

31/6-98F 3920 Baltimore Street
(Kensington Historic District)

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

April 23, 1999

Ms. Jeannie Ahearn
3920 Baltimore Street
Kensington, MD 20895

Dear Ms. Ahearn:

Please accept my apologies for my recent phone call to you about the siding removal/repairs which you are undertaking. I failed to check our records prior to calling you and that was my mistake. As your copies indicate, you did come to the HPC for prior approval and, in fact, I wrote the staff report recommending approval. I apologize for this and will offer no excuses.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robin D. Ziek".

Robin D. Ziek
Historic Preservation Planner

**Jeanie Ahearn
3920 Baltimore Street
Kensington, MD 20895**

April 19, 1999

Dear Neighbor:

I am enclosing a copy of my application to the Historic Commission for the removal of the shingles on my home and permission to construct a deck. Each one of you received notice of my application when it was originally filed. As you can see by the Permit, also enclosed, I do have permission to have these two projects done.

Since I received a call from Robin Ziek, I assume one of you registered a complaint. I am a little confused. If any one of you had reservations about the removal of the shingles, I would have thought you would have gone to the hearing and testified. Secondly, if I had a question about any work or construction on your home, I certainly would speak to you directly and not involve other parties until I knew there was a bona fide violation of law or regulation that could not be resolved between us.

To address another concern. I have not cut down the redbud tree. The designated arborist for the Historic Area, Steve Carey, has inspected the tree and verified that the limbs removed were dead and should have been removed. For your further information, he informed me that the homeowner does have the right to trim and prune trees and shrubs as long as such trimming does not kill the tree.

I regret any concern you have suffered but to me this complaint is just another evidence that the Historic Designation of this neighborhood is divisive and some residents have lost the "neighborly concern and respect for each other and their rights".

Sincerely yours,

Jeanie
Jeanie Ahearn

*For your information,
since your file must
be lost —*

Encl.

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Jeanie Aheary
 Daytime Phone No.: 301-215-4741
301 949-6357
 Tax Account No.: 1018977
 Name of Property Owner: Jeanie Aheary Daytime Phone No.: above
 Address: 3920 Baltimore St Kensington 20895
Street Number City State Zip Code
 Contractor: Sugarloaf Design + Build Phone No.: _____
 Contractor Registration No.: or alternate based on bid
 Agent for Owner: self Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 3920 Baltimore St Street: _____
 Town/City: Kensington Nearest Cross Street: Connecticut
 Lot: 26+27 Block: 11 Subdivision: Kensington Dart
 Liber: 13582 Folio: 221 Parcel: n/a

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

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

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 9000 - Deck / 3000 Remove Shingles

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line Entirely on land of owner On public right of way/easement

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

Jeanie Aheary
 Signature of owner or authorized agent

8/15/98 (3)
 Date

**ADJOINERS LIST
3920 BALTIMORE STREET
KENSINGTON, MD 20895**

Legal Description	Name	Address
Lots 28,29,30 Block 11	Craig and Pat Reynolds	3914 Baltimore St. Kensington, Md. 20895
Lot 6 Block 10	Walter E. Schmitt & Kathryn D. Hoyle	3913 Baltimore St. Kensington, Md. 20895
Lots 7 & 8 Block 10	James and Barbara Wagner	3915 Baltimore St. Kensington, Md. 20895
Lots 9 & P10 Block 10	Seaborn and J. W. McCrory	3919 Baltimore St. Kensington, Md. 20895
Lots 26, 27 Block 11	Jeanie L. Ahearn	3920 Baltimore St. Kensington, Md. 20895
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Lots P10, 11, 12 Block 11	Charles C. and H.C. Wilkes	3923 Prospect St. Kensington, Md. 20895

1. WRITTEN DESCRIPTION OF THE PROJECT

- a. Description of the existing structural and environmental setting including their historical features and significance.

The present structure is a primary resource in the Kensington Historic District. The original Queen Ann Victorian with cross-gabled roof dwelling was constructed in 1898. Prior to 1924 several additions were made to the original structure including a shed addition on the rear that housed the kitchen. When purchased by the present owner in 1989, the home was in a state of interior and exterior disrepair with many of the original historic architectural features removed (i.e. front porch) or covered up (i.e. exterior siding). In 1993, renovations were made to the structure with the approval of the HOC that included exterior modifications of enclosing a screen porch. The enclosure of the screen porch included retention of the existing columns and roofline and use of large windows to replace the screened areas. These renovations also included changing a dining room window to an exterior door and moving the location of the screen porch door to accommodate table space in the expanded kitchen. These modifications did not change the footprint of the structure. The lot is a gently sloping garden lot with mature trees and a park like setting.

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

This proposed project is to remove the exterior cedar shake shingles and restore the existing clapboard siding. Additionally, this project includes the addition of a deck on the rear of the dwelling that would connect previously approved and added doors on the rear of the house. The removal of the shingles would enhance the general streetscape of Baltimore Street. 3920 Baltimore Street is the only dwelling in its streetscape that is in this state of exterior disrepair. The shingles are deteriorated, warped and falling off. Under the shingles is clapboard with elaborate shingles in the gables. Removal of the shingles is the first step in restoring the exterior to its original decorum. The project would include not only shingle removal but also the original siding to be repaired, primed and painted in colors appropriate to the vintage of the home.

The proposed deck is irregularly shaped with approximate dimensions of 24' X 10'. This deck will span the rear of the house from the enclosed screen porch, across the kitchen and dining room to the shed addition. The deck will surround the existing black walnut tree that will provide a natural canopy for the deck. This deck will require no façade modifications to the primary resource. The specifications and design of the deck utilize the recommendations of the HOC for a painted deck with custom railing with half columns and finials. The deck is modeled after the one on the dwelling on Prospect Street directly visible from the rear of the historic resource. This deck will not add any mass to the existing structure. Because the deck is in the rear of the house and does not protrude beyond the existing structural dimensions of the house and because the lot is heavily treed and landscaped, this deck will have minimal visibility from the street. Although the deck is not easily visible to the casual passerby, the painting and railing design will compliment the existing dwelling and the general appearance of Kensington as a garden community.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 3920 Baltimore Avenue

Meeting Date: 9/9/98

Resource: Kensington Historic District

Review: HAWP

Case Number: 31/6-98F

Tax Credit: Partial

Public Notice: 8/26/98

Report Date: 9/2/98

Applicant: Jeanie Ahearn

Staff: Robin D. Ziek

PROPOSAL: Rear deck; repair original siding

RECOMMENDATIONS: APPROVAL
w/CONDITIONS

PROJECT DESCRIPTION

RESOURCE: Primary Resource in the Kensington Historic District

STYLE: Victorian vernacular

DATE: c1890s

The resource is a 2-1/2 story wood frame house with a prominent central gable dormer. The resource is familiar to the HPC for another request by the owner to build a single-family dwelling on one of her side lots. This application is quite distinct from, and has no bearing on, that HAWP application.

PROPOSAL

The applicant proposes to construct a deck at the rear of her house (see Circle 10). The deck will be of pressure-treated lumber, but will have a porch-style railing around it (see Circle 9).

In addition, the applicant proposes to remove the existing cedar shingle siding to reveal the original German lapped siding and repair this siding. This will also include the repairs to the shingles in the gable end. The original siding will be repaired and painted.

STAFF DISCUSSION

The proposed removal of the cedar shakes is a remedy for the deteriorated condition of the shingle siding. The house was built in the late 19th century as a Victorian vernacular frame house with German lapped siding and decorative wood shingles in the gable ends. In the first quarter of the 20th century, the house was renovated as a Colonial Revival structure, with the application of shingles and the front door surround with classical pilasters. At this point, or perhaps at a later date, the full-width front porch was removed, and a simple stoop with a flight of stairs constructed for access to the front door. The shingles are in very poor condition, and are

missing in several places. The applicant's proposal to remove this siding and expose the original siding is consistent with the resource, and will result in a structure in better repair in the historic district. Staff notes that this portion of the application may be considered "maintenance, repair, and restoration work", and as such would be eligible for the Montgomery County Tax Credit.

The proposed new deck is at the rear of the building and will not be visible from the public right-of-way. The applicant proposes to retain the mature walnut which is at the rear of the house and build around the tree with the deck. This is consistent with the intent of the historic district to maintain the mature tree canopy to the maximum extent possible.

The applicant doesn't mention whether the proposed deck railing will be painted or not, and the HPC has generally required that the handrails around decks be painted to be consistent with the resource and the historic district. Staff notes that the typical railing detail which would be appropriate at this site involves use of in-set pickets with a capping rail.

STAFF RECOMMENDATION

Staff recommends that, **with the following conditions**, the Commission find this proposal consistent with the purposes of Chapter 24A-8(b)2:

The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;

and with Secretary of the Interior's Standards for Rehabilitation #9:

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

CONDITIONS:

1. The deck will utilize in-set pickets for the handrail.
2. The handrail will be painted.
3. The applicant will consult with an arborist for recommendations to maintain the health of the mature walnut which will be enclosed by the new deck; and will apply those recommendations to promote the continued health of the walnut tree. Confirmation of this will be provided to the HPC.
4. The applicant will provide the permit set of drawings to HPC staff for review and stamping prior to applying for the building permit with DPS.

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301) 217-6240 prior to commencement of work and not more than two weeks following completion of work.



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION8787 Georgia Avenue
Silver Spring, Maryland 20910-3760Date: 9-9-98MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Gwen Wright, Coordinator *RDZ*
Historic Preservation

SUBJECT: Historic Area Work Permit

The Montgomery County Historic Preservation Commission has reviewed the attached application for an Historic Area Work Permit. This application was:

 Approved Denied

X Approved with Conditions: (1) Deck will utilize in-set pickets for the handrail;
 (2) Handrail will be painted; (3) Applicant to consult arborist for health
 of walnut deck in new construction & will apply those recommendations to assure the
 health of the tree. Confirmation of Dec will be provided to HPC.
 4) Applicant to provide HPC with permit set;

and HPC Staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE APPROVED HISTORIC AREA WORK PERMIT (HAWP).

Applicant: Jeannie Ahearn

Address: 3920 Baltimore Street, Kensington MD.

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301)217-6240 prior to commencement of work and not more than two weeks following completion of work.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date: 9-9-98

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Gwen Wright, Coordinator *RDZ*
Historic Preservation

SUBJECT: Historic Area Work Permit

The Montgomery County Historic Preservation Commission has reviewed the attached application for an Historic Area Work Permit. This application was:

 Approved Denied

X Approved with Conditions: (1) Deck will utilize in-set pickets for the handrail;
(2) Handrail will be painted; (3) Applicant to consult arborist for health of walnut included in new construction - will apply those recommendations to assure the health of the tree. Confirmation of this will be provided to HPC.
(4) Applicant to provide HPC with permit set;

and HPC Staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE APPROVED HISTORIC AREA WORK PERMIT (HAWP).

Applicant: Jeanie Ahearn

Address: 3920 Baltimore Street, Kensington MD.

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301)217-6240 prior to commencement of work and not more than two weeks following completion of work.



DEPARTMENT OF PERMITTING SERVICES
250 HUNGERFORD DRIVE 2nd FLOOR ROCKVILLE, MD 20850
301/217-6370

DPS - #8

**HISTORIC PRESERVATION COMMISSION
301/563-3400**

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**

Contact Person: Jeannie Murray
Daytime Phone No.: 301-215-4741
301 949-6357
Tax Account No.: 1018977
Name of Property Owner: Jeannie Murray Daytime Phone No.: above
Address: 3920 Baltimore St Kensington 20895
Street Number City Street Zip Code
Contractor: Sugarloaf Design Build Phone No.: _____
Contractor Registration No.: or alternate (based on bid)
Agent for Owner: self Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 3920 Baltimore St Street: _____
Town/City: Kensington Nearest Cross Street: Connecticut
Lot: 26+27 Block: 11 Subdivision: Kensington Court
Liber: 13582 Folio: 221 Parcel: n/a

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: _____
1B. Construction cost estimate: \$ 9000 - Deck / 3000 Karnaak Shingles
1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENS/OADITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

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

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

Jeannie Murray 5/10/98
Signature of owner or authorized agent Date

Approved: X w/ conditions For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: 9/9/98
Application/Permit No.: 9808200023 Date Filed: _____ Date Issued: _____

31/6.98F

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date: 9-9-98

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Wright, Coordinator *GW*
Historic Preservation Section

SUBJECT: Historic Area Work Permit Application - Approval of Application/Release of
Other Required Permits

Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Permitting Services (DPS) at 250 Hungerford Drive, second floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

When you file for your building permit at DPS, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DPS. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 301-217-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 301-563-3400.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 301-217-6240 of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MEMORANDUM

DATE: 9-9-98

TO: Local Advisory Panel/Town Government

Kensington

FROM: Historic Preservation Section, M-NCPPC

Robin D. Ziek, Historic Preservation Planner
Perry Kephart, Historic Preservation Planner

SUBJECT: Historic Area Work Permit Application - HPC Decision

The Historic Preservation Commission reviewed this project on 9-9-98.
A copy of the HPC decision is enclosed for your information.

Thank you for providing your comments to the HPC. Community involvement is a key component of historic preservation in Montgomery County. If you have any questions, please do not hesitate to call this office at (301) 563-3400.

G\wp\laphawp.ltr

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 3920 Baltimore Avenue

Meeting Date: 9/9/98

Resource: Takoma Park Historic District

Review: HAWP

Case Number: 31/6-98F

Tax Credit: Partial

Public Notice: 8/26/98

Report Date: 9/2/98

Applicant: Jeanie Ahearn

Staff: Robin D. Ziek

Expedited

PROPOSAL: Rear deck; repair original siding

RECOMMENDATIONS: APPROVAL
w/CONDITIONS

PROJECT DESCRIPTION

RESOURCE: Primary Resource in the Kensington Historic District

STYLE: Victorian vernacular

DATE: c1890s

The resource is a 2-1/2 story wood frame house with a prominent central gable dormer. The resource is familiar to the HPC for another request by the owner to build a single-family dwelling on one of her side lots. This application is quite distinct from, and has no bearing on, that HAWP application.

PROPOSAL

The applicant proposes to construct a deck at the rear of her house (see Circle 10). The deck will be of pressure-treated lumber, but will have a porch-style railing around it (see Circle 9).

In addition, the applicant proposes to remove the existing cedar shingle siding to reveal the original German lapped siding and repair this siding. This will also include the repairs to the shingles in the gable end. The original siding will be repaired and painted.

STAFF DISCUSSION

The proposed removal of the cedar shakes is a remedy for the deteriorated condition of the shingle siding. The house was built in the late 19th century as a Victorian vernacular frame house with German lapped siding and decorative wood shingles in the gable ends. In the first quarter of the 20th century, the house was renovated as a Colonial Revival structure, with the application of shingles and the front door surround with classical pilasters. At this point, or perhaps at a later date, the full-width front porch was removed, and a simple stoop with a flight of stairs constructed for access to the front door. The shingles are in very poor condition, and are

missing in several places. The applicant's proposal to remove this siding and expose the original siding is consistent with the resource, and will result in a structure in better repair in the historic district. Staff notes that this portion of the application may be considered "maintenance, repair, and restoration work", and as such would be eligible for the Montgomery County Tax Credit.

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STAFF RECOMMENDATION

Staff recommends that, **with the following conditions**, the Commission find this proposal consistent with the purposes of Chapter 24A-8(b)2:

The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;

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1. The deck will utilize in-set pickets for the handrail.
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Jeannie Ahearn 8/15/98 (3)
Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission

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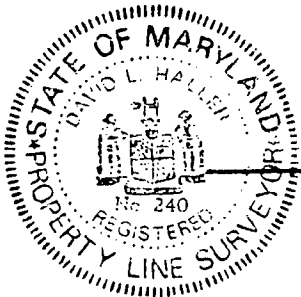
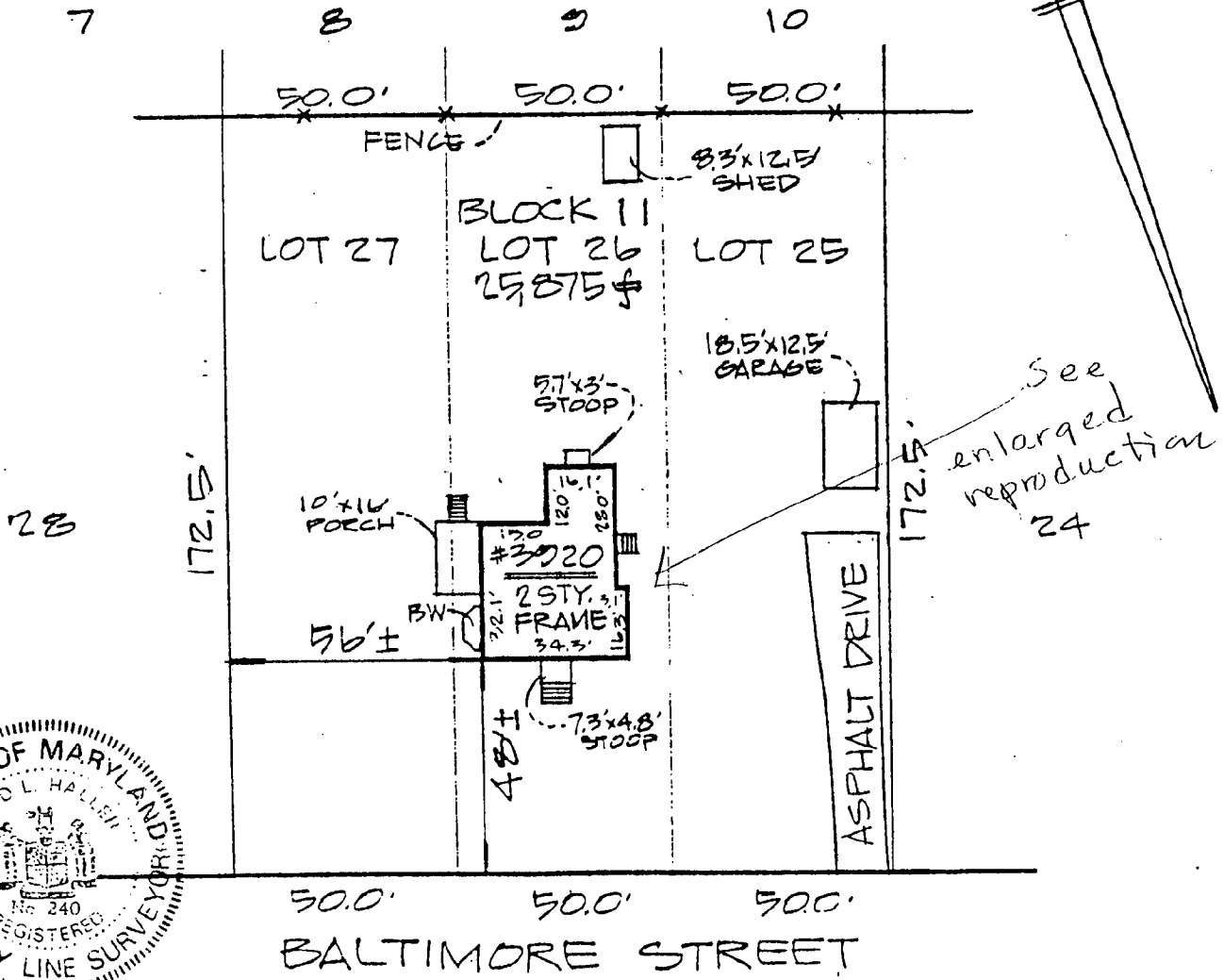
This proposed project is to remove the exterior cedar shake shingles and restore the existing clapboard siding. Additionally, this project includes the addition of a deck on the rear of the dwelling that would connect previously approved and added doors on the rear of the house. The removal of the shingles would enhance the general streetscape of Baltimore Street. 3920 Baltimore Street is the only dwelling in its streetscape that is in this state of exterior disrepair. The shingles are deteriorated, warped and falling off. Under the shingles is clapboard with elaborate shingles in the gables. Removal of the shingles is the first step in restoring the exterior to its original decorum. The project would include not only shingle removal but also the original siding to be repaired, primed and painted in colors appropriate to the vintage of the home.

The proposed deck is irregularly shaped with approximate dimensions of 24' X 10'. This deck will span the rear of the house from the enclosed screen porch, across the kitchen and dining room to the shed addition. The deck will surround the existing black walnut tree that will provide a natural canopy for the deck. This deck will require no façade modifications to the primary resource. The specifications and design of the deck utilize the recommendations of the HOC for a painted deck with custom railing with half columns and finials. The deck is modeled after the one on the dwelling on Prospect Street directly visible from the rear of the historic resource. This deck will not add any mass to the existing structure. Because the deck is in the rear of the house and does not protrude beyond the existing structural dimensions of the house and because the lot is heavily treed and landscaped, this deck will have minimal visibility from the street. Although the deck is not easily visible to the casual passerby, the painting and railing design will compliment the existing dwelling and the general appearance of Kensington as a garden community.

