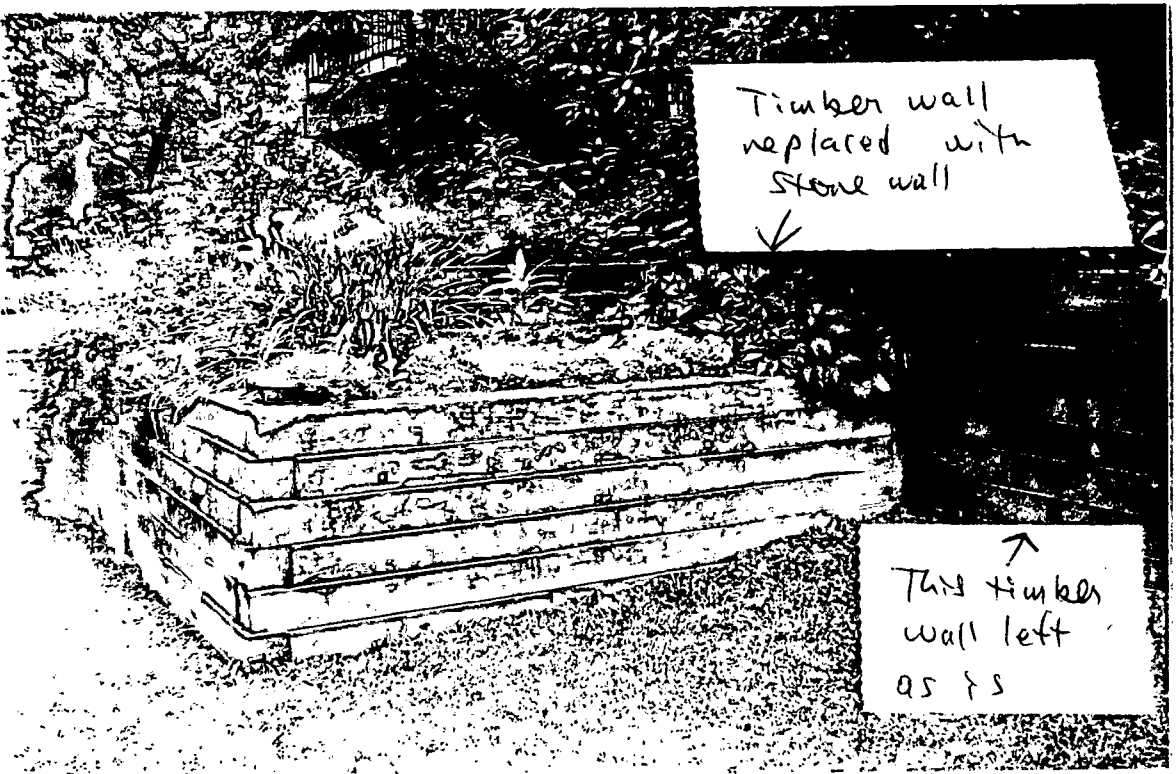
Driveway view
from front
street

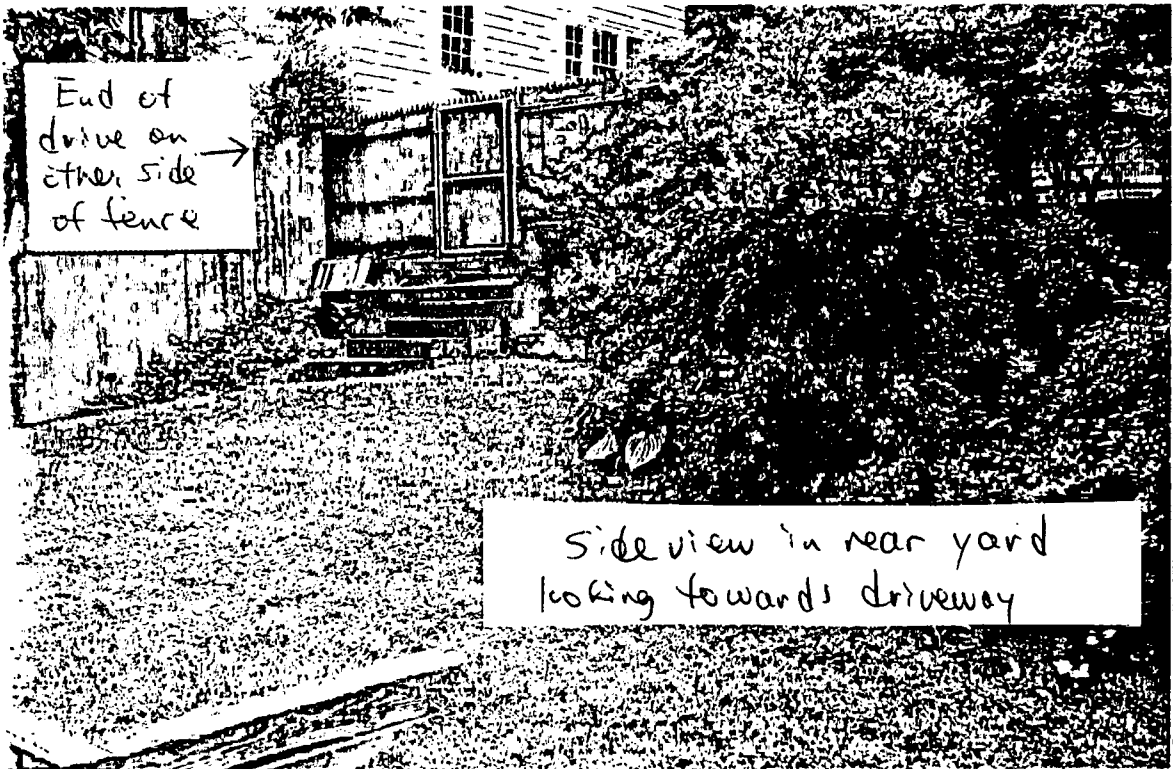
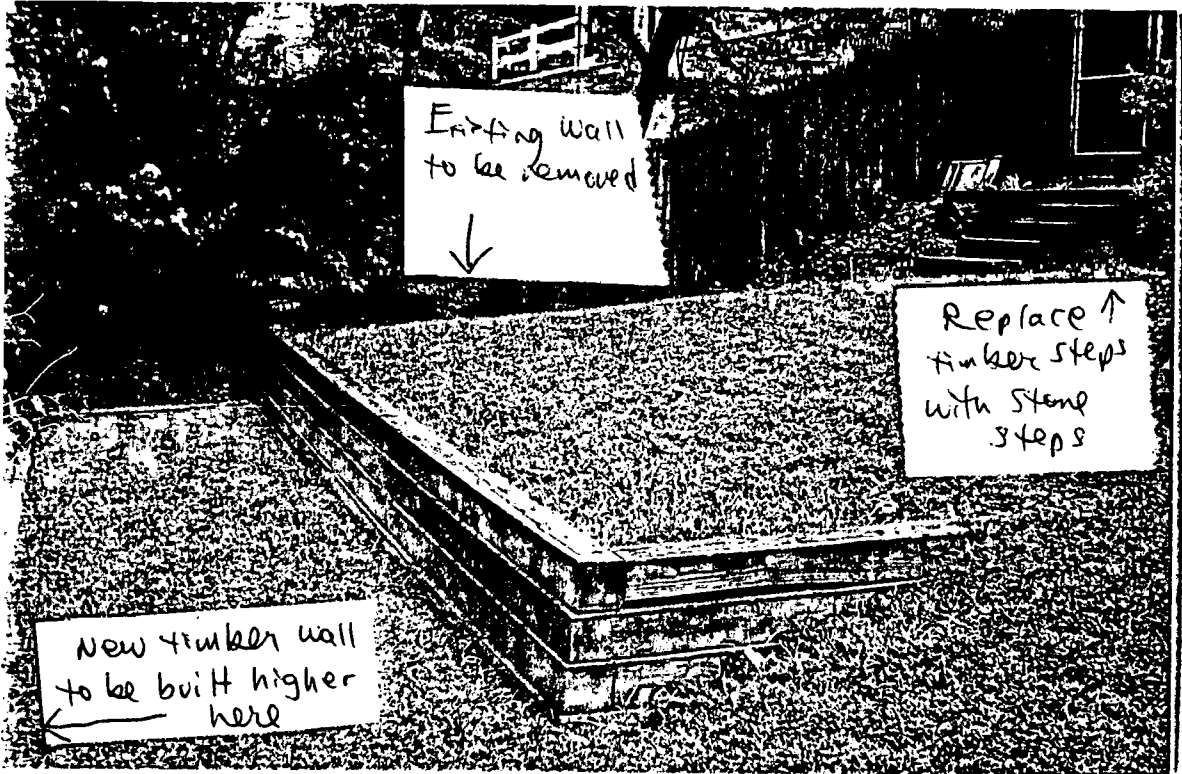


