



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

Leslie Miles
Chairperson

Date: 4/28/11

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

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

SUBJECT: Historic Area Work Permit #565156—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 April 27, 2011.

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: Megan Rupp
Address: 7 West Kirke 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.





HISTORIC PRESERVATION COMMISSION
301/563-3400

565150

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Megan Rupp

Daytime Phone No.: 202 302-0195

Tax Account No.: 07 00456035

Name of Property Owner: Megan Rupp Daytime Phone No.: 202 302-0195

Address: 7 W. Kirke Street Chevy Chase MD 20815
Street Number City Street Zip Code

Contractor: Alpine Pools Phone No.: 703 333-3000

Contractor Registration No.: 29449

Agent for Owner: Mark Helliwell Daytime Phone No.: 703 333-3000

LOCATION OF BUILDING/PREMISE

House Number: 7 Street: W. Kirke Street

Town/City: Chevy Chase Nearest Cross Street: Laurel Parkway

Lot: P1 Block: 38 Subdivision: Chevy Chase Village

Liber: 38030 Folio: 00001 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

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

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 60,000

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 _____ feet _____ inches

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] _____ Date: 4/6/11
Signature of owner or authorized agent Date

Approved: _____
For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: [Signature] Date: 4/28/11
for Leslie Miles

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

2

1

**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:

Recently renovated 1905 Queen Anne Cottage located
in the Chevy Chase Village Historic District.

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

Construct a 15' x 30' swimming pool in the
rear of the house adjacent to the garage. Pool to
be gunnite, fully enclosed by fencing and not
visible from the street or adjacent yards.

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 effected 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.

