

35/13-06EE 19 GRAFTON ST
Chevy Chase Village Historic District



**DEPARTMENT OF HOUSING AND
COMMUNITY AFFAIRS**

**Division of Consumer Affairs
100 Maryland Avenue, Rockville, Maryland 20850**

240/777-3636, TDD 240/777-3639. FAX 240/777-376
[http: www.montgomerycountymd.gov/consumer](http://www.montgomerycountymd.gov/consumer)

Douglas M. Duncan
County Executive

Elizabeth B Davison
Director

LICENSE NO. BC3825

**BUILDING CONTRACTOR'S
LICENSE**

This certifies that the applicant named below is licensed to operate as a
Building Contractor in
Montgomery County, Maryland

HORIZON BUILDERS (MD), LLC T/A
HORIZON BUILDERS
2131 ESPEY COURT, #2
CROFTON, MD 21114-

Date of Issue: 06/08/2005
By: Division of Consumer Affairs

Date of
Expiration: 6/8/2007

Eric L. Friedman

LICENSE, REGISTRATION, OR CERTIFICATION

SAVE THIS PORTION OF CARD AND USE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGES. BOARD MUST BE NOTIFIED OF THESE CHANGES IMMEDIATELY.
MARYLAND HOME IMPROVEMENT COMMISSION
500 N. CALVERT STREET
BALTIMORE, MD. 21202-3651

05 123492
HORIZON BUILDER OF MARYLAND LLC
HORIZON BUILDER MARYLAND LLC
05-123492
2131 ESPEY CT #3
CROFTON MD 21118-0000

FOLD LINE

STATE OF MARYLAND
DEPARTMENT OF LABOR, LICENSING AND REGULATION
MARYLAND HOME IMPROVEMENT COMMISSION

CERTIFIES THAT
HORIZON BUILDER OF MARYLAND LLC
IS AN AUTHORIZED
CONTRACTOR/SALESMAN (CORP/PART)

LIC. REG. CERT. NO. EXPIRATION DATE EFFECTIVE DATE CATEGORY
123492 06-14-2007 N/A 05
LICENSE REGISTRATION, OR CERTIFICATION
Robert L. Ehrlich, Jr. Michael S. Steele
Governor Lt. Governor 3254226

SIGNATURE OF BEARER

08 05 123492

3,254,226

LICENSE, REGISTRATION, OR CERTIFICATION

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

James D. Fleider, Jr., Ph.D.
Secretary

State of Maryland

DEPARTMENT OF LABOR, LICENSING AND REGULATION
MARYLAND HOME IMPROVEMENT COMMISSION

CERTIFIES THAT
HORIZON BUILDER OF MARYLAND LLC
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IS AN AUTHORIZED

CONTRACTOR/SALESMAN (CORP/PART)

LIC. REG. CERT. NO. EXPIRATION DATE EFFECTIVE DATE CATEGORY
123492 06-14-2007 N/A 05

3254226

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

SIGNATURE OF BEARER

TRUST AGREEMENT**THE 19 GRAFTON STREET TRUST**

This Trust Agreement is made as of the 15th day of January, 2004 by and between ROBIN HELLER, referred to as "Settlor", and DAVID A. DECKELBAUM, referred to as the "Trustee".

RECITALS

A. Settlor desires to create this trust (the "Trust") for the primary purpose of acquiring and holding title to the property located at 19 Grafton Street, Chevy Chase, Maryland 20815 (hereinafter referred to as the "Property").

B. Settlor was the purchaser named in a Regional Sales Contract for the purchase of the above referenced property dated October 15, 2003;

NOW THEREFORE, in consideration of the foregoing, the parties hereby agree as follows:

Section 1.

Section 1.1 **Initial Trust Fund.** The Settlor hereby transfers to the Trustee all rights she has as purchaser under the Regional Sales Contract dated October 15, 2003. The Trustee shall settle under the terms of the New Home Sales Contract, thereby acquiring title to the Property on behalf of the Trust created hereby. On or prior to the settlement date, the Settlor will add to the trust principal, as authorized by Section 1.2, such additional funds as will enable the Trustee to so settle.

Section 1.2 **Additions.** The Settlor reserves the right, at any time and from time to time, to add to the trust principal such cash or other property as he may desire. Such additions shall be held in the same manner and to the same extent as if they had been delivered to the Trustee by the Settlor at the time this Trust Agreement is executed. The property herein transferred to the Trustee, together with (i) all accretions (including the Property) and additions thereto, (ii) the proceeds of all sales and exchanges thereof, and (iii) all investments and reinvestments thereof, shall constitute the "Trust Fund".

Section 2.

Section 2.1 Beneficial Interest. The Trustee shall hold and manage the Trust Fund solely for the use and benefit of ROBIN HELLER (hereafter referred to as the "Beneficiary".) The Beneficiary shall be entitled to: (i) the use of the Property (or any other residential real estate included in the Trust Fund), rent free; (ii) any income generated by the Trust Fund; and (iii) any principal of the Trust Fund (including the whole of the Trust Fund). Upon the death of the Beneficiary, the Trustee shall pay over and distribute the then remaining Trust Fund to the estate of the Beneficiary.

Section 2.2 Provisions Regarding Residential Real Estate.

Section 2.2.1 If the Trust Fund includes residential real estate, in whole or in part, the Trustee shall be under no obligation to pay mortgage costs, real property taxes, maintenance expenses, repair costs or any other expenses associated with ownership of such real property. Rather, it is contemplated that such expenses will be paid directly by the Beneficiary.

Section 2.2.2 At the direction of the Settlor, the Trustee shall sell, convey, or otherwise dispose of any residential real property held by the Trust. In the event of such sale, the Trustee shall reinvest such net proceeds in other residential real property, or may hold the proceeds in trust, as directed by Settlor.

Section 3.

Section 3.1 Resignation or Termination of Trustee. The Trustee may resign or renounce his or her appointment at any time by giving five (5) days written notice to the Beneficiary. Settlor may terminate a Trustee's appointment at any time by giving five (5) days' written notice to the Trustee.

Section 3.2 Successor Trustee. Subject to Section 3.1 hereof, if, at any time and for any reason, the initial Trustee shall not be serving as Trustee hereunder, the successor Trustee shall be such person or persons as the Beneficiary hereunder shall have appointed in writing.

Section 3.3 Authority to Appoint Co-Trustee. If at any time only one person is available to serve as a Trustee hereunder, such person may, but shall not be required to, designate a co-Trustee to serve with him, her or it, subject to the prior written consent of the Beneficiary.

Section 4.

Section 4.1 Powers of Trustee. Subject to the terms hereof, the Trustee (including any successor Trustee or co-Trustee) shall have all powers granted to a trustee by law, including without limitation, the power to acquire the Property or other real property and to convey, finance, refinance and improve the Property or any other real property owned by the Trust. The Trustee (including any successor Trustee or co-Trustee) shall be authorized to execute any deeds, deeds of trust, notes, contracts, or other documents required to accomplish any such transactions, including, without limitation, the note, deed of trust, settlement sheet, and other documents required to settle on the Property pursuant to the Purchase and Sale Contract.

Section 4.2 Bonds and Accounts. No bond or other security shall be required of any Trustee serving hereunder. The Trustee is relieved, to the extent permitted by law, from any obligation to file or make any bond, inventory, appraisal, return or report to any court. The Beneficiary may approve of the accounts of any Trustee at any time resigning as such hereunder. The approval of such accounts shall be full and complete discharge of such Trustee and shall have the same effect as if the Trustee had presented and had his or her account approved by a court of competent jurisdiction.

Section 4.3 Trustees May Designate Authority Between Themselves. At any time when two or more individuals are acting as Co-Trustees, one of the Trustees may be designated in writing by the other(s) to have the sole signature power and authority to execute any and all powers of the Trustees set forth in this Agreement.

Section 4.4 Power of Attorney. The Trustee shall have the ability to execute any Power of Attorney appointing a third party to act as his or her Attorney in Fact to carry out any and all powers of the Trustee set forth in this Agreement to the extent permitted by law.

Section 5.

Section 5.1 Governing Law. This Trust has been accepted in the State of Maryland and any question pertaining to its validity, construction or administration shall be determined in accordance with said laws.

Section 5.2 Name of Trust. The Trust established under this Trust Agreement shall be known as THE 19 GRAFTON STREET TRUST.

Section 6.

Revocability

The Settlor hereby reserves the right, power and authority, at any time and from time to time, during his lifetime, by written instrument duly signed and acknowledged by the Settlor, to modify, alter, amend, revoke or terminate this Trust Agreement or any term or provision thereof. In the event of any revocation or termination, the Trust (or that part of the Trust Fund to which such writing is applicable) shall be transferred to the Settlor or to such person or persons as the Settlor may designate in such written instrument.

