

**Case A-7316  
Special Permit**

Install a wood picket fence with gate in the Brookville Road public right-of-way, the fence posts of which will measure a maximum of four (4) feet in height with sections of scalloped picket fencing and one gate varying in height between three and one-half (3 ½) feet and four (4) feet at its maximum height. The fence will run parallel with Brookville Road, which has no sidewalk or curb at this location, and will be located three (3) feet from the nearest edge of the street.

JL Property Ventures, LLC  
Ms. Julie Fletcher &  
Ms. Linda McElligott  
6300 Brookville Road

**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 14<sup>th</sup> day of May, 2018 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-7316  
JL PROPERTY VENTURES, LLC  
MS. JULIE FLETCHER &  
MS. LINDA McELIGOTT  
6300 BROOKVILLE ROAD  
CHEVY CHASE, MARYLAND 20815**

Pursuant to Sec. 8-9 of the Chevy Chase Village Building Code the applicants seek from the Board of Managers a Special Permit to install a wood picket fence with gate in the Brookville Road public right-of-way, the fence posts of which will measure a maximum of four (4) feet in height with sections of scalloped picket fencing and one gate varying in height between three and one-half (3 ½) feet and four (4) feet at its maximum height. The fence will run parallel with Brookville Road, which has no sidewalk or curb at this location, and will be located three (3) feet from the nearest edge of the street.

**The Chevy Chase Village Code Sec. 25-6(b) states that the Building Officer and the Village Manager are authorized to issue a license, without the need for a Special Permit, if:**

- (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.

**If Sec. 25-6(b) requirements are not met, Sec. 25-6(c) states:**

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 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](http://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 3<sup>rd</sup> day of May 2018.

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



May 3, 2018

Ms. Julie Fletcher &  
Ms. Linda McElligott  
JL Property Ventures, LLC  
1350 Beverly Road suite 115-449  
McLean, VA 22101

Dear Ms. Fletcher & Ms. McElligott:

Please note that your request for a Special Permit to construct fencing and a gate in the Brookville Road public right-of-way abutting your property is scheduled before the Board of Managers on Monday, May 14, 2018 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. DINGER  
*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 APPEALS A-7316**

**MS. JULIE FLETCHER &  
MS. LINDA MCELLIGOTT  
DBA JL PROPERTY VENTURES, LLC  
6300 BROOKVILLE ROAD  
CHEVY CHASE, MD 20815**

<b>Adjoining and confronting property owners</b>	
Mr. & Mrs. J.W. Rayder Or Current Resident 14 Oxford Street Chevy Chase, MD 20815	Mr. & Mrs. Matthew Leggett Or Current Resident 16 Oxford Street Chevy Chase, MD 20815
Mr. & Mrs. Roger Feldman Or Current Resident 18 Oxford Street Chevy Chase, MD 20815	Mr. & Mrs. Marc E. Gordon Or Current Occupant 20 Oxford Street Chevy Chase, MD 20815
Mr. & Mrs. Ashton Wiltshire Or Current Resident 26 Oxford Street Chevy Chase, MD 20815	Dr. & Mrs. Jon C. White Or Current Resident 15 Newlands Street Chevy Chase, MD 20815
Ms. Susan Morgenstein Or Current Resident 16 Newlands Street Chevy Chase, MD 20815	Mr. & Mrs. Jim Todaro Or Current Resident 104 Newlands Street Chevy Chase, MD 20815
Mr. & Mrs. Christopher Brown Or Current Resident 106 Newlands Street Chevy Chase, MD 20815	

*ES*

I hereby certify that a public notice was mailed, and emailed where possible, to the  
aforementioned property owners on the 3<sup>rd</sup> day of May 2018.

**Ellen Sands  
Municipal Operations Coordinator  
Chevy Chase Village  
5906 Connecticut Avenue  
Chevy Chase, MD 20815**



## Form Center

### Application for a Special Permit

*Chevy Chase Village Code Section 8-1 defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter.*

#### Subject Property:\*

6300 Brookville Road

#### Describe the Proposed Project:\*

Replace an old, unsightly chain link fence with a new <sup>4' x 3.5'</sup> white picket fence along the front and side of our property. The front of the house faces Brookville Road and requires special permit to replace the fencing at 3'-6" <sup>- 4' posts</sup>

#### Applicant Name(s) (List all property owners):\*

JL Property Ventures, LLC  
Julie Fletcher

#### Phone Number\*

571-781-0078

#### Cell Number

#### Email Address

info@jlpropertyventures.com

#### Address (if different from property address):

1350 Beverly Rd, Ste. 115-449

6300 Brookville Road  
Chevy Chase, MD 20815

JL Property Ventures, LLC  
571-781-0078  
Julie Fletcher  
Linda McElligott

1. Describe the reasons why approval of the Special Permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:\*

The new picket fence will be replacing a very unsightly, old, chain link fence that was across the front and side yards of our house at 6300 Brookville Road. The new fence will allow greater visibility for pedestrians and cars at the intersection of Brookville and Newlands St. There are no adjoining properties that would be affected by this stretch of fencing since the front of the house faces Brookville Rd and the side is Newlands St. The fence will have 4' posts with spaced pickets scalloping down to approximately 3.5'. The thick bushes that entwined the previous chain link fence near the intersection have already been removed.

