

7 Magnolia Parkway, Chevy Chase
[HP Casa # 3513-09J]
Chevy Chase Village Historic District



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

David Rotenstein
Chairperson

Date: April 23, 2009

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

FROM: Josh Silver, Senior Planner *(JRS)*
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #508218, tree removal, driveway and landscape alterations

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved** at the April 22, 2009 meeting.

The HPC staff has reviewed and stamped the attached construction drawings.

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: Richard & Heather Cass

Address: 7 Magnolia Parkway, 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 complete the applicant will contact the staff person assigned to this application at 301-563-3400 or joshua.silver@mncppc-mc.org to schedule a follow-up site visit.





508218

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: HEATHER CASS
Daytime Phone No.: 301-656-6582

Tax Account No.: 00456206
Name of Property Owner: RICHARD + HEATHER CASS Daytime Phone No.: 301-656-6582
Address: 7 MAGNOLIA PARKWAY CHEVY CHASE MAGNOLIA PARKWAY 20815
Street Number City Street Zip Code
Contractor: SBR CONSTRUCTION Phone No.: 301-388-2320
Contractor Registration No.: MHC 8506 914
Agent for Owner: HEATHER CASS Daytime Phone No.: 301-656-6582

LOCATION OF BUILDING/PREMISE

House Number: 7 Street: MAGNOLIA PARKWAY
Town/City: CHEVY CHASE VILLAGE Nearest Cross Street: FRESHETH ST.
Lot: PART OF LOT Block: 27 Subdivision: SECTION 2, CHEVY CHASE
Liber: 308 Folio: 185 Parcel:

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 Fence/Wall (complete Section 4) Other: paving, parking pad, planting, tile removal

1B. Construction cost estimate: \$ 20,000 ⁰⁰/_{xx}

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: n/a

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches n/a

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.

Heather W. Cass 4/8/09
Signature of owner or authorized agent Date

Approved: [Signature] For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: 4/24/09
Application/Permit No.: _____ Date Filed: _____ 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:

SINGLE Family residence, category 2, in Cherry Chase Village.
All work involves replacement and addition of walkway, drive, trellis
and planting. No demolition or alteration of existing bldg or garage.

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

Replace conc steps and walk with stone/brick in same location, same
size. Remove portion of driveway on side and back of house and
convert to garden, grass. Resurface portion of driveway. Replace
portion of drive w/ brick/stone parking pad. Extend existing terrace
to accommodate recently completed addition. Trellis, pergola in
garden in rear of house in front of garage.

2. SITE PLAN

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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

- 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.
- 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.

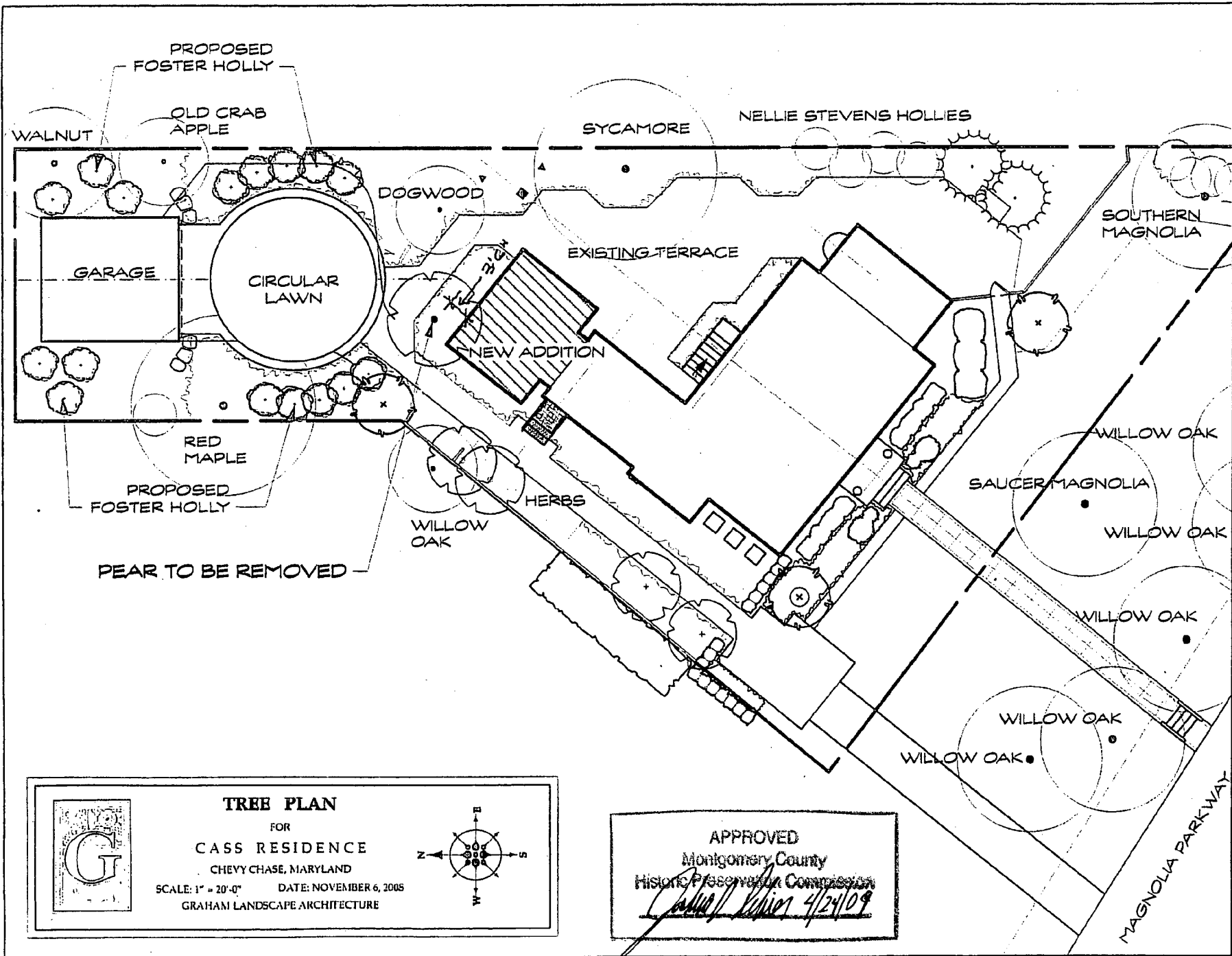
6. TREE SURVEY

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.**





TREE PLAN

FOR

CASS RESIDENCE

CHEVY CHASE, MARYLAND

SCALE: 1" = 20'-0" DATE: NOVEMBER 6, 2005

GRAHAM LANDSCAPE ARCHITECTURE



APPROVED

Montgomery County

Historic Preservation Commission

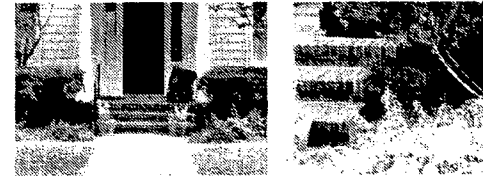
Julia Yehon 4/24/09



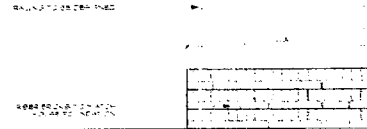
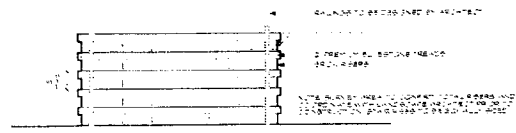
GRAHAM
LANDSCAPE
ARCHITECTURE

2700 WOODBURN DRIVE
BETHESDA, MARYLAND 20814
TEL: 301-461-1100
WWW.GRAHAMLANDSCAPE.COM

REVISIONS

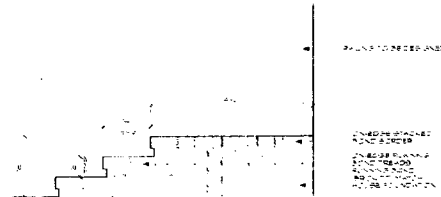
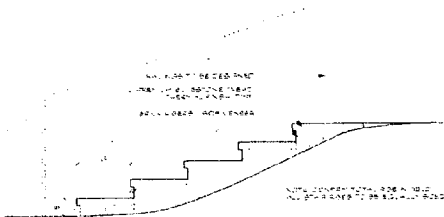


EXISTING FRONT STEPS



A FRONT WALL STEPS FRONT ELEVATION
DATE 2/21/08

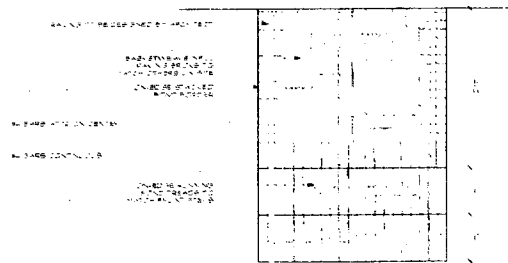
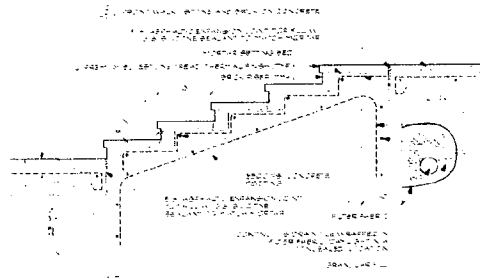
D NORTH STEPS FRONT ELEVATION
DATE 2/21/08



B FRONT WALL STEPS SIDE ELEVATION
DATE 2/21/08

H NORTH STEPS SIDE ELEVATION
DATE 2/21/08

E(2) NORTH STEPS SIDE ELEVATION (ALTERNATE)
DATE 2/21/08



C FRONT WALL STEPS SECTION
DATE 2/21/08

F NORTH STEPS PLAN
DATE 2/21/08

CASS
RESIDENCE
7 MAGNOLIA PARKWAY
CITYVIEW CHASE, MARYLAND 20815

STAIR
DETAILS

DRAWN BY: JES
APPROVED BY: JES
DATE: 2/21/08
SCALE: AS SHOWN

HD1.0

December 5, 2008

APPROVED
Montgomery County
Historic Preservation Commission
Carol A. Linder 4/24/09



**GRAHAM
LANDSCAPE
ARCHITECTURE**

22 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815
TEL: 301.251.1111
WWW.GRAHAMLANDSCAPE.COM

REVISIONS

**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

**PAVING /
MASONRY
DETAILS**

PREPARED BY: JKS
CHECKED BY: JKS
PROJECT NO.: 2008-002
SCALE: AS SHOWN

HD1.1

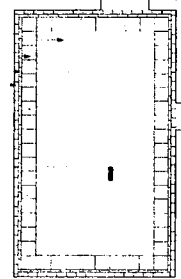
December 5, 2008

APPROVED
Montgomery County
Historic Preservation Commission
[Signature] 4/24/09

NOTES
1. ALL STONE SHALL BE NEW MASONRY WITH A MINIMUM OF 20% RECYCLED CONTENT.
2. ALL STONE SHALL BE SET IN A MASONRY BED OF 3/4" SAND.
3. ALL STONE SHALL BE SET IN A MASONRY BED OF 3/4" SAND.

2.2. STONE MASONRY

WERNER WALL
1. 2" x 4" x 8" STONE COURSE
2. 1" x 2" x 4" STONE COURSE
3. 1" x 2" x 4" STONE COURSE



BRICK AND PLASTER BORDER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE

BRICK AND PLASTER BORDER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE

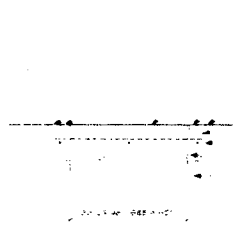


BRICK AND PLASTER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE

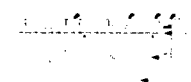
PAVING DETAIL
1. 2" x 4" x 8" STONE COURSE
2. 1" x 2" x 4" STONE COURSE
3. 1" x 2" x 4" STONE COURSE

A STONE DETAIL
REV. 12/5/08

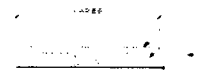
B BRICK PLASTER
REV. 12/5/08



BRICK AND PLASTER BORDER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE



WERNER WALL
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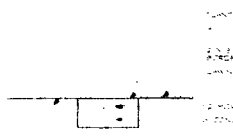


BRICK AND PLASTER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE

C WALL ON WALKWAY SECTION
REV. 12/5/08

D WALKWAY DETAIL SECTION
REV. 12/5/08

E STONE MASONRY ASSEMBLY
REV. 12/5/08



BRICK AND PLASTER BORDER
1. BRICK COURSE
2. BRICK COURSE
3. BRICK COURSE

F STONE EDGE SECTION
REV. 12/5/08



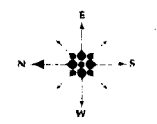
GRAHAM
LANDSCAPE
ARCHITECTURE

2200 WASHINGTON AVENUE, SUITE 200
BETHESDA, MARYLAND 20814
TEL: 301.462.1111
WWW.GRAHMLA.COM

REVISIONS

NO.	DATE	DESCRIPTION
1	04/07/09	ISSUED FOR PERMIT
2	04/07/09	REVISIONS TO PERMIT
3	04/07/09	REVISIONS TO PERMIT
4	04/07/09	REVISIONS TO PERMIT
5	04/07/09	REVISIONS TO PERMIT
6	04/07/09	REVISIONS TO PERMIT
7	04/07/09	REVISIONS TO PERMIT
8	04/07/09	REVISIONS TO PERMIT
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48	04/07/09	REVISIONS TO PERMIT
49	04/07/09	REVISIONS TO PERMIT
50	04/07/09	REVISIONS TO PERMIT

**CASS
RESIDENCE**
1 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815



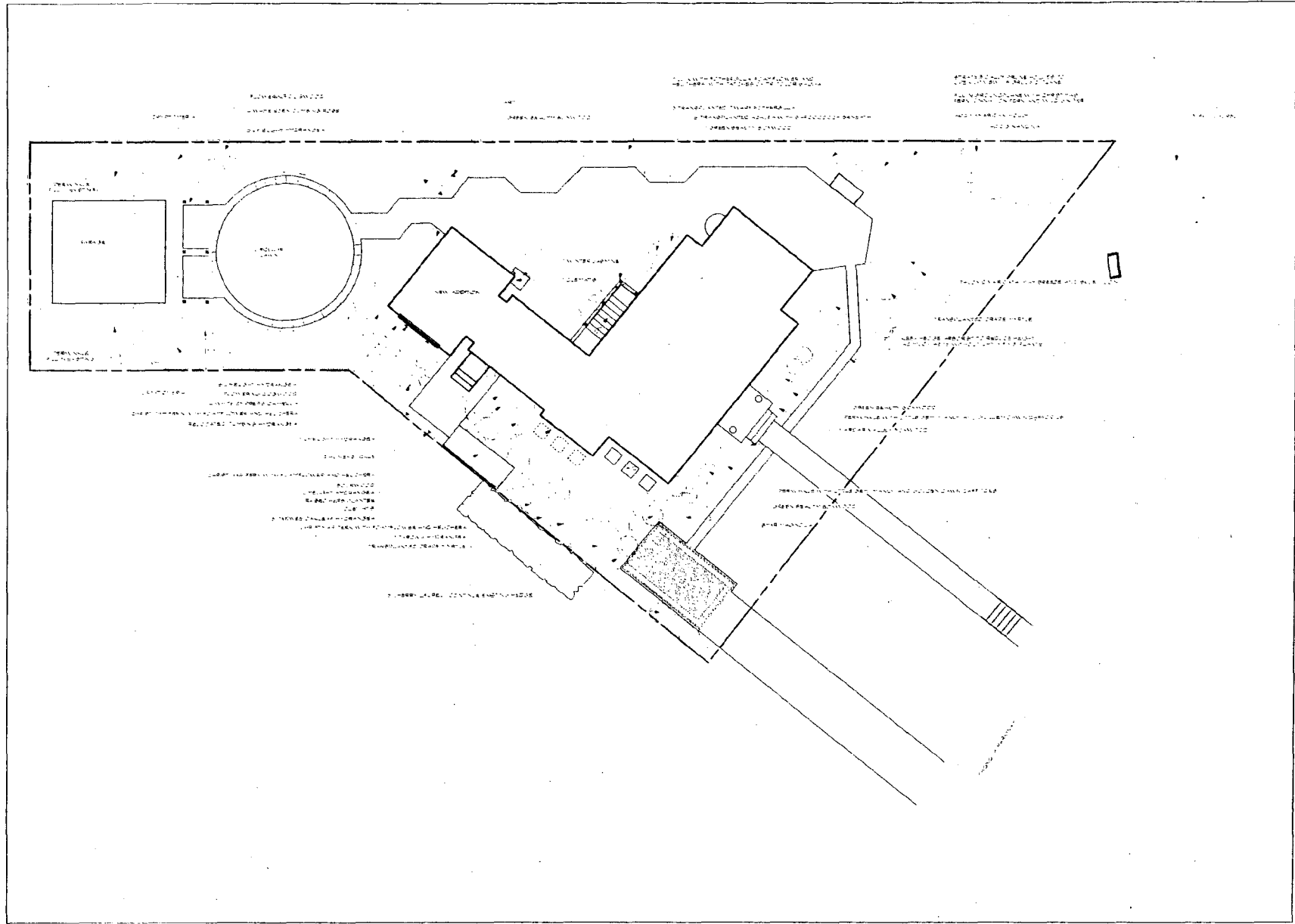
draft
PLANTING PLAN

DESIGNED BY	130
APPROVED BY	131
DATE	2/20/09
SCALE	1" = 1'-0"

P1.0
April 7, 2009

APPROVED
Montgomery County
Historic Preservation Commission

John A. Nelson 4/24/09



EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7 Magnolia Parkway, Chevy Chase	Meeting Date:	4/22/2009
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	4/15/2009
Applicant:	Richard & Heather Cass	Public Notice:	4/8/2009
Review:	HAWP	Tax Credit:	None
Case Number:	35/13-09J	Staff:	Josh Silver
PROPOSAL:	Tree removal, driveway and landscape alterations		

STAFF RECOMMENDATION:

Staff is recommending that the HPC **approve** this HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: 1916-1927

PROPOSAL:

The applicants are proposing to:

Remove one 16" dbh Pear tree from the rear yard of the property. (*The tree removal has been approved by Chevy Chase Village Board of Managers*)

Remove and replace an existing concrete front walkway and steps with bluestone pavers and treads in the same location

Remove an existing asphalt driveway on the west side of the house and install a bluestone stepping stone pathway, a 20' x 12' brick parking court within the existing driveway right-of-way and wooden trash enclosure

Install a circular bluestone edge landscaping feature and restore and extend an existing terrace at the rear of the house using matching bluestones and brick pavers.

