

3/13/07 OXFORD

CHERRY CREEK VILLAGE

1



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

Julia O'Malley
Chairperson

March 15, 2007

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 #445713, 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 Conditions at the March 14, 2007 meeting.

1. *For every tree to be removed, one tree from Montgomery County's native species list (min. 3" caliper deciduous or 8' high evergreen) will be planted on the property.*
2. *The owner may elect to contribute the equivalent cost of tree replacement for two, 8' high evergreen and two 3" caliper deciduous trees, from the Montgomery County Native Species list for use in the Chevy Chase Village tree planting program, instead of replanting four (4) of the approved trees to be removed.*

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

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

Applicant: Mary & Porter Wheeler (Steve Vance, Architect)

Address: 4 Oxford St, 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.





HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Steve Vanze
Daytime Phone No.: 202-337-7255
Tax Account No.: 7-454311
Name of Property Owner: Mary & Porter Wheeler
Daytime Phone No.: 301-657-7531
Address: 4 Oxford Street, Chevy Chase, Maryland 20815-4231
Contractor: Bethesda Contracting
Phone No.: 301-656-9020
Contractor Registration No.: Montgomery County Builders License # 10720
Agent for Owner: Steve Vanze
Daytime Phone No.: 202-337-7255

LOCATION OF BUILDING/PREMISE

House Number: 4 Street: Oxford Street
Town/City: Chevy Chase Nearest Cross Street: Connecticut Avenue
Part Lot 8 & Part Lot 9 Block: 54 Subdivision: The Village of Chevy Chase
Lot: 8320 Folio: 837 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

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

1B. Construction cost estimate: \$ T.B.D.

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.

Tracy Starnell Signature of owner or authorized agent
2/21/07 Date

Approved: X W/CONDITIONS For Chairperson, Historic Preservation Commission
Disapproved: Signature: Julia O'Malley Date: 3/15/07
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:

CONTRIBUTING RESOURCE W/IN CHEW CHASE
VILLAGE HISTORIC DISTRICT

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

- _____ Remove the following trees from the subject property: _____
- _____ One (1) Leyland Cypress tree measuring 11.6" dia., located in the east side yard of the property _____
- _____ One (1) Crab Apple tree measuring 11.4" dia., located in the rear yard of the property _____
- _____ One (1) Leland Cypress tree measuring 15" dia., located in the rear yard of the property _____
- _____ One (1) Apple tree measuring 8" dia., located in the west side yard of the property _____
- _____ One (1) Crab Apple tree measuring 12" dia., located in the rear yard of the property _____
- _____ One (1) Crab Apple tree measuring 10" dia., located in the rear yard of the property _____

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 crown 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) 779-1355).

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.

ABBREVIATIONS

ADD'L	ADDITIONAL	KD	KNOCKDOWN	KNOCKDOWN
ADJ	ADJACENT	KO	KNOCKOUT	
AFF	ABOVE FINISH FLOOR	KV	KILOVOLT	
ALT	ALTERNATE	KVA	KILOVOLT-AMPERES	
ALUM	ALUMINUM	KW	KILOWATT	
APPL	APPLICABLE	LB	POUND	
APP	AMPERE	LF	LINEAR FEET	
APPROX	APPROXIMATELY	LH	LEFT HAND	
ARCH	ARCHITECTURAL	LIG	LIGHTING	
ACT	ACOUSTICAL CEILING TILE	LTS	LIGHTS	
BD	BOARD	M	MARBLE	
BLDG	BUILDING	MAS	MASONRY	
BLKNG	BLOCKING	MATL	MATERIAL	
B.O.	BOTTOM OF	MAX	MAXIMUM	
BOT	BOTTOM	MEMB	MEMBRANE	
BRG	BEARING	MFG	MANUFACTURER	
BTWN	BETWEEN	MICRO	MICROVAIVE	
		MIN	MINIMUM	
		MISC	MISCELLANEOUS	
		MO	MASONRY OPENING	
		MR	MOISTURE RESISTANT	
		MTD	MOUNTED	
		MTL	METAL	
		MECH	MECHANICAL	
		MEZZ	MEZZANINE	
		N	NORTH	
		NC	NOT IN CONTRACT	
		NO	NUMBER	
		NTS	NOT TO SCALE	
		OC	ON CENTER(S)	
		OFF	OFFICE	
		OPNS	OPENING	
		OPP	OPPOSITE	
		PCF	POUNDS PER CUBIC FOOT	
		PLWH	PLASTIC LAMINATE	
		PLYHD	PLYWOOD	
		FL	FLATE	
		PNL	PANEL	
		POL	POLISHED	
		PFS	POUNDS PER SQUARE FOOT	
		PT/PTD	P(AIN)TED	
		PS	PULL STATION	
		PWR	POWER	
		PT	PRESSURE TREATED	
		QTY	QUANTITY	
		RAD	RADIUS	
		REC	RECEPTACLE	
		REF	REFRIGERATOR	
		RENF	REINFORCING	
		REQ'D	REQUIRED	
		RES	RESILIENT	
		REV	REVISION(S) REVISED	
		RH	RIGHT HAND	
		RM	ROOM	
		RO	ROUGH OPENING	
		SC	SOLID CORE	
		SCWV	SOLID CORE WOOD VENEER	
		SD	SMOKE DETECTOR	
		SECT	SECTION	
		SECY	SECRETARY	
		SM	SMILAR	
		SPECS	SPECIFICATIONS	
		SF	SQUARE FEET	
		STD	STANDARD	
		STC	SOUND TRANSMISSION COEFFICIENT	
		STL	STEEL	
		STOR	STORAGE	
		STH	SYMMETRICAL	
		SS	STAINLESS STEEL	
		TEL	TELEPHONE	
		TEMP	TEMPERATURE	
		TH	THICKNESS	
		TIE	TO MATCH EXISTING	
		T.O.	TOP OF	
		TRANS	TRANSITION	
		TYP	TYPICAL	
		UL	UNDERWRITER'S LABORATORY	
		UN	UNLESS OTHERWISE NOTED	
		V	VOLTS	
		VCT	VINYL COMPOSITION TILE	
		VEN	VENEER	
		VERT	VERTICAL	
		VEST	VESTIBULE	
		VF	VERIFY IN FIELD	
		VT	VINYL TILE	
		W	WATTS	
		WC	WALL COVERING	
		WD	WOOD	
		WBS	WET STACK	
		HT	HEIGHT	
		W	WITH	
		WH	WATER HEATER	
		YD	YARD	

GENERAL NOTES

- NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCY IN THE DOCUMENTS. WORK THAT PROCEEDS WITHOUT NOTIFYING THE ARCHITECT IS AT THE CONTRACTOR'S OWN RISK.
- BEFORE COMMENCEMENT OF ANY WORK THAT CHANGES THE CONTRACT SUM OR CONTRACT TIME, WRITTEN AUTHORIZATION MUST BE OBTAINED FROM THE ARCHITECT. WORK THAT PROCEEDS WITHOUT WRITTEN AUTHORIZATION FROM THE ARCHITECT IS AT THE CONTRACTOR'S OWN RISK.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF ALL WORK, THIS INCLUDES BUT IS NOT LIMITED TO:
 - PRE-BID SITE VISIT FOR VERIFICATION OF EXISTING CONDITIONS.
 - FIELD DIMENSIONS AS REQUIRED.
- CONSTRUCTION SHALL CONFORM TO ALL CODES AND REGULATIONS HAVING JURISDICTION FOR THIS PROJECT.



WHEELER RESIDENCE

4 OXFORD STREET
CHEVY CHASE, MD
20815-4231

GENERAL DATA

ADDRESS: 4 Oxford Street
Chevy Chase, Md 20815-4231
LOT/BLOCK: Part of Lots 8 & 9 / Section 2, Block 54
LOT AREA: 9375 Sq. Ft.
ZONING: R60
FRONT YARD: 25 FEET
SIDE YARD: 7 FEET
REAR YARD: 7 FEET
PLAT NUMBER: Plat Book 2 Plat Number 106

PROJECT SCOPE

REMOVAL OF NOTED TREES.

AREA CALCULATIONS

Total Conditioned Gross Area: 2,953 sq. ft.

New Lot Coverage: Total 2,579 sq. ft.

Allowable Lot Coverage: 3281 sq. ft.
(35% OF LOT AREA)

OWNER:

Contact: Mary and Porter Wheeler
Address: 4 Oxford Street
Chevy Chase, Md 20815-4231
Telephone: 301-657-7531

ARCHITECT

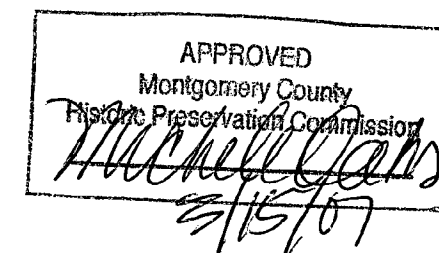
Company: Barnes Vanze Architects
Contact: Stephen Vanze/Melanie Giordano
Address: 1238 Wisconsin Ave NW, Suite 204
Washington, DC 20007
Telephone: 202.337.7255
Fax: 202.337.0609

GENERAL CONTRACTOR

Company: Bethesda Contracting Co., Inc.
Contact: Michael G. Thiede
Address: 6812 Florida Street
Chevy Chase, MD 20815-4158
Telephone: 301.656.9020
Fax: 301.656.8338

FULL DRAWING INDEX

CO COVER SHEET
ASH-1 SITE PLAN



0611



ARCHITECTS INC.
1000 Potomac Street, NW
Suite L-2
Washington, DC 20007
TELE: 202.337.7255
FAX: 202.337.0609

**WHEELER
RESIDENCE**
4 OXFORD STREET
CHEVY CHASE, MD 20815-4231

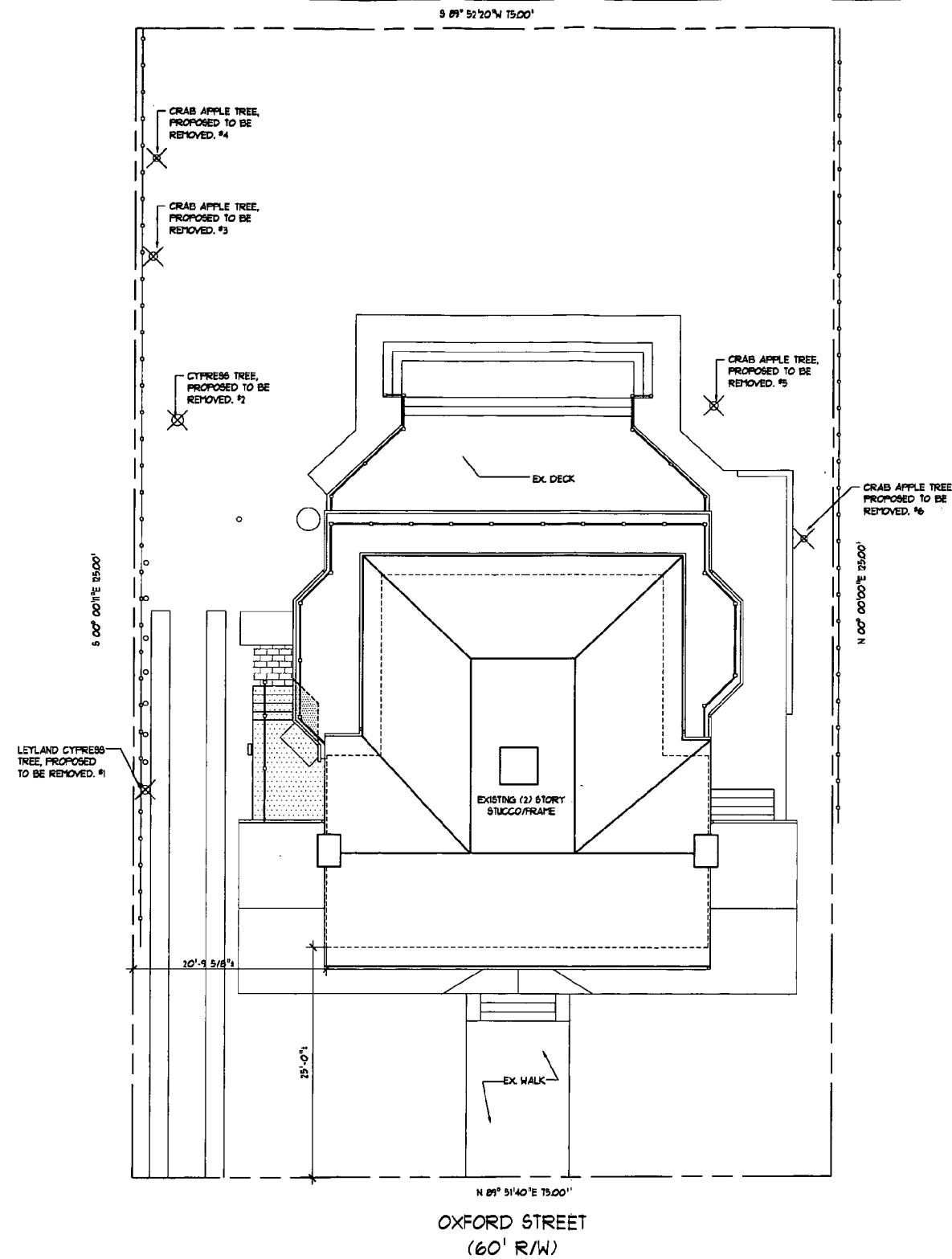
DRAWING:
ISSUED:
07-21-2007
TREE REMOVAL PERMIT

CO



BARNES VANZEL
ARCHITECTS INC.
1000 Potomac Street, NW
Suite L-2
Washington, DC 20007
TELE: 202.337.7255
FAX: 202.337.0609

WHEELER
RESIDENCE
4 OXFORD STREET
CHEVY CHASE, MD 20815-4231



AI PROPOSED SITE PLAN SHOWING TREE REMOVAL
AS1-1 1/16" = 1'-0"



APPROVED
Montgomery County
Historic Preservation Commission
Michael Kelly
2/15/07

DRAWING: Site Plan
ISSUED: 01-31-2007
TREE REMOVAL PERT

AS1-1

Oaks, Michele

From: Porter Wheeler [porterwheeler@gmail.com]
Sent: Tuesday, March 13, 2007 5:12 PM
To: Oaks, Michele
Cc: Steve Vanze; Michelle Vassallo
Subject: HPC March 14

Reference our (4 Oxford Street) Tree Removal application to HPC scheduled for hearing March 14, I note the following points:

1. Chevy Chase Village unanimously approved the request for removal of all six trees, provided that we reforest with at least two trees.
2. There was no objection from the Village Tree Committee, the Village arborist, or the abutting neighbors.
3. The Village Tree Committee recommended planting two reforestation trees, in part because of lot limitations and in part because the existing trees (being removed) "are not particularly desirable," and the Village Managers adopted the same.
4. The HPC staff report cites the applicable guidelines as saying that "tree removal should be ... consistent with the Chevy Chase Village Urban Forest Ordinance."
5. Yet HPC staff recommends a condition that for every tree removed another tree be replanted on our property.
6. As an election, the recommendation provides for the owner to make a contribution to the Village tree planting program equivalent to four trees.

The Wheelers do not understand the inconsistency of the staff recommendation with the decision of the Chevy Chase Village Board of Managers, since staff recommends the replanting of six trees, four more than required by the Village decision. This is quantitatively different from the Village decision and should be reconsidered.

The Wheelers would be pleased to contribute to the Chevy Chase Village tree planting program to whatever extent suggested by the HPC, but plead that the staff recommendation for replacement planting be scaled back to be more consistent with the Village decision.

The owners further plead that implementation of any conditions also be consistent with Village decision which is to be carried out within one year of the decision. This would allow removal of those trees that are interfering with the renovation plan and permit decisions about removal and replacement (and Village contribution) to be made by the owner after the home renovation work is completed. Thank you for your consideration. The Wheelers regret that we are unable to attend the hearing.

--

Porter and Mary Wheeler
4 Oxford Street
Chevy Chase, MD 20815

**Robert W. Wilson
7 Oxford Street
Chevy Chase, MD 20815-4230**

**301 656-4770
Cell 301 346-5581
Email: rww91633@yahoo.com**

March 9, 2007

To: Historic Preservation Commission
Cc: Mary and Porter Wheeler

Re: 4 Oxford St. Case# 35/13-07E Hearing 3/14/07

I support the application and the staff conditions.

I've lived at 7 Oxford for nearly 30 years and am very familiar with # 4. The yard was over planted.

By way of reference, I'm Chair of the Chevy Chase Village Public Works Committee.

