

35/13-05Y - 3 GRAFTON ST
Chevy Chase Village Historic District



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

Julia O'Malley
Chairperson

Date: December 21, 2006

MEMORANDUM

TO: Reggie Jetter, Acting Director
Department of Permitting Services

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

SUBJECT: Historic Area Work Permit #439797, Tree Removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was Approve with Condition at the December 20, 2006 meeting.

The applicant will replant a new deciduous tree from the Montgomery County's native species list (min 3" caliper) on the property.

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

Applicant: Robert Josephs (Trevor Draper, Agent)

Address: 3 Grafton St, 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.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE 2nd FLOOR, ROCKVILLE MD 20850
240.777.4370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: TREVOR DRAPER
Daytime Phone No.: 301.718.2021

Tax Account No.: _____
Name of Property Owner: ROBERT JOSEPHS Daytime Phone No.: 301.280.3068
Address: 3 GRAFTON ST CHEVY CHASE 20815
Street Number City Street Zip Code
Contractor: _____ Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: FOX ARCHITECTS Daytime Phone No.: 301.718.2021

LOCATION OF BUILDING/PREMISE

House Number: 3 Street: GRAFTON
Town/City: CHEVY CHASE Nearest Cross Street: CHEVY CHASE CIRCLE
Lot: 2 part of 1 Block: _____ Subdivision: Village of CHEVY CHASE
Liber: 18675 Folio: 422 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
 Construct Extend ^{REMOVE} Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: TREE

1B. Construction cost estimate: \$ 200

1C. If this is a revision of a previously approved active permit, see Permit # 4334885

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.

Trevor Draper 28 Nov 06
Signature of owner or authorized agent Date

Approved: X w/CONDITION For Chairman on Historic Preservation Commission
Disapproved: _____ Signature: Julia O'Malley Date: 12/21/06
Application/Permit No.: 439747 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:

Existing Structure is a 2 1/2 Story Dutch Colonial.

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

Removal of Tree - necessary for construction of new Arcaway (Previously permitted under HAWP # 4339925). This tree was noted on the site plan of the previous application, but was not specifically mentioned in the staff report.

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

6. TREE SURVEY

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

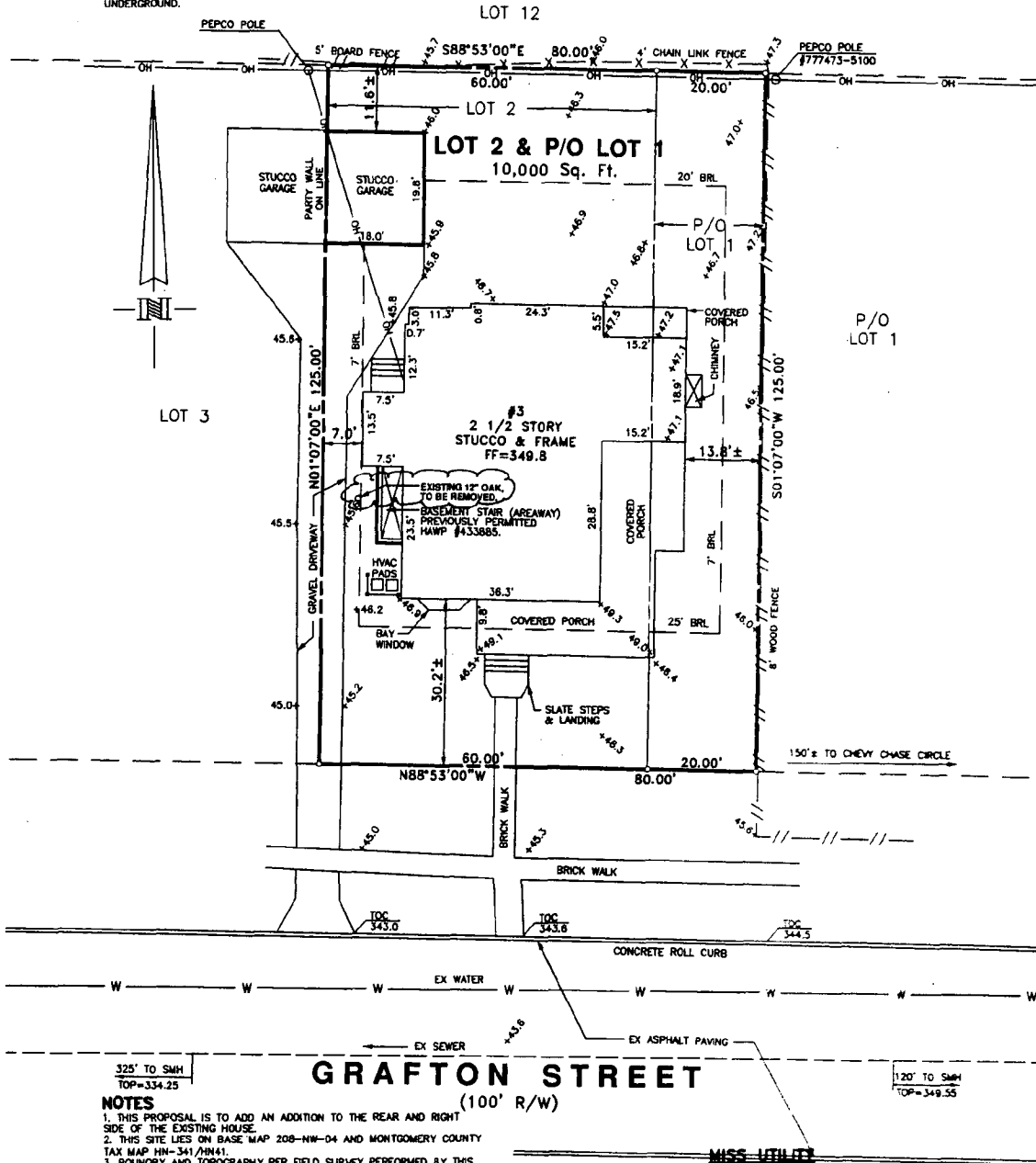
**PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.**