APPLICABLE GUIDELINES

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 1 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.)

STAFF RECOMMENDATION

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

and with the general condition that the applicant shall present the **3 permit sets of drawings 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. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or joshua.silver@mncppc-mc.org to schedule a follow-up site visit.

APPLICATION FOR HISTORIC AREA WORK PERMIT

508218^J

Contact Person: HEATHER CASS
Daytime Phone No.: (301) 656-6582

Tax Account No.: 00456206
Name of Property Owner: RICHARD & HEATHER CASS Daytime Phone No.: (301) 656-6582
Address: 7 Chevy Chase MAGNOLIA PKWY 20815
Street Number City State Zip Code
WALNUT HILL LANDSCAPE
Contractor: SBP Construction Company Phone No.: 410-349-3105
TALL TREES - ANNAPOLIS - DNR # 9449
Contractor Registration No.: MHC #02-26-21-73
Agent for Owner: Heather Cass Daytime Phone No.: above

LOCATION OF BUILDING/PREMISE

House Number: 7 Street: MAGNOLIA PARKWAY
Town/City: Chevy Chase Village Nearest Cross Street: Hesketh St
Lot: PART OF LOT 2 Block: 27 Subdivision: Chevy Chase Village / SECTION 2
Liber: 308 Folio: 185 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE:
- | | | | | | | | | |
|------------------------------------|----------------------------------|---|--|---|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input type="checkbox"/> Alter/Renovate | <input type="checkbox"/> A/C | <input type="checkbox"/> Slab | <input type="checkbox"/> Room Addition | <input type="checkbox"/> Porch | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Raze | <input type="checkbox"/> Solar | <input type="checkbox"/> Fireplace | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family | | |
| <input type="checkbox"/> Revision | <input type="checkbox"/> Repair | <input type="checkbox"/> Revocable | <input type="checkbox"/> Fence/Wall (complete Section 4) | <input checked="" type="checkbox"/> Other: <u>TREE REMOVE</u> | | | | |
- 1B. Construction cost estimate: \$ 500-
- 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: 71/a
- 2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 3A. Height _____ feet _____ inches n/a
- 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.

Heather Cass 10/16/08
4/11/09 3

1. WRITTEN DESCRIPTION OF PROJECT

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

REQUEST PERMISSION TO REMOVE 16 IN DIAMETER PEAR TREE LOCATED 3.5 FEET FROM RECENT ADDITION. PROXIMITY OF TREE TO ADDITION PREVENTS PROPER GRADING AROUND ADDITION, HAMPERS DRAINAGE AND COMPROMISES INTEGRITY OF FOUNDATION. ALSO, TREE PRESENTS POTENTIAL HAZARD OF LIMB OR TREE FALLING ON ADDITION. ALSO, OUR LANDSCAPE ARCHITECT HAS PROPOSED A PLAN WHICH WILL SUBSTANTIALLY REDUCE IMPERVIOUS SURFACE OF YARD, REMOVING ALL OF REAR YARD MACADAM. TO DO THIS REGRADING IS REQUIRED WHICH IS HAMPERS BY LOCATION AND ELEVATION OF TREE.

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

PROJECT IS TO REMOVE PEAR TREE WHICH IS TOO CLOSE TO HOUSE. UNDER SEPARATE PERMIT WE WILL APPLY FOR PERMISSION TO REMOVE ADJACENT MACADAM AND REPLACE WITH GRASS AND MORE TREES, INCLUDING FOSTER HOLLIES, SWEET GUM, AND SIMILAR TREES. A LARGE SHADE TREE (120 IN DIA) IS CONTEMPLATED FURTHER FROM HOUSE. ALL NEIGHBORS, VILLAGE TREE COMMITTEE AND BOARD OF MANAGERS SUPPORT APPLICATION. DOCUMENTATION INCLUDED.

2. SITE PLAN

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

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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

- 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.
- 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 drip-line of any tree 6" or larger in diameter (at approximately 4 feet above the ground)

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

Owner's mailing address Mr. and Mrs. RICHARD Cass 7 MAGNOLIA PARKWAY Chevy Chase, MD 20815	Owner's Agent's mailing address Ms. Heather W. Cass 7 MAGNOLIA PARKWAY Chevy Chase, MD 20815
Adjacent and confronting Property Owners mailing addresses	
Ms. Kathleen Meredith Mr. BURT BRAVERMAN 2 MAGNOLIA PARKWAY Chevy Chase, MD 20815	Mr. and Mrs. Jerome Bracken 5 MAGNOLIA PARKWAY Chevy Chase, MD 20815
Dr. and Mrs. Joel Rosenberg 9 MAGNOLIA PARKWAY Chevy Chase, MD 20815	Mr. and Mrs. Joel Winnik 5804 Connecticut Avenue Chevy Chase, MD 20815
Mr. and Mrs. William J. Grace 8 West Irving Street Chevy Chase, MD 20815	



**GRAHAM
LANDSCAPE
ARCHITECTURE**

274 Prince George Street
Annapolis, MD 21403-1433
Tel: 410.293.0266 Fax: 410.293.0267
www.grahmlandarch.com

REVISIONS

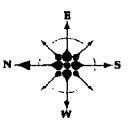
NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

These drawings and specifications and the labor represented hereby are the sole property of the Landscape Architect. No part thereof shall be copied or used in connection with any work other than that for the project for which they have been prepared and developed or that the written consent of the Landscape Architect.

**CASS
RESIDENCE**

7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

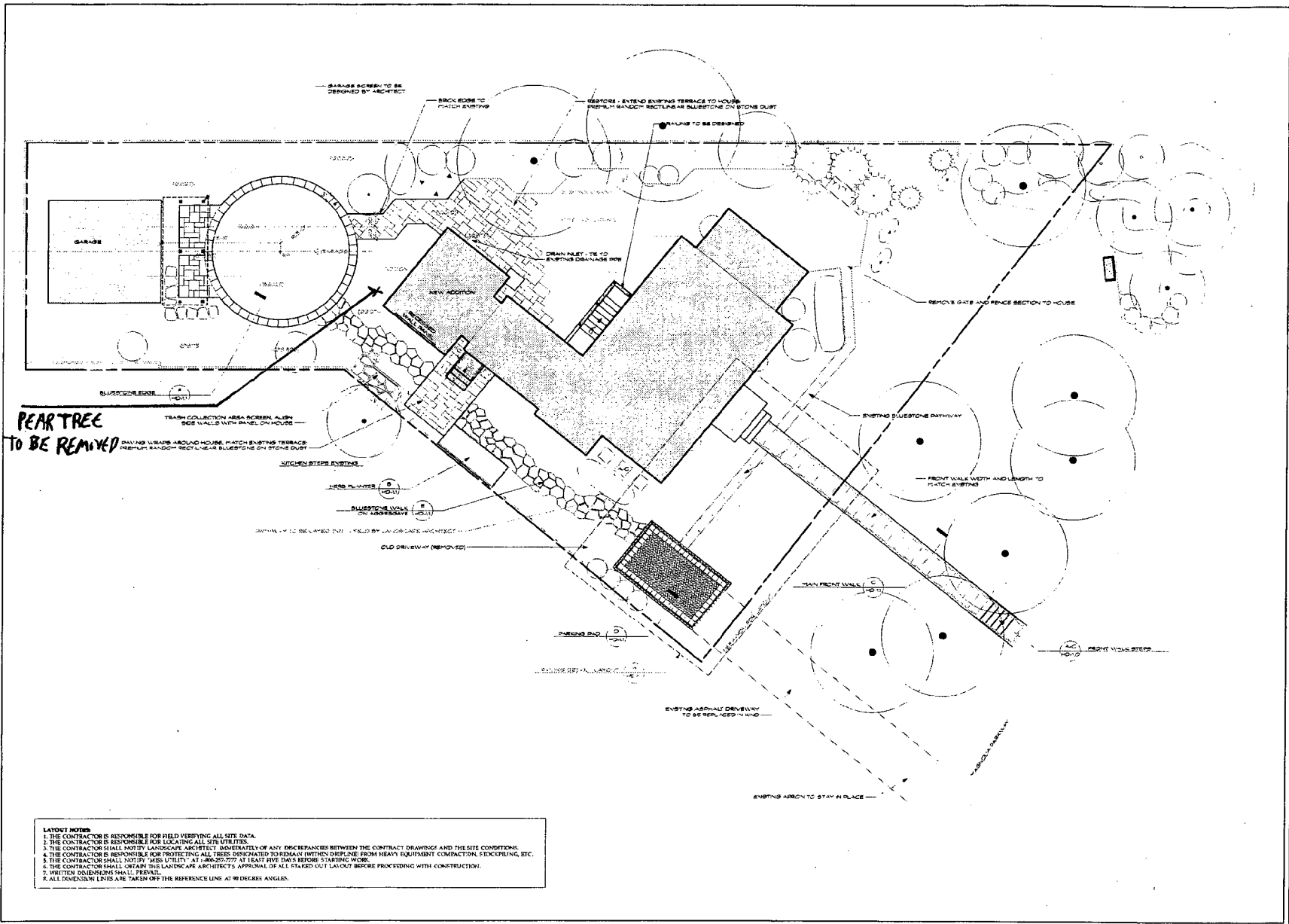


**HARDSCAPE /
LAYOUT PLAN**

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

L1.0

April 7, 2009



7

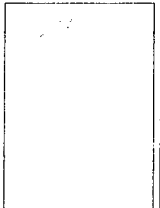


**GRAHAM
LANDSCAPE
ARCHITECTURE**

229 Drive George Street
Annapolis MD 21401-1474
P.O. Box 20,000, Suite 20,000, Annapolis
MD 21404-0020
www.grahamlandscape.com

REVISIONS

NO.	DESCRIPTION



These drawings and specifications and the labor thereunder are made my own and shall represent the property of the Landscape Architect. The user thereof shall be deemed to have agreed to indemnify and hold the Landscape Architect harmless from and against all claims, damages, losses and expenses, including reasonable attorneys' fees, that may be incurred by the Landscape Architect in connection with the use of these drawings and specifications, whether or not such claims, damages, losses and expenses are caused in whole or in part by the negligence of the Landscape Architect.

**CASS
RESIDENCE**

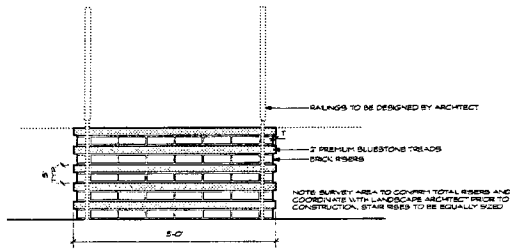
7 MACNOLIA PARKWAY
CHRYV CHASE, MARYLAND 20815

**STAIR
DETAILS**

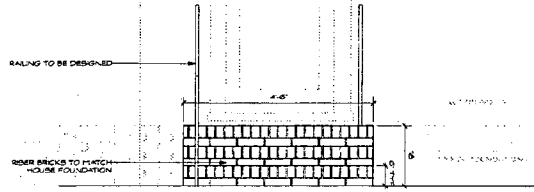
DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 283
SCALE: AS NOTED

HD1.0

December 5, 2008



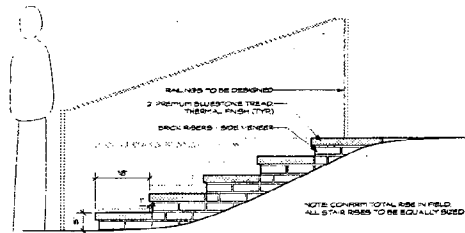
A FRONT WALK STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



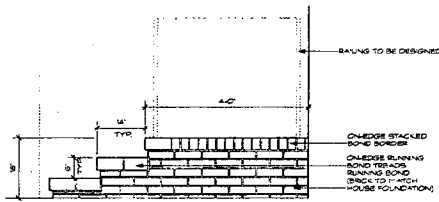
D KITCHEN STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



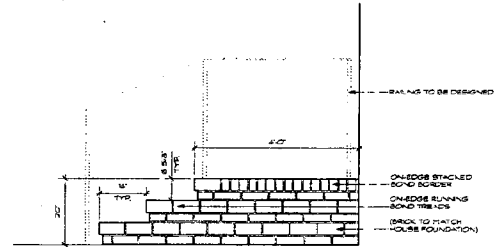
RESIDENT FRONT STEPS



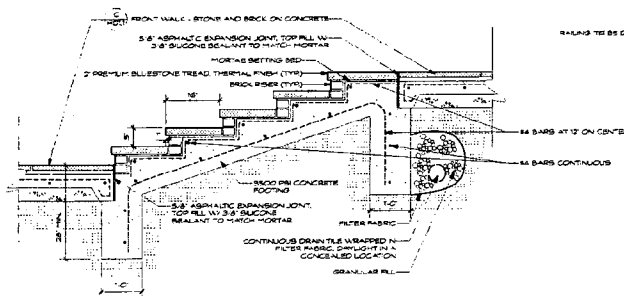
B FRONT WALK STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



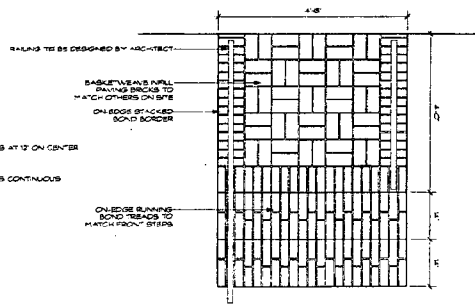
E KITCHEN STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



D(2) KITCHEN STEPS SIDE ELEVATION (ALTERNATE)
Scale: 3/4" = 1'-0"



C FRONT WALK STEPS SECTION
Scale: 3/4" = 1'-0"



F KITCHEN STEPS PLAN
Scale: 3/4" = 1'-0"





**GRAHAM
LANDSCAPE
ARCHITECTURE**

23 Freeny George Street
Annapolis, MD 21403
Tel: (410) 293-1144 Fax: (410) 293-1145
www.grahamlandscape.com

REVISIONS

NO.	DESCRIPTION

These drawings and specifications and the design represented thereby are used to create the project of the Landscape Architect. They shall remain the property of the Landscape Architect and shall not be used for any other project or any purpose other than the project specified. The drawings have been prepared and developed within the professional capacity of the Landscape Architect.