Section 7:

Indemnity

The Settlor hereby agrees to indemnify the Trustee against any loss, liability, or expense (including reasonable attorney's fees) incurred by the Trustee in administering this Trust in good faith.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

Robin Heller
ROBIN HELLER, Settlor

David A. Deckelbaum Trustee
DAVID A. DECKELBAUM, Trustee

DISTRICT OF COLUMBIA, to wit:

I, Todd S. Deckelbaum, a notary public in and for the jurisdiction aforesaid, do hereby certify that ROBIN HELLER, party to that certain Trust Agreement bearing date as of January 15, 2003, and hereto annexed, personally appeared before me in said jurisdiction, the said party being personally known to me as the person who executed said Trust Agreement as Settlor, and acknowledged the same to be his voluntary act and deed.

Given under my hand and seal this 15 day of January, 2004.

Todd S. Deckelbaum

Todd S. Deckelbaum
Notary Public

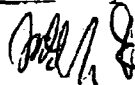
My Commission Expires: 2/23/08
Notarial Seal



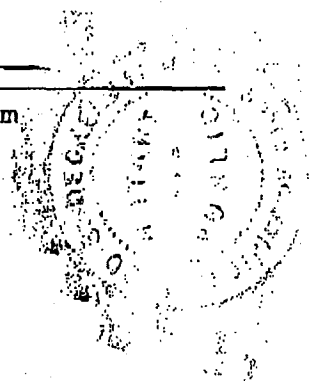
DISTRICT OF COLUMBIA, to wit:

I, Todd S. Deckelbaum, a notary public in and for the jurisdiction aforesaid, do hereby certify that DAVID A. DECKELBAUM, party to that certain Trust Agreement bearing date as of January 15, 2004, and hereto annexed, personally appeared before me in said jurisdiction, the said party being personally known to me as the person who executed said Trust Agreement as Settlor, and acknowledged the same to be her voluntary act and deed.

Given under my hand and seal this 15th day of January, 2004.



Todd S. Deckelbaum
Notary Public

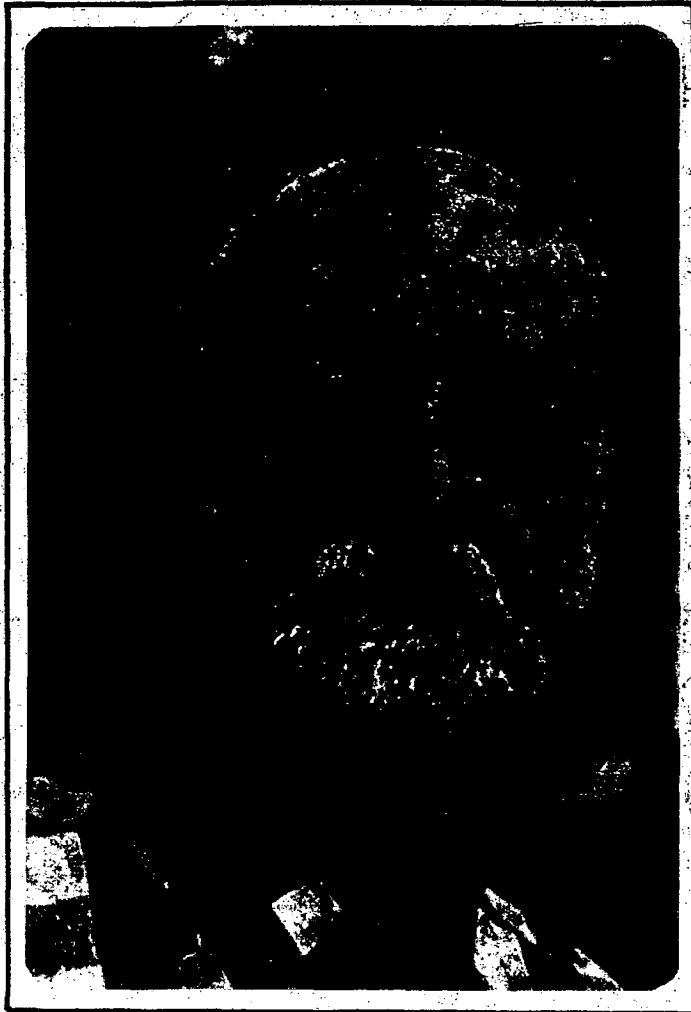


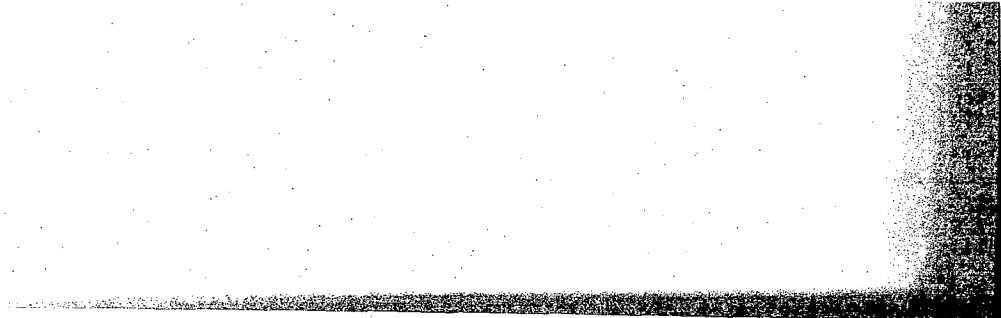
My Commission Expires: 2/28/08

Notarial Seal

A SAGA OF TWO CENTURIES

Autobiography
BY STANWOOD COBB





**Copyright 1979 by
Stanwood Cobb
Price \$9.00**



19 Grafton Street, Cobb residence 1920, also Chevy Chase Country Day School

CASE NO. A-5121 (a) and (b)
Appeal of Ms. Robin Heller on behalf of
David A. Deckelbaum, Trustee of The 19 Grafton Street Trust
(Hearing held July 10, 2006)

DECISION OF THE BOARD OF MANAGERS

This proceeding is an application for a special permit pursuant to Section 8-12(b) of the Chevy Chase Village Code. The applicant proposes to replace an existing asphalt driveway with a concrete paver driveway. As originally proposed, the new driveway would have a total maximum width of twenty-four feet (24') on private property, and a total maximum width of twelve feet eight inches (12' 8") in the public right of way. At the hearing, the applicant's representative stated that the new driveway would be eleven feet eight inches (11' 8") in width in the public right of way.

The application is filed pursuant to the requirements of Section 8-26 which provides:

"Any driveway on private property may not exceed 15 feet in width without a special permit from the Board of Managers, except that the apron in front of a two car garage may extend the full width of the two car garage, provided that such apron does not exceed 20 feet in length"

and pursuant to the requirements of Section 8-30(a) which provides:

"Any portion of a private driveway which crosses the public right-of-way may not exceed ten (10) feet in width without a special permit from the Board of Managers, except that the apron where the driveway connects with the street shall be allowed a five-foot

radius on each side of the driveway for a total entrance at the curbside not to exceed twenty (20) feet in width."

The subject property is known as Lot 4, Block 24, in the Chevy Chase, Section 2 subdivision, also known as 19 Grafton Street, Chevy Chase, Maryland 20815, in the R-60 zone. Notice was mailed to all abutting property owners, posted at the Village Hall and posted on the property on June 29, 2006.

The applicant submitted an application, a site plan showing the location of existing improvements and the proposed driveway, photographs showing existing conditions, a catalogue page showing the appearance of the proposed driveway and a letter explaining the nature of and reasons for the application. Photographs of existing conditions, taken by Village staff, were submitted for the record.

The letter in support of the application submitted by Ms. Heller stated in relevant part:

1. Driveway Crossing Public Right-Of-Way Area

My existing driveway which crosses the public right-of-way is 12'8".¹ The Chevy Chase Village Code specifies a driveway dimension of 10'. However, a narrower driveway will create an offset to my existing driveway. Therefore, I request a special permit to rebuild my existing driveway "as is."

2. Apron Entrance to Garage

My existing apron entrance to my garage is 24' by 20'. The Chevy Chase Village Code allows an apron entrance to a garage to be the width of the 2 car garage. The "as is" apron entrance to my garage allows for access to the garage.

¹ At the hearing, the applicant's landscape architect stated that the proposed width is 11'8".

Therefore, I request a special permit to rebuild "as is", which exceeds 4', but is permissible [sic] by code.

Prior to the hearing, Ms. Heller submitted documentation clarifying that the property is owned by David A. Deckelbaum, Trustee of The 19 Grafton Street Trust. The documents submitted by Ms. Heller indicate that Ms. Heller is the beneficiary of that Trust and is authorized to pursue the proposed special permits on behalf of the Trust.

Ms. Heller appeared at the hearing and testified in support of the application. Scott Fritz, the applicant's landscape architect, reiterated the information provided prior to the hearing with one correction: that the new driveway would be eleven feet eight inches in width. Mr. Fritz explained that the new driveway would be the same size as the existing driveway and the new apron would be the same size as the existing apron. He stated that the driveway would be constructed of pavers on top of a 6-inch gravel base. Mr. Fritz explained that the new driveway will be more permeable than the existing driveway.

Ms. Heller testified that the existing drainage is inadequate. According to Ms. Heller, water flows into her basement. Ms. Heller testified that the new driveway would improve drainage by directing water toward the street. She explained that there will be a small grassy area between her apron and the apron of the driveway serving the adjoining property. She emphasized that the current driveway is in

disrepair and that the new driveway would improve the appearance of the property.