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

Owner's mailing address 3 Grafton St Chevy Chase MD 20815	Owner's Agent's mailing address Fox Architects 7805 Old Georgetown Rd Suite 204 Bethesda MD 20814
Adjacent and confronting Property Owners mailing addresses	
5 Grafton St Chevy Chase MD 20815	5 Chevy Chase Cir Chevy Chase MD 20815
3 Chevy Chase Cir Chevy Chase MD 20815	2 Magnolia Pkwy Chevy Chase MD 20815
2 Hesketh St Chevy Chase MD 20815	8 Grafton St Chevy Chase MD 20815

NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION OF VISIBLE SURFACE EVIDENCE AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UTILITIES UNDERGROUND.



NOTES

1. THIS PROPOSAL IS TO ADD AN ADDITION TO THE REAR AND RIGHT SIDE OF THE EXISTING HOUSE.
2. THIS SITE LIES ON BASE MAP 208-NW-04 AND MONTGOMERY COUNTY TAX MAP HN-341/HN41.
3. BOUNDARY AND TOPOGRAPHY PER FIELD SURVEY PERFORMED BY THIS OFFICE. VERTICAL DATUM IS MVDG 28 PER WSSC BENCHMARK #089. HORIZONTAL DATUM PER SUBDIVISION RECORD PLAT.
4. SUBDIVISION RECORDED SEPTEMBER 9, 1909, EXISTING ZONING R-60. SETBACKS FOR ADDITIONS TO EXISTING STRUCTURES ARE:
FRONT: 25 FEET - SUBJECT TO ESTABLISHED BUILDING RESTRICTION LINE.
SIDE: 7 FEET
REAR: AVERAGE 20 FEET, NOT LESS THAN 15 FEET

CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

SITE DEVELOPMENT PLAN

PROPERTY OF R. G. JOSEPHS & G. M. CARR
RECORDED IN LIBER 18675 AT FOLIO 422
ALSO BEING LOT 2 AND PART OF LOT 1
SECTION No. 2 - CHEVY CHASE
RECORDED IN PLAT BOOK 9 AT PLAT 47
BETHESDA ELECTION DISTRICT No. 7 MONTGOMERY COUNTY, MARYLAND

APPROVED
Montgomery County
Historic Preservation Commission
[Signature]
12/21/06

Site Plan

FOX ARCHITECTS
7805 OLD GEORGETOWN ROAD, SUITE 204
BETHESDA, MARYLAND 20814

Josephs/Carr Residence

11.29.06

SCALE: 1" = 20'-0"

A1



Existing Front Elevation Photo (viewed from Grafton St.)



Existing Side Elevation Photo

EXPEDITED
HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	3 Grafton St, Chevy Chase	Meeting Date:	12/20/2006
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	12/13/2006
Applicant:	Robert Josephs (Trevor Draper, Architect)	Public Notice:	12/6/2006
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-05Y	Staff:	Michele Oaks
PROPOSAL:	Tree Removal		

RECOMMENDATION: Approve with condition

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Contributing Resource
STYLE:	Dutch Colonial
DATE OF CONSTRUCTION:	By 1912

The house is sited in the southern half of the lot, which measures 80' wide and 125' deep, providing a good size rear yard. A driveway runs along the west property line and terminates at an existing garage located in the northwestern corner of the property. The property contains several large, mature trees.

In December of last year the HPC approved a small, side mudroom addition with areaway and a 280 sqft footprint rear addition for the subject house. The applicants received approval for these additions. However, the written application the Commission approved did not specify the removal of a 12" oak tree, even though it was identified on the plans submitted at the time of the HAWP. Since this tree removal was not clearly specified, staff has asked them to return to the HPC for a formal HAWP approval for the removal of this tree. The Chevy Chase Village town managers have voted in favor to remove this tree. Documentation of this vote can be seen on circle

PROPOSAL:

Removal of a 12" DBH oak tree from the side yard of the subject resource.

STAFF RECOMMENDATION:

- Approval
- Approval with conditions

The condition of approval is:

The applicant will replant a new, deciduous tree from Montgomery County's native species list (min. 3" caliper on the property.

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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.

This HAWP approval is subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will contact the Historic Preservation Office if any alterations to the approved plans are made prior to the implementation of such changes to the project.



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: TREVOR DRAPER

Daytime Phone No.: 301.718.2021

Tax Account No.: _____

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Address: 3 GRAFTON ST CHEVY CHASE 20815
Street Number City Street Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: FOX ARCHITECTS Daytime Phone No.: 301.718.2021

LOCATION OF BUILDING/PREMISE

House Number: 3 Street: GRAFTON

Town/City: CHEVY CHASE Nearest Cross Street: CHEVY CHASE CIRCLE

Lot: 2 part of 1 Block: _____ Subdivision: Village of CHEVY CHASE

Liber: 19675 Folio: 422 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- ^{REMOVE} Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 200

1C. If this is a revision of a previously approved active permit, see Permit # 433485

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.

