Chevy Chase Village
Board of Managers

1. Meeting Called To Order
   Mr. Michael L. Denger, Chair

2. Approval Of Minutes From The Previous Board Of Managers' Meetings
   Regular Monthly Meeting - July 11, 2016
   Special Meeting - August 1, 2016

3. Variance And Special Permit Requests

3.I. A-7018 (A-C) Variance And Special Permit Applications

A-7018 (A-C) Variance and Special Permit Applications: Mr. Joel Price and Ms. Elizabeth Humphrey Price, 106 Primrose Street: Construct: a) Two (2) brick piers measuring eighteen (18) inches in both width and depth, each with a stone cap measuring nineteen (19) inches in width and depth, located along either side of the front walkway. Each pier would have an attached lantern for a maximum height of six (6) feet when measured from the ground to the top of the lantern; b) the proposed piers would be located both on private property and in the public right-of-way and would be located a minimum of two (2) inches from the public sidewalk; and c) install a fence in the Primrose Street public right-of-way, measuring a maximum of four (4) feet in height, extending from each pier running parallel with the front lot line terminating at a point in alignment with the east and west side property lines of the property. The proposed fence would be located five and one-half (5 1/2) inches from the public sidewalk.

Documents:

A-7018 A-C VARIANCE AND SPECIAL PERMIT APPLICATIONS.PDF

3.II. A-7023 Variance Application

A-7023 Variance Application: Mr. John J. Campanella and Ms. Kathleen M. Campanella, 5910 Cedar Parkway: Relocate and construct front steps which would encroach a maximum of six feet, ten and three-eighths inches (6'-10 3/8") forward of the twenty-five (25) foot front (Cedar Parkway) building restriction line. This is the same variance request that was considered and approved by the Board at the May 2014 Board meeting. The previous variance has expired.

Documents:

A-7023 VARIANCE APPLICATION.PDF

4. Treasurer's Report

Mr. Gary Crockett, Board Treasurer

Documents:

TREASURER REPORT JULYSEPTEMBER.PDF

5. Matters Presented For Board Discussion And Possible Action (Where Required)

6. Police Report
   Mr. John M. Fitzgerald, Police Chief

A-7018 (A-C)
Variance and Special Permit Applications

Construct:

a) Two (2) brick piers measuring eighteen (18) inches in both width and depth, each with a stone cap measuring nineteen (19) inches in width and depth, located along either side of the front walkway. Each pier would have an attached lantern for a maximum height of six (6) feet when measured from the ground to the top of the lantern;

b) The proposed piers would be located both on private property and in the public right-of-way and would be located a minimum of two (2) inches from the public sidewalk; and

c) Install a fence in the Primrose Street public right-of-way, measuring a maximum of four (4) feet in height, extending from each pier running parallel with the front lot line terminating at a point in alignment with the east and west side lot lines of the property. The proposed fence would be located five and one-half (5½) inches from the public sidewalk.

Mr. Joel Price &
Ms. Elizabeth Humphrey Price
106 Primrose Street

CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 12th day of September, 2016 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

APPEAL NUMBER A-7018 (A-C)
MR. JOEL F. PRICE AND MS. ELIZABETH HUMPHREY PRICE
106 PRIMROSE STREET
CHEVY CHASE, MARYLAND 20815

The applicants seek a variance and Special Permit from the Board of Managers pursuant to Sec. 8-9 of the Chevy Chase Village Building Code to construct:

a) Two (2) brick piers measuring eighteen (18) inches in both width and depth, each with a stone cap measuring nineteen inches in width and depth, located along either side of the front walkway. Each pier would have an attached lantern for a maximum height of six (6) feet when measured from the ground to the top of the lantern;
b) The proposed piers would be located both on private property and in the public right-of-way and would be located a minimum of two (2) inches from the public sidewalk; and
c) Install a fence in the Primrose Street public right-of-way, measuring a maximum of four (4) feet in height, extending from each pier running parallel with the front lot line terminating at a point in alignment with the east and west side lot lines of the property. The proposed fence would be located five and one-half (5 ½) inches from the public sidewalk.

The portions of the proposed piers with lanterns that are located on private property that exceed four (4) feet in height and are located closer than three (3) feet to the public sidewalk require a variance pursuant to:

> **Chevy Chase Village Code Sec. 8-21 (a):**
> No person shall install any tree trunk, hedge, shrubbery, fence, wall, lamp post or hand rail on private property within three (3) feet of a public sidewalk, or if there is no public sidewalk in the public right-of-way abutting the private property, within six (6) feet of the curb, or if there is no public sidewalk and no curb, within six (6) feet of the nearest edge of the street or alley.
>
> **Chevy Chase Village Code Sec. 8-21 (e):**
> No person shall construct any fence or wall which exceeds forty-eight (48) inches in height at any location between the front lot line and the front building restriction line.

The portions of the piers which exceed four (4) feet in height that are proposed to be located within the Primrose Street public right-of-way and the piers and fence, which are proposed to be located closer than three (3) feet to the public sidewalk, require a Special Permit pursuant to:

> **Sec. 25-6 (b)(1):**
> No fence, wall or hedge shall exceed 48 inches in height.

Sec. 25-6 (b)(2) :
All fences, lamp posts, trees, hedges, shrubbery and other growth shall be installed at least three (3) feet from the public sidewalk, or if there is no public sidewalk in the public right-of-way abutting the applicant's property, six (6) feet from the curb, or if there is no public sidewalk and no curb, six (6) feet from the nearest edge of the paved edge of the street.

Sec. 25-6 (c):
Except as provided in Sec. 25-6 (b), no structures, fence, wall, lamp post, hand rail, tree, hedge or shrubbery, or any other growth shall be permitted on public property devoted to private use without a Special Permit from the Board of Managers.

Additional information regarding this application may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed (and emailed where possible) and to abutting and confronting property owners on the 1st day of September, 2016.

Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300

CHEVY CHASE VILLAGE
ESTABLISHED 1890

September 1, 2016

Mr. & Mrs. Joel Price
106 Primrose Street
Chevy Chase, MD 20815

Dear Mr. & Mrs. Price:

Please note that your request for a variance and Special Permit to install the piers, lanterns and fencing at your property and in the Primrose Street public right-of-way abutting it are scheduled before the Board of Managers on Monday, September 12, 2016 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
Phone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

BOARD OF MANAGERS
MICHAEL L. DENGER, *Chair*
ELISSA A. LEONARD, *Vice Chair*
DAVID L. WINSTEAD, *Secretary*
MINH LE, *Assistant Secretary*
GARY CROCKETT, *Treasurer*
ROBERT C. GOODWIN, JR., *Assistant Treasurer*
RICHARD M. RUDA, *Board Member*

VILLAGE MANAGER
SHANA R. DAVIS-COOK

LEGAL COUNSEL
SUELLEN M. FERGUSON

MAILING LIST FOR APPEAL A-7018

MR. & MRS. JOEL PRICE
106 PRIMROSE STREET
CHEVY CHASE, MD 20815

Adjoining and confronting property owners	
Mr. & Mrs. Roland Miller Or Current Resident 105 Primrose Street Chevy Chase, MD 20815	Ms. Susan G. Bollendorf & Mr. Robert D. Broeksmit Or Current Resident 107 Primrose Street Chevy Chase, MD 20815
Mr. & Mrs. Craig Ulman Or Current Resident 104 Primrose Street Chevy Chase, MD 20815	Mr. & Mrs. Daniel Rosenthal Or Current Resident 108 Primrose Street Chevy Chase, MD 20815
Mr. & Mrs. Brandon Fried Or Current Resident 107 Oxford Street Chevy Chase, MD 20815	Prof. & Ms. Michael B. Yahuda Or Current Resident 109 Oxford Street Chevy Chase, MD 20815
Ms. Elizabeth Lauck & Mr. Joel Vengrin Or Current Resident 111 Oxford Street Chevy Chase, MD 20815	

EG

I hereby certify that a public notice was mailed (and emailed where possible) to the aforementioned property owners on the 1st day of September, 2016.

Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Chevy Chase Village

Application for a Variance

A variance is permission granted by the Board of Managers pursuant to, and subject to, the conditions of Sec. 8-9(c) of Chapter 8 to construct, install, remove or alter a structure or planting, or take any other action that does not otherwise meet the requirements of the Chapter. Except as provided in Sec. 8-11 a variance can be granted only by the Board of Managers.

Subject Property:	106 PRIMROSE STREET, CHEVY CHASE, MD 20815-3325
Describe the Proposed Project:	REPLACE FRONT YARD HEDGES WITH TWO BRICK POSTS WITH ELECTRIC LANTERNS AND 4 FOOT BLACK METAL FENCE (WROUGHT IRON OR ALUMINUM).
Applicant Name(s) (List all property owners):	JOEL & ELIZABETH PRICE
Daytime telephone:	301-656-1867 Cell: 301-518-0113
E-mail:	price'f@aol.com
Address (if different from property address):	
For Village staff use: Date this form received:	6/30/16 Variance No: A-7018

Filing Requirements:

Applications will be reviewed for satisfaction of all requirements and are not considered complete until approved as such by staff.

- ☑ Completed *Chevy Chase Village Application for a Variance* (this form)
- ☑ Completed *Chevy Chase Village Building Permit Application*
- ☑ Completed *Chevy Chase Village Website Posting Notice*
- ☑ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☑ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- Y/N ☐ Copy of Covenants applicable to the property except for variances from Secs. 8-21 or 8-26 of Chapter 8 (Building Regulations) or Chapter 25 (Public Rights-of-Way) of the Chevy Chase Village Code.
- ☑ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: _____ Date: 6/30/16

Applicant's Signature: Elizabeth A. Price Date: 06/30/16

Describe the basis for the variance request (Applicants should become familiar with the pertinent sections of the Village Code. Attach additional pages as needed):

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

(PLEASE REFERENCE ATTACHMENTS)

Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

(PLEASE REFERENCE ATTACHMENTS)

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

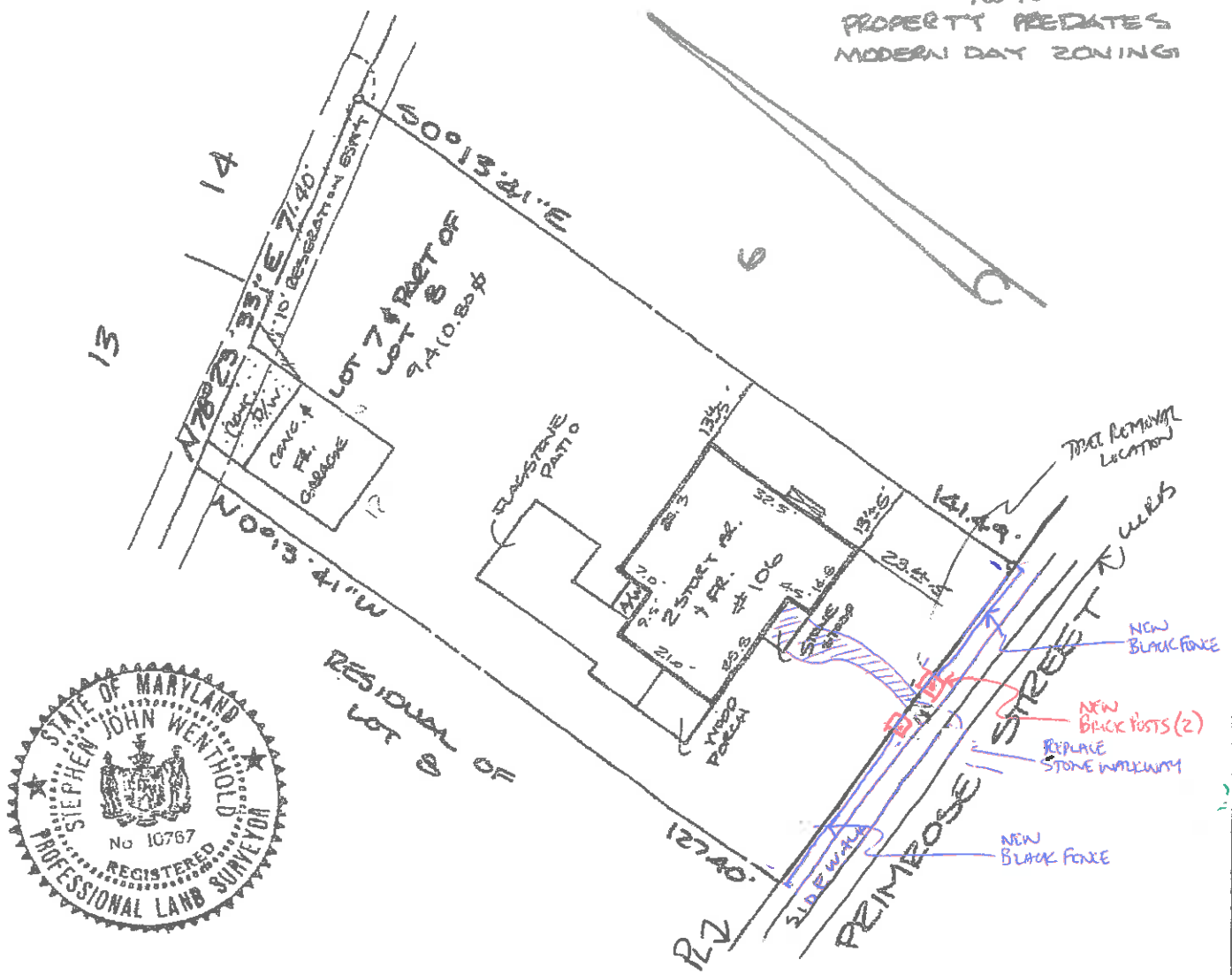
(PLEASE REFERENCE ATTACHMENTS)

In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Variance Filing Fee	**Checks Payable To:** Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Per Village Code Sec. 6-2(a)(24): ☐ $300.00 for new construction. ☐ $150.00 for replacing existing non-conformities. ☑ $300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. ☐ Other: $_____ **Fee Paid:** $300.00 Check #134	**Date Paid:** 6/30/16 **Staff Signature:** Ellen Sands
	Approved to Issue Building Permit per Signed Board Decision. **Signature:** _____ **Village Manager** **Date:** _____

596787

NOTE:
PROPERTY PREDATES
MODERN DAY ZONING



STATE OF MARYLAND
STEPHEN JOHN WENTHOLD
No 10767
REGISTERED
PROFESSIONAL LAND SURVEYOR

LOCATION DRAWING
LOT 7 & PART OF LOT 8 BLOCK E
SECTION No. 6
CHEVY CHASE

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100 year flood plain according to FEMA insurance maps unless otherwise shown hereon. Building restriction lines shown as per available information.