CASE No 33

NOTE: This location for title purposes only - not to be used for determining property lines. Property corner Markers Not guaranteed by this location.

HOUSE LOCATION
LOTS 25, 26 & 27 BLOCK 11
KENSINGTON PARK
MONTGOMERY COUNTY, MD.



CERTIFICATE I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS DAVID L. HALLER MARYLAND R.P.S. No. 240	REFERENCES PLAT BK B PLAT NO 4	ALLEN ASSOCIATES P.O. BOX 6263 SILVER SPRING, MARYLAND 20906 301-871-2156	
	LIBER FOLIO	DATE OF SURVEYS WALL CHECK HSE LOC 6-2000 BOUNDARY	SCALE 1" = 40' DRAWN BY BA JOB NO 801188

This location for title purposes only - not to be used for determining property lines. Property corner markers NOT guaranteed by this location.

6

Ahearn / Task List

Sugarloaf Design & Build

Project Summary Sheet

Name Jeanie Ahearn
Street 3920 Baltimore Street
City, State, Kensington, Maryland

Home Phone Numbe
Wives Work Phone
Husbands Work Pho
Client Number

Project Description

Add Victorian sundeck to rear of house

08-April, 1998

Task Number	Work Description
------------------------	-------------------------

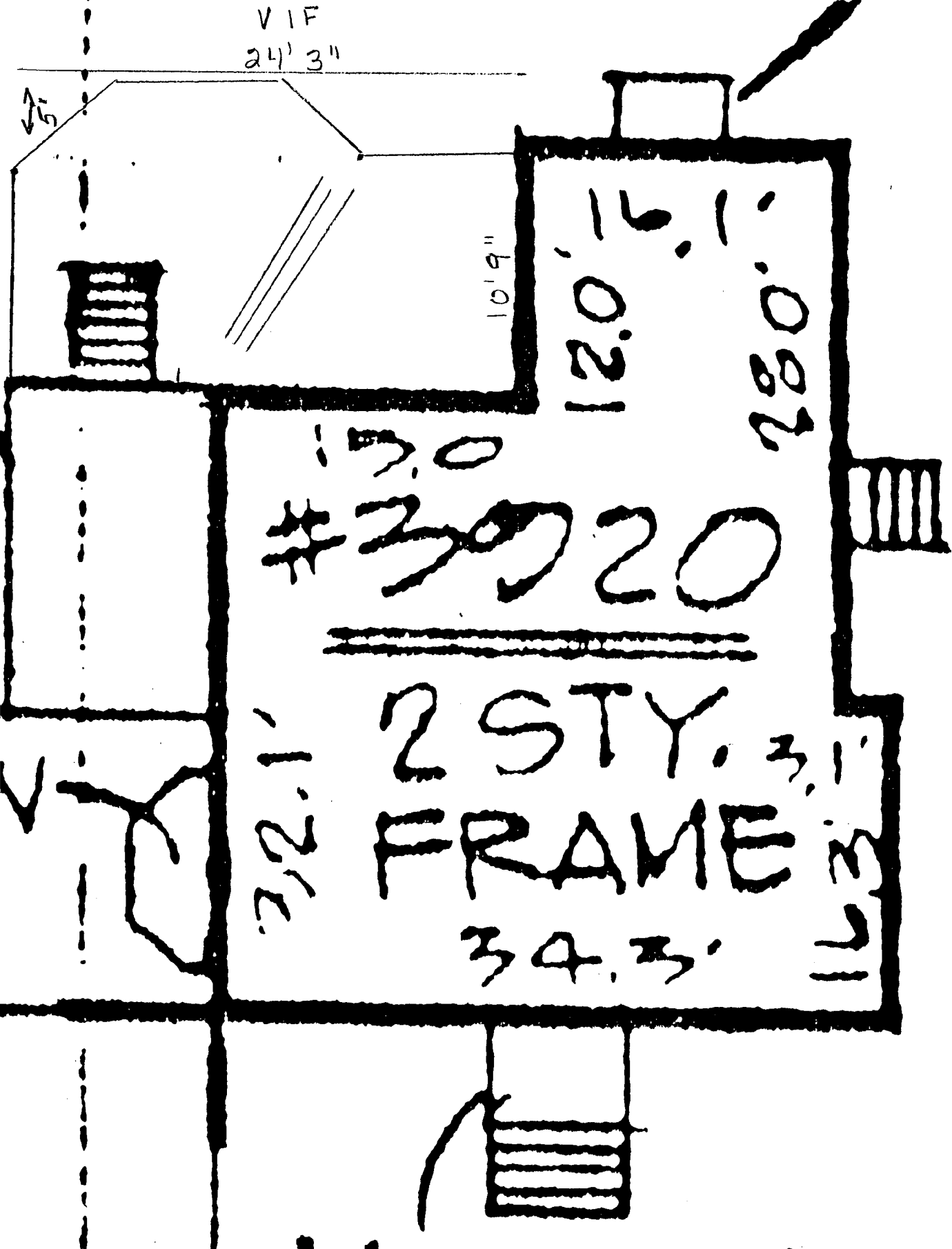
- | | |
|---|--|
| 1 | Prepare detailed drawings, obtain building permits, inspections, haul away debris and provide dally on-site project management |
| 2 | Install pressure treated wood frame and 2 x 6 diagonal decking as shown
Install steps to grade. |
| 3 | Install custom handrailing as shown including half columns and finials. |
| 4 | Install built-in bench around existing tree. |
| 5 | Apply opaque white stain to handrailings. |
| 6 | Install lattice skirt with access |

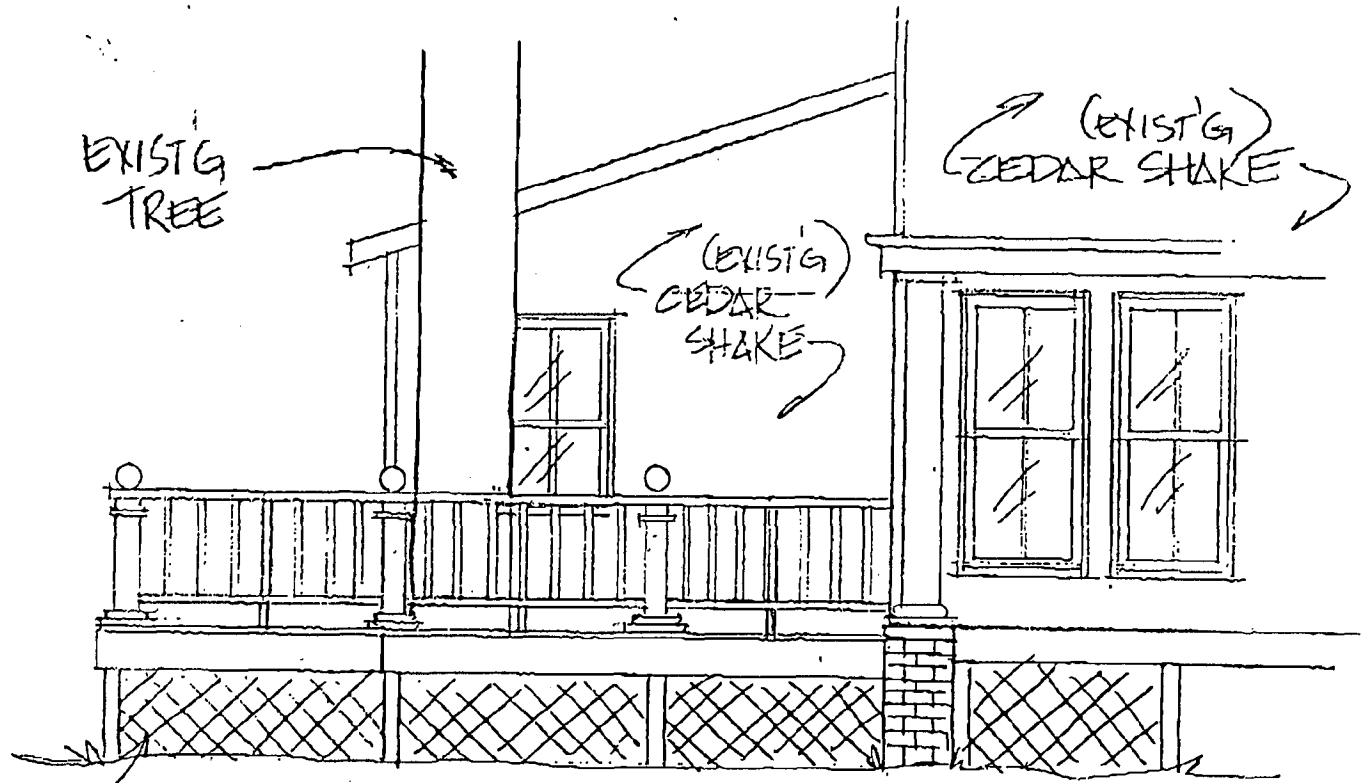
Proposal Total

OPTIONS:

7

See attached drawings of deck 1-2





SIDE ELEVATION

1/4" = 1'-0"

LATTICE SKIRT TO MATCH EXIST'G

3" PORCH RAIL

6" FINIAL CAPITOL

2x2 SQUARE BALUSTERS
4 1/2" O.C.

6" ROUND COLUMN

BASE

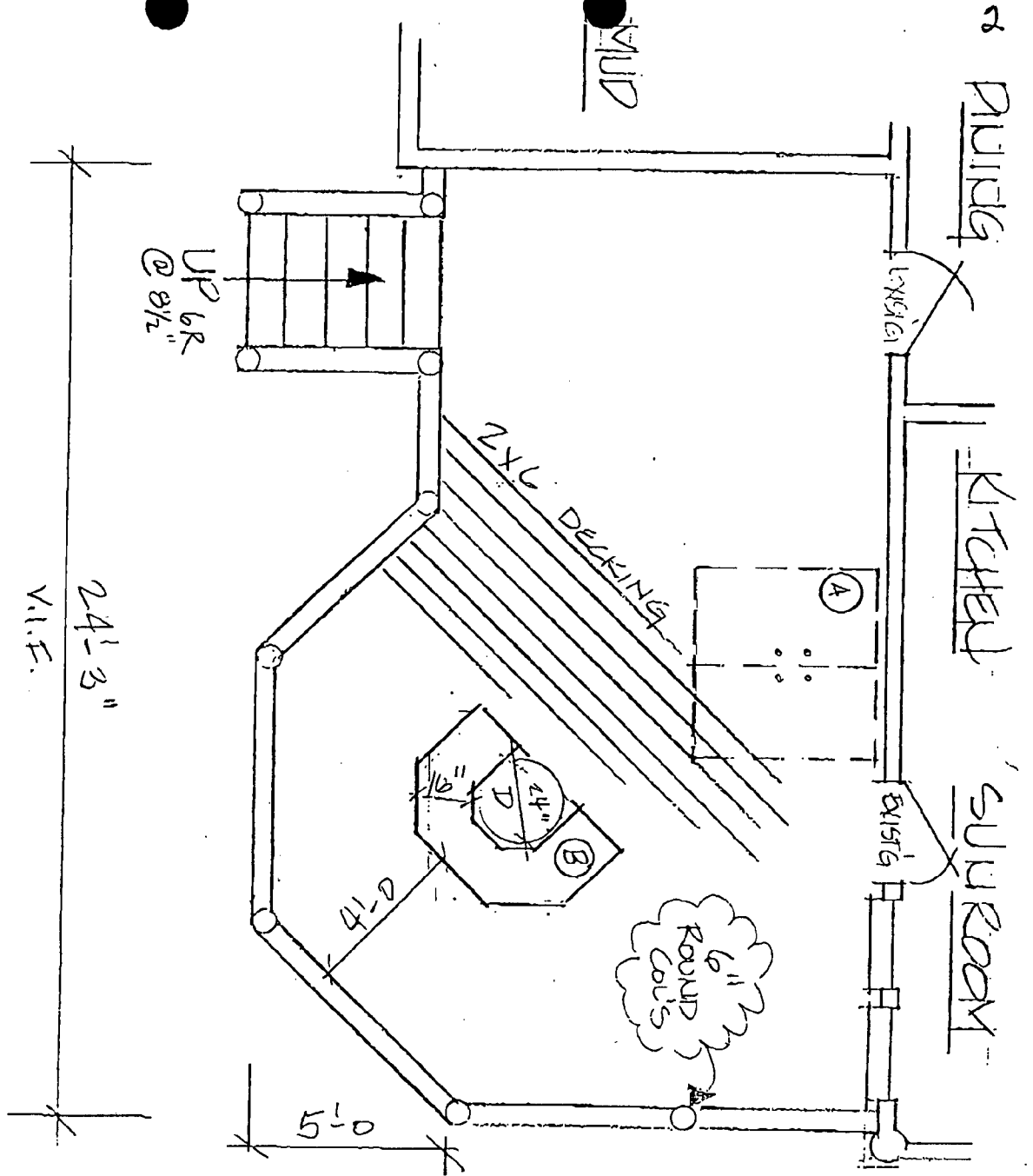
4x4 POSTS TO VIEW CODE

2x6 DECKING

2x10 END BOARD

TYPICAL RAIL DETAIL

1" = 1'-0"



24'-3"
V.I.F.

10'-9"
V.I.F.

NOTES:

- Ⓐ REMOVABLE FLOOR SECTION FOR CULINAR ACCESS.
- Ⓑ BENCH SEAT

10

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



FRONT VIEW FACING BALTIMORE STREET



**REAR VIEW-SHOWING SHED ADDITION, CLAPBOARD, SHINGLES
BLACK WALNUT TREE AND AREA FOR PROPOSED DECK**

11

6/18

4:15

Perry -

Janie Ahearn would
like you to fax her
a copy of her
autobio report from
Branches

301-949-6356

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



**WEST SIDE VIEW
SHOWING SHINGLES AND
ORIGINAL SIDING WHERE
SHINGLES REMOVED**



**CLOSE UP OF GABLE
SHOWING DECORATIVE
SHINGLES**

APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD



WEST VIEW OF HOME



Rear SIDE VIEW (EAST) FROM CONNECTICUT AVENUE SHOWING
ENCLOSED PORCH, SIDE OF SHED ADDITION, WALNUT TREE AND SPACE FOR NEW DECK

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



CLOSE UP OF AREA WHERE DECK WILL BE LOCATED

**ADJOINERS LIST
3920 BALTIMORE STREET
KENSINGTON, MD 20895**

Legal Description	Name	Address
Lots 28,29,30 Block 11	Craig and Pat Reynolds	3914 Baltimore St. Kensington, Md. 20895
Lot 6 Block 10	Walter E. Schmitt & Kathryn D. Hoyle	3913 Baltimore St. Kensington, Md. 20895
Lots 7 & 8 Block 10	James and Barbara Wagner	3915 Baltimore St. Kensington, Md. 20895
Lots 9 & P10 Block 10	Seaborn and J. W. McCrory	3919 Baltimore St. Kensington, Md. 20895
Lots 26, 27 Block 11	Jeanie L. Ahearn	3920 Baltimore St. Kensington, Md. 20895
Lots P10, 11, 12 Block 10	Thomas F. and M.J. Fisher	3923 Baltimore St. Kensington, Md. 20895
Lots 23 & 24 Block 11	John H. and J.B. Lossing	3924 Baltimore St. Kensington, Md. 20895
Lots 6 & 7 Block 11	Lawrence I. and M.M. Ott	3911 Prospect St. Kensington, Md. 20895
Lots 8, 9, P10 Block 11	John H. and V.G. O'Neill	3915 Prospect St. Kensington, Md. 20895
Lots P10, 11, 12 Block 11	Charles C. and H.C. Wilkes	3923 Prospect St. Kensington, Md. 20895

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



FRONT VIEW FACING BALTIMORE STREET



**REAR VIEW-SHOWING SHED ADDITION, CLAPBOARD, SHINGLES
BLACK WALNUT TREE AND AREA FOR PROPOSED DECK**

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



**WEST SIDE VIEW
SHOWING SHINGLES AND
ORIGINAL SIDING WHERE
SHINGLES REMOVED**



**CLOSE UP OF GABLE
SHOWING DECORATIVE
SHINGLES**

APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD



WEST VIEW OF HOME



Real SIDE VIEW (EAST) FROM CONNECTICUT AVENUE SHOWING
ENCLOSED PORCH, SIDE OF SHED ADDITION, WALNUT TREE AND SPACE FOR NEW DECK

**APPLICATION FOR HISTORIC AREA WORK PERMIT
3920 BALTIMORE STREET, KENSINGTON, MD**



CLOSE UP OF AREA WHERE DECK WILL BE LOCATED

**BEFORE THE BOARD OF APPEALS
FOR MONTGOMERY COUNTY, MARYLAND**

Appeal of

CASE NO. A-5529

JEANNIE AHEARN

**PREHEARING SUBMISSION OF THE
HISTORIC PRESERVATION COMMISSION**

The Montgomery County Historic Preservation Commission submits the following information pursuant to §2A-7 of the Montgomery County Code, 1994, (as amended).

I. SUPPORTING DOCUMENTS

a.) Application for Historic Work Area Permit 31/6-00K (the "Application") filed by Jeannie Ahearn on September 14, 2000, for 3920 Baltimore Street, Kensington, MD, plus attachments.

b.) Staff Report for the Application, dated October 4, 2000, plus attachments.

c.) Excerpt from the Transcript of the October 11, 2000, Historic Preservation Commission hearing. The excerpt contains the entire hearing on the Application.

d.) Historic Area Work Permit packet sent to Robert Hubbard, Director of the Department of Permitting Services by Historic Preservation staff in October 2000.

e.) Decision and Opinion of the Commission in Case No. 31/6-99K **DENYING** the Application on a 4-1 vote, dated October 26, 2000.

f.) Correspondence sent to the Commission in opposition to the Application from Jim

Engel, the chair of the Local Advisory Panel for the Kensington Historic District; Julia O'Malley, Chair of the Kensington Historical Society, Inc.; and Helen C. Wilkes, an architect and President of the Kensington Land Trust.

g.) Slides reviewed by the Commission at the October 11, 2000, hearing on the Application, which will be presented at the hearing before the Board by Ms. Kephart Kapsch.

h.) Any and all documents identified by the petitioners and any intervenors in their prehearing submissions, or otherwise produced or relied upon by other parties at the hearing of this matter.

i.) The historic preservation plan for the Kensington Historic District, the *Vision of Kensington: Long-Range Preservation Plan*.

j.) The Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted by the HPC by Resolution in November 1997, and applied to historic resources throughout the County.

The Commission may introduce any of the following documents, exclusive of those used for impeachment or rebuttal. The County reserves the right to use enlargements, excerpts, or other presentations of any designated document. Since the Board is hearing this matter de novo, and the Commission cannot anticipate what documents might be introduced by the petitioners that were not previously presented by the Petitioners to the Commission, the County further reserves the right to supplement this list as fairness requires to ensure a complete hearing by the Board.

II. LIST OF THE COUNTY'S PROSPECTIVE WITNESSES AND SUMMARIES OF EXPECTED TESTIMONY

The County may present testimony from any of the following witnesses, exclusive of impeachment or rebuttal witnesses:

a.) Perry Kephart Kapsch, Historic Preservation Planner, 8787 Georgia Avenue, Silver Spring, MD 20910-3760. Ms. Kephart Kapsch will testify about the application submitted to the Historic Preservation Commission by the Petitioners, and the staff's technical evaluation of the application.

b.) Gwen Marcus Wright, Coordinator, Historic Preservation, 8787 Georgia Avenue, Silver Spring, MD 20910-3760. Ms. Wright will testify about the requirements of the historic preservation plan for the Kensington Historic District, the *Vision of Kensington: Long-Range Preservation Plan*, as well as the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted by the HPC by Resolution in November 1997, and applied to historic resources throughout the County. Ms. Wright will also testify about Chapter 24A of the Montgomery County Code, 1994, as amended.

c.) Douglas A. Harbit, Susan Velasquez, Lynne B. Watkins, and Nancy Lesser, Commissioners, Historic Preservation Commission, 8787 Georgia Avenue, Silver Spring, MD 20910-3760. The Commissioners will testify as to their consideration of the Application, the determination to deny the application, and the reasons for the determination. The Commissioners will also be available as experts in both architecture and historic preservation to answer any questions the Board may have on either of those subjects with respect to the Application that was considered by the Commission and denied in this case.

d.) Ms. Julia O'Malley, who was not a Commissioner during the consideration of the Application but who began to serve in March 2001 will testify about historic preservation issues in Kensington.

e.) Kimberly Prothro Williams, an architectural historian who was not a Commissioner during the consideration of the Application but who began to serve in March 2001 will testify about the architectural integrity of the Application.