Trevor Draper
Signature of owner or authorized agent

28 Nov 06
Date

Approved: 439747 For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

3

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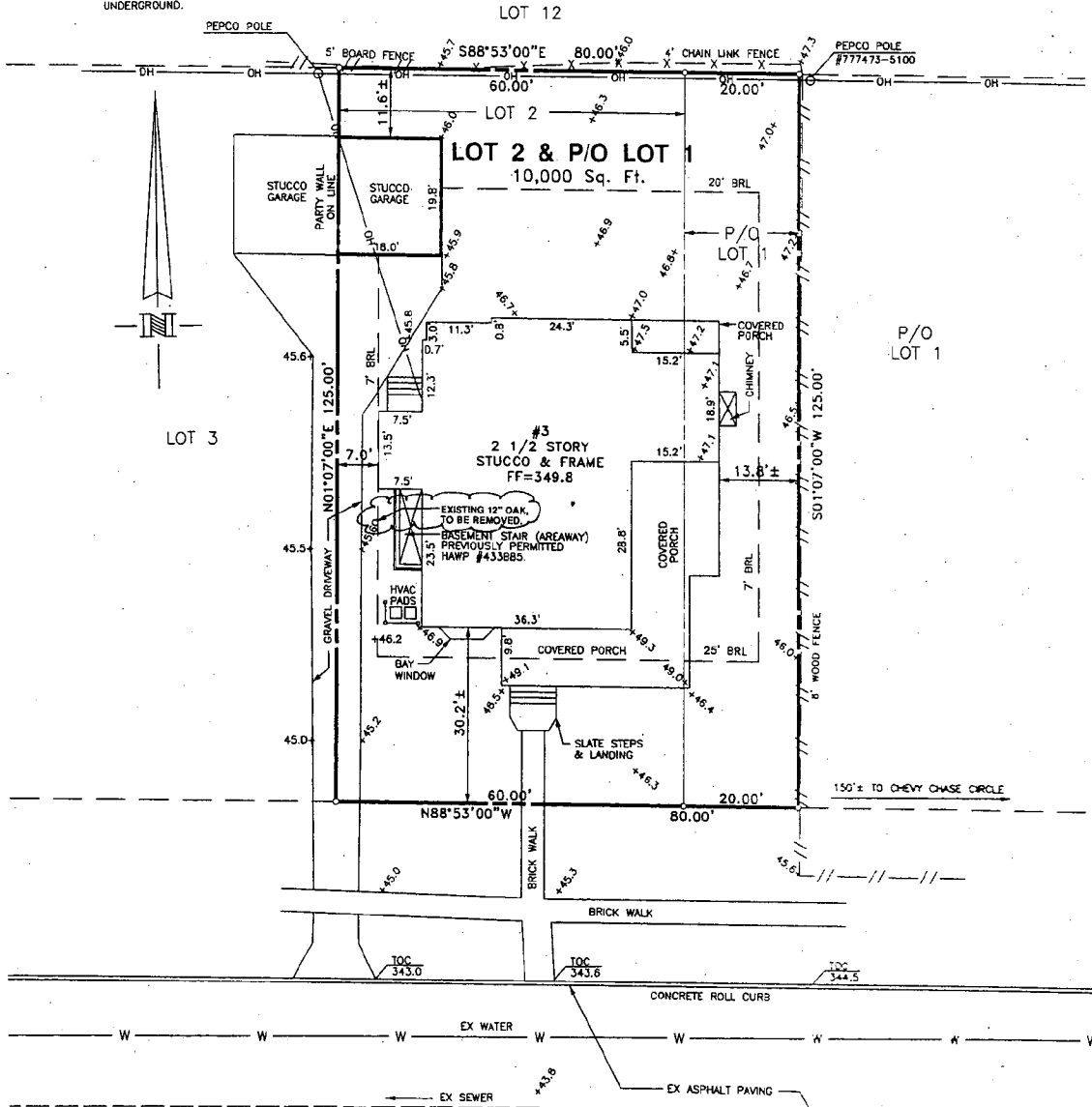
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HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

<p>Owner's mailing address ✓ 3 Grafton St Chevy Chase MD 20815</p>	<p>Owner's Agent's mailing address Fox Architects 7805 Old Georgetown Rd ✓ Suite 204 Bethesda MD 20814</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>✓ 5 Grafton St Chevy Chase MD 20815</p>	<p>✓ 5 Chevy Chase Cir Chevy Chase MD 20815</p>
<p>✓ 3 Chevy Chase Cir Chevy Chase MD 20815</p>	<p>✓ 2 Magnolia Pkwy Chevy Chase MD 20815</p>
<p>✓ 2 Hesketh St Chevy Chase MD 20815</p>	<p>✓ 8 Grafton St Chevy Chase MD 20815</p>

NOTE

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325' TO SMH
TOP=334.25

GRAFTON STREET
(100' R/W)

120' TO SMH
TOP=349.55

NOTES

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2. THIS SITE LIES ON BASE MAP 208-NW-04 AND MONTGOMERY COUNTY TAX MAP HN-341/AN41.
3. BOUNDARY AND TOPOGRAPHY PER FIELD SURVEY PERFORMED BY THIS OFFICE. VERTICAL DATUM IS NVD82 29 PER WSSC BENCHMARK #869. HORIZONTAL DATUM PER SUBDIVISION RECORD PLAT.
4. SUBDIVISION RECORDED SEPTEMBER 9, 1909. EXISTING ZONING R-60. SETBACKS FOR ADDITIONS TO EXISTING STRUCTURES ARE:
FRONT: 25 FEET - SUBJECT TO ESTABLISHED BUILDING RESTRICTION LINE.
SIDE: 7 FEET
REAR: AVERAGE 20 FEET, NOT LESS THAN 15 FEET