Stephen J. Wenthold, Maryland RLS Reg. No. 10767

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

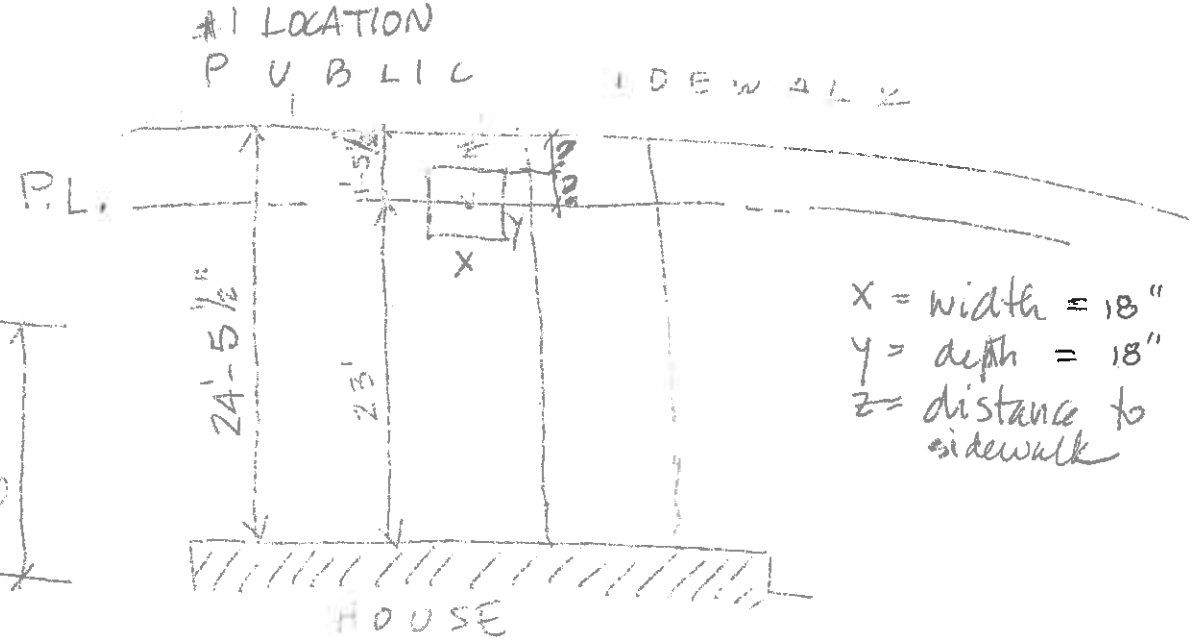
Date: 5-15-97
Scale: 1" = 30'
Plat Book: 3
Plat No.: 258
Work Order: 97-1008

Meridian Surveys, Inc.
2401 Research Boulevard
Rockville, MD 20850

Address: 106 PRIMROSE STREET
District: 7
Jurisdiction: MONTGOMERY COUNTY, MD.

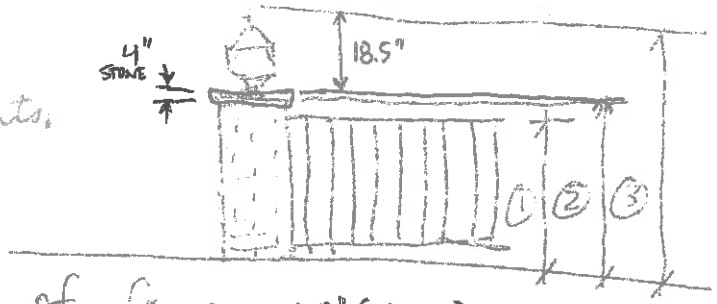
NO TITLE REPORT FURNISHED

#1 LOCATION



X = width = 18"
Y = depth = 18"
Z = distance to sidewalk

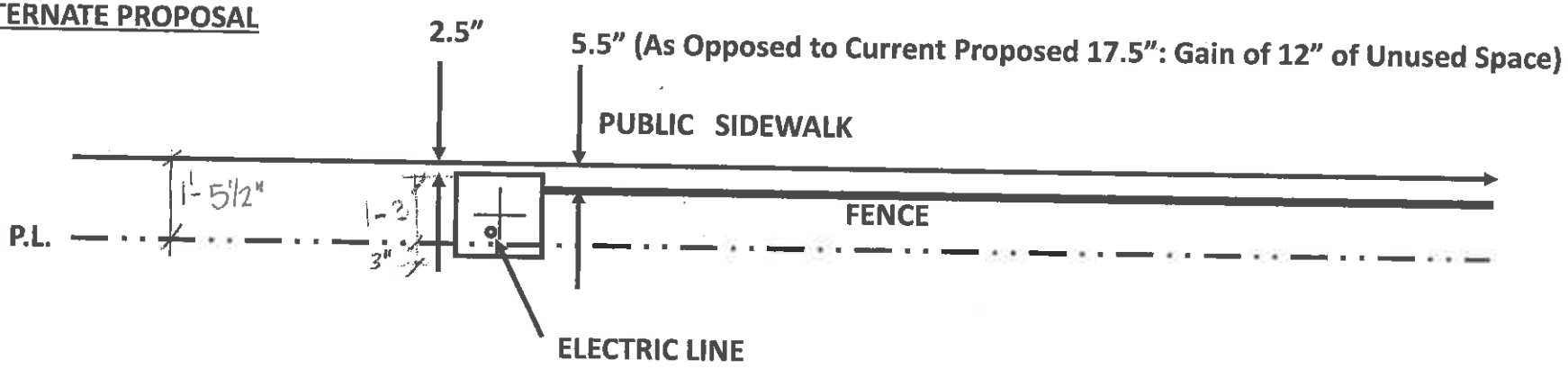
#2 Heights.



① top of fence 48" (4' Fence)
② top of pier 53.5"
③ top of lantern 72"

JFP 8/22/16

ALTERNATE PROPOSAL



Chevy Chase Village

Application for a Variance

106 Primrose Street

Joel & Elizabeth Price

Attachments

Describe the basis for the variance request

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

A) *Similar to immediate neighbors on the same and nearby blocks, as well as other homes in the Chevy Chase Village (reference pictures attached), our request is for a variance to permit the new matching two brick posts, located at the end of the replaced front yard stone walkway, and the straight two part extending, 4 foot tall, black wrought iron fence be located adjacent to the public sidewalk – as opposed to meeting the minimum 3 feet installation requirement from the public sidewalk in Sec. 8-21 of the Village Code.*

B) *In addition, similar to other homes in the Chevy Chase Village with electric lanterns, our request is for a variance to permit that those two electric lanterns on top of those same brick end posts at the end of the stone walkway to be taller than the 4 foot posts and fence (assume maximum of 6 feet) – as opposed to meeting the maximum 4 feet height requirement of the front building restriction line in the Sec. 8-21 of the Village Code.*

Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause the unwarranted hardship and injustice):

A) *The home's current front yard is currently very shallow (less than 25 feet from front of house to public sidewalk), and even less to public right-of-way, if considering the 3 feet minimum distance requirement. The enforcement of the building regulations would unnecessarily minimize the useful front yard space. Numerous other homes in the Chevy Chase Village also do not abide by the same building regulation (reference pictures attached) without concern to pedestrians using the public sidewalk. Furthermore, the current wide hedge rows to be replaced by the two posts and fence are currently adjacent to the public sidewalk, so there is no new perceived loss of space for pedestrians whatsoever. Finally, the 3 feet of space between the new proposed posts and fence would not be usable, and only a narrow strip that would need to be maintained – even though without a real purpose. Note that region is within the home owners private property line.*

2/3?

B) *Given the 4 foot fence height, the two brick end posts would need to be the same or slightly above for proper attachment – any electric lantern on the top of that would need to be taller*

than the 4 feet posts/fence heights. The lighting is important for the safety of all people walking on the front stone curved walkway between the home's front door, public sidewalk and roadside curb. There is also a very large Chevy Chase Village owned tree with tremendous foliage covering that area that does not permit in other street lamp lighting, making it especially dark at night. Other homes in the Chevy Chase Village utilize electric lanterns either on brick or stone posts and lamp posts close to the public sidewalk for the same purpose (reference pictures attached).

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of the Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

A) *The proposed front yard walkway, two brick end posts and fence will enhance the character of the property. The brick/stone end posts will match the brick/stone of the main home. The granite end cap of the posts will match both the replaced granite curved front walkway and the home main structure that is old style brick with random granite stones interspersed. The new posts and ~~fence~~ wrought iron fence will not block any vistas at all, especially as compared to the current hedge rows, and only enhance the view of the home and general air circulation. The placement of the fence adjacent to the public sidewalk will actually increase the green space in the home's front yard without any loss of current space – since the current hedge rows limit any use of that space to the sidewalk. There is also no negative effect upon any neighbors or pedestrians on the public sidewalk.*

B) *The electric lanterns on top of the end posts will be selected to match the tudor style of the home and its current front porch lantern and enhance the home's character. Low brightness lighting will be selected, but any additional light in that region only adds to people's safety at night in the use of the home's front walkway and public sidewalk.*

CURRENT 106 PRIMROSE STREET
Front Hedges Removal
Tree Removal
Front Hedges Removal
Existing Brick Sidewalk
PROPOSED 106 PRIMROSE STREET
Wrought Iron Fence
Wrought Iron Fence
Walkway Brick Posts with Lanterns
Existing Brick Sidewalk

Remake Current Granite Stoop

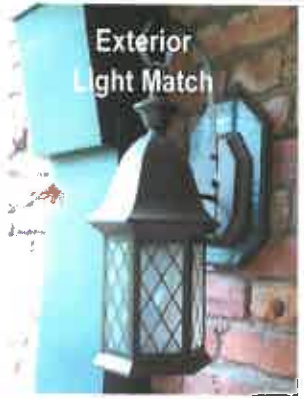
Remake
Curved
Granite
Walkway

Tree
Removal
Remake
Curved
Granite
Walkway
Existing Brick Sidewalk

Extend New Walkway
To Road Curb
Existing Brick Sidewalk
Remake
Curved
Granite
Walkway

Home Exterior
Brick Wall
Match

Back Yard
Planter
Match


Exterior
Light Match

Wrought Iron Fence
Wrought Iron Fence
Walkway Brick Posts with Lanterns
Existing Brick Sidewalk

Similar Wrought Iron Fence

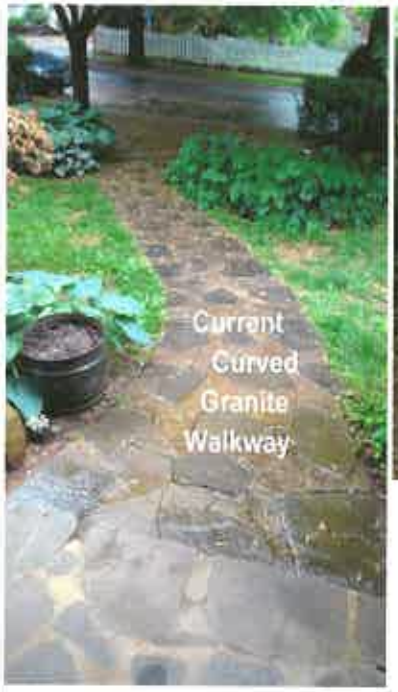
Walkway
Posts Wired
For Lanterns

Walkway
End Posts
Matching Older
Brick / Granite Style

Tightly
Packed Granite
Much Less Mortar
Than Current

Granite Block
Border

Current Granite Stoop


Current
Curved
Granite
Walkway

Tree
Removal
Current
Curved
Granite
Walkway
Existing Brick Sidewalk

Extend Walkway
To Road Curb
Existing Brick Sidewalk
Current
Curved
Granite
Walkway