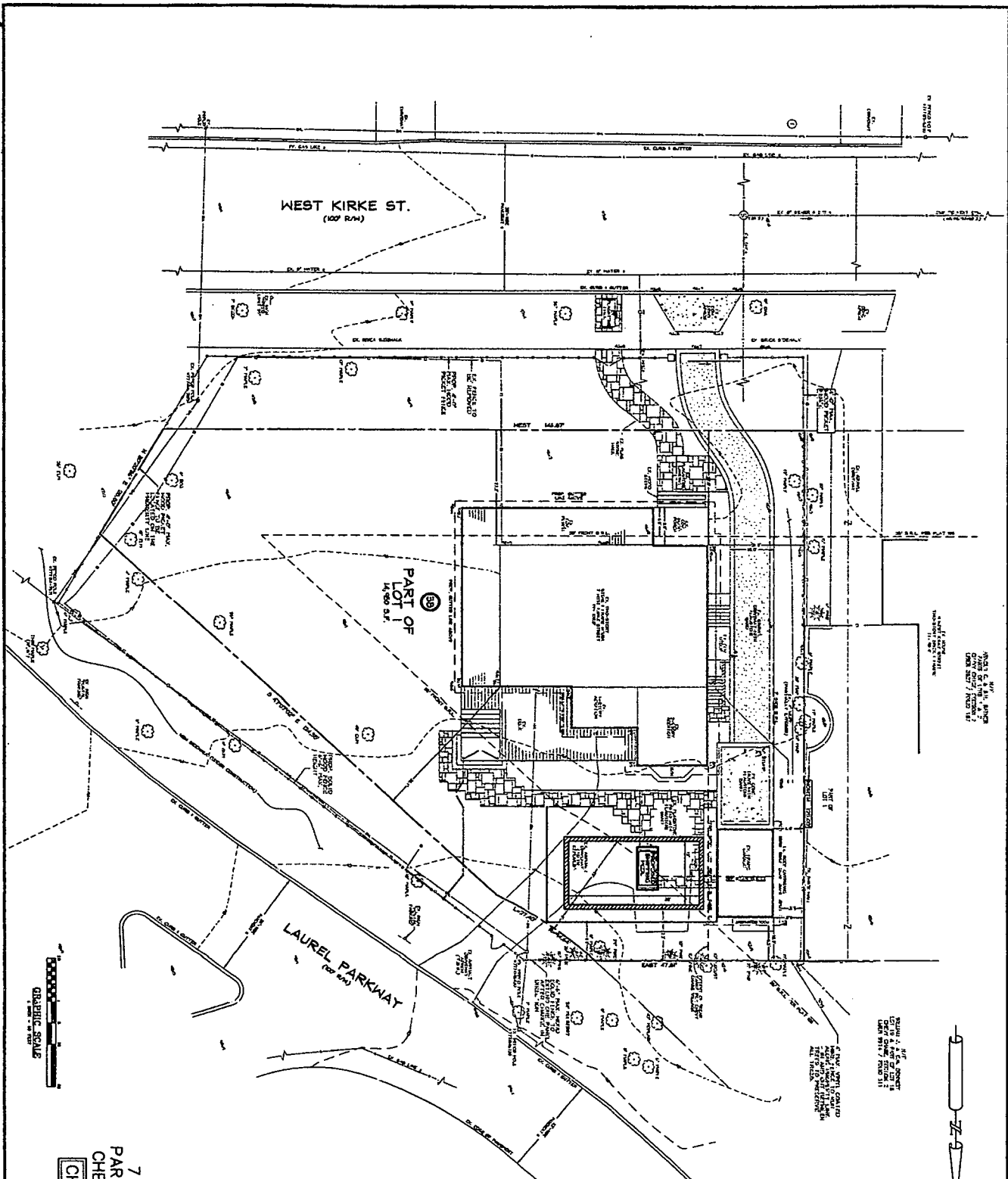
6. **TREE SURVEY**

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).

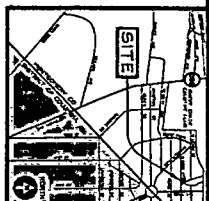
PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



7 WEST KIRKE STREET
 PART OF LOT 1, BLOCK 38
 CHEVY CHASE, SECTION 2
 CHEVY CHASE VILLAGE
 VARIANCE PLAN

APPROVED
 Montgomery County
 Historic Preservation Commission

Handwritten signature and date: [Signature] 5/27/11



7 WEST KIRKE STREET
 PART OF LOT 1, BLOCK 38

P.B. 2, PLAT 106, CIRCA 09/09/1909

CHEVY CHASE, SECTION 2
 BETHESDA (7TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