III. THE COMMISSION'S REQUESTS FOR SUBPOENAS AND SUMMONSES

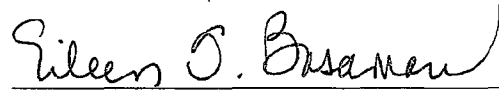
None.

IV. ESTIMATED TIME FOR PRESENTATION OF CASE

The Commission estimates it will take approximately four hours to present its case, exclusive of cross-examination and questions from the Board.

Respectfully submitted,

CHARLES W. THOMPSON, JR.
COUNTY ATTORNEY



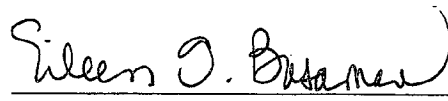
Eileen T. Basaman
Assistant County Attorney

Attorneys for Respondent Historic
Preservation Commission
Executive Office Building
101 Monroe Street, Third Floor
Rockville, MD 20850
(240) 777-6700

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 26th day of March, 2001, a copy of the foregoing Prehearing Submission of the Historic Preservation Commission was mailed, first class, postage prepaid, to:

Martin J. Hutt, Esq.
Lerch, Early & Brewer, Chtd.
3 Bethesda Metro Center
Suite 380
Bethesda, MD 20814



Eileen T. Basaman
Assistant County Attorney

etb

I:\AF\Basame\Ahearn. prchearing



PERMIT DEPARTMENT OF PERMITTING SERVICES
250 HUNGERFORD DRIVE 2ND FLOOR ROCKVILLE MD 20850
301-271-6371

DPS-#8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: George Myers
Daytime Phone No.: 301 992-9002 ext. 13

Tax Account No.: _____
Name of Property Owner: Jeanne Howard Daytime Phone No.: 5
Address: 3920 Baltimore St. Kensington Md.
Street Number City Street Zip Code
Contractor: To be determined Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: George T. Myers (GTM ARCHITECTS) Daytime Phone No.: 301 992-9002 ext. 13

LOCATION OF BUILDING/PREMISE

House Number: 3920 Baltimore St. Street _____
Town/City: Kensington Md. Nearest Cross Street: Connecticut Avenue
Lot: _____ Block: _____ Subdivision: _____
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

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

1B. Construction cost estimate: \$ _____

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

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

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

Signature of owner or authorized agent: _____ Date: 9/13/00

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: Signature: _____ Date: 10-11-00
Application Permit No.: 209376 Date Filed: 9/14/00 Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

EXISTING PRIMARY RESOURCE IN
KENSINGTON HISTORIC DISTRICT.

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

NEW FREE-STANDING GARAGE REAR LOT
PROPERTY.

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

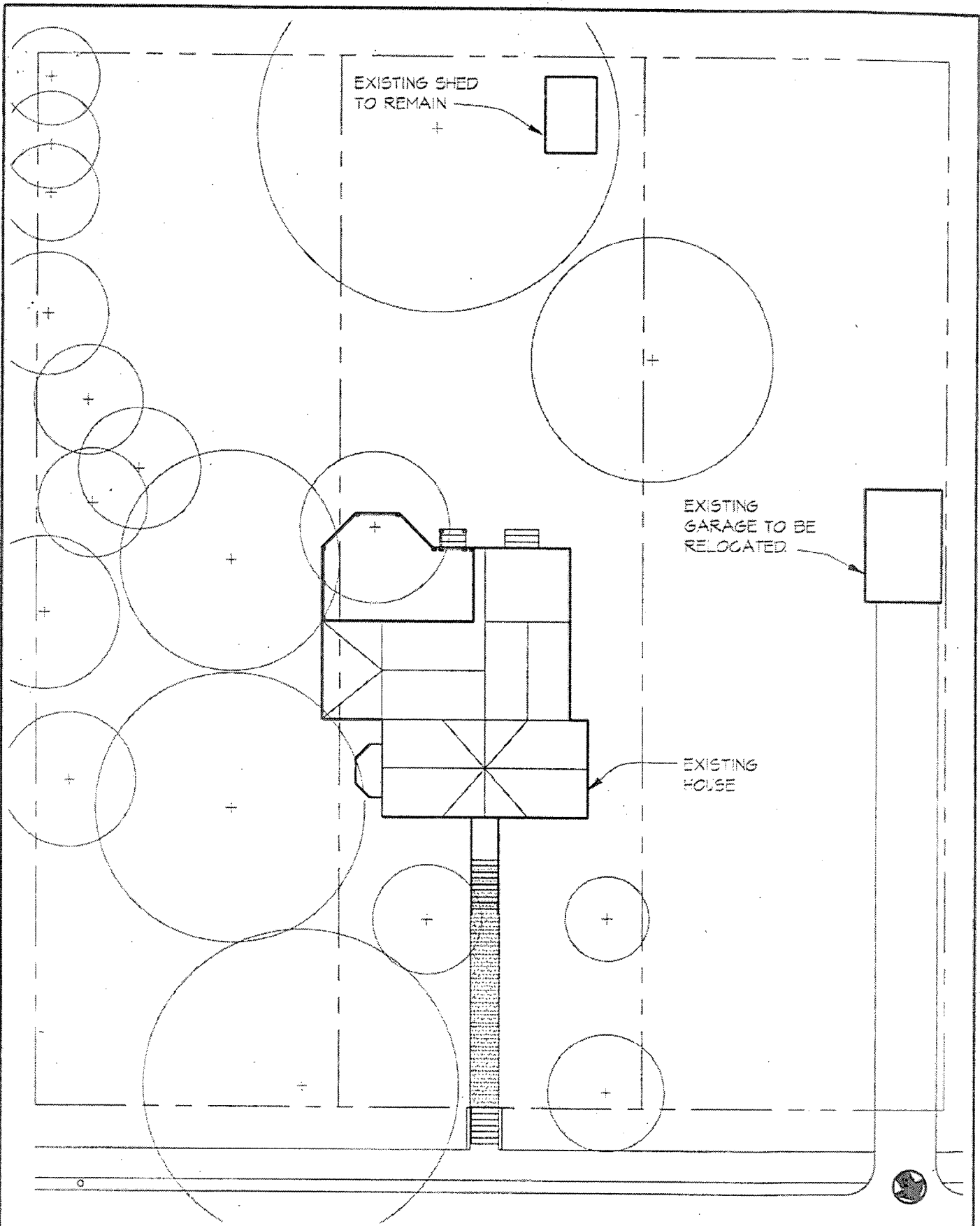
6. TREE SURVEY

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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



FILE NAME: 00257SKI

AHEARN RESIDENCE

EXISTING SITE PLAN

GTM
ARCHITECTS

1045 ARMORY AVENUE,
KEESWICK, MD. 20885
(301) 42-1062
(301) 42-3924 FAX

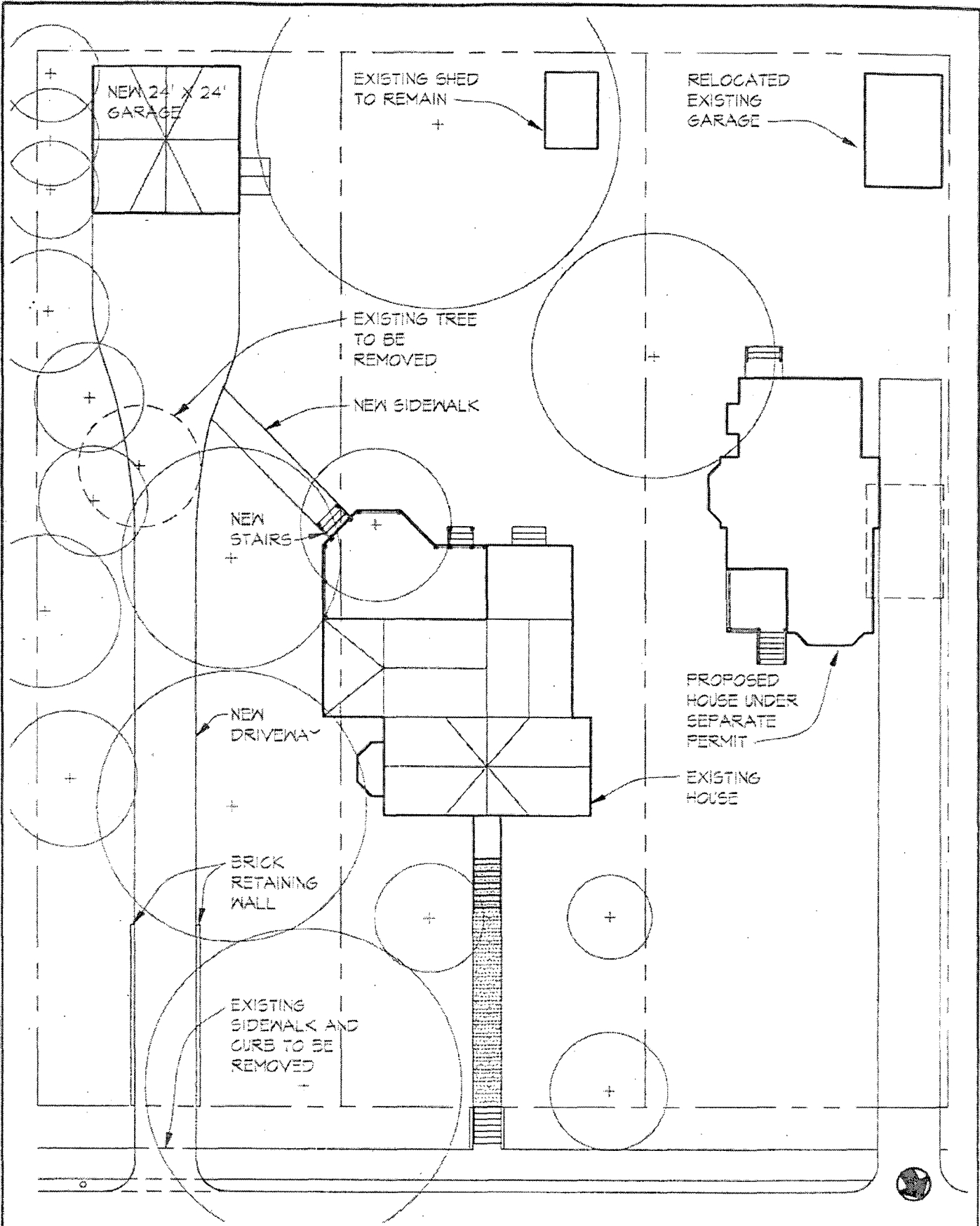
DRAWN BY: SYT
CHECKED BY: STM

SCALE: 3/16" = 1'-0"
DATE: 9-13-00

PROJECT NO: 2000257

REVISIONS

DRAWING NO: **SK-1**



FILE NAME: 002575K2

AHEARN RESIDENCE

PROPOSED SITE PLAN WITH NEW GARAGE

DRAWN BY: BYT	SCALE: 3/64"=1'-0"	PROJECT NO: 2000251
CHECKED BY: GTM	DATE: 4-13-00	

REVISIONS

DRAWING NO:
SK-2

GTM
ARCHITECTS

1040 ARMOY AVENUE
KENSINGTON, MD 20895
(301)427-9062
(301)427-9074 FAX

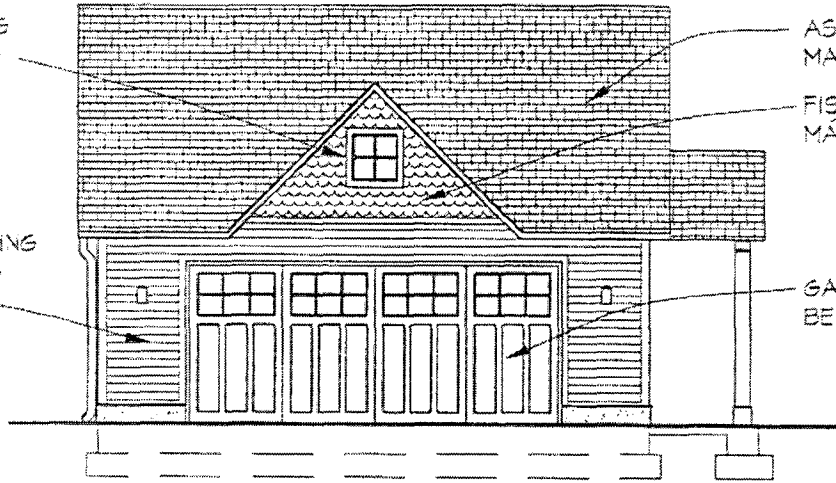
WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

ASPHALT SHINGLES TO MATCH HOUSE

FISH-SCALE SIDING TO MATCH HOUSE

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

GARAGE DOORS TO BE SELECTED



1 NORTH ELEVATION
SK-3 SCALE: 1/8"=1'-0"

WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

FISH-SCALE SIDING TO MATCH HOUSE

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

DOOR TO MATCH EXISTING ON HOUSE

WINDOW TO MATCH EXISTING ON HOUSE



2 WEST ELEVATION
SK-3 SCALE: 1/8"=1'-0"

FILE NAME: 00251K3

AHEARN RESIDENCE

GARAGE ELEVATIONS

GTM
ARCHITECTS

1045 ARMY AVENUE
KENSINGTON, MD. 20848
(301)442-4062
(301)442-8928 FAX

DRAWN BY: SYT	SCALE: 1/8"=1'-0"	PROJECT NO: 2000257	REVISIONS
CHECKED BY: STM	DATE: 9-13-00		

DRAWING NO.
SK-3

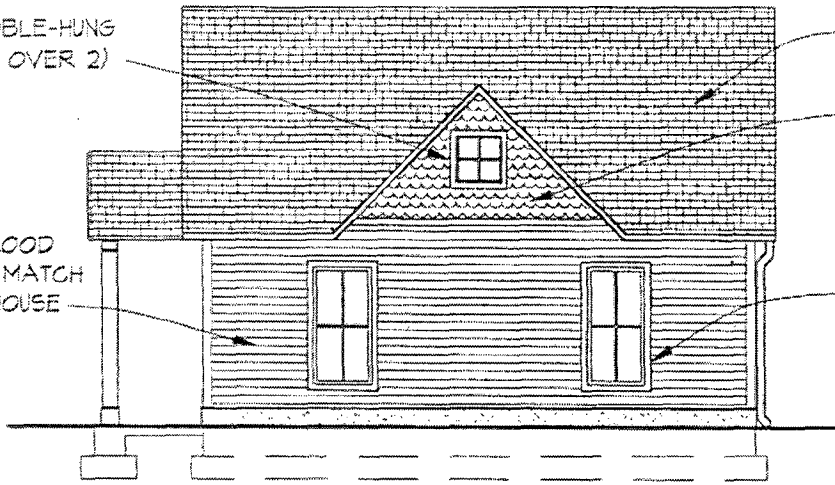
WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

ASPHALT SHINGLES TO MATCH HOUSE

FISH-SCALE SIDING TO MATCH HOUSE

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

WINDOWS TO MATCH EXISTING ON HOUSE

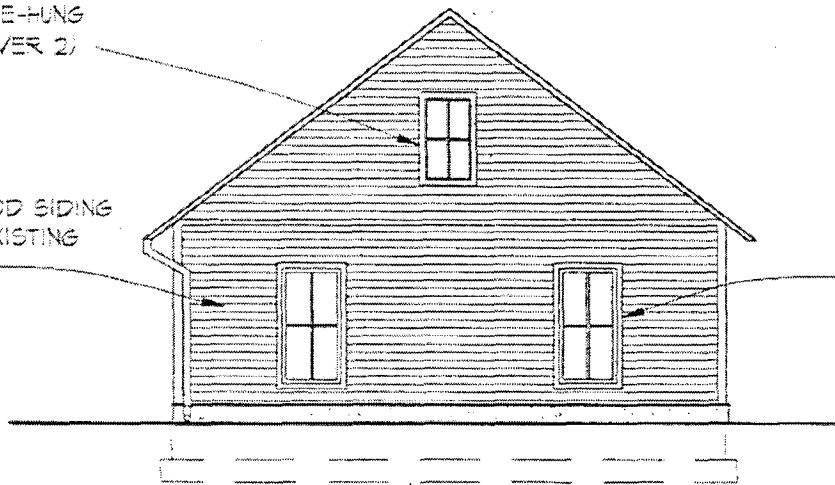


1 SOUTH ELEVATION
SK-4 SCALE: 1/8"=1'-0"

WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

WINDOW TO MATCH EXISTING ON HOUSE



2 EAST ELEVATION
SK-4 SCALE: 1/8"=1'-0"

FILE NAME: 002575K-4

AHEARN RESIDENCE

GARAGE ELEVATIONS

GTM
ARCHITECTS

1040 ARMORY AVENUE,
KEESWICK, MD. 20895
(301) 942-4063
(301) 942-3829 FAX

DRAWN BY: SYT
CHECKED BY: GTM

SCALE: 1/8"=1'-0"
DATE: 4-13-00

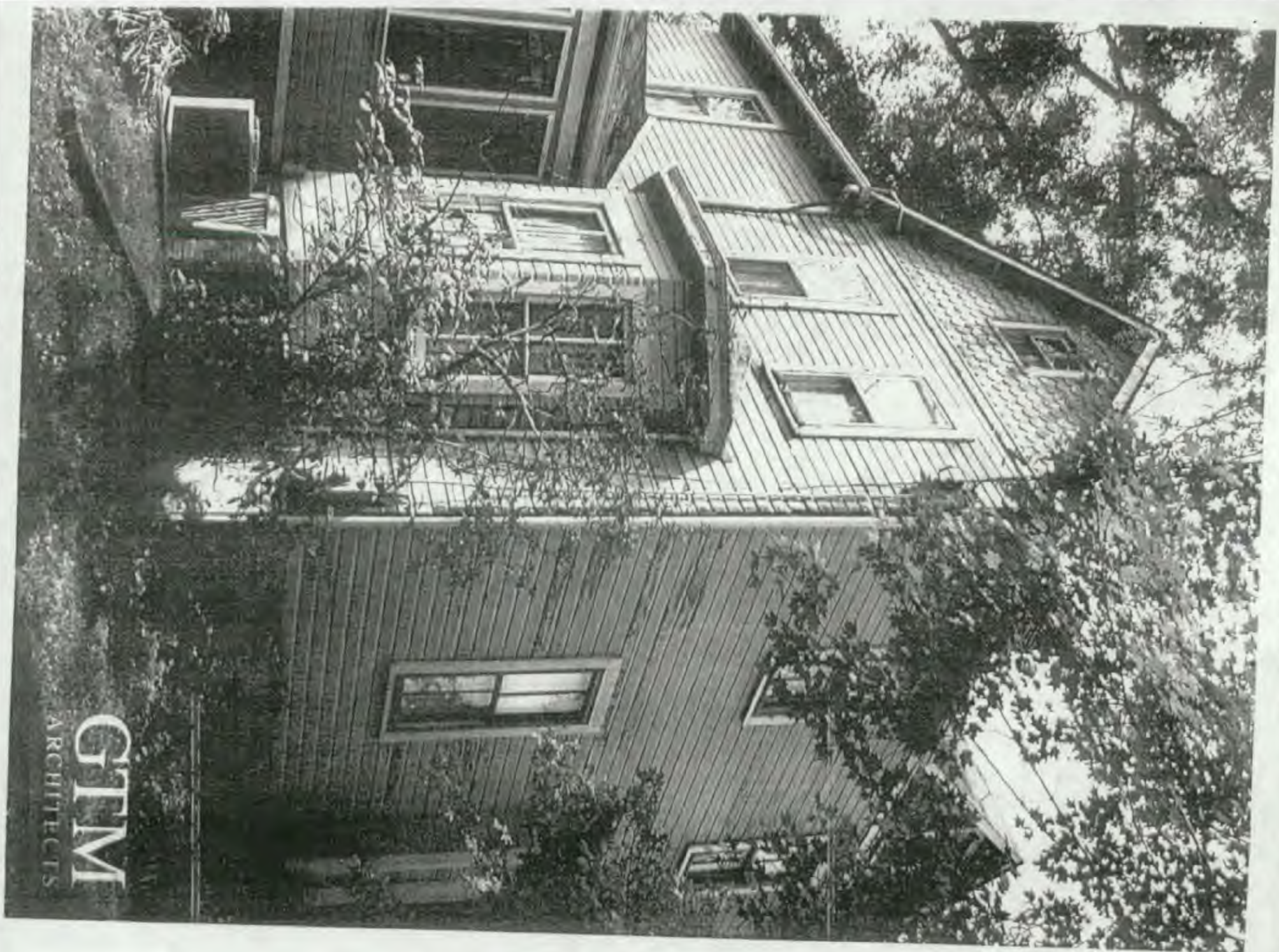
PROJECT NO: 2000257

REVISIONS

DRAWING NO.