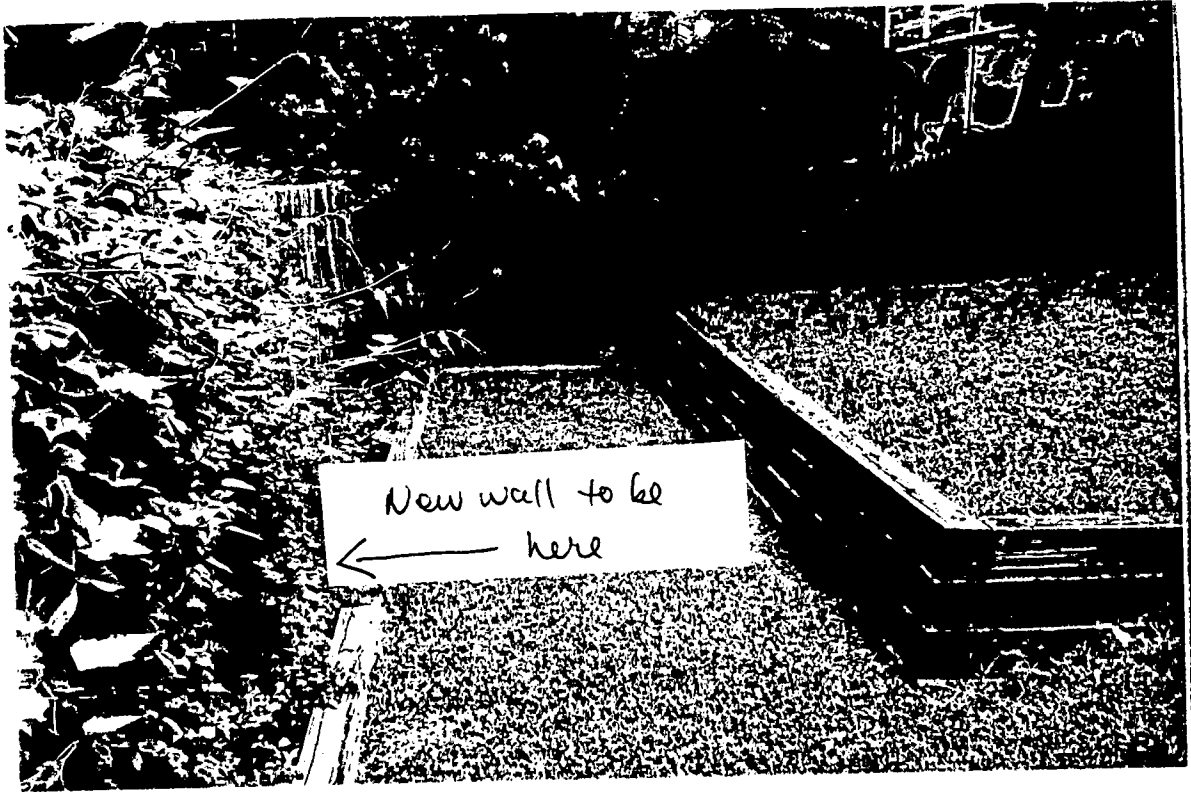
View from
Steps to
pool area

pool Proposed
to be
here