An e-mail from Tom Schendt of 17 Grafton Street was submitted in support of the application. Mr. Schendt's property is adjacent to the subject property on the side where the proposed driveway would be constructed. Mr. Schendt's e-mail stated:

I have had two discussions with Robin, and we are in full agreement that her driveway plans are very acceptable to us. Specifically, we discussed that the public sidewalk will be done in brick--and that a divider (with grass) will be designed to be placed between our two ramps going up to our separate driveways. (Currently there is not one and we both feel that this would be more pleasing to our eyes.). Also, I fully support her wanting to arrange for underground drains (as she has a terrible water problem). I understand from talking to the CCV's tree specialist and with the CCV staff, that all digging will be done by hand and that no tree roots will be disturbed (as well as the tree specialist will be on-site at all times during the digging). We are very comfortable with these assurances.

No testimony or evidence in opposition to the application was submitted.

Based upon the testimony and evidence of record, the Board accepts the representations of the applicant as true and finds that the special permit is authorized by the Village building regulations; will not adversely affect the public health, safety and welfare nor the reasonable use of adjoining properties; will not violate any Village covenants; and can be granted without substantial impairment of the purpose and intent of the Chevy Chase Village building regulations, provided however, that the

applicants comply with the conditions set forth in the following paragraph.

Accordingly, the requested special permit to construct a driveway in excess of fifteen (15) feet in width on private property and in excess of ten (10) feet in width in the public right-of-way is granted subject to the following conditions:

(1) the construction shall be in accordance with the plans and specifications submitted for the record of this matter, as clarified by the applicant's landscape architect;

(2) the applicant shall arrange to have the Village Arborist present, at such times as the Village Manager deems necessary, during removal of the existing driveway and during construction of the new driveway to assure that the work is performed in a manner that does not harm the roots of nearby trees; and

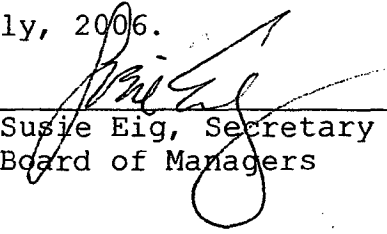
(3) the applicant shall complete construction of the driveway on or before the 10th day of July, 2007.

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 as required by Section 8-12 (d) of the Chevy Chase Village Code, and the Village Manager and/or his designee be and he is hereby authorized and directed to issue a building permit for the construction of the driveway, in accordance with this Decision, provided the same complies with all other applicable codes.

The foregoing Resolution was adopted by the Chevy Chase Village Board of Managers with the following members voting in favor: Susie Eig, Gail Feldman, David Winstead and Peter Yeo. Robert Jones, Douglas B. Kamerow and Betsy Stephens were not present at the hearing and did not participate in this Decision.

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 July, 2006.



Susie Eig, Secretary
Board of Managers

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SETTLEMENTCORP

WASHINGTON, D.C./MARYLAND/VIRGINIA

September 26, 2006

Historic Preservation Commission
255 Rockville Pike
Rockville, MD 20850

Re: Request for Historic Area Work Permit
19 Grafton Street
Chevy Chase, MD 20815

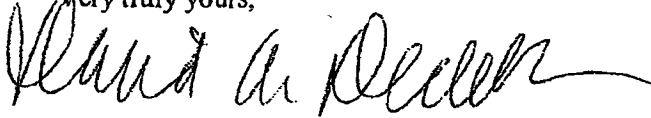
Dear Planners,

My name is David A. Deckelbaum and I am the Trustee for the purpose of acquiring and holding title to the property located at 19 Grafton Street, Chevy Chase, MD, 20815. I hereby authorize Ms. Robin C. Heller, the occupant of 19 Grafton Street, to approach the Montgomery County Historic Preservation Commission with a request for an historic work permit to replace the existing asphalt driveway at said address with pavers in "as is" layout and to add shutters to the front upper level of the house in order to bring it back to its historical status as demonstrated by the attached photos.

I agree to sign any documents issued as a condition of the Commission's approval of this request and further agree to be responsible for ensuring compliance with all conditions imposed.

Thank you for your consideration in this matter.

Very truly yours,



David D. Deckelbaum, Esq.

CHEVY CHASE PLAZA • 5301 WISCONSIN AVENUE, N.W.
SUITE 710 • WASHINGTON, D.C. 20015
(202) 537-0005 • FAX (202) 537-1899
DDECKELBAUM@SETTLEMENTCORP.COM
TDECKELBAUM@SETTLEMENTCORP.COM



HISTORIC PRESERVATION COMMISSION


Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

Date: November 22, 2006

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Michele Oaks, Senior Planner 
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #, 434440, for driveway and shutter installation

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved with a condition** at the October 25, 2006 meeting. The condition of approval was that:

The replacement shutters will be operable, paneled louvered shutters, as the submitted, historic photos illustrated. The central window's shutter will be hinged in the center. The final design and details will be submitted to staff for their review and approval, prior to installation.

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

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED AND CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HISTORIC AREA WORK PERMIT (HAWP) CONDITION AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER TOWN GOVERNMENT AGENCY BEFORE WORK CAN COMMENCE.

Applicant: Robin Heller and David Deckelbaum (Fritz Gignoux, Agent)

Address: 19 Grafton Street, Chevy Chase (Chevy Chase Village Historic District)

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.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
245 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-5370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Robin Heller

Daytime Phone No.: 301-654-9351

Tax Account No.: 00456456

Name of Property Owner: David Deckelbaum trustee for Robin Heller Daytime Phone No.: 202-537-0005

Address: 19 Grafton Street, Chevy Chase MD 20815
Street Number City State Zip Code

Contractor: Capel Hardscaper Inc Phone No.: 240-375-3532

Contractor Registration No.: 90504 MHIC

Agent for Owner: Scott F. Itz Daytime Phone No.: 202-439-3154
(Landscape Architect)

LOCATION OF BUILDING/PREMISE

House Number: 19 Street: Grafton Street

Town/City: Chevy Chase Nearest Cross Street: Chevy Chase Circle

Lot: 4 Block: 24 Subdivision: Pts 4 to 3-5 Sec 2 Chevy Chase

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable
- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: Driveway, sidewalk, apron

1B. Construction cost estimate: \$ 35,000

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.

Robin C Heller
Signature of owner or authorized agent

9/26/06
Date

Approved: X

For Chairperson, Historic Preservation Commission

Disapprove: _____ Signature: Julia O'Malley Date: 10/26/06

Application/Permit No.: 4342610 Date Filed: _____ Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

**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:

Detached home built in 1908. Home of Stanwood Cobb and was the Chevy Chase Country Day School which he founded in 1919.

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

To add back shutters to the top level of the front of the house. By doing so, the house will be consistent with the look of the house in 1920 when it was the Cobb residence and the Chevy Chase Country Day School.

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 decline 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.

SETTLEMENTCORP

WASHINGTON, D.C./MARYLAND/VIRGINIA

September 26, 2006

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255 Rockville Pike
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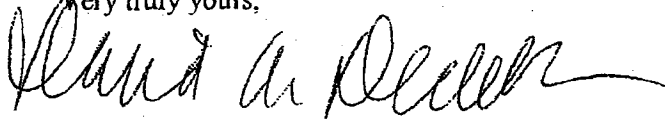
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David D. Deckelbaum, Esq.

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SUITE 710 • WASHINGTON, D.C. 20015
(202) 537-0005 • FAX (202) 537-1899
DDECKELBAUM@SETTLEMENTCORP.COM
TDECKELBAUM@SETTLEMENTCORP.COM

MAILING LIST FOR APPEAL A-5121 (A) AND (B)