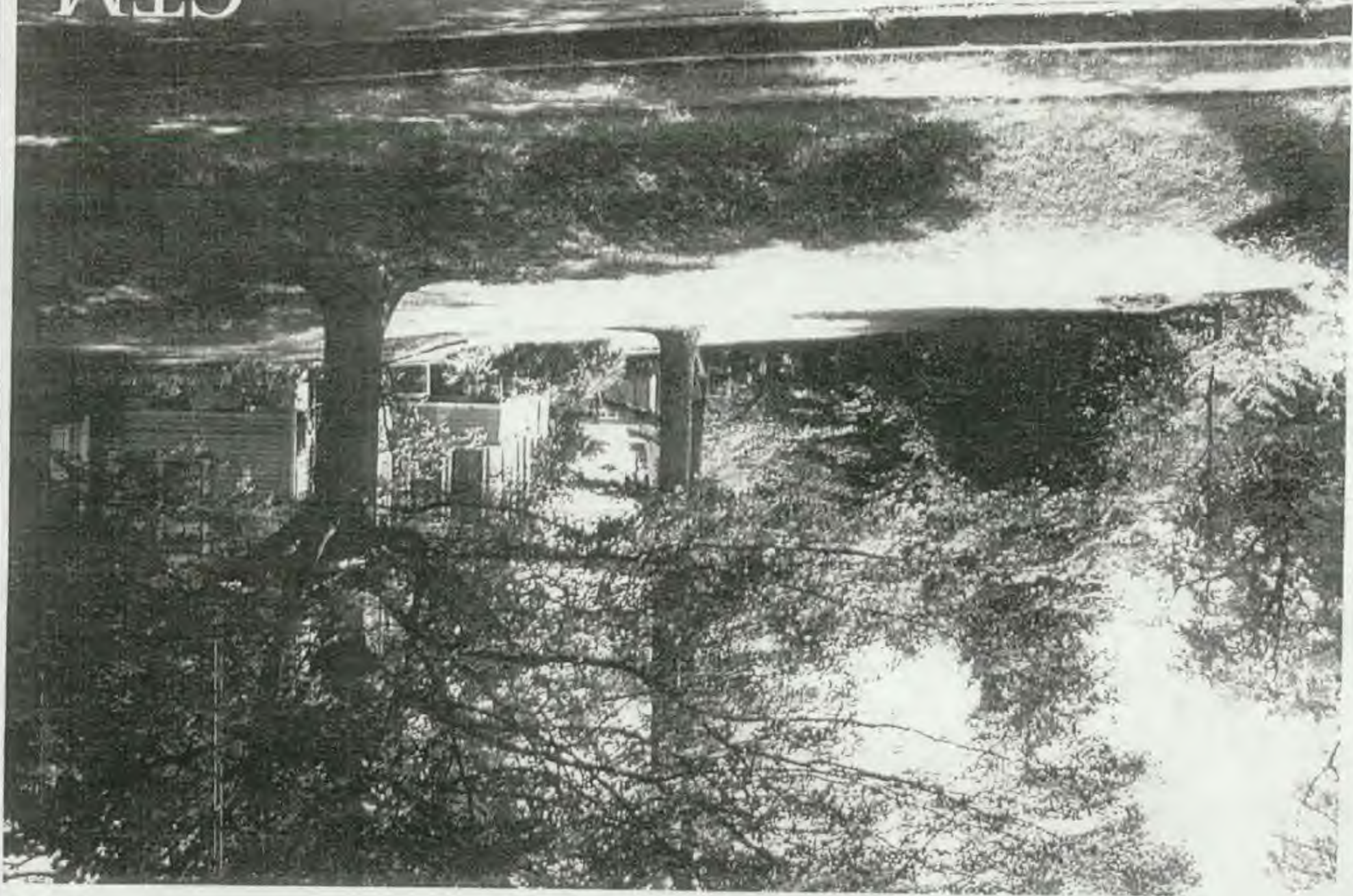
SK-4

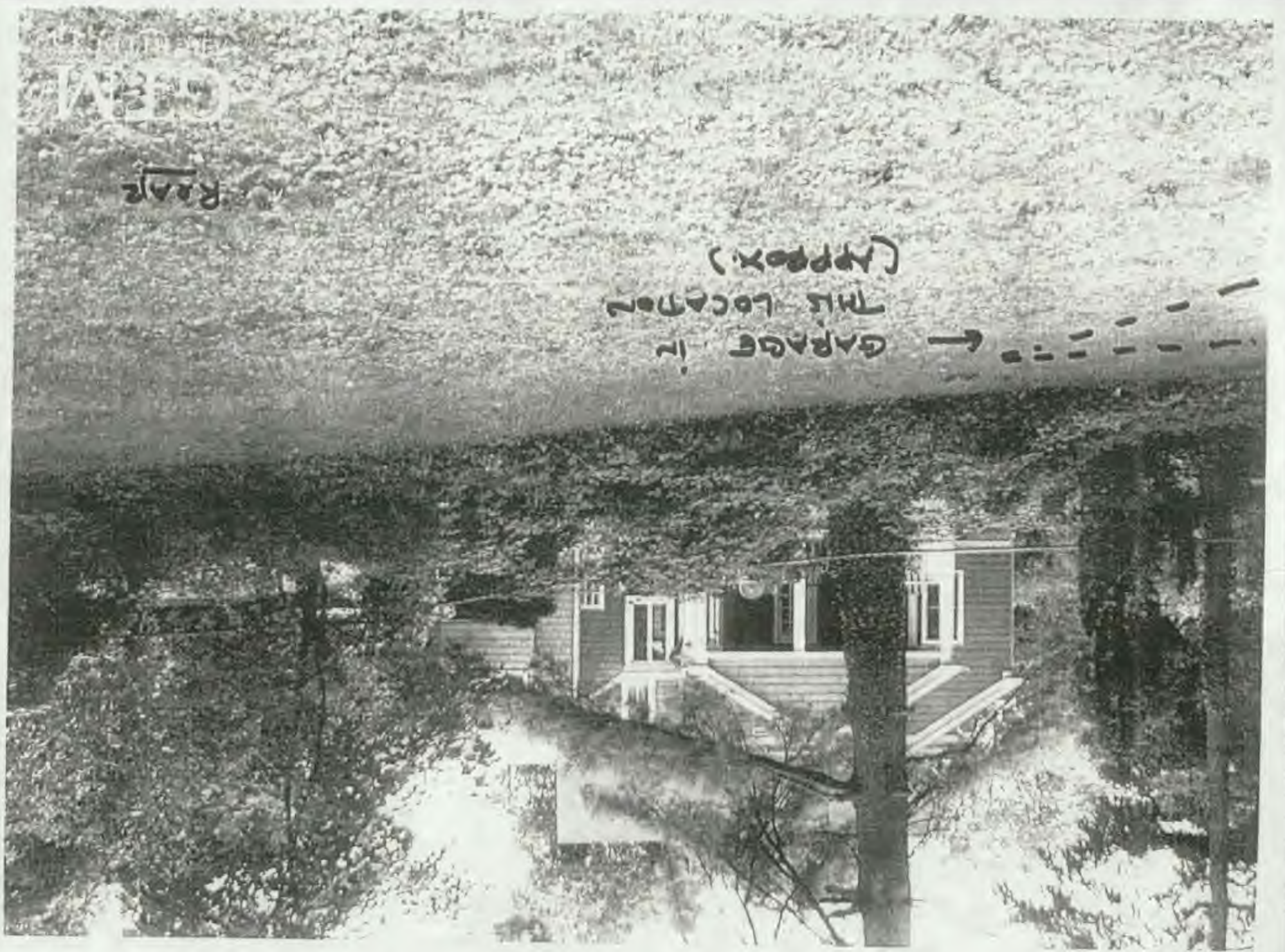




GTM
ARCHITECTS

ARCHITECTS
GTM





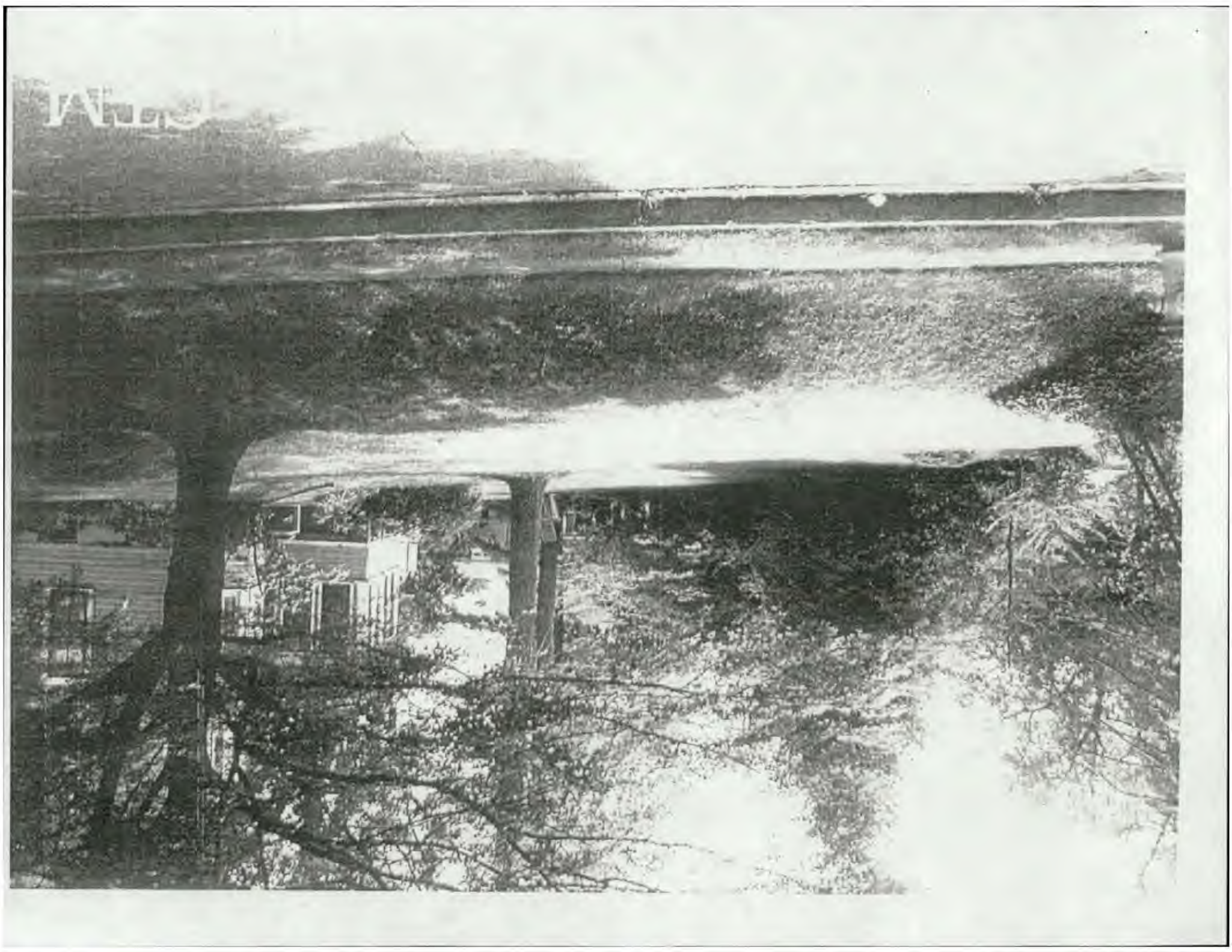
1930

Rear

GARAGE IN
THIS LOCATION
(Approx.)