2. Describe the reasons why the Special Permit can be granted without substantial impairment of the intent and purpose of Chapter 8, entitled Buildings and Building Regulations, or Chapter 25, entitled Public Rights-of-Way of the Chevy Chase Village Code.

The new fence will be a welcoming sight but also a much needed physical and psychological barrier to the fairly busy Brookville Road. We are requesting permission to install the new fence at 3' from the edge of the street instead of the required 6'. This is six inches further into our yard than the previous chain link fence. Six feet into our yard would cut off too much of our front yard. Many other properties along the north side of Brookville Road have fences or stone walls immediately at the edge of the street pavement. We believe this is a good compromise that will provide a picturesque entrance to our beautiful home and create a safer street corner while providing a much needed physical and psychological barrier to the road for the homeowners at 6300 Brookville Road.

The picket fence replacing the chain link fence on the Newlands St side will be 3' from the edge of the sidewalk. That portion does not need the special permit but it will be a continuation of the fence in the front yard.

**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 Special Permit (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



Copy of Covenants, except for Special Permits authorized by Sections 8-21 and 8-26 of Chapter 8, or Section 25-5 and 25-6 of Chapter 25 of the Chevy Chase Village Code.



Applicable Special Permit fee 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 special permit 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.

**Electronic Signature Agreement**

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

**Electronic Signature**

Julie Fletcher

**Date:**

04/23/2018

**Electronic Signature Agreement**

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

**Electronic Signature**

**Date:**

Linda McElligott

04/23/2018

**Describe the basis for the Special Permit request.**

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

**Describe the reasons why approval of the Special Permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:\***

The new picket fence will be replacing a very unsightly, old, chain link fence that was across the front and side yards of our house at 6300 Brookville Road. We are situated at the corner of Brookville Rd and Newlands St and

**Describe the reasons why the Special Permit can be granted without substantial impairment of the intent and purpose of Chapter 8, entitled Buildings and Building Regulations, or Chapter 25, entitled Public Rights-of-Way of the Chevy Chase Village Code.**

The new fence will be a welcoming sight but also a much needed physical and psychological barrier to the fairly busy Brookville Road. We are requesting permission to install the new fence at 3' from the edge of the street

*In exercising its powers in connection with a Special Permit 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.*