A handwritten signature in black ink, appearing to read "RW Wilson", followed by a horizontal line.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	4 Oxford St, Chevy Chase	Meeting Date:	03/14/07
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	03/07/07
Applicant:	Mary & Porter Wheeler (Steven Vance, Architect)	Public Notice:	02/28/07
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-07E	Staff:	Michele Oaks
PROPOSAL:	Tree Removal		
RECOMMENDATION:	Approve with conditions		

*Self - Motion
Thomas 2nd*

RECOMMENDATION

Staff is recommending that the Commission support this HAWP application with the conditions that:

*Motion Unanimous
Caroline, Jeff, Julia,
Thomas, Timothy*

For every tree to be removed, one tree from Montgomery County's native species list (min. 3" caliper deciduous or 8' high evergreen) will be planted on the property.

The owner may elect to contribute the equivalent cost of tree replacement for two, 8' high evergreen and two 3" caliper deciduous trees, from the Montgomery County Native Species list for use in the Chevy Chase Village tree planting program, instead of replanting four (4) of the approved trees to be removed.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Contributing Resource
STYLE:	Colonial Revival
DATE OF CONSTRUCTION:	1911

The original house is a three-bay, side-gable roof, dwelling clad in stucco on the first level and shingle in the second. The asphalt roof contains a whitewashed, brick, exterior-end chimney on both side elevations. The windows are 6/6 double hung and contain two, paneled louvered shutters. The front elevation is also ornamented with a wrap-around front porch, detailed at the corners with super-sized Doric columns. The porch roof is also detailed with a rounded, pediment over the front entry.

The house has had some alterations to its original design including the installation of a bathroom window in the second floor of the front façade and two, rear additions, built in 1970 and 1990.

The current lot that the house is sited is 75' wide and 125' deep. The house is sited in the northern half of the lot, providing a rear yard. An existing asphalt driveway runs along the east property line. The property contains several large, mature trees.

In December of last year, the HPC approved alterations to the non-contributing rear addition and the construction of a new, uncovered rear deck onto the subject house. Since this approval, the applicants have developed a garden plan for the property, which is the subject of this application.

PROPOSAL:

Removal of:

- One (1) Leyland Cypress tree measuring 11.6"dia., located in the east side yard of the property
- One (1) Crab Apple tree measuring 11.4"dia., located in the rear yard of the property
- One (1) Leland Cypress tree measuring 15"dia., located in the rear yard of the property
- One (1) Apple tree measuring 8"dia., located in the west side yard of the property
- One (1) Crab Apple tree measuring 12"dia., located in the rear yard of the property
- One (1) Crab Apple tree measuring 10"dia., located in the rear yard of the property

STAFF DISCUSSION

As the subject property is currently very, heavily wooded, the applicants are requesting the Commission support the replanting of only two (2) new trees on the property. The Chevy Chase Village town managers have voted in favor of this tree removal with the following conditions:

- the trees must be removed on or before February 12, 2008, or the permit shall become void;
- the applicants must reforest with at least a River Birch and sourwood as shown on their landscape plan, or with at least two, (2) deciduous hardwood canopy trees, which must be at least 2-1/2 inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet;
- the installation of the reforested trees shall be completed on or before February 12, 2008, and as such the trees shall be considered reforestation trees subject to regulation under the Village Urban Forest Ordinance.

As the Commission has a 1/1 replacement policy for healthy trees they approve for removal, staff is recommending support of the Village Managers' approval with the added conditions that the deciduous trees to be replanted are a minimum of 3" caliper in size and an additional four (4) trees are to be planted on the subject property (two, 8' high evergreen, two, min 3" caliper deciduous).

Staff does concur with the applicant's testimony regarding the density of the canopy on the subject property, and as such, we would support the applicant electing to contribute the tree replacement costs for the four (4) trees for use in the Village of Chevy Chase's tree replanting program instead of installing the trees on their property.

APPLICABLE GUIDELINES

When reviewing alterations within the Chevy Chase Village Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Chevy Chase Village Historic District Master Plan – Expansion*, approved and adopted in August 1997, *Montgomery County Code Chapter 24A (Chapter 24A)* and the *Secretary of the Interior's*

Standards for Rehabilitation (Standards). The pertinent information in these documents is outlined as follows:

Chevy Chase Village Historic District Master Plan

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* state three basic policies that should be adhered to, including:

Preserving the integrity of the contributing structures in the district. Alterations to contributing structures should be designed in such a way that the altered structure still contributes to the district.

Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.

Alterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.

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

Tree removal should be subject to strict scrutiny and consistent with the Chevy Chase Village Urban Forest Ordinance.

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.

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.
- #9 New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- #10 New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF RECOMMENDATION:

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

and with the *Chevy Chase Village Historic District Master Plan – Expansion, Adopted April 1998*

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 to Historic Preservation Commission (HPC) staff for review and stamping, if applicable** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

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



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Steve Vianze
 Daytime Phone No.: 202-337-7255
 Tax Account No.: 7-454311
 Name of Property Owner: Mary & Porter Wheeler Daytime Phone No.: 301-637-7531
 Address: 4 Oxford Street Chevy Chase, Maryland 20815-4231
Street Number City Street Zip Code
 Contractor: Bethesda Contracting Phone No.: 301-656-9020
 Contractor Registration No.: Montgomery County Builders License # 10720
 Agent for Owner: Steve Vianze Daytime Phone No.: 202-337-7255

LOCATION OF BUILDING/PREMISE
 House Number: 4 Street: Oxford Street
 Town/City: Chevy Chase Nearest Cross Street: Connecticut Avenue
 Part Lot # & Part Lot # 9 Block: 54 Subdivision: The Village of Chevy Chase
 Lot: 8320 Folio: 837 Parcel: _____
 Liber: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input type="checkbox"/> Alter/Renovate	<input type="checkbox"/> A/C	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input type="checkbox"/> Single Family		
<input type="checkbox"/> Revision	<input type="checkbox"/> Repair	<input type="checkbox"/> Revocable	<input type="checkbox"/> Fence/Wall (complete Section 4)	<input checked="" type="checkbox"/> Other: <u>TREE REMOVAL</u>				

1B. Construction cost estimate: \$ T.B.D.

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.

Tracy Starnell Signature of owner or authorized agent 2/21/07 Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

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

Owner's mailing address
Porter & Mary Wheeler
4 Oxford St.
Chevy Chase, MD 20815

Owner's Agent's mailing address
Barnes Vanze Architects, Inc.
1000 Potomac St.
Ste. L-2
Washington, DC 20007

Adjacent and confronting Property Owners mailing addresses

Dane H Butswinkas
3 Newlands St
Chevy Chase, MD 20815

Byron E. & M.L. Anderson
5 Newlands St
Chevy Chase, MD 20815

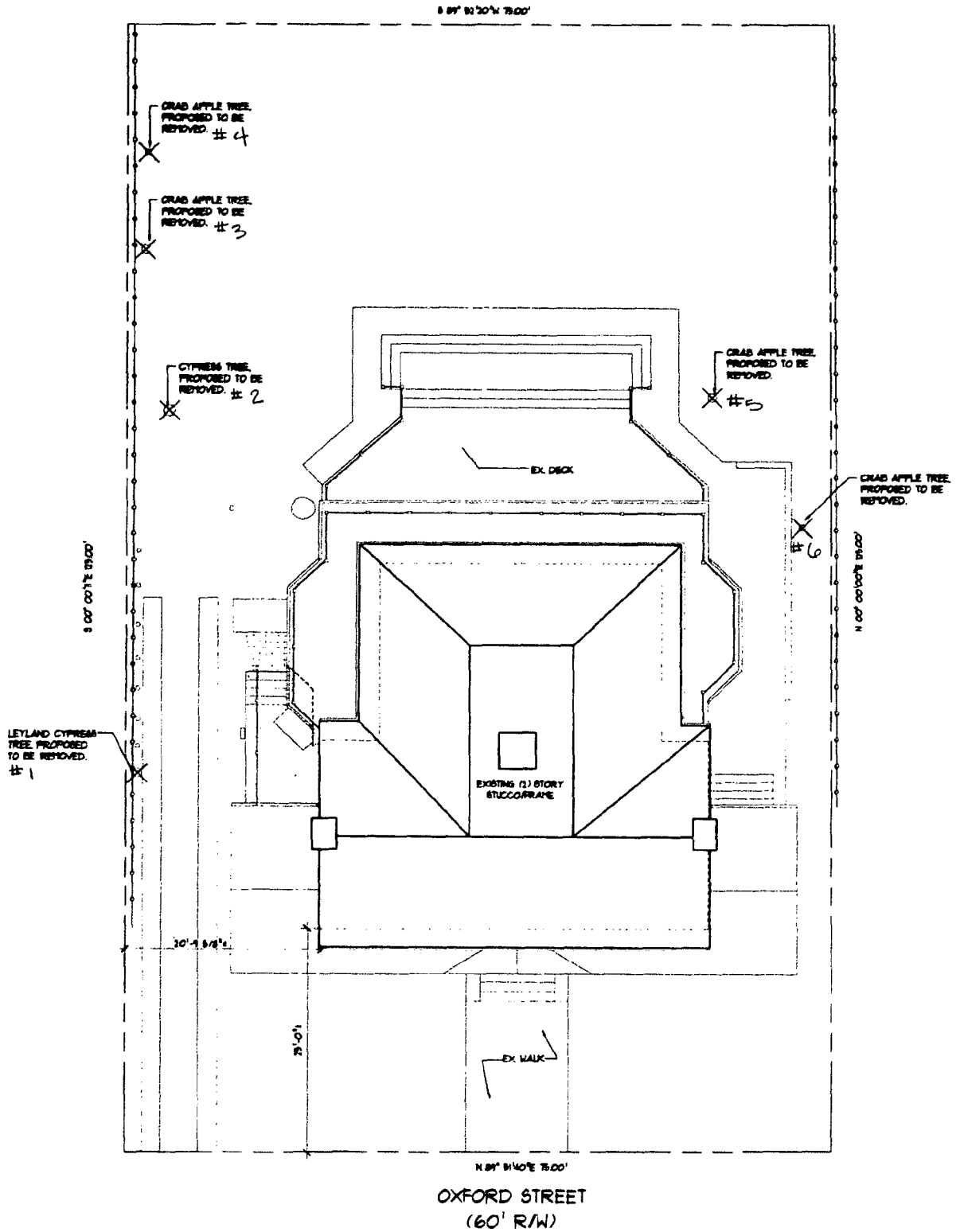
Jay & D. Martin
4-A Oxford St.
Chevy Chase, MD 20815

Emmett B. & E.S. Lewis
6 Oxford St.
Chevy Chase, MD 20815

Elizabeth K. Boas
11 Oxford St.
Chevy Chase, MD 20815

Robert Wilson
7 Oxford St.
Chevy Chase, MD 20815

Site Plan



Shade portion to indicate North

Applicant: M Vassallo

**Urban Reforestation/Tree Replacement Proposal
4 Oxford Street, Chevy Chase, Maryland 20815
Residence of Mary & Porter Wheeler**

Report Prepared by Madison Garden Design-Installation-Maintenance
Rockville, Maryland 20850 301-762-7548 Prepared 1/18/07

General Property Description:

**Legal Description - CHEVY CHASE SEC 2, BLOCK 54
PART OF LOTS 8&9**

4 Oxford Street consists of a lot approximately 9375 square feet and is improved by a 2 story single family dwelling originally constructed in 1911. The structure occupies approximately 3028 square feet, approximately 32% of the lot leaving approximately 6,347 square feet (about .15 acre). The structure has been modified/expanded by previous owners. The grounds currently consist of a large number and variety of trees (40 trees including street trees), shrubs, and an exceptionally large number and variety of flowering bulbs, perennials, and planted seasonally annuals in flowering border beds at front and rear of property.

Purpose of Landscape and Tree Plan:

A proposal for improvements to the structure has been approved by Montgomery County. Owners propose related tree and landscape modifications to complement the building renovation plan. Renovations will require the removal of the Leland Cypress toward the street end of the driveway. Additionally, the removal of three fruit trees and several other undersize trees is being considered due to undesirable characteristics or incompatibility with improvements and modifications to the overall garden plan.

The majority of trees being considered for removal are relatively small, of low ornamental quality, and were planted too close to other trees or to

structures to allow for proper development. Many have been poorly or improperly maintained under prior owners.

Removal of one Leyland Cypress requiring a permit along easterly lot line is necessary to allow for replacement of driveway and to facilitate improved and safe access to new side entry to home (see attached drawing).

Three (3) fruit trees at rear of property that would require a removal permit are under consideration for removal/replacement. These trees are of low ornamental value, have not been properly pruned or cared for prior to current ownership, produce an undesirable maintenance problem due to large amount of dropped fruit that is of low quality/unusable due to condition of trees, and subsequently attract undesirable levels of insect activity at certain times of year which limit use and enjoyment of grounds/garden (see attached drawing).

Garden Plan:

The current garden plan has a primary focus on perennial and annual flowers as well as flowering bulbs. Since purchase in fall of 2005, the property owners have had the gardens cleaned out, highly maintained and improved with expansion of planting beds and the addition of many new plantings. Many more flowers are planned for 2007 and beyond. Complimentary additions of shrubs and trees are also under consideration.

While the foundation of any quality garden is based on a framework of trees and shrubs, and that is the intention for this garden as well, as stated, the focus of this garden is flowers. Most flowers require a minimum number of hours of sun per day. The large number of trees on the property, the shade produced during the growing season, and the solar orientation of the lot impact the ability to produce the type and quality of flower species desired. Due to the comparative small size of this lot, consisting of approximately 0.15 acre area not covered by the structure, which includes paved surfaces, and considering that the lot

was and is heavily planted with trees, shrubs, and flower beds, it will be difficult to achieve the desired goals of the garden plan with significant additions of new trees or retaining some of the existing trees.

Therefore it is requested that consideration be given to the replacement plans and to allow for potentially less than full replacement of the number of trees requiring removal permit. If all trees being considered for removal at this time were removed (four), there would still remain a large number of trees as well as numerous variety of shrubs. Additionally, as noted below, at least 2 to 3 new trees are planned for 2007. This garden currently contains a significantly higher concentration of plantings than most comparable properties.

Current tree species (see attached drawing):

- 12 leyland cypress
- 1 zelkova (street tree)
- 1 maple (street tree)
- 2 magnolia (deciduous)
- 1 styrax japonica
- 1 unidentified (at front bed)
- 5 apple/crab apple (variety/type unknown-fruit bearing)
- 1 cork screw willow
- 1 serviceberry
- 5 holly
- 1 southern magnolia
- 2 flowering plum
- 2 crape myrtle
- 1 dogwood
- 4 cryptomeria

Trees considered for removal requiring a removal permit:

- 1 Leyland cypress at east side along driveway
- 3 apple/fruit trees at rear yard
(at least two indicated to exceed minimum caliper)

Species being considered for possible planting/replacements:

Crape myrtle at front bed

Stewartia at rear bed

River birch at rear

Sourwood at rear

Cornus Kousa (to be determined)

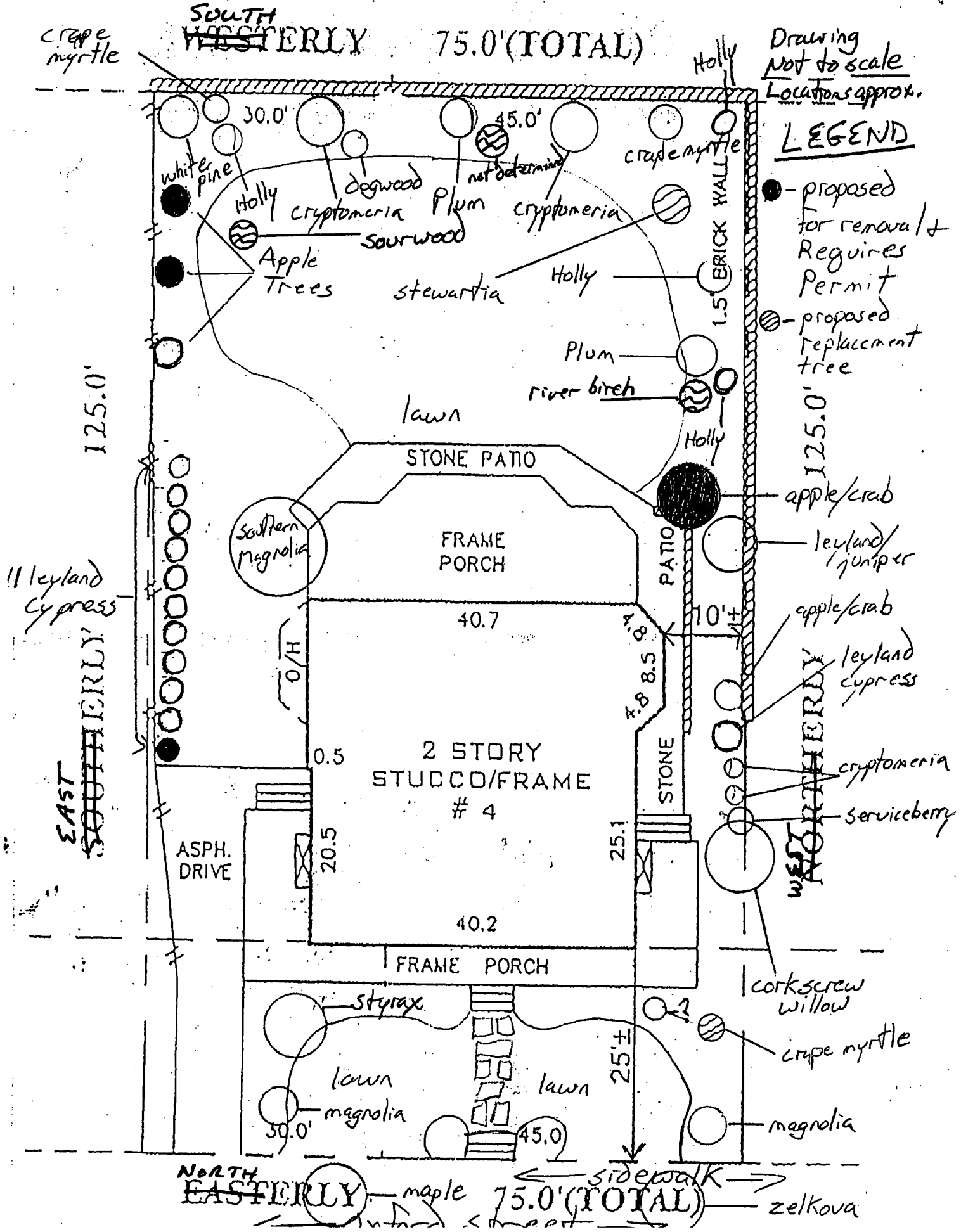
Attached: Landscape Plan, 4 Oxford Street

~~444~~ LANDSCAPE PLAN 4 Oxford Street

Drawing
Not to scale
Locations approx.