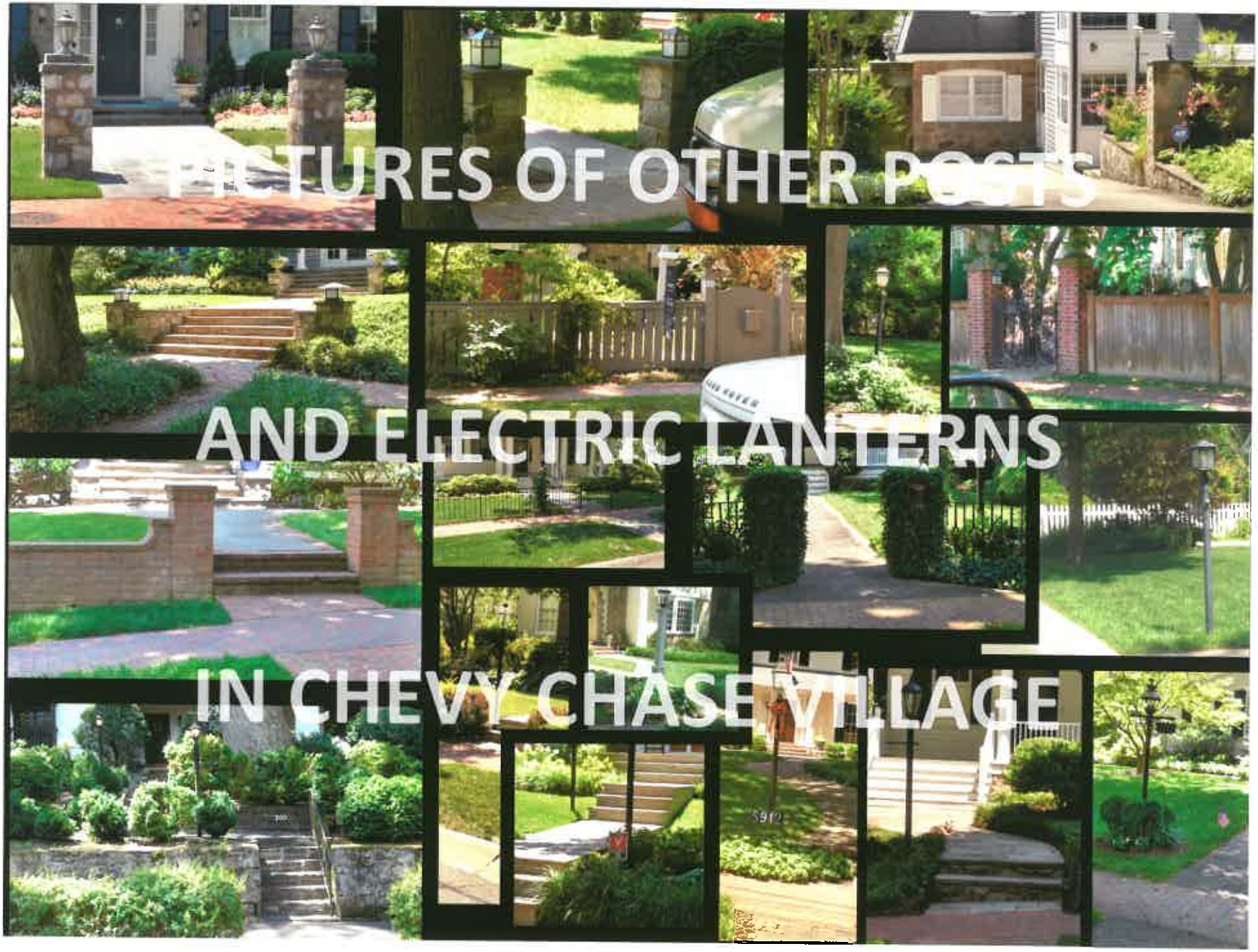
Home Exterior
Brick Wall
Match

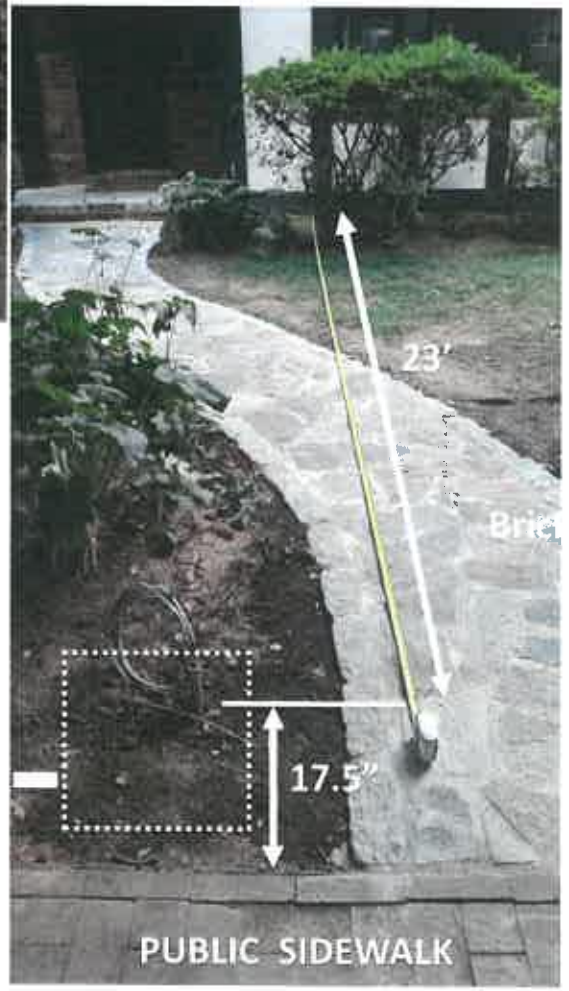
Back Yard
Planter
Match

Exterior
Light Match

Front Hedges Removal
Front Hedges Removal
Tree
Removal
Existing Brick Sidewalk

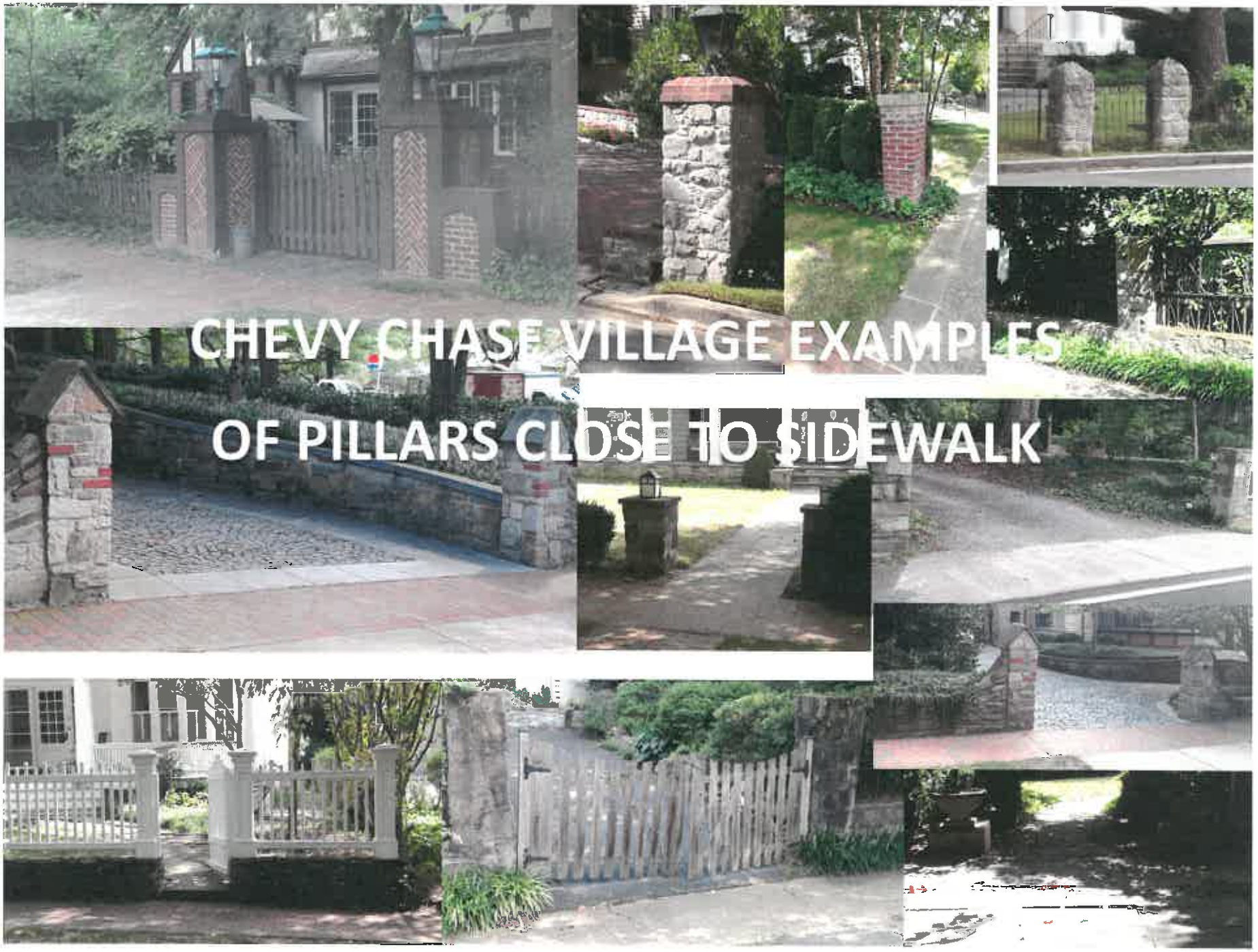
PICTURES OF OTHER
FRONT YARD FENCES
NEXT TO SIDEWALK
IN CHEVY CHASE VILLAGE

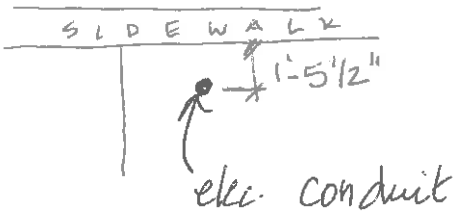

PICTURES OF OTHER POSTS
AND ELECTRIC LANTERNS
IN CHEVY CHASE VILLAGE



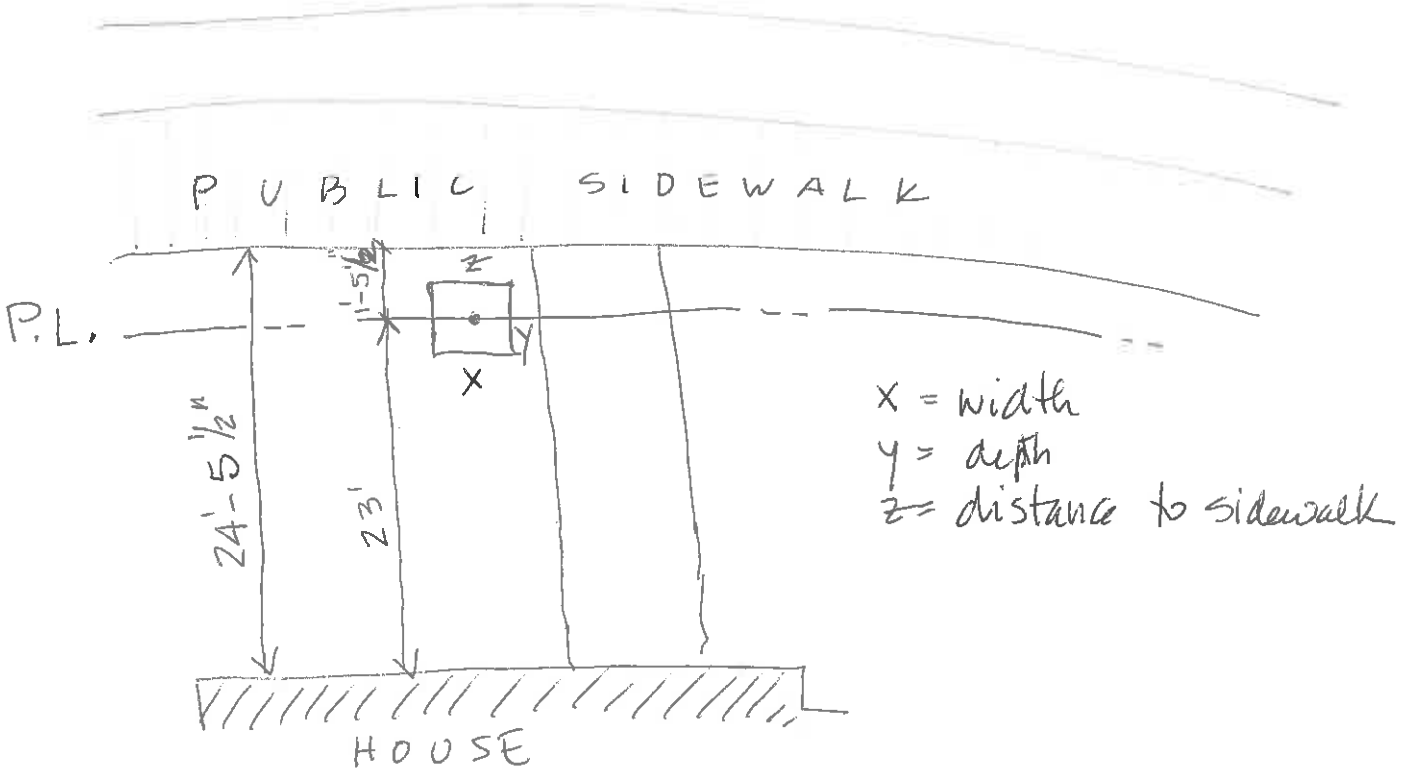
Current Readiness on 106 Primrose Street

for Brick Posts with Wrought Iron Fence and Electric Lanterns

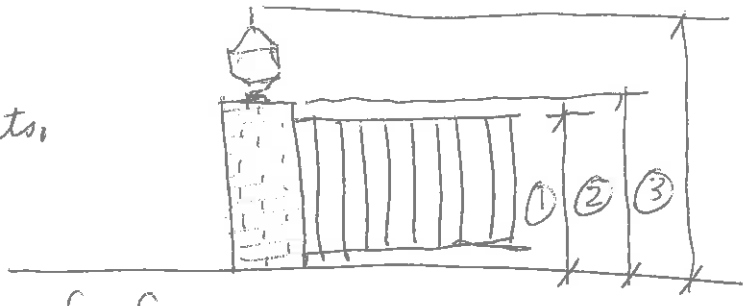

CHEVY CHASE VILLAGE EXAMPLES
OF PILLARS CLOSE TO SIDEWALK



#1 Locations



#2 Hgts.



① top of fence
② top of pier
③ top of lantern

Chevy Chase Village

Building Permit Application for Fences & Walls

Permit No: A-1018

Property Address:

106 PRIMROSE STREET, CHEVY CHASE, MD 20815-3325

Resident Name: JOEL & ELIZABETH PRICE

Daytime telephone: 301-656-1867 (hm wk) Cell phone: 301-518-0113

After-hours telephone: 301-656-6937 (hm)

E-mail: pricejfe@aol.com

Primary Contact for Project:

☑ Resident ☐ Architect ☐ Project Manager ☐ Contractor*

*MHIC/MD Contractor's License No. (*required*):

Primary Contact Information:

Name: JOEL (& ELIZABETH) PRICE

Daytime telephone: 301-656-1867 After-hours telephone: 301-656-6937

E-mail: pricejf@aol.com

Description of Fence or Wall Project: (REFER TO PICTURES)

TWO MATCHING MIXED BRICK/GRANITE POSTS AT END OF REPLACED WALKWAY WITH TUDOR STYLE ELECTRIC LANTERNS. WROUGHT IRON OR ALUMINUM 4 FOOT TALL BLACK FENCE WILL EXTEND STRAIGHT OUT IN BOTH OPPOSITE DIRECTIONS – TOTAL DISTANCE EXPANDED IS 70 FEET. CURRENTLY, THERE ARE HEDGES TO BE REMOVED IN ADVANCE OF FENCE INSTALLATION.

Check appropriate box:

☑ Fence or wall to be constructed is: (1) new, (2) an enlargement of an existing fence or wall, or (3) replacing an existing fence or wall with one of a different kind.

☐ Fence or wall to be constructed is replacing an existing fence or wall with the same kind and in the same location.

Parking Compliance:

Is adequate on-site parking available for the construction crews? ☑ Yes ☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons? ☐ Yes ☑ No

To be completed by Village staff:

Is this property within the historic district? Yes ☐ No ☒ Staff Initials: GB

Date application filed with Village: 6/30/16 Date permit issued: _____ Expiration date: _____

Guidelines for
Building, Replacing and Maintaining Fences and Walls

Sec. 8-21 of the Village Code regulates fences and walls. To repair or maintain an existing fence or wall, the Village does not require a building permit. To install or replace a fence or wall, however, residents will need a Village building permit. (A building permit may also be required from Montgomery County, including the Historic Preservation Commission, if the property is within the Historic District). Village Code allows fences and walls to be installed on a resident's property lines, inside the property lines on private property, and sometimes in the public right-of-way.

When placed on the property lines or on private property, the Village Code regulates fence and wall heights in two ways:

1. Fences and walls installed on private property anywhere between the property line and the front building restriction line may not exceed four (4) feet in height.
2. Fences and walls installed to the rear of the front building restriction line (that is, along the side and rear property lines or in the side and rear yards) may not exceed six and one-half (6 ½) feet in height.

When measuring the height of a fence or wall, the Village Code provides that the "measurement shall be made from the surface of the ground of the lower yard next to the fence or wall" **to the highest point of the fence or wall** (such as the top of the posts, caps, decorative lattice, finials, etc.). For example, if a fence post is 6 ½ feet high, then a cap on that post would exceed the height limit.

Walls can sometimes change the flow of water on a property. In such cases, residents or contractors will need to include a drainage plan with the building application.

When installing a fence or wall in the Village's public right-of-way, in addition to obtaining a Village Building Permit, residents must sign a **License to Use the Public Right-of-Way**, which may be recorded with your deed (please contact the Village office for more information). Fences and walls installed in the Village's rights-of-way may not exceed four (4) feet in height.

Fences and walls must be installed at least three (3) feet from the public sidewalk, or where there is no sidewalk, at least six (6) feet from the curb or nearest edge of the street or alley.

Special height limits apply to fences near an intersection on corner lots. The Village office will not be issue permits for any fences or walls that block necessary sight lines at intersections or otherwise create a dangerous condition.

For complete Village Code requirements, please see Chapters 8 & 25.