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ALSO BEING LDT 2 AND PART OF LOT 1
SECTION No. 2 - CHEVY CHASE
RECORDED IN PLAT BOOK B AT PLAT 47
BETHESDA ELECTION DISTRICT No. 7 MONTGOMERY COUNTY, MARYLAND

Site Plan

FOX ARCHITECTS

7805 OLD GEORGETOWN ROAD, SUITE 204
BETHESDA, MARYLAND 20814

Josephs/Carr Residence

11.29.06

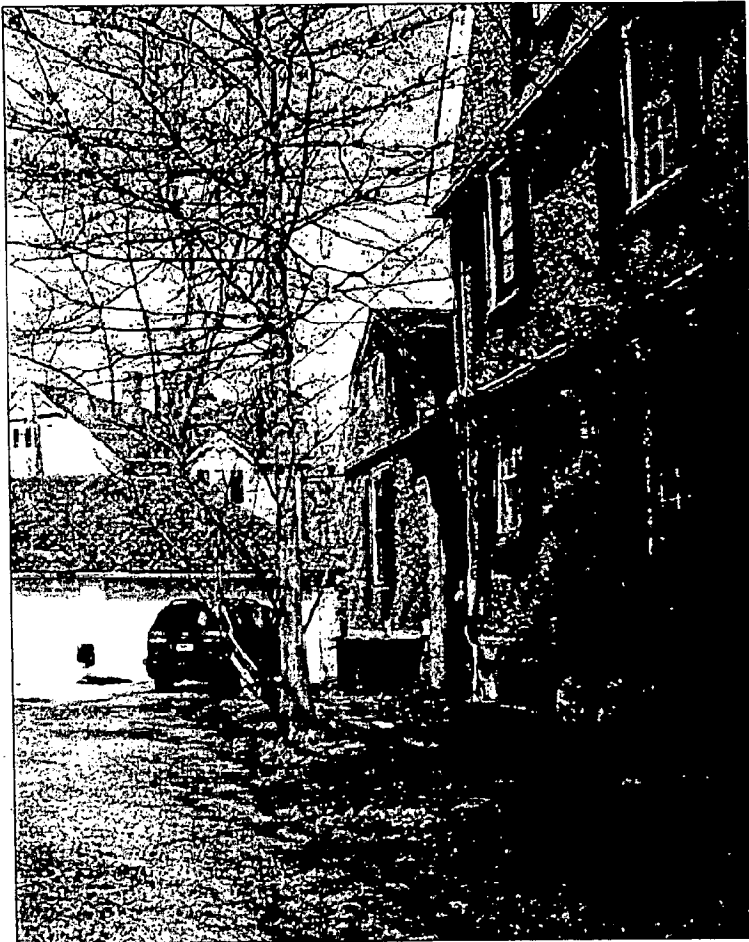
SCALE: 1" = 20'-0"

A1

6



Existing Front Elevation Photo (viewed from Grafton St.)



Existing Side Elevation Photo

FOX ARCHITECTS

7805 OLD GEORGETOWN ROAD, SUITE 204
BETHESDA, MARYLAND 20814

Josephs/Carr Residence

11.29.06

NO SCALE

A2

④

CASE NO. A-1588
Appeal of Mr. Robert G. Josephs and Ms. Geraldine M. Carr
(Hearing held November 13, 2006)

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. The applicants seek permission to remove one Pin Oak tree measuring 13.0 inches in diameter located in the side yard of their property. The Village Manager denied the application finding that none of the conditions described in Section 17-3 of the Urban Forest Ordinance apply.

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

(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.

The subject property is Lot 2 and part of Lot 1, Block 25, in the "Chevy Chase, Section 2" subdivision, also known as 3 Grafton Street, Chevy Chase, Maryland 20815, in the R-60 zone. Notice of the hearing in this matter was posted at the Village Hall and on the property and was mailed to all abutting property owners on November 2, 2006.

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Summary of Evidence

The applicants submitted an application, a site plan showing the location of the Pin Oak tree, a landscaping plan, and a letter explaining the basis for their request. A tree inspection report, prepared by the Village Arborist, was submitted for the record. A photograph taken by Village staff showing the appearance and location of the tree was entered into the record of this matter.

The applicants' letter in support of the application included the following statement regarding the Pin Oak tree.

The tree, albeit healthy, is located on the edge of a shared driveway, the trunk tentacles of which begin to emerge at the border of the driveway and the base of which is approximately eight inches from the start of the rock-pebbled driveway surface. The base of the trunk is located from the outer bark at an approximate distance of only 96 inches from the house facade. Its branches cascade onto and near the west façade and slate roof of the house. To prune the tree on the side closest to the house would require an "Asplundh"-type approach (i.e. topping, shearing one side of the trunk and otherwise butchering the tree) and would result in a butchering of the tree. If a high wind or wind gust were to blow through the area, as was the case this past weekend, the tree would pose a great danger to our family, including our three children who often play in the driveway and bike, scooter, and walk underneath the tree and to our neighbors with whom we share the driveway. The driveway also receives heavy use by the two families who, together, park four cars in the garage and apron area behind the houses.

Furthermore, if the tree or one of its major limbs were to fall, they would likely hit and damage the original and historically-protected façade of the house or hit and damage our neighbor's historic house.

At the hearing, Mr. Joseph appeared and testified that the applicants are constructing an addition to the house and implementing a new landscape plan. He asserted that the Pin Oak tree should be removed because it poses an unsafe condition and is not a part of the applicants' landscape plan. He testified that the Pin Oak tree is very close to the house and

will be even closer once the planned renovations are complete. He expressed the opinion that the proposed construction would result in damage to the tree's root system due to the tree's close proximity to the existing house, thereby increasing the risks posed by the tree. Mr. Joseph stated that the applicants have planted twelve to fourteen trees and shrubs and are in the process of planting approximately ten more in connection with their landscape plan.