**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHERRY CHASE, MARYLAND 20815

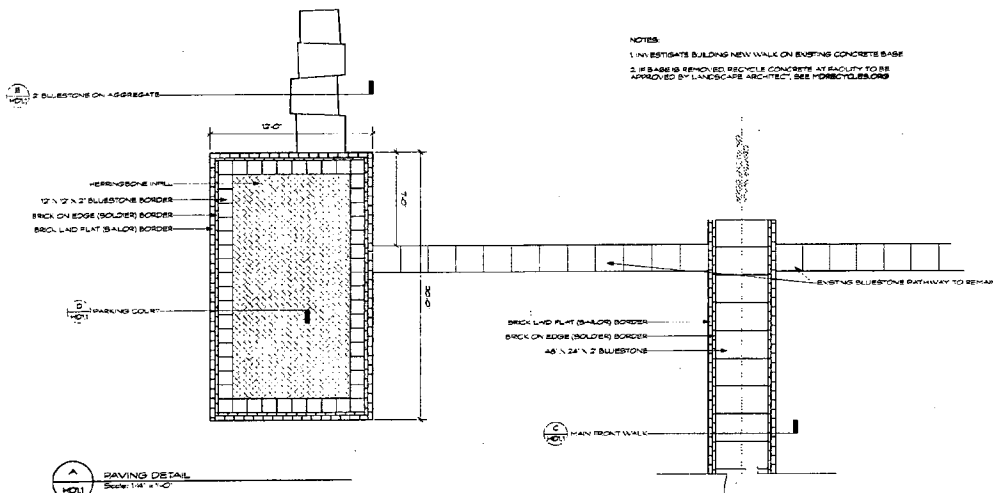
**PAVING/
MASONRY
DETAILS**

DRAWN BY: LKS
APPROVED BY: JFG
PROJECT #: 2830
SCALE: AS NOTED

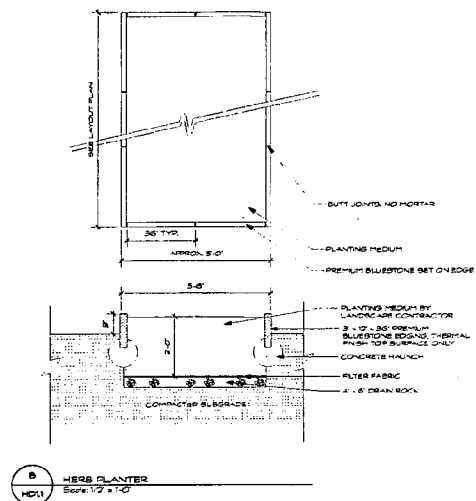
HD1.1

December 3, 2008

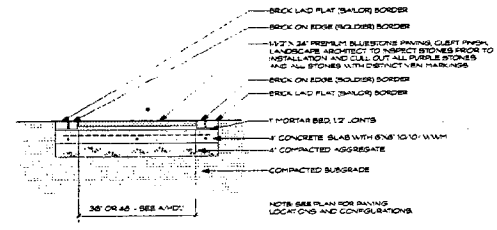
NOTES
1. INVESTIGATE BUILDING NEW WALK ON EXISTING CONCRETE BASE
2. IF BASE IS REMOVED RECYCLE CONCRETE AT FACILITY TO BE APPROVED BY LANDSCAPE ARCHITECT. SEE FORMS/DETAILS/08



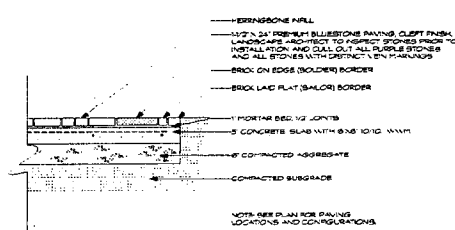
A PAVING DETAIL
Scale: 1/4" = 1'-0"



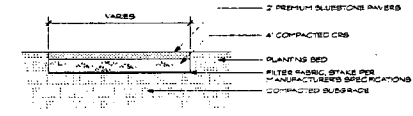
B HERB PLANTER
Scale: 1/2" = 1'-0"



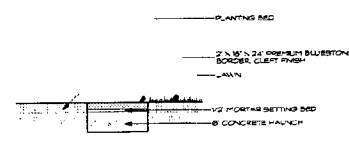
C WALKS ON CONCRETE SECTION
Scale: 3/4" = 1'-0"



D PARKING COURT SECTION
Scale: 3/4" = 1'-0"



E BLUESTONE WALK ON AGGREGATE
Scale: 3/4" = 1'-0"



F BLUESTONE EDGE SECTION
Scale: 3/4" = 1'-0"

10

Letter Submitted to Chevy Chase Village

7 Magnolia Parkway
Chevy Chase, Maryland 20815
November 7, 2008

Board of Managers
Chevy Chase Village

Dear Dr. Kamerow and Members of the Board,

We write to request your **permission to remove a pear tree** from the rear of our property at 7 Magnolia Parkway. The tree is approximately three feet six inches from our kitchen addition, which is currently under construction. It is located between the addition and the macadam driveway/parking pad which is adjacent to our garage.

We do not make this request lightly. We have lived in our home for twenty-eight years and treasure the trees on our property and throughout the Village. Over the years, we have planted many trees and shrubs including five now-glorious Willow Oaks in our front yard (in public space, but planted and nurtured at our expense), as well as a magnificent London Plane/Sycamore tree on the rear terrace (which replaced a beautiful maple we lost in the storm of 1989). We believe that the removal of the pear tree will protect our house against potential damage and permit us to greatly enhance the garden and landscape.

We request that you take the following factors into consideration:

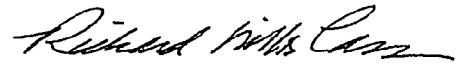
1. The location of our addition was dictated by our desire to site it in a way that would **minimize its impact on our neighbors** and by HPC's request that we **minimize its visibility from the street**.
2. These factors necessitated a closeness of the tree to the addition that means we are **unable to provide proper grading and drainage** around the addition. This **compromises the integrity of the foundation**.
3. The closeness of the tree to the addition means that major branches of the tree overhang the addition, creating **potential hazard of a limb or the tree falling on the house**.
4. Our landscape architect has created a plan (attached) which would remove the macadam parking area in front of the garage as well as the macadam driveway for the entire length of the side of our house, and replace it with grass, garden and a pedestrian path. This **will substantially reduce the impervious surfaces on the property**. The location and elevation of the **pear tree prevent the regrading of the site which is necessary for the implementation of this plan**.
5. We propose to **mitigate** the removal of the pear tree by the planting of more than **ten (evergreen) foster hollies** in this rear area. They will enhance our neighbors' privacy and provide year round greenery in what is currently an unsightly macadam parking court.

We thank you for your consideration and would be happy to provide any other information you need.

Sincerely,



Heather Willson Cass



Richard Willis Cass

NEIGHBOR SUPPORT

December 7, 2008

To: Ms. Doris M. Lyerly
Chevy Chase Village

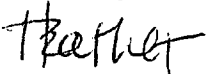
Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

Dear Doris,

My husband and I have contacted all the "Adjoining and Confronting Property Owners" listed in the Village notice dated 26 November 2008, as well as Joel and Barbara Winnik at 5804 Connecticut. After numerous attempts we have received no response from Mr. and Mrs. Dixon at 5808 Connecticut, but all of the other nine property owners have told us they support our application to remove the pear tree. Attached are seven letters of support from neighbors. In addition, the Malonis and Wenners have told us that they are writing letters.

Hope this helps! Thanks for your ongoing assistance.

Sincerely,



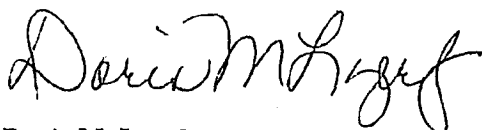
Heather Cass

MAILING LIST FOR APPEAL A-1698

**MR. AND MRS. RICHARD W. CASS
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815**

Adjoining and confronting property owners	
Mr. Burt A. Braverman Ms. Kathleen Meredith Or Current Resident 2 Magnolia Parkway Chevy Chase, MD 20815	Dr. and Mrs. Joel Rosenberg Or Current Resident 9 Magnolia Parkway Chevy Chase, MD 20815
Mr. Thomas L. Howard Or Current Resident 4 West Irving Street Chevy Chase, MD 20815	Mr. and Mrs. Adam Wenner Or Current Resident 2 Hesketh Street Chevy Chase, MD 20815
Mr. and Mrs. Stephen Sacks Or Current Resident 4 Magnolia Parkway Chevy Chase, MD 20815	Mr. and Mrs. William J. Grace, Jr. Or Current Resident 8 West Irving Street Chevy Chase, MD 20815
Mr. and Mrs. Jerome Bracken Or Current Resident 5 Magnolia Parkway Chevy Chase, MD 20815	Mr. and Mrs. Ben F. Dixon, IV Or Current Resident 5808 Connecticut Avenue Chevy Chase, MD 20815
Mr. and Mrs. William R. Maloni Or Current Resident 5 Chevy Chase Circle Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 26th day of November, 2008.



**Doris M. Lyerly
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

CHADBOURNE
& PARKE LLP

Adam Wenner
direct tel (202) 974-5662 direct fax (202) 974-6762
awenner@chadbourne.com

December 3, 2008

Board of Managers
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway, Chevy Chase, MD 20815

Dear Board Members:

We are writing to express our strong support for the application in the above-referenced matter of Heather and Dick Cass to remove a tree from their rear yard. Our home, 2 Hesketh Street, is almost directly across the street from the Cass's, and it has always been a delight to see their wonderful yard and flowers, as well as the Willow Oaks they planted.

As described in their application and shown in the map, the removal of one of their trees is perfectly appropriate and acceptable, and in no way will adversely affect the beauty or character of the Village. Accordingly, we strongly support their application and urge the Board to grant this application.

Sincerely,



Adam and Abigail Wenner

15

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

Juan Bracken
Signature

Jervone Bracken
Printed Name

Marilyn C. Bracken
Signature

MARILYN C. BRACKEN
Printed Name

5 Magnolia Parkway
Address

December 3, 2005
Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

<u><i>Kathleen Meredith</i></u> Signature	<u>KATHLEEN MEREDITH</u> Printed Name
<u><i>Burt Braverman</i></u> Signature	<u>BURT BRAVERMAN</u> Printed Name

2 Magnolia Parkway
Address

3 December, 2008
Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

V. Grace
Signature

Valerie Grace
Printed Name

Bill Grace
Signature

BILL GRACE
Printed Name

8 W. Irving St.
Address

12/2/08
Date

(18)

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

Thomas L Howard THOMAS L HOWARD
Signature Printed Name

Signature

Printed Name

4 WEST IRVING ST - CCMD 20815
Address

12/2/08
Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

<u><i>Joel Rosenberg</i></u> Signature	<u>JOEL ROSENBERG</u> Printed Name
<u><i>Cynthia B. Rosenberg</i></u> Signature	<u>CYNTHIA B. ROSENBERG</u> Printed Name

7 MAGNOLIA PARKWAY
Address

12-2-08
Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

Barbara Winnik

Signature

BARBARA WINNIK

Printed Name

Joel Winnik

Signature

Joel Winnik

Printed Name

5804 Connecticut

Address

12/5/08

Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

William R. Maloni WM. R. MALONI
Signature Printed Name

Heidi Maloni Heidi Maloni
Signature Printed Name

5 CHEVY CHASE CIRCLE
Address

12-03-08
Date

To: Board of Managers
Chevy Chase Village

Re: Appeal Number A-1698
Mr. and Mrs. Richard W. Cass
7 Magnolia Parkway
Chevy Chase, Maryland 20815

I/We support the above referenced application of Heather and Dick Cass to remove a pear tree from their rear yard.

Helene R. Sacks Helene Sacks

Signature

Printed Name

Stephen Sacks

Stephen Sacks

Signature

Printed Name

4 Magnolia Parkway

Address

12/3/08

Date

REPORT FROM BOB EL
CHAIR, VILLAGE
COMMITTEE

Lyerly, Doris

From: Younes, Michael
Sent: Monday, December 08, 2008 8:33 AM
To: Lyerly, Doris
Cc: Davis-Cook, Shana
Subject: FW: 12.08 Tkdown: 7 Magnolia-Pear

Fyi.

Michael Younes
Manager of Contracts and Capital Projects
Chevy Chase Village
301-654-7300
michael.younes@montgomerycountymd.gov

From: Robert Elliott [mailto:bobelliottcc@comcast.net]
Sent: Monday, December 08, 2008 2:38 AM
To: George Kinter; Jan Paul Acton; Joan Gaul; Jorie Jurgens; Nina Bang-Jensen; Ralph Stephens; Richard Lawrence; Susan Kirby; Susie Eig; Thomas Schendt
Cc: Younes, Michael
Subject: 12.08 Tkdown: 7 Magnolia-Pear

To the Tree Committee:

At the Village Board Meeting on Monday, the Board will consider the takedown behind 7 Magnolia Park usual, appear at the meeting to report the committee members' votes and general reasoning concerning takedown of the tree. We have for the first time asked the Committee members to Email their votes a to Michael Younes on the Village staff. I have not seen any of those Emails at this time, but will, pres tomorrow. I should be able to report what I find to you by Email before the Board meeting. I hope th will have voted on this!

The Cass's have just added an extension to the rear of their home (7 Magnolia). There is a pear tree : the new rear wall of the house and they are requesting from the Village Board permission to take the down. I have viewed the pear tree, while climbing among the workmen still working to finish the addi believe) to add a terrace behind the addition.

The pear tree is certainly not dead or seriously declining, nonetheless I favor the takedown for sever:

-- This tree is clearly too close to the house (roughly 3.5 ft) to be good for the tree or for the house, particularly the new wall supporting the addition.

-- The tree is clearly not of the genus or size which the Village would consider a "canopy tree". It strikes me that the tree is probably of the Chanticleer variety of *Pyrus calleryana* (P_e fortunately it doesn't look anything like a miserable Bradford pear. It is roughly 35 ft. tall, was there w purchased the house 28 years ago, and they don't remember it growing significantly since then.

-- I am told that nearby neighbors have supported the Cass's proposed takedown and no one has raised any objection.

-- I feel that over the years the Cass's have shown substantial interest in maintaining a variety of canopy trees on their property and can be relied on to do a good job of that in the future. ago the Cass's planted 5 Willow Oaks on their front lawn. There are various other good, canopy tree

So, in my view, this tree needs to be taken down because of its location; it certainly isn't of a variety which justifies preventing the takedown and there are sufficient other good trees on the lot to make it unwise to require the planting of a replacement for it; the Cass's are clearly reliable in caring for the trees on their lot and these issues should be left to them.

Bob Elliott

CASE NO. A-1698
Appeal of Richard W. Cass and Heather Willson Cass
(Hearing held December 8, 2008)

DECISION OF THE BOARD OF MANAGERS

Summary of Case

This proceeding is an appeal pursuant to Section 17-4 of the Chevy Chase Village Code of Ordinances (the "Village Code"). Richard W. Cass and Heather Willson Cass request permission to remove a pear tree measuring 16 inches in diameter from the rear yard of their property. The Village Manager denied the application, finding that none of the conditions described in Section 17-3 of the Village Urban Forest Ordinance apply. The applicants have appealed the decision to the Board of Managers.

The subject property is known as Part of Lot 1, Block 27, in the "Section 2, Chevy Chase" subdivision, also known as 7 Magnolia Parkway, Chevy Chase, MD 20815 (the "Subject Property").

Applicable Law

This application is filed pursuant to the provisions of Section 17-4, which provides:

Sec. 17-4. Appeals.

(a) An applicant who is denied a permit by the Village Manager may appeal the Manager's decision to the Board of Managers in writing within ten (10) days of the Village Manager's denial of the application for a permit.

(b) The Board of Managers shall have the authority to permit the removal or destruction of a tree or the undertaking of any action that will substantially impair the health or growth of a tree if, after a public hearing, the Board finds that such removal, destruction or other action will not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of this Ordinance.

Procedural History

The applicants submitted a tree removal permit application to the Village on November 18, 2008. The application requests permission to remove a pear tree measuring 16 inches in diameter from the rear yard of the applicants' property.

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Notice of the hearing was mailed to all abutting property owners, posted at the Village Hall, and posted on the property on November 26, 2008. The notice indicated that the Board of Managers would hold a public hearing at the Village Hall on December 8, 2008 at 7:30 p.m. to consider the applicants' request. The notice provided that residents would have an opportunity to express their views regarding the request.

Summary of Evidence

The applicants submitted the following documents in support of their request: (i) a tree removal permit application dated November 18, 2008; (ii) a site plan showing the location of improvements on the Subject Property, the subject tree and the proposed reforestation trees; (iii) a letter from the applicants, dated November 7, 2008, explaining the basis for their request; (iv) a letter from Jay Graham, the applicants' landscape architect, dated December 3, 2008, describing the applicants' proposed reforestation plan; and (v) a letter from Ms. Cass, dated December 7, 2008, transmitting letters of support from a number of adjoining and confronting property owners. A tree inspection report was prepared by the Village arborist on September 23, 2008 and submitted for the record.

The following abutting property owners wrote in support of the request: Jerome and Marilyn Bracken of 5 Magnolia Parkway; Valerie and Bill Grace of 8 West Irving Street; Thomas Howard of 4 West Irving Street; William and Heidi Maloni of 5 Chevy Chase Circle; Kathleen Meredith and Burt Braverman of 2 Magnolia Parkway; Joel and Cynthia Rosenberg of 9 Magnolia Parkway; Helene and Stephen Sacks of 4 Magnolia Parkway; Adam and Abigail Wenner of 2 Hesketh Street; and Joel and Barbara Winnik of 5804 Connecticut Avenue.

Village Tree Committee members Bob Elliott of 17 West Irving Street, Jan Paul Acton of 107 East Lenox Street, Nina Bang-Jensen of 4029 Oliver Street, George Kinter of 121 Hesketh Street, and Susan Kirby of 102 East Lenox Street submitted letters supporting the request. A photograph taken by

Village staff showing the appearance and location of the subject tree was entered into the record of this matter.