Building Permit Application for Fences and/or Walls: Filing Requirements

Application will not be reviewed until the application is complete

- ❒ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ❒ This application form, signed by resident.
- ❒ Boundary Survey
- ❒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ❒ Building plans and specifications
- ❒ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ❒ Filing Fee (due at time of application).
- ❒ Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising any service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: _____ **Date:** 6/29/16

For Use By Village Manager	Application approved with the following conditions:

For Use By Village Manager

DENIED

JUN 30 2016

Chevy Chase
Village Manager

Application denied for the following reasons:

Dan Orr
The proposed piers exceed the maximum allowed height and both the piers and fencing do not comply with the setback from the public sidewalk.

Filing Fees (due when application submitted)	**Checks Payable to:** **Chevy Chase Village** **5906 Connecticut Ave.** **Chevy Chase, MD 20815**
Permit Application Fee: ☑ $30.00 (if fence or wall is new, enlarged or replaced with different kind) ☐ $15.00 (if fence or wall is being replaced in-kind and in the same location) ☐ $50.00 (if construction is in the Public Right-of-way)	
Tree Preservation Plan Fee: ☐ $250.00 TBD ☐ Not required for this project	
TOTAL Fees: $30.00 Check # 133	Date: 6/30/16 Staff Signature: Ellen Sands
Damage Deposit/Performance Bond ☐ $_____ ☐ Waived by Village Manager	Date: Village Manager Signature:

For Village Staff use:

Field file for inspections by Code Enforcement Officer has been created: ☐Yes (Date:_____)

Chevy Chase Village

Website Posting Notice for Appeal, Special Permit & Variance Hearings

Case Number: A-7018 A-C

Hearing Date: 9/12/16

By signing below, I acknowledge as the applicant/appellant in the above-referenced case number that all supporting information and documentation for my case will be posted on the Village's website at <www.chevychasevillagemd.gov> for review by the general public.

Applicant/Appellant Name: JOEL & ELIZABETH PRICE

Address: 106 PRIMROSE STREET

Telephone: 301-656-6937

E-mail: pricejf@aol.com

Applicant/Appellant Signature:

Agent Name for applicant/appellant (*if necessary*):

Telephone:

Address:

E-mail:

Signature of agent:

Village staff initials: LB Date: 6/30/16

A-7023
Variance Application

Relocate and construct front steps which would encroach a maximum of six feet, ten and three-eighths inches (6'-10 ⅜") forward of the twenty-five (25) foot front (Cedar Parkway) building restriction line. This is the same variance request that was considered and approved by the Board at the May, 2014 Board meeting. The previous variance has expired.

Mr. John J. Campanella &
Ms. Kathleen M. Campanella
5910 Cedar Parkway

CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 12th day of September 2016 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

APPEAL NUMBER A-7023
JOHN J. CAMPANELLA & KATHLEEN M. CAMPANELLA
5910 CEDAR PARKWAY
CHEVY CHASE, MARYLAND 20815

The applicants seek a variance from the Board of Managers pursuant to Sec. 8-10 of the Chevy Chase Village Building Code to relocate and construct front steps which would encroach a maximum of six feet, ten and three-eighths inches (6'-10⅜") forward of the twenty-five (25) foot front (Cedar Parkway) building restriction line. This is the same variance request that was considered and approved by the Board at the May, 2014 Board meeting. The previous variance has expired.

The Chevy Chase Village Code Sec. 8-16 (c) states:

> No structure of any description shall be erected within twenty-five (25) feet of the front lot line of any lot.

Additional information regarding this application may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed and emailed (where possible) to abutting and confronting property owners on the 1st day of September, 2016.

Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300

CHEVY CHASE VILLAGE
ESTABLISHED 1890

September 1, 2016

Mr. & Mrs. John J. Campanella
5910 Cedar Parkway
Chevy Chase, MD 20815

Dear Mr. & Mrs. Campanella:

Please note that your request for a variance to relocate the front steps at your property is scheduled before the Board of Managers on Monday, September 12, 2016 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
Phone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

BOARD OF MANAGERS
MICHAEL L. DENGER, *Chair*
ELISSA A. LEONARD, *Vice Chair*
DAVID L. WINSTEAD, *Secretary*
MINH LE, *Assistant Secretary*
GARY CROCKETT, *Treasurer*
ROBERT C. GOODWIN, JR., *Assistant Treasurer*
RICHARD M. RUDA, *Board Member*

VILLAGE MANAGER
SHANA R. DAVIS-COOK

LEGAL COUNSEL
SUELLEN M. FERGUSON

MAILING LIST FOR APPEAL A-7023

MR. & MRS. JOHN CAMPANELLA
5910 CEDAR PARKWAY
CHEVY CHASE, MD 20815

Adjoining and confronting property owners	
Mr. William (Jay) West Or Current Resident 5912 Cedar Parkway Chevy Chase, MD 20815	Mr. Charles Hobbs Or Current Resident 33 West Kirke Street Chevy Chase, MD 20815
Ms. Clare M. Gilliam Or Current Resident 5908 Cedar Parkway Chevy Chase, MD 20815	Mr. & Mrs. Thomas Dann Or Current Resident 34 West Kirke Street Chevy Chase, MD 20815
The Chevy Chase Club Or Current Occupant 6100 Connecticut Avenue Chevy Chase, MD 20815	

99

I hereby certify that a public notice was mailed (and emailed where possible) to the aforementioned property owners on the 1st day of September, 2016.

Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Chevy Chase Village

Special Permit or Variance Extension Request

Previously Granted Permit No: A-6532 amended (ext. II)

Property Address: 5910 Cedar Pkwy

Resident Name: Kathy Campanella

Daytime telephone:

Cell phone: 202.320.5008

After-hours telephone:

E-mail: KCampanella@verizon.net

Project Description:

Front Stairs

Primary Contact for Project:

☒ Resident ☐ Architect ☐ Project Manager ☐ Contractor

Information for Primary Contact for Project (if different from property owner):

Name:

Work telephone: After-hours telephone:

Cell phone:

E-mail:

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

☒ Completed *Chevy Chase Village Application for a Special Permit or Variance Extension* (this form).

☒ Copy of previous Special Permit or Variance application.

☒ Copy of previously granted Board Decision.

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this extension request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: _____ Date: 5/20/2016

Applicant's Signature: _____ Date: _____

Sec. 8-10(f) Extension: *The Village Manager may extend any time limit imposed as a condition of a Special Permit or variance upon a reasonable showing that there has been no material change in circumstance since the special permit or variance was granted and, despite due diligence by the permittee, additional time is necessary to accomplish the approved construction.*

Has there been any material change in circumstance since the Special Permit or variance was granted:

NO

Describe the basis for the extension request including specifically which elements of the project remain incomplete (attach additional pages as needed):

Work is continuing at our home. The front stairs and front path have not been installed yet. We are still working on driveway and grading of front yard.

Approximately how much additional time do you anticipate you will need to complete the remaining work?

One year please.

To be completed by Village staff:

Date initial permit expires: _____

Date extension application filed with Village: _____ New Expiration date: _____

	Signed: _____ **Village Manager**

Sands, Ellen

From: Kathy Campanella <kcampanella@verizon.net>
Sent: Tuesday, August 30, 2016 11:38 PM
To: CCV Permitting
Subject: 5910 Cedar Parkway

Dear Ellen,

I wanted to explain to the Board why we need an extension for our front step relocation. We had to get the CCV variance before HPC would even review our application. So, that ate up several months of time, and then we had to get all the County building permits. So, the clock was ticking before we could even be issued the CCV Building Permit.

Also, the renovation work has taken longer than expected. It has been ongoing for about a year and eight months so far. We anticipate wrapping up all the interior work this month. We will then install the exterior front stairs, hardscaping and landscaping over the next year.

Thank you for your patience.

Best, Kathy

A-6532
Variance Request

Relocate and construct front steps which would encroach a maximum of six feet, ten and three-eighths inches (6'-10 ⅜") forward of the twenty-five (25) foot front (Cedar Parkway) building restriction line.

Mr. John J. Campanella &
Ms. Kathleen M. Campanella
5910 Cedar Parkway

May 12, 2014 Board Meeting

CHEVY CHASE VILLAGE
BOARD OF MANAGERS
MAY 12, 2014 MEETING

STAFF INFORMATION REPORT

TO: BOARD OF MANAGERS

FROM: ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

DATE: 5/8/2014

SUBJECT: HEARING OF CASE NO. A-6532 VARIANCE REQUEST
MS. KATHLEEN CAMPANELLA & MR. JOHN CAMPANELLA; 5910 CEDAR PARKWAY
RELOCATE AND CONSTRUCT FRONT STEPS WHICH WOULD ENCROACH A MAXIMUM OF SIX FEET, TEN AND THREE-EIGHTHS INCHES (4'-10⅜") FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (CEDAR PARKWAY) BUILDING RESTRICTION LINE. **THE REQUESTED ENCROACHMENT HAS BEEN REVISED FROM THE ORIGINAL NOTICE- SEE BELOW.**

Case Synopsis: NOTE: The Applicants have reduced the requested encroachment three (3) feet from the initial notice. They are proposing to relocate the front steps of the house, which as proposed would encroach forward of the twenty-five (25) foot front BRL. They assert that they are restoring the steps to the original location, as depicted on historical records of the property, which is located in the Chevy Chase Village Historic District. A portion of the relocated steps would encroach forward of the front (Cedar Parkway) twenty-five (25) foot BRL. Because the grade at the property is highest at the location of the proposed steps, that location is most amenable to use of a temporary ramp that is used when a wheelchair-bound parent visits.

NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

The Chevy Chase Village Code Sec. 8-16 (c) states:
No structure or play equipment of any description shall be erected within twenty-five (25) feet of the front line of any lot.

APPLICABLE COVENANTS:

"That no structure of any description shall be erected within twenty-five (25) feet of the front line of said premises; and that no stable, carriage-house, shed, or outbuilding shall be erected except on the rear of said premises."

FACTUAL AND BACKGROUND INFORMATION:

The Applicants initially requested an encroachment of six feet, ten and three-eighths inches (6'-10⅜") forward of the front BRL. That proposal included a landing at the midpoint of the steps. They have since revised and reduced the request, eliminating the landing. The requested encroachment is now three feet, ten and three-eighths inches (3'-10⅜")

The front property line parallels Cedar Parkway, which runs at an angle to the front of the house, so that the south portion of the house is much closer to the front BRL than the north part of the house.

The Applicants do not have a measurement for the encroachment of the previous steps that were original to the house, and that encroached forward of the front BRL, however the proposed encroachment is intended to be similar to that of the original. The Applicants engaged a firm specializing in architectural history to research the property.

Figure 1: View of 5910 Cedar Parkway looking west. The proposed relocated steps would project forward of the front BRL, towards the street, in the first bay of the porch (see yellow arrow).

There have been similar requests, most recently in February of 2012 at 11 Primrose Street, wherein Applicants have requested a variance to relocate front steps to the center of the porch. As in this case those Applicants were able to document that the steps were originally constructed in the proposed location and that the proposed encroachments would be similar to the original encroachment.

The proposed encroachment is compliant with Montgomery County zoning regulations[1].

The Applicants are also undertaking an addition to the rear of the existing house and also intend to install a fence at the property. They are currently seeking approval from the Historic Preservation Commission (HPC) for all proposed work.

The Applicants signed a consent agreement through the Tree Ordinance Board last year for removal of a Holly tree in the rear yard. They have also removed several trees over the last year, all approved for removal by the Village arborist. The Village arborist has assessed the property. Construction of the addition and relocated steps can be accommodated through a Tree Protection Plan and no additional trees are proposed for removal due to the construction.

[1] **Sec. 59-B-3.1 Steps, terraces and porches.**
Open steps and stoops, exterior stairways, terraces and porches may extend into any minimum front or rear yard not more than 9 feet.

To date there have been no letters received from abutting neighbors in support of or opposition to the request.

Applicable Fees: Building Permit Application: TBD; Variance Application Fee: $300.

RELEVANT PRECEDENTS

There are many cases of the Board granting requests for variances to construct or re-construct, despite front covenant setback encroachments, uncovered front stoops and treads at a property when they have been in generally the same location as previously and are "the minimum required to get from grade to the first floor of the house". In 1999 Dr. Robert Kyle and Ms. Kathryn Fulton of 4 East Irving Street were **granted a variance to reconstruct** a porch and front steps that encroach forward of the front BRL. An original front porch and steps had been destroyed years earlier and the Applicants proposed to reconstruct the porch and steps. Similarly to this case, the property is located in the CCV Historic District, the Applicants were able to demonstrate that a porch and steps had existed at the property previously and were proposing a similar encroachment. A difference in that case was that the wording of covenants did not prohibit all structures from being located forward of the front BRL, but "any stable, carriage houses or shed". In May 2005 Mr. & Mrs. Justin Bausch of 12 East Lenox Street were **granted a variance to extend** the uncovered steps leading to the front porch. In the Bausch case the covenants, like at 4 East Irving Street, were worded to prohibit "any stable, carriage houses or shed" forward of the twenty-five (25) foot front building restriction line, rather than the more standard language prohibiting "structure[s] of any description" forward of that setback. More relevant to this application, therefore, in February of 2012, Mr. & Mrs. Andrew Marino, of 11 Primrose Street, were **granted a variance to relocate and construct** non-conforming uncovered front steps, leading to a covered porch, both of which were forward of the twenty-five (25) foot front building restriction and covenant setback line. The proposed steps in that case would encroach twelve feet, eight inches (12'-8") forward of the twenty-five (25) foot front setback line, an additional ten (10) inches beyond the existing steps. In May of 2012 Dr. & Mrs. Charles Bahn of 118 Hesketh Street were **granted a variance to reconstruct** the uncovered front steps from the front walkway to the front porch, adding one tread, a portion of which would be located forward of the twenty-five (25) foot front building restriction and covenant setback line. In June of

2012, Dr. & Mrs. Jeffrey Shuren **were granted a variance to reconstruct** uncovered steps that would extend an additional one foot, one inch (1'-1") beyond the existing steps for a maximum encroachment of six feet, eight inches (6'- 8") forward of the twenty-five (25) foot front building restriction line. On December 10, 2012 the Chevy Chase Village Board of Managers considered the request of Mr. & Mrs. Steven Sprenger of 5501 Park Street for a variance to construct uncovered treads leading to a front stoop in the front (Park Street) yard which would encroach forward of the front building restriction line. **A motion to approve the request for a variance failed; therefore, construction of the proposed treads was denied** per the Village Manager's decision dated October 25, 2012. In that case there had not previously existed an encroachment forward of the front BRL and covenant setback line at the property nor was there an established encroachment throughout the rest of that block of Park Street. In March 2013, Mr. & Mrs. Alex Sternhell of 27 Primrose Street were **granted a variance to reconfigure** a pair of existing (uncovered) front steps that would encroach forward of the twenty-five (25) foot front building restriction line. In November of 2013 Mr. Sean F. X. Boland of 4 East Lenox Street was **granted a variance to reconstruct** a front stoop and treads as well as a portico over the proposed stoop. In that case there was no covenant conflict and the majority of the properties on the subject block of East Lenox Street also had encroachments forward of the twenty five (25) foot front BRL.