Bob Elliott, of the Village Tree Committee, testified that the Committee voted 3 to 1 to approve the removal of the tree. Mr. Elliott stated that the tree is misshapen and leaning. Mr. Elliott recommended that the Board require one replacement tree.

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

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 very close to the existing house 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 applicant for wanting to remove or destroy the tree.

The applicants propose to remove the tree to eliminate what they believe to be an unsafe condition and to accommodate an addition and a new landscape plan. The landscaping plan includes ten trees or shrubs. The subject Pin Oak tree is not part of the landscape plan.

The applicants assert that the tree's root system is likely to be damaged in connection with the proposed construction, thereby increasing the risks posed by the 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.

No correspondence or testimony in opposition was submitted. The Village Tree Committee concurs with the proposed removal. The Tree Committee's recommendation is based on its conclusion that the subject tree is misshapen and leaning.

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.

The removal of the Pin Oak may be necessary to complete the addition which is otherwise permitted under the Village Code.

Sec. 17-6(e) Whether the applicant proposes reforestation.

The applicants agreed to reforest with at least one new canopy tree. The Village Tree Committee recommended that one reforestation tree be required. The Board concurs with the Village Tree Committee.

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

The applicants have gone to considerable lengths to design a landscape plan. The applicants have planted twelve to fourteen trees and shrubs and are in the process of planting approximately ten more in connection with their landscape plan. Requiring the applicants to preserve one tree which is not particularly desirable, where there are other canopy trees on the subject property, and where an additional canopy tree would be installed, 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 tree is mature and significant in size, the Pin Oak is not otherwise remarkable. Furthermore, the tree is misshapen and leaning. The Board finds that, given all of the facts and circumstances of this case, the 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, with the reforestation agreed to by the applicants, the Board finds that the removal of the Pin Oak tree would not materially impair the purposes of the Village Urban Forest Ordinance.

Conclusions

Based upon the testimony and evidence of record, the Board finds that the removal of the 13.0-inch diameter Pin Oak tree 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, provided that the applicants comply with the conditions set forth in the following paragraph.

Accordingly, the request for a permit to remove a 13.0-inch diameter Pin Oak tree is granted, subject to the following conditions:

1. the tree must be removed on or before November 13, 2007, or this permit shall become void;
2. the applicants must reforest with at least 1 deciduous conifer or hardwood tree which must be at least 2 ½ inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet; and

3. the installation of the reforestation tree shall be completed on or before November 13, 2007, and such tree shall be considered a reforestation tree subject to regulation under the Village Urban Forest Ordinance.

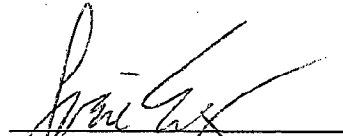
Resolution

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 13.0-inch diameter Pin Oak tree upon the conditions, terms and restrictions set forth above.

The foregoing Resolution was adopted by the Chevy Chase Village Board of Managers with the following members voting in favor of the Resolution: Susie Eig, Gail Feldman, Douglas B. Kamerow, David L. Winstead and Peter Yeo. Robert Jones and Betsy Stephens were not present for the hearing in this matter 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 30th day of November, 2006.