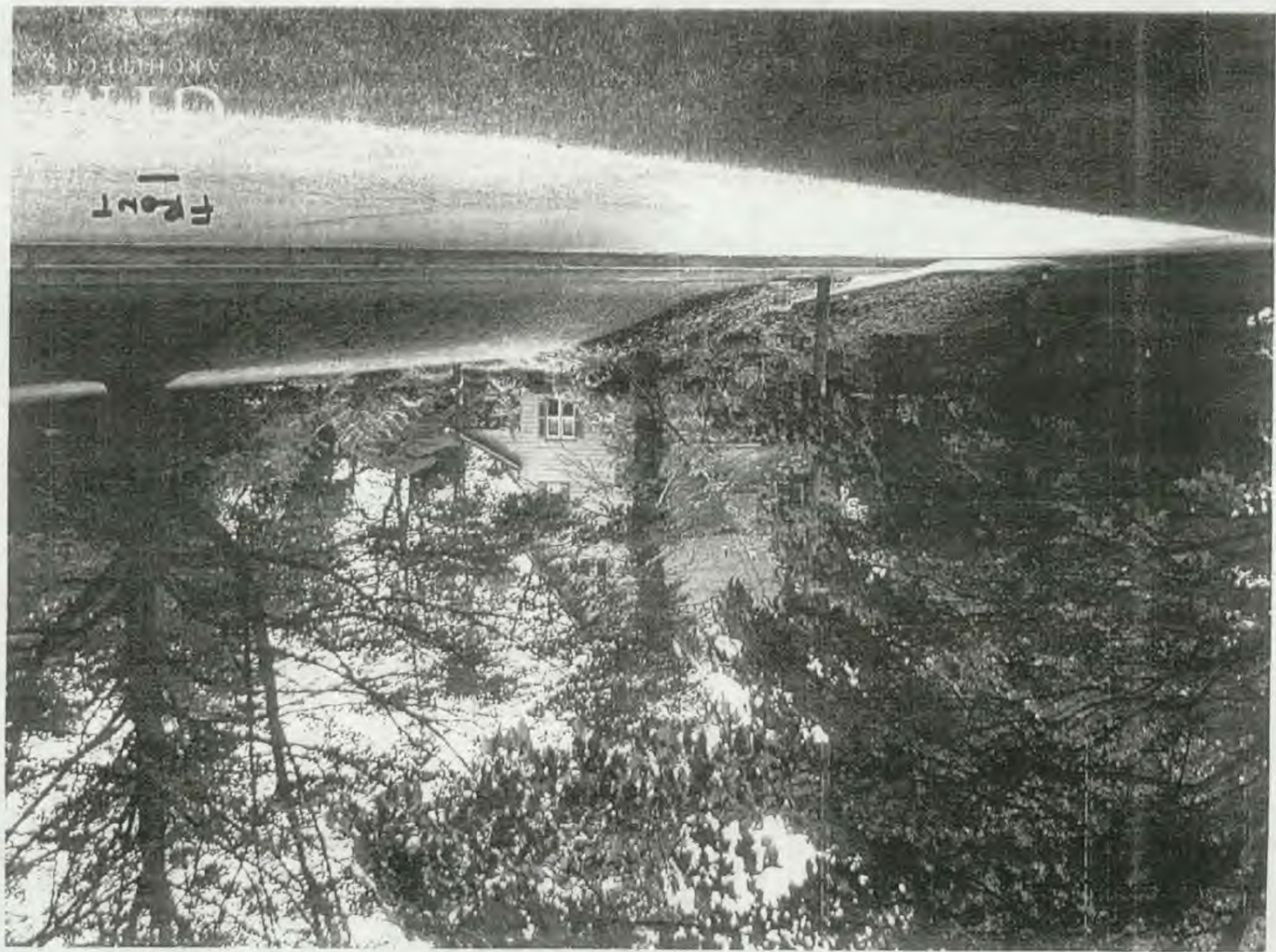


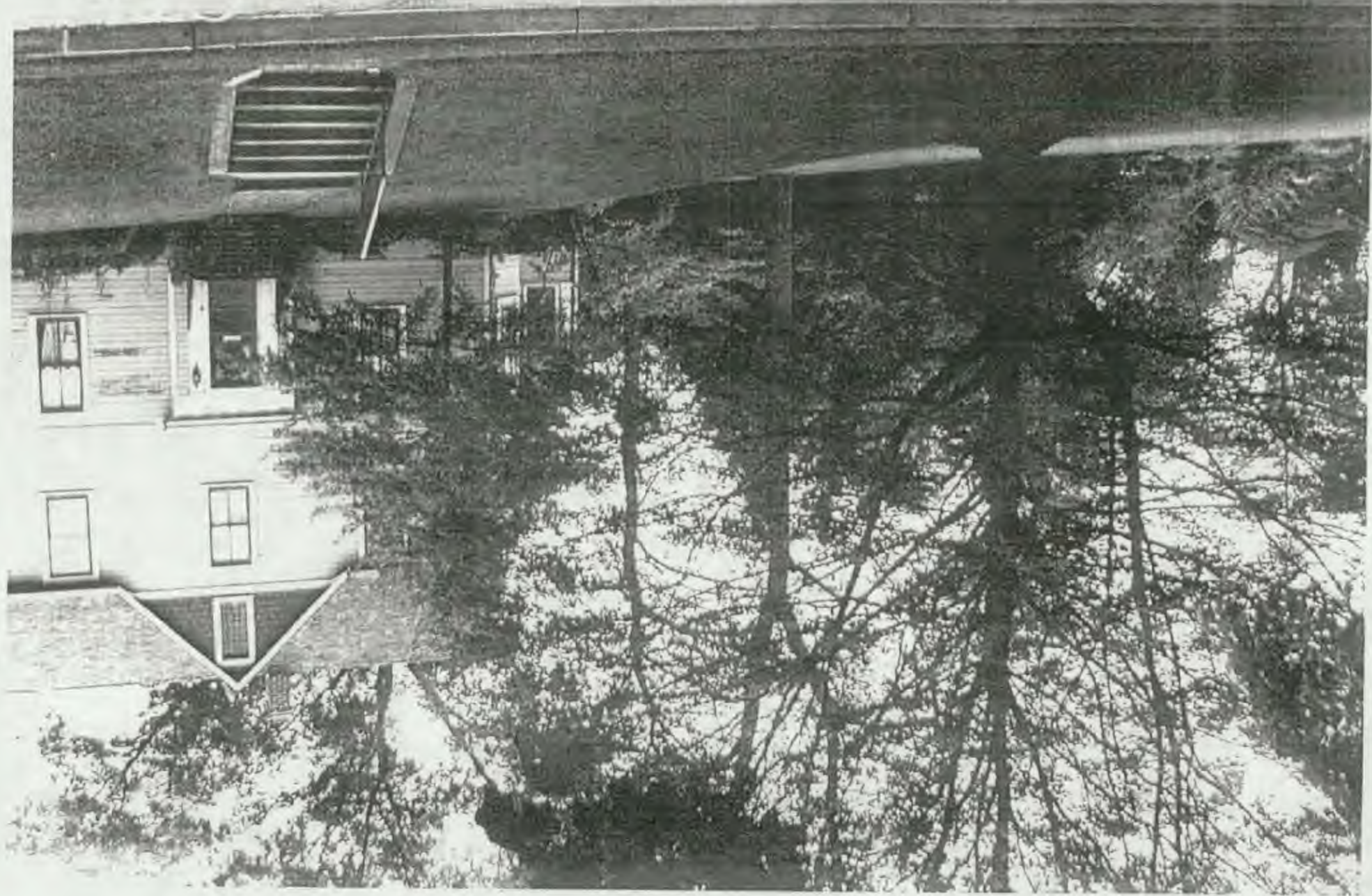
Woods





GTM
ARCHITECTS





Front





FRONT

JVI
ARCHITECTS

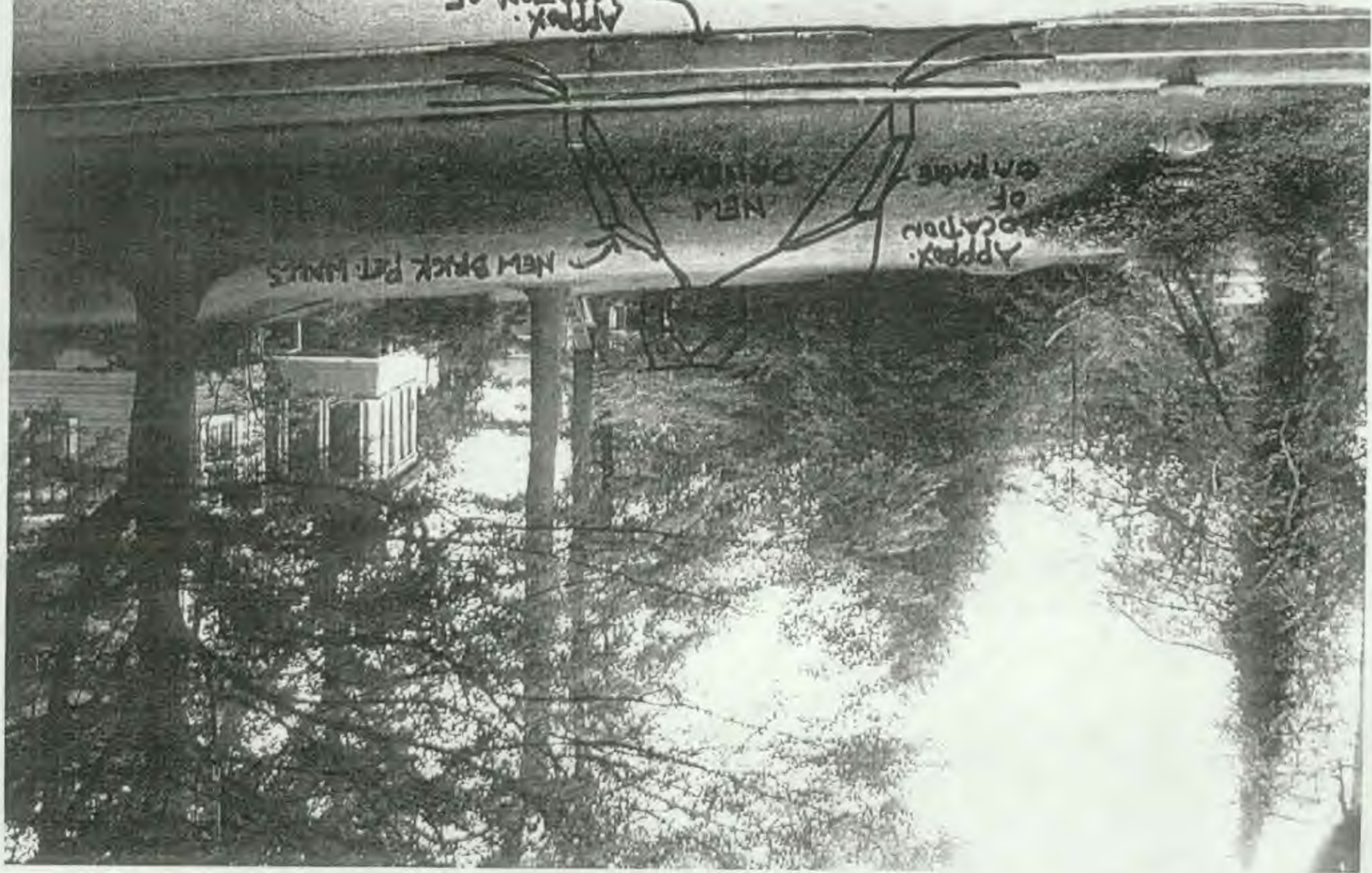
GTN

Approx. location of
NEW CURB CUT
& DRIVEWAY

NEW BRICK PRT. UNITS

NEW

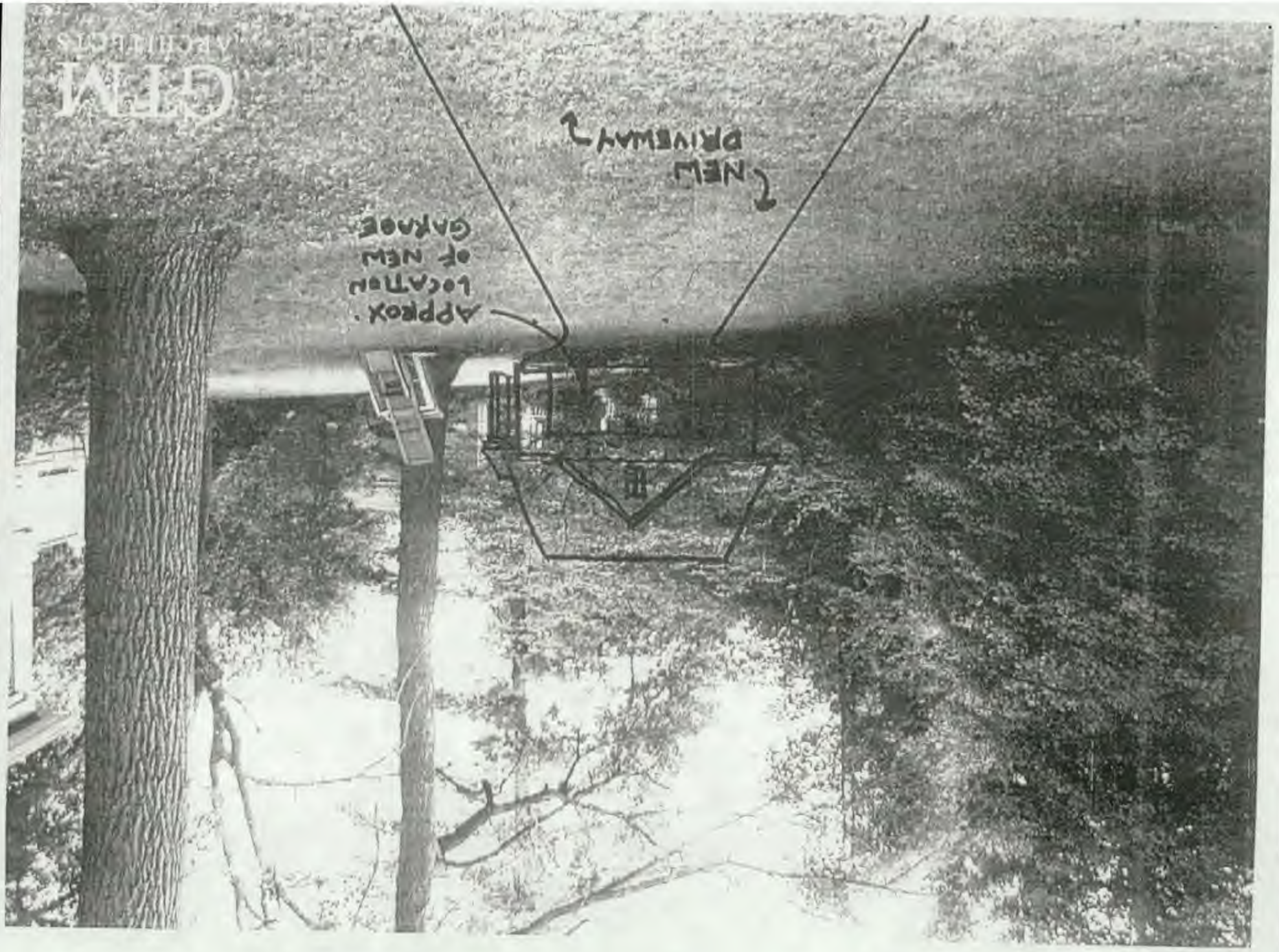
Approx. location
of
ENRIDGE



ST. JAMES
FIELD

APPROX.
LOCATION
OF NEW
GARAGE

NEW
DRIVEWAY



GTM ARCHITECTS





GTM
ARCHITECTS

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	3920 Baltimore Avenue	Meeting Date:	10/11/00
Applicant:	Jeannie Ahearn	Report Date:	10/04/00
Resource:	Kensington Historic District	Public Notice:	09/27/00
Review:	HAWP	Tax Credit:	None
Case Number:	31/6-00K	Staff:	Perry Kephart

PROPOSAL: Construct new garage and driveway

RECOMMEND: Approve w/ conditions.

CONDITIONS:

1. The driveway is to be constructed of grass pavers or brick pavers from the front sidewalk to the widening approximately 20' from the garage.
2. No turnaround apron is to be used.
3. The sidewalk to the house is to be paved with brick to match the front walk.
4. The side door is to have a small, shedroof overhang supported by brackets.
5. A tree survey with an accompanying arborist report indicating the degree of negative impact, if any, of the driveway installation and garage construction.

If a two-car, 24x24 or 20x20 garage is approved:

6. The permit set of drawings is to be corrected to indicate the matching dormer design for the garage shown in the Proposed Elevations (SK-3 and SK-4).

If a one-car, 12x20 or 15x20 garage is approved:

6. The permit set of drawings is to be modified to indicate a front-gable garage.

PROJECT DESCRIPTION

SIGNIFICANCE: Primary Resource
STYLE: Italianate "I" House
DATE: 1880's with later Colonial Revival Addition.

Three-bay, 2 ½ story, frame, side-gabled residence with a center front gable that has fishscale shingles and a multipane rectangular window. There is a hexagonal bay on the left side with 2/2 windows to match those seen through much of the house. The house is clad in lapped wood siding with fishscale shingles in the side gables. At the rear is a two-story colonial Revival addition with a one-story hipped roof sunroom on the left side and a one-story shed roof addition attached at the back. Also at the rear is a low deck in the ell of the two one-story additions.

BACKGROUND

The house is located on two lots with the majority of the footprint on the right hand lot, which was the center of three lots until the 3rd lot, Lot 25 was infilled. On the left lot are a number of large trees. The existing garage on the third lot to the right of the house is being replaced with a new house. That garage, a one-car auto barn, is being rehabilitated and relocated at the right rear corner of the property and will belong to the owner of the new house. There is also an existing shed directly behind the historic house.

PROPOSAL

The applicant proposes to:

1. Construct a two-car, 1 ½ story, 24x24, wood frame garage at the left rear of the property. The garage is to be clad in lapped siding with lapped shingles on front and rear gabled dormers, and an asphalt shingle roof. The overhead double doors are to be of painted wood with six light glass - or six wood panels - above three vertical panels on each door. The garage is to be approximately 18' high. Windows in the garage include a 4-light window in each gable, and five 2/2 windows to match those in the historic resource. At the right side, an entry door is proposed with a peaked roof porch with wood columns and lapped wood shingles.
2. Install a curb cut and an asphalt driveway from the street to the garage.
3. Grade the front slope of the property and install brick retaining walls on either side.
4. Remove a dogwood tree in the line of the driveway and replace it with two dogwood trees of 1" dbh or larger elsewhere on the property.
5. Install a brick sidewalk from the driveway with steps leading up to the back deck of the house.

STAFF DISCUSSION

An application for a HAWP for this project was submitted for review without a preliminary consultation so a number of the issues that might have been resolved at a preliminary meeting are included in the staff discussion and as recommended conditions.

1. The garage is being proposed to replace a one-car auto barn that was in disrepair, was on a separate lot – and is no longer part of the property - and is not currently being used as a garage. The proposed garage is substantially larger than its historic predecessor. The applicant indicated that it is similar to the garage approved at 3915 Baltimore Street. That particular new garage was on the site (concrete pad) of an earlier garage and was similar in scale and style to the main house. The garage in this application is an entirely new structure on a new site and is substantially larger in scale than the historic resource (an 1880's I-house) for which is it the accessory building. Staff would suggest that if a garage is to be approved, there should be consideration of a smaller garage such as a 20x20 two-car or a 15x20 one-car garage with storage space that is more in keeping with the style and scale of the original resource.

2

If the large garage is seen as appropriate to the house, which has been substantially enlarged with rear additions, then the design and materials of the garage can be considered to be in keeping with a Colonial Revival accessory building in the Kensington Historic District.

2. Use of asphalt paving for the driveway and grading and paving in the critical root zone of the tree on the front of the property may negatively impact the condition of the three large trees under which the driveway is proposed. Staff would recommend that grass pavers be used instead of impermeable paving except for the apron in front of the garage.
3. Staff is assuming that the change of lot coverage from 9.7% to 12.2%, because it is still within the 15% average lot coverage for the historic district will be acceptable. For a primary resource in the more open, garden area of the district, the number of buildings on the two lots (3), and the installation of a new driveway may be detrimental to the sense of open space and garden setting. Staff would point out that the recommendation for grass pavers and consideration of downsizing is to minimize the impact of the new construction.
4. The materials proposed for the new garage are in keeping with guidelines for the historic district.
5. Staff is recommending that the side porch be minimized as another means of simplifying the design of the garage.
6. Overhead garage doors of painted wood with a design reference to stable doors are in keeping with the period of the house.

In previous discussions of changes to the setting of this primary resource, there was no mention of a new garage. Except as the old garage design may influence consideration of the optimum design for a new garage, this application should be considered on its own merits. Except for the questions of paving and size, for which conditions have been suggested, staff is recommending that a garage be approved if it is within the appropriate limits for lot coverage in this part of the historic district.

STAFF RECOMMENDATION

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

The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter,

and with the Secretary of the Interior Guideline #10:

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be



unimpaired.

And with the conditions:

1. The driveway is to be constructed of grass pavers or brick pavers from the front sidewalk to the widening approximately 20' from the garage.
2. No turnaround apron is to be used.
3. The sidewalk to the house is to be paved with brick to match the front walk.
4. The side door is to have a small, shed roof overhang supported by brackets.
5. A tree survey with an accompanying arborist report indicating the degree of negative impact, if any, of the driveway installation and garage construction.

If a two-car, 24x24 or 20x20 garage is approved:

6. The permit set of drawings is to be corrected to indicate the matching dormer design for the garage shown in the Proposed Elevations (SK-3 and SK-4).

If a one-car, 12x20 or 15x20 garage is approved:

6. The permit set of drawings is to be modified to indicate a front-gable garage.

with the general condition applicable to all Historic Area Work Permits that the applicant shall also present any permit sets of drawings to HPC staff for review and stamping prior to submission for permits and shall arrange for a field inspection by calling the Montgomery County Department of Permitting Services (DPS), Field Services Office, five days prior to commencement of work and within two weeks following completion of work.

(A)



REPORT DEPARTMENT OF PERMITTING SERVICES
250 HUNGERFORD DRIVE 2ND FLOOR ROCKVILLE MD 20850
301-277-6770

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: George Myers
Daytime Phone No.: 301 992-9002 ext. 13

Tax Account No.: _____
Name of Property Owner: Jeanie ALLEN Daytime Phone No.: 3
Address: 3920 Baltimore St. Kensington Md
Street Number City State Zip Code
Contractor: To be determined Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: George T. MYERS (GTM ARCHITECTS) Daytime Phone No.: 301 992-9002 ext. 13

LOCATION OF BUILDING/PREMISE

House Number: 3920 Baltimore St. Street
Town/City: Kensington Md. Nearest Cross Street: Connecticut Avenue
Lot Block Subdivision:
Liber Folio Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
 Construct Extend Alter/Renovate AC Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Reversible Fence/Wall (complete Section 4) Other: GARAGE
1B. Construction cost estimate: \$ _____
1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

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

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

Signature of owner or authorized agent: _____ Date: 9/13/00

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 229876 Date Filed: 9/14/00 Date Issued: _____

3 1/6.00K

5

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

EXISTING PRIMARY RESOURCE IN
KENNINGTON HISTORIC DISTRICT

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

NEW FREE-STANDING GARAGE REAR OF
PROPERTY

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 3 1/2" x 11" paper are preferred.

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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 5" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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

2722 Baltimore St. Kensington (Lot 25 blk 1)
Adjacent and Confronting Property Owners

LOT 26 BLK 11

3920 Balt. St., Kensington MD 20895
Jeanie L. Ahern

LOT 10 BLK 11

3923 Prospect St., Kensington MD 20895
Chas. C. + H.C. Wilkes

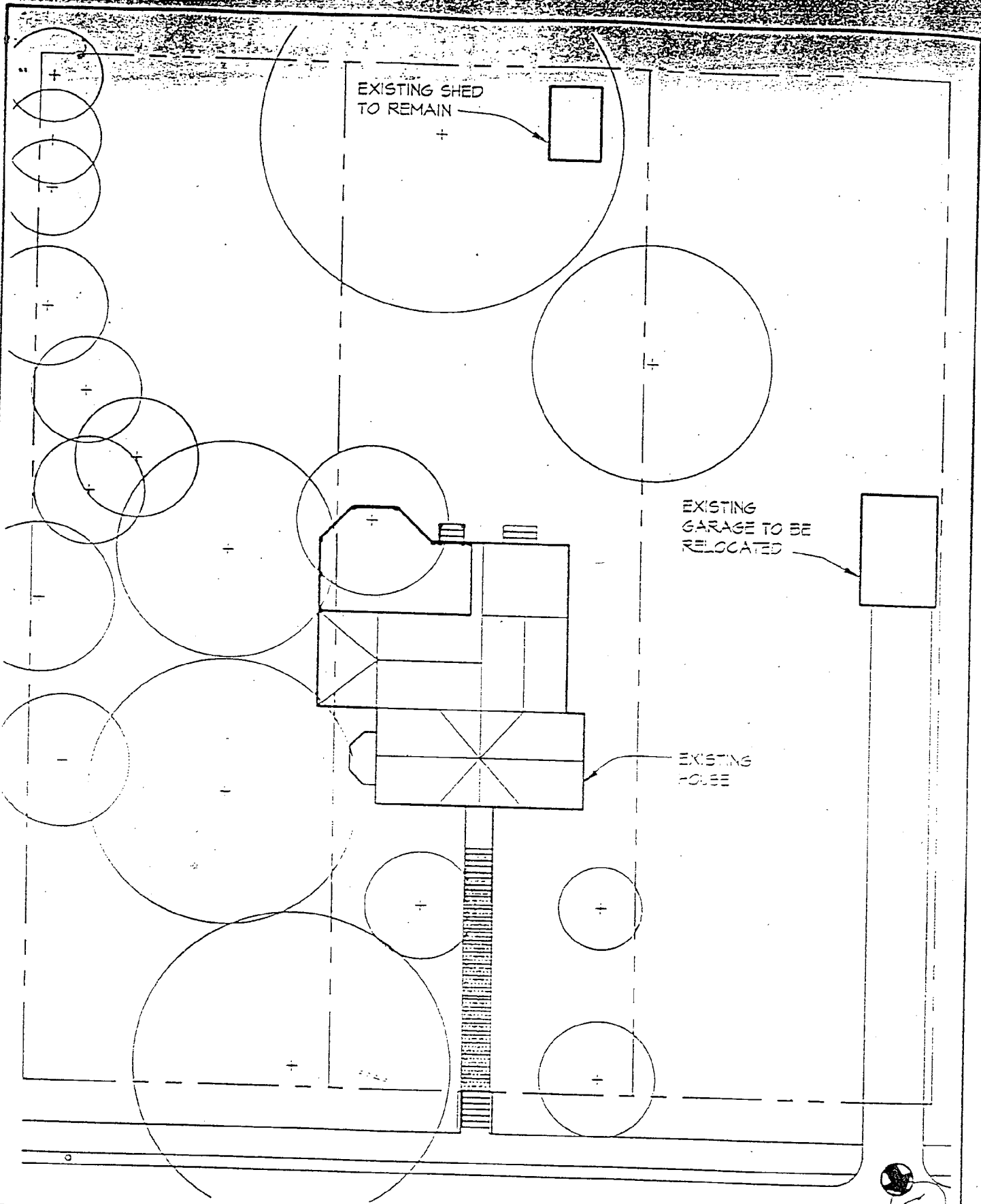
3915 Prospect St., Kensington MD 20895
John H. + V.G. O'Neill