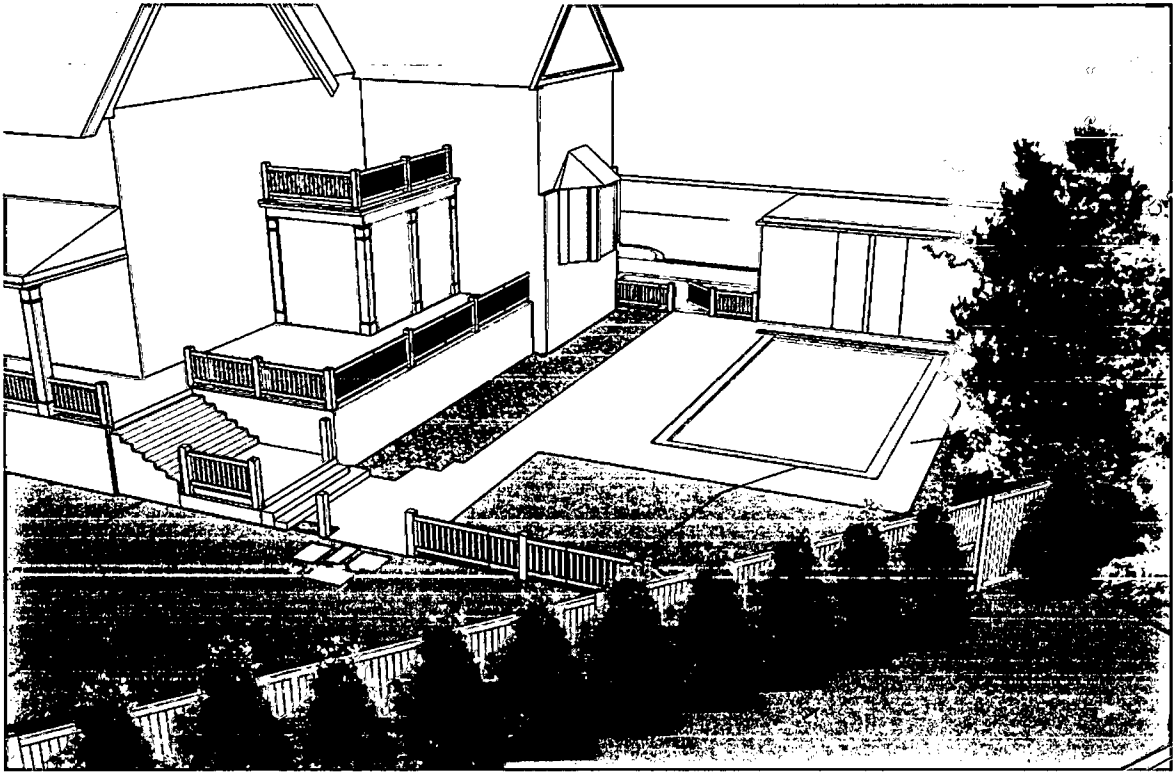
VARIANCE PLAN

DATE	BY	REVISION
02/20/10	KAM	TO REGAIN RUFF FOR REVIEW AND COMMENT.

PROJECT	DATE
09-052	08/2010
ILLUSTRATOR	
KAM	N/A
SCALE	
1"=10'	
APPROVAL	
CAS	

CAS ENGINEERING
 CIVIL • SURVEYING • LAND PLANNING
 A DIVISION OF CAS ENTERPRISES, INC.
 108 West Ridgeville Blvd., Suite 101, Mount Airy, Maryland 21771
 phone: (301) 807-8031 • fax: (301) 807-8045 • internet: www.casengineering.com

7 west kirke



MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7 West Kirke Street, Chevy Chase	Meeting Date:	4/27/11
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	4/20/11
Applicant:	Megan Rupp and Dane Butswinkas	Public Notice:	4/13/11
Review:	HAWP	Tax Credit:	None
Case Number:	35/13-110	Staff:	Anne Fothergill
PROPOSAL: 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: 1905

PROPOSAL

The applicants propose to install a 15' x 30' pool behind their house. The flagstone patio and fencing were previously approved by the HPC.

Chevy Chase Village has approved this application.

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.

Specifically, the *Guidelines* 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

The installation of a swimming pool in this location will not have an adverse impact on the historic house or historic 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

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HISTORIC AREA WORK PERMIT

565150

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[Signature]
Signature of owner or authorized agent

4/6/11
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ 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</p> <p>7 W. Kirke Street Chevy Chase MD 20815</p>	<p>Owner's Agent's mailing address</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>Mr. + Mrs Arnold Ratner 9 W. Kirke Street Chevy Chase MD 20815</p>	<p>Mrs Patricia Harr 6 W. Kirke Street Chevy Chase MD 20815</p>
<p>Mr. & Mrs. William Bennett 4 Laurel Parkway Chevy Chase MD 20815</p>	<p>Mr. + Mrs. Thomas O'Donnell 10 W. Kirke Street Chevy Chase MD 20815</p>
<p>Chevy Chase Village Connecticut Avenue Chevy Chase MD 20815</p>	<p>Mr. & Mrs Mark Shields 4 W. Kirke Street Chevy Chase MD 20815</p>

108 West Myrtle Blvd., Suite 101, Mount Airy, North Carolina 27561
 Phone: (704) 837-8031 • Fax: (704) 837-8033 • Mobile: www.chevyengineering.com
CHEVY ENGINEERING
 CIVIL - SURVEYING - LAND PLANNING
 A DIVISION OF CAS ENGINEERS, INC.