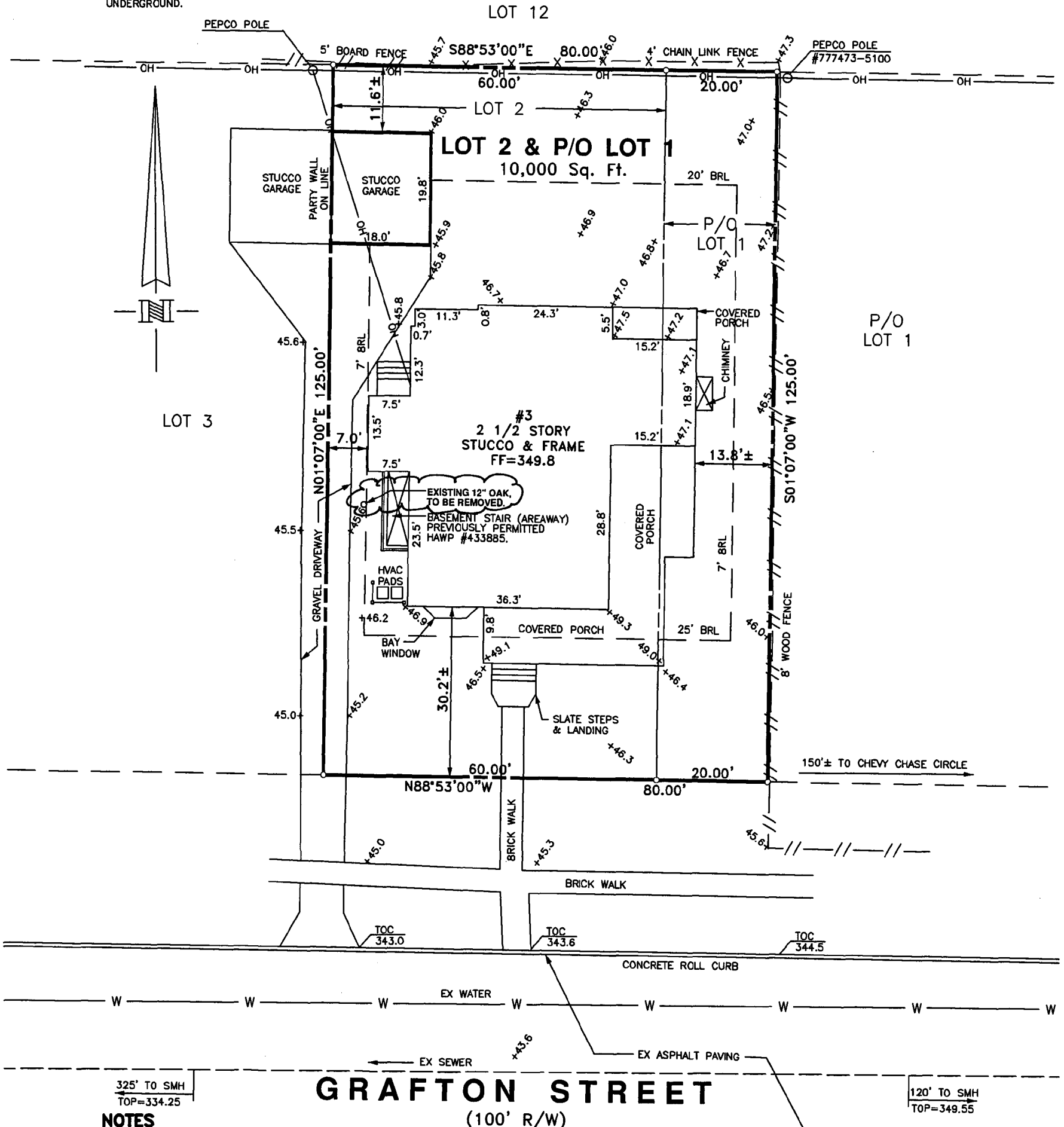


Susie Eig, Secretary
Board of Managers

13

NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION OF VISIBLE SURFACE EVIDENCE AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UTILITIES UNDERGROUND.



NOTES

1. THIS PROPOSAL IS TO ADD AN ADDITION TO THE REAR AND RIGHT SIDE OF THE EXISTING HOUSE.
2. THIS SITE LIES ON BASE MAP 208-NW-04 AND MONTGOMERY COUNTY TAX MAP HN-341/HN41.
3. BOUNDARY AND TOPOGRAPHY PER FIELD SURVEY PERFORMED BY THIS OFFICE. VERTICAL DATUM IS NVD 29 PER WSSC BENCHMARK #869. HORIZONTAL DATUM PER SUBDIVISION RECORD PLAT.
4. SUBDIVISION RECORDED SEPTEMBER 9, 1909. EXISTING ZONING R-60. SETBACKS FOR ADDITIONS TO EXISTING STRUCTURES ARE:
FRONT: 25 FEET - SUBJECT TO ESTABLISHED BUILDING RESTRICTION LINE.
SIDE: 7 FEET
REAR: AVERAGE 20 FEET, NOT LESS THEN 15 FEET

CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

SITE DEVELOPMENT PLAN

PROPERTY OF R. G. JOSEPHS & G. M. CARR
RECORDED IN LIBER 18675 AT FOLIO 422
ALSO BEING LOT 2 AND PART OF LOT 1
SECTION No. 2 - CHEVY CHASE
RECORDED IN PLAT BOOK B AT PLAT 47
BETHESDA ELECTION DISTRICT No. 7 MONTGOMERY COUNTY, MARYLAND

Site Plan

FOX ARCHITECTS

7805 OLD GEORGETOWN ROAD, SUITE 204
BETHESDA, MARYLAND 20814

Josephs/Carr Residence

11.29.06

SCALE: 1" = 20'-0"

A1



Existing Front Elevation Photo (viewed from Grafton St.)



Existing Side Elevation Photo

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BETHESDA, MARYLAND 20814

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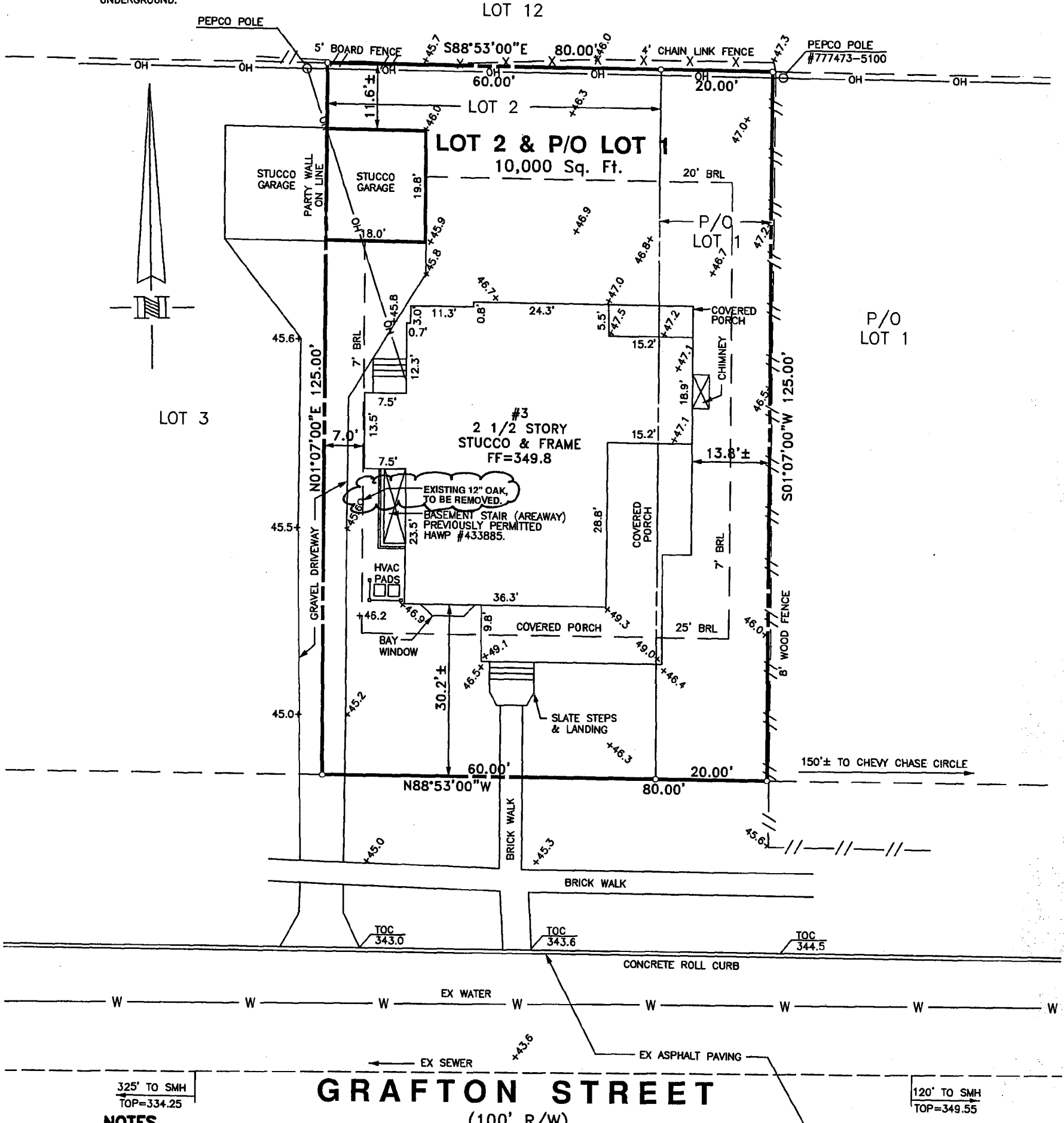
11.29.06