FINDINGS REQUIRED:

1. The proposed variance is required because special conditions exist whereby the enforcement of the requirements of the Village Building Code would result in an unwarranted hardship and injustice to the owner.
2. The proposed variance will most nearly accomplish the intent and purpose of the requirements of the Village Building Code; and
3. Except for variances from the requirements of Sections 8-21 [fences], 8-26 [driveways] or Chapter 25 [public rights-of-way] of the Village Regulations, the structure authorized by the proposed variance would not violate any covenant applicable to the property.

Draft Motion

I move to APPROVE/DENY the variance request in Case A-6532 on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.

CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 12th day of May, 2014 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

APPEAL NUMBER A-6532
MR. JOHN J. CAMPANELLA &
MS. KATHLEEN M. CAMPANELLA
5910 CEDAR PARKWAY
CHEVY CHASE, MARYLAND 20815

The applicants seek a variance from the Board of Managers pursuant to Sec. 8-9 of the Chevy Chase Village Building Code to relocate and construct front steps which would encroach a maximum of six feet, ten and three-eighths inches (6'-10⅜") forward of the twenty-five (25) foot front (Cedar Parkway) building restriction line.

The Chevy Chase Village Code Sec. 8-16 (c) states:

> No structure of any description shall be erected within twenty-five (25) feet of the front lot line of any lot.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed and emailed (where possible) to abutting and confronting property owners on the 1st day of May, 2014.

Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300

CHEVY CHASE VILLAGE
ESTABLISHED 1890

May 1, 2014

Mr. & Mrs. John Campanella
5910 Cedar Parkway
Chevy Chase, MD 20815

Dear Mr. & Mrs. Campanella:

Please note that your request for a variance to relocate and construct front steps that would encroach forward of the twenty-five (25) foot front (Cedar Parkway) building restriction at your property is scheduled before the Board of Managers on Monday, May 12, 2014 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
Phone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

BOARD OF MANAGERS
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DAVID L. WINSTEAD
Assistant Secretary
GARY CROCKETT
Treasurer

VILLAGE MANAGER
SHANA R. DAVIS-COOK
LEGAL COUNSEL
SCELLEN M. FERGUSON

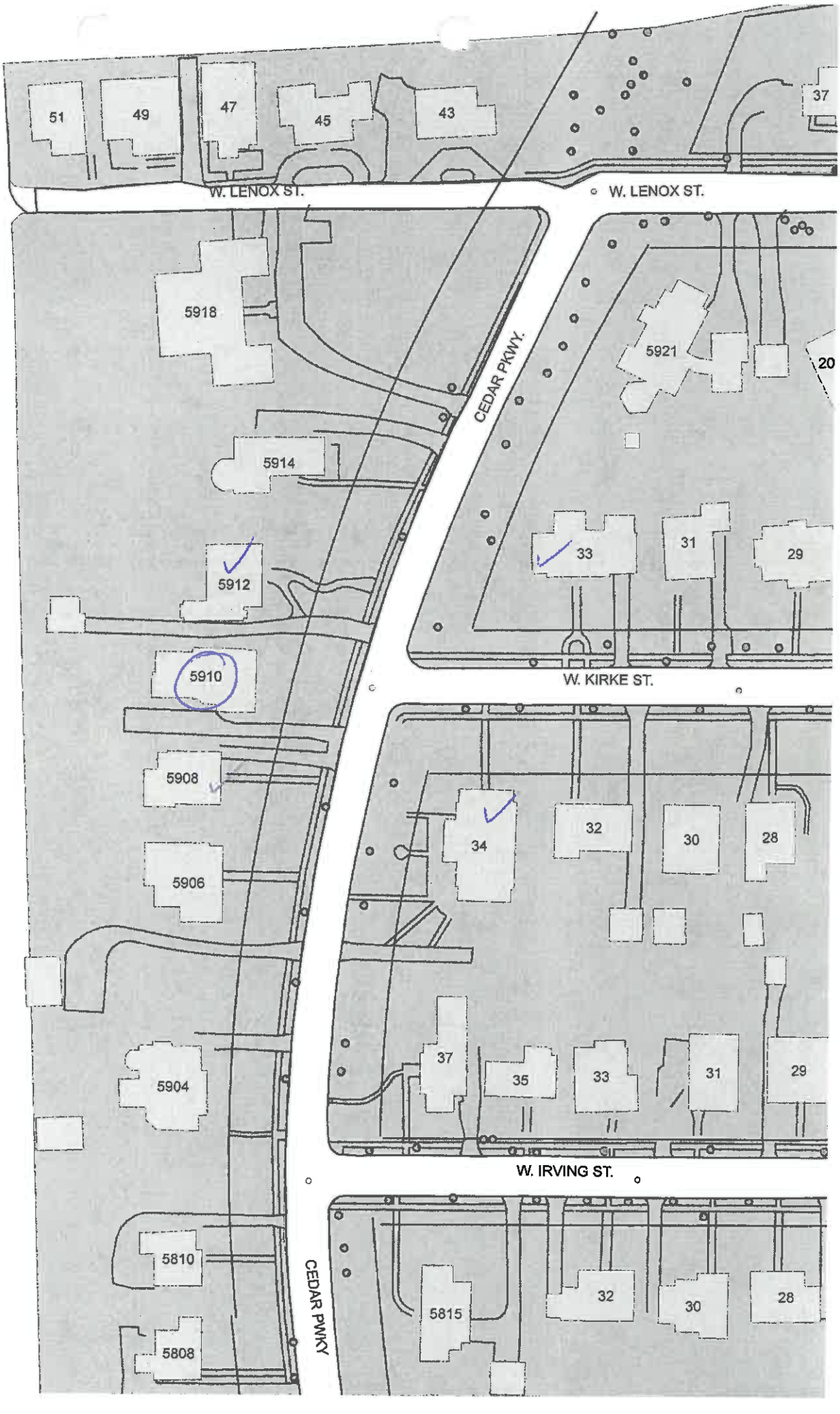
MAILING LIST FOR APPEAL A-6532

MR. & MRS. JOHN CAMPANELLA
5910 CEDAR PARKWAY
CHEVY CHASE, MD 20815

Adjoining and confronting property owners	
Mr. William (Jay) West Or Current Resident 5912 Cedar Parkway Chevy Chase, MD 20815	Mr. & Mrs. Charles Hobbs Or Current Resident 33 West Kirke Street Chevy Chase, MD 20815
Ms. Clare M. Gilliam Or Current Resident 5908 Cedar Parkway Chevy Chase, MD 20815	Dr. & Mrs. Mark Eig Or Current Resident 34 West Kirke Street Chevy Chase, MD 20815
The Chevy Chase Club Or Current Occupant 6100 Connecticut Avenue Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed (and emailed where possible) to the aforementioned property owners on the 1st day of May, 2014.

Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815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W. IRVING ST.
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CEDAR PWKY
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28
5808

Chevy Chase Village

Building Permit Application

Permit No: A-6932

Property Address: 5910 Cedar Parkway

Resident Name: Kathy & John Campanella

Daytime telephone: 301.215.4151 Cell phone: 202.320.5008

After-hours telephone: 301.215.4151

E-mail: kcampanella@verizon.net

Project Description: Superceded – see application submitted 10/13/14

Renovation to historic home including restoring front porch stairs to original design with new front walk, 4 story addition in back of home, new driveway, and property fence.

☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.

Primary Contact for Project:

☒ Resident ☐ Architect ☐ Project Manager ☐ Contractor*

*MHIC/MD Contractor's License No. *(required)*:

Information for Primary Contact for Project (if different from property owner):

Name: Mauck Zantzinger

Work telephone: 202.363.8501 After-hours telephone: 301.654.7974

Cell phone: 202.437.2752

E-mail: Richard Zantzinger <richard@mauckzantzinger.com>

Will the residence be occupied during the construction project? ☐ Yes ☒ No

If no, provide contact information for the party responsible for the construction site (if different from above):

Name:

Address:

Work telephone: After-hours telephone:

Cell phone:

E-mail:

Parking Compliance:

Is adequate on-site parking available for the construction crews? ☒ Yes ☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons? ☐ Yes ☒ No

Building Permit Filing Requirements:

Application will not be reviewed until the application is complete

- ☐ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☒ This application form, signed by resident.
- ☒ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☒ Building plans and specifications
- ☒ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the architect, contractor, or any other service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: _____ **Date:** 04/10/14

Kelly M. Campanile

To be completed by Village staff:			
Is this property within the historic district?	Yes ☑	No ☐	Staff Initials: GS
Date application filed with Village: 4/14/14	Date permit issued: _____		Expiration date: _____

For Use By Village Manager	Application approved with the following conditions:

For Use By Village Manager	Application denied for the following reasons:
DENIED APR 17 2014 Chevy Chase Village Manager	Proposed steps encroach forward of the 25' BRL.

Filing Fees (due when application submitted)	Checks Payable to:	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: $ TBD (see Permit Fee Worksheet) ☐ $50.00 (if construction is in the Public Right-of-way)		
Tree Preservation Plan Fee: ☐ $250.00 ☐ Not required for this project.		
TOTAL Fees:	Date: Staff Signature:	

Damage Deposit/Performance Bond (due when permit is issued)	Checks Payable to:	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
☐ $_____ ☒ Waived by Village Manager	Date: Village Manager Signature:	
Cost of damage to R-O-W: (calculated at close-out) Amount of refund:	Date: Village Manager Signature:	

Chevy Chase Village

Application for a Variance

A variance is permission granted to a landowner to depart from the specific requirements of the Village zoning ordinance and allows a landowner to use land differently than specified in the ordinance. The variance is a written authorization from the Board of Managers permitting construction in a manner not otherwise allowed by the Village Code.

Subject Property:	5910 Cedar Parkway
Describe the Proposed Project:	3/8/14 **Restore original historic 1909 front porch stairs which will encroach 6'-10 5/16" into the 25' building restriction line.** *Proof of original stairs provided in maps and diagrams from Chevy Chase Historical Society and confirmed by Traceries, DC with on-site evaluation and existing physical evidence.*
Applicant Name(s) (List all property owners):	Kathy & John Campanella
Daytime telephone: 301.215.4151	Cell: 202.320.5008
E-mail:	kcampanella@verizon.net
Address (if different from property address):	
For Village staff use: **Date this form received:** 4/14/14	Variance No: A-6532

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

- ☒ Completed *Chevy Chase Village Application for a Variance* (this form)
- ☒ Completed *Chevy Chase Village Building Permit Application*
- ☒ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☒ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☒ Copy of Covenants applicable to the property except for variances from Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code.
- ☒ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: _____ Date: 4/9/14

Applicant's Signature: _____ Date: 4/9/14

6

Describe the basis for the variance request (attach additional pages as needed).

The home is located at the intersection of Kirke Street and Cedar Parkway in Section 2 of Chevy Chase Village. The property's sloping topography is highest in the front yard and lowest in the back where the lot abuts the Chevy Chase Club. This contributing resource in the historic district was built in 1909 as a turn of the century summer house. The 1927 Sanborn map shows the simple footprint of the original home which Traceries, DC defined as "informal Colonial Revival." It originally had 1/1 windows, with a front facade featuring an open wrap-around front porch, a side doorway facing south, and a prominent front entry stairway. The front facade was altered in 1930 when the left wrapped portion of the porch was enclosed to create a formal style Colonial Revival entry. **Sometime after 1975, the front porch stairway was removed and replaced with a section of railing. A side porch stair was then added as the main entrance for the home. Traceries recommends removing the side stairs completely and relocating the front stairs to their original location.** *(See attached Traceries summary.)*

Describe how enforcement of the building regulations would result in an unwarranted hardship and

Another important reason for relocating the porch stairs to the original front left bay is because this location allows handicap access at the highest elevation on our lot. So, on the occassions when we need the handicap ramp, it can be used at a comfortable rise and run and it will not exit into the driveway. This location would also allow us to purchase a more affordable portable ramp without handrails.* The smallest distance from the ground to an entrance on our lot is a 31.5" rise at the site of original front stairs; a 36" rise at the side porch; a 65" rise at the side entrance; and an 81" rise at the rear entrance.

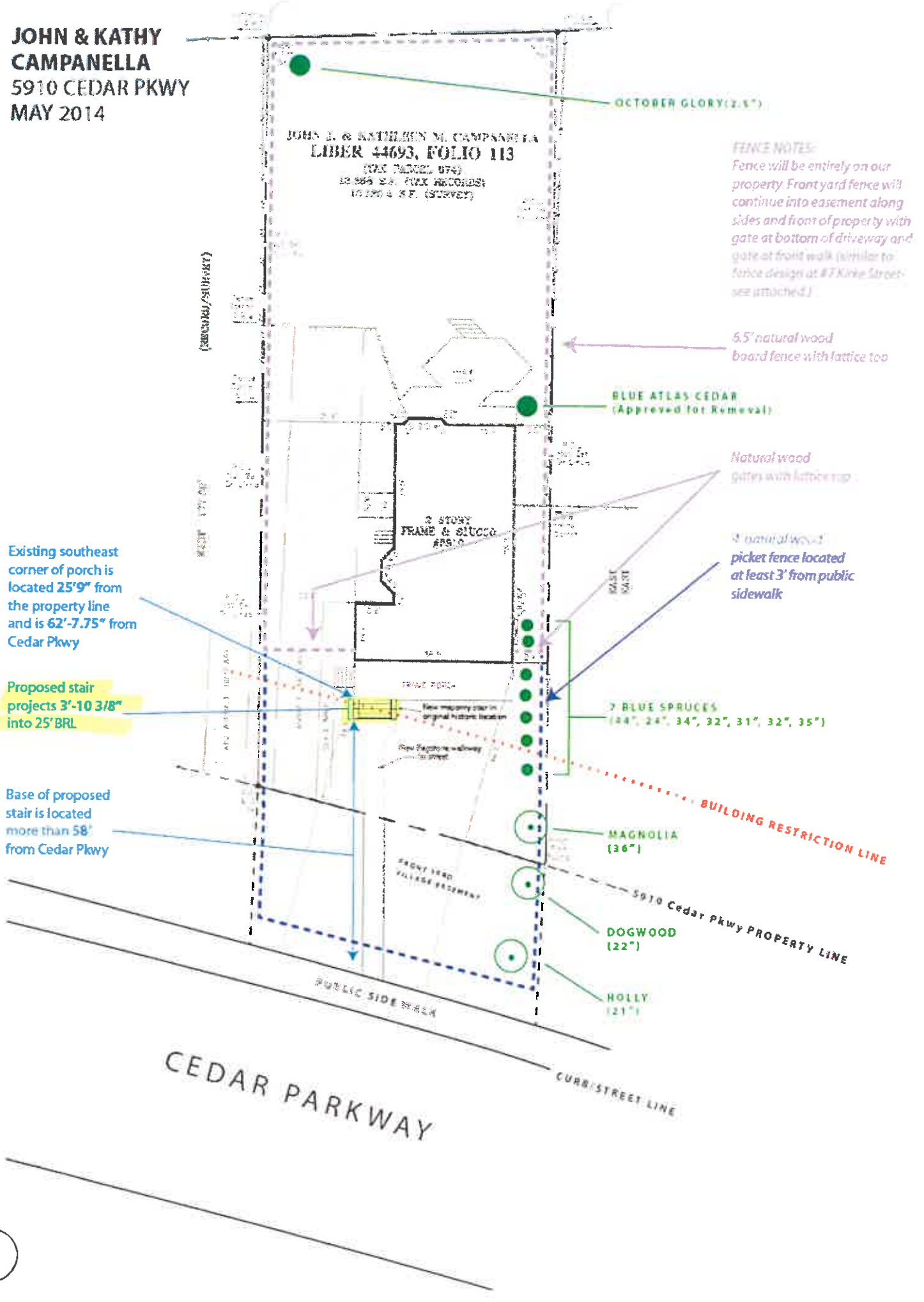
**Montgomery County requires handrails for public ramps with a rise of 30" or more. Residential properties are not bound by these regulations but, due to safety concerns, most residents follow similar guideleines. At the front of our porch (31" rise) we could use a simple straight light-weight portable ramp without handrails. Any other location on our lot would have such a large rise that it would require a more expensive, and more permanent ramp. A larger ramp would need to be professionally installed and removed each time we need to use it. The larger ramp configuration would require a turn to accomodate the steep rise and would also require handrails for safety.*