LEGEND

- - proposed for removal & Requires Permit
- ⊗ - proposed replacement tree



Existing Property Condition Photographs (duplicate as needed)



Detail: LEYLAND CYPRESS TREE #1



Detail: CYPRESS TREE #2

Applicant: um Vassallo

Existing Property Condition Photographs (duplicate as needed)



Detail: APPLE TREE #3



Detail: APPLE TREE #4

Applicant: M. Vassallo

Existing Property Condition Photographs (duplicate as needed)



Detail: CRAB APPLE TREE # 5



Detail: APPLE TREE # 6

Applicant: m Vassallo

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	4 Oxford St, Chevy Chase	Meeting Date:	03/14/07
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	03/07/07
Applicant:	Mary & Porter Wheeler (Steven Vance, Architect)	Public Notice:	02/28/07
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-07E	Staff:	Michele Oaks
PROPOSAL:	Tree Removal		
RECOMMENDATION:	Approve with conditions		

RECOMMENDATION

Staff is recommending that the Commission support this HAWP application with the conditions that:

For every tree to be removed, one tree from Montgomery County's native species list (min. 3" caliper deciduous or 8' high evergreen) will be planted on the property.

The owner may elect to contribute the equivalent cost of tree replacement for two, 8' high evergreen and two 3" caliper deciduous trees, from the Montgomery County Native Species list for use in the Chevy Chase Village tree planting program, instead of replanting four (4) of the approved trees to be removed.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Contributing Resource
STYLE:	Colonial Revival
DATE OF CONSTRUCTION:	1911

The original house is a three-bay, side-gable roof, dwelling clad in stucco on the first level and shingle in the second. The asphalt roof contains a whitewashed, brick, exterior-end chimney on both side elevations. The windows are 6/6 double hung and contain two, paneled louvered shutters. The front elevation is also ornamented with a wrap-around front porch, detailed at the corners with super-sized Doric columns. The porch roof is also detailed with a rounded, pediment over the front entry.

The house has had some alterations to its original design including the installation of a bathroom window in the second floor of the front façade and two, rear additions, built in 1970 and 1990.

The current lot that the house is sited is 75' wide and 125' deep. The house is sited in the northern half of the lot, providing a rear yard. An existing asphalt driveway runs along the east property line. The property contains several large, mature trees.

In December of last year, the HPC approved alterations to the non-contributing rear addition and the construction of a new, uncovered rear deck onto the subject house. Since this approval, the applicants have developed a garden plan for the property, which is the subject of this application.

PROPOSAL:

Removal of:

- One (1) Leyland Cypress tree measuring 11.6"dia., located in the east side yard of the property
- One (1) Crab Apple tree measuring 11.4"dia., located in the rear yard of the property
- One (1) Leland Cypress tree measuring 15"dia., located in the rear yard of the property
- One (1) Apple tree measuring 8"dia., located in the west side yard of the property
- One (1) Crab Apple tree measuring 12"dia., located in the rear yard of the property
- One (1) Crab Apple tree measuring 10"dia., located in the rear yard of the property

STAFF DISCUSSION

As the subject property is currently very, heavily wooded, the applicants are requesting the Commission support the replanting of only two (2) new trees on the property. The Chevy Chase Village town managers have voted in favor of this tree removal with the following conditions:

- the trees must be removed on or before February 12, 2008, or the permit shall become void;
- the applicants must reforest with at least a River Birch and sourwood as shown on their landscape plan, or with at least two, (2) deciduous hardwood canopy trees, which must be at least 2-1/2 inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet;
- the installation of the reforested trees shall be completed on or before February 12, 2008, and as such the trees shall be considered reforestation trees subject to regulation under the Village Urban Forest Ordinance.

As the Commission has a 1/1 replacement policy for healthy trees they approve for removal, staff is recommending support of the Village Managers' approval with the added conditions that the deciduous trees to be replanted are a minimum of 3" caliper in size and an additional four (4) trees are to be planted on the subject property (two, 8' high evergreen, two, min 3" caliper deciduous).

Staff does concur with the applicant's testimony regarding the density of the canopy on the subject property, and as such, we would support the applicant electing to contribute the tree replacement costs for the four (4) trees for use in the Village of Chevy Chase's tree replanting program instead of installing the trees on their property.

APPLICABLE GUIDELINES

When reviewing alterations within the Chevy Chase Village Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Chevy Chase Village Historic District Master Plan – Expansion*, approved and adopted in August 1997, *Montgomery County Code Chapter 24A (Chapter 24A)* and the *Secretary of the Interior's*

Standards for Rehabilitation (Standards). The pertinent information in these documents is outlined as follows:

Chevy Chase Village Historic District Master Plan

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* state three basic policies that should be adhered to, including:

Preserving the integrity of the contributing structures in the district. Alterations to contributing structures should be designed in such a way that the altered structure still contributes to the district.

Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.

Alterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.

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

Tree removal should be subject to strict scrutiny and consistent with the Chevy Chase Village Urban Forest Ordinance.

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.

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.
- #9 New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- #10 New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF RECOMMENDATION:

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

and with the *Chevy Chase Village Historic District Master Plan – Expansion, Adopted April 1998*

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 to Historic Preservation Commission (HPC) staff for review and stamping, if applicable** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

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



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Steve Vianze
Daytime Phone No.: 202-337-7255
Tax Account No.: 7-454311
Name of Property Owner: Mary & Porter Wheeler
Daytime Phone No.: 301-657-7531
Address: 4 Oxford Street, Chevy Chase, Maryland 20815-4231
Contractor: Bethesda Contracting
Phone No.: 301-656-9020
Contractor Registration No.: Montgomery County Builders License # 10720
Agent for Owner: Steve Vianze
Daytime Phone No.: 202-337-7255

LOCATION OF BUILDING/PREMISE

House Number: 4 Street: Oxford Street
Town/City: Chevy Chase Nearest Cross Street: Connecticut Avenue
Part Lot 8 & Part Lot 9 Block: 54 Subdivision: The Village of Chevy Chase
Lot: 8320 Folio: 837 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE: Construct, Extend, 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 REMOVAL

1B. Construction cost estimate: \$ T.B.D.

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

- 2A. Type of sewage disposal: 01 WSSC, 02 Septic, 03 Other
2B. Type of water supply: 01 WSSC, 02 Well, 03 Other

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 3A. Height feet inches
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations: On party line/property line, Entirely on land of owner, On public right of way/easement

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

Signature of owner or authorized agent: Tracy Starned Date: 2/21/07

Approved: For Chairperson, Historic Preservation Commission
Disapproved: Signature: Date:
Application/Permit No.: Date Filed: Date Issued:

Existing Property Condition Photographs (duplicate as needed)



Detail: LEYLAND CYPRESS TREE #1



Detail: CYPRESS TREE #2

Applicant: vm Vassallo

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

Owner's mailing address
Porter & Mary Wheeler
4 Oxford St.
Chevy Chase, MD 20815

Owner's Agent's mailing address
Barnes Vanze Architects, Inc.
1000 Potomac St.
Ste. L-2
Washington, DC 20007

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11 Oxford St.
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Robert Wilson
7 Oxford St.
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Urban Reforestation/Tree Replacement Proposal
4 Oxford Street, Chevy Chase, Maryland 20815
Residence of Mary & Porter Wheeler

Report Prepared by Madison Garden Design-Installation-Maintenance
Rockville, Maryland 20850 301-762-7548 Prepared 1/18/07

General Property Description:

Legal Description - CHEVY CHASE SEC 2, BLOCK 54
PART OF LOTS 8&9

4 Oxford Street consists of a lot approximately 9375 square feet and is improved by a 2 story single family dwelling originally constructed in 1911. The structure occupies approximately 3028 square feet, approximately 32% of the lot leaving approximately 6,347 square feet (about .15 acre). The structure has been modified/expanded by previous owners. The grounds currently consist of a large number and variety of trees (40 trees including street trees), shrubs, and an exceptionally large number and variety of flowering bulbs, perennials, and planted seasonally annuals in flowering border beds at front and rear of property.

Purpose of Landscape and Tree Plan:

A proposal for improvements to the structure has been approved by Montgomery County. Owners propose related tree and landscape modifications to complement the building renovation plan. Renovations will require the removal of the Leland Cypress toward the street end of the driveway. Additionally, the removal of three fruit trees and several other undersize trees is being considered due to undesirable characteristics or incompatibility with improvements and modifications to the overall garden plan.

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structures to allow for proper development. Many have been poorly or improperly maintained under prior owners.

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Garden Plan:

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was and is heavily planted with trees, shrubs, and flower beds, it will be difficult to achieve the desired goals of the garden plan with significant additions of new trees or retaining some of the existing trees.

Therefore it is requested that consideration be given to the replacement plans and to allow for potentially less than full replacement of the number of trees requiring removal permit. If all trees being considered for removal at this time were removed (four), there would still remain a large number of trees as well as numerous variety of shrubs. Additionally, as noted below, at least 2 to 3 new trees are planned for 2007. This garden currently contains a significantly higher concentration of plantings than most comparable properties.

Current tree species (see attached drawing):

- 12 leyland cypress
- 1 zelkova (street tree)
- 1 maple (street tree)
- 2 magnolia (deciduous)
- 1 styrax japonica
- 1 unidentified (at front bed)
- 5 apple/crab apple (variety/type unknown-fruit bearing)
- 1 cork screw willow
- 1 serviceberry
- 5 holly
- 1 southern magnolia
- 2 flowering plum
- 2 crape myrtle
- 1 dogwood
- 4 cryptomeria

Trees considered for removal requiring a removal permit:

- 1 Leyland cypress at east side along driveway
- 3 apple/fruit trees at rear yard
(at least two indicated to exceed minimum caliper)

Species being considered for possible planting/replacements:

Crape myrtle at front bed

Stewartia at rear bed

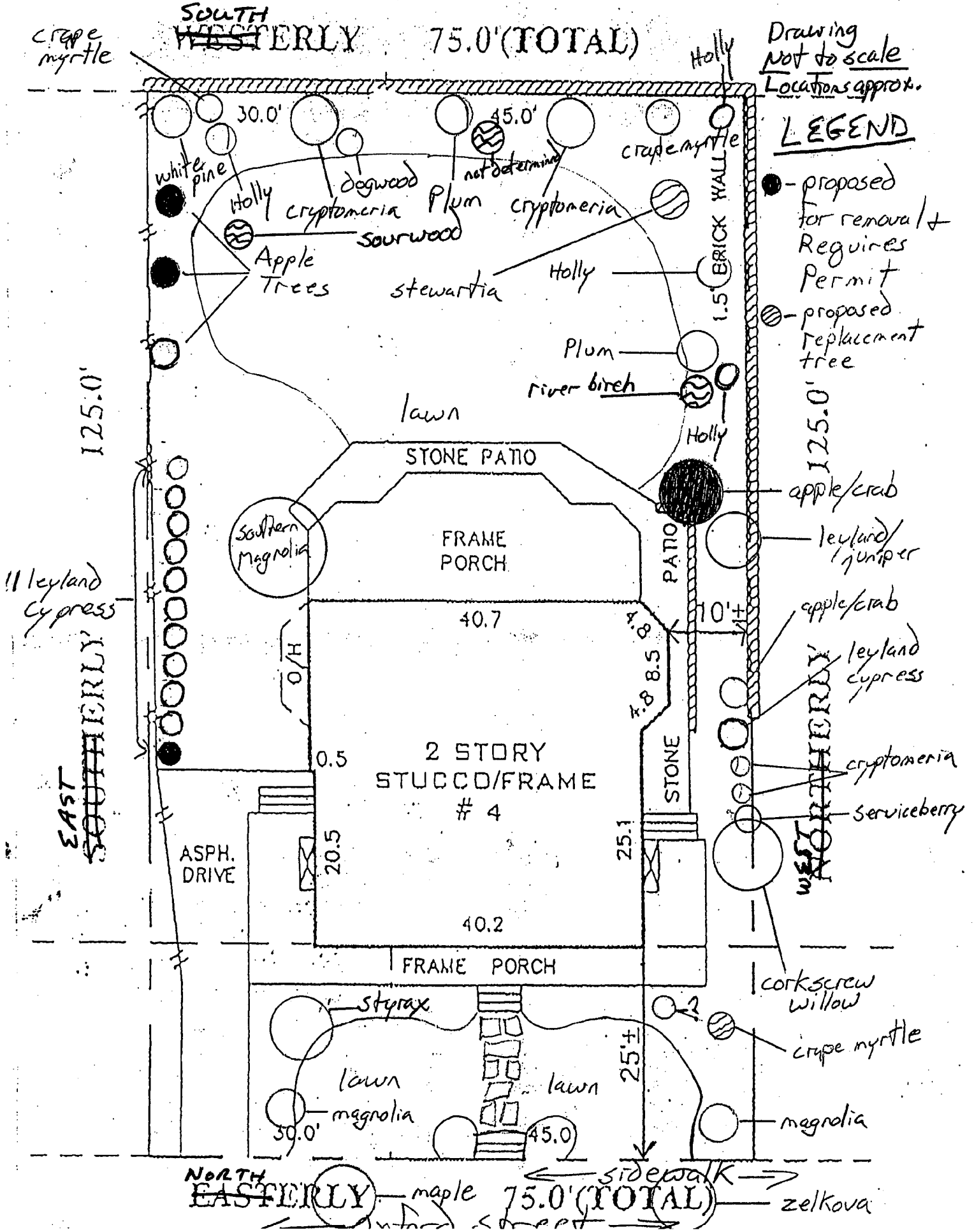
River birch at rear

Sourwood at rear

Cornus Kousa (to be determined)

Attached: Landscape Plan, 4 Oxford Street

LANDSCAPE PLAN 4 Oxford Street



Drawing
~~Not to scale~~
 Locations approx.