CHEVY CHASE, SECTION 2
 BETHESDA (7TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 P.B. 2, PLAT 106, CIRCA 09/09/1999
 PART OF LOT 1, BLOCK 38

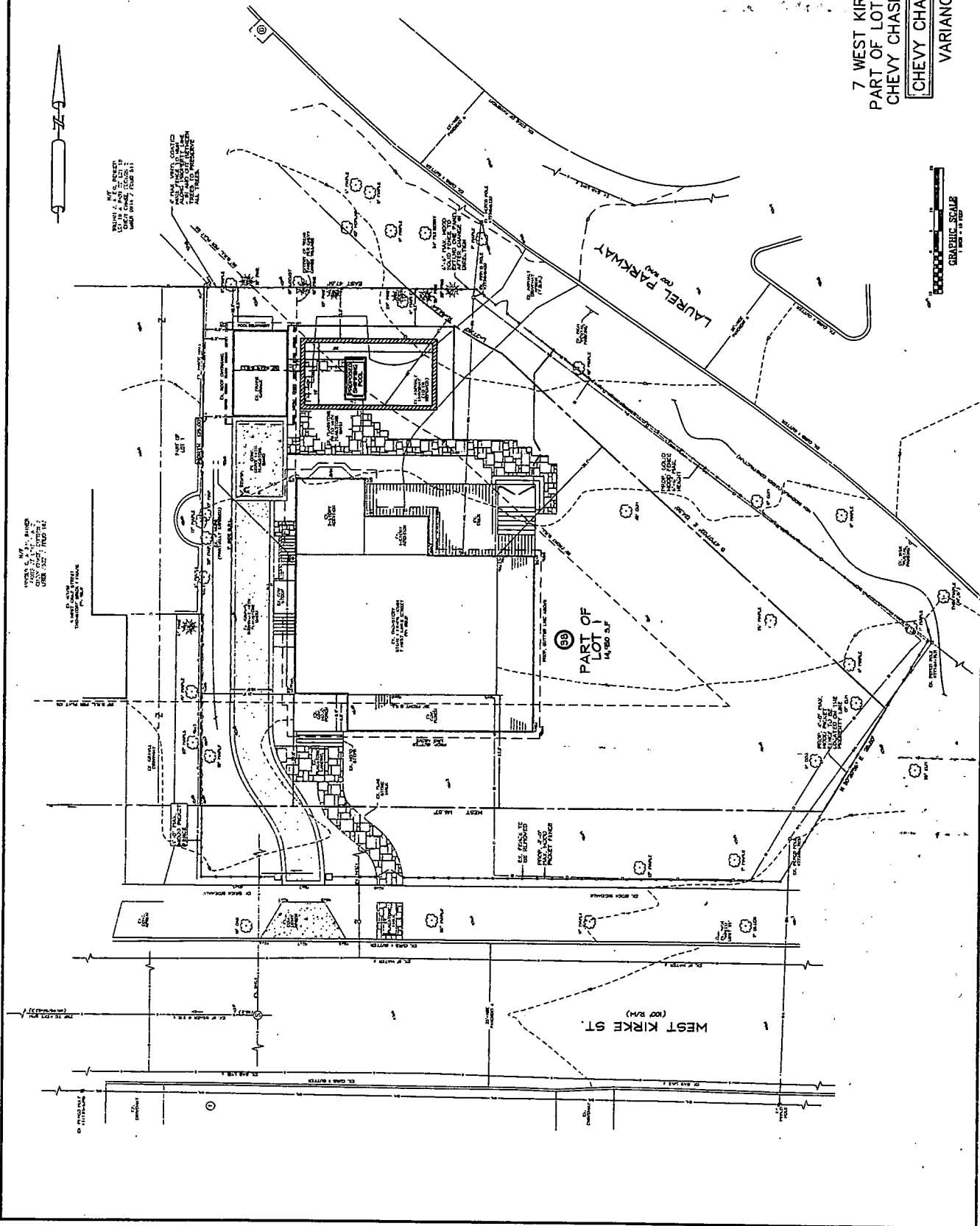
DATE	BY	REVISION
09/20/10	KAM	TO FINAL PLAT FOR RECORD AND CONVEYANCE
09-052	KAM	
N/A	KAM	
CAS		



APPLICANT
 JOHN JACOB STEEL
 3500 JACOBS STREET
 CHEVY CHASE, MD 20815
 (301) 550-9922 CELL
 (301) 550-9922 HOME

**7 WEST KIRKE STREET
 PART OF LOT 1, BLOCK 38
 CHEVY CHASE, SECTION 2**

**CHEVY CHASE VILLAGE
 VARIANCE PLAN**



7

7 West Kirke