NO SCALE

A2

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RECORDED IN PLAT BOOK 8 AT PLAT 47
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Site Plan

FOX ARCHITECTS

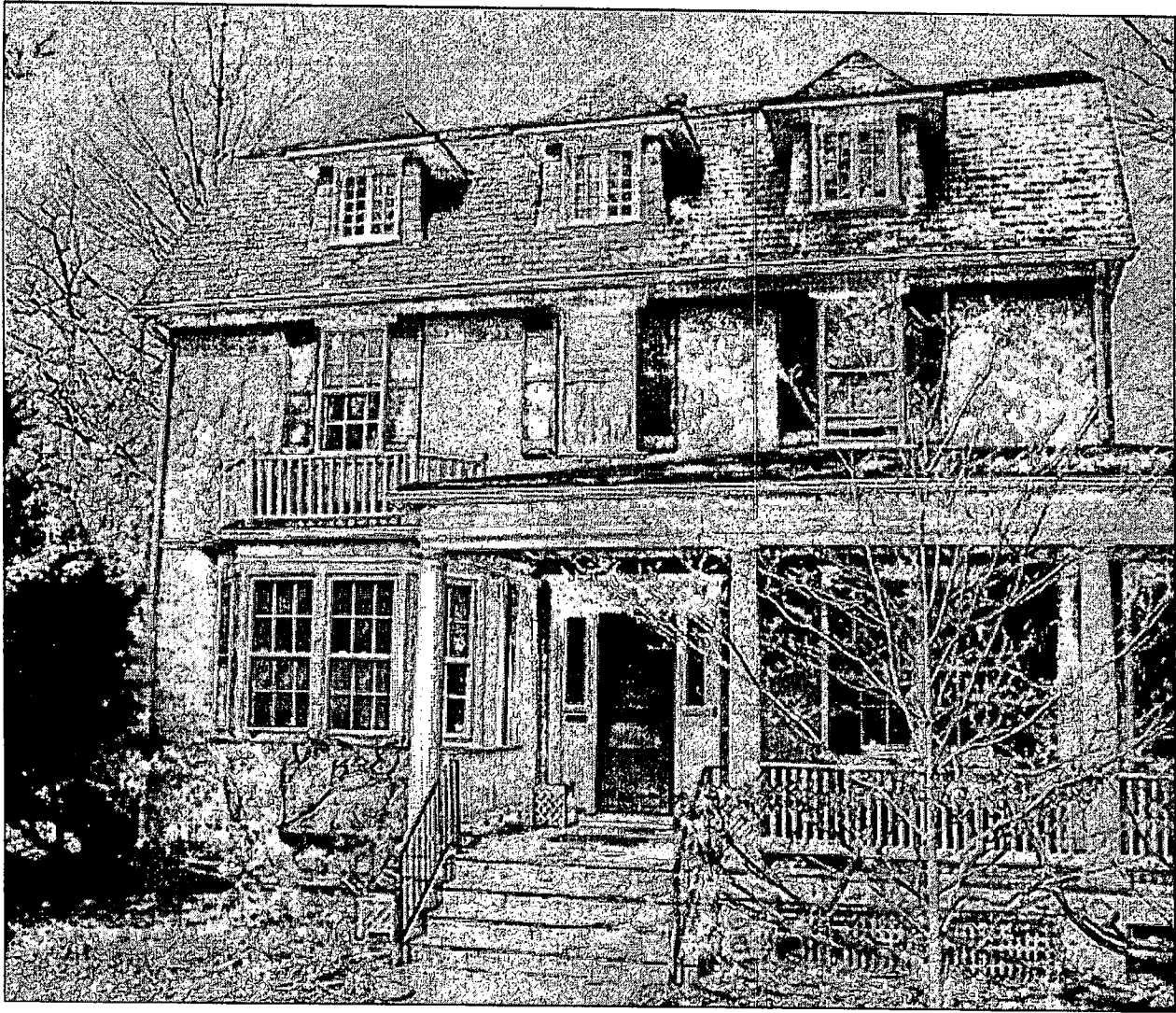
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Josephs/Carr Residence