LOT 24 BLK 11

3924 Balt. St., Kensington MD 20895
John H. + J.B. Lossing

LOT 9 BLK 10

3919 Balt. St., Kensington MD 20895
Seaborn + J.W. McCrory



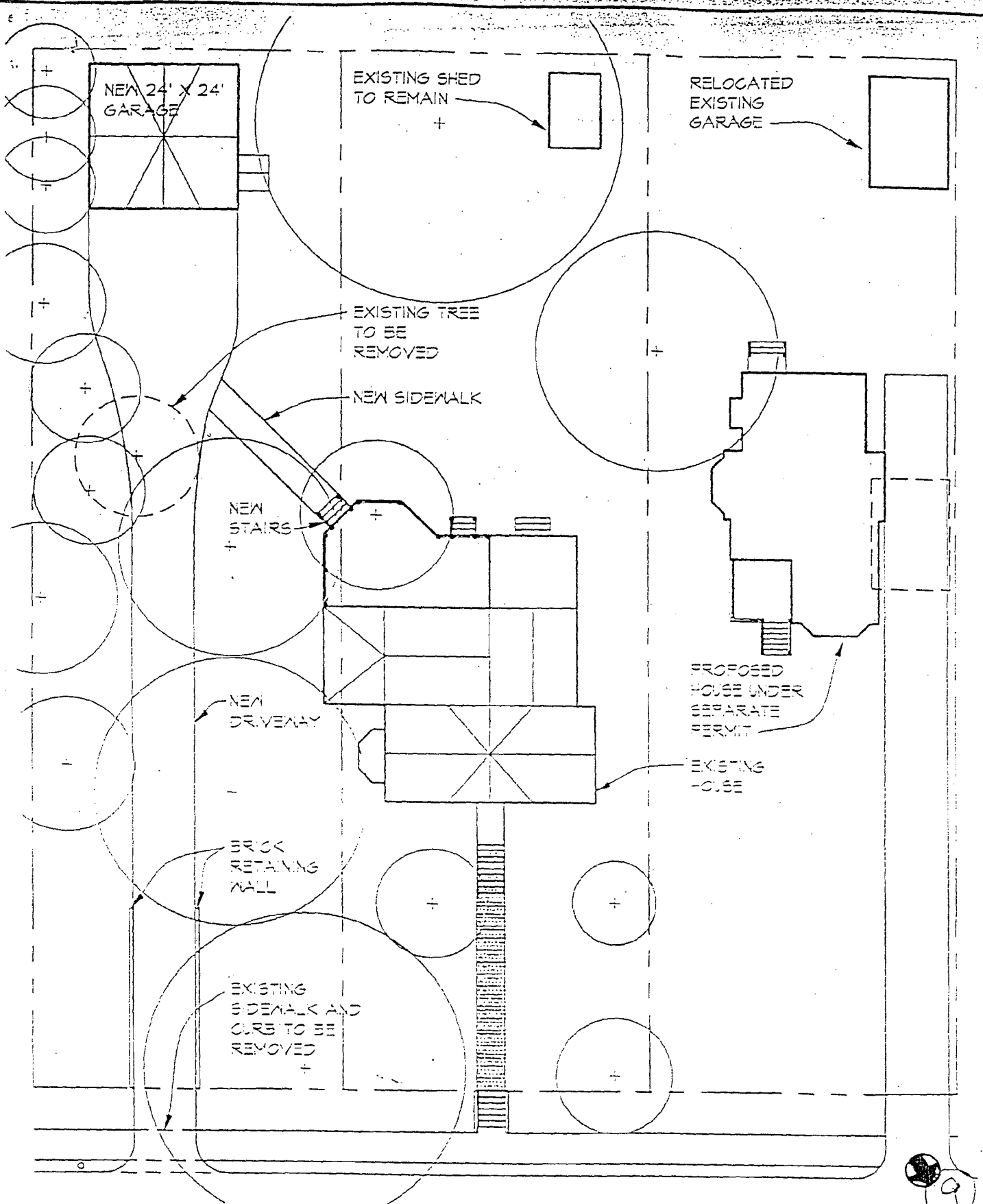
AHEARN RESIDENCE

EXISTING SITE PLAN

DRAWN BY: SYT	SCALE: 3/8" = 1'-0"	PROJECT NO: 2000257	REV: 500
CHECKED BY: em	DATE: 5/15		


 GTM
 ARCHITECTS
ONE HARTFORD AVENUE

6



HEARN RESIDENCE

PROPOSED SITE PLAN WITH NEW GARAGE

4 5/8" SWY	SCALE 3/64" = 1'-0"	PROJECT NO. 2000257	REVISED
3 5/8" SWY	DATE 9-13-00		

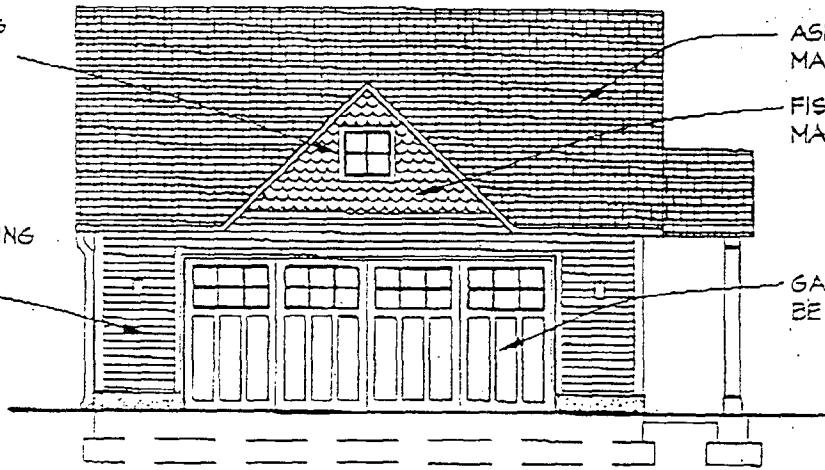
DRAWING NO. SK 0

GTM
ARCHITECTS

1040 AIRPORT AVENUE
BOONVILLE, MO. 65015

WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE



ASPHALT SHINGLES TO MATCH HOUSE

FISH-SCALE SIDING TO MATCH HOUSE

GARAGE DOORS TO BE SELECTED

1 NORTH ELEVATION
SK-3 SCALE: 1/8"=1'-0"

WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

FISH-SCALE SIDING TO MATCH HOUSE

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

DOOR TO MATCH EXISTING ON HOUSE



WINDOW TO MATCH EXISTING ON HOUSE

2 WEST ELEVATION
SK-3 SCALE: 1/8"=1'-0"

10

AHEARN RESIDENCE

GARAGE ELEVATIONS

DRAWN BY: SYM	SCALE: 1/8"=1'-0"	PROJECT NO: 2000257	REV: 006
CHECKED BY: GTH	DATE: 4-15-00		

SK-3

GTM ARCHITECTS
ONE AIRPORT AVENUE
COLUMBIA, MO 65202
620-424-1012
620-424-1014 FAX

P.L.F. DATE: 002975K3

Amended proposal

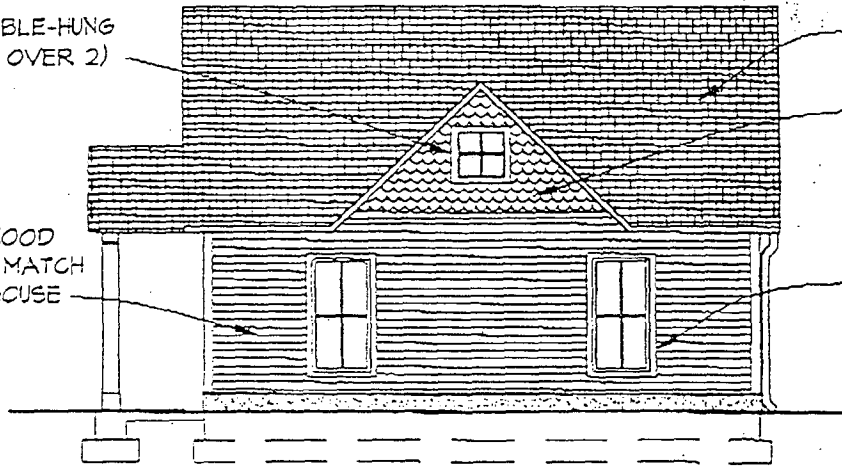
WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

ASPHALT SHINGLES TO MATCH HOUSE

FISH-SCALE SIDING TO MATCH HOUSE

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

WINDOWS TO MATCH EXISTING ON HOUSE

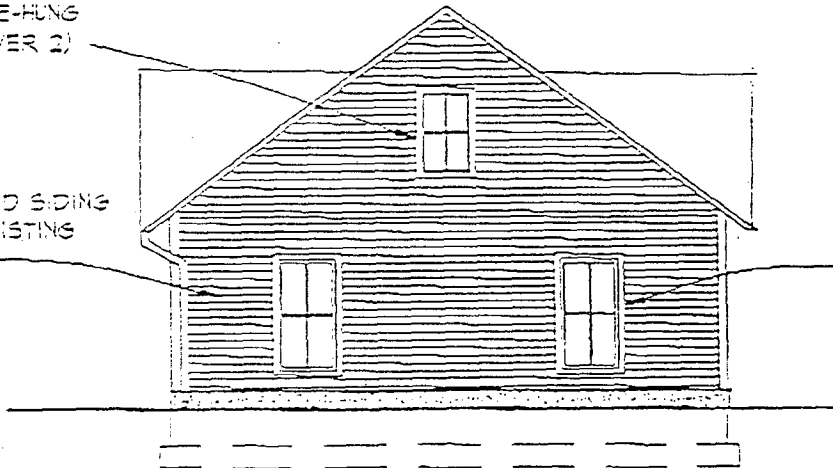


1 SOUTH ELEVATION
SK-4 SCALE: 1/8"=1'-0"

WOOD DOUBLE-HUNG WINDOW (2 OVER 2)

PAINTED WOOD SIDING TO MATCH EXISTING HOUSE

WINDOW TO MATCH EXISTING ON HOUSE



2 EAST ELEVATION
SK-4 SCALE: 1/8"=1'-0"

11

AHEARN RESIDENCE

GARAGE ELEVATIONS

GTM
ARCHITECTS

1045 ARROYO AVENUE
EDGEMONT, NEB. 68040
(308) 624-0423
3040-0101 FAX

DRAWN BY: STY	SCALE: 1/8"=1'-0"	DATE: 2000-25	PROJECT NO: 25-5039
CHECKED BY: STY	DATE: 4-13-00		

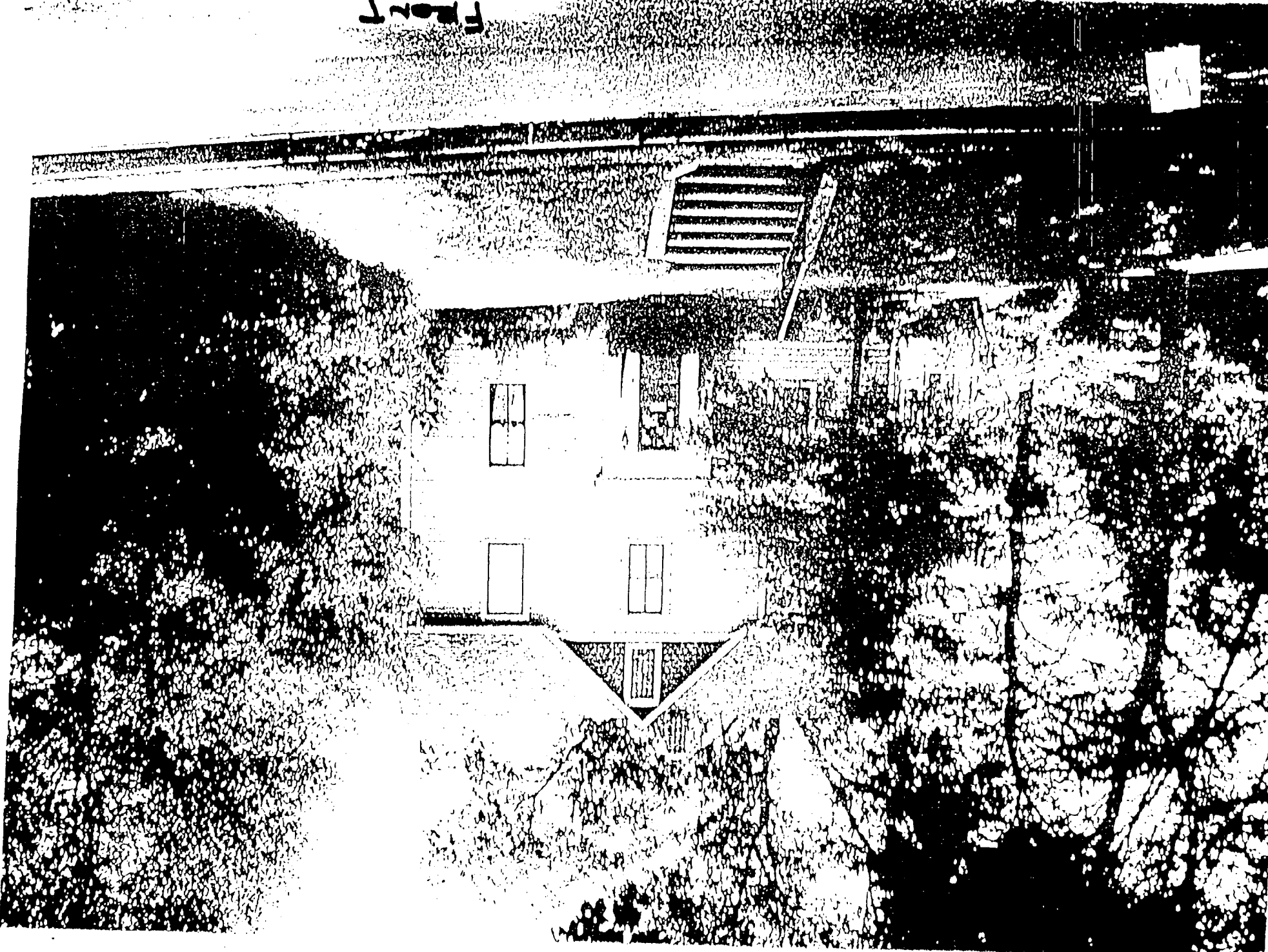
SK-4

Amended proposal

FILE: AHEARN: 0025: 25-5039

FRONT

18



STATE
DEPT.
OF JUSTICE

GARAGE IN
THIS LOCATION
(Approx.)

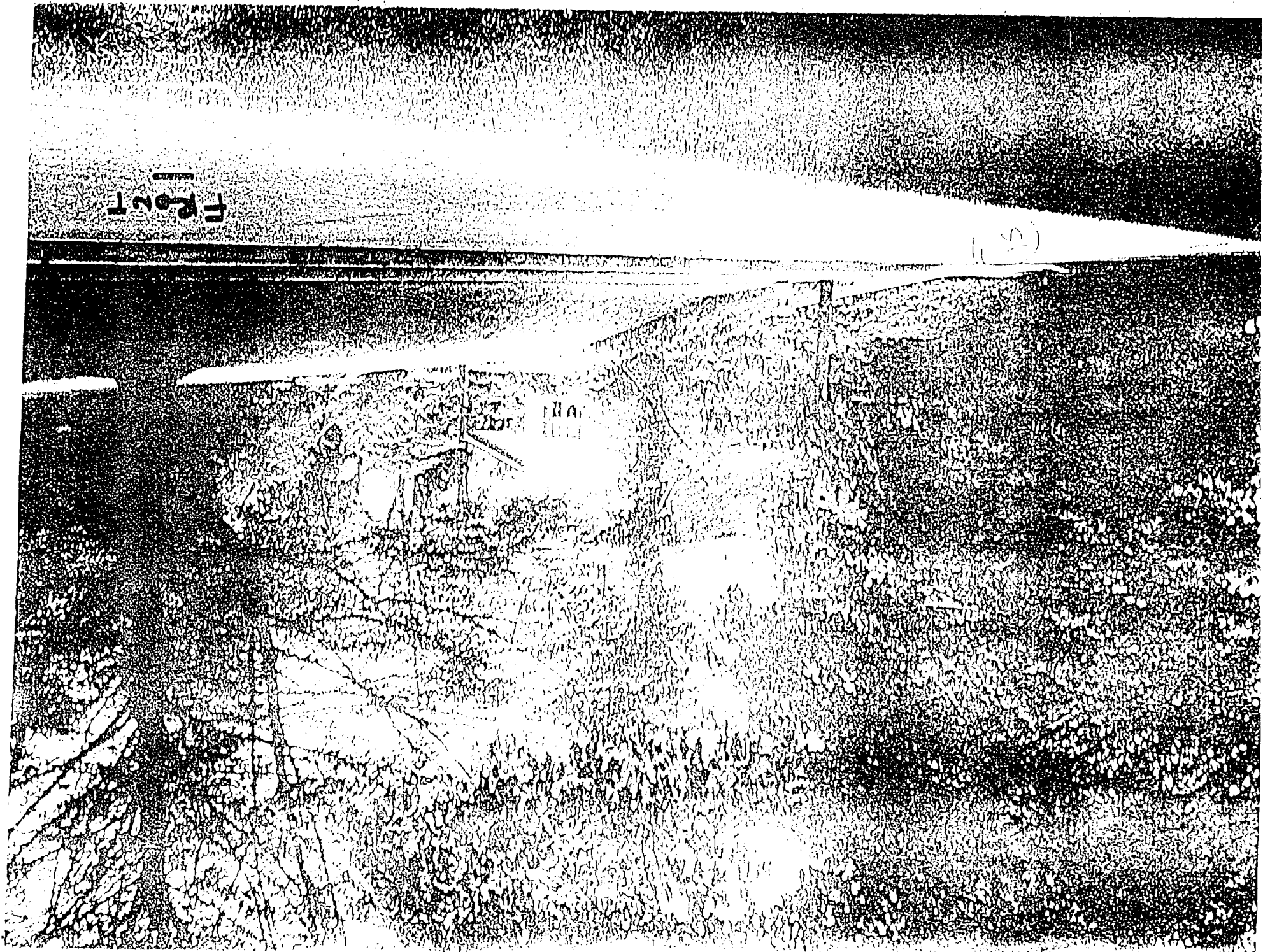


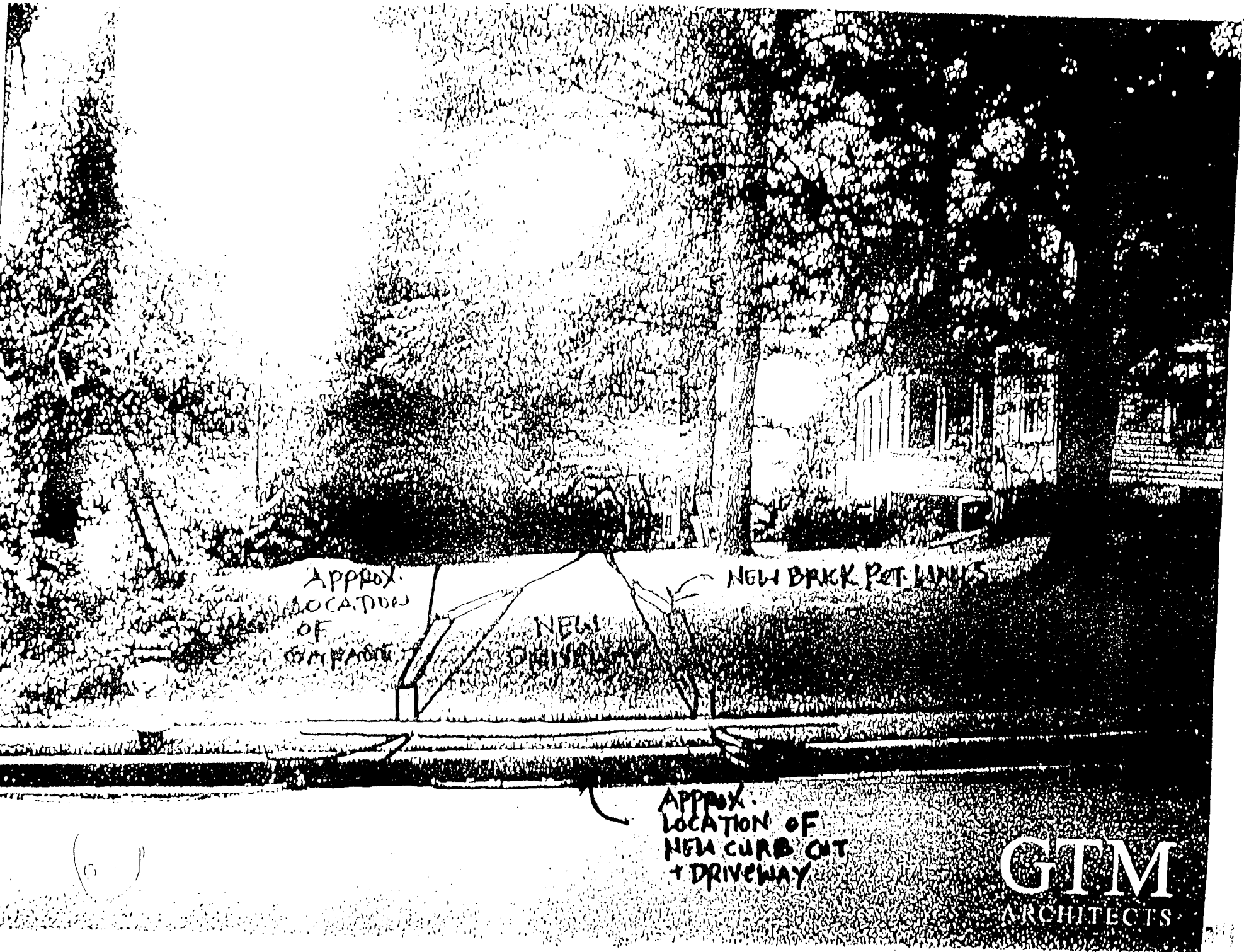
(5)