The applicants propose to remove a pear tree measuring 16 inches in diameter from their property's rear yard. According to the application materials, the subject tree is located approximately 3 feet, 6 inches from an addition the applicants are currently constructing along the northeast portion of their house's rear wall pursuant to an administrative permit acquired from the Village. The photograph submitted for the record shows that the subject tree is centrally located along the addition's rear wall. The Village arborist finds the subject tree to be healthy.

The applicants state that Mr. Graham, their landscape architect, recommended that they remove the subject tree in order to permit proper grading and to make room for larger shade trees which the applicants propose to plant as part of a landscape plan.

The applicants write the following to explain the basis for their request:

The [subject tree] is approximately three feet, six inches from our kitchen addition, which is currently under construction. It is located between the addition and the macadam driveway/parking pad which is adjacent to our garage.

We do not make this request lightly. We have lived in our home for twenty-eight years and treasure the trees on our property and throughout the Village... We believe that removal of the pear tree will protect our house against potential damage and permit us to greatly enhance the garden and landscape.

We request that you take the following factors into consideration:

1. The location of our addition was dictated by our desire to site it in a way that would minimize its impact on our neighbors and by [the Historic Preservation Commission's] request that we minimize its visibility from the street.
2. These factors necessitated a closeness of the tree to the addition that means we are unable to provide proper grading and drainage around the addition. This compromises the integrity of the foundation.
3. The closeness of the tree to the addition means that major branches of the tree overhang the addition, creating potential hazard of a limb or the tree falling on the house.

4. Our landscape architect has created a plan...which would remove the macadam parking area in front of the garage as well as the macadam driveway for the entire length of the side of our house, and replace it with grass, garden and a pedestrian path. This will substantially reduce the impervious surfaces on the property. The location and elevation of the pear tree prevent the regrading of the site which is necessary for the implementation of this plan.
5. We propose to mitigate the removal of the pear tree by the planting of more than ten (evergreen) foster hollies in this rear area. They will enhance our neighbors' privacy and provide year round greenery in what is currently an unsightly macadam parking court.

In his letter to the Board, Mr. Graham proposes that new foster hollies be planted on the Subject Property to replace the pear tree. Also, he raises the possibility that other new understory trees could be added to the landscape plan should opportunities for further plantings arise. He notes that the proposed holly trees would complement a sycamore and maple tree currently located on the applicants' property and the willow oak located on an abutting property.

Village Tree Committee member Bob Elliott made the following observations in his correspondence: (i) neighbors support the tree's proposed removal; and (ii) the Subject Property includes a number of "other, good canopy trees," with more canopy trees "growing nearby in adjacent lots." Based on these findings, Mr. Elliott favors the tree's removal.

Mr. Elliott appeared at the hearing and testified on behalf of the Tree Committee. He stated that seven (7) members of the Tree Committee favored the subject tree's removal. He emphasized that the tree is not of significant value to the Village treescape. He noted that because of the presence of numerous trees currently existing on the Subject Property and the applicants' history of maintaining these trees, the Board should not require reforestation as a condition of this Decision.

Ms. Cass appeared at the hearing. She described the subject tree as "perilously close" to the applicants' new addition, and noted the presence of several large branches which hang over the newly added structure. Ms. Cass stated that the applicants took precautions to preserve the tree during

construction of their addition. However, during the construction process, she claimed that it became apparent that the subject tree's location on the property compromised the applicants' plans to remove part of their driveway, to replace that area with grass and additional trees, and to regrade the earth surrounding the applicants' addition which has been deemed necessary to facilitate water drainage in the area. She contended that the property currently lacks sufficient slope to offset the planned removal of impervious surfaces near the addition.

No other testimony or evidence was received in support or in opposition to the application.

Findings of Fact

The Board has considered the factors set forth in Section 17-6 of the Urban Forest Ordinance and makes the following findings:

Sec. 17-6(a). Criteria specified in Section 17-3.

There is no evidence to support the conclusion that the subject tree is seriously diseased or dying. Although there is evidence that the tree is close to the applicants' house, contains several large branches which hang over the new addition, and may at some point in the future pose a risk, there is insufficient evidence to find that the tree currently constitutes a hazard to the safety or health of persons, property or other trees.

Sec. 17-6(b). The reasons cited by the applicants for wanting to remove or destroy the tree.

The applicants propose to remove the subject tree to accommodate a new landscaping plan, which would include grading their property to prevent the accumulation of water near their new addition. The proposed landscaping plan would include the planting of at least ten (10) new foster holly trees, a shade tree and possibly a canopy tree.

Sec. 17-6(c). The reasons, if any, cited by residents who are either in favor of or in opposition to the issuance of the permit.

Owners of ten (10) neighboring properties submitted statements in support of the applicants' request. One neighboring property owner expressed his belief that the subject tree's removal would not adversely impact the beauty or character of Chevy Chase Village. The Village Tree Committee concurs with the proposed removal. The Tree Committee's recommendation is based on its conclusion that the Subject Property contains a number of large trees and the subject tree is not a canopy tree of any significant value. The Board accepts the Tree Committee's findings as true. No correspondence in opposition to the applicants' request was submitted.

Sec. 17-6(d). Whether tree clearing is necessary to achieve proposed development, construction or land use otherwise permitted under the Village Code, and the extent to which there is no reasonable alternative.

Based on the evidence of record, including, but not limited to, the applicants' representations, the Board finds that removal of the subject tree is necessary to implement the proposed landscaping plan which is otherwise permitted by the Village Code. Thus, if the applicants are to implement the landscaping plan as proposed, there is no reasonable alternative to the removal of the subject tree.

Sec. 17-6(e). Whether the applicants propose reforestation.

The applicants previously installed a number of canopy trees on their property. The applicants agreed to consider planting an additional canopy tree. The Board finds that, even with the removal of the pear tree, the applicants' property would continue to contain an adequate number of canopy trees. Therefore, although implementation of the landscaping plan would be desirable, such implementation will not be a condition of approval.

Sec. 17-6(f). Hardship to the applicants if a permit for the requested action is denied.

The applicants propose to maintain all other canopy trees on the Subject Property. Requiring the applicants to forego implementation of a landscaping plan that fully complies with the Village Code, would replace a significant amount of asphalt with grass, and would address the applicants' problematic water drainage issue, in an attempt to save the subject tree, which is not particularly desirable, where there are other mature canopy trees on the Subject Property, would impose a hardship on the applicants without any counterbalancing benefit to the public.

Sec. 17-6(g). The desirability of preserving a tree by reason of its age, size or outstanding qualities, including uniqueness, rarity or species specimen.

Although the subject tree is mature and large enough in circumference to be protected by the Village Urban Forest ordinance, the subject tree is not otherwise remarkable and does not significantly contribute to the Village tree canopy. The Board finds that, given all of the facts and circumstances of this case, the subject tree does not have outstanding qualities such that preservation of the tree is required.

Sec. 17-6(h). Such other relevant matters as will promote fairness and justice in deciding the particular case.

Taking all of the foregoing findings into consideration, the Board finds that the removal of the subject tree would not materially impair the purposes of the Village Urban Forest Ordinance.

Conclusion

Based upon the testimony and evidence of record, the Board finds that the removal of a pear tree measuring 16 inches in diameter would not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of the Village Urban Forest Ordinance.

Accordingly, the request for a permit to remove a pear tree measuring 16 inches in diameter is granted, provided that the tree is removed on or before December 8, 2009, or this permit shall become void.

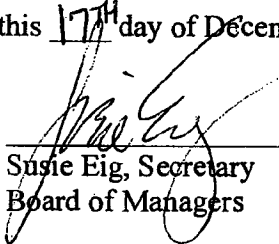
Resolution

The Chevy Chase Village Board of Managers hereby adopts the following Resolution:

BE IT RESOLVED by the Board of Managers of Chevy Chase Village that the Decision stated above be adopted as the decision required by Section 17-5(b) of the Chevy Chase Village Code, and the Village Manager be and he is hereby authorized and directed to issue a permit for the removal of a pear tree measuring 16 inches in diameter upon the conditions, terms and restrictions set forth above.

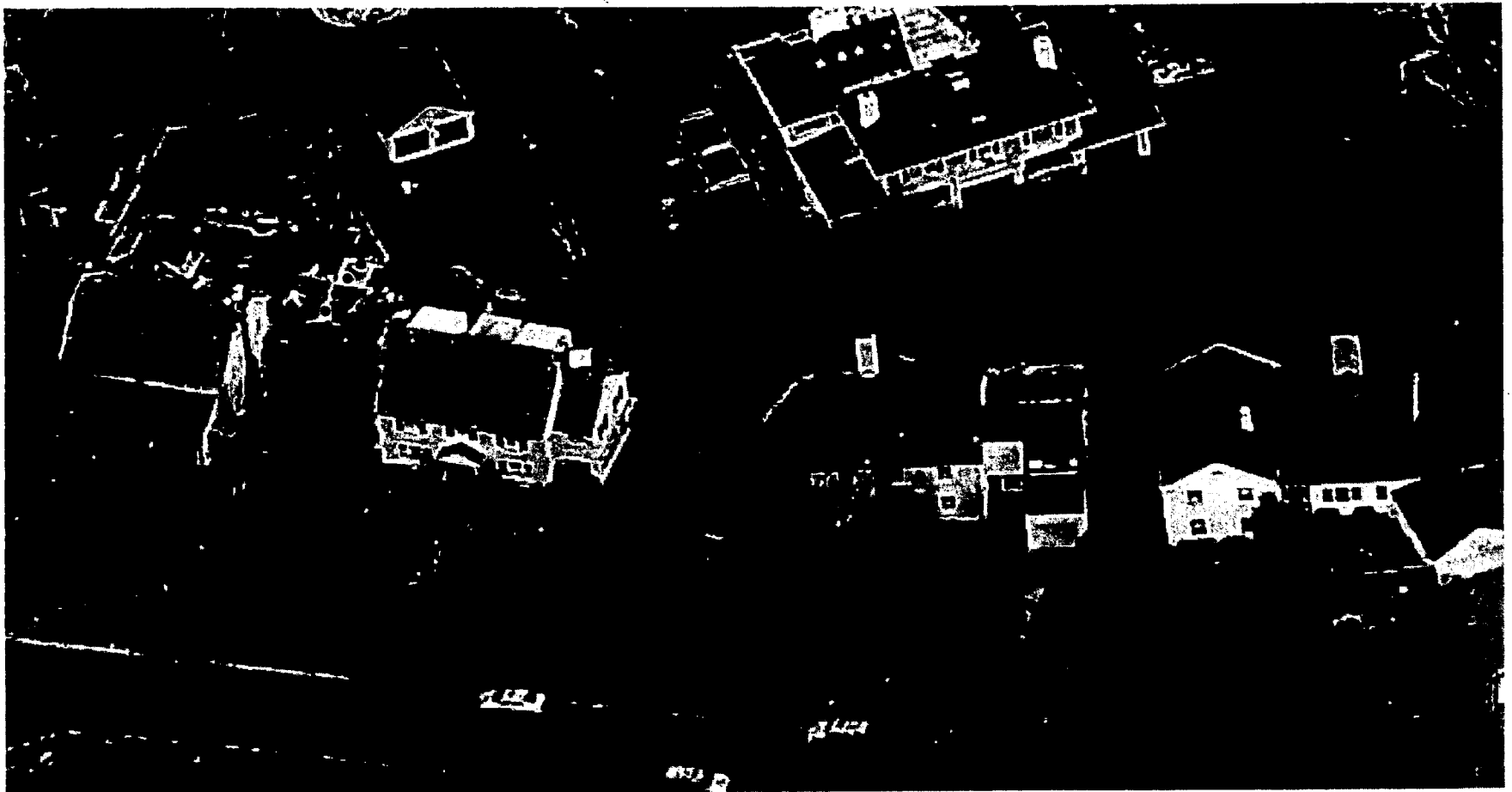
The foregoing Resolution was unanimously adopted by the Chevy Chase Village Board of Managers with the following members voting in favor of the Resolution: Susie Eig, Gail Feldman, Robert Jones, Douglas Kamerow, Betsy Stephens, David Winstead, and Peter Yeo.

I HEREBY CERTIFY that the foregoing Decision and Resolution were approved and adopted by the Chevy Chase Village Board of Managers on this 17th day of December, 2008.



Susie Eig, Secretary
Board of Managers

**7 Magnolia Parkway, Chevy Chase
Chevy Chase Village Historic District**



AE

Existing Property Condition Photographs (duplicate as needed)



Detail: 7 MAGNOLIA - PEAR TREE - SIDE (E) VIEW



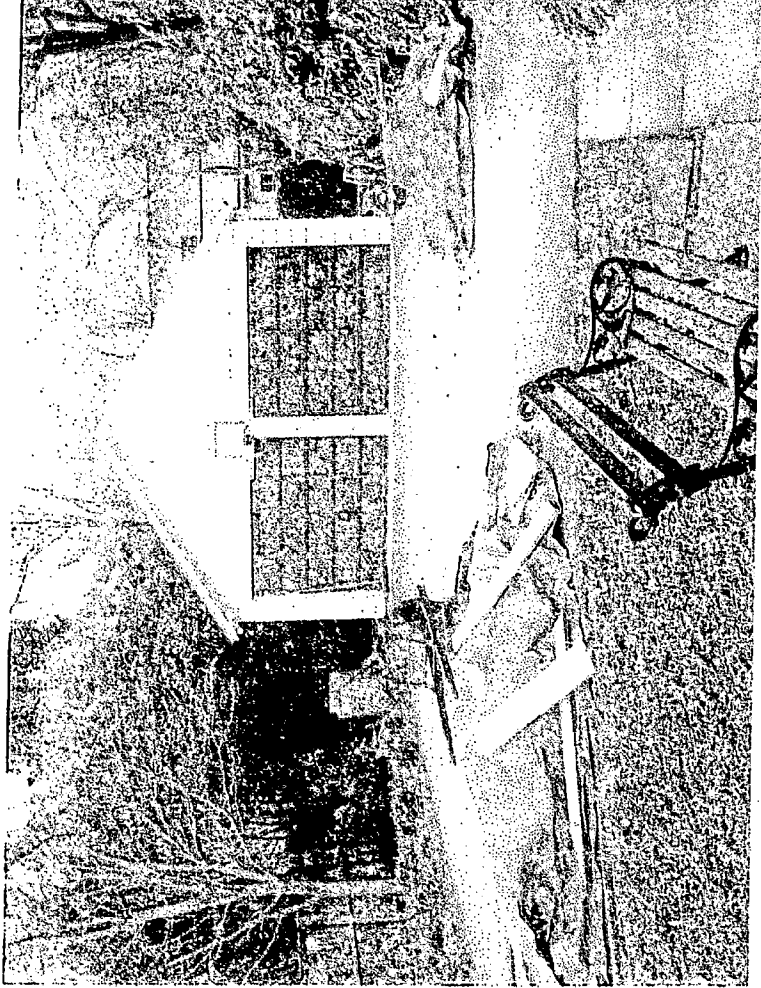
Detail: 7 MAGNOLIA - PEAR TREE - SIDE (N) VIEW



GATE & PORTION OF FENCE TO BE REMOVED PER DLO



STEPS AND WALK TO BE REPLACED



37

7 Magnolia Parkway
Chevy Chase, MD 20815
April 8, 2009

Mr. Joshua Silver, Senior Planner
Urban Design Division, Historic Preservation Section
The Maryland-National Capital Park and Planning Commission
1109 Spring Street Suite 801
Silver Spring, MD 20910


Dear Josh,

Attached are the plans for the paving and planting work we are proposing for our house at 7 Magnolia Parkway, Chevy Chase, along with photos of the existing conditions.

Also included is a sketch of the pergola/trellis that is to be placed in front of the garage. Although the paving/planting plans have been reviewed by the Village, I have not had an opportunity yet to complete the trellis drawings for submittal, but I thought the conceptual sketches would be of interest/help to you. As we discussed on the phone last week, the pergola would be placed in front of the garage, with the spacing of the posts to assure that, when the removable rear panels are not in place, a car could pass under the pergola and into the garage. The planting and paving plans also provide for a "reversible" design, should a future owner wish to reinstate the driveway and use the garage for cars instead of gardening equipment.

Please let me know if you have questions.

Thanks for your help.