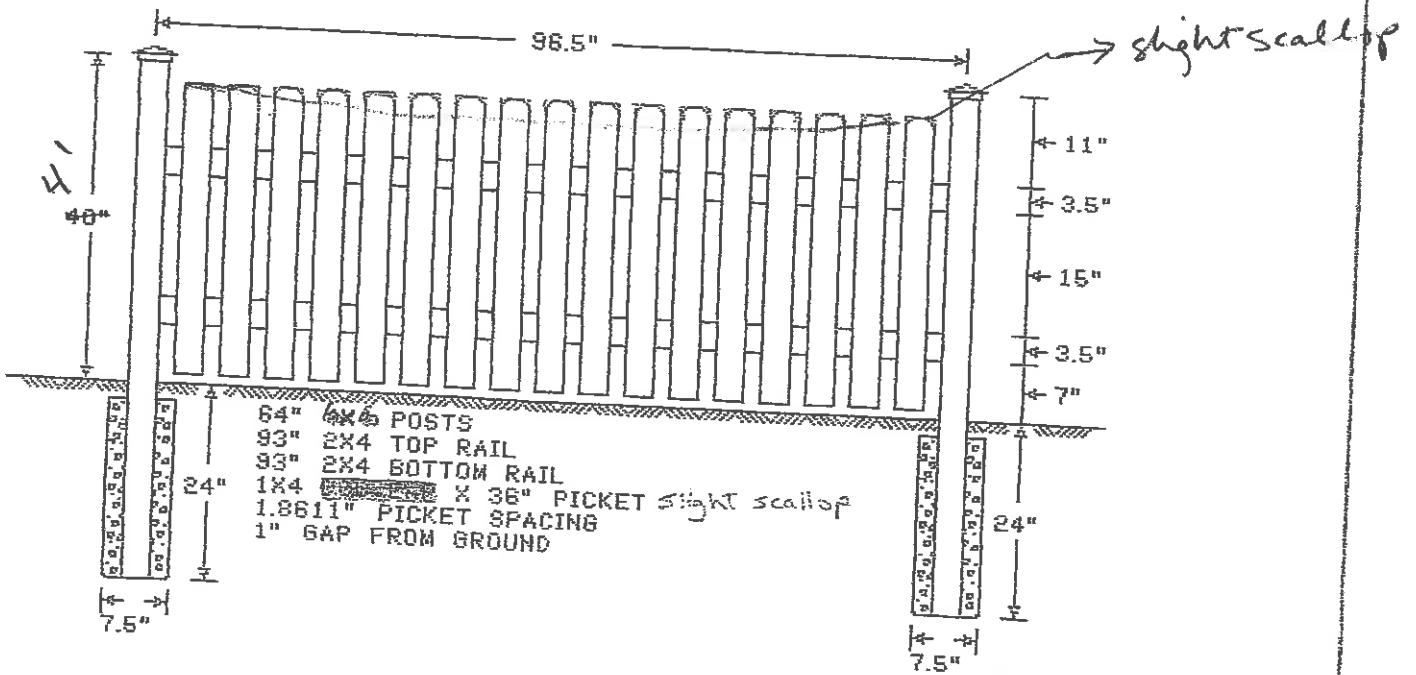
<b>Special Permit Filing Fees</b>	<b>Checks Payable To:</b> Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<i>Per Village Code Sec. 6-2(a)(24):</i> <input type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building <input type="checkbox"/> \$300.00 for demolition of accessory building or structure <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <b>Fee Paid:</b>	<b>Date Paid:</b>  <b>Staff Signature:</b>
	<b>Approved to Issue Building Permit per Signed Board Decision.</b>  <b>Signature:</b> _____ <b>Village Manager</b>  <b>Date:</b> _____