←









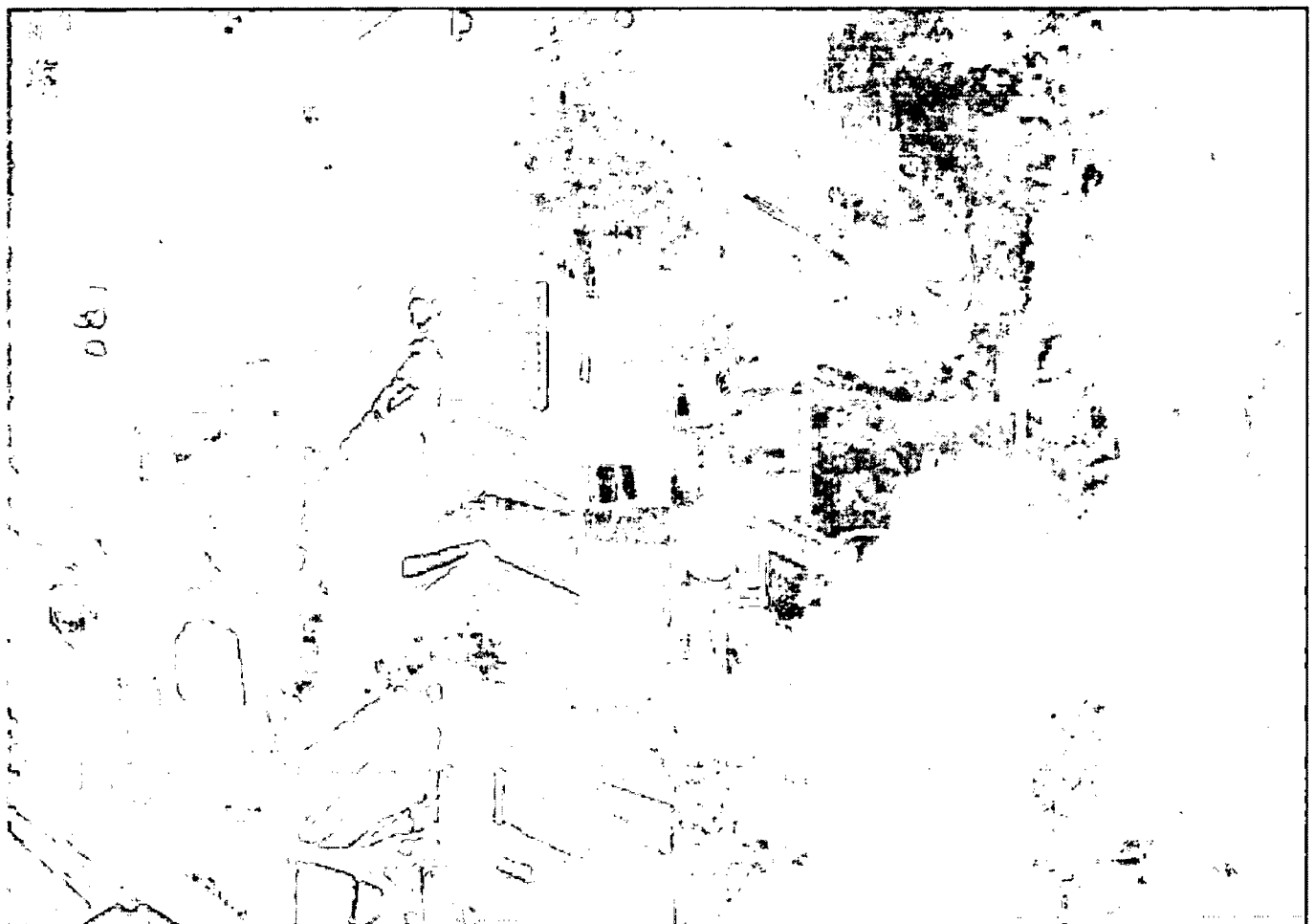
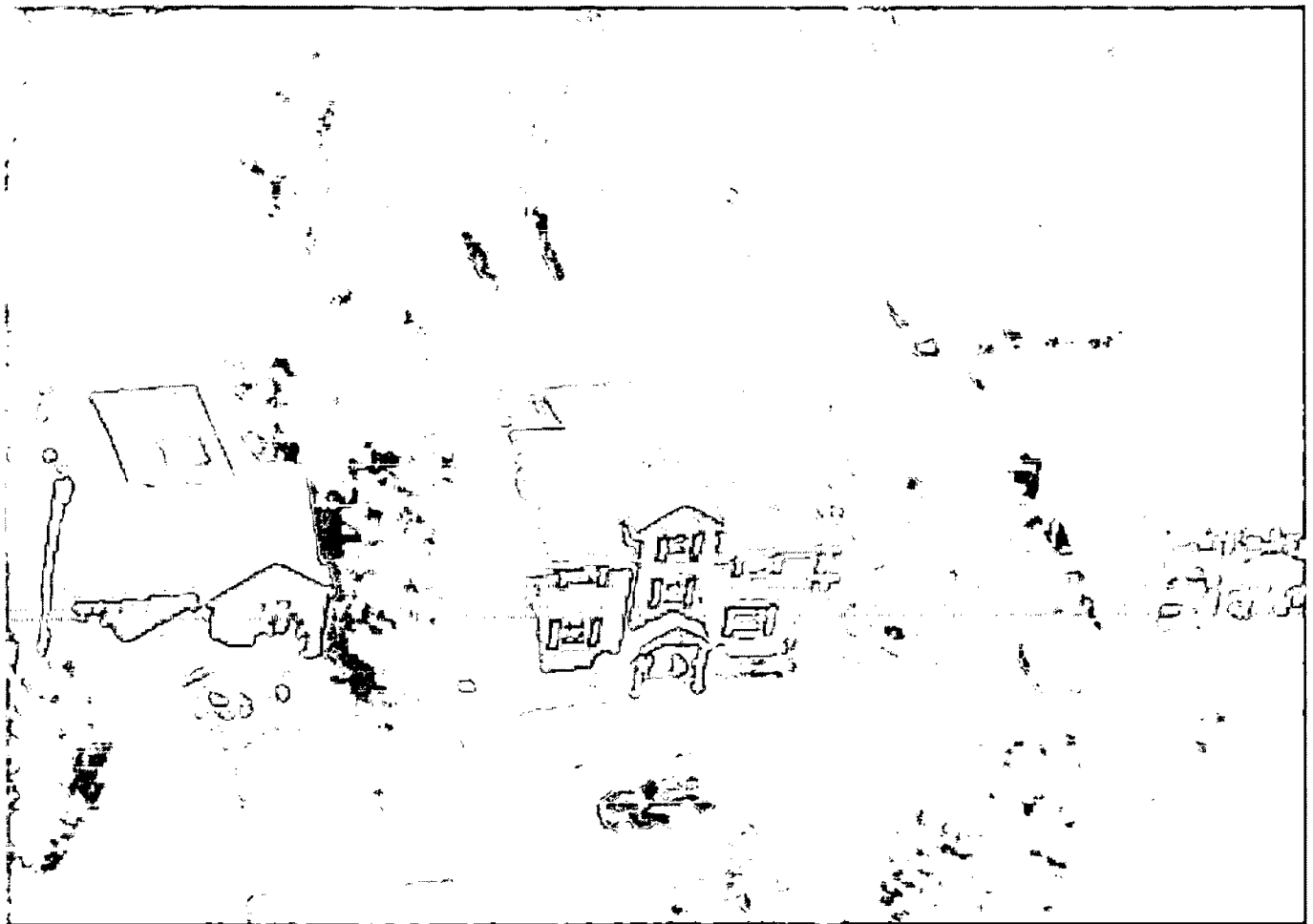