Sincerely, 

Heather Cass

1/2 THIS HAS NOT BEEN APPROVED
4/22/04 (JOS)

7 MAGNOLA

DON'T SAY IT-WRITE IT

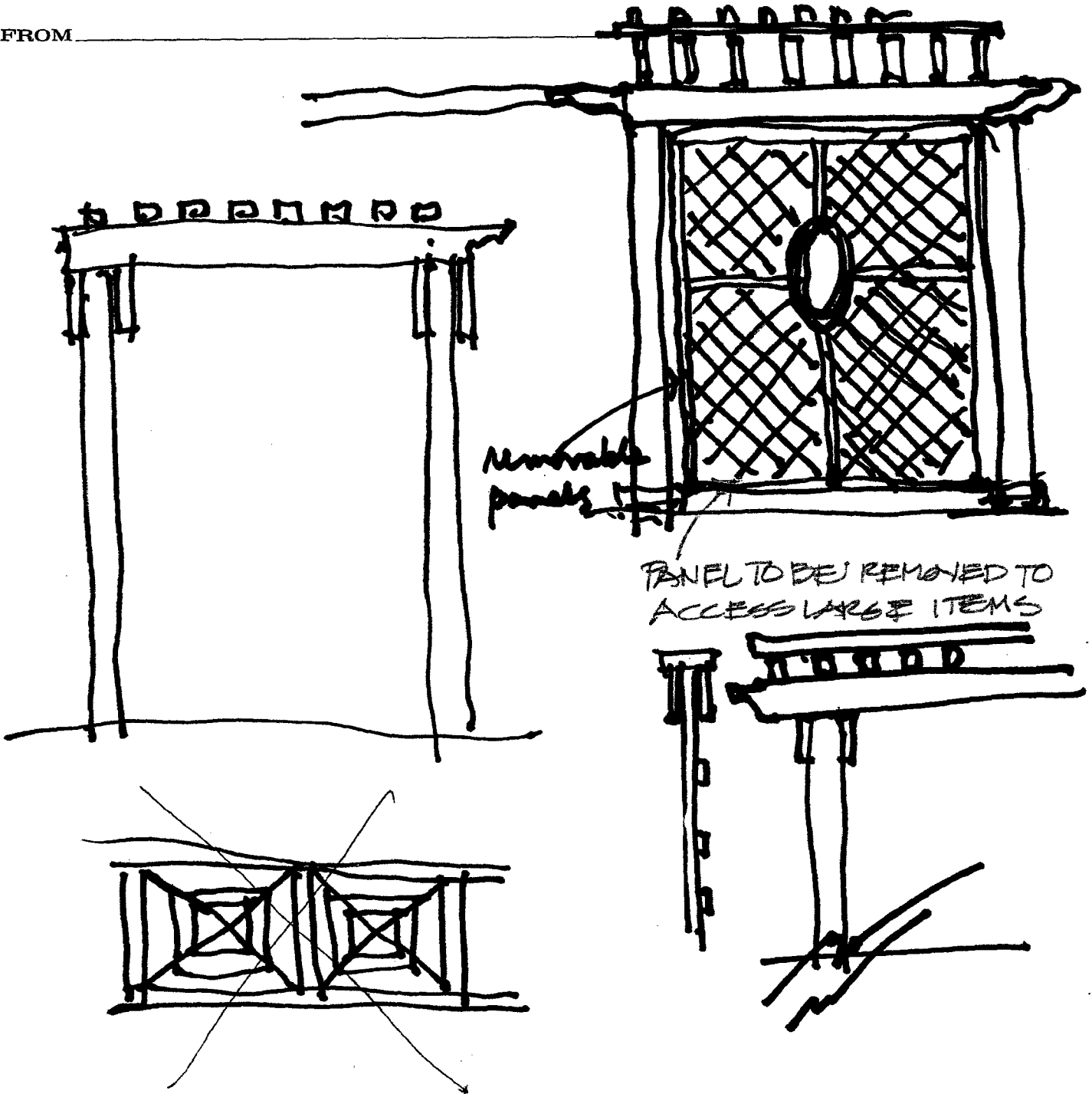
DATE _____

TO _____

Concept.

AT _____

FROM _____



Removable panels!

PANEL TO BE REMOVED TO ACCESS LARGE ITEMS

DON'T SAY IT-WRITE IT

DATE _____

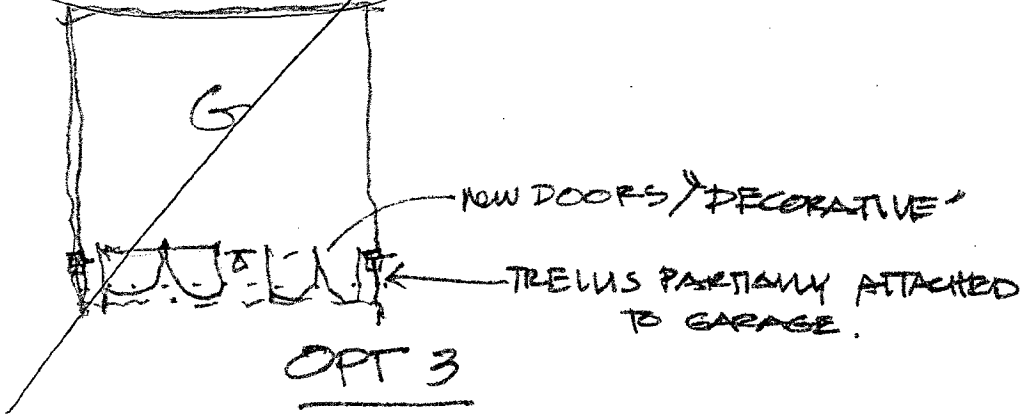
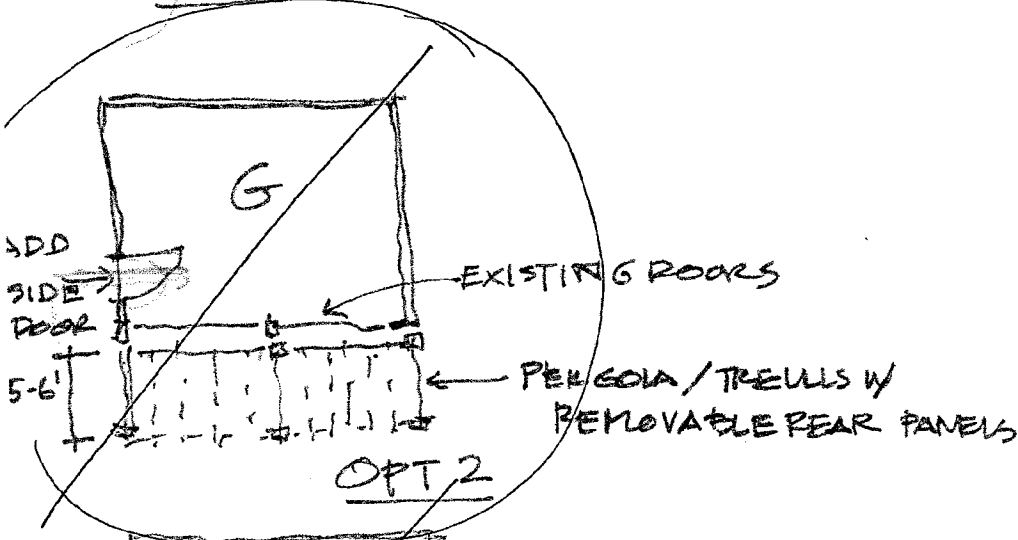
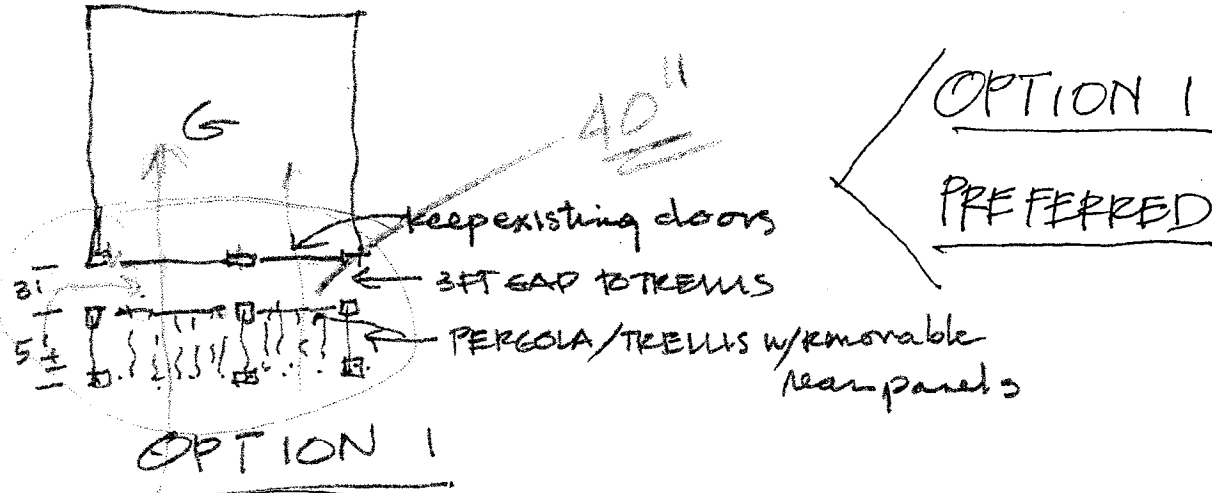
TO _____

AT _____

FROM _____

TRASHOLIA

OPTIONS



APPLICATION FOR HISTORIC AREA WORK PERMIT

508218^J

Contact Person: HEATHER CASS
Daytime Phone No.: (301) 656-6582

Tax Account No.: 00456206

Name of Property Owner: RICHARD & HEATHER CASS Daytime Phone No.: (301) 656-6582

Address: 7 Chevy Chase MAGNOLIA PKWY 20815
Street Number City Street Zip Code

Contractor: WALNUT HILL LANDSCAPE Phone No.: 410-349-3105
SBR Construction Company
TALL TREES - ANNAPOLIS - DN # 949

Contractor Registration No.: MHC #02-26-21-73

Agent for Owner: Heather Cass Daytime Phone No.: above

LOCATION OF BUILDING/PREMISE

House Number: 7 Street: MAGNOLIA PARKWAY

Town/City: Chevy Chase Village Nearest Cross Street: Hesketh St

Lot: PART OF LOT 2 Block: 27 Subdivision: Chevy Chase Village / SECTION 2

Liber: 308 Folio: 185 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE:
- | | | | | | | | | |
|------------------------------------|----------------------------------|---|--|------------------------------------|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input type="checkbox"/> Alter/Renovate | <input type="checkbox"/> A/C | <input type="checkbox"/> Slab | <input type="checkbox"/> Room Addition | <input type="checkbox"/> Porch | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Raze | <input type="checkbox"/> Solar | <input type="checkbox"/> Fireplace | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family | | |
| <input type="checkbox"/> Revision | <input type="checkbox"/> Repair | <input type="checkbox"/> Revocable | <input type="checkbox"/> Fence/Wall (complete Section 4) | | | | | |

CHECK ALL APPLICABLE:

1B. Construction cost estimate: \$ 500

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

TREE WAS ADDED TO HAND APP FOR DRIVEWAY - TREE REMOVAL

ALL ITEMS APPROVED 4/11/09

71/1

JOS

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 n/a
- 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.

Heather Cass

7/16/08
4/11/09

1. WRITTEN DESCRIPTION OF PROJECT

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

REQUEST PERMISSION TO REMOVE 16 IN DIAMETER PEAR TREE LOCATED 3.5 FEET FROM RECENT ADDITION. PROXIMITY OF TREE TO ADDITION PREVENTS PROPER GRADING AROUND ADDITION, HAMPERS DRAINAGE AND COMPROMISES INTEGRITY OF FOUNDATION. ALSO, TREE PRESENTS POTENTIAL HAZARD OF LIMB OR TREE FALLING ON ADDITION. ALSO, OUR LANDSCAPE ARCHITECT HAS PROPOSED A PLAN WHICH WILL SUBSTANTIALLY REDUCE IMPERVIOUS SURFACE OF YARD, REMOVING ALL OF REAR YARD MACADAM. TO DO THIS REGRADING IS REQUIRED WHICH IS HAMPERS BY LOCATION AND ELEVATION OF TREE.

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

PROJECT IS TO REMOVE PEAR TREE WHICH IS TOO CLOSE TO HOUSE. UNDER SEPARATE PERMIT WE WILL APPLY FOR PERMISSION TO REMOVE ADJACENT MACADAM AND REPLACE WITH GRASS AND MORE TREES, INCLUDING FOSTER HOLLIES, SWEET GUM, AND SIMILAR TREES. A LARGE SHADE TREE (12 CM, ETC) IS CONTEMPLATED FURTHER FROM HOUSE. ALL NEIGHBORS, VILLAGE TREE COMMITTEE AND BOARD OF MANAGERS SUPPORT APPLICATION. DOCUMENTATION INCLUDED.

2. SITE PLAN

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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

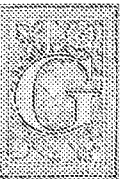
General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- 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.
- 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 drip-line of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you



**GRAHAM
LANDSCAPE
ARCHITECTURE**

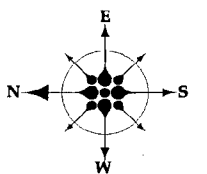
229 Prince George Street
Annapolis, MD 21401-1531
Balt. 410.267.5886 Wash. 301.258.5330
Fax 410.268.1052
www.grahamlandscape.com

REVISIONS

NO.	DATE	DESCRIPTION

These drawings and specifications and the ideas represented hereby are and shall remain the property of the Landscape Architect. No part thereof shall be copied or used in connection with any work or project or by any other person for any purpose other than for the specific project for which they have been prepared and developed without the written consent of the Landscape Architect.

**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

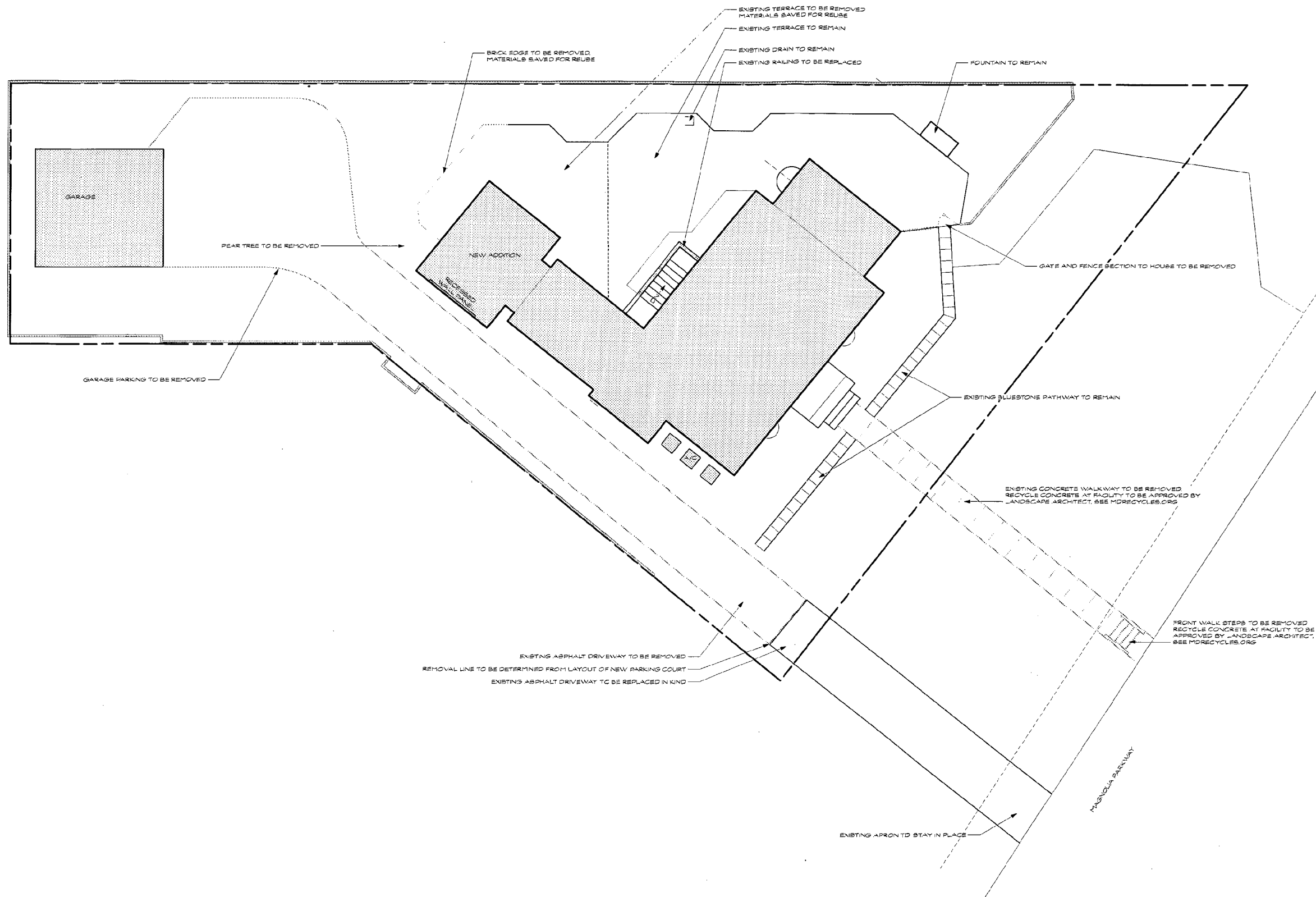


**DEMOLITION
PLAN**

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

D1.0

April 7, 2009





**GRAHAM
LANDSCAPE
ARCHITECTURE**

229 Prince George Street
Annapolis, MD 21401-1631
Belt: 410.267.5286 Wash: 301.859.5330
Fax: 410.268.4032
www.grahamlandarch.com