LEGEND

- - proposed for removal & Requires Permit
- ⊗ - proposed replacement tree

- apple/crab
- leyland cypress
- apple/crab
- leyland cypress
- cryptomeria
- Serviceberry

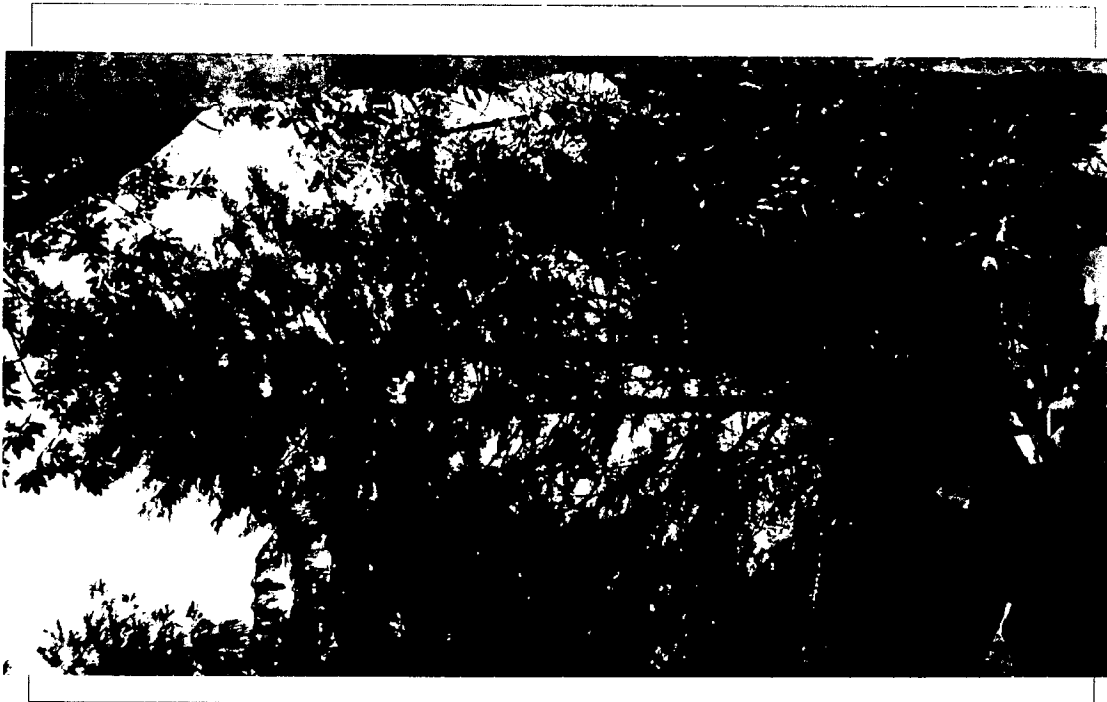
- corkscrew willow
- crape myrtle
- magnolia
- zelkova

NORTH
 EASTERLY 75.0' (TOTAL)
 sidewalk
 street

Existing Property Condition Photographs (duplicate as needed)

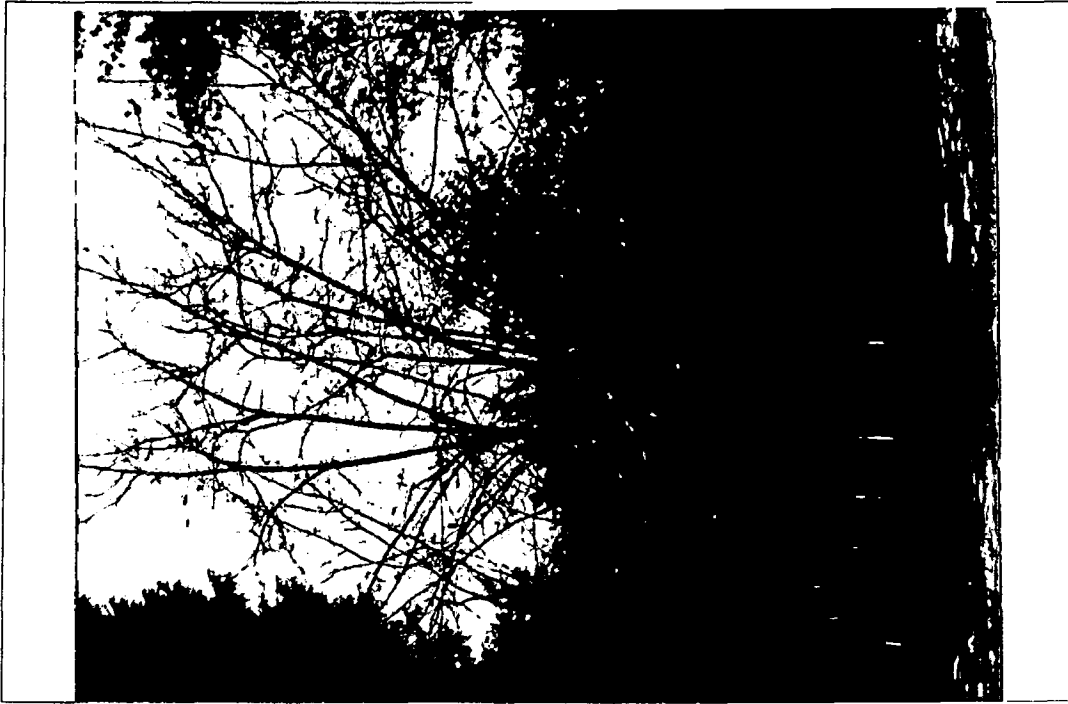


Detail: LEYLAND CYPRESS TREE #1

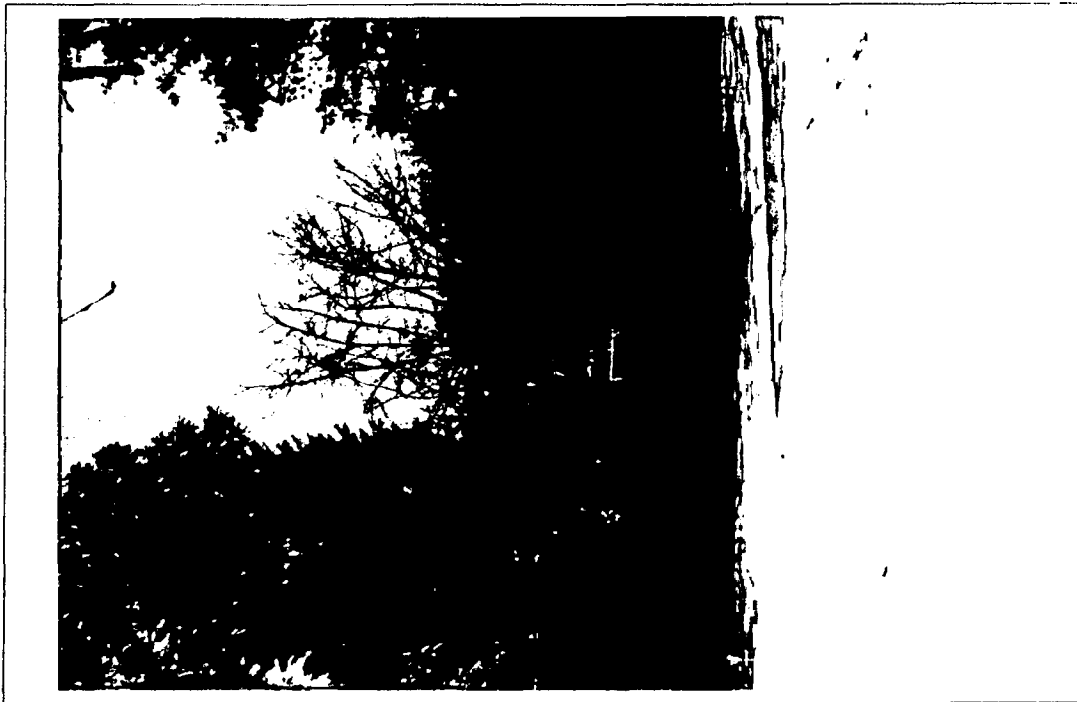


Detail: CYPRESS TREE #2

Existing Property Condition Photographs (duplicate as needed)



Detail: APPLE TREE #3



Detail: APPLE TREE #4

Existing Property Condition Photographs (duplicate as needed)



Detail: CRAB APPLE TREE # 5



Detail: APPLE TREE # 6

CASE NO. A-1603(a) through (f)
Appeal of Porter K. Wheeler and Mary T. Wheeler
(Hearing held February 12, 2007)

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 (a) one Leyland Cypress tree measuring 11.6 inches in diameter located in the east side yard of the property; (b) one Crab Apple tree measuring 11.4 inches in diameter located in the rear yard of the property; (c) one Leyland Cypress tree measuring 15.0 inches in diameter located in the rear yard of the property; (d) one Apple tree measuring 8.0 inches in diameter located in the west side yard of the property; (e) one Crab Apple tree measuring 12.0 inches in diameter is located in the rear yard of the property; and (f) one Crab Apple tree measuring 10.0 inches in diameter located in the rear yard of the 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 known as the East 45 feet front on Oxford Street by the full depth thereof of Lot 8 and the West 30 feet front on Oxford Street by the depth thereof of Lot 9, in Block 54, in the "Chevy Chase, Section 2" subdivision, also known as 4 Oxford Street, Chevy Chase, Maryland 20815. 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 February 1, 2007.

Summary of Evidence

The applicants submitted an application, a plat of survey denoting the location of the subject trees in relation to improvements on the applicants' property and the public right-of-way, a photograph of the applicants' front yard, a written tree replacement proposal prepared by a professional landscaping company, a landscape plan depicting the location of existing and proposed replacement trees, and a letter explaining the basis for the applicants' request. A tree inspection report, prepared by the Village Arborist, was submitted for the record. Photographs taken by Village staff showing the appearance and location of the trees were entered into the record of this matter.

The applicants' letter in support of the application states that the applicants propose to reforest with at least two trees and the landscape plan proposes reforestation with a Riverbirch, Sourwood or other canopy tree species. The letter contains the following representations:

First to achieve the proposed renovations and redevelopment of the house and driveway, we feel it is necessary to remove a Leyland Cypress tree, Tree #2 on the Tree Preservation Plan. The location of this tree would unnecessarily restrict driveway renovations and effective use of access and parking space. There are also ground subsidence and other water issues requiring landscaping attention at

this location. Removal of this tree (Tree #2) is necessary to accommodate an effective renovation plan for our historic home.

Second, further to the rear of the lot, along the fence line on the east, there is a second Cypress that has overgrown its position against the fence while also blocking the morning sun and should be removed. Third, in order to pursue our landscape plan . . . we are also requesting permission to remove four fruit trees . . . The fruit trees proposed for removal drop large amounts of unusable fruit and attract bees and other insects to the property, posing a hazard to the safety of persons and generally detracting from our peaceful use of the property.

At the hearing, Porter K. Wheeler appeared and testified that the applicants' yard is small and densely populated with large trees. He represented that the yard contains forty trees. In addition, he asserted that most of the large trees are located along side lot lines and have been compromised by construction on neighboring lots. He explained that the applicants wish to remove the subject trees in order to complete renovations to their house and to implement a new landscaping plan.

Mr. Wheeler stated that the applicants wish to remove the first of the subject Leyland Cypress trees to make room for parking on the side of their house. According to Mr. Wheeler, the applicants' driveway is narrow and the Leyland Cypress tree encroaches into their driveway, narrowing the 10-foot driveway to approximately 7 1/2 to 8 feet. Mr. Wheeler explained that without a garage, the applicants must park their automobiles in the driveway and have limited space to do so because of the location of the Leyland Cypress tree. He asserted that the other Leyland Cypress tree that the applicants seek to remove pushes up against a lot-line fence. He reiterated that the fruit trees produce unusable fruit that attracts undesirable bees and other insects. According to Mr. Wheeler, one of the subject trees should be removed to promote the health of an existing Magnolia tree. He asserted that his neighbors do not object to the request to remove the subject trees.

Sam Lawrence, of the Village Tree Committee, reported that the Tree Committee has no objection to the removal of the Leyland Cypress trees, and does not object to removal of the subject fruit trees if there is appropriate reforestation. Mr. Lawrence explained that the Tree Committee does not object to the applicants' request because the trees do not materially contribute to the Village tree canopy.

No other testimony 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 a conclusion that the subject trees are seriously diseased or dying. Although there is evidence that some of the trees are close to existing structures and may at some point in the future pose a risk, there is insufficient evidence to find that the trees currently constitute a hazard to the safety or health of persons, property or other trees. Although the applicants assert that the subject fruit trees attract bees, there is insufficient evidence to conclude that the trees currently pose a risk to the safety or health of persons. The Board notes that most trees in the Village drop fruit and foliage.

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

The applicants propose to remove the trees to facilitate renovations and to implement a new landscaping plan that would include at least two new canopy trees. The applicants' landscaping plan would enhance the tree canopy and improve the urban forest to a greater extent than would preserving the two Leyland Cypress trees, the Apple tree, and the three Crab Apple trees, which are not particularly desirable.

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.

Other than the applicants, no residents in favor of or in opposition to the issuance of the tree removal permit submitted any written or oral evidence. The Village Tree Committee had no objection to the proposed removal if appropriate reforestation is implemented.

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

Based on the evidence of record, including, but not limited to the applicants' representations, the report submitted by the Village arborist and the testimony by Mr. Lawrence of the Village Tree Committee, the Board finds that removal of the subject trees is necessary to facilitate the applicants' renovations and landscaping plan which are otherwise permitted by the Village Code. The Board further finds that it would be impractical and difficult to preserve the two Leyland Cypress trees, the Apple tree, and the three Crab Apple trees, which are not particularly desirable, while also assuring the healthy development of the existing Magnolia tree and the replacement trees proposed by the applicants' in their landscaping plan. Thus, if the applicants are to implement the landscaping plan as proposed, there is no reasonable alternative to the removal of the subject trees.

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

The applicants propose reforestation with at least two new trees. The Village Tree Committee recommended that the applicants be required to install two reforestation trees. The Board concurs with the Village Tree Committee's recommendation.

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

The applicants propose to maintain all other canopy trees on the subject property and to reforest. Requiring the applicants to forego renovations and implementation of a

landscaping plan that are otherwise in full compliance with the Village Code in an attempt to save two Leyland Cypress trees, one Apple tree, and three Crab Apple trees, which are not particularly desirable, where there are other mature canopy trees on the subject property, would impose a hardship on the applicants without any counterbalancing benefit to the public.

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

Although the trees are mature and large enough in circumference to be protected by the Village Urban Forest ordinance, the two Leyland Cypress trees, the Apple tree, and the three Crab Apple trees are not otherwise remarkable and do not significantly contribute to the Village tree canopy. The Board finds that, given all of the facts and circumstances of this case, the subject trees do not have outstanding qualities such that preservation of the trees 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 subject trees 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 two Leyland Cypress trees, the Apple tree, and the three Crab Apple trees 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) an 11.6-inch diameter Leyland Cypress tree located in the east side yard of the property; (b) an 11.4-inch diameter Crab Apple tree located in the rear yard of the property; (c) a 15.0-inch diameter Leyland Cypress located in the rear yard of the property; (d) a 8.0-inch diameter Apple tree located in the west side yard of the property; (e) a 12.0-inch diameter Crab Apple tree located in the rear yard of the property; and (f) a 10.0-inch diameter Crab Apple tree located in the rear yard of the property, is granted, provided however that:

1. the trees must be removed on or before February 12, 2008, or this permit shall become void;
2. the applicants must reforest with at least a River Birch (*Betula nigra*) and Sourwood (*Oxydendrum arboretum*) as shown in their landscape plan, or with at least two (2) deciduous hardwood canopy trees, 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 trees shall be completed on or before February 12, 2008, and such trees shall be considered reforestation trees 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 (a) a 11.6-inch diameter Leyland Cypress tree located in the east side yard of the property; (b) a 11.4-inch diameter Crab Apple tree located in the rear

yard of the property; (c) a 15.0-inch diameter Leyland Cypress located in the rear yard of the property; (d) a 8.0-inch diameter Apple tree located in the west side yard of the property; (e) a 12.0-inch diameter Crab Apple tree located in the rear yard of the property; and (f) a 10.0-inch diameter Crab Apple tree located in the rear yard of the property, 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, Robert Jones, Douglas B. Kamerow, David L. Winstead, and Peter Yeo. Betsy Stephens was 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 ____ day of February, 2007.

Susie Eig, Secretary
Board of Managers

Oaks, Michele

From: Davis-Cook, Shana [Shana.Davis-Cook@montgomerycountymd.gov]
Sent: Monday, February 26, 2007 2:03 PM
To: Oaks, Michele; Fothergill, Anne; Tully, Tania
Cc: Younes, Michael; Lyerly, Doris
Subject: 4 Oxford Street and 4 Newlands Street



Decision_0207.doc Decision_0207.doc

Hello ladies.

The owners of the above-referenced properties both came before our Board of Managers at its February 12 regular meeting to appeal the removal of several trees on their properties. The applicants should be coming to you shortly to obtain their HAWP for same.

I am still waiting for our Board Secretary to sign and return the approved decisions, but I have attached draft unsigned decisions for your review. I only ask that you not circulate them outside your staff as they are not the official decisions. The applicants will be provided with signed copies which they can submit along with their HAWP applications.

Take care,

Shana D-C
CCV

Shana R. Davis-Cook
Manager of Administration
Chevy Chase Village

ADDITIONAL APPROVALS:

Properties located within historic districts, municipalities and special taxing districts may require additional approvals beyond the required Department of Permitting Services (DPS) building permit.

For projects located in the City of Takoma Park's Commercial Revitalization Overlay, certain permits must be approved by the City prior to commencing construction.