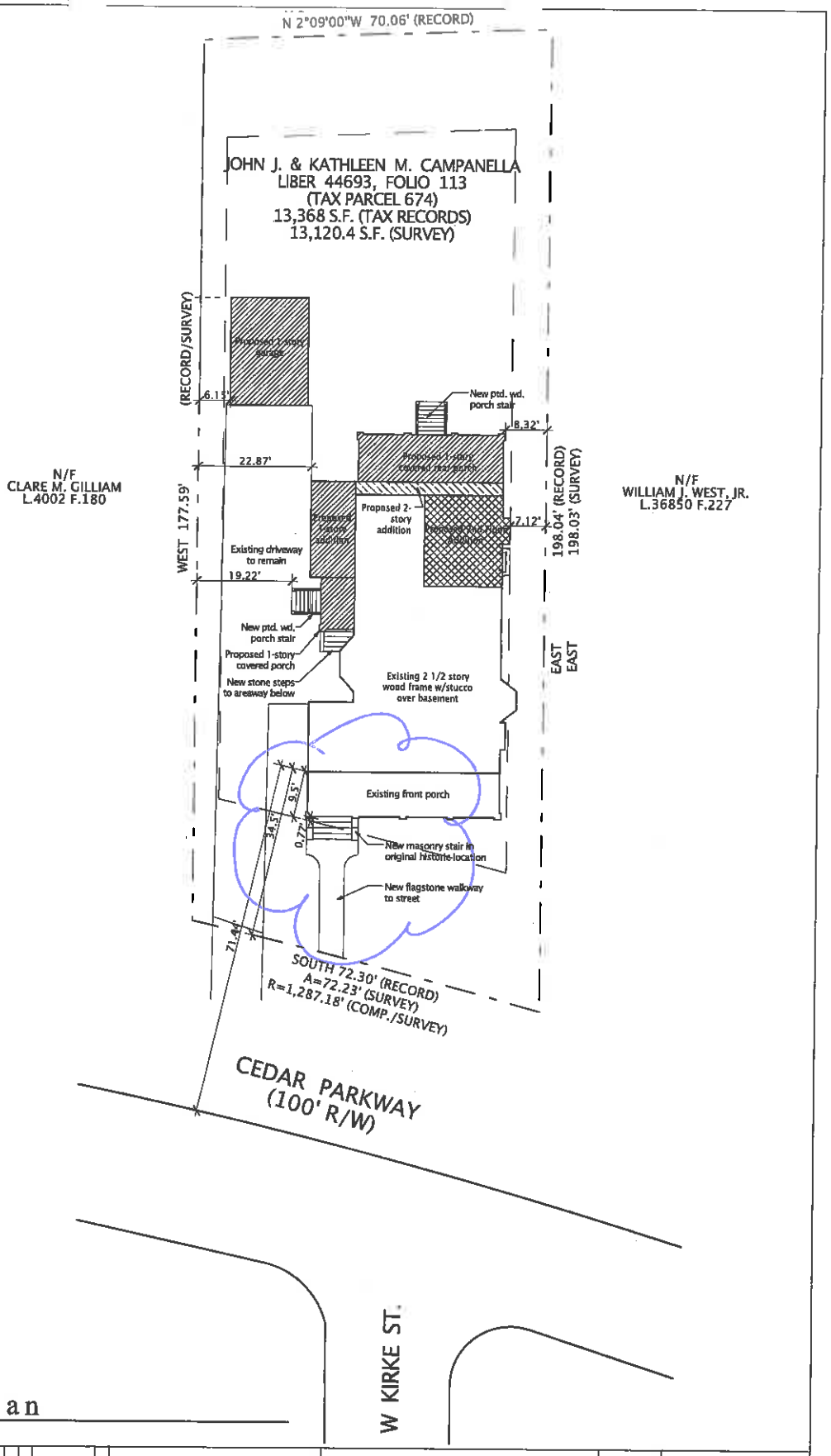
Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

1) Providing for easy and affordable handicap access and (2) restoring the original front facade of the home are our common goals with Chevy Chase Village and Montgomery County. Documents from HPC and Chevy Chase Historical Society, namely the1927 Sanborn map and a Chevy Chase Village Home Tour Map from 1975, indicate that the original stairs were in a more traditional location on the front porch extending beyond the porch and into the front yard area. A prominant front entry and front stairs are important architectural features of Colonial Revival homes. Moving the stairs as we propose, would be in keeping with this architectural convention. Once constructed, the stairs would be located more than 55 feet from Cedar Parkway. The result would be an appropriate and proportionate traditional Colonial Revival entrance and the restoration of a contributing historic structure to its ntrance and the restoration of a contributing historic structure to its original 1909 design.

Variance Filing Fee	**Checks Payable To:** Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Per Village Code Sec. 6-2(a)(24): ☑ $300.00 for new construction ☐ $150.00 for replacing existing non-conformities. ☐ $300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. ☐ Other: $ **Fee Paid:** #300.00	**Date Paid:** **Staff Signature:**
	Approved to Issue Building Permit per Board Decision Signed by the Board Secretary on: **Date:** 10/30/2014 **Signature:** [signature] **Village Manager**

JOHN & KATHY CAMPANELLA
5910 CEDAR PKWY
MAY 2014





1 Site Plan
1" = 20'

T2

HAWP Submission

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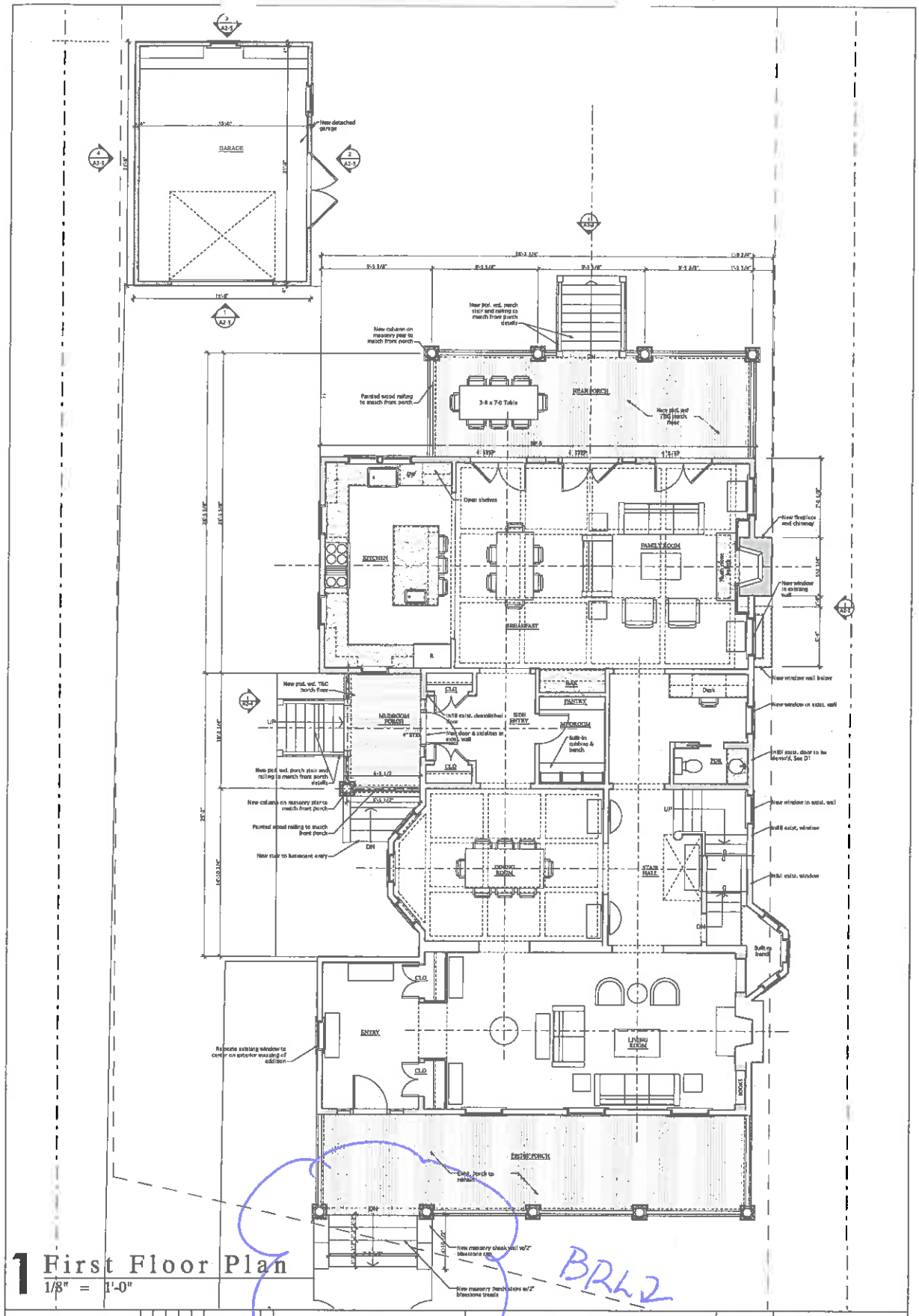
16 APRIL 2014

Campanella Renovation

5910 Cedar Parkway
Chevy Chase, Maryland 20815

5019 Wilson Lane
Bethesda, Maryland 20814
(P) 301.652.0106 (F) 301.652.0125
www.annedeckerarchitects.com

ANNE DECKER
ARCHITECTS



1 First Floor Plan

1/8" = 1'-0"

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Chevy Chase, Maryland 20815

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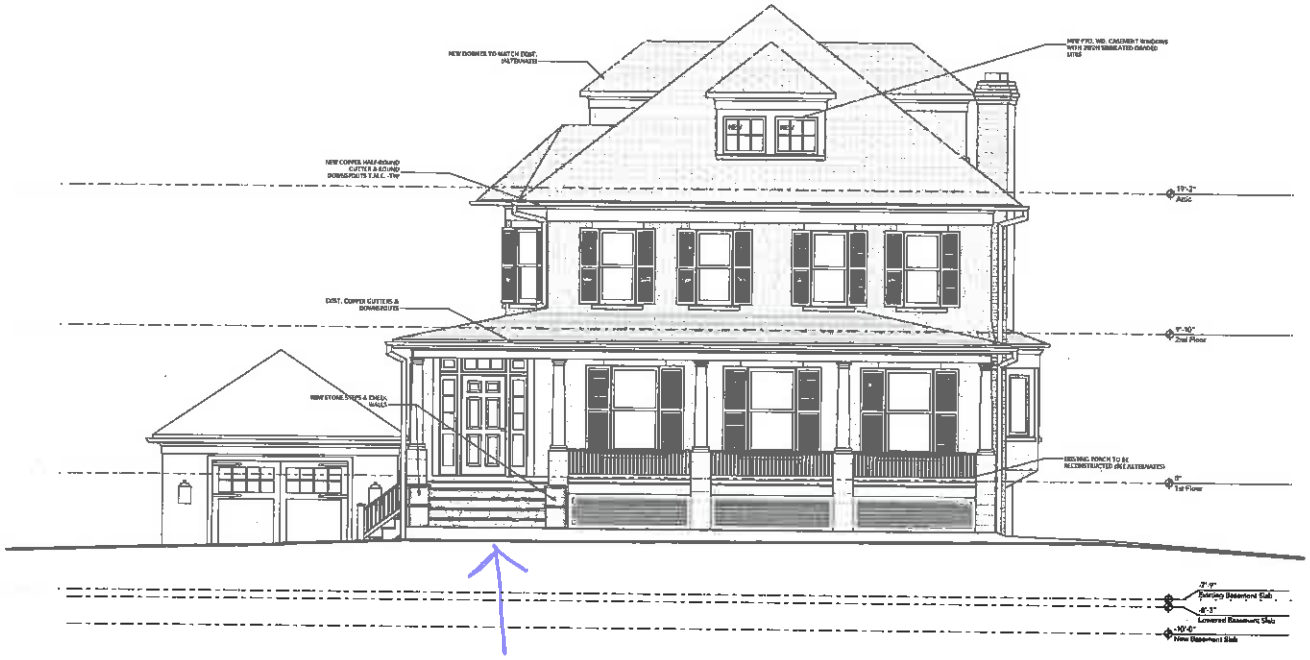
HAWP Submission

A1-1

10



1 Front Elevation

1/8" = 1'-0"

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HAWP Submission

A2-1

9

1 Right Elevation
1/8" = 1'-0"

ANNE DECKER
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Chevy Chase, Maryland 20815

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16 APRIL 2014

HAWP Submission

A2-2

1 Left Elevation
1/8" = 1'-0"

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Campanella
Renovation

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Chevy Chase, Maryland 20815

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HAWP
Submission

A2-4

Existing Property Condition Photographs (duplicate as needed)

FRONT FACADE - Original wrap-around porch was enclosed on left side to create new foyer. Side stair entrance was added after 1975. Side entry is not conventional for Colonial Revival Home. Railing, and finials are different style than the rest of the porch. Floor boards on stairs are newer, slabs. Traceries described it as a "pre-fab Home Depot" look.

FRONT FACADE - notice that left bay is differnt than other bays - lattice dimensions and railing are different, plumb, and newer - do not have same amount of paint build-up..

Existing Property Condition Photographs (duplicate as needed)

FRONT FACADE - Side stair and left bay lattice details

FRONT FACADE - Front door and Lattice details. Note: left bay lattice is different than all other lattice panels. Rail in this bay is plumb and newer than other railings. Historical docs indicate ORIGINAL stairs were located here. Physical evidence also seen in flooring and flanking stone column bases.

Existing Property Condition Photographs (duplicate as needed)

FRONT ENTRY - **Existing front entrance side stair with 36" rise** (added after 1975.) Stair railings are beveled - not flat like original porch. Different wood was used for stairs and a different lattice design covers side base. Formal finials do not match original style of porch.