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**CASS
RESIDENCE**

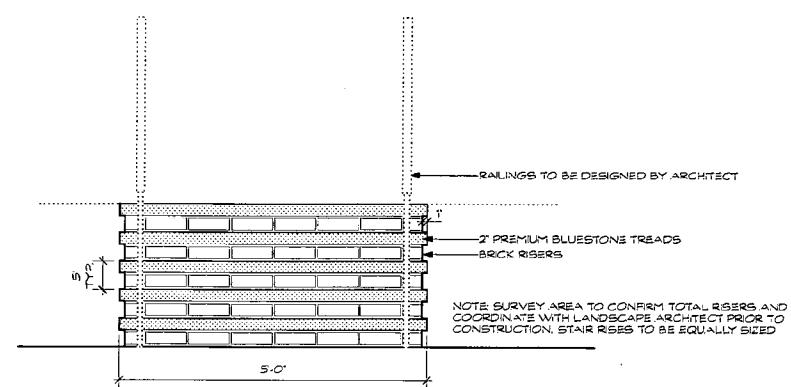
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

**STAIR
DETAILS**

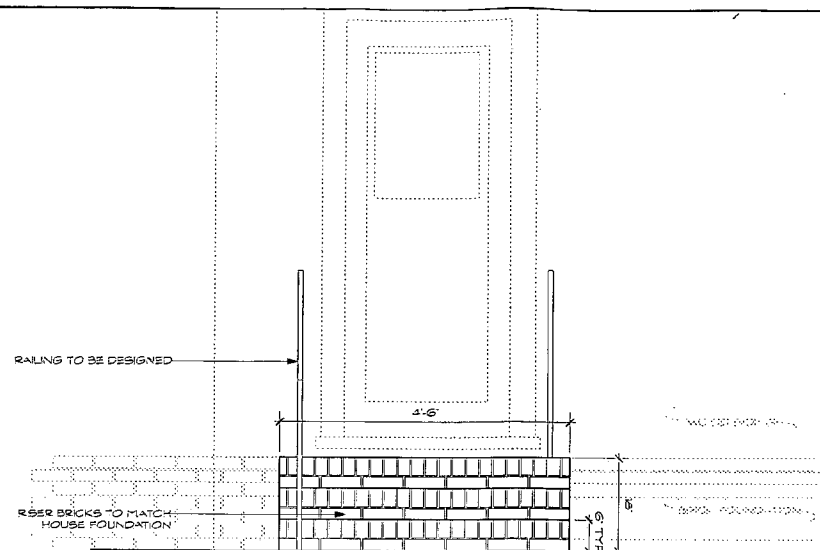
DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: AS NOTED

HD1.0

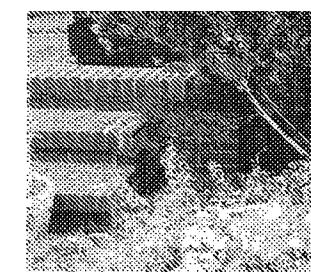
December 5, 2008



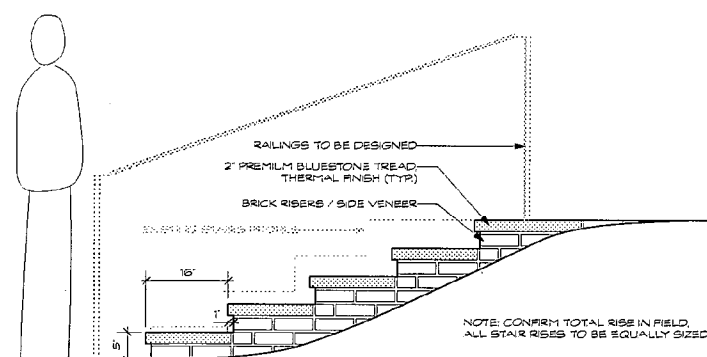
A
HD1.0 FRONT WALK STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



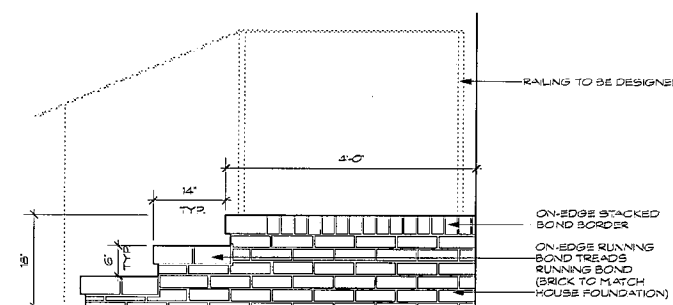
D
HD1.0 KITCHEN STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



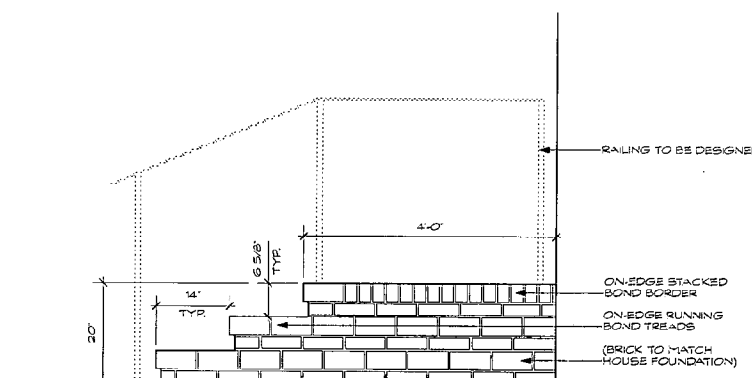
PRECEDENT: FRONT STEPS



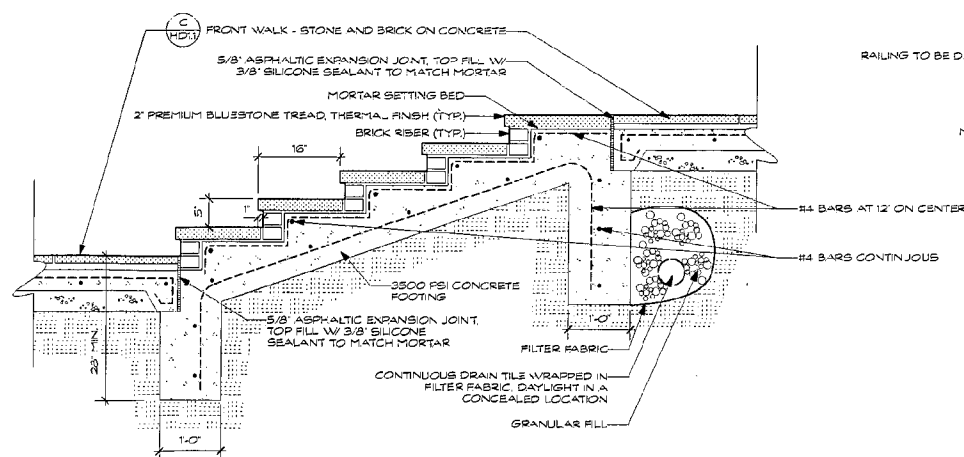
B
HD1.0 FRONT WALK STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



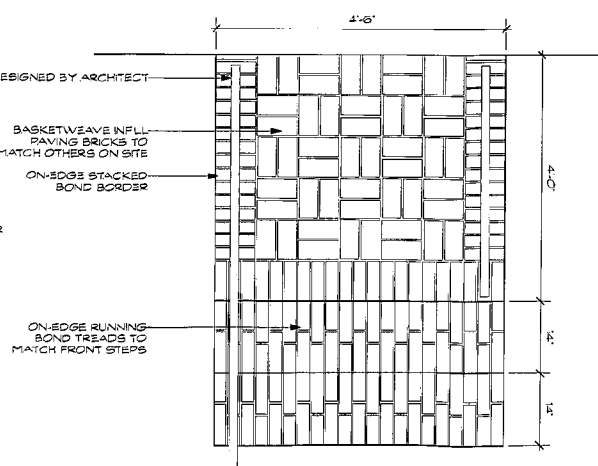
E
HD1.0 KITCHEN STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



E(2)
HD1.0 KITCHEN STEPS SIDE ELEVATION (ALTERNATE)
Scale: 3/4" = 1'-0"



C
HD1.0 FRONT WALK STEPS SECTION
Scale: 3/4" = 1'-0"



F
HD1.0 KITCHEN STEPS PLAN
Scale: 3/4" = 1'-0"



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ARCHITECTURE**

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**CASS
RESIDENCE**

7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

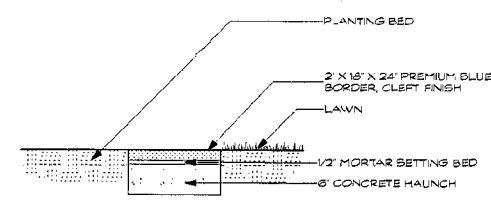
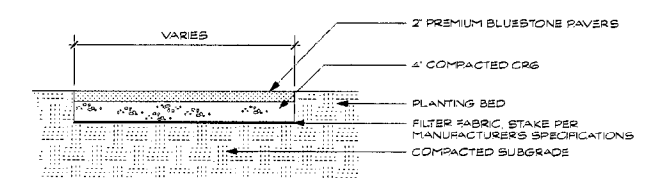
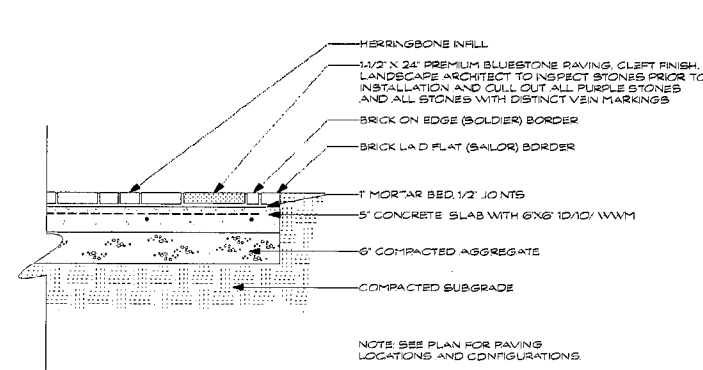
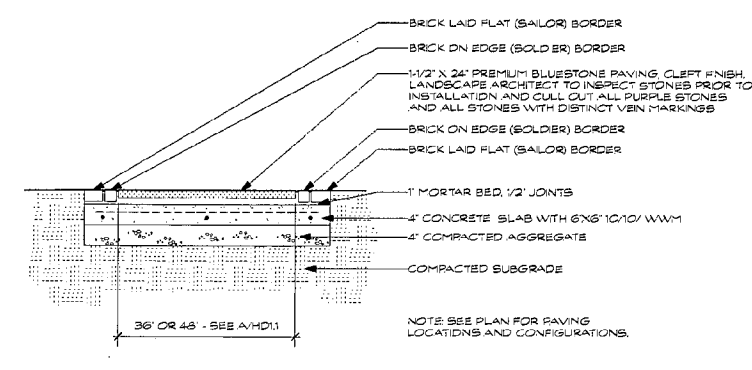
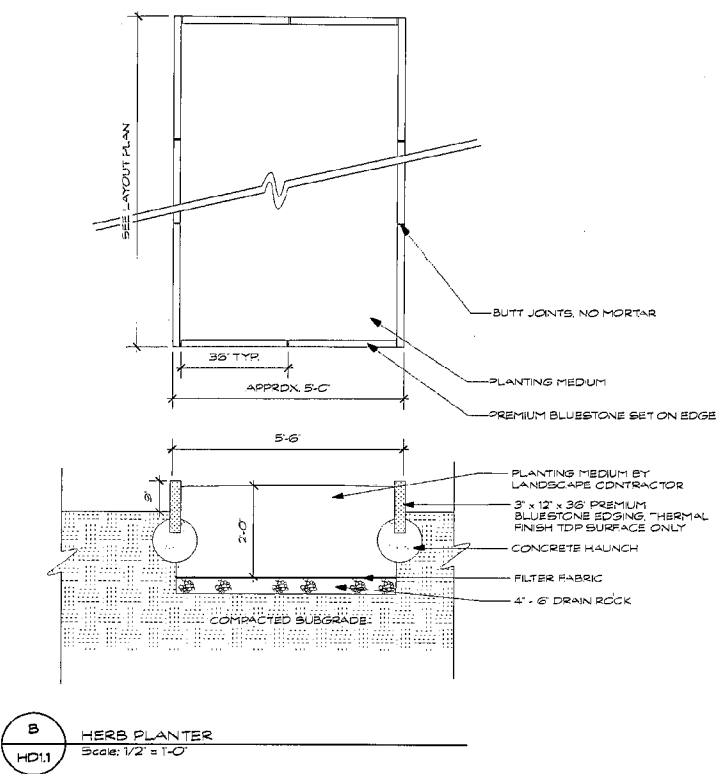
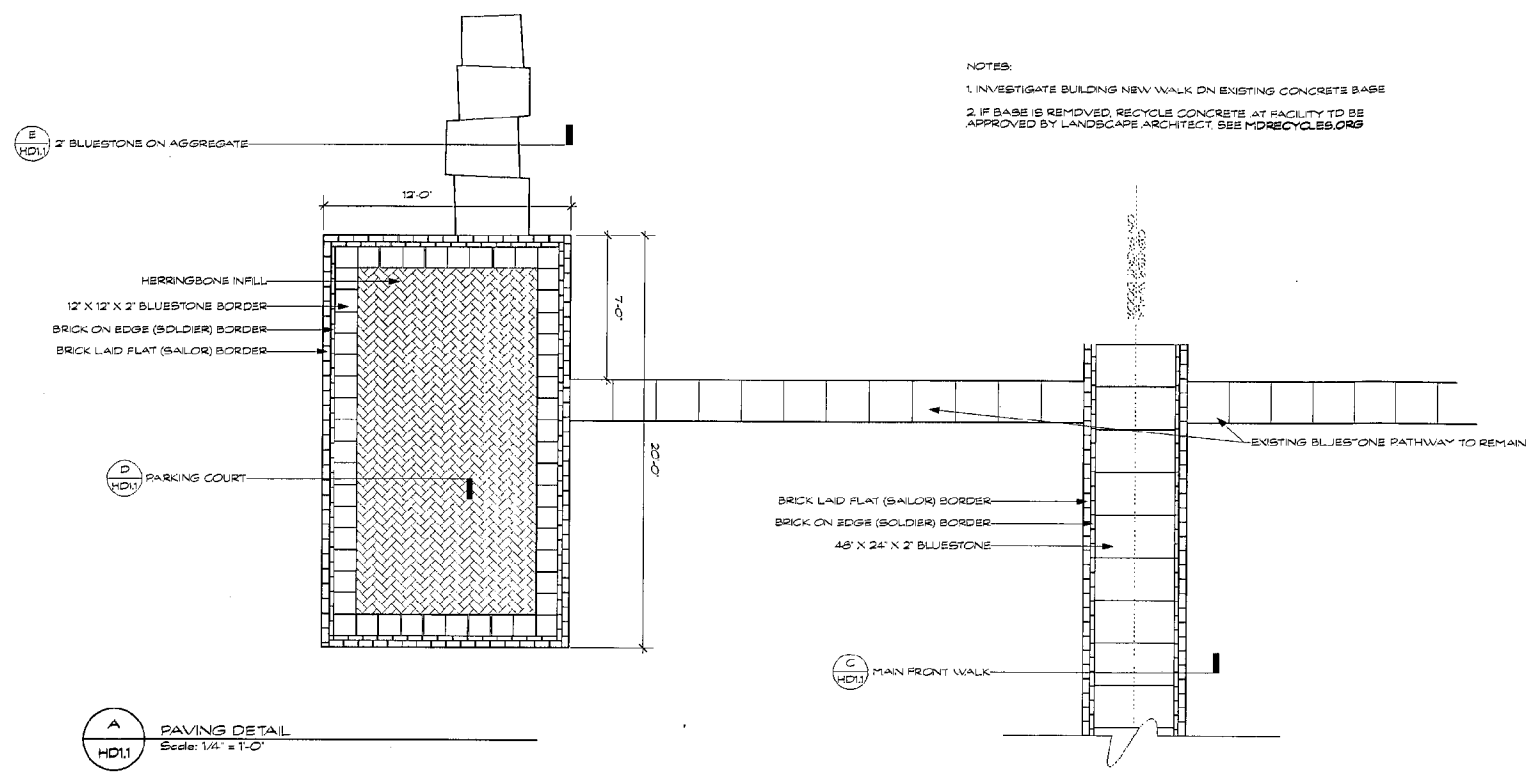
**PAVING/
MASONRY
DETAILS**

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: AS NOTED

HD1.1

December 5, 2008

NOTES:
1. INVESTIGATE BUILDING NEW WALK ON EXISTING CONCRETE BASE
2. IF BASE IS REMOVED, RECYCLE CONCRETE AT FACILITY TO BE APPROVED BY LANDSCAPE ARCHITECT. SEE MDRECYCLES.ORG





**GRAHAM
LANDSCAPE
ARCHITECTURE**

229 Flavo George Street
Annapolis, MD 21403-1631
Tel: 410.269.5886, Wash. 301.958.5330
Fax: 410.268.4037
www.grahamlandarch.com