Please refer to "Permit Procedures for Properties within a Montgomery County Municipality" for more information.

TYPE OF WATER SUPPLY WSSC WELL OTHER (specify) _____

SEWAGE DISPOSAL WSSC SEPTIC OTHER (specify) _____

MPDU ... 20% of this new home development will be built as Moderately Priced Dwelling Units Yes No

IMPACT TAX ... New Homes will be assessed an Impact Tax based on the area where the house is built ... (see Impact Tax guide)
 I will exercise an approved Impact Tax Credit, a copy of which is attached

DAP & EDAET AGREEMENTS....Agreement must be attached for new homes when applicable.

SPECIAL EXCEPTION: Is this lot subject to a Special Exception? Yes, Case # _____ No

VARIANCE: Has a Variance been granted to perform this work? Yes, Variance # _____ No

HISTORIC AREA IN ATLAS or MASTER PLAN: Is the property a Historic resource? Yes No

AUTHORIZED AGENT AFFIDAVIT: I hereby declare and affirm, under the penalty of perjury, that:

- 1. I am duly authorized to make this permit application on behalf of: MARY + POWTER WHEELER
(please print property owner's name)
- 2. The work proposed by this building permit application is authorized by the property owner, and
- 3. All matters and facts set forth in this Affidavit are true and correct to the best of my knowledge, information and belief.

Tracy Stannard 2/21/07 Tracy Stannard
 (Signature of Authorized Agent) Date (Print Name)

HOMEOWNER ACTING AS NEW HOME BUILDER AFFIDAVIT:

By this instrument, I, as the property owner, am applying for an exemption from the licensing requirements for a building contractor, I hereby declare and affirm, under the penalty of perjury that:

- 1. I or a member of my immediate family will perform any and all construction associated with the foregoing building permit application; and
- 2. The type of improvement indicated on the building permit application is designed for use as a residence or dwelling place for my own or my immediate family's use; and
- 3. I take full responsibility for all and any code violations.
- 4. All matters and facts set forth in this affidavit are true and correct to the best of my knowledge, information, and belief.

 (Signature of Property Owner) Date (Print Name)

TO BE READ BY THE APPLICANT:

Any information that the applicant has set forth in this application that is false or misleading may result in the rejection of the application. A condition for the issuance of this permit is that the proposed construction will comply at all times with the plans as approved by all applicable government agencies. I hereby declare and affirm, under the penalty of perjury, that all matters and facts set forth in the building permit application are true and correct to the best of my knowledge, information and belief.

Tracy Stannard 2/21/07 Tracy Stannard
 (Applicant's Signature) Date (Print Name)

FOR OFFICE USE ONLY: Permit Fee: \$ _____ + Impact Tax, DAP or EDAET: \$ _____ Balance: \$ _____
Bldg.appl.res.6/03



Montgomery County Maryland
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850-4166
(240) 777-6300 Fax (240) 777-6262
http://permittingervices.montgomerycountymd.gov



APPLICATION FOR RESIDENTIAL BUILDING PERMIT

Sediment Control # _____ Building AP #(s) 445713 Demolition # _____

DESCRIPTION OF WORK: (check all that apply)

- ADD
ALTER
CONSTRUCT
DEMOLISH
MOVE
FOUNDATION ONLY
RESTORE and/or REPAIR
Gross Sq. Ft. of Area Created
or Affected by this Action:
Estimated Cost: \$
Disturbed Land Area:

USE OF STRUCTURE:

- SINGLE FAMILY DWELLING
TOWNHOUSE
FENCE*
RETAINING WALL
TRAILER**
MODULAR HOME**
HOT TUB
OTHER TREE REMOVAL
DECK
DUPLEX
BASEMENT
POOL IN GROUND
POOL ABOVE GROUND
DETACHED GARAGE
SHED

* IF BUILDING A FENCE OR RETAINING WALL

HEIGHT: _____ ft. _____ in. Note: (A signed approval letter from the adjacent lot owner(s) is required)
Located entirely on the land of the owner
Public Right of Way/Easement
Located on the lot line

**NOTE:

Manufacturer's Name and Model # for All Trailers and Modular Homes

MODEL HOUSE PROGRAM: to build new homes

- INITIAL SUBMITTAL or
PREVIOUSLY APPROVED PERMIT #
New Home Model Name or #

REFER-BACK SYSTEM: to build new homes & pools

- INITIAL SUBMITTAL or
PREVIOUSLY APPROVED PERMIT #

REVISION to ORIGINAL PERMIT #

(Original permit has been issued and is active)

- SITE
STRUCTURAL
HOUSE TYPE
OTHER:

BUILDING PREMISE ADDRESS:

Add'l. House #'s If building new townhouses:

House Number 4 Street OXFORD STREET City CHEVY CHASE Zip 20815-415
Lot(s) part lots B+9 Block 54 Subdivision VILLAGE OF CHEVY CHASE
Nearest Cross Street CONNECTICUT AVE.

APPLICANT INFORMATION: Contact ID #:

Fax #: Email:

Name of Applicant MARY + PORTER WHEELER Daytime Phone #: 301-657-7531
(Permit will be issued to Applicant)

Address 4 OXFORD STREET City CHEVY CHASE State MD Zip 20815-4231

CONTACT INFORMATION: Contact ID #:

Fax #: 202-337-0609 Email: mvassallo@barnesbarnczr.

Contact Person MICHELE VASSALLO Daytime Phone # 202-337-7255
(if other than Applicant) Silk L-2

Address 100 POTOMAC STREET NW City WDC State Zip 20007

Contractor BETTESDA Contracting MHIC or Montgomery County Builders License # 10720

Contractor Address 6812 FLORIDA STREET, CHEVY CHASE MD 20815 Daytime Phone # 301-656-9020

EXPEDITED PLAN REVIEW: I request an Expedited Plan Review, when available, which is subjected to additional fees.

(Applicant's Signature) Date (Print Name)

Historic master



Montgomery County Maryland
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850-4166
(240) 777-6300 Fax (240) 777-6262
http://permittingservices.montgomerycountymd.gov



APPLICATION FOR RESIDENTIAL BUILDING PERMIT

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ALTER
CONSTRUCT
DEMOLISH
MOVE
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RESTORE and/or REPAIR
Gross Sq. Ft. of Area Created
or Affected by this Action:
Estimated Cost: \$
Disturbed Land Area:

USE OF STRUCTURE:

- SINGLE FAMILY DWELLING
TOWNHOUSE
FENCE*
RETAINING WALL
TRAILER**
MODULAR HOME**
HOT TUB
OTHER TREE REMOVAL
DECK
DUPLEX
BASEMENT
POOL IN GROUND
POOL ABOVE GROUND
DETACHED GARAGE
SHED

* IF BUILDING A FENCE OR RETAINING WALL

HEIGHT: _____ ft. _____ in. Note: (A signed approval letter from the adjacent lot owner(s) is required)
Located entirely on the land of the owner
Public Right of Way/Easement
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**NOTE:

Manufacturer's Name and Model # for All Trailers and Modular Homes

MODEL HOUSE PROGRAM: to build new homes

- INITIAL SUBMITTAL or
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New Home Model Name or #

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- INITIAL SUBMITTAL or
PREVIOUSLY APPROVED PERMIT #

REVISION to ORIGINAL PERMIT #

(Original permit has been issued and is active)

- SITE
STRUCTURAL
HOUSE TYPE
OTHER:

BUILDING PREMISE ADDRESS:

Add'l. House #'s If building new townhouses:

House Number 4 Street OXFORD STREET City CHEVY CHASE Zip 20815-4158

Lot(s) part lots 8+9 Block 54 Subdivision VILLAGE OF CHEVY CHASE

Nearest Cross Street CONNECTICUT AVE.

APPLICANT INFORMATION: Contact ID #: Fax #: Email:

Name of Applicant MARY + PORTER WHEELER Daytime Phone #: 301.657.7531

Address 4 OXFORD STREET City CHEVY CHASE State MD Zip 20815-4231

CONTACT INFORMATION: Contact ID #: Fax #: 202.337.0609 Email: m.vassallo@barnes.vanr.c.g

Contact Person MICHELE VASSALLO Daytime Phone # 202.337.7255

Address 1000 POTOMAC STREET NW City WDC State Zip 20007

Contractor BETNESDA CONTRACTING MHIC or Montgomery County Builders License # 10720

Contractor Address 6812 FLORIDA STREET, CHEVY CHASE MD 20815 Daytime Phone # 301.656.9020

EXPEDITED PLAN REVIEW: I request an Expedited Plan Review, when available, which is subjected to additional fees.

(Applicant's Signature) Date (Print Name)

ADDITIONAL APPROVALS:

Properties located within historic districts, municipalities and special taxing districts may require additional approvals beyond the required Department of Permitting Services (DPS) building permit.

For projects located in the City of Takoma Park's Commercial Revitalization Overlay, certain permits must be approved by the City prior to commencing construction.

Please refer to "Permit Procedures for Properties within a Montgomery County Municipality" for more information.

TYPE OF WATER SUPPLY WSSC WELL OTHER (specify) _____

SEWAGE DISPOSAL WSSC SEPTIC OTHER (specify) _____

MPDU ... 20% of this new home development will be built as Moderately Priced Dwelling Units Yes No

IMPACT TAX ... New Homes will be assessed an Impact Tax based on the area where the house is built ... (see Impact Tax guide)
 I will exercise an approved Impact Tax Credit, a copy of which is attached

DAP & EDAET AGREEMENTS.... Agreement must be attached for new homes when applicable.

SPECIAL EXCEPTION: Is this lot subject to a Special Exception? Yes, Case # _____ No

VARIANCE: Has a Variance been granted to perform this work? Yes, Variance # _____ No

HISTORIC AREA IN ATLAS or MASTER PLAN: Is the property a Historic resource? Yes No

AUTHORIZED AGENT AFFIDAVIT: I hereby declare and affirm, under the penalty of perjury, that:

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(please print property owner's name)
- 2. The work proposed by this building permit application is authorized by the property owner; and
- 3. All matters and facts set forth in this Affidavit are true and correct to the best of my knowledge, information and belief.

Tracy Stannard 2/21/07 Tracy Stannard
 (Signature of Authorized Agent) Date (Print Name)

HOMEOWNER ACTING AS NEW HOME BUILDER AFFIDAVIT:

By this instrument, I, as the property owner, am applying for an exemption from the licensing requirements for a building contractor, I hereby declare and affirm, under the penalty of perjury that:

- 1. I or a member of my immediate family will perform any and all construction associated with the foregoing building permit application; and
- 2. The type of improvement indicated on the building permit application is designed for use as a residence or dwelling place for my own or my immediate family's use; and
- 3. I take full responsibility for all and any code violations.
- 4. All matters and facts set forth in this affidavit are true and correct to the best of my knowledge, information, and belief.

 (Signature of Property Owner) Date (Print Name)

TO BE READ BY THE APPLICANT:

Any information that the applicant has set forth in this application that is false or misleading may result in the rejection of the application. A condition for the issuance of this permit is that the proposed construction will comply at all times with the plans as approved by all applicable government agencies. I hereby declare and affirm, under the penalty of perjury, that all matters and facts set forth in the building permit application are true and correct to the best of my knowledge, information and belief.

Tracy Stannard 2/21/07 Tracy Stannard
 (Applicant's Signature) Date (Print Name)

FOR OFFICE USE ONLY: Permit Fee: \$ _____ + Impact Tax, DAP or EDAET: \$ _____ Balance: \$ _____
Bldg.appl.res.6/03

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

GEOFFREY B. RIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

BOARD OF MANAGERS
DOUGLAS B. KAMEROW
Chair
DAVID L. WINSTEAD
Vice Chair
SUSIE EIG
Secretary
GAIL S. FELDMAN
Treasurer
BETSY STEPHENS
Assistant Treasurer
PETER M. YEO
Board Member
ROBERT L. JONES
Board Member

February 13, 2007

Mr. and Mrs. Porter Wheeler
4 Oxford Street
Chevy Chase, MD 20815

Dear Mr. and Mrs. Wheeler:

As you are aware, your appeal to remove two Leyland Cypress trees, three Crab Apple trees and one Apple tree located on your property has been approved by the Chevy Chase Village Board of Managers.

Pursuant to the Board's approval, Village Counsel will draft a written decision for the Board to review. Once approved and signed by the Board Secretary, a copy of the decision will be mailed to you. The Village's Tree Removal Permit will not be issued until you have obtained a Historic Area Work Permit (HAWP) from the Historic Preservation Commission and submit the HAWP to our office. The trees are not to be removed until you have received both required permits.

For your reference, enclosed please find a list of acceptable species for the reforestation requirements that will be contained in the Board's written decision.

If you have any questions or need further assistance, please contact the Village office at (301) 654-7300.

Sincerely,



Michael Younes
Chevy Chase Village

Enclosure

**Porter K. Wheeler
4 Oxford Street
Chevy Chase, MD 20815
(301) 657-7531**

January 29, 2007

Board of Managers
Chevy Chase Village
Chevy Chase, MD 20815

Appeal for Tree Removal

Dear Sirs:

This letter addresses our residence at 4 Oxford Street in Chevy Chase Village. We are preparing to submit our drawings and residential renovation plans to the Village for approval. We have received our Montgomery County historic area work permit and building permit and are going through the necessary processes, one of which was to obtain a Tree Preservation Plan done by the Village Arborist, dated 9/13/06. We assure you that all the steps recommended for protection of the southern magnolia tree will be followed, but we would like to address certain other tree and landscape issues prior to beginning construction activity,

Therefore, we are submitting herewith an application for a Tree Removal Permit for the following purposes.

- First to achieve the proposed renovations and redevelopment of the house and driveway, we feel it is necessary to remove a Leyland Cypress tree, Tree #2 on the Tree Preservation Plan. The location of this tree would unnecessarily restrict driveway renovations and effective use of access and parking space. There are also ground subsidence and other water issues requiring landscaping attention at this location. Removal of this tree (Tree #2) is necessary to accommodate an effective renovation plan for our historic home.
- Second, further to the rear of the lot, along the fence line on the east, there is a second Cypress that has overgrown its position against the fence while also blocking the morning sun and should be removed.
- Third, in order to pursue our landscape plan, as outlined in the attached owner's report titled "Urban Reforestation ..." we are also requesting permission to remove four fruit trees, as follows:
 - The two apple trees toward the left rear of the property, previously identified as trees #3 and #4 on a Village tree inspection report dated 9/22/05.
 - One crab apple tree by the right rear corner of the house, which may be undersize, but was identified as tree #4 in the tree protection plan of 9/13/06.

- o Another apple or crabapple tree sits along the middle right (west) lot line. This tree receives little sun due to being blocked by the large newer house (#4A) to the west and should be removed and replaced.

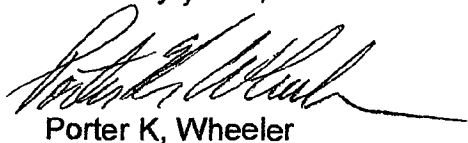
The fruit trees proposed for removal drop large amounts of unusable fruit and attract bees and other insects to the property, posing a hazard to the safety of persons and generally detracting from our peaceful use of the property.

Reforestation Proposal. Further to complement these requests, I am attaching a discussion of our landscape and reforestation plan. Pursuit of this landscape plan is already yielding benefits in comfort and beauty to our property, and we are proposing to add at least two or three trees, likely more, that will more appropriately enhance the urban forest for our area.

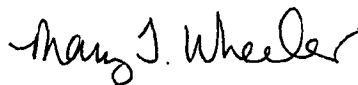
The location of most existing trees on the property are shown on the attached chart titled "landscape plan" (based on an enlarged survey copy), including trees requested for removal shown by dark circles and probable locations for replanting trees indicated by wavy shaded circles on the plan.

Please find enclosed my check to accompany the application. We will appreciate you consideration in reviewing our proposal. Thank you very much.