Looking from rear yard
up to raised deck on
rear of home



Side view in rear
yard looking away
from driveway side





GOLF COURSE
(outside of historic
district)

45

CHEVY CHASE VILLAGE

W LENOX ST. W LENOX ST

Historic
District

CEDAR BRW

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

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Maryland Department of Assessments and Taxation
MONTGOMERY COUNTY
 Real Property Data Search (2007 vw4.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 07 Account Number - 00457850

Owner Information

Owner Name: GORMAN, JOHN J & SUSAN SCHMEDES Use: RESIDENTIAL
 Principal Residence: YES
 Mailing Address: 45 W LENOX ST Deed Reference: 1) /15615/ 73
 CHEVY CHASE MD 20815 2)

Location & Structure Information

Premises Address: 45 W LENOX ST Legal Description: UNNO LOT SEC 2 CHEVY CHASE
 CHEVY CHASE 20815

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
HN41		P594		9				2	

Special Tax Areas: Town Ad Valorem Tax Class CHEVY CHASE VILLAGE 19

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1923	3,176 SF	8,960.00 SF	111

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Phase-in Assessments		
		Value As Of	As Of	As Of
		01/01/2008	07/01/2010	07/01/2011
Land	1,308,700	1,308,700		
Improvements:	1,288,920	1,288,920		
Total:	2,597,620	2,597,620	2,597,620	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