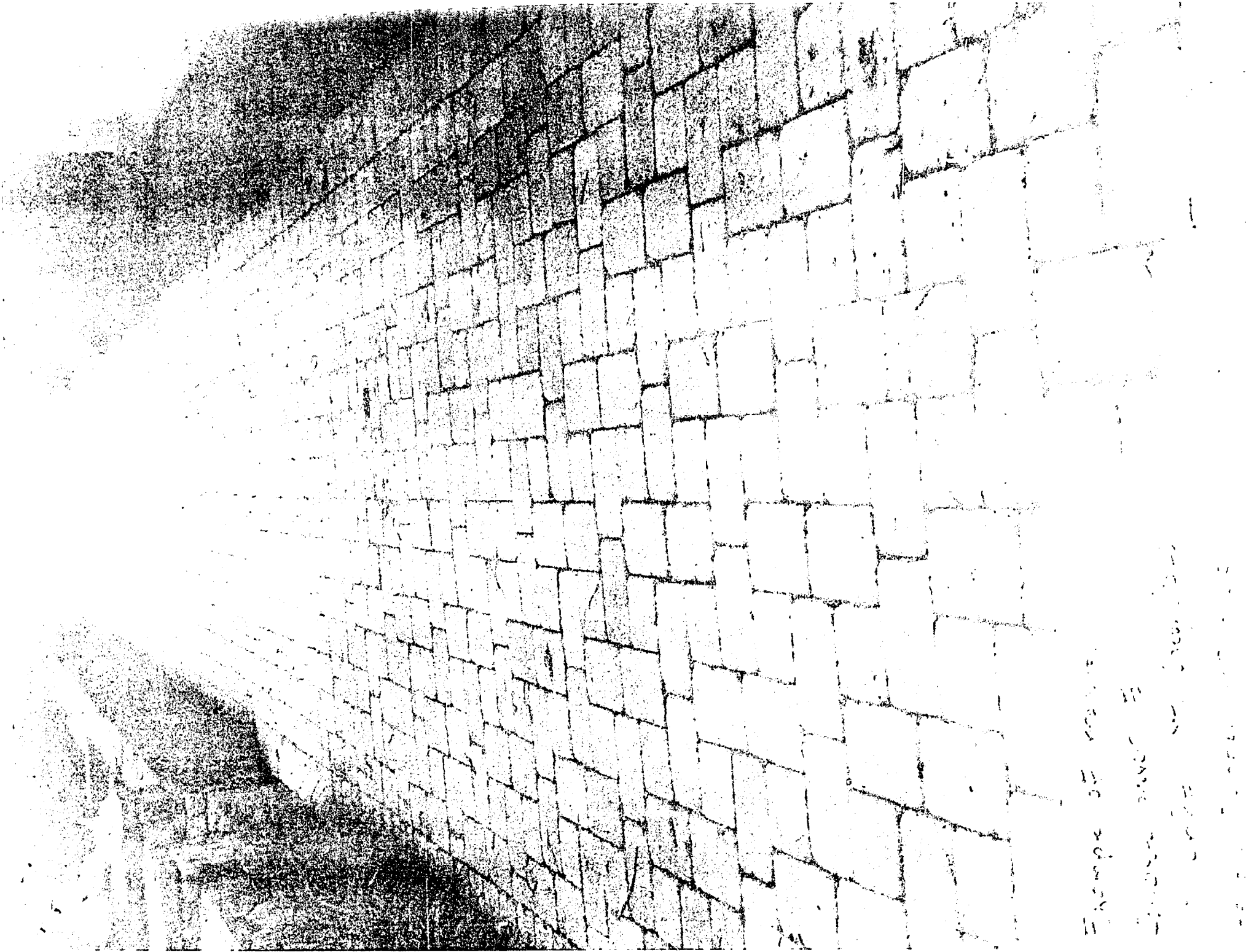
**MS. ROBIN HELLER
19 GRAFTON STREET
CHEVY CHASE, MARYLAND 20815**

| Adjoining and confronting property owners | |
|--|--|
| Mr. and Mrs. Thomas G. Schendt Or Current Resident 17 Grafton Street Chevy Chase, MD 20815 | Mr. and Mrs. William J. McKee Or Current Resident 21 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. David S. Tatel Or Current Resident 24 Grafton Street Chevy Chase, MD 20815 | Mr. Peter H. Ostle Ms. Joanna Taylor Or Current Resident 26 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. Timothy M. Broas Or Current Resident 28 Grafton Street Chevy Chase, MD 20815 | Mr. Jay B. Winik Ms. Lyric W. Wallwork-Winik Or Current Resident 30 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. Perry W. Linder Or Current Resident 18 Hesketh Street Chevy Chase, MD 20815 | Mr. and Mrs. John C. Dugan Or Current Resident 20 Hesketh Street Chevy Chase, MD 20815 |
| Mr. and Mrs. John J. Campanella Or Current Resident 22 Hesketh Street Chevy Chase, MD 20815 | |

I hereby certify that a public notice was mailed to the aforementioned property owners on the 29th day of June, 2006.



**Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**



Example of a wall
with a grid pattern
of rectangular blocks
arranged in a regular
manner.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Robin Heller

Daytime Phone No.: 301-654-9351

Tax Account No.: 00456456

Name of Property Owner: David Dackelbaum trustee for Robin Heller Daytime Phone No.: 202-537-0005

Address: 19 Grafton Street, Chevy Chase, MD 20815
Street Number City State Zip Code

Contractor: Capel Hardscaper Inc Phone No.: 240-375-3532

Contractor Registration No.: 90504 MHC

Agent for Owner: Scott Fite Daytime Phone No.: 202-439-3154
(Landscape Architect)

LOCATION OF BUILDING/PREMISE

House Number: 19 Street: Grafton Street

Town/City: Chevy Chase Nearest Cross Street: Chevy Chase Circle

Lot: 4 Block: 24 Subdivision: Pts Lts 3-5 Sec 2 Chevy Chase

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

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

CHECK ALL APPLICABLE:

- AC
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: Driveway, sidewalk, apron

1B. Construction cost estimate: \$ 35,000

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.

Robin C Heller
Signature of owner or authorized agent

9/26/06
Date

Approved: X

For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: Julia O'Malley Date: 10/26/06

Application/Permit No.: 434210 Date Filed: _____ Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

**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:

Detached home built in 1908. Home of Stanwood Cobb and was the Chevy Chase Country Day School which he founded in 1919.

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

To add back shutters to the top level of the front of the house. By doing so, the house will be consistent with the look of the house in 1920 when it was the Cobb residence and the Chevy Chase Country Day School.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plot. 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 canopy 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.

SETTLEMENTCORP

WASHINGTON, D.C./MARYLAND/VIRGINIA

September 26, 2006

Historic Preservation Commission
255 Rockville Pike
Rockville, MD 20850

Re: Request for Historic Area Work Permit
19 Grafton Street
Chevy Chase, MD 20815

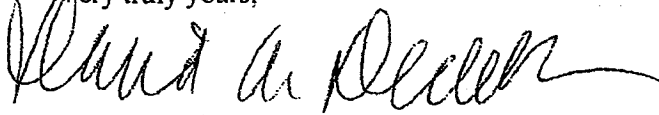
Dear Planners,

My name is David A. Deckelbaum and I am the Trustee for the purpose of acquiring and holding title to the property located at 19 Grafton Street, Chevy Chase, MD, 20815. I hereby authorize Ms. Robin C. Heller, the occupant of 19 Grafton Street, to approach the Montgomery County Historic Preservation Commission with a request for an historic work permit to replace the existing asphalt driveway at said address with pavers in "as is" layout and to add shutters to the front upper level of the house in order to bring it back to its historical status as demonstrated by the attached photos.

I agree to sign any documents issued as a condition of the Commission's approval of this request and further agree to be responsible for ensuring compliance with all conditions imposed.

Thank you for your consideration in this matter.

Very truly yours,



David D. Deckelbaum, Esq.

CHEVY CHASE PLAZA • 5301 WISCONSIN AVENUE, N.W.
SUITE 710 • WASHINGTON, D.C. 20015
(202) 537-0005 • FAX (202) 537-1899
DDECKELBAUM@SETTLEMENTCORP.COM
TDECKELBAUM@SETTLEMENTCORP.COM

MAILING LIST FOR APPEAL A-5121 (A) AND (B)

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I hereby certify that a public notice was mailed to the aforementioned property owners on the 29th day of June, 2006.



**Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

Example of paper
Crank over for
12 months to 1 year
Cranked 10 times per month





HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Robin Heller

Daytime Phone No.: 301-654-9351

Tax Account No.: 00456456

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Town/City: Chevy Chase Nearest Cross Street: Chevy Chase Circle

Lot: 4 Block: 24 Subdivision: Pts Lts 3-5 Sec 2 Chevy Chase

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE:
- | | | | | | | | | |
|------------------------------------|----------------------------------|--|--|------------------------------------|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input checked="" 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 type="checkbox"/> Other: <u>Driveway, sidewalk, apron</u> | | | |

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Robin C Heller Signature of owner or authorized agent 9/26/06 Date

Approved: X For Chairperson Historic Preservation Commission

Disapproved: _____ Signature: Julia D. Malley Date: 10/26/06

Application/Permit No.: 434240 Date Filed: _____ Date Issued: _____

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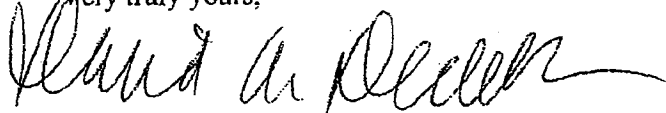
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Thank you for your consideration in this matter.

Very truly yours,



David D. Deckelbaum, Esq.