ARCHITECTS

FRONT







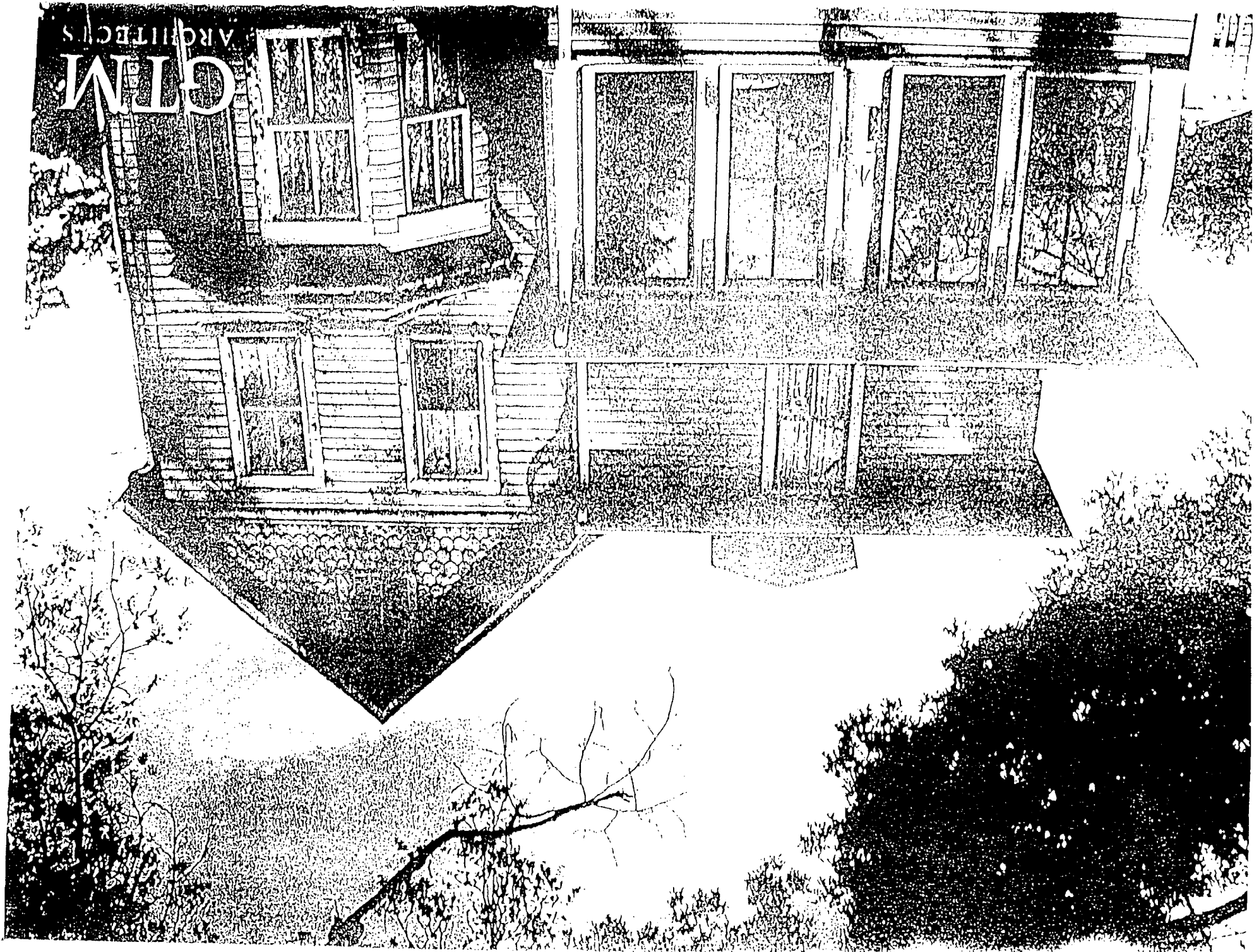
APPROX.
LOCATION OF
COMPACT

NEW BRICK PAT WALKS

NEW
DRIVEWAY

APPROX.
LOCATION OF
NEW CURB CUT
+ DRIVEWAY

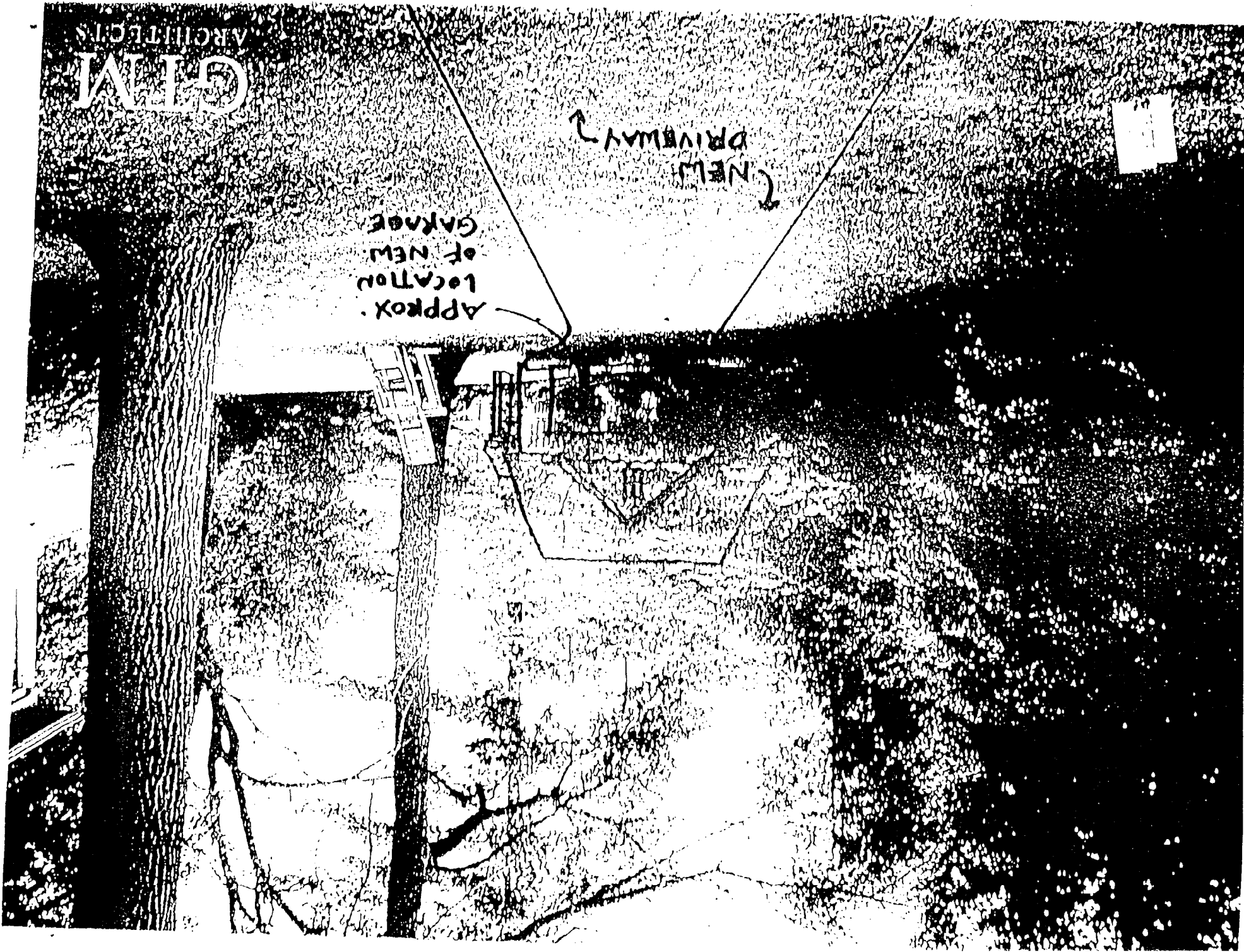
GTM
ARCHITECTS

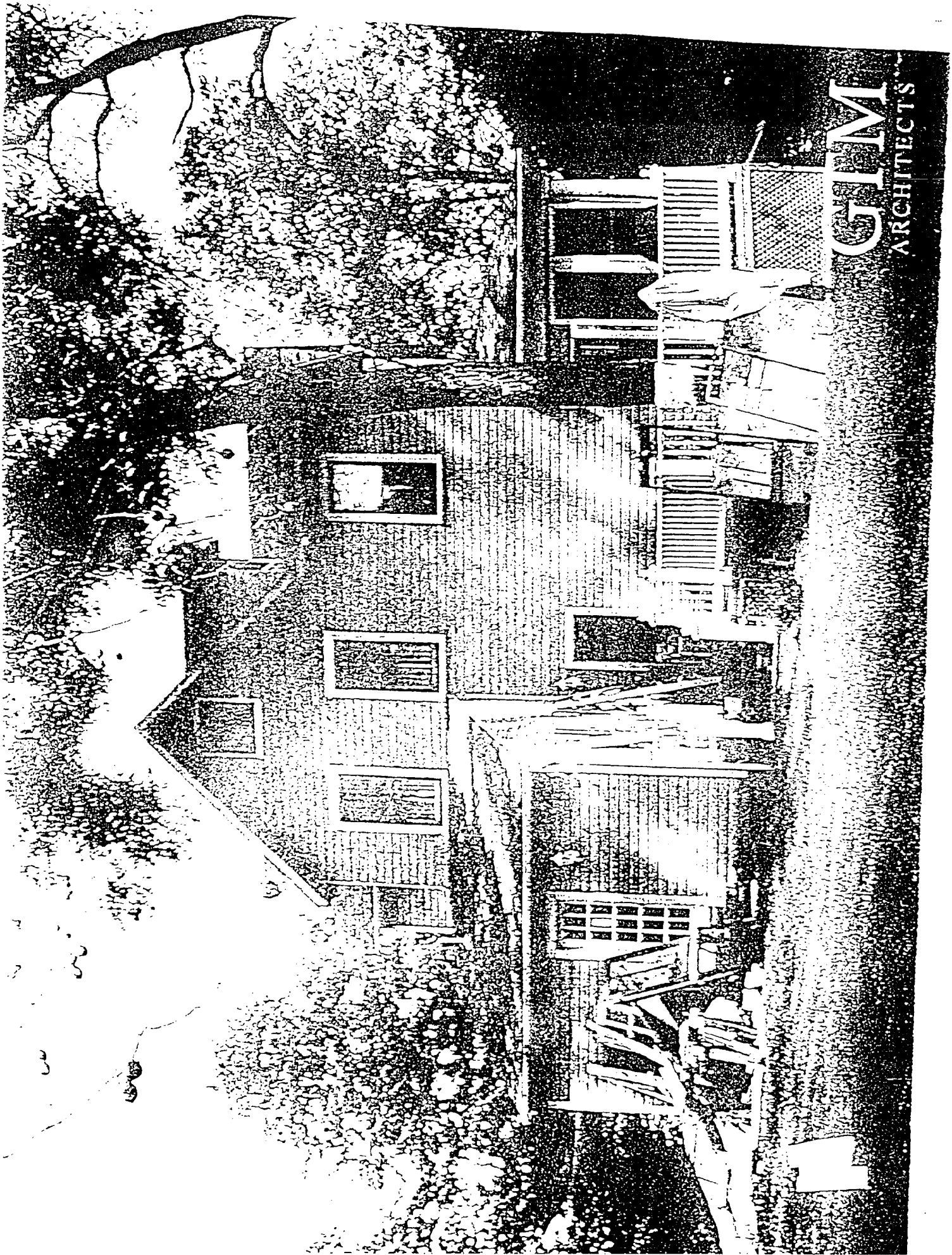


GTM ARCHITECTS

NEW DRIVEWAY

APPROX. LOCATION OF NEW GARAGE





GJM
ARCHITECTS

MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
HISTORIC PRESERVATION COMMISSION
MONTGOMERY COUNTY, MARYLAND

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----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 36/02-00A
8200 Meadowbrook Lane : (Master Plan Site #36/02)
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00W
8 Grafton Street :
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00PP
7120 Carroll Avenue :
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00K
3920 Baltimore Avenue :
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00X
5 Primrose Street :
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00L
10313 Fawcett Street :
:
----- X
:
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00QQ
22 Hickory Avenue :
:
----- X
:
PRELIMINARY CONSULTATION - : Second Preliminary
25912 Frederick Road : Consultation
:
----- X

ORIGINAL

A hearing in the above entitled matter was held on Wednesday, October 11, 2000, commencing at 7:40 p.m., in the MRO Auditorium, 8787 Georgia Avenue, Silver Spring, Maryland, before:

COMMITTEE CHAIRMAN

George Kousoulas

COMMITTEE MEMBERS

Lynne B. Watkins
Susan Velasquez
Douglas A. Harbit
Nancy Lesser

* * * * *

INDEX

ALSO PRESENT:

PERRY KEPHART
MICHELE NARU

APPEARANCES/STATEMENTS:

FRANZ RASSMAN	8
GEORGE MYER	23
PETER ZABRISKI	42
EDWARD SCHMIDT	50
JULIA GROSS	56
GUTHRIE QUILL	60

1 to be sure it is placed where it is. We actually don't have
2 any control of that once it is outside of the environmental
3 setting. However, they do need that room where the rings are
4 for the rings. And they would like the arena as a backdrop.

5 And they are coordinating all of the construction
6 with the Parks people who actually own the site, the Parks
7 Department. So it would be Mike Dwyer at the Parks
8 Department, if you had any concerns about that. He looks
9 after historic properties in the parks.

10 But anyway, where they are suggesting is really
11 where they are planning to put it.

12 VOICE: It is going to be back.

13 MS. KEPHART: Yes, because they want the room for
14 the rings.

15 VOICE: Okay.

16 MR. KOUSOULAS: Okay?

17 VOICE: Very good. Thanks.

18 MR. KOUSOULAS: Thank you.

19 MS. VELASQUEZ: Mr. Chairman, I move we approve
20 staff report on Case 36/02-00A, Meadowbrook Lane, Chevy Chase.

21 MS. WATKINS: I second.

22 MR. KOUSOULAS: All those in favor, raise your right
23 hands? All those opposed? The motion passes unanimously.

24 The final Historic Area Work Permit tonight is Case D.

25 MS. KEPHART: This application is for a new garage

1 at 3920 Baltimore Avenue in Kensington historic district. The
2 applicant has proposed to construct a new garage and a
3 driveway. I'm passing around pictures. I also have slides.

4 But I think the pictures, because of the leaves on
5 the trees, the pictures are a better indication of the design
6 of the house. I didn't get a good picture of the house. And
7 I can show you the slides that show a little more of the
8 topography. The applicant actually proposes to construct --
9 would you like to give those? That's great. Super.

10 The applicant proposes to construct a 24 by 24 two-
11 car garage to replace a garage. I'm going to show slides. A
12 24 by 24 frame garage with wood siding. It was designed to
13 refer back to the Italian, although it is more of a four-
14 square shape. It is a little more of a colonial revival
15 shape. And it is very much within the style of the garage
16 that you all approved at 3915 Baltimore Avenue, across the
17 way.

18 This area has been the subject of a fair amount of
19 discussion by the Commission over the last few years, both as
20 to garages, porches, and other things. But also because this,
21 the house at 3920 was originally on three lots, it is now on
22 two, and the third lot on the right, it now has a new house
23 being constructed on the site of the original auto barn, which
24 was a little one car auto barn. That auto barn is being
25 placed at the back of what is called lot 11, the right-hand

1 lot. So now the large house has no garage.

2 Staff felt that the design of the garage was
3 interesting, but that it did refer more to the -- although
4 there were some discrepancies in the design, it referred so
5 much more to the colonial revival style that the house is
6 taking on, rather than the original I-house. We were
7 concerned about the size, whether it wasn't too big.

8 Probably the largest concern of staff was that the
9 driveway is proposed to be cut through an area that is quite
10 steep, past a very large healthy maple tree. And it looks
11 like the tree could not survive it.

12 It also, the tree survey that was included, it shows
13 a dogwood tree being removed. And the applicant has indicated
14 she would be glad to plant it elsewhere, which is fine, but
15 there is also a holly tree, quite a tall holly tree in that
16 same place that was not clearly shown on the tree survey. And
17 it's not clear that that would not also have to be removed,
18 because it is very -- it looks like it is in the line of the
19 driveway. So I would ask applicant, or the applicart's
20 representative, Mr. Myer, to respond to that.

21 What I've put down as conditions were that if the
22 driveway were approved, it would be construction of grass
23 pavers or something that would have less effect on the garden
24 district.

25 You have a number of letters from the Kensington

1 Historic District representatives, including the Historical
2 Society and the LAP. The LAP does recommend that it be
3 approved, but with the staff conditions. And the Historical
4 Society, Julie O'Malley, recommends that it be -- that if it
5 is approved, that it be approved as a smaller building, and
6 raises a number of questions that should be answered by the
7 Commission before, or by the applicant before a final decision
8 is made.

9 And Helen Wilkes has also written in. And she's
10 president of the Local Land Trust. And she's on the
11 Historical Society Committee. And she's concerned, she has a
12 number of issues that she raises in her letters. The letters
13 will all be part of the record, but I ask you to look at those
14 and consider her objections.

15 In trying to deal with the driveway, as I say, staff
16 recommends grass pavers or a somewhat impermeable surface.
17 The applicant has specifically said she does not want gravel.
18 And gravel becomes impermeable anyway, so it is probably not
19 an option. I recommend that no turn around apron be used,
20 even if the garage is made smaller, that there not be a large
21 turning area, increasing the size of the paving directly in
22 front of the garage beyond what is already shown.

23 There is also sidewalk proposed, and I think that's
24 fine, but just recommend that there was nothing said about
25 paving, so we just included brick to match the front walk.

1 There is a side door to the garage. There is a
2 shelter, and staff recommended that that be simplified to a
3 smaller shed roof cover simply to provide shelters at the
4 doorway, rather than a full architectural feature.

5 And lastly, staff recommends that a tree survey be
6 made to ascertain whether there would be negative impact on
7 the trees, particularly on the front tree, which is an
8 important part of the streetscape in that area. But I would
9 also add that we probably, staff would ask that the staff for
10 arborist also provide an opinion to the Commission. The Park
11 and Planning staff arborist also provide an opinion, as well
12 as an arborist from the area.

13 And I recommended several different sizes, either a
14 two-car that is the full size, and that the drawings more
15 accurately reflect what they are proposing; or a smaller
16 garage that is a minimal two-car garage, since they are only
17 replacing a one-car garage. Or, in fact, go down to a very
18 small one-car garage, or either a 12 by 15 or a -- 12 by 20 or
19 15 by 20. And that the design of that be a simple front gable
20 that is more in keeping with the auto barn that was taken down
21 or moved, but in any case, removed from this property.

22 The issues, most of the issues that have come out of
23 the district have to do with the garden setting. The
24 percentages that the house now is 9.7 percent lot coverage
25 without a garage, and over 10 percent. In this area, my

1 understanding was that 10 percent was the optimum number for
2 lot coverage. An this garage brings it up over 12. So that
3 does need to be considered. But the average in the division
4 for Kensington for the overall district is 15 percent, and it
5 is under that overall number.

6 That average is derived from the houses that are
7 much closer together, and this area that has the houses much
8 wider apart. So this is the wide end of that average, as far
9 as the open space.

10 I can show you slides, and the applicant's architect
11 is here, George Myer.

12 MR. KOUSOULAS: Does anyone need to see slides, or
13 are the pictures -- okay. I've got one quick question.
14 What's the point of condition five?

15 MS. KEPHART: Because I think that the tree at the
16 front of the property would be killed by what is being
17 proposed.

18 MR. KOUSOULAS: But if we approve the HAWP and the
19 arborist says, yeah, it will get killed, what is our recourse?

20 MS. KEPHART: You mean, that it shouldn't be a
21 condition that it should be there?

22 MR. KOUSOULAS: Well, what does --

23 MS. KEPHART: That's a good point. It probably
24 should not be a condition. It should be something that should
25 be determined before any vote should be taken; that that tree

1 will not be killed.

2 MR. KOUSOULAS: Okay. The applicant is here. How do
3 you feel about those conditions, minus five, or this adjusted
4 five?

5 MR. MYER: I just wanted to ask one question. Is
6 the tree that you are concerned with, is that the one all the
7 way up towards the sidewalk, or the second one back?

8 MS. KEPHART: All the way up toward the sidewalk.

9 MR. MYER: All the way up towards the sidewalk.
10 Okay.

11 MS. KEPHART: The two toward the back, the black
12 walnuts, I think are going to be negatively impacted, but I
13 think the sugar maple will be killed.

14 MR. MYER: Well, you know, I look at it. I think
15 what I sketched on there, the picture I sent over to you, I
16 can tell you what we are trying to do is locate it as far as
17 we could. The only problem we have is we have an existing
18 fire hydrant right there.

19 So I think at the end of the day, you know, if there
20 is a way that we can -- I guess what I would like to say is
21 that if the arborist feels that by locating it where it is
22 that it would kill that tree, I don't think anybody wants that
23 tree to be killed. I would say that Jeanne Ahearn probably
24 ought to take steps to see what she could do to relocate the
25 fire hydrant over a little bit, so that she could move the

1 driveway over a little bit, which would be totally out of the
2 drip line of that tree.

3 See, it's just barely in the drip line where you cut
4 through that retaining wall there.

5 MS. KEPHART: Yes, I don't know what the other trees
6 are in that hedgerow between the two houses.

7 MR. MYER: I think that that's the only --

8 MS. KEPHART: So I don't know if that would solve
9 the problem.

10 MR. MYER: I'm not sure that it would either, but I
11 know that if, I think it's right now where we are proposing to
12 cut it, it is just barely in the drip line of that tree. And
13 I'm no arborist, so I couldn't really speak to it.