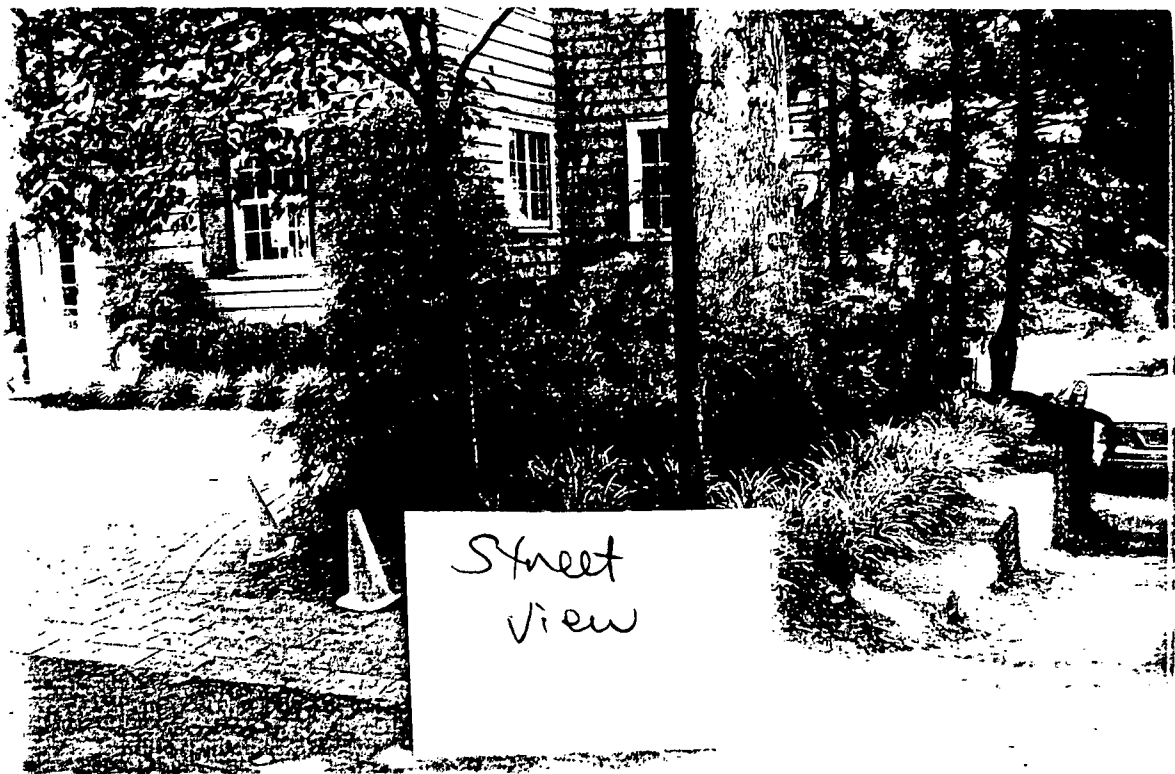
Transfer Information

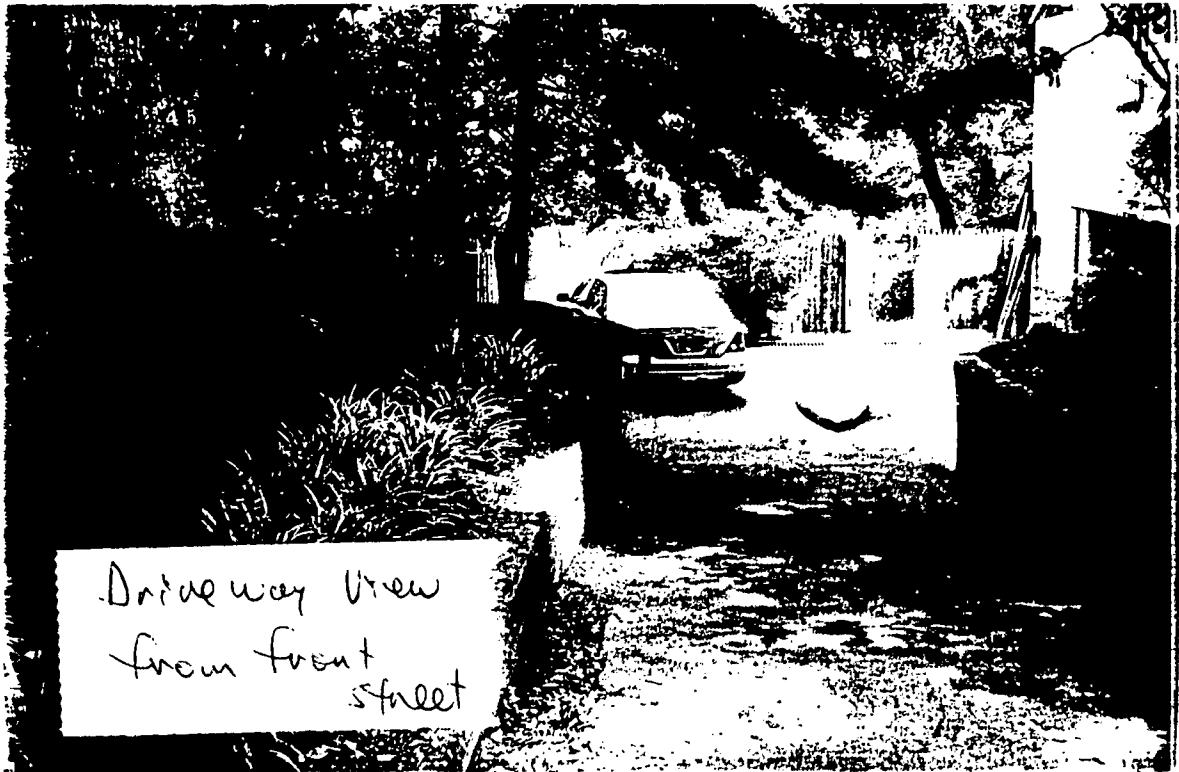
Seller: ALAN J & J L LOCKMAN Date: 03/10/1998 Price: \$1,110,000
 Type: IMPROVED ARMS-LENGTH Deed1: /15615/ 73 Deed2:
 Seller: Date: 01/06/1983 Price: \$430,000
 Type: IMPROVED ARMS-LENGTH Deed1: / 5991/ 452 Deed2:
 Seller: Date: Price:
 Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO Special Tax Recapture:
 Exempt Class: * NONE *