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SUITE 710 • WASHINGTON, D.C. 20015
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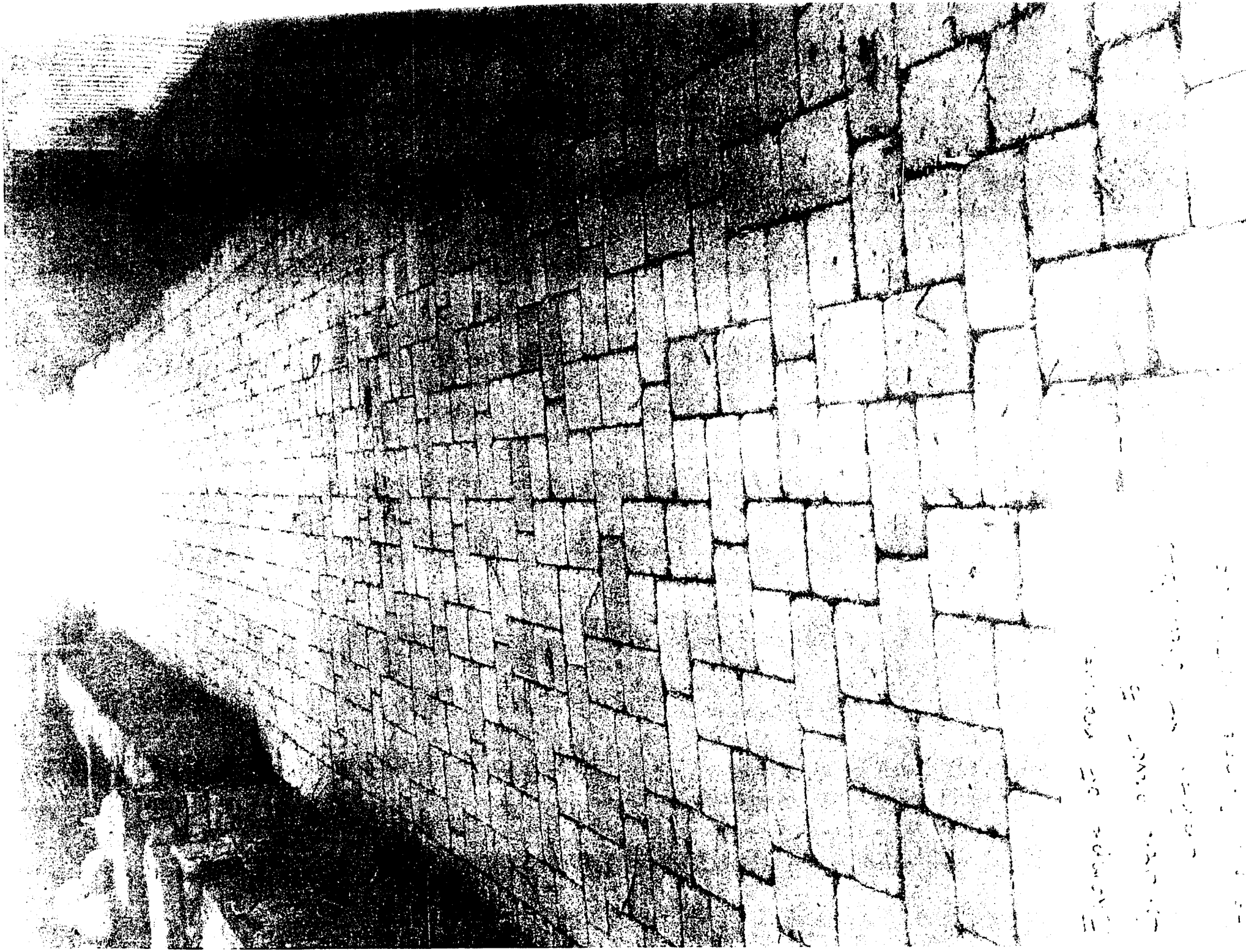
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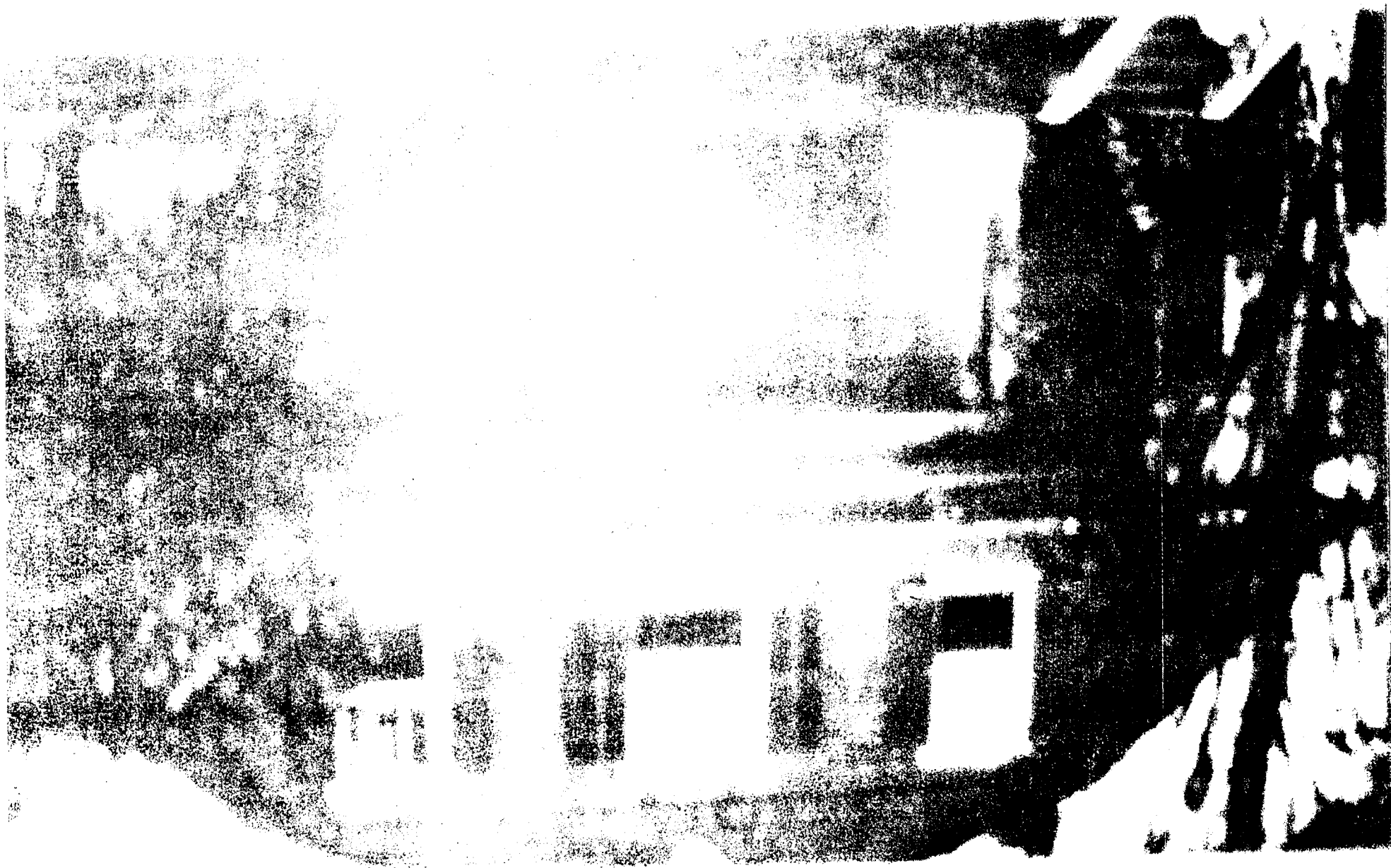
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**Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**