FRONT PORCH - Column (one has been replaced in a different style capital) drop ceiling is not original- was probably added to cover damage. Original ceiling was probably concave according to Traceries, DC.

Existing Property Condition Photographs (duplicate as needed)

Detail: SOUTH SIDE - side entrance with 65" rise

REAR FACADE with 81" rise

Detail:

FRONT PORCH RESTORATION | Kathy & John Campanella | 5910 Cedar Parkway

Laura Trieschman, Senior Architectural Historian
EHT Traceries, Inc.
202/393.1199

Laura visited our home and gave her observations about the original design of the front porch and stairs stating, "*... with regard to style, your house is most definitely Colonial Revival and that was the style when completed. The first phase of alterations (1930's changes to front porch, front entry, and three story rear addition) were also Colonial Revival in style. The front entry is very high style, more classically inspired, and is incorrect for your Colonial Revival-style house.*"

Laura found physical evidence supporting the existence of the original 1909 front stair built off the left bay of the front porch. Her observations and recommendations are summarized below.

1) Front Entrance and Foyer: In the1930's, the wrap around porch was enclosed on left side to create a new entrance and foyer with formal and classically inspired fluting, dental molding, and numerous mutins. The formal fanlight proportions were distorted in order to fit into the existing space.
Propose: Replacing the formal Colonial Revival style door, fanlight, and sidelights with a more appropriate informal Colonial Revival door and lights.

2) Center Porch Column: One column has been replaced with a different style capital.
Propose: Replacing this column to match the original columns.

3) Front Porch Drop Ceiling: The drop ceiling not original and was perhaps installed to hide damage.
Propose: Replacing this ceiling with one that is concave and appropriate for the original porch.

4) Front Porch Side Stairs: The "pre-fabricated" style side stairway was added after 1975 to facilitate life with an automobile. These crude solid wood slab stairs, are unlike the narrow artful wood flooring used on the original porch. The beveled railings and formal finials do not match the architecture of the home.
Propose: Removing these stairs completely and restoring the original side railing.

5) Original Front Porch Stairs: The original front stairs were removed after 1975 and replaced with a section of railing. Historical evidence of these stairs is seen in the Sanborn Map from 1927 and in a 1975 Chevy Chase Village Home Tour map *(see attached images.)* Existing physical evidence is seen in the lower left bay lattice where the original stairs were located. The lattice has newer smaller thinner boards compared to the other three original sections. This same area shows changes in the two stone pillars which would have flanked the original front stairs, and in the white painted replacement railing that is obviously newer and plumb while the other original three sections are made of older materials that have aged considerably and sagged. Some of the left bay floorboards, in the area of the original stairs, were replaced with newer wood that is different from the rest of the front porch.
Propose: Relocating stairs and returning them to their original 1909 location.

Note: *We did a survey of homes within a few blocks of our house. Of the homes with front porches, all feature a main front entrance with stairs extending into the front yard except for 5910 Cedar Parkway. (Please see attached images for examples.)*

2009.2011.09

2009.2011.09 | 404 Not Found

chevychasehistory.pastperfect-online.com/34214cgi/mweb.exe?request=record;id=FCF

chevy chase historical

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2009.2011.09

Order Image

Object ID	2009.2011.09
Title	5910 Cedar Parkway
Description	5910 Cedar Parkway Second Annual Village House Tour, 1975 Mr./Mrs. Francis L. Casey The house was built at the turn of the century as a summer home. Location: Maryland Home and Garden Pilgrimage/Tour Papers, 1970-1992 Living Room: Fireplace is walnut and is original to the house. Dining Room: Table setting is Royle Worcester. Kitchen and Family Room: Sink and cupboards in the pantry are used when the family entertains.
Object Name	House Description
Date	1975
Image	2009.2011.09

SEARCH TIPS

Maximize the number of "hits" for your query by:

Dropping abbreviations like Ave., Dr., St., to street names. For example, "Shepherd" instead of "Shepherd St."

Spelling words out AND then doing a second search using an abbreviation. For example, "BCC" and "Bethesda Chevy Chase" or "Conn" and "Connecticut"

Using variations in spelling if you know them. For example, today's Brookville Rd. once had an "e" in it, Brookeville.

Use alternate names for one location. For example, today's National 4-H Center was once known as Chevy Chase Junior College, Chevy Chase Seminary, Chevy Chase Inn, and Springs Hotel.

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Digital Archives made possible, in part, by funding from the Montgomery County government and the Art and Humanities Council of Montgomery County.

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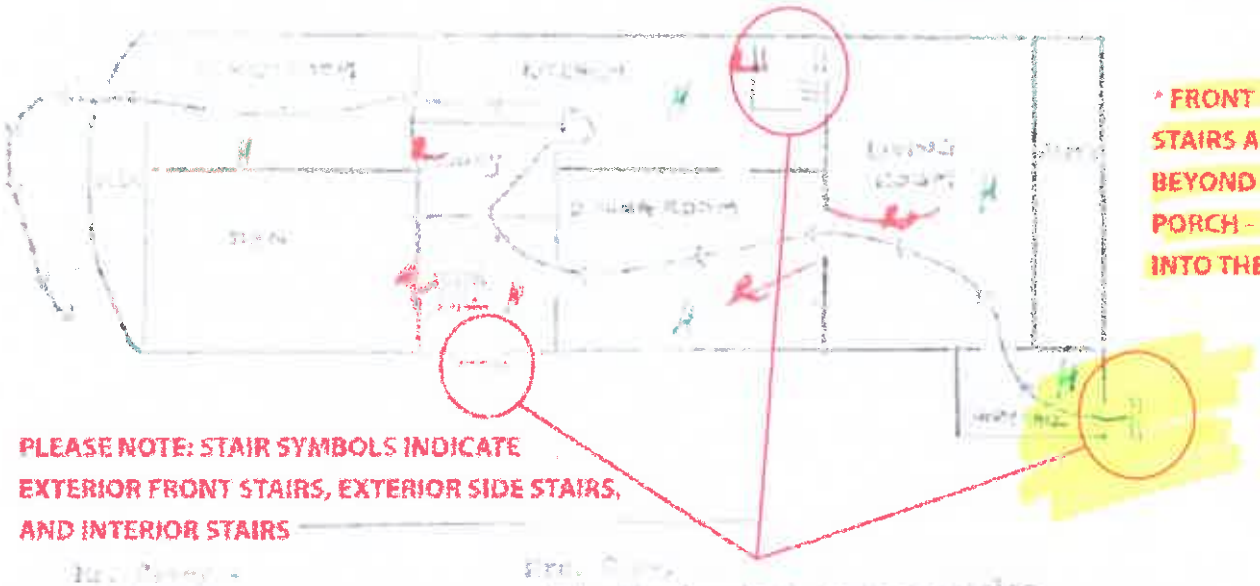
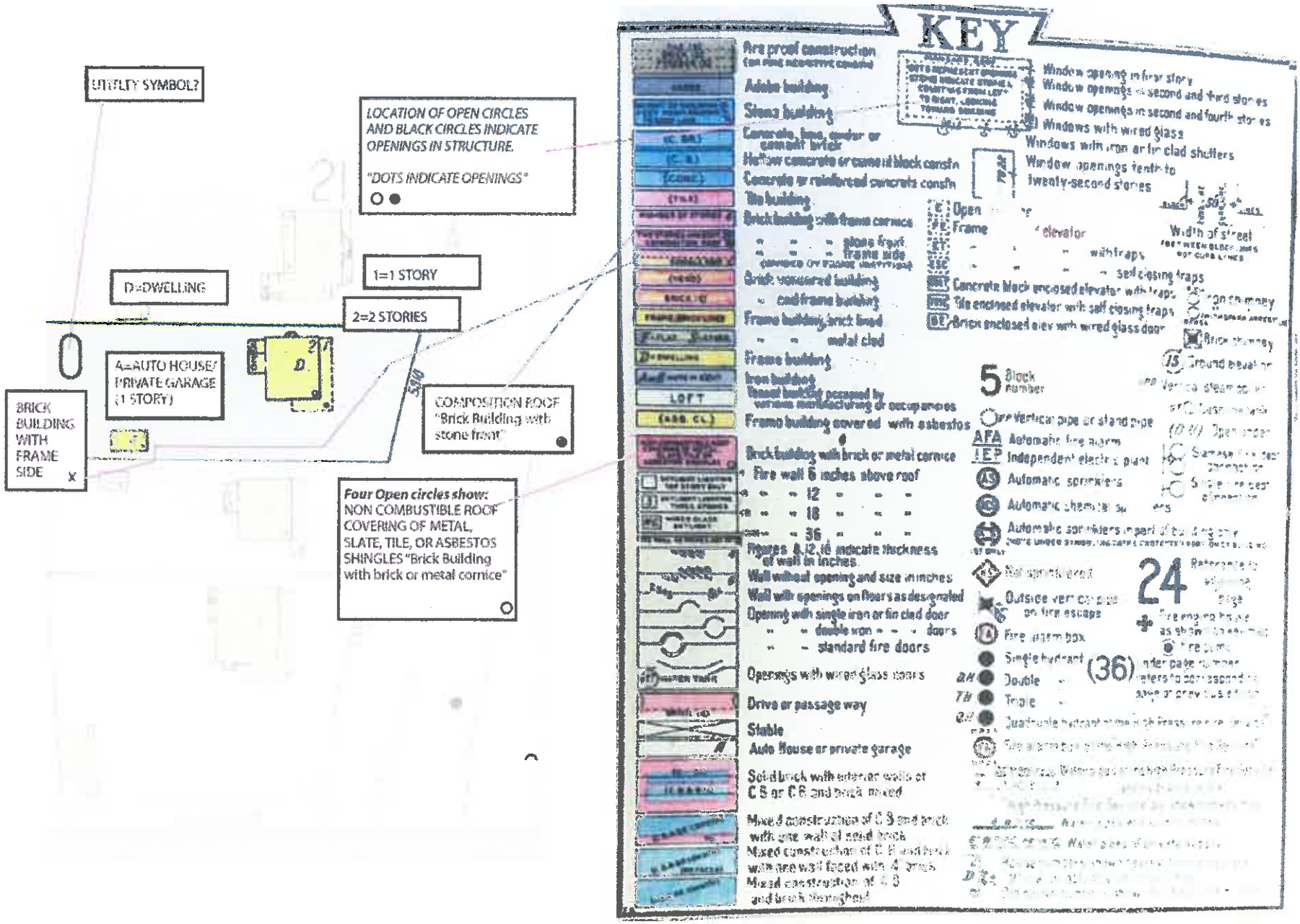
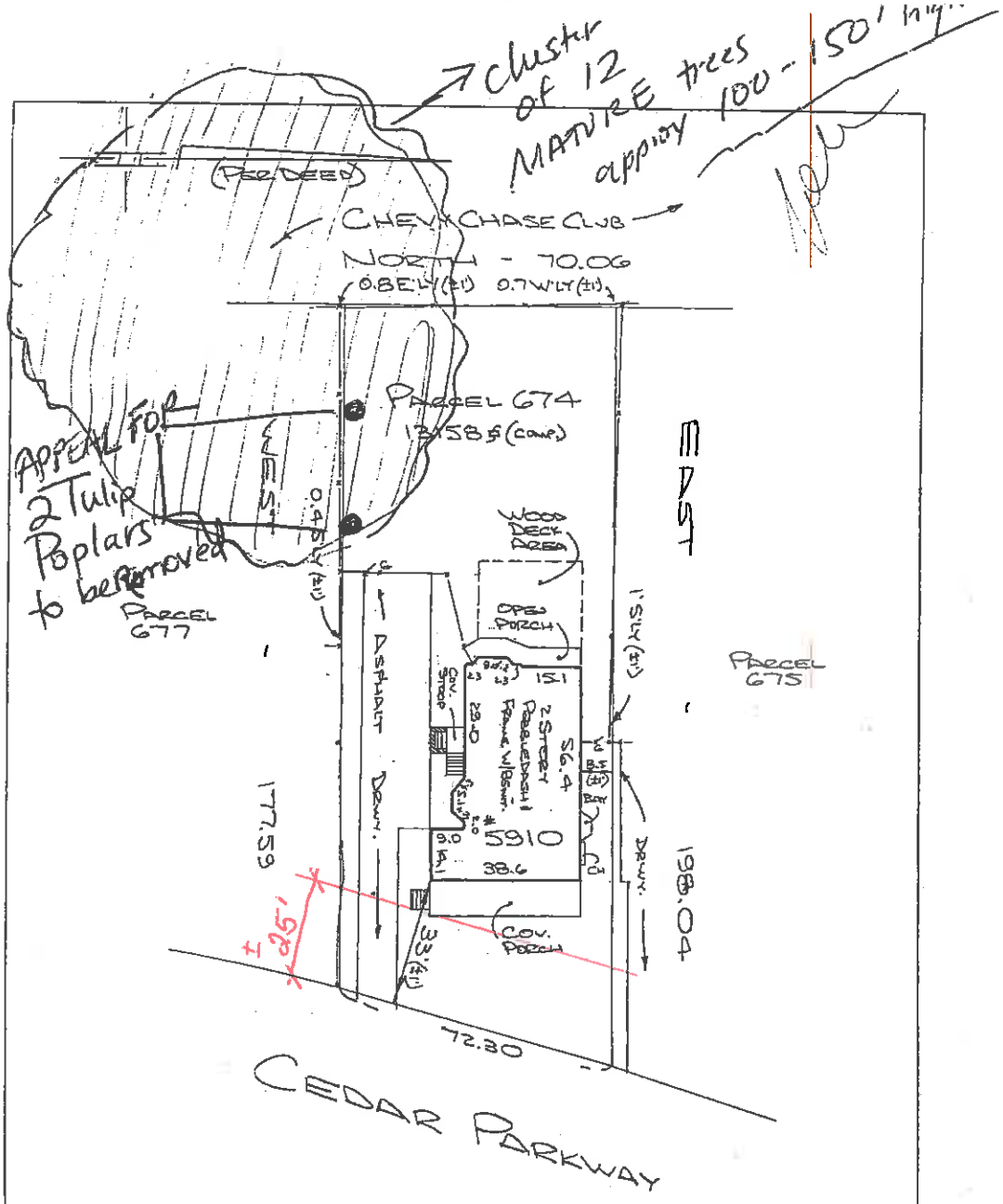


* FRONT EXTERIOR STAIRS ARE SHOWN BEYOND THE FRONT PORCH - EXTENDING INTO THE FRONT YARD

PLEASE NOTE: STAIR SYMBOLS INDICATE EXTERIOR FRONT STAIRS, EXTERIOR SIDE STAIRS, AND INTERIOR STAIRS



1927 SANBORN MAP • 5910 CEDAR PARKWAY * CAMPANELLA HOUSE



Capitol Surveys, Inc.
10762 Rhode Island Avenue
Beltsville, Maryland 20705
Phone 301-931-1350
Fax 301-931-1352

NOTES: Plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing; the plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and the plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

LOCATION DRAWING

PARCEL 674
LIBER 6807 FOLIO 159
MONTGOMERY COUNTY, MARYLAND

Recorded In Plat Book — Plat — Scale 1" = 30'

CASE: 1165-12 FILE: 96096

DATE: JULY 25, 2012

I hereby certify this location drawing was prepared in accordance with the minimum standards of practice for the State of Maryland and is correct to the best of my belief of what can be visually and accurately observed.