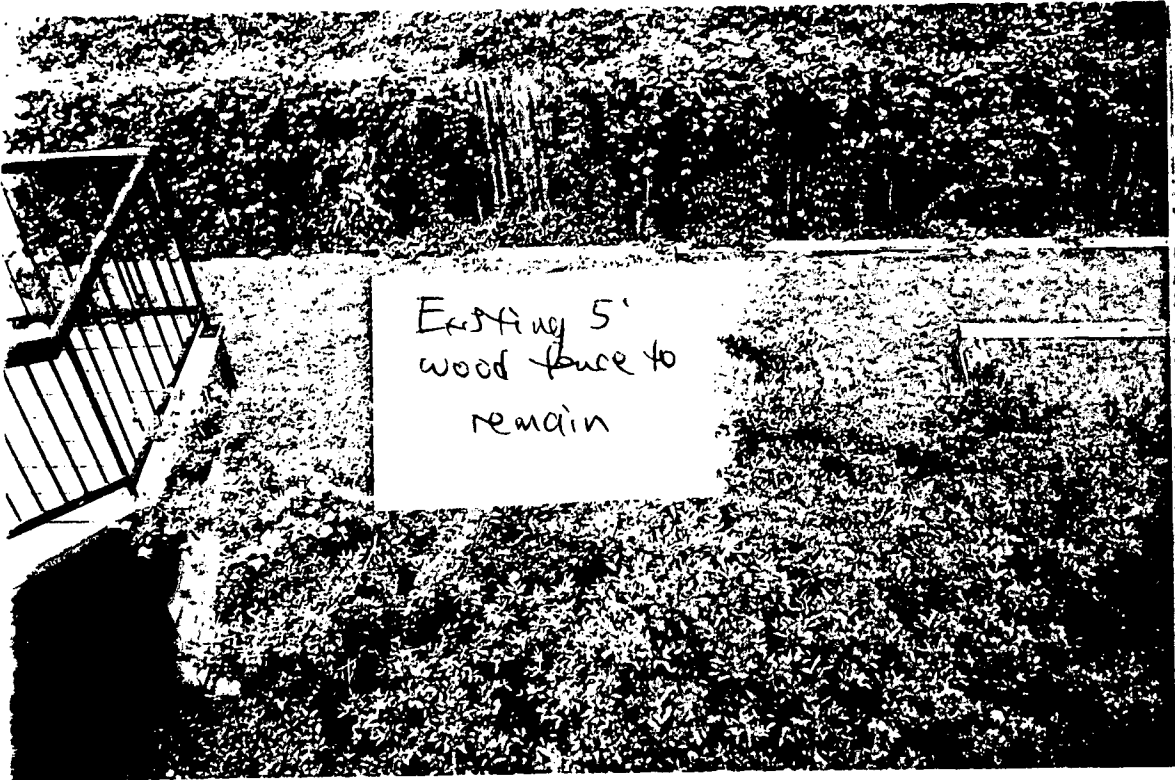


Driveway view
from front
street



pool Proposed
to be
here

View from
Steps to
pool area



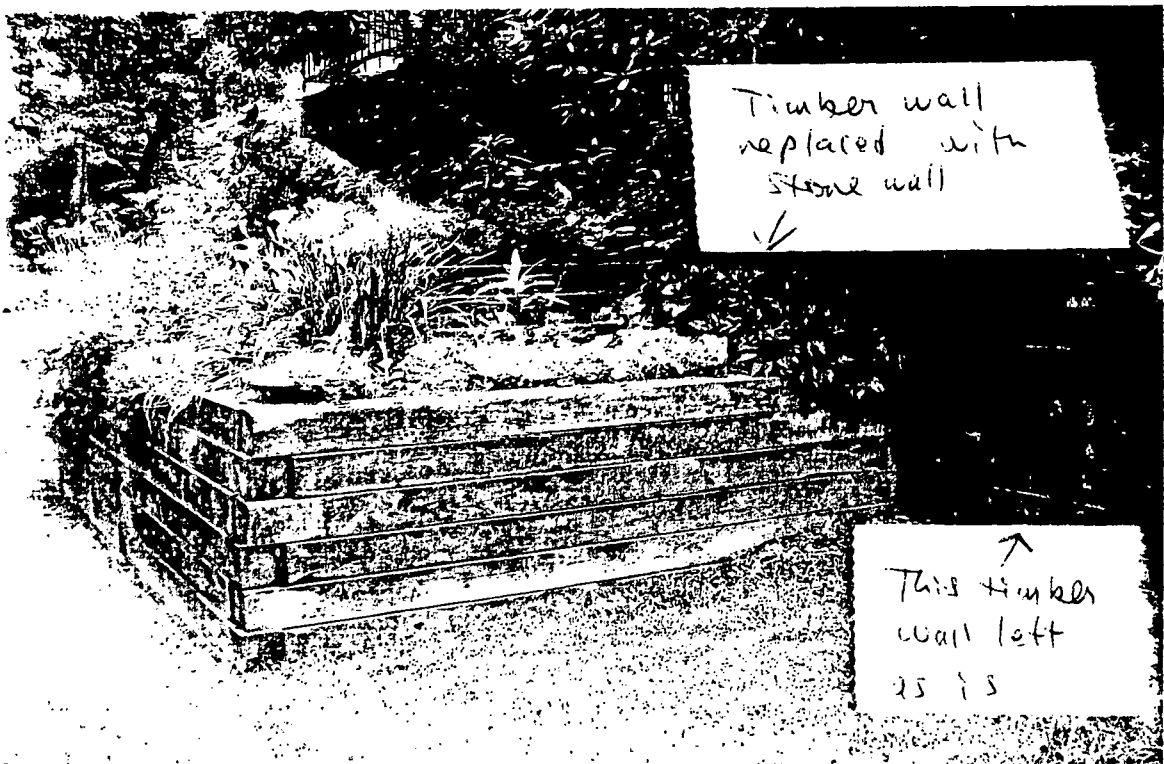
Existing 5'
wood fence to
remain



Cover this