Sincerely yours,



Porter K, Wheeler



Mary T. Wheeler

Enclosed:
Check for fees
Tree Removal Application
Urban Reforestation Proposal

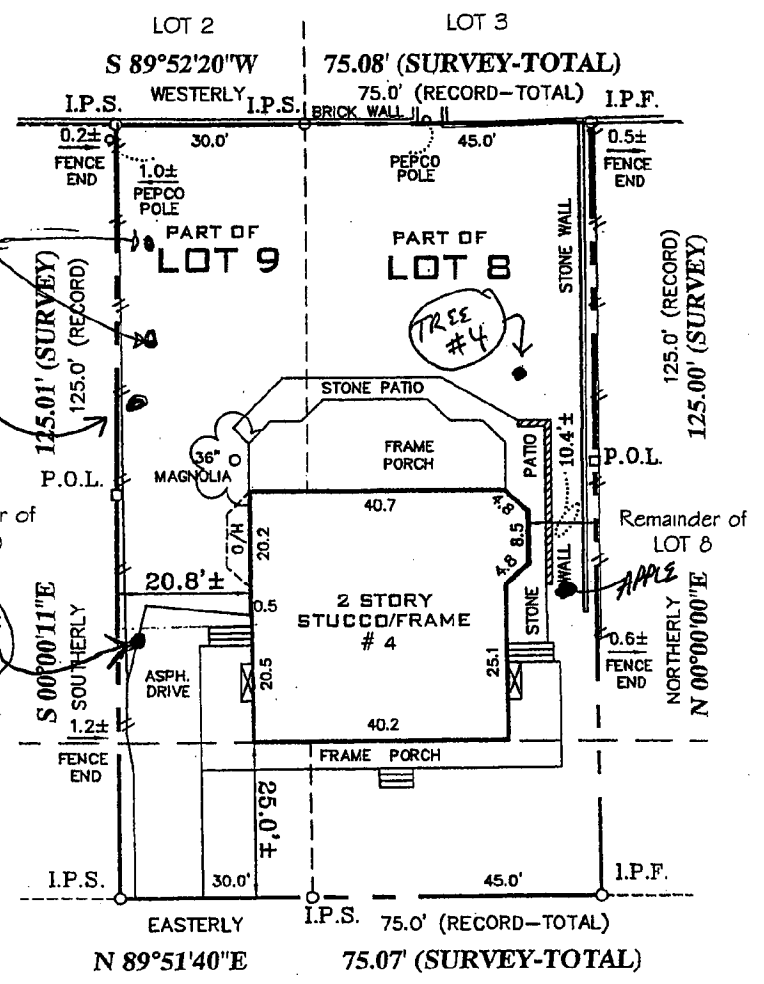
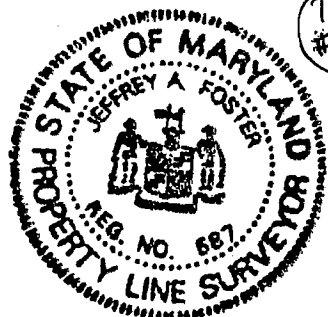
4 OXFORD STREET

The information shown hereon has been prepared without benefit of a Title Report, therefore, may not reflect all easements or encumbrances which may affect subject property.

PROPOSED TREE REMOVALS

Notes:

- 1) Flood zone information is not available.
- 2) All property corners have been recovered or set and verified per field survey performed: AUGUST 22 & 25, 2005.
- 3) I.P.F. Indicates iron pipe found.
I.P.S. Indicates iron pin set.
P.O.L. Indicates nail set along property line.
- 4) *Total area = 9,375 sf.(RECORD-TOTAL)
*Total area = 9,385.11 sf.(SURVEY-TOTAL)



PLAT OF SURVEY
PART OF LOTS 8 & 9
 SECTION 2, BLOCK 54
CHEVY CHASE
 MONTGOMERY COUNTY, MARYLAND

OXFORD STREET
 (60' R/W)

Building Line and/or Flood Zone Information is taken from Available Sources and is Subject to Interpretation of Original

<p>SURVEYOR'S CERTIFICATE</p> <p>I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN".</p> <p><i>Jeffrey A. Foster</i> MARYLAND PROPERTY LINE SURVEYOR REG. NO. 561</p>	<p>REFERENCES</p> <p>PLAT BK. 2 PLAT NO. 106</p>		<p>SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS 2 Professional Drive, Suite 216 Gaithersburg, Maryland 20879 301/948-5100, Fax 301/948-12</p>	
	<p>LIBER 8320 FOLIO 837</p>		<p>DATE OF LOCATIONS</p> <p>WALL CHECK HSE. LOC.: 08-22-2005 PROP. CORS.: 08-25-2005</p>	<p>SCALE: 1"=30' DRAWN BY: F.A. JOB NO.: 2005-490</p>

Chevy Chase Village Tree Removal Permit Application

Permit Number: _____

Date of Application: _____

Applicant Name: PORTER AND MARY WHEELER	
Address: 1 OXFORD STREET	Phone: 301-657-7531, 240-476-7603 (ccv)
Contractor: MIKE THIEDE, BETHESDA CONTRACTING	Phone: 301-656-9020
Contact Person: PORTER WHEELER	

TREE CONTRACTOR: R. SCARLEY, NORTHERN WOODS TREE SERVICE
Chapter 17. Urban Forest §17-1 and 17-2. Permit Required (703) 528-2056

Chapter 17 applies to trees on private property with trunks that measure at least twenty-four (24) inches in circumference at four and one-half (4 1/2) feet above ground level. § 17-2 reads: "no person shall remove or destroy, or cause the removal or destruction, of a tree or undertake any action that will substantially impair the health or growth of a tree without first obtaining a permit from the Village manager. No permit shall be required for normal and reasonable trimming or other tree care designed to maintain the health, shape, or balance of a tree."

§17-3 Permit Standards

The Village manager is authorized to issue a permit only if at least one (1) of the following conditions applies:

- The tree is damaged beyond restoration, insect infected beyond restoration, or injured beyond restoration;
- The tree is dead or dying or in danger of falling;
- The tree constitutes a hazard to the safety of persons;
- The tree constitutes a hazard and threatens the safety of property;
- The tree constitutes a hazard and threatens injury to, or would have a negative effect on the health of other trees;
- The tree is injurious to or creates a condition injurious to the health of a person, certified to by a qualified medical practitioner.

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

Filing Requirements

- There is a \$50.00 filing fee for a Chevy Chase Village Tree Removal Permit.
- Copy of the findings and recommendations report from either the Village staff or the Chevy Chase Village Consulting arborist.
- A completed Permit Application and payment of filing fees.

By signing below, I understand that no work may be performed until the Village permit is issued and posted to be visible from the street.

Applicant's Signature: Porter Wheeler Date: 1/28/07
Mary S. Wheeler

For use by HPC only:

Historic Area Work Permit required?

Yes

No

Tree Removal Plans (including reforestation plan, if any)	
-	REMOVAL OF LEYLAND CYPRESS TREE, TREE # 2 ON THE CHEVY CHASE VILLAGE TREE PRESERVATION PLAN
-	ALSO, REMOVAL OF SECOND CYPRESS ON EAST LOT LINE ABOUT 2/3 TO REAR
-	REMOVAL OF TWO ^{FOUR} FRUIT TREES: TWO APPLE TREES IN REAR NEAR LEFT (E) PROPERTY LINE, AND ONE CRAB APPLE = TREE # 4 ON THE C.C. VILLAGE TREE PRESERVATION PLAN, AND ANOTHER FAILING (ALL MARKED ON PLAT ATTACHED) FRUIT TREE ON THE WEST PROPERTY LINE.

For Use By Village Manager	Approved with the following conditions:

For Use By Village Manager	Denied for the following reasons:

Filing Fees	Checks Payable to:	Chevy Chase Village 5906 Connecticut Avenue Chevy Chase, MD 20815
Permit fee: \$50 ⁰⁰	Date:	January 29, 2007
Damage Deposit:	Staff Signature:	<i>[Signature]</i>
Appeal Fee: \$50 ⁰⁰		
Total fees & Deposits: \$200 ⁰⁰ PADDYMAN		

Plus \$250

GEOFFREY B. BIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

BOARD OF MANAGERS
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Board Member

October 12, 2006

Mr. Stephen J. Vanze, AIA
Stephen Vanze Architects, Inc.
1000 Potomac Street, NW, Suite L-2
Washington, DC 20007

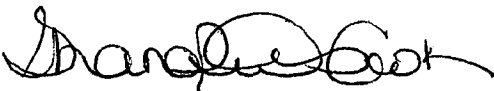
RE: Wheeler Residence, 4 Oxford Street, Chevy Chase Village

Dear Mr. Vanze:

Pursuant to our conversation this morning, enclosed please find a tree preservation plan for the proposed improvements at the above-referenced property.

Upon receipt, please review the preservation plan and contact me if you need additional information. I can be reached at (301) 654-7300 or shana.davis-cook@montgomerycountymd.gov.

Sincerely,



Shana R. Davis-Cook
Manager of Administration
Chevy Chase Village

Enclosure

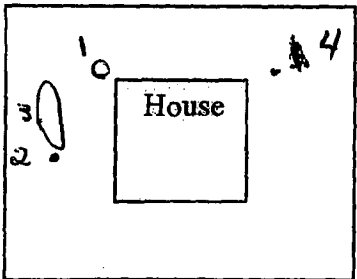
Tree Inspection Request

Address 4 Oxford Street Date 9/13/2006

Resident's Name Wheeler Residence Phone #s _____

Circle One: Private Property Village Street/Park Tree _____

Concern(s) Tree Preservation (see attached)



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - Existing tree

#2 - _____

#3 - _____

(Please list no more than three trees per page)

***** To be completed by arborist *****

Tree # 1: Type and Diameter Southern Magnolia 30" DBH

Assessment: Healthy
tree is trunk flow is touching from
post

Tree # 2-8 Type and Diameter (2) Leyland Cypress 11.6" DBH

Assessment: 3-7 undersize
Healthy

Tree # 3: Type and Diameter Australian Pine 7" DBH

Assessment: Healthy

Tree 4 Crab Apple
Healthy

If removal requested. - Approved Denied Permit Required? Y N

Tree 1

Tree 2

Tree 3

Signature [Signature]

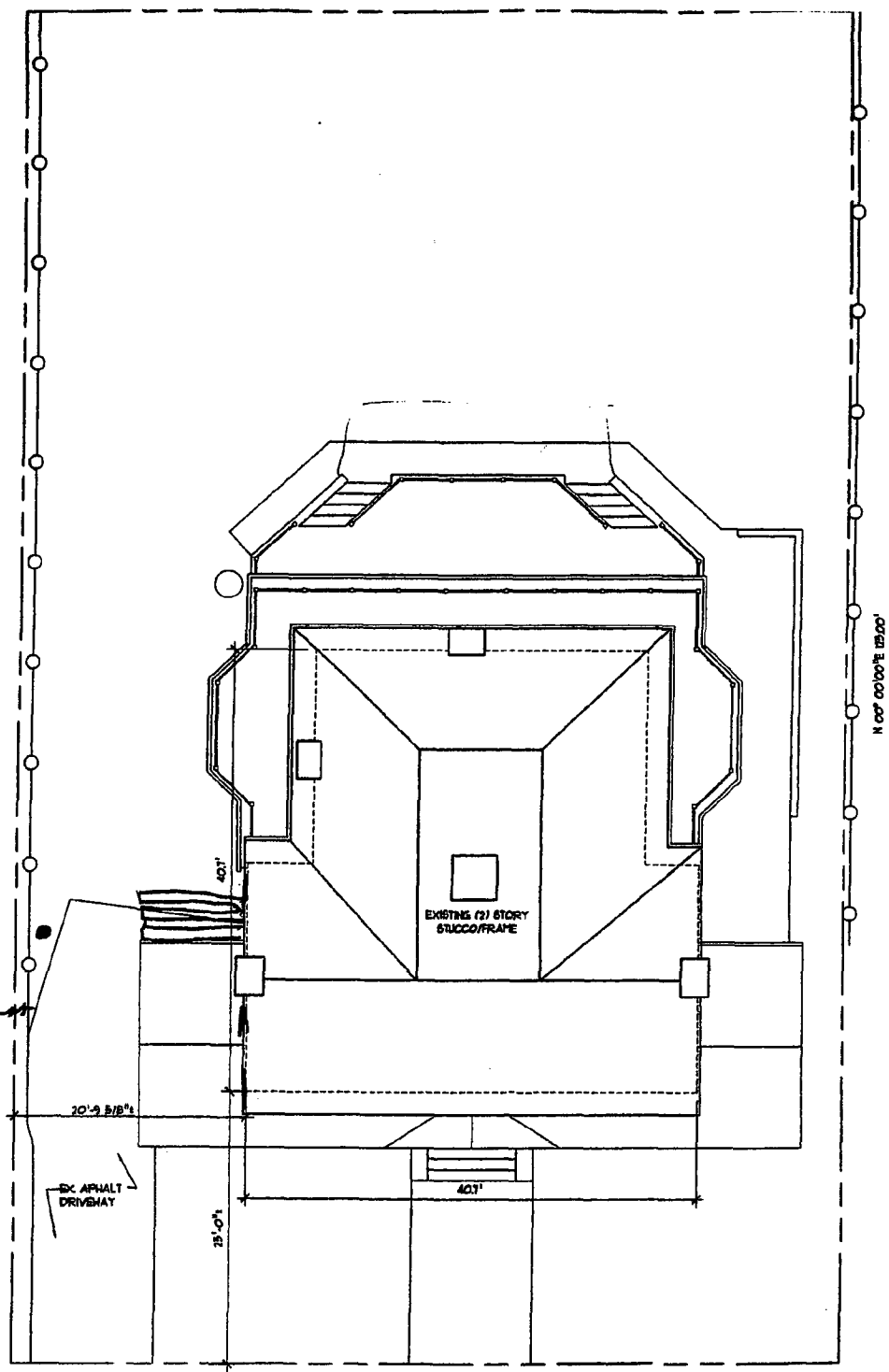
Date 9-21-06

See Drawings

A.C. ⑥
 L.C. ⑤
 L.C. ④

35.
 7.5 DAN ③
 * ②

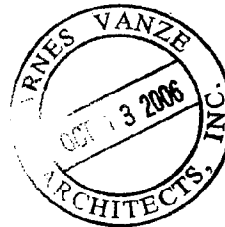
Leyland Cypress
 11.6" DBH



N 89° 11'40" E 15.00'
 OXFORD STREET
 (60' R/W)

CI EXISTING SITE PLAN
 1/16" = 1'-0"

S 89° 22'30"W 73.00'



061
ARCH
1800 Freedom Bldg
Suite L
Washington, D
TELE: 202.321
FAX: 202.321

NEW WORK
EXISTING TREE

Welded wire fencing 4 ft high
Green metal bleked 6 ft

fencing

10 ft
3
4.6 ft

Crab Apple 11.4"
EX. WALKWAY, BLENSTONE PAVERS TLE
EX. DECK
EX. HALL
EX. WALK

8.00' CONCRETE DRIVE
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NEW TRASH ENCLOSURE
PROPOSED ADDITION
NEW STEPS & AWNING
EXTEND DECK

EXISTING (2) STORY STUCCO/FRAME

ROOT PRUNING + FENCING

REMOVE ASPHALT DRIVEWAY

NEW BRICK TIRE PATHS

N 89° 51'40"E 73.00'
OXFORD STREET
(60' R/W)

Southern Magnolia
my corky treatment

C2
ASI-1
PROPOSED SITE PLAN
1/16" = 1'-0"



WHEELER
RESIDENCE
4 OXFORD, CT

DRAWING: Site Plan	ISSUED: 07-08-2008	ISSUE: HISTORIC PRESERVATION PERMIT
--------------------	--------------------	-------------------------------------

ASI-

**Urban Reforestation/Tree Replacement Proposal
4 Oxford Street, Chevy Chase, Maryland 20815
Residence of Mary & Porter Wheeler**

Report Prepared by Madison Garden Design-Installation-Maintenance
Rockville, Maryland 20850 301-762-7548 Prepared 1/18/07

General Property Description:

**Legal Description - CHEVY CHASE SEC 2, BLOCK 54
PART OF LOTS 8&9**

4 Oxford Street consists of a lot approximately 9375 square feet and is improved by a 2 story single family dwelling originally constructed in 1911. The structure occupies approximately 3028 square feet, approximately 32% of the lot leaving approximately 6,347 square feet (about .15 acre). The structure has been modified/expanded by previous owners. The grounds currently consist of a large number and variety of trees (40 trees including street trees), shrubs, and an exceptionally large number and variety of flowering bulbs, perennials, and planted seasonally annuals in flowering border beds at front and rear of property.

Purpose of Landscape and Tree Plan:

A proposal for improvements to the structure has been approved by Montgomery County. Owners propose related tree and landscape modifications to complement the building renovation plan. Renovations will require the removal of the Leland Cypress toward the street end of the driveway. Additionally, the removal of three fruit trees and several other undersize trees is being considered due to undesirable characteristics or incompatibility with improvements and modifications to the overall garden plan.

The majority of trees being considered for removal are relatively small, of low ornamental quality, and were planted too close to other trees or to

structures to allow for proper development. Many have been poorly or improperly maintained under prior owners.

Removal of one Leyland Cypress requiring a permit along easterly lot line is necessary to allow for replacement of driveway and to facilitate improved and safe access to new side entry to home (see attached drawing).

Three (3) fruit trees at rear of property that would require a removal permit are under consideration for removal/replacement. These trees are of low ornamental value, have not been properly pruned or cared for prior to current ownership, produce an undesirable maintenance problem due to large amount of dropped fruit that is of low quality/unusable due to condition of trees, and subsequently attract undesirable levels of insect activity at certain times of year which limit use and enjoyment of grounds/garden (see attached drawing).