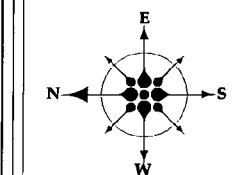
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**CASS
RESIDENCE**

7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

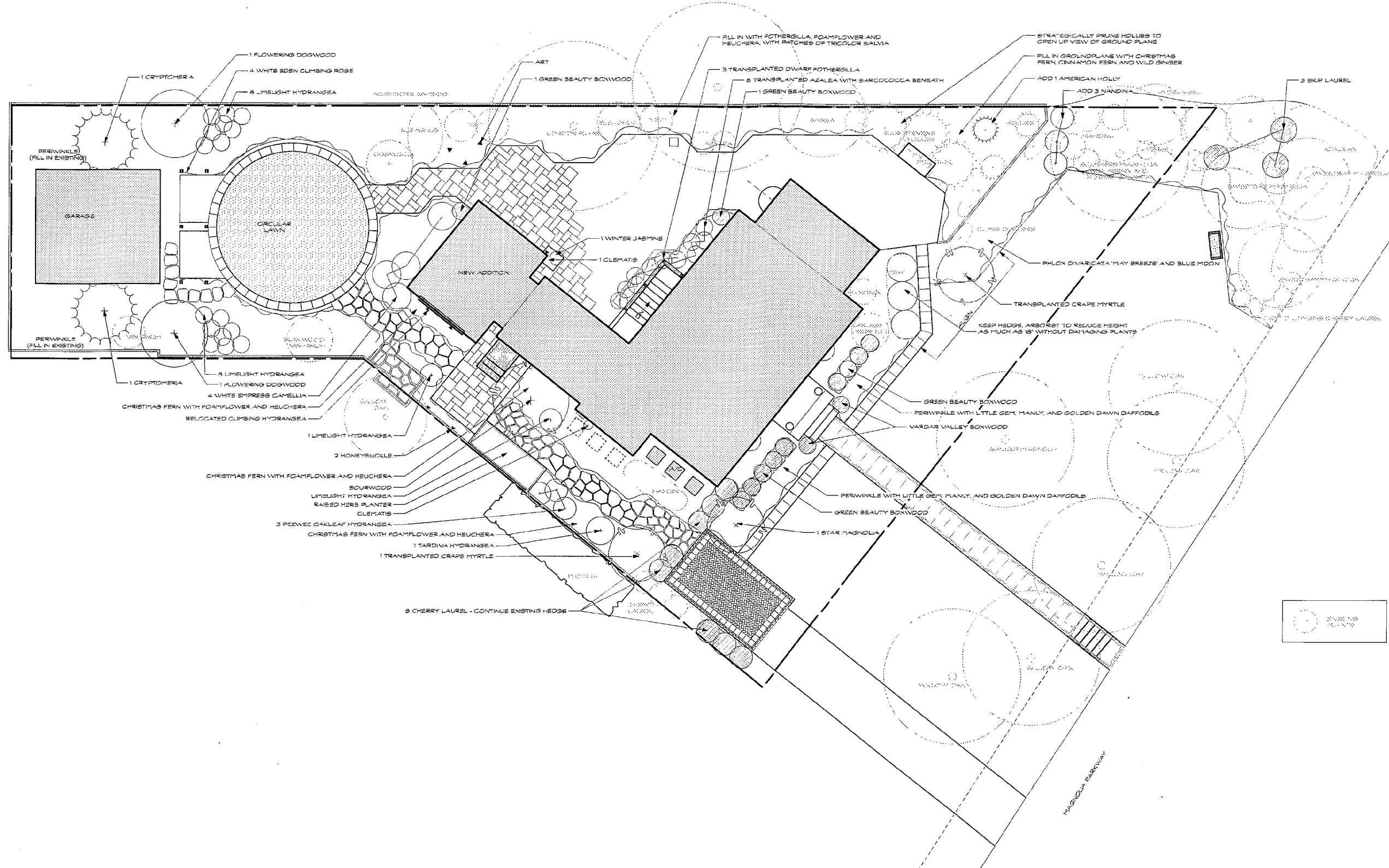


**draft
PLANTING PLAN**

DRAWN BY: LKS
APPROVED BY: JPG
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

P1.0

April 7, 2009



1 FLOWERING DOGWOOD
4 WHITE EDEN CLIMBING ROSE
3 LIMELIGHT HYDRANGEA

1 GREEN BEAUTY BOXWOOD
3 TRANSPLANTED DWARF FOTHERGILLA
3 TRANSPLANTED AZALEA WITH SARGOLCOCA BENSATH
1 GREEN BEAUTY BOXWOOD

STRATEGICALLY PRUNE HOLLIES TO OPEN UP VIEW OF GROUND PLANE
FILL IN GROUNDPLANE WITH CHRISTMAS FERN, CINNAMON FERN AND WILD GINGER
ADD 1 AMERICAN HOLLY
ADD 3 NANDINA

3 SKIP LAUREL

1 CRYPTOMERIA
3 LIMELIGHT HYDRANGEA
1 FLOWERING DOGWOOD
4 WHITE EMPRESS CAMELLIA
CHRISTMAS FERN WITH FOAMFLOWER AND HEUCHERA
RELOCATED CLIMBING HYDRANGEA

1 LIMELIGHT HYDRANGEA
2 HONEYSUCKLE

CHRISTMAS FERN WITH FOAMFLOWER AND HEUCHERA
SOURWOOD
LIMELIGHT HYDRANGEA
RAISED HERB PLANTER
CLEMATIS
3 PEEVEE OAKLEAF HYDRANGEA
CHRISTMAS FERN WITH FOAMFLOWER AND HEUCHERA
1 TARDIVA HYDRANGEA
1 TRANSPLANTED GRAPE MYRTLE

3 CHERRY LAUREL - CONTINUE EXISTING HEDGE

GREEN BEAUTY BOXWOOD
PERIWINKLE WITH LITTLE GEM, MANLY, AND GOLDEN DAWN DAFFODILS
VARDAR VALLEY BOXWOOD

PERIWINKLE WITH LITTLE GEM, MANLY, AND GOLDEN DAWN DAFFODILS
GREEN BEAUTY BOXWOOD
1 STAR MAGNOLIA

PHLOX DIVARICATA 'MAY BREEZE' AND 'BLUE MOON'
TRANSPLANTED GRAPE MYRTLE
KEEP HEDGE ARBORETS TO REDUCE HEIGHT AS MUCH AS 8' WITHOUT DAMAGING PLANTS

FILL IN WITH FOTHERGILLA, FOAMFLOWER AND HEUCHERA, WITH PATCHES OF TRICOLOR SALVIA

PERIWINKLE (FILL IN EXISTING)
GARAGE
CIRCULAR LAWN

NEW ADDITION
1 WINTER JASMINE
1 CLEMATIS

MAGNOLIA PARKWAY



**GRAHAM
LANDSCAPE
ARCHITECTURE**

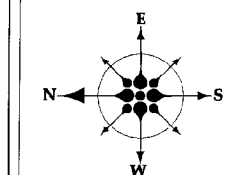
229 Prince George Street
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Fax: 410.268.4032
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REVISIONS

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**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

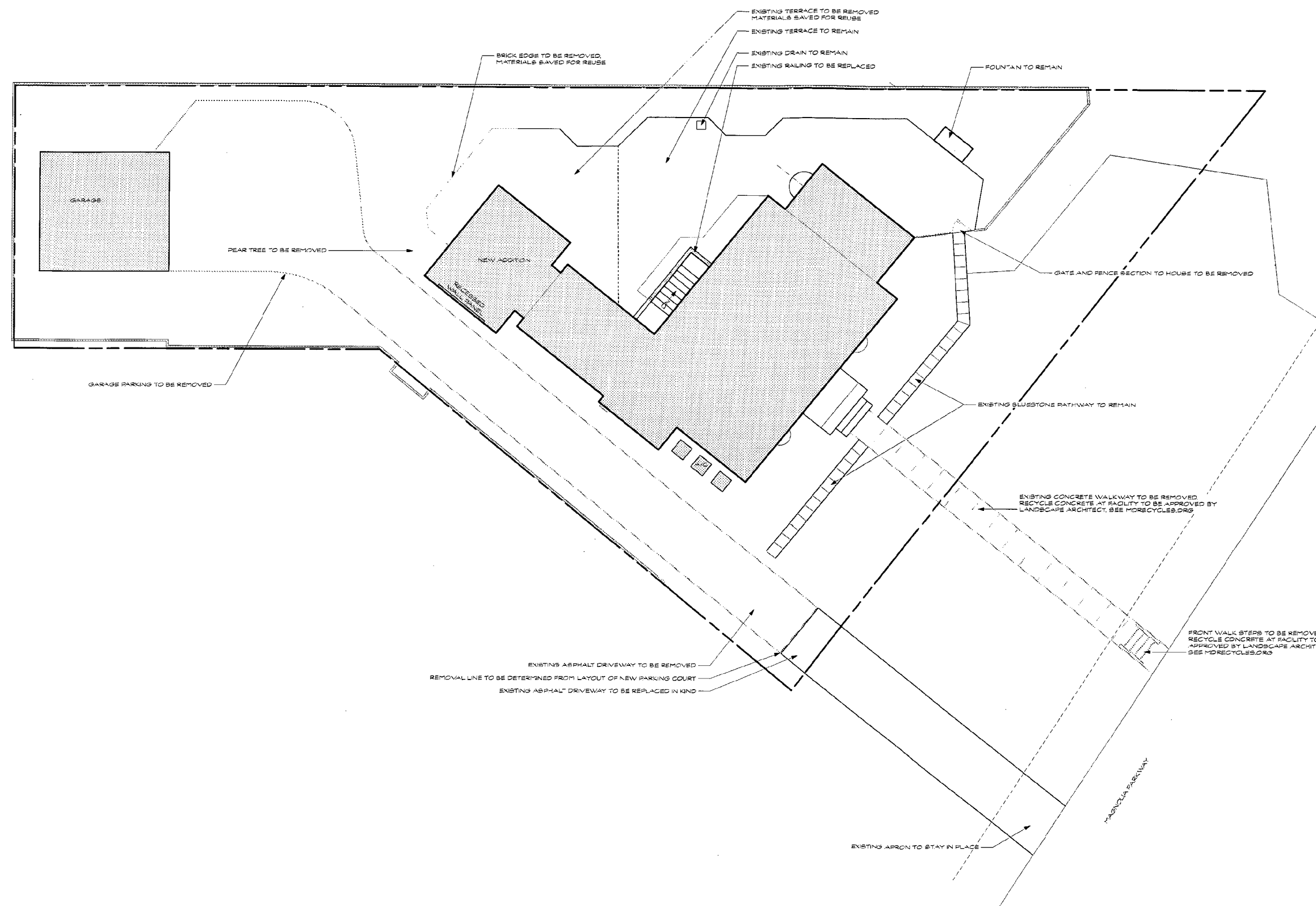


**DEMOLITION
PLAN**

DRAWN BY: LKS
APPROVED BY: JPG
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

D1.0

April 7, 2009





GRAHAM LANDSCAPE ARCHITECTURE

229 Prince George Street
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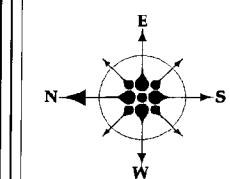
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CASS RESIDENCE

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CHEVY CHASE, MARYLAND 20815

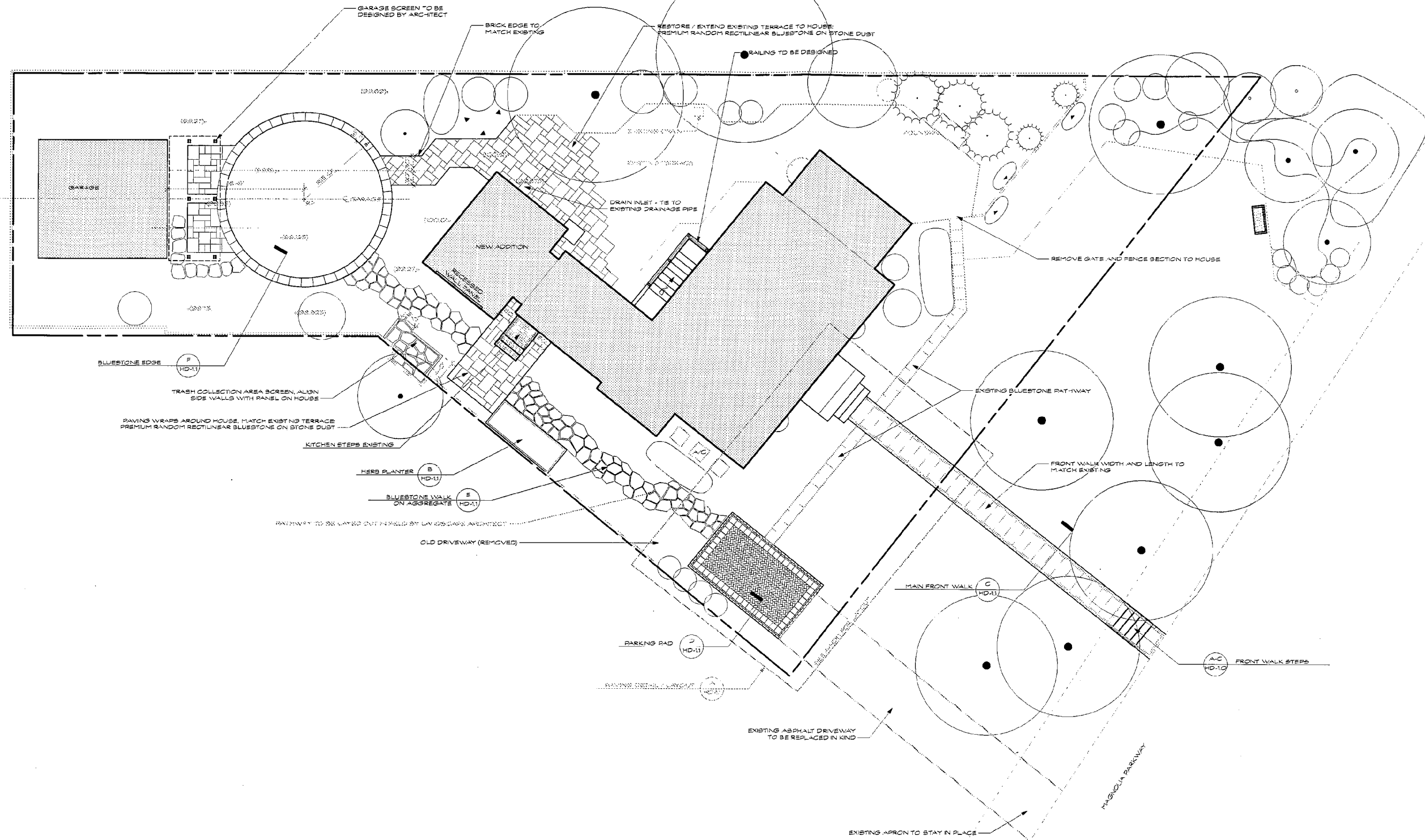


HARDSCAPE/ LAYOUT PLAN

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

L1.0

April 7, 2009



- LAYOUT NOTES:**
1. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL SITE DATA.
 2. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL SITE UTILITIES.
 3. THE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES BETWEEN THE CONTRACT DRAWINGS AND THE SITE CONDITIONS.
 4. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL TREES DESIGNATED TO REMAIN (WITHIN DRIFLINE) FROM HEAVY EQUIPMENT COMPACTION, STOCKPILING, ETC.
 5. THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT 1-800-257-7777 AT LEAST FIVE DAYS BEFORE STARTING WORK.
 6. THE CONTRACTOR SHALL OBTAIN THE LANDSCAPE ARCHITECT'S APPROVAL OF ALL STAKED OUT LAYOUT BEFORE PROCEEDING WITH CONSTRUCTION.
 7. WRITTEN DIMENSIONS SHALL PREVAIL.
 8. ALL DIMENSION LINES ARE TAKEN OFF THE REFERENCE LINE AT 90 DEGREE ANGLES.