FRONT OF WALL
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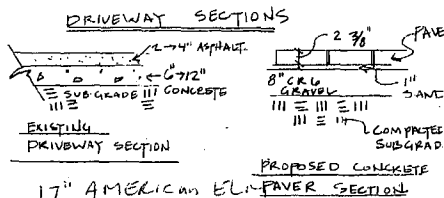
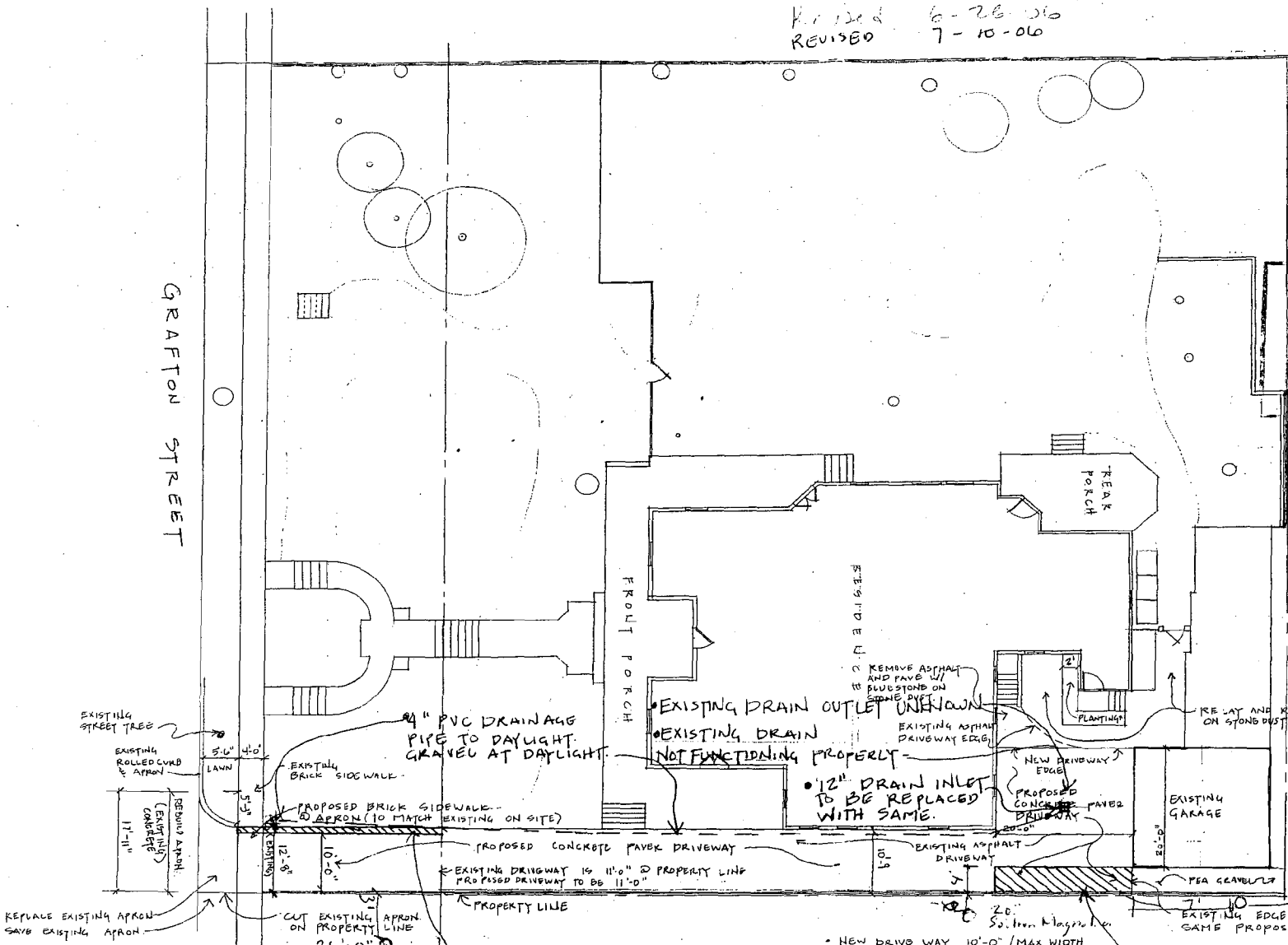
Revised 6-28-06
 REVISION 7-10-06

GRAFTON STREET

APPROVED
 MICHELLE CASPER
 11/22/06

→ NORTH
 Scale: 1/16" = 1'-0"
 DATE: 8-10-06

HELLER RESIDENCE
 19 GRAFTON STREET
 CHEVY CHASE MD 20815



EXISTING TREE
 EXISTING ROLLED CURB & APRON
 REPAIR APRON (EXISTING CONCRETE)
 17'-11"

4" PVC DRAINAGE PIPE TO DAYLIGHT GRAVEL AT DAYLIGHT
 EXISTING BRICK SIDEWALK
 PROPOSED BRICK SIDEWALK & APRON (TO MATCH EXISTING ON SITE)
 PROPOSED CONCRETE PAVEMENT DRIVEWAY
 EXISTING DRIVEWAY IS 11'-0" @ PROPERTY LINE PROPOSED DRIVEWAY TO BE 11'-0"
 PROPERTY LINE
 CUT EXISTING APRON ON PROPERTY LINE 26'-0"
 (INCLUDES SIDEWALK) 2'-4" EAK

AREA OF REQUEST FOR SPECIAL PERMIT
 1'-8" X 26'-0" = 43.16 sq. ft.

- NEW DRIVEWAY 10'-0" (MAX WIDTH ALLOWABLE)
- EXISTING DRIVEWAY 10'-9"

AREA OF REQUEST FOR SPECIAL PERMIT
 20' X 4' = 80 sq. ft.

17" AMERICAN ELI
 EXISTING EDGE OF ASPHALT DRIVEWAY SAME PROPOSED

HISTORIC PRESERVATION COMMISSION STAFF REPORT

| | | | |
|---------------------|---|-----------------------|--------------|
| Address: | 19 Grafton St, Chevy Chase | Meeting Date: | 10/25/2006 |
| Resource: | Outstanding Resource Chevy Chase Village Historic District | Report Date: | 10/18/2006 |
| Applicant: | Robin Heller & David Deckelbaum | Public Notice: | 10/11/2006 |
| Review: | HAWP | Tax Credit: | N/A |
| Case Number: | 35/15-06EE | Staff: | Michele Oaks |
| PROPOSAL: | Sidewalk and Driveway Construction | | |

RECOMMENDATION: Approve with condition

RECOMMENDATION:

Staff recommends that the Commission approve this HAWP application with the condition that the replacement shutters will be operable, paneled louvered shutters, as the submitted, historic photo illustrated. The central window's shutter will be hinged in the center. The final design and details will be submitted to staff for their review and approval, prior to installation.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding Resource within the Chevy Chase Village Historic District
STYLE: Shingle
DATE: By 1912

The existing house is a two-story, gambrel roof, arts and crafts style house. The first floor is detailed with horizontal siding and the second level in cedar shingles. The front entry is detailed with a large flat roof portico supported by Doric Columns.

The property currently contains a detached garage at the northeastern corner of the subject property. A deteriorated asphalt driveway runs along the side (eastern) property line.

PROPOSAL:

The applicant is proposing to:

1. Remove the existing, deteriorated asphalt driveway (10'9" wide) and replace it with a new, concrete paver driveway (10' wide).
2. Remove portions of the existing, asphalt driveway/bluestone patio in the rear yard and replace it in the same locations with bluestone laid on stonedust, or pea gravel (see plan on circle **3**).
3. Re-install operable shutters to the second story of the house. The applicant has photo documentation of shutters being an original feature of the house in 1920, when it was the Cobb Residence and the Chevy Chase Day School.

APPLICABLE GUIDELINES:

When reviewing alterations contributing resources within the Chevy Chase Village *Master Plan* Historic District three documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Montgomery County Code Chapter 24A (Chapter 24A)*, *Chevy Chase Village Guidelines adopted as part of the Amendment to the Bethesda-Chevy Chase Master Plan in 1997 (Guidelines)* and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below:

Montgomery County Code; Chapter 24A

A HAWP permit should be issued if the Commission finds that:

1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.
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, archaeological, architectural or cultural value of the historic site or historic district in which an historic resource is located.

Chevy Chase Village Guidelines

The *Guidelines* break down specific projects into three levels of review - Lenient, Moderate and Strict Scrutiny.

“**Lenient Scrutiny**” means that the emphasis of the review should be on issues of general massing and scale, and compatibility with the surrounding streetscape, and should allow for a very liberal interpretation of preservation rules. Most changes should be permitted unless there are major problems with massing, scale or compatibility.

“**Moderate Scrutiny**” involves a higher standard of review than “lenient scrutiny.” Besides issues of massing, scale and compatibility, preserving the integrity of the resource is taken into account. Alterations should be designed so that the altered structure still contributes to the district. Use of compatible new materials, rather than the original building materials, should be permitted. Planned changes should be compatible with the structure’s existing design, but should not be required to replicate its architectural style.

“**Strict Scrutiny**” means that the planned changes should be reviewed to insure that the integrity of the significant exterior architectural or landscaping features and details is not compromised. However, strict scrutiny should not be “strict in theory but fatal in fact” i.e. it does not mean that there can be no changes but simply that the proposed changes should be reviewed with extra care.

The *Guidelines* that pertain to this project are as follows:

Driveways should be subject to strict scrutiny only with regard to their impact on landscaping, particularly mature trees. In all other respects, driveways should be subject to lenient scrutiny.

Shutters should be subject to strict scrutiny, for outstanding resources, if they are visible from the public right-of-way.

Secretary of the Interior's Standards for Rehabilitation

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

#3 Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

#5 Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

#6 Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

#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 proportions, 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 proposed replacement of the existing asphalt driveway to a concrete paver driveway will be a visually less obtrusive driveway surface material for this outstanding resource.

Additionally, based on the photo documentation, the proposed replacement of shutters on the second story of the house is consistent with the guidelines for replacement of missing historic features. However, the replacement shutters must be operable, paneled louvered shutters, as the historic photo illustrates. Also, based on the photographic evidence the central shutter was hinged in the center, this detail will also be required in the shutter replacement.

STAFF RECOMMENDATION:

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

and with the *Chevy Chase Village Guidelines*, adopted in 1997;

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.

**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:

The house is constructed of Shingle and Clapboard in the Arts and Craft style. The structure is one of the oldest homes in Chevy Chase. There is a free standing garage built in the same style that is tied together by the drive way. The existing drive way is broken and cracked Asphalt, and drainage no longer functions. The property has a well tended garden.

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

The replacement of the broken asphalt driveway will be a vast improvement. A new brick sidewalk and concrete apron will add continuity to the street scene. The soft gray tumbled concrete pavers are the scale and texture of Cobble Stone, and will work well with the shingle and clapboard house.

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.

+ the addition of shutters to the second floor of the front facade of the house.