Garden Plan:

The current garden plan has a primary focus on perennial and annual flowers as well as flowering bulbs. Since purchase in fall of 2005, the property owners have had the gardens cleaned out, highly maintained and improved with expansion of planting beds and the addition of many new plantings. Many more flowers are planned for 2007 and beyond. Complimentary additions of shrubs and trees are also under consideration.

While the foundation of any quality garden is based on a framework of trees and shrubs, and that is the intention for this garden as well, as stated, the focus of this garden is flowers. Most flowers require a minimum number of hours of sun per day. The large number of trees on the property, the shade produced during the growing season, and the solar orientation of the lot impact the ability to produce the type and quality of flower species desired. Due to the comparative small size of this lot, consisting of approximately 0.15 acre area not covered by the structure, which includes paved surfaces, and considering that the lot

was and is heavily planted with trees, shrubs, and flower beds, it will be difficult to achieve the desired goals of the garden plan with significant additions of new trees or retaining some of the existing trees.

Therefore it is requested that consideration be given to the replacement plans and to allow for potentially less than full replacement of the number of trees requiring removal permit. If all trees being considered for removal at this time were removed (four), there would still remain a large number of trees as well as numerous variety of shrubs. Additionally, as noted below, at least 2 to 3 new trees are planned for 2007. This garden currently contains a significantly higher concentration of plantings than most comparable properties.

Current tree species (see attached drawing):

- 12 leyland cypress
- 1 zelkova (street tree)
- 1 maple (street tree)
- 2 magnolia (deciduous)
- 1 styrax japonica
- 1 unidentified (at front bed)
- 5 apple/crab apple (variety/type unknown-fruit bearing)
- 1 cork screw willow
- 1 serviceberry
- 5 holly
- 1 southern magnolia
- 2 flowering plum
- 2 crape myrtle
- 1 dogwood
- 4 cryptomeria

Trees considered for removal requiring a removal permit:

- 1 Leyland cypress at east side along driveway
- 3 apple/fruit trees at rear yard
(at least two indicated to exceed minimum caliper)

Species being considered for possible planting/replacements:

Crape myrtle at front bed

Stewartia at rear bed

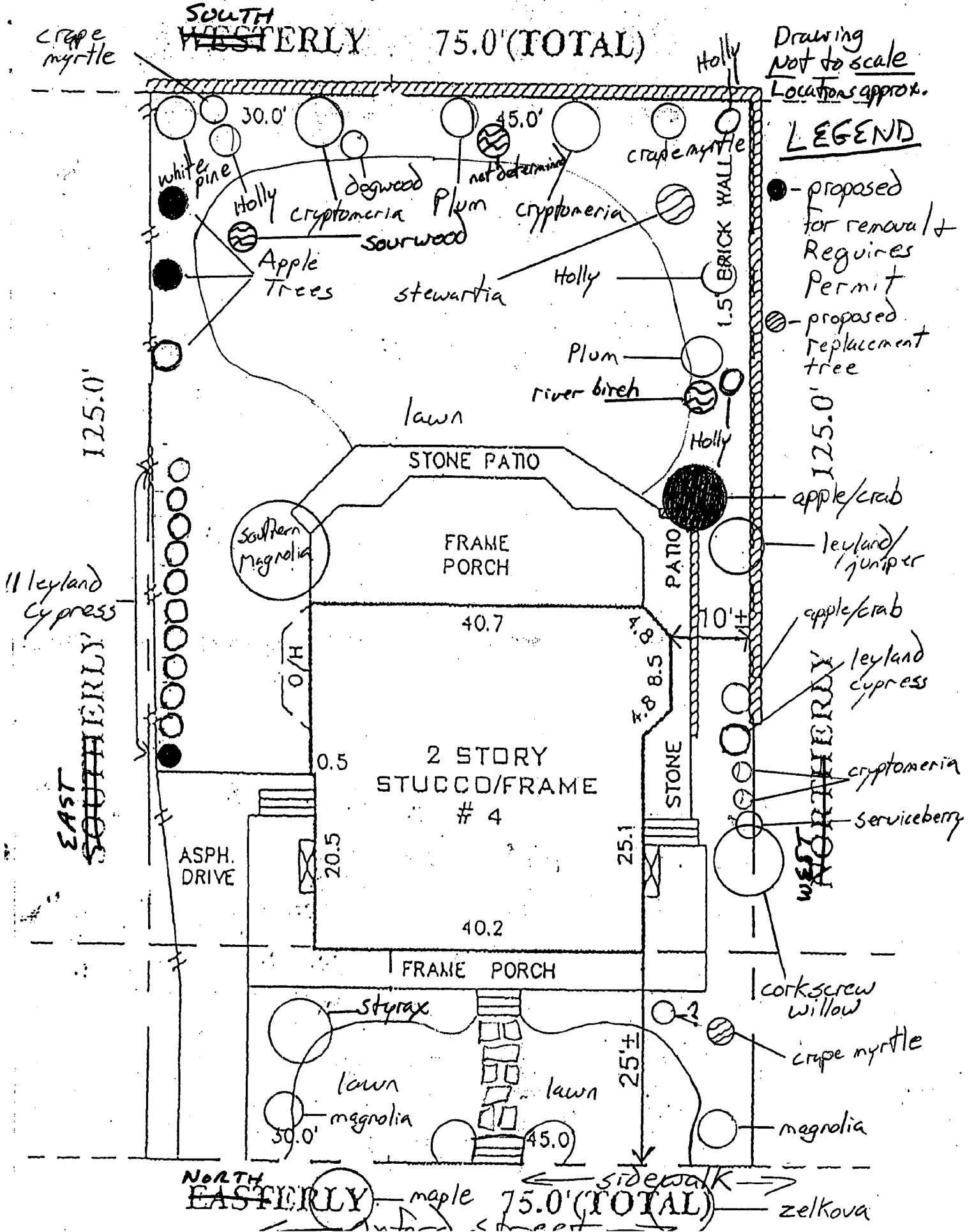
River birch at rear

Sourwood at rear

Cornus Kousa (to be determined)

Attached: Landscape Plan, 4 Oxford Street

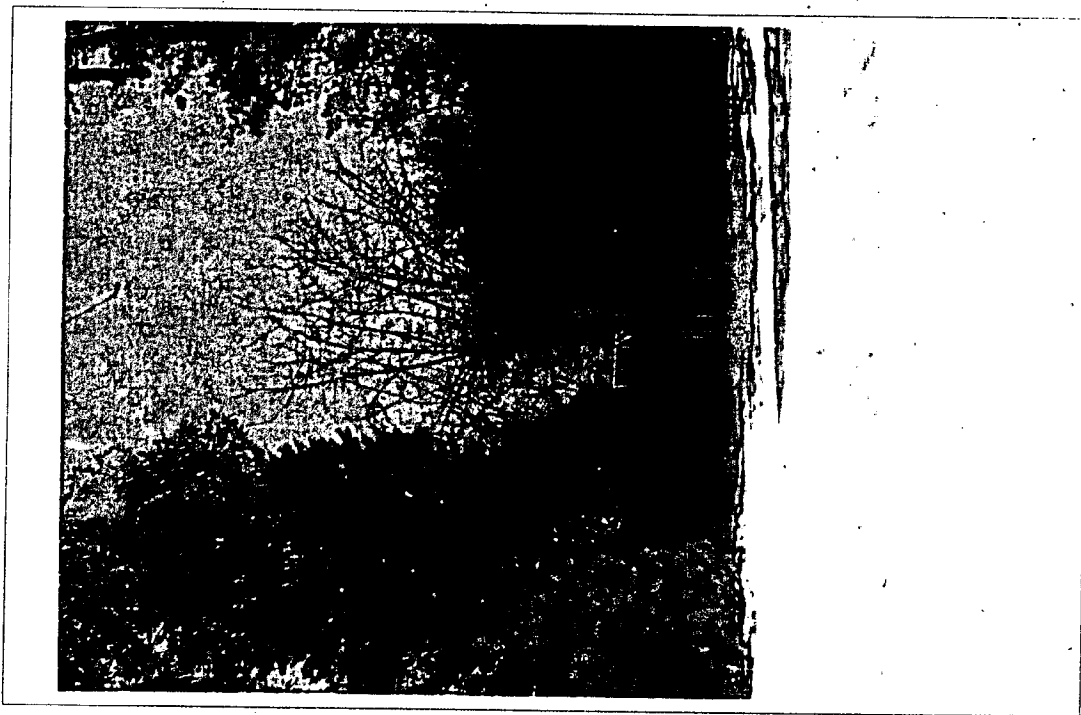
~~404~~ LANDSCAPE PLAN 4 Oxford Street



Existing Property Condition Photographs (duplicate as needed)



Detail: APPLE TREE #3



Detail: APPLE TREE #4

Applicant: M Vassallo

Existing Property Condition Photographs (duplicate as needed)



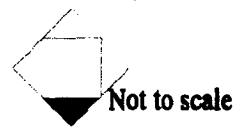
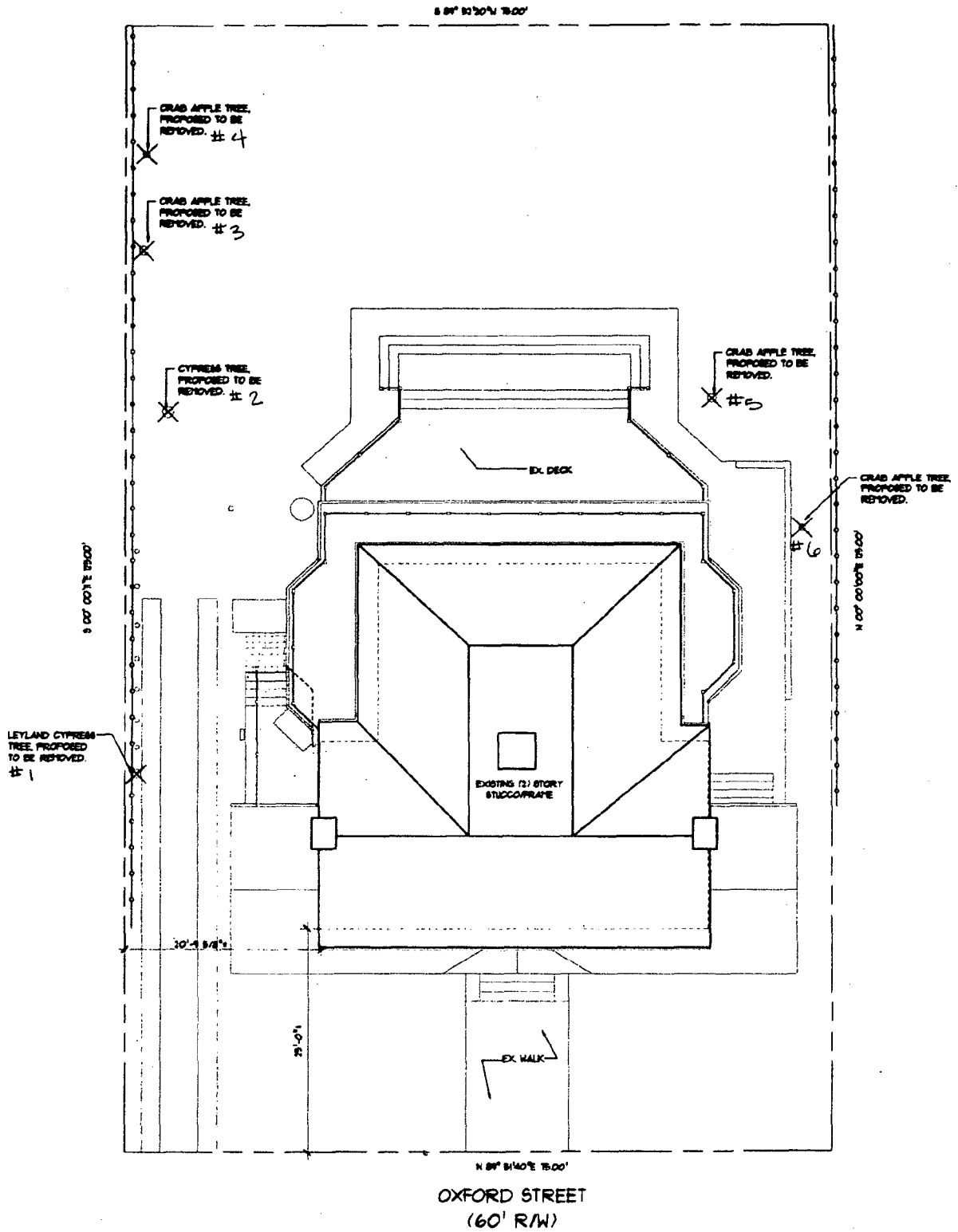
Detail: CRAB APPLE TREE # 5



Detail: APPLE TREE # 6

Applicant: m Vassallo

Site Plan



Shade portion to indicate North

Applicant: M Vassallo

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

Owner's mailing address Porter & Mary Wheeler 4 Oxford St. Chevy Chase, MD 20815	Owner's Agent's mailing address Barnes Vanze Architects, Inc. 1000 Potomac St. Ste. L-2 Washington, DC 20007
Adjacent and confronting Property Owners mailing addresses	
Dane H Butswinkas 3 Newlands St Chevy Chase, MD 20815	Byron E. & M.L. Anderson 5 Newlands St Chevy Chase, MD 20815
Jay & D. Martin 4-A Oxford St. Chevy Chase, MD 20815	Emmett B. & E.S. Lewis 6 Oxford St. Chevy Chase, MD 20815
Elizabeth K. Boas 11 Oxford St. Chevy Chase, MD 20815	Robert Wilson 7 Oxford St. Chevy Chase, MD 20815

CHEVY CHASE VILLAGE

5906 CONNECTICUT AVENUE

CHEVY CHASE, MD 20815

Telephone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov

GEOFFREY B. HIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

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PETER M. YEO

Board Member

ROBERT L. JONES

Board Member

February 13, 2007

Mr. and Mrs. Porter Wheeler
4 Oxford Street
Chevy Chase, MD 20815

Dear Mr. and Mrs. Wheeler:

As you are aware, your appeal to remove two Leyland Cypress trees, three Crab Apple trees and one Apple tree located on your property has been approved by the Chevy Chase Village Board of Managers.

Pursuant to the Board's approval, Village Counsel will draft a written decision for the Board to review. Once approved and signed by the Board Secretary, a copy of the decision will be mailed to you. The Village's Tree Removal Permit will not be issued until you have obtained a Historic Area Work Permit (HAWP) from the Historic Preservation Commission and submit the HAWP to our office. The trees are not to be removed until you have received both required permits.

For your reference, enclosed please find a list of acceptable species for the reforestation requirements that will be contained in the Board's written decision.

If you have any questions or need further assistance, please contact the Village office at (301) 654-7300.

Sincerely,



Michael Younes
Chevy Chase Village

Enclosure

**Porter K. Wheeler
4 Oxford Street
Chevy Chase, MD 20815
(301) 657-7531**

January 29, 2007

Board of Managers
Chevy Chase Village
Chevy Chase, MD 20815

Appeal for Tree Removal

Dear Sirs:

This letter addresses our residence at 4 Oxford Street in Chevy Chase Village. We are preparing to submit our drawings and residential renovation plans to the Village for approval. We have received our Montgomery County historic area work permit and building permit and are going through the necessary processes, one of which was to obtain a Tree Preservation Plan done by the Village Arborist, dated 9/13/06. We assure you that all the steps recommended for protection of the southern magnolia tree will be followed, but we would like to address certain other tree and landscape issues prior to beginning construction activity,

Therefore, we are submitting herewith an application for a Tree Removal Permit for the following purposes.

- First to achieve the proposed renovations and redevelopment of the house and driveway, we feel it is necessary to remove a Leyland Cypress tree, Tree #2 on the Tree Preservation Plan. The location of this tree would unnecessarily restrict driveway renovations and effective use of access and parking space. There are also ground subsidence and other water issues requiring landscaping attention at this location. Removal of this tree (Tree #2) is necessary to accommodate an effective renovation plan for our historic home.
- Second, further to the rear of the lot, along the fence line on the east, there is a second Cypress that has overgrown its position against the fence while also blocking the morning sun and should be removed.
- Third, in order to pursue our landscape plan, as outlined in the attached owner's report titled "Urban Reforestation ..." we are also requesting permission to remove four fruit trees, as follows:
 - The two apple trees toward the left rear of the property, previously identified as trees #3 and #4 on a Village tree inspection report dated 9/22/05.
 - One crab apple tree by the right rear corner of the house, which may be undersize, but was identified as tree #4 in the tree protection plan of 9/13/06.