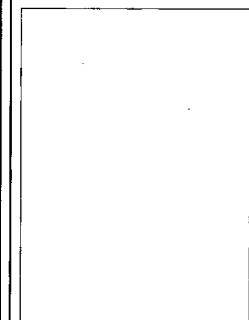


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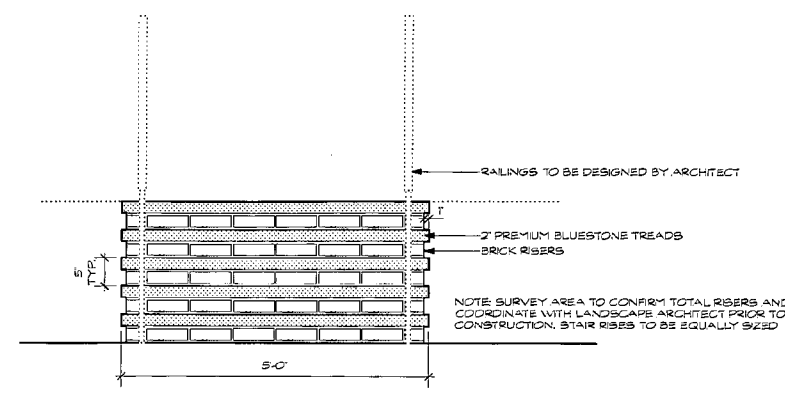
229 Prince George Street
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Balt. 410.269.5888 Wash. 301.858.5330
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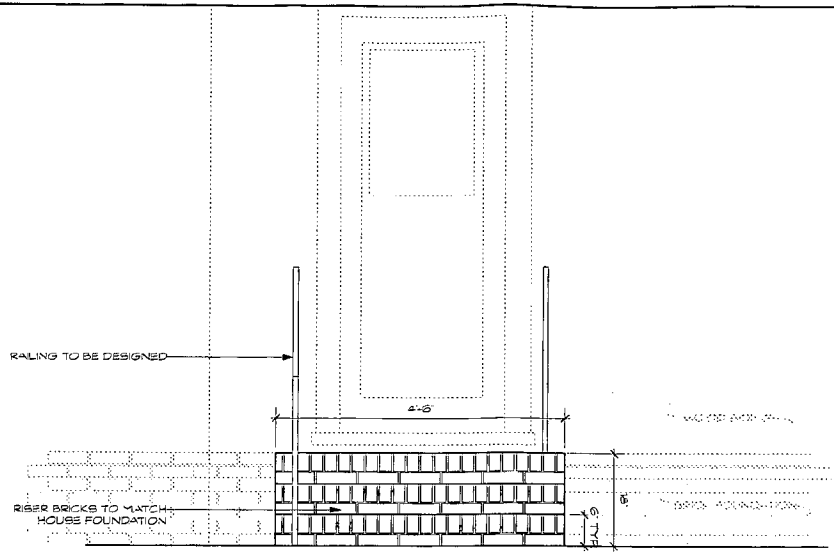
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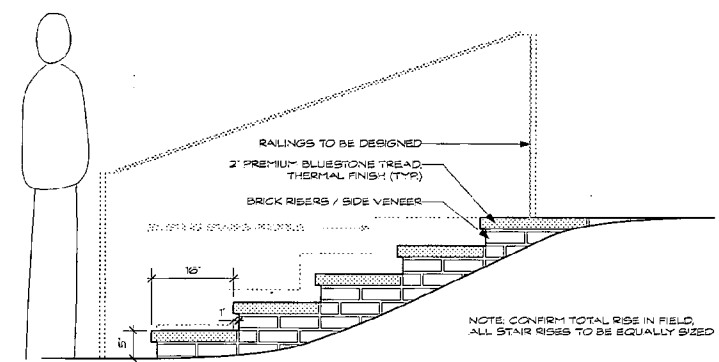
PRECEDENT: FRONT STEPS



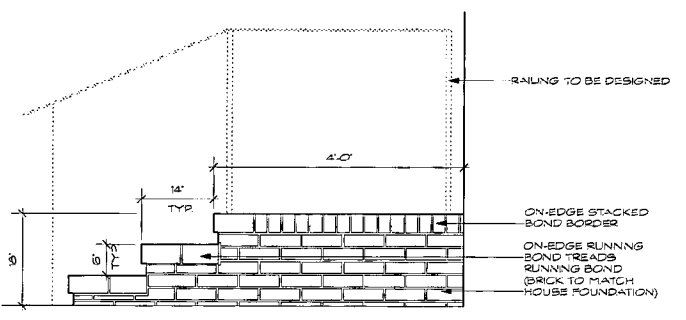
A
HD1.0 FRONT WALK STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



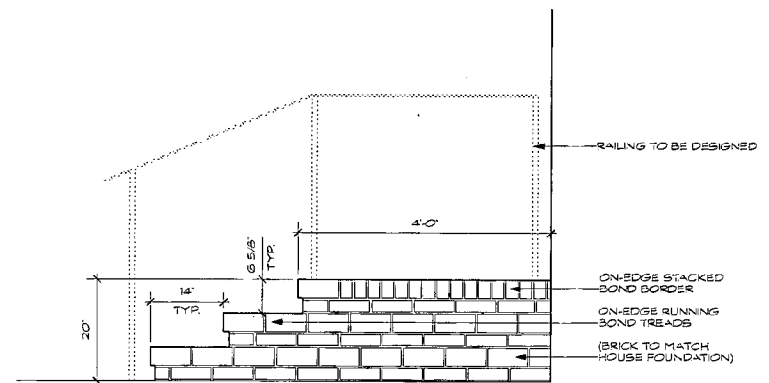
D
HD1.0 KITCHEN STEPS FRONT ELEVATION
Scale: 3/4" = 1'-0"



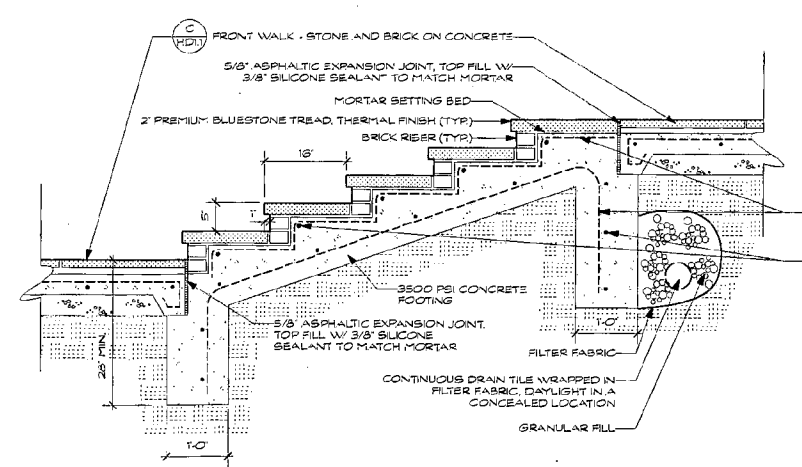
B
HD1.0 FRONT WALK STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



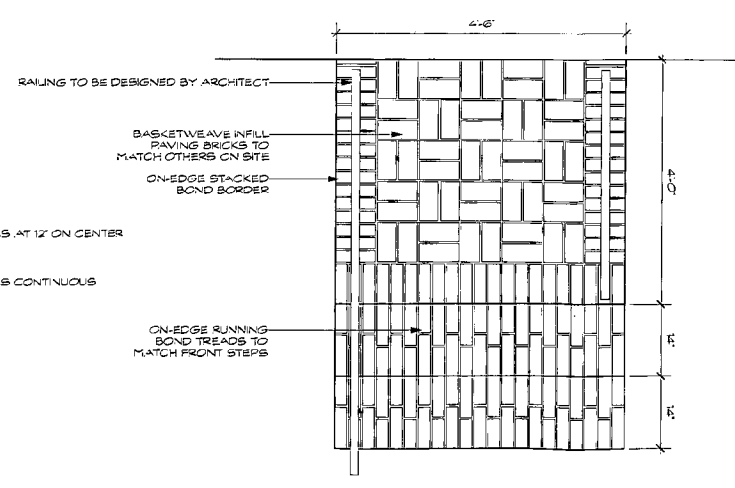
E
HD1.0 KITCHEN STEPS SIDE ELEVATION
Scale: 3/4" = 1'-0"



E (2)
HD1.0 KITCHEN STEPS SIDE ELEVATION (ALTERNATE)
Scale: 3/4" = 1'-0"



C
HD1.0 FRONT WALK STEPS SECTION
Scale: 3/4" = 1'-0"



F
HD1.0 KITCHEN STEPS PLAN
Scale: 3/4" = 1'-0"

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**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

**STAIR
DETAILS**

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: AS NOTED

HD1.0

December 5, 2008



GRAHAM LANDSCAPE ARCHITECTURE

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CASS RESIDENCE

7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815

NO.	DATE	DESCRIPTION

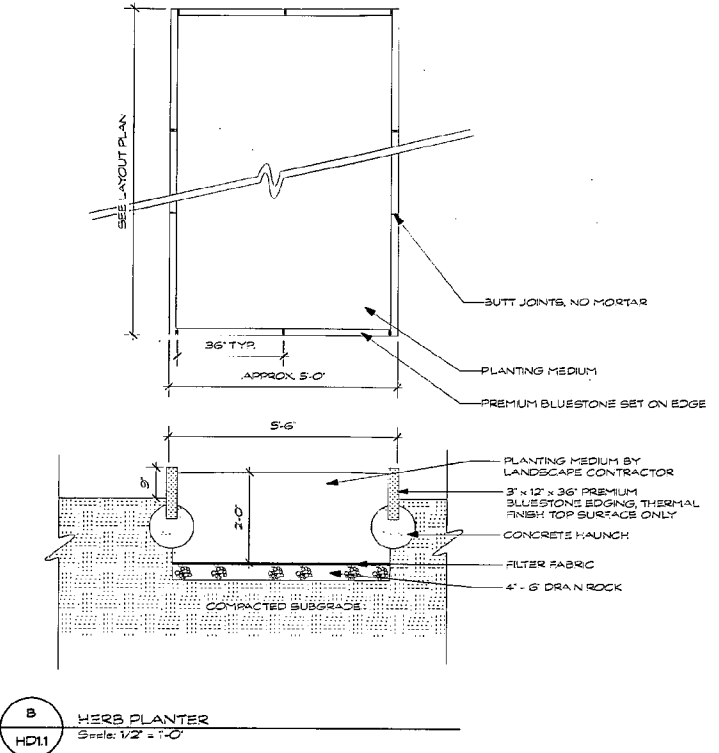
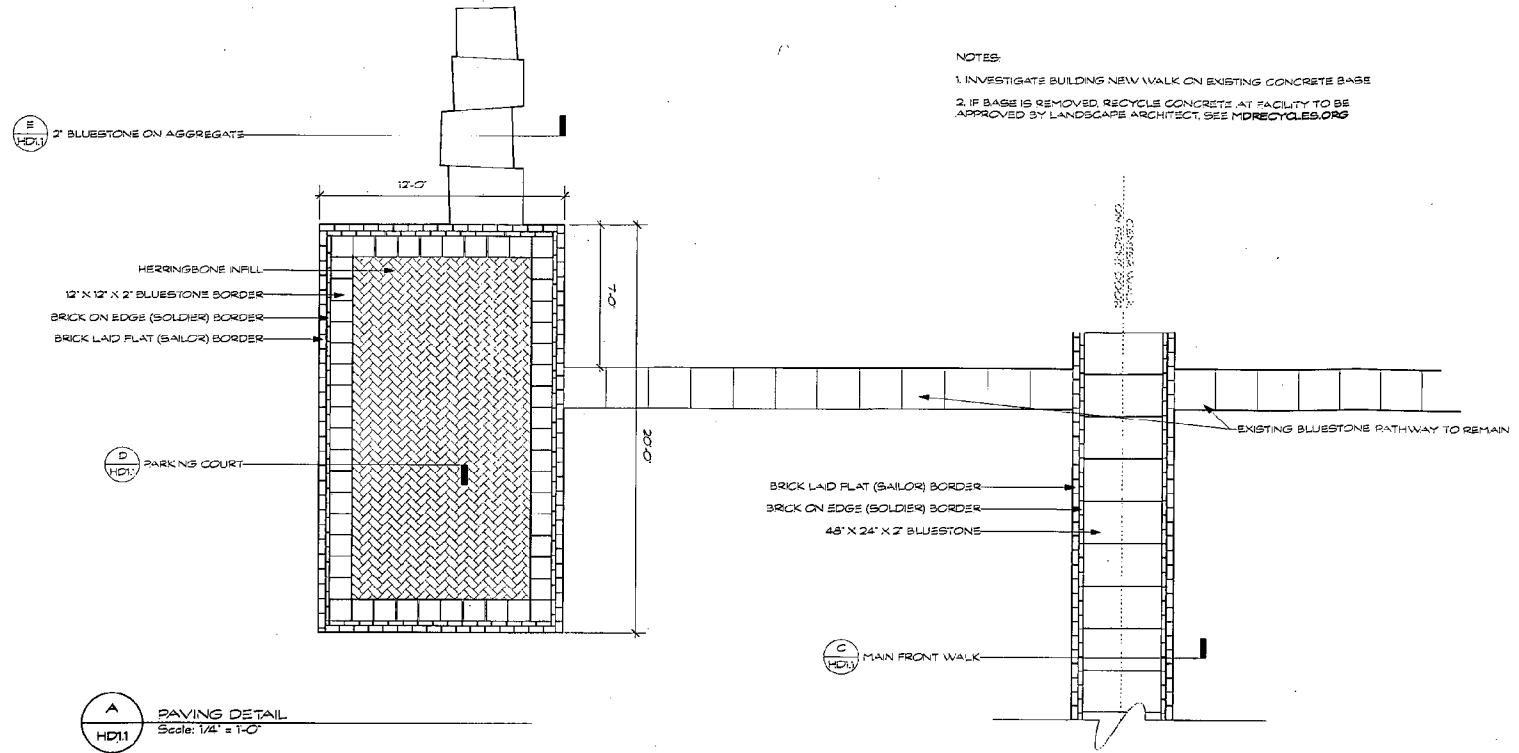
PAVING / MASONRY DETAILS

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: AS NOTED

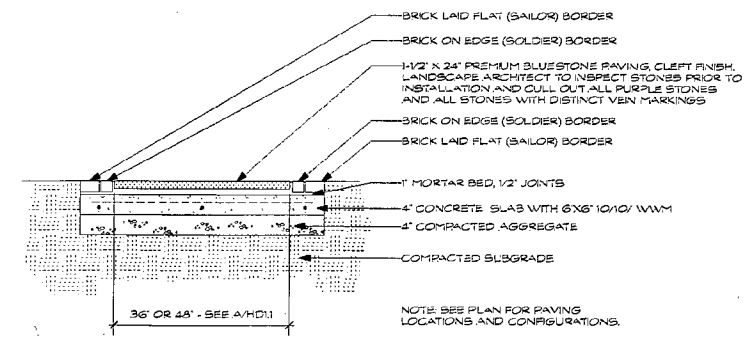
HD1.1

December 5, 2008

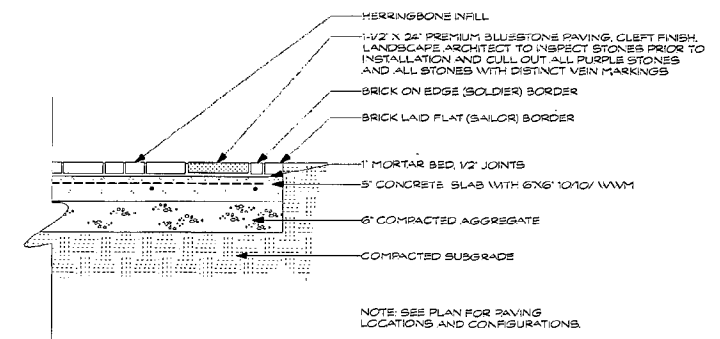
NOTES:
1. INVESTIGATE BUILDING NEW WALK ON EXISTING CONCRETE BASE
2. IF BASE IS REMOVED, RECYCLE CONCRETE AT FACILITY TO BE APPROVED BY LANDSCAPE ARCHITECT. SEE MDRECYCLES.ORG



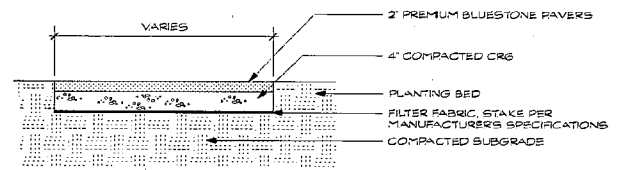
(A) PAVING DETAIL
Scale: 1/4" = 1'-0"
HD1.1



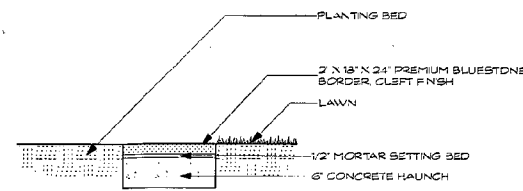
(C) WALKS ON CONCRETE SECTION
Scale: 3/4" = 1'-0"
HD1.1



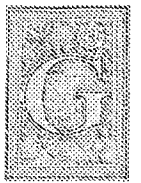
(D) PARKING COURT SECTION
Scale: 3/4" = 1'-0"
HD1.1



(E) BLUESTONE WALK ON AGGREGATE
Scale: 3/4" = 1'-0"
HD1.1



(F) BLUESTONE EDGE SECTION
Scale: 3/4" = 1'-0"
HD1.1



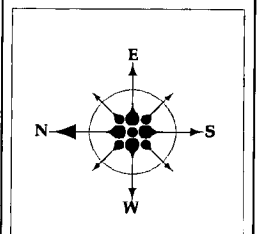
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**CASS
RESIDENCE**
7 MAGNOLIA PARKWAY
CHEVY CHASE, MARYLAND 20815



**draft
PLANTING PLAN**

DRAWN BY: LKS
APPROVED BY: JPC
PROJECT #: 2820
SCALE: 1/8" = 1'-0"

P1.0
April 7, 2009