Edward L. Lopez, Jr.
Maryland Property Line Surveyor No. 522
License Current Through February 13, 2013

parties to a certain deed bearing date on the seventh day of April, A. D. ,1910, and hereto annexed, personally appeared before me in said District, the said George H. Chandlee and Laura G. Chandlee being personally well known to me as the persons who executed the said Deed and acknowledged the same to be their act and deed.

GIVEN under my hand and seal, this seventh day of April, A. D.,1910.

Albert W. Siousa,

Notary Public D. C.

Albert W.Siousa
Notary Public
District of
Columbia

Examined

At the request of Archibald Edmonston the following Deed was recorded April 21st A. D. 1910 at 9.00 o'clock A. M. to-wit:-

THIS DEED Made this seventh day of April in the year one thousand nine hundred and ten, by and between George H. Chandlee and Laura G. Chandlee, his wife, of the State of Maryland, parties of the first part,and Archibald Edmonston, of the District of Columbia, party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TEN (10) DOLLARS , to them paid by the said party of the second part,, and of the covenants and agreements of the said party of the second part as hereinafter set forth , do hereby grant and convey unto the said party of the second part, in fee simple, the following described land and premises, with the improvements, easements and appurtenances thereunto belonging, situate in the County of Montgomery , State of Maryland, namely:-

PART of an undivided tract of land lying west of and immediately adjoining Section Two of the subdivision made by the Chevy Chase Land Company of Montgomery County, Maryland, as per Plat of said subdivision recorded in Liber J.A. No.35 folio 61, and re-recorded in Plat Book #2, page 166, of the Land Records of said Montgomery County, Maryland, described by metes and bounds as follows, viz:-

Beginning for the same at a point on the west line of Cedar Parkway, as said parkway is shown by the plats of sub division aforesaid, at the intersection of said west line of said Parkway with a line drawn due east and west and ten (10) feet north of the south line of Kirke Street, as said street is shown on the aforesaid plats of sub-division, and running thence due west one hundred and seventy-seven and fifty-nine hundredths (177.59) feet to the boundry line between the land of the Chevy Chase Land Company of Montgomery County, Maryland, and the land of the Chevy Chase Club; thence along said boundry line north two degrees, nine minutes (2° 09') west, fifty and four hundredths (50.04) feet; thence due east one hundred and ninety-four and ninety-three hundredths 194.93) feet to the west line of said Cedar Parkway; thence southerly along the said line of said Parkway, sixty-one and ninety-one hundredths (61.91) feet to the place of beginning; containing eleven thousand, one hundred and fifty-six (11,156) square feet of land, more of less.

TO HAVE AND TO HOLD the said land and premises, with the improvements, easements and appurtenances unto and to the use of the said party of the second part, his heirs and

COUNTY CIRCUIT COURT (Land Records) JLB 272, p. 0299, MSA_CE63_170. Date available 10/14/2005. Printed 04/09/2014.

assigns, in fee simple.

IN CONSIDERATION of the execution of this deed, the said party of the second part, for himself and for his heirs and assigns, hereby covenants and agrees with the parties of the first part, their heirs and assigns; such covenants and agreements to run with the land) as follows, viz:-

1. That all houses upon the premises hereby conveyed shall be built and used for residence purposes exclusively, except stables, carriage-houses sheds, or other outbuildings, for use in connection with such residence, and that no trade, business, manufacture or sales, or nuisance of any kind shall be carried on or permitted upon said premises.

2. That no structure of any description shall be erected within twenty-five (25) feet of the front line of said premises; and that no stable, carriage-house, shed, or outbuilding shall be erected except on the rear of said premises.

In case of corner lots any and all lines bordering upon a street, avenue, or parkway shall be considered a front line.

3. That no house shall be erected on said premise at a cost less than Three Thousand (3,000) Dollars.

4. That any house erected on said premises shall be designed for the occupancy of a single family, and no part of any house or of any struture appurtenant thereto shall be erected or maintained within five (5) feet of the side lines of premises hereby conveyed, nor within ten (10) feet of the nearest adjacent house.

AND the said George H. Chandlee hereby covenants to warrant specially the property hereby conveyed, and to execute such further assurance of the said land as may be requisite.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals on the day and year first hereinbefore written.

Signed sealed and delivered
in the presence of

Albert W. Siousa,

Geo. H. Chandlee (SEAL)

Laura G. Chandlee (SEAL)

District of Columbia, to-wit:-

I, Albert W. Siousa, a Notary Public in and for the said District, do hereby certify that George H. Chandlee and Laura G. Chandlee, his wife, parties to a certain Deed bearing date on the seventh day of April, A. D. 1910, and hereto annexed, personally appeared before me in said District, the said George H. Chandlee and Laura G. Chandlee being personally well known to me as the persons who executed the said Deed and acknowledged the same to be their act and deed.

Given under my hand and seal, this seventh day of April, A. D. 1910.

Albert W. Siousa,
Notary Public, D. C.

Albert W. Siousa
Notary Public
District of
Columbia

Chevy Chase Village

Website Posting Notice
for Appeal, Special Permit & Variance Hearings

Case Number:

Hearing Date: Monday, May 12th

By signing below, I acknowledge as the applicant/appellant in the above-referenced case number that all supporting information and documentation for my case will be posted on the Village's website at <www.chevychasevillagemd.gov> for review by the general public.

Applicant/Appellant Name: Kathy Campanella

Address: 5910 Cedar Parkway

Telephone: 202.320.5008

E-mail: kcampanella@verizon.net

Applicant/Appellant Signature: Kathy M. Campanella

Agent Name for applicant/appellant (*if necessary*):

Telephone:

Address:

E-mail:

Signature of agent:

Village staff initials: SB Date: 4/23/14

Treasurer's Report
July-September (2 months of FY 2017)

Overall:

This report is a two month snapshot of FY 2017. The Village receives little revenue in the first two months of the fiscal year with the most prominent being the tax duplication payment that comes from the county in the amount of $100,524. We have a budgeted deficit of 46,117, and it is still too early to project how we will end up in relation to this number by the end of the year. Our FY 2016 audit is not officially completed yet and the final 2016 audited numbers will be available when it becomes finalized.

Income Tax Revenue:

We will not have any significant income tax information until the end of November.

Property Tax Revenue:

We project this to come in at budget since the Village approved the constant yield for FY 2017.

Safe Speed Net Revenue:

So far this year it is trending about 15% below budget for the first two months. There has some been construction during these two months which has had an impact on safe speed citations.

Miscellaneous Revenue:

As of now it is tracking slightly above budget. We received a tax duplication payment of $100, 524, which was about $15,000 above the budgeted amount.

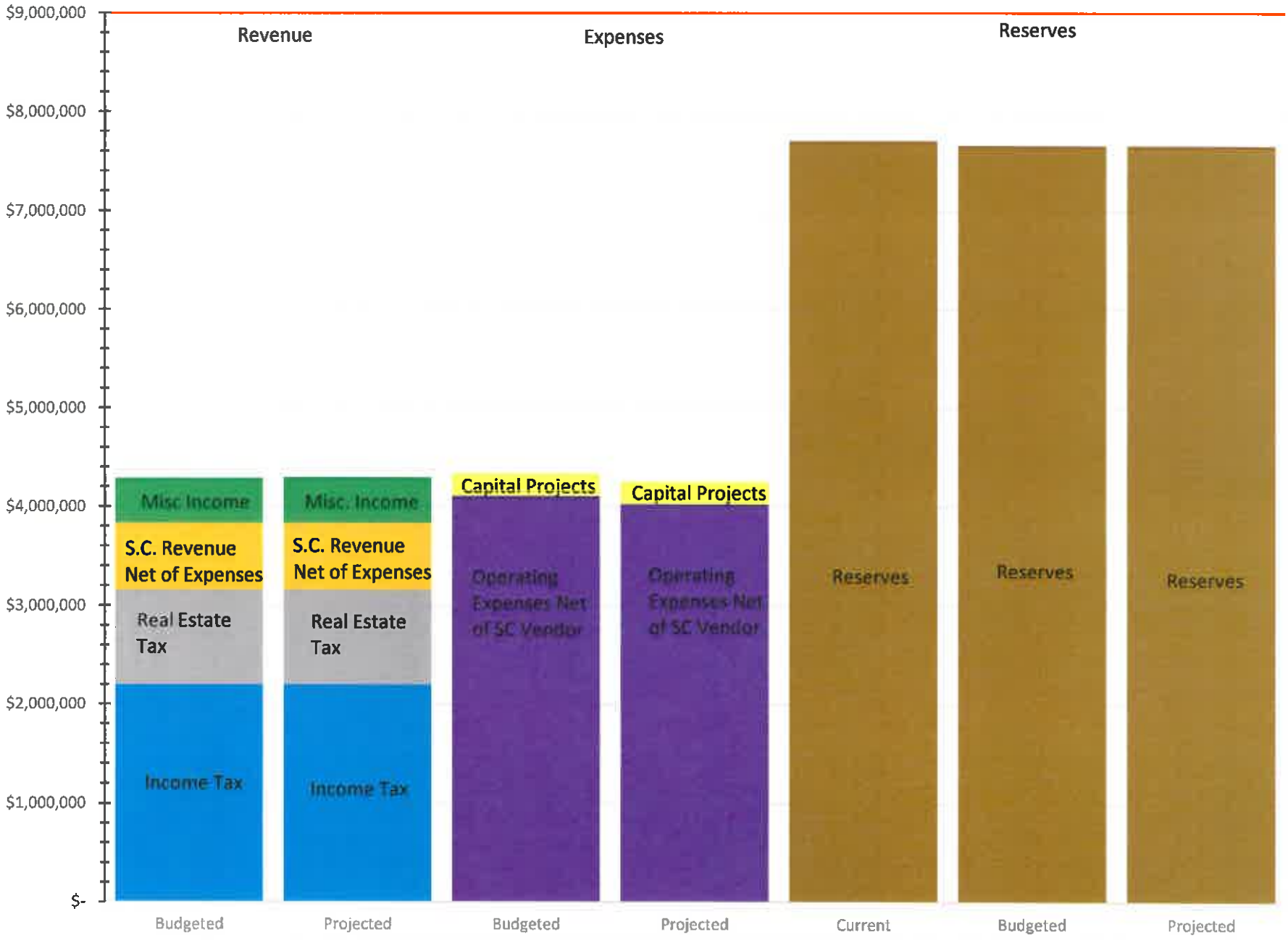
Capital Expense:

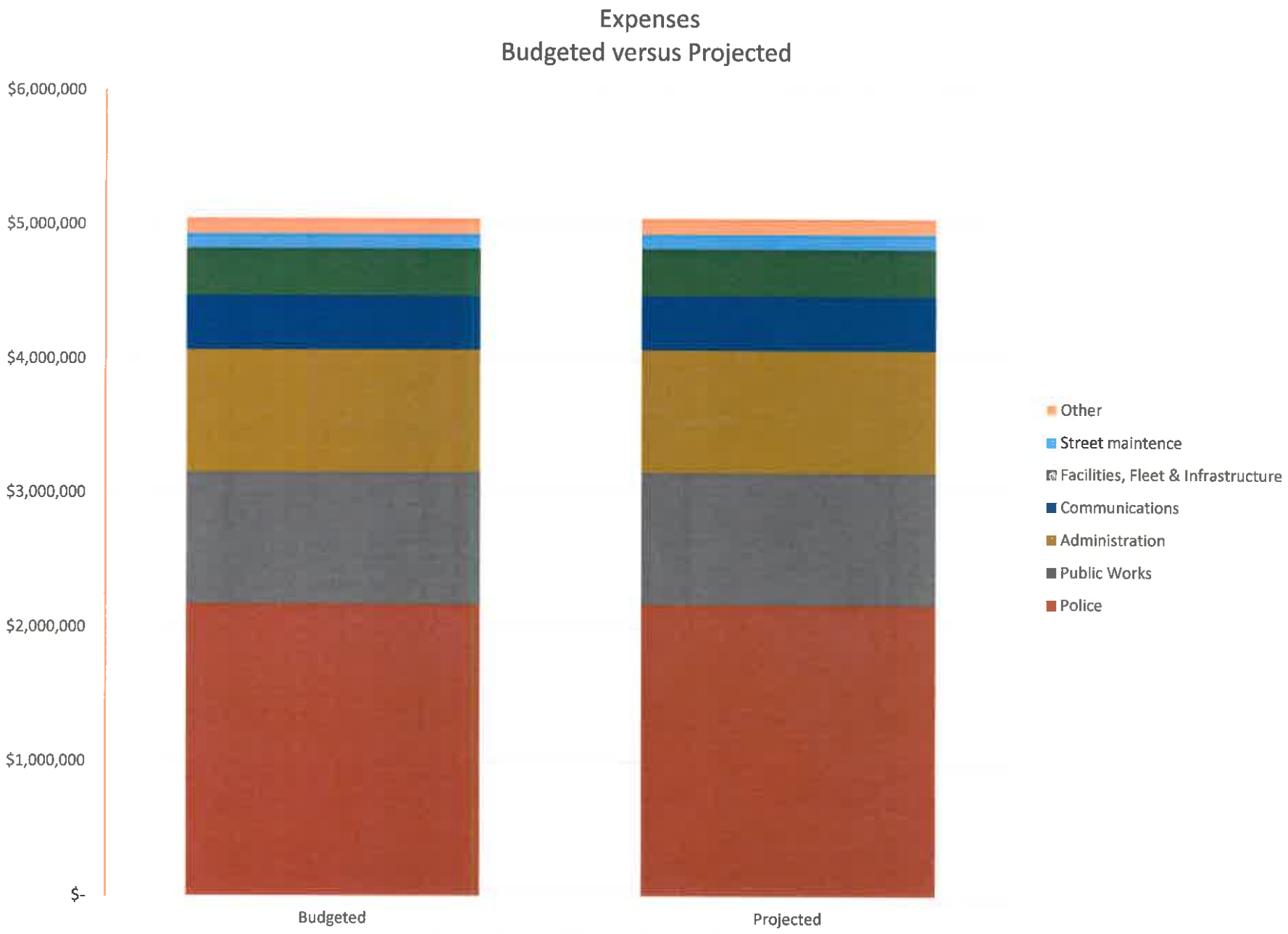
Our expenses are projected to be $227,500 and we have not undertaken any of these projects yet.

Operating Expense:

We project this will be 2-3%% below budget.

Revenue and Expenses
Budget versus Projected




Expenses
Budgeted versus Projected
$6,000,000
$5,000,000
$4,000,000
$3,000,000
$2,000,000
$1,000,000
$-
Budgeted
Projected
Other
Street maintence
Facilities, Fleet & Infrastructure
Communications
Administration
Public Works
Police