concrete patio
with stone
screen

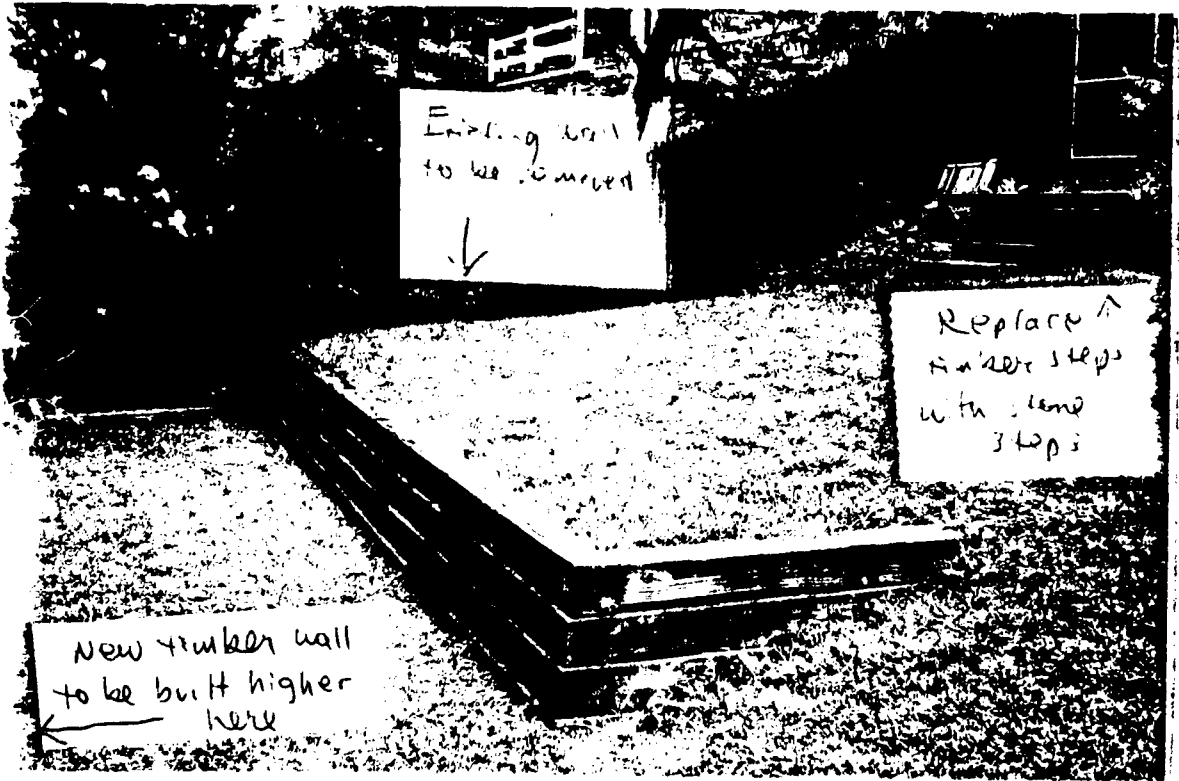


Your view
from
steps



Timber wall
replaced with
stone wall
↓

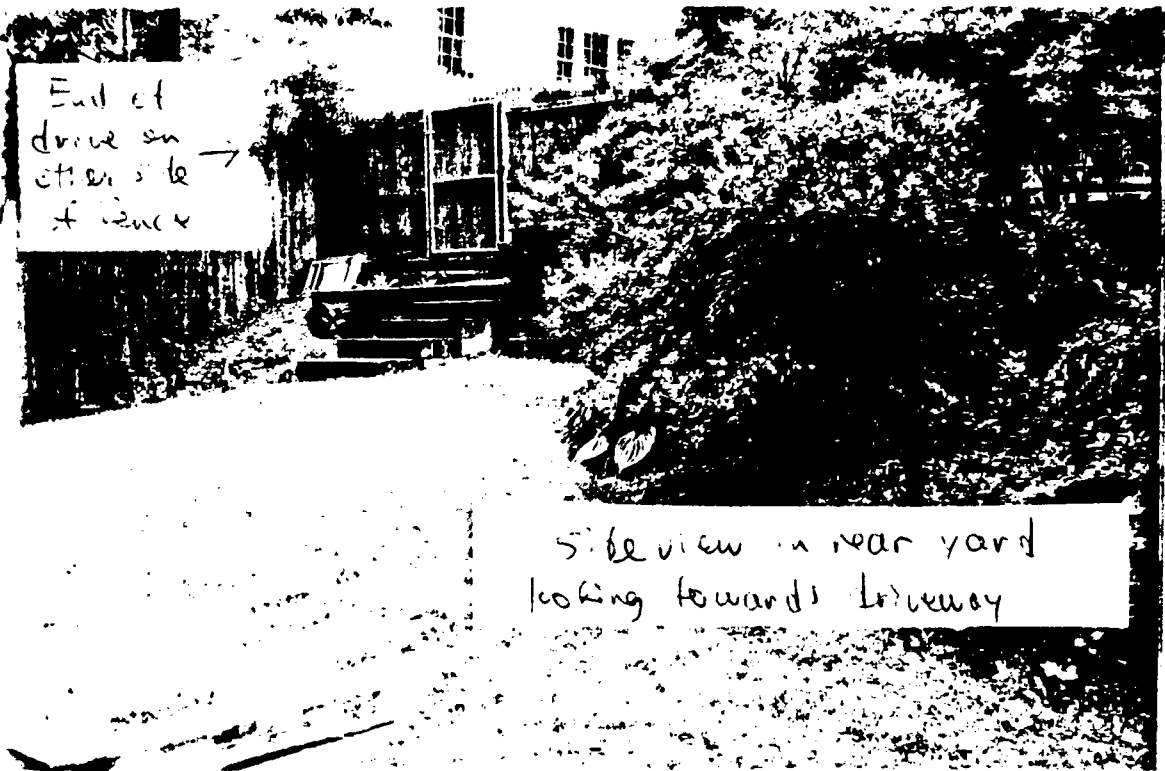
↑
This timber
wall left
25' x 5'