Wheeler Letter
January 29, 2007

2

- o Another apple or crabapple tree sits along the middle right (west) lot line. This tree receives little sun due to being blocked by the large newer house (#4A) to the west and should be removed and replaced.

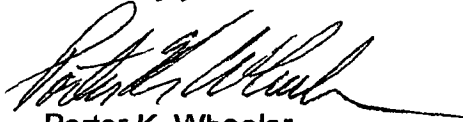
The fruit trees proposed for removal drop large amounts of unusable fruit and attract bees and other insects to the property, posing a hazard to the safety of persons and generally detracting from our peaceful use of the property.

Reforestation Proposal. Further to complement these requests, I am attaching a discussion of our landscape and reforestation plan. Pursuit of this landscape plan is already yielding benefits in comfort and beauty to our property, and we are proposing to add at least two or three trees, likely more, that will more appropriately enhance the urban forest for our area.

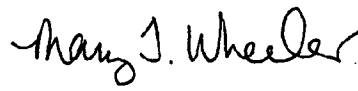
The location of most existing trees on the property are shown on the attached chart titled "landscape plan" (based on an enlarged survey copy), including trees requested for removal shown by dark circles and probable locations for replanting trees indicated by wavy shaded circles on the plan.

Please find enclosed my check to accompany the application. We will appreciate you consideration in reviewing our proposal. Thank you very much.

Sincerely yours,



Porter K, Wheeler



Mary T. Wheeler

Enclosed:
Check for fees
Tree Removal Application
Urban Reforestation Proposal

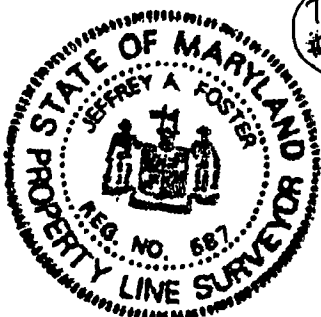
4 OXFORD STREET

The information shown hereon has been prepared without benefit of a Title Report, therefore, may not reflect all easements or encumbrances which may affect subject property.

PROPOSED TREE REMOVALS

Notes:

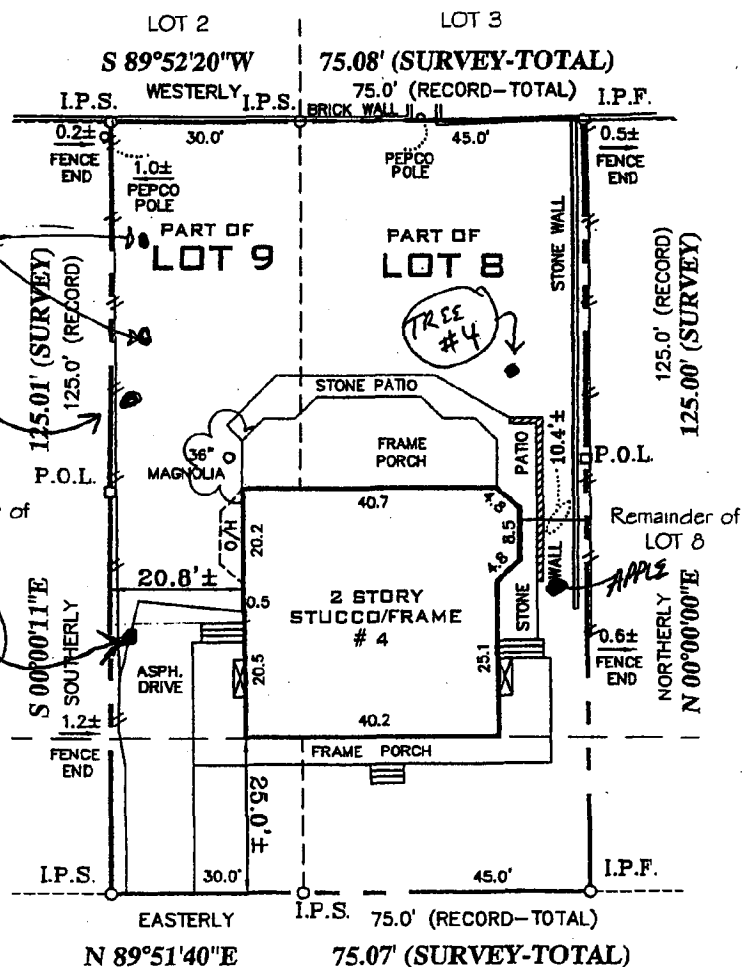
- 1) Flood zone information is not available.
- 2) All property corners have been recovered or set and verified per field survey performed: AUGUST 22 & 25, 2005.
- 3) I.P.F. Indicates iron pipe found.
I.P.S. Indicates iron pin set.
P.O.L. Indicates nail set along property line.
- 4) *Total area = 9,375 sf.(RECORD-TOTAL)
*Total area = 9,385.11 sf.(SURVEY-TOTAL)



APPLE TREES (2)
CYPRESS

TREE #2



TREE #4



PLAT OF SURVEY
PART OF LOTS 8 & 9
 SECTION 2, BLOCK 54
CHEVY CHASE
 MONTGOMERY COUNTY, MARYLAND

OXFORD STREET
 (60' R/W)

Building Line and/or Flood Zone Information is taken from Available Sources and is Subject to Interpretation of Original Sources.

SURVEYOR'S CERTIFICATE		REFERENCES			SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS	
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN.		PLAT BK.	2		2 Professional Drive, Suite 210 Gaithersburg, Maryland 20878 301/948-5100, Fax 301/948-1200	
 MARYLAND PROPERTY LINE SURVEYOR REG. NO. 561		PLAT NO.	106		DATE OF LOCATIONS	SCALE: 1"=30'
		LIBER	8320		WALL CHECK:	DRAWN BY: F.A.
		FOLIO	837	HSE. LOC.: 08-22-2005	JOB NO.: 2005-490	
				PROP. CORS.: 08-25-2005		

Chevy Chase Village Tree Removal Permit Application

Permit Number: _____

Date of Application: _____

Applicant Name: PORTER AND MARY WHEELER	
Address: 1 OXFORD STREET	Phone: 301.657.7531, 240.476.7603 (cell)
Contractor: MIKETHIEME, BETHESDA CONTRACTING	Phone: 301.656.9020
Contact Person: PORTER WHEELER	

TREE CONTRACTOR: R. BUCKLEY, NORTHELM WOODS TREE SERVICE
Chapter 17. Urban Forest §17-1 and 17-2. Permit Required (703) 528-2056

Chapter 17 applies to trees on private property with trunks that measure at least twenty-four (24) inches in circumference at four and one-half (4 1/2) feet above ground level. § 17-2 reads: "no person shall remove or destroy, or cause the removal or destruction, of a tree or undertake any action that will substantially impair the health or growth of a tree without first obtaining a permit from the Village manager. No permit shall be required for normal and reasonable trimming or other tree care designed to maintain the health, shape, or balance of a tree."

§17-3 Permit Standards

The Village manager is authorized to issue a permit only if at least one (1) of the following conditions applies:

- The tree is damaged beyond restoration, insect infected beyond restoration, or injured beyond restoration;
- The tree is dead or dying or in danger of falling;
- The tree constitutes a hazard to the safety of persons;
- The tree constitutes a hazard and threatens the safety of property;
- The tree constitutes a hazard and threatens injury to, or would have a negative effect on the health of other trees;
- The tree is injurious to or creates a condition injurious to the health of a person, certified to by a qualified medical practitioner.

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

Filing Requirements

- There is a \$50.00 filing fee for a Chevy Chase Village Tree Removal Permit.
- Copy of the findings and recommendations report from either the Village staff or the Chevy Chase Village Consulting arborist.
- A completed Permit Application and payment of filing fees.

By signing below, I understand that no work may be performed until the Village permit is issued and posted to be visible from the street.

Applicant's Signature: Porter Wheeler Date: 1/28/07
Mary S. Wheeler

For use by HPC only:

Historic Area Work Permit required? Yes No

Tree Removal Plans (including reforestation plan, if any)	
-	REMOVAL OF LEYLAND CYPRESS TREE, TREE # 2 ON THE CHEVY CHASE VILLAGE TREE PRESERVATION PLAN
-	ALSO, REMOVAL OF SECOND CYPRESS ON EAST LOT LINE ABOUT 2/3 TO REAR
-	REMOVAL OF TWO ^{FOUR} FRUIT TREES: TWO APPLE TREES IN REAR NEAR LEFT (E) PROPERTY LINE, AND ONE CRAB APPLE = TREE # 4 ON THE C.C. VILLAGE TREE PRESERVATION PLAN, AND ANOTHER FAILING (ALL MARKED ON PLAT ATTACHED) FRUIT TREE ON THE WEST PROPERTY LINE.

For Use By Village Manager	Approved with the following conditions:

For Use By Village Manager	Denied for the following reasons:

Filing Fees	Checks Payable to:	Chevy Chase Village 5906 Connecticut Avenue Chevy Chase, MD 20815
Permit Fee: \$50 ⁰⁰		
Damage Deposit:		
Appeal Fee: \$150 ⁰⁰	Date: January 29, 2007	
Total Fees & Deposits: \$200 ⁰⁰ paid by check	Staff Signature: <i>[Signature]</i>	

plus \$250

CHEVY CHASE VILLAGE

5906 CONNECTICUT AVENUE

CHEVY CHASE, MD 20815

Telephone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov

GEOFFREY B. BIDDLE

Village Manager

DAVID R. PODOLSKY

Legal Counsel

BOARD OF MANAGERS

DOUGLAS B. KAMEROW

Chair

DAVID L. WINSTEAD

Vice Chair

SUSIE EIG

Secretary

GAIL S. FELDMAN

Treasurer

BETSY STEPHENS

Assistant Treasurer

PETER M. YEO

Board Member

ROBERT L. JONES

Board Member

October 12, 2006

Mr. Stephen J. Vanze, AIA
Stephen Vanze Architects, Inc.
1000 Potomac Street, NW, Suite L-2
Washington, DC 20007

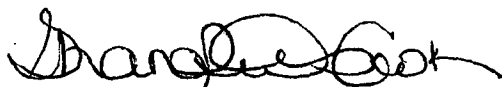
RE: Wheeler Residence, 4 Oxford Street, Chevy Chase Village

Dear Mr. Vanze:

Pursuant to our conversation this morning, enclosed please find a tree preservation plan for the proposed improvements at the above-referenced property.

Upon receipt, please review the preservation plan and contact me if you need additional information. I can be reached at (301) 654-7300 or shana.davis-cook@montgomerycountymd.gov.

Sincerely,



Shana R. Davis-Cook
Manager of Administration
Chevy Chase Village

Enclosure

Tree Inspection Request

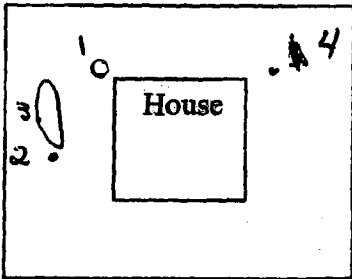
11

Address 4 Oxford Street Date 9/13/2000

Resident's Name Wheeler Residence Phone #s _____

Circle One: Private Property Village Street/Park Tree _____

Concern(s) Tree Preservation (see attached)



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

- #1 - Existing tree
- #2 - _____
- #3 - _____

(Please list no more than three trees per page)

***** To be completed by arborist *****

Tree # 1: Type and Diameter Southern Magnolia 30" DBH

Assessment: Healthy
tree is trunk flow is touching tree
post

Tree # 2: - 8 Type and Diameter (2) Leyland Cypress 11.6" DBH

Assessment: 3-7 undersize
Healthy

Tree # 3: Type and Diameter Australian Pine 7" DBH

Assessment: Healthy

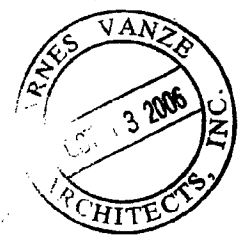
Tree 4 Crab Apple
Healthy

If removal requested. - Approved	Denied	Permit Required?	Y	N
Tree 1				
Tree 2	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tree 3	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Signature <u>W.D.</u>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 9-21-00

See Drawings

8'00" WIDE 18'00"



ARCH
1888 Park
Washington
TEL:
FAX:

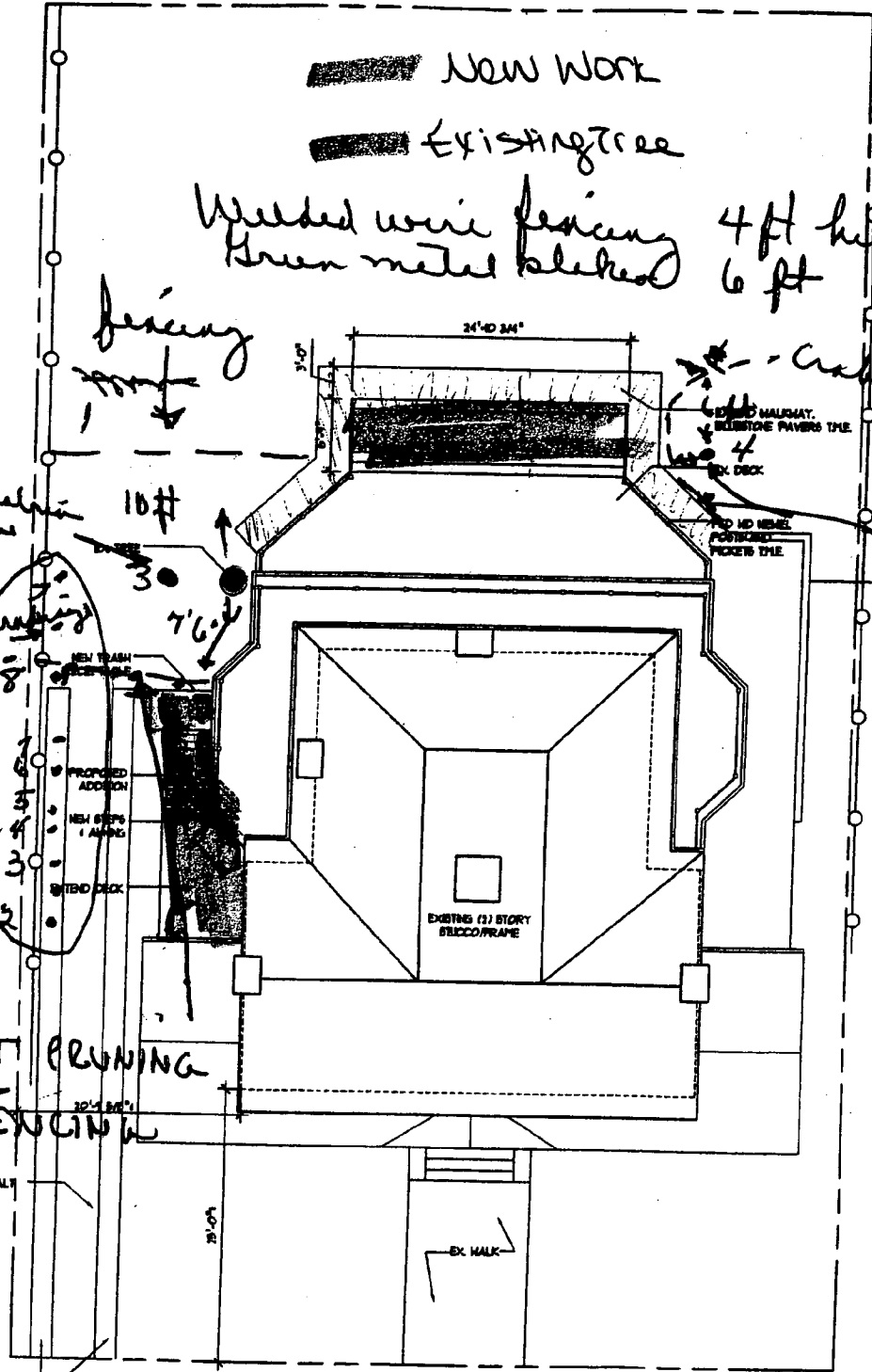
NEW WORK
EXISTING TREE

Welded wire fencing 4 ft high
Green metal bleked 6 ft

fencing

Crack Apple 11.4"

Check in
10 ft
3
4.6 ft
NEW TRASH
PROPOSED
ADDITION
NEW STEPS
& ALIAS
EXTEND DECK
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ROOT PRUNING
+ FENCING

REMOVE ASPHALT
DRIVEMAT

NEW BRICK TIRE
PATHS

OXFORD STREET
(60' R/W)

Southern Magnolia
my corky treatment

C2
AS1-1
PROPOSED SITE PLAN
1/16" = 1'-0"

WHEELER
RESID. '06

DRAWING: See Plan
ISSUED:
07-08-2005
HISTORIC PRESERVATION PERMIT

ASI