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 (façades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

6. TREE SURVEY

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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

MAILING LIST FOR APPEAL A-5121 (A) AND (B)

MS. ROBIN HELLER
19 GRAFTON STREET
CHEVY CHASE, MARYLAND 20815

| Adjoining and confronting property owners | |
|--|--|
| Mr. and Mrs. Thomas G. Schendt Or Current Resident 17 Grafton Street Chevy Chase, MD 20815 | Mr. and Mrs. William J. McKee Or Current Resident 21 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. David S. Tatel Or Current Resident 24 Grafton Street Chevy Chase, MD 20815 | Mr. Peter H. Ostle Ms. Joanna Taylor Or Current Resident 26 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. Timothy M. Broas Or Current Resident 28 Grafton Street Chevy Chase, MD 20815 | Mr. Jay B. Winik Ms. Lyric W. Wallwork-Winik Or Current Resident 30 Grafton Street Chevy Chase, MD 20815 |
| Mr. and Mrs. Perry W. Linder Or Current Resident 18 Hesketh Street Chevy Chase, MD 20815 | Mr. and Mrs. John C. Dugan Or Current Resident 20 Hesketh Street Chevy Chase, MD 20815 |
| Mr. and Mrs. John J. Campanella Or Current Resident 22 Hesketh Street Chevy Chase, MD 20815 | |

I hereby certify that a public notice was mailed to the aforementioned property owners on the 29th day of June, 2006.



Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

SETTLEMENTCORP
WASHINGTON, D.C./MARYLAND/VIRGINIA

September 26, 2006

Historic Preservation Commission
255 Rockville Pike
Rockville, MD 20850

Re: Request for Historic Area Work Permit
19 Grafton Street
Chevy Chase, MD 20815

Dear Planners,

My name is David A. Deckelbaum and I am the Trustee for the purpose of acquiring and holding title to the property located at 19 Grafton Street, Chevy Chase, MD, 20815. I hereby authorize Ms. Robin C. Heller, the occupant of 19 Grafton Street, to approach the Montgomery County Historic Preservation Commission with a request for an historic work permit to replace the existing asphalt driveway at said address with pavers in "as is" layout and to add shutters to the front upper level of the house in order to bring it back to its historical status as demonstrated by the attached photos.

I agree to sign any documents issued as a condition of the Commission's approval of this request and further agree to be responsible for ensuring compliance with all conditions imposed.

Thank you for your consideration in this matter.

Very truly yours,

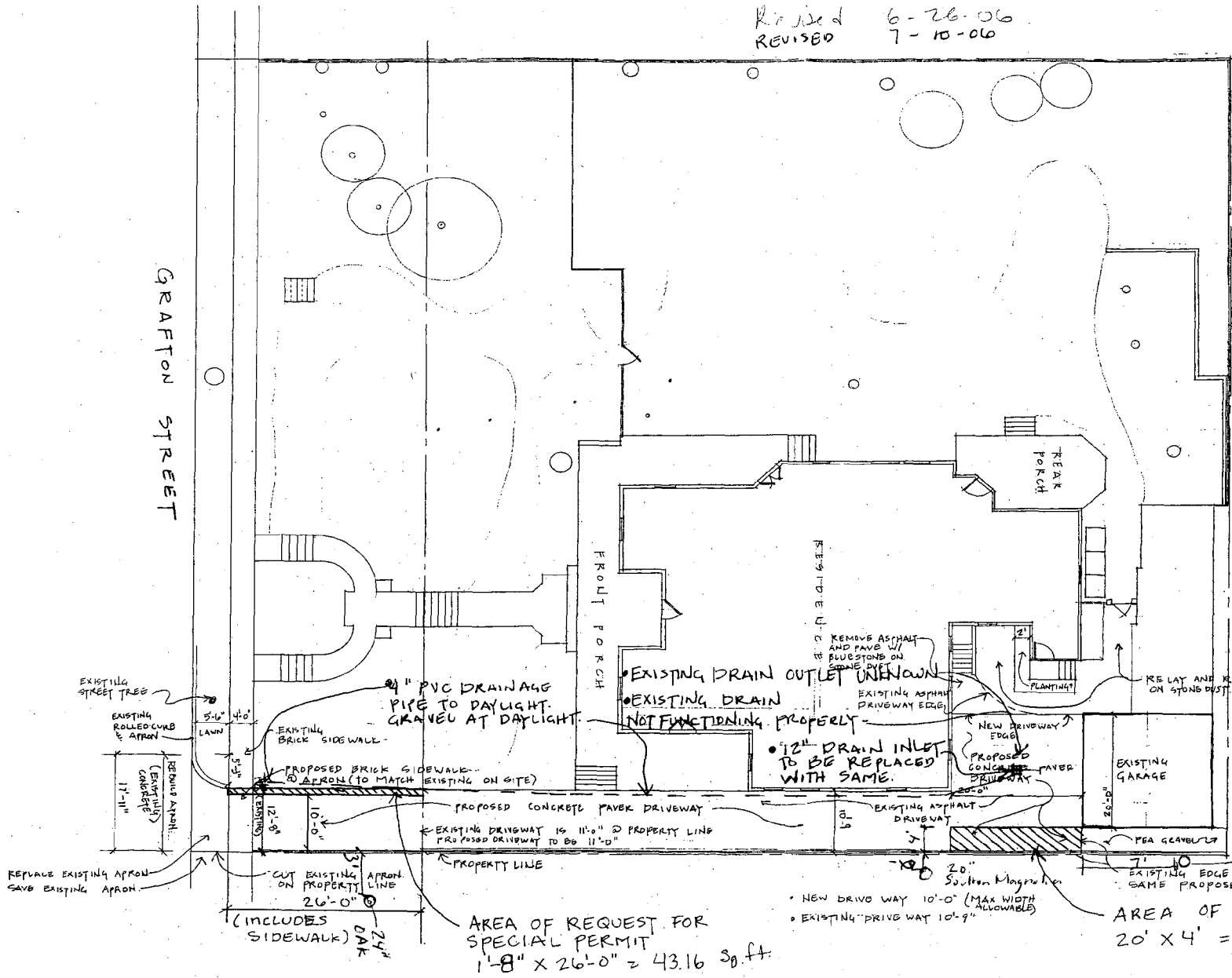


David D. Deckelbaum, Esq.

CHEVY CHASE PLAZA • 5301 WISCONSIN AVENUE, N.W.
SUITE 710 • WASHINGTON, D.C. 20015
(202) 537-0005 • FAX (202) 537-1899
DDECKELBAUM@SETTLEMENTCORP.COM
TDECKELBAUM@SETTLEMENTCORP.COM

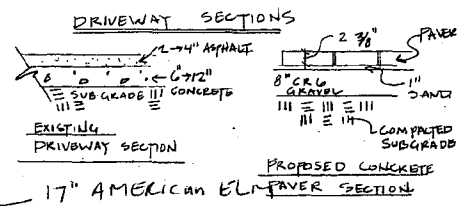
Revised 6-26-06
 REVISED 7-10-06

GRAFTON STREET



→ NORTH
 Scale: 1/16" = 1'-0"
 DATE: 8-10-06

HELLER RESIDENCE
 19 GRAFTON STREET
 CHEVY CHASE MD 20815
 REPAIR EXISTING BLUESTONE



AREA OF REQUEST FOR SPECIAL PERMIT
 1'-8" X 26'-0" = 43.16 sq. ft.

AREA OF REQUEST FOR SPECIAL PERMIT
 20' X 4' = 80 sq. ft.



Example of proposal
Concrete paver for
19 Grafton St. Chevy Chase
Hanover, Tumbled prest Brick
Gettysburg - Gray 6x6x2 3/8



CASE NO. A-5121 (a) and (b)
Appeal of Ms. Robin Heller on behalf of
David A. Deckelbaum, Trustee of The 19 Grafton Street Trust
(Hearing held July 10, 2006)

DECISION OF THE BOARD OF MANAGERS

This proceeding is an application for a special permit pursuant to Section 8-12(b) of the Chevy Chase Village Code. The applicant proposes to replace an existing asphalt driveway with a concrete paver driveway. As originally proposed, the new driveway would have a total maximum width of twenty-four feet (24') on private property, and a total maximum width of twelve feet eight inches (12' 8") in the public right of way. At the hearing, the applicant's representative stated that the new driveway would be eleven feet eight inches (11' 8") in width in the public right of way.

The application is filed pursuant to the requirements of Section 8-26 which provides:

"Any driveway on private property may not exceed 15 feet in width without a special permit from the Board of Managers, except that the apron in front of a two car garage may extend the full width of the two car garage, provided that such apron does not exceed 20 feet in length"

and pursuant to the requirements of Section 8-30(a) which provides:

"Any portion of a private driveway which crosses the public right-of-way may not exceed ten (10) feet in width without a special permit from the Board of Managers, except that the apron where the driveway connects with the street shall be allowed a five-foot

radius on each side of the driveway for a total entrance at the curbside not to exceed twenty (20) feet in width."

The subject property is known as Lot 4, Block 24, in the Chevy Chase, Section 2 subdivision, also known as 19 Grafton Street, Chevy Chase, Maryland 20815, in the R-60 zone. Notice was mailed to all abutting property owners, posted at the Village Hall and posted on the property on June 29, 2006.