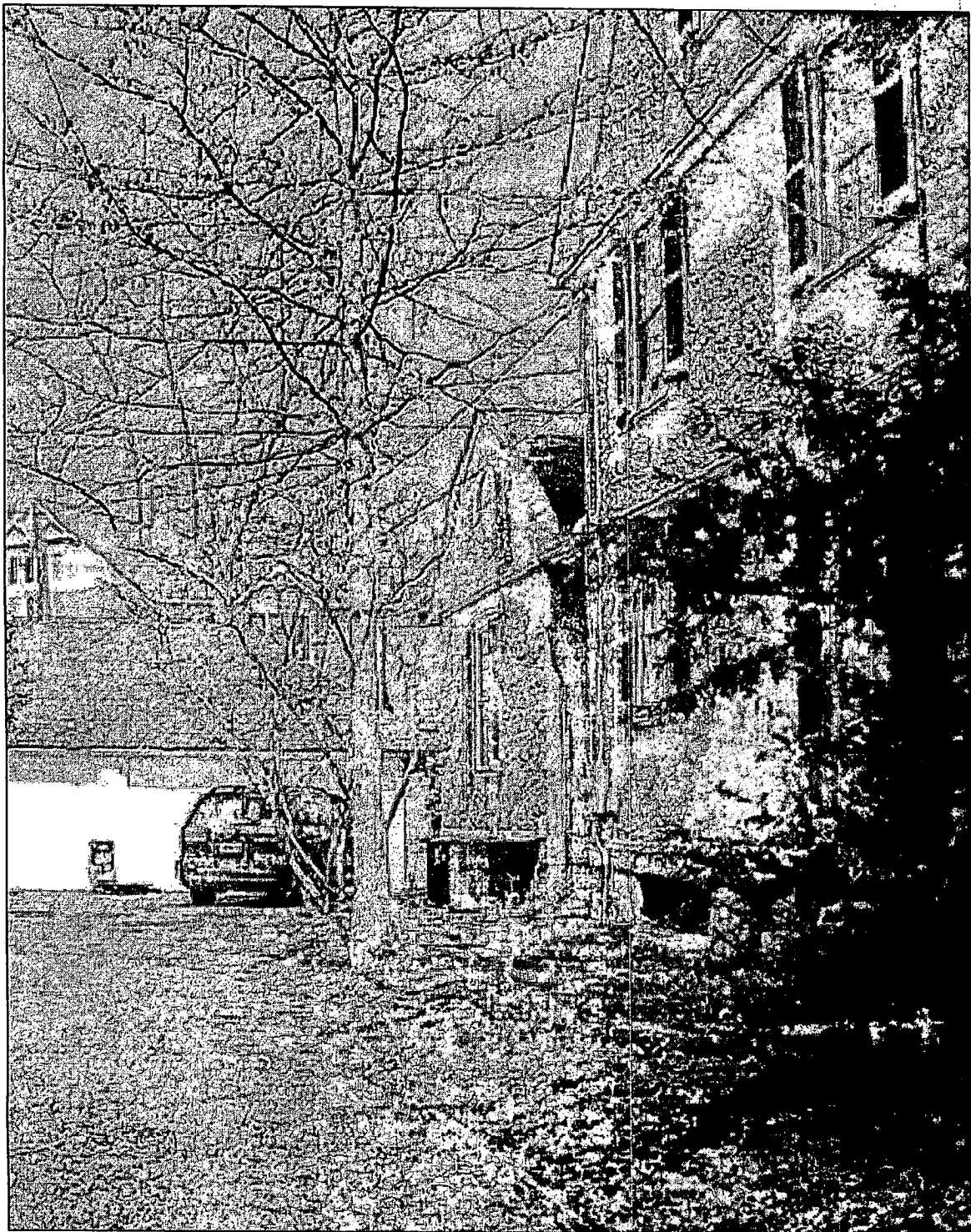
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A1



Existing Front Elevation Photo (viewed from Grafton St.)



Existing Side Elevation Photo

FOX ARCHITECTS

7805 OLD GEORGETOWN ROAD, SUITE 204
BETHESDA, MARYLAND 20814

Josephs/Carr Residence

11.29.06

NO SCALE

A2

M



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: TREVOR DRAPER
Daytime Phone No.: 301.718.2021

Tax Account No.: _____

Name of Property Owner: ROBERT JOSEPHS Daytime Phone No.: 301.280.3068

Address: 3 GRAFTON ST CHEVY CHASE 20815
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: FOX ARCHITECTS Daytime Phone No.: 301.718.2021

LOCATION OF BUILDING/PREMISE

House Number: 3 Street: GRAFTON

Town/City: CHEVY CHASE Nearest Cross Street: CHEVY CHASE CIRCLE

Lot: 2, part of 1 Block: _____ Subdivision: Village of CHEVY CHASE

Liber: 19675 Folio: 422 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- ^{REMOVE} Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 200

1C. If this is a revision of a previously approved active permit, see Permit # 433495

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.

Trevor Draper
Signature of owner or authorized agent

28 Nov 06
Date

Approved: 439147 For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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:

Existing Structure is a 2 1/2 Story Dutch Colonial.

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

Removal of Tree - necessary for construction of new driveway (Previously permitted under HAWIP # 433985). This tree was noted on the site plan of the previous application, but was not specifically mentioned in the staff report.

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

6. TREE SURVEY

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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