**Special Permit Filing Fees**

*Per Village Code Sec. 6.2(a)(24):*





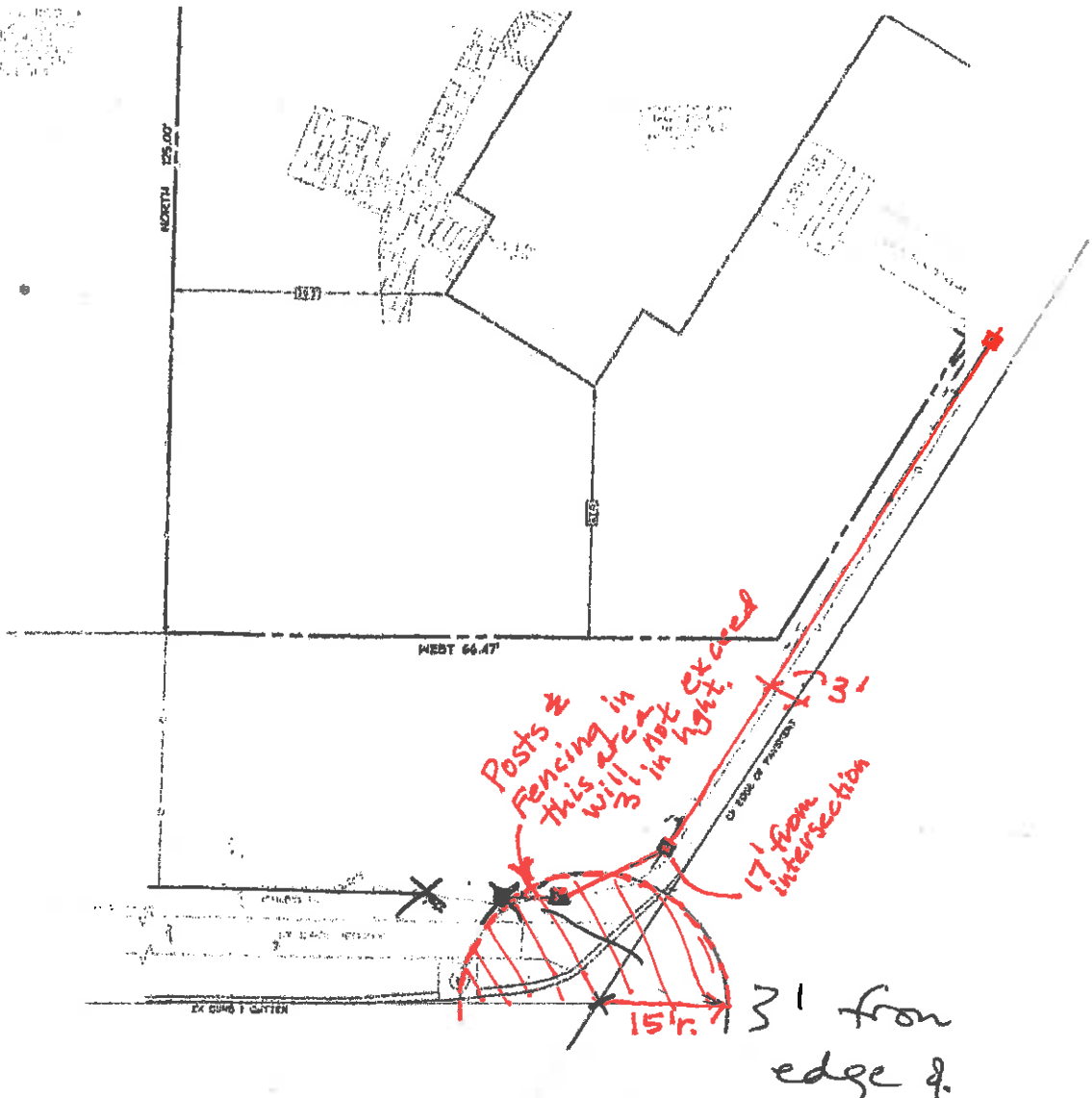


## What are the Restrictions for Type, Height and Location?

**Measurement of Height:** Fence or wall height is measured from the lowest level of the grade under the fence or abutting a wall.

**Height and Placement:** The maximum height of a fence or wall is 6' 6". Except as follows:

- A fence, wall other than retaining wall, terrace, structure, shrubbery, planting, or other visual obstruction on a corner lot in a Residential zone can be a maximum height of 3 feet above the curb level for a distance of 15 feet from the intersection of the front and side street lines. A sight distance study may be required. The permittee must contact the Right of Way Inspection Unit for location verification at - [Margaret.Urban@montgomerycountymd.gov](mailto:Margaret.Urban@montgomerycountymd.gov)



NEWLANDS STREET  
(100' R/W)

1" = 20'





**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: \_\_\_\_\_ Preliminary Plan Number: 1-\_\_\_\_\_

Street Name: \_\_\_\_\_ Master Plan Road Classification: \_\_\_\_\_

Posted Speed Limit: \_\_\_\_\_ mph

Street/Driveway #1 ( \_\_\_\_\_ ) Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right _____	_____	Right _____	_____
Left _____	_____	Left _____	_____

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

\_\_\_\_\_  
 Signature Date

PLS/P.E. MD Reg. No. \_\_\_\_\_

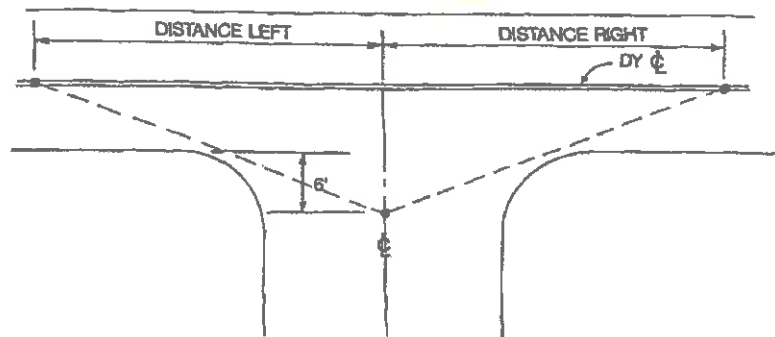
<b>Montgomery County Review:</b>	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	_____
Date:	_____



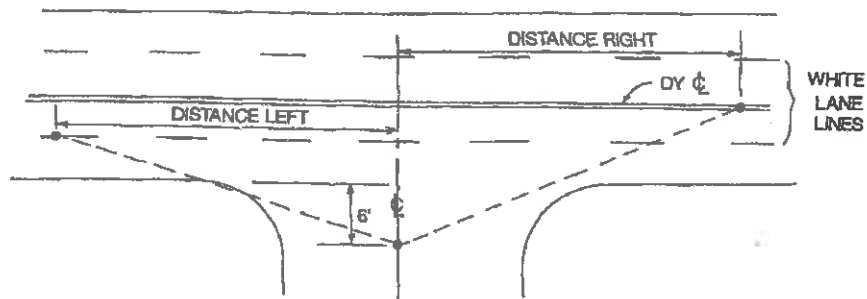
**MONTGOMERY COUNTY, MARYLAND**  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION ATTACHMENT**

**2 LANE UNDIVIDED ROADWAY**



**MULTI-LANE UNDIVIDED ROADWAY**



**MULTI-LANE DIVIDED ROADWAY**