The applicant submitted an application, a site plan showing the location of existing improvements and the proposed driveway, photographs showing existing conditions, a catalogue page showing the appearance of the proposed driveway and a letter explaining the nature of and reasons for the application. Photographs of existing conditions, taken by Village staff, were submitted for the record.

The letter in support of the application submitted by Ms. Heller stated in relevant part:

1. Driveway Crossing Public Right-Of-Way Area

My existing driveway which crosses the public right-of-way is 12'8".¹ The Chevy Chase Village Code specifies a driveway dimension of 10'. However, a narrower driveway will create an offset to my existing driveway. Therefore, I request a special permit to rebuild my existing driveway "as is."

2. Apron Entrance to Garage

My existing apron entrance to my garage is 24' by 20'. The Chevy Chase Village Code allows an apron entrance to a garage to be the width of the 2 car garage. The "as is" apron entrance to my garage allows for access to the garage.

¹ At the hearing, the applicant's landscape architect stated that the proposed width is 11'8".

Therefore, I request a special permit to rebuild "as is", which exceeds 4', but is permissible [sic] by code.

Prior to the hearing, Ms. Heller submitted documentation clarifying that the property is owned by David A. Deckelbaum, Trustee of The 19 Grafton Street Trust. The documents submitted by Ms. Heller indicate that Ms. Heller is the beneficiary of that Trust and is authorized to pursue the proposed special permits on behalf of the Trust.

Ms. Heller appeared at the hearing and testified in support of the application. Scott Fritz, the applicant's landscape architect, reiterated the information provided prior to the hearing with one correction: that the new driveway would be eleven feet eight inches in width. Mr. Fritz explained that the new driveway would be the same size as the existing driveway and the new apron would be the same size as the existing apron. He stated that the driveway would be constructed of pavers on top of a 6-inch gravel base. Mr. Fritz explained that the new driveway will be more permeable than the existing driveway.

Ms. Heller testified that the existing drainage is inadequate. According to Ms. Heller, water flows into her basement. Ms. Heller testified that the new driveway would improve drainage by directing water toward the street. She explained that there will be a small grassy area between her apron and the apron of the driveway serving the adjoining property. She emphasized that the current driveway is in

disrepair and that the new driveway would improve the appearance of the property.

An e-mail from Tom Schendt of 17 Grafton Street was submitted in support of the application. Mr. Schendt's property is adjacent to the subject property on the side where the proposed driveway would be constructed. Mr. Schendt's e-mail stated:

I have had two discussions with Robin, and we are in full agreement that her driveway plans are very acceptable to us. Specifically, we discussed that the public sidewalk will be done in brick--and that a divider (with grass) will be designed to be placed between our two ramps going up to our separate driveways. (Currently there is not one and we both feel that this would be more pleasing to our eyes.). Also, I fully support her wanting to arrange for underground drains (as she has a terrible water problem). I understand from talking to the CCV's tree specialist and with the CCV staff, that all digging will be done by hand and that no tree roots will be disturbed (as well as the tree specialist will be on-site at all times during the digging). We are very comfortable with these assurances.

No testimony or evidence in opposition to the application was submitted.

Based upon the testimony and evidence of record, the Board accepts the representations of the applicant as true and finds that the special permit is authorized by the Village building regulations; will not adversely affect the public health, safety and welfare nor the reasonable use of adjoining properties; will not violate any Village covenants; and can be granted without substantial impairment of the purpose and intent of the Chevy Chase Village building regulations, provided however, that the

applicants comply with the conditions set forth in the following paragraph.

Accordingly, the requested special permit to construct a driveway in excess of fifteen (15) feet in width on private property and in excess of ten (10) feet in width in the public right-of-way is granted subject to the following conditions:

(1) the construction shall be in accordance with the plans and specifications submitted for the record of this matter, as clarified by the applicant's landscape architect;

(2) the applicant shall arrange to have the Village Arborist present, at such times as the Village Manager deems necessary, during removal of the existing driveway and during construction of the new driveway to assure that the work is performed in a manner that does not harm the roots of nearby trees; and

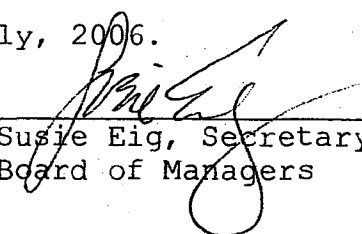
(3) the applicant shall complete construction of the driveway on or before the 10th day of July, 2007.

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 as required by Section 8-12 (d) of the Chevy Chase Village Code, and the Village Manager and/or his designee be and he is hereby authorized and directed to issue a building permit for the construction of the driveway, in accordance with this Decision, provided the same complies with all other applicable codes.

The foregoing Resolution was adopted by the Chevy Chase Village Board of Managers with the following members voting in favor: Susie Eig, Gail Feldman, David Winstead and Peter Yeo. Robert Jones, Douglas B. Kamerow and Betsy Stephens were not present at the hearing and did not participate in this Decision.

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 July, 2006.



Susie Eig, Secretary
Board of Managers

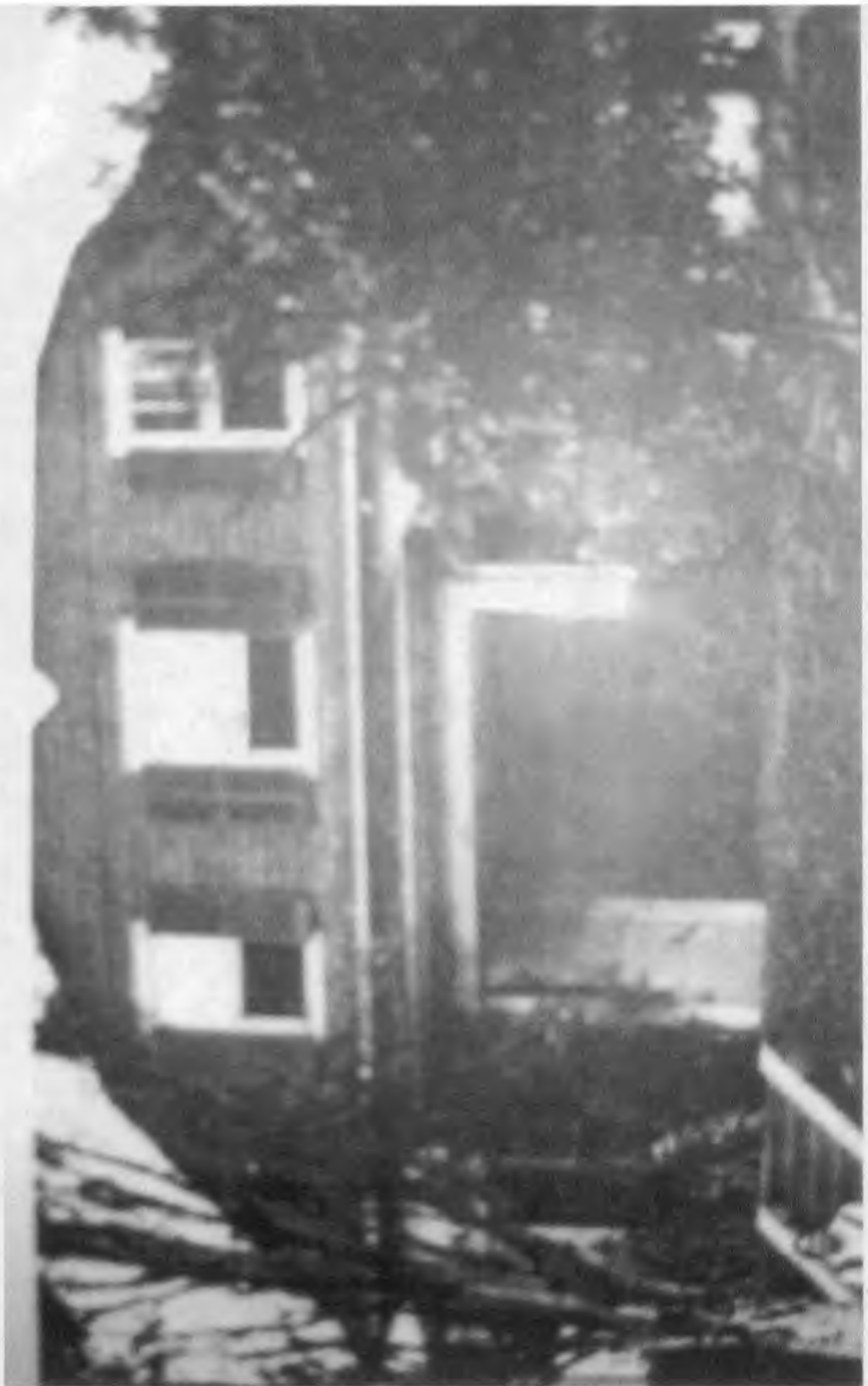
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19 Grafton Street, Chevy Chase
View Looking North
proposed new Apron, Sidewalk
and driveway



19









19 Grafton Street, Chevy Chase
View looking North
Proposed new Apron, Sidewalk
and drive way