Existing wall
to be removed
↓

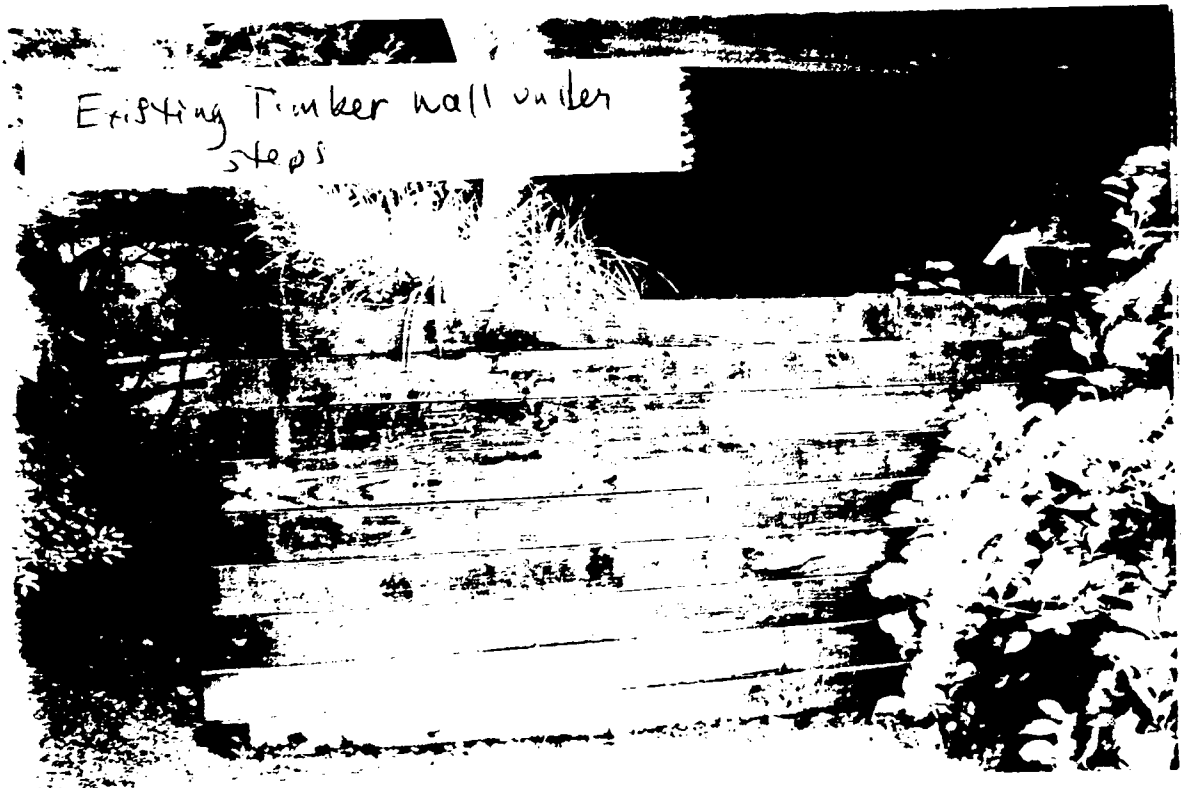
Replace 4x4
steps
with stone
steps

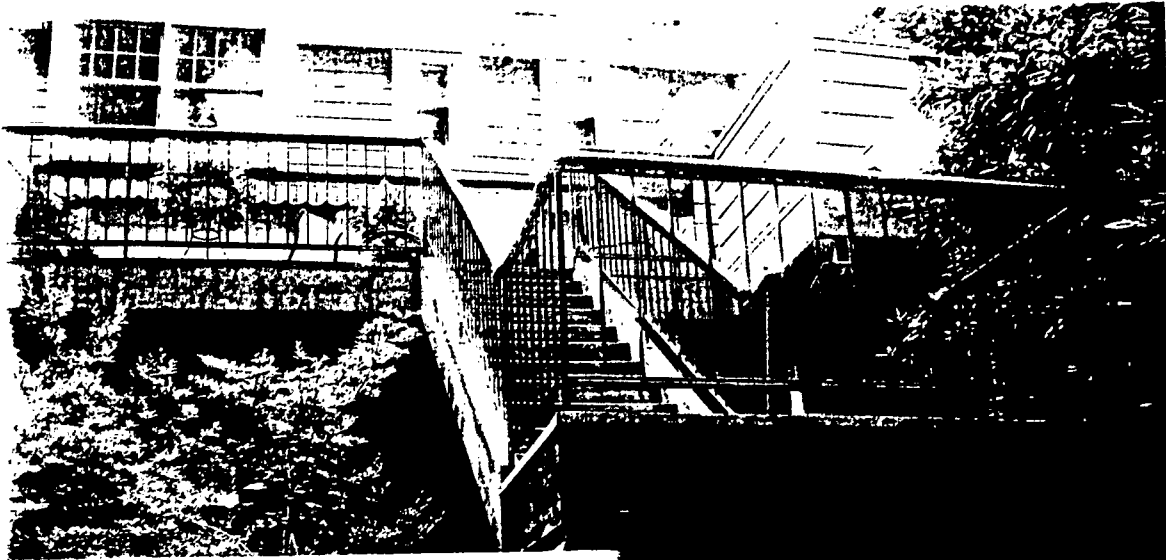
New timber wall
to be built higher
here ←



End of drive on
other side
of fence →

Side view in rear yard
looking towards driveway





Looking from rear yard
up to raised deck on
rear of home



Side view in rear
yard looking away
from driveway side