14 MS. KEPHART: But it is a very deep cut.

15 MR. MYER: It is. It is about -- I'm not denying
16 that it is.

17 MS. KEPHART: Yes.

18 MR. MYER: Yes. So I couldn't really say. But, you
19 know, the attempt is to try to get as far away as we can.
20 That's really the only place to make the cut, as far as where
21 the garage is located. I specifically just went back there
22 and found what I thought was like the one spot that was kind
23 of out of the drip line of everything, so that the garage is
24 in a spot where I thought it would be the least noticeable.

25 The ground drops off to the back left corner of the

1 lot. I think standing on the street, it is not going to be a
2 big, to me, I think that the garage is going to be lower than
3 the house. The house is up here. The garage sits down back
4 on the left. I'm just giving you some ideas as to why things
5 are.

6 Obviously, the design of the garage was an intent to
7 have a gable parallel to the existing house, with a peak off
8 the front, which is what the existing house does. Again, I'm
9 representing the owner. I spoke to the owner about some of
10 these conditions.

11 And I, as you know, Perry, I suggested that she do a
12 gravel driveway, to begin with. She responded that she
13 doesn't understand why the house directly across the street on
14 two lots, a very similar situation, is allowed to have a 20
15 foot wide paved driveway from the street down to a 24 by 24
16 garage with a porch on the side, and she can't.

17 That was a garage that I did and was approved here
18 probably a year ago or so, and is built. I'm not saying that
19 that means that this is okay. I am just giving you her
20 response.

21 She basically told me that I should -- she would
22 like to have a two-car garage and have room in there extra for
23 a couple bikes. So that's why it is 24 by 24 and not 20 by
24 20. Because you know, if you have a 20 by 20 garage, it is
25 really a one-car garage with some bike storage.

1 At the end of the day, this is what the applicant
2 would like to see. And I don't object and she doesn't object
3 to having an arborist certify that whatever the driveway
4 material or driveway that is being proposed does the minimal
5 damage to the existing trees.

6 So she basically doesn't want to change the design
7 of the garage, but wants to do everything she can to avoid the
8 loss of trees.

9 MS. VELASQUEZ: Do you know if Mrs. Ahearn saw this
10 letter from Kensington Historical Society?

11 MS. KEPHART: I would be surprised, because I think
12 it came in fairly late today.

13 MR. MYER: I have not even --

14 MS. KEPHART: I am not sure George has seen it.

15 MR. MYER: I have not seen it either, although I can
16 predict what it says.

17 MS. WATKINS: It basically just has a few questions.
18 Has the town approved a new curb cut?

19 MR. MYER: No, but I guess to me it is a separate
20 issue. You can't -- you have to get the design approved by
21 the HPC, a curb cut approved by the town, maybe by the
22 Department of Transportation. But all of them have to be
23 approved in order to do it. We could get the garage approved
24 here, and not be able to have a driveway.

25 So it's -- but I guess, to me, this is the first

1 step, to me, because it is easiest for me than to deal with
2 the bureaucracy of the Department of Transportation or whoever
3 it is. This is a relatively easy first step. And if we are
4 denied here, then I don't need to go to that trouble. Right.

5 MS. WATKINS: Does the garage ^{need} the five-foot
6 setback of the town?

7 MR. MYER: Yes, the garage would need a five-foot
8 setback. Well, you know, it is funny because Montgomery
9 County in the past hasn't been really consistent about their
10 setbacks, in terms of garages.

11 In know that my own garage, which I built about --
12 was approved two years ago, was given a two-foot setback, rear
13 and side, based on the age of the lot. While I know that the
14 typical Montgomery County setback is five from the rear and
15 five from the side, that is what the, for R-60 zoning, that's
16 what the Zoning Ordinance says. In older lots, they have
17 maintained the two and the two.

18 We are perfectly amenable to the five feet on the
19 rear, and we are really about 10 feet from the side, because
20 we are trying to stay away from the trees. But again, where
21 the garage is located was really, it is a natural clearing
22 there, where it would do the minimal impact to the trees.

23 MR. HARBIT: Can you tell me why -- I'm sorry.

24 MS. KEPHART: I just want to know, can you respond
25 about the holly tree, because that tree looks -- as I stood

1 there in the driveway, it was directly in the line back to the
2 garage site.

3 MR. MYER: When I walked through, I thought it was
4 just the dogwood that needed to go. And I felt like could
5 dodge through there. The driveway at the end of the day, you
6 know, may not be a straight shot. It may need to bend a
7 little bit to the right spot through there.

8 MR. HARBIT: Can you tell me why this garage was not
9 originally proposed to us when we looked at the new
10 construction of the house?

11 MR. MYER: No. The owner approached me, you know,
12 two or three months ago and said that she wanted to build a
13 garage and would I design it for her. I don't know.

14 MR. HARBIT: Because I'm really concerned that I was
15 misled, that this property was going to be so heavily
16 developed. Because there was no indication when we were
17 looking at the new house construction that the owner was going
18 to be coming back again to bring out another new building.
19 Was staff aware of this?

20 MR. MYER: I had discussions with Robin Ziek that if
21 the owner at a later date decided to do a garage, the location
22 of the driveway, there was discussions about a location of a
23 future driveway for some other garage.

24 But it was also in discussion with whether, you
25 know, it was part of the discussion as to whether or not the

1 existing garage was going to be relocated or if it was going
2 to stay on that site, if the Jeannie Ahearn wanted to build
3 another garage to replace it, where would a driveway be. And
4 we said, well, that's something for a later time.

5 And, you know, regardless, I can tell you on my end,
6 to me, you have every -- if we had proposed a garage then, I
7 mean, you could have denied it then, you could deny it now, I
8 mean, if you don't feel it's appropriate.

9 MR. HARBIT: Well, that is, I guess, that's my
10 point. If we had been presented with this total development
11 scenario when we were looking at this property and subdivision
12 and a new house proposal, construction, I think that it would
13 have had a different outcome before this Commission. And I
14 feel that I am being nibbled at.

15 That you get a subdivision. You get a new house.
16 And then, oh, by the way, we forgot the garage. And oh yeah,
17 we are still under the maximum development percentage. And
18 that is significantly eroding the garden character of
19 Kensington, by nibbling away at the open space this way.

20 MS. WATKINS: I would agree with you. I have a real
21 concern also about taking the existing garage from the
22 existing house ~~and putting it for~~ the new house, and then
23 coming and saying, I want a new garage for my house, after you
24 have taken away the other one.

25 MR. MYER: I don't -- I guess I would say that if

1 there was something that doesn't conform with the guidelines
2 for coming back and proposing something that doesn't still
3 meet the criteria, you have every reason to deny something.
4 An owner has a right to apply for anything, you know.

5 If she decides to add a garage at some point at a
6 later time, she has a right to propose it. And if it is not
7 within the guidelines, you have a right to deny it. But I
8 take a little bit of exception of you think there is something
9 deliberate going on.

10 As far as I'm concerned, the cottage, and that lot
11 is its own thing over there. And that was, you know, approved
12 or denied based on the merits of that property. And now we
13 have a lot that sits on two, it is two lots now, and there is
14 a lot coverage that applies there, and precedents that apply
15 there, and you can apply whatever you want. But I can assure
16 you that, you know, there is no -- I mean, you can ask Robin.
17 There were discussions about a driveway coming up this side
18 for a future garage.

19 It never came up in the hearings here. She never
20 brought it up. As far as I was concerned, it was for, you
21 know, a later date. And we are talking about it now. I mean,
22 you have ~~the, if it is something you~~ feel is not appropriate
23 for this lot, which is now two lots, and the lot coverage is
24 unacceptable -- I take a bit of exception if you think that
25 there was something devious going on here.

1 MR. KOUSOULAS: No, we should never ascribe that to
2 any applicant, and I don't think we are. In a case like this,
3 I think what we do need to do, though, is look at the property
4 as something that is constantly in flux.

5 And by that I mean, we need to establish whether
6 things are becoming too congested, and not look at the house
7 plus the additions as sort of an existing condition, as if it
8 were a legacy from 30 years ago, or 80 years ago, or 100 years
9 ago. But we need to see how these gradual accretions are
10 affecting the district, and as the ordinance applies to this
11 district.

12 And by that standard, I think that a Commissioner
13 can, I think, should wisely look at this new garage and any
14 additions that may have been approved fairly recently, and
15 sort of look at the whole composition.

16 MS. LESSER: What was the date of that approval?

17 MS. KEPHART: For the new house?

18 MS. LESSER: Yes.

19 MS. KEPHART: Isn't it 2000? I mean, it's been this
20 year.

21 MR. HARBIT: Just a few months ago.

22 MS. KEPHART: Yes.

23 MR. HARBIT: Well, when I was looking at this
24 proposal, the previous permit for the house, I was looking at
25 it and the design and scale of it as the primary resource with

1 a secondary building. And that's one of the reasons why, at
2 least from my point of view, the second building was set back
3 further from the street, has a more narrow street appearance.
4 So that you had a primary house and a secondary building.

5 And because that's the way this property overall had
6 read before, and the new house was basically obscuring the
7 garage, which was way in the back. So you still had that
8 feeling of a primary with secondary.

9 Now, what you've got is a primary, a secondary, and
10 yet another secondary. And if you look at the overall site
11 plan, instead of two buildings you've got a house, a second
12 house, two garages and a storage shed. And I, for one, think
13 it is just becoming too congested, and will significantly
14 erode the environmental setting of the historic district, if
15 we approve yet another building on this property.

16 MS. KEPHART: The slides show the house, the new
17 house being built. That was why I wanted to show them, was to
18 show what the changes in the open spaces are, and also to show
19 you the grade. Because staff is more concerned about the
20 driveway than --

21 MS. LESSER: I'd like to see the slides, please.

22 MS. WATKINS: Can I ask one question while she's
23 getting the slides ready? Are there other 24 by 24 garages in
24 that district?

25 MS. KEPHART: He just constructed one across the

1 street that was on the pad of a pre-existing garage with an
2 earlier existing driveway that was probably not as wide as the
3 one that went in, is that right? And also not as paved. It's
4 paving had deteriorated. And that's the garage that I believe
5 the applicant is referring to. And I have a picture of that.

6 There was also a garage, that was at 3915. At 3923
7 there was a garage that is smaller, setback somewhat the same
8 as this is, and the applicant was not allowed to increase the
9 size of it, but was, it was an existing historic garage that
10 they had to keep small. But I didn't actually see that
11 application. I was just told that by that neighbor.

12 Here is the house on the left, and the new house to
13 the right. It is set back from the original house, but it is
14 visible from -- I'm just standing on the street, so it is
15 right there. But don't pay any attention to the construction
16 activity in front of it. Obviously, it will be gone.

17 This is looking down toward the site, and the tree
18 in question is on the right. But this is about where the cut
19 would go, is where the shadow starts beyond that strip of
20 sunlight. This is just another view farther down showing
21 where it would go.

22 This is the back yard. I'm standing behind the
23 house and in front of where the garage would go. And this is
24 the new construction. And the old garage would be, I assume
25 will be reassembled back here.

1 This is looking at the new house, the old house from
2 the site of the garage. You see the garage is proposed to be
3 set well back for that construction. Now, here is the garage
4 site is about over here. This is the tree I was questioning.
5 Here are the two large trees that show the black walnuts, and
6 the sugar maple. This is the little dogwood that would be
7 replaced someplace else. It would be destroyed, but there
8 would be a replanting.

9 And this is looking toward the front of the
10 property. No, excuse me, that was over to the side. And this
11 is the house that is directly behind where the garage would
12 go, and it is quite close. It has been built back, but it is
13 quite close to the site of the garage. So I didn't know if
14 that was an issue or not. It isn't at a period section, but
15 it is again, it's back yard is right there.

16 And this is looking from the street. Here is the
17 sugar maple, and here are the two black walnuts. So I'm
18 looking down the alley that is proposed, which would be just
19 beyond the, at the edges of the roots of the tree. And here
20 is the historic resource.

21 This is the garage that was constructed. It is
22 very, basically a garage, but it is a very big house. And it
23 is set back. It is not set as far back, and it does have a
24 lot of driveway, which when it is new is very visible. It
25 hasn't faded out at all.

1 And this is the other garage I was talking about,
2 that is an older garage, perhaps not as old as the house, but
3 still older. They were denied a request to put in a larger
4 garage. But they probably would have been allowed to put a
5 shed or something beside it, but I'm not sure that's -- they
6 didn't come in for that. They came in for, I believe, for a
7 replacement.

8 And this is the open lot on the other side of that
9 house that has the garage. And this is another open lot
10 that's available for in-fill building. And this is an in-fill
11 that came in. That's directly, almost directly across the
12 street from where the proposed driveway is. So that's, you've
13 seen that slide many times. That's the pre-existing in-fill
14 in the historic district. Taller, I believe, than the one
15 that's now being built. And that may be all I have.

16 Let me ask one question. Is the garage that was
17 built at 3915 the same height as the one you are proposing?

18 MR. MYER: Approximately.

19 MS. KEPHART: It's a little low, though, isn't it?
20 Because this is a one and a half story, and that's only a one
21 story?

22 MR. MYER: It's a hip roof. The existing house is a
23 hip roof. This is a gable. But if that were a criteria, I
24 mean, we could certainly --

25 MS. KEPHART: Lower it?

1 MR. MYER: Yes, again, it sits low in the back, so I
2 think, the grade drops off in the back. I would like to think
3 of, one suggestion I had made to the owner, which she wasn't
4 crazy about, but I want to throw this out at you because, to
5 see how you would react. Because, you know, I looked at this
6 and I said, well, at first I looked back and I saw, from the
7 street you can look back and you'll see something in the back
8 of this lot that you didn't see before.

9 And I am wondering how the Commissioners would feel
10 if the garage were behind the existing house. If that would
11 make, meaning that if you would look from this tree, you would
12 still only see the existing house. And it wouldn't affect
13 that sort of open swath of green that looks back to the next
14 block. You know, if the house was, instead of being in the
15 back corner, was reoriented behind the existing house, whether
16 that would, you know alleviate any of the concerns that have
17 been raised in terms of -- I mean, it seems to me, visually,
18 it would preserve some of the open space.

19 Now, I know physically, it would be the same lot
20 coverage, in terms of the 11 or 12 percent. But somehow,
21 visually, I think it might -- I felt it would be a better
22 location. The concern there is, again, there is the bigger
23 tree that you see on the right. It would have to be fairly
24 close up to the house.

25 I mean, the reason I say this is because I don't

1 think it would be unusual or out of the norm to think that,
2 you know, five or 10 years from now, that somebody might come
3 in, and Mrs. Ahearn might sell this house, and somebody might
4 propose an addition on the back of her house, of the existing
5 house that's there. And I think that that's something that's
6 normally approved, if it's not visible from the street, if the
7 lot coverage is pretty close to what the guidelines are.

8 So I'm thinking, that's why I'm throwing this out,
9 to see if that would alleviate any concerns.

10 MS. VELASQUEZ: I think that it is something to
11 think about, but I still don't particularly like it, and
12 because I have a few other problems other than the precise
13 location of the garage. It is how we get to the garage in the
14 first place that is really hanging me up.

15 I've seen too many trees go down, all over the
16 County. And I'm really concerned about these trees. And at
17 the same time, I do echo what Commissioner Harbit said. And
18 frankly, looking at the slides brought this feeling out even
19 more intensely. This is going to get really crowded.

20 One of the greatest pleasures of Kensington is the
21 fact that there is nothing but grass and trees and bushes, and
22 it is garden. And now it looks -- see, I'm not particularly
23 in favor of any in-fill at all.

24 So now that I've seen the in-fill house, which we
25 approved, starting to crowd in on this property, and now I'm

1 going to see another structure over here crowding on this
2 property, and there is a very real possibility that we could
3 lose trees in the process, I'm just not in favor of any of the
4 proposal at all.

5 MR. HARBIT: Mr. Chairman, I would move that we deny
6 Case number 31/6-00K.

7 MS. VELASQUEZ: I'll second.

8 MR. KOUSOULAS: All those in favor of the motion,
9 raise your right hand? All those opposed? The motion passes
10 four to one.

11 MS. KEPHART: Thank you.

12 MR. KOUSOULAS: Okay. The next case is a
13 preliminary consultation. Do we have a staff report?

14 MS. NARU: All right, we're just going to --

15 MR. KOUSOULAS: Okay.

16 MS. NARU: Preliminary consultation number one is a
17 second preliminary consultation for this applicant for the
18 lots 99 and 100 in Hyattstown, 25912 Frederick Road. The
19 proposal is to construct a house on lot 99 and have a driveway
20 on lot 100 in Hyattstown.

21 At the previous preliminary consultation, the
22 applicant presented three house designs to the HPC which
23 included a garage design for lot 99. The applicant indicated
24 at this meeting his preference for design number one. And
25 you'll see that at circle 29 and 31.

1 to be sure it is placed where it is. We actually don't have
2 any control of that once it is outside of the environmental
3 setting. However, they do need that room where the rings are
4 for the rings. And they would like the arena as a backdrop.

5 And they are coordinating all of the construction
6 with the Parks people who actually own the site, the Parks
7 Department. So it would be Mike Dweyer at the Parks
8 Department, if you had any concerns about that. He looks
9 after historic properties in the parks.

10 But anyway, where they are suggesting is really
11 where they are planning to put it.

12 VOICE: It is going to be back.

13 MS. KEPHART: Yes, because they want the room for
14 the rings.

15 VOICE: Okay.

16 MR. KOUSOULAS: Okay?

17 VOICE: Very good. Thanks.

18 MR. KOUSOULAS: Thank you.

19 MS. VELASQUEZ: Mr. Chairman, I move we approve
20 staff report on Case 36/02-00A, Meadowbrook Lane, Chevy Chase.

21 MS. WATKINS: I second.

22 MR. KOUSOULAS: All those in favor, raise your right
23 hands? All those opposed? The motion passes unanimously.

24 The final Historic Area Work Permit tonight is Case D.

25 MS. KEPHART: This application is for a new garage

1 at 3920 Baltimore Avenue in Kensington historic district. The
2 applicant has proposed to construct a new garage and a
3 driveway. I'm passing around pictures. I also have slides.

4 But I think the pictures, because of the leaves on
5 the trees, the pictures are a better indication of the design
6 of the house. I didn't get a good picture of the house. And
7 I can show you the slides that show a little more of the
8 topography. The applicant actually proposes to construct --
9 would you like to give those? That's great. Super.

10 The applicant proposes to construct a 24 by 24 two-
11 car garage to replace a garage. I'm going to show slides. A
12 24 by 24 frame garage with wood siding. It was designed to
13 refer back to the Italian, although it is more of a four-
14 square shape. It is a little more of a colonial revival
15 shape. And it is very much within the style of the garage
16 that you all approved at 3915 Baltimore Avenue, across the
17 way.

18 This area has been the subject of a fair amount of
19 discussion by the Commission over the last few years, both as
20 to garages, porches, and other things. But also because this,
21 the house at 3920 was originally on three lots, it is now on
22 two, and the third lot on the right, it now has a new house
23 being constructed on the site of the original auto barn, which
24 was a little one car auto barn. That auto barn is being
25 placed at the back of what is called lot 11, the right-hand

1 lot. So now the large house has no garage.

2 Staff felt that the design of the garage was
3 interesting, but that it did refer more to the -- although
4 there were some discrepancies in the design, it referred so
5 much more to the colonial revival style that the house is
6 taking on, rather than the original I-house. We were
7 concerned about the size, whether it wasn't too big.

8 Probably the largest concern of staff was that the
9 driveway is proposed to be cut through an area that is quite
10 steep, past a very large healthy maple tree. And it looks
11 like the tree could not survive it.

12 It also, the tree survey that was included, it shows
13 a dogwood tree being removed. And the applicant has indicated
14 she would be glad to plant it elsewhere, which is fine, but
15 there is also a holly tree, quite a tall holly tree in that
16 same place that was not clearly shown on the tree survey. And
17 it's not clear that that would not also have to be removed,
18 because it is very -- it looks like it is in the line of the
19 driveway. So I would ask applicant, or the applicart's
20 representative, Mr. Myer, to respond to that.

21 What I've put down as conditions were that if the
22 driveway were approved, it would be construction of grass
23 pavers or something that would have less effect on the garden
24 district.

25 You have a number of letters from the Kensington

1 Historic District representatives, including the Historical
2 Society and the LAP. The LAP does recommend that it be
3 approved, but with the staff conditions. And the Historical
4 Society, Julie O'Malley, recommends that it be -- that if it
5 is approved, that it be approved as a smaller building, and
6 raises a number of questions that should be answered by the
7 Commission before, or by the applicant before a final decision
8 is made.

9 And Helen Wilkes has also written in. And she's
10 president of the Local Land Trust. And she's on the
11 Historical Society Committee. And she's concerned, she has a
12 number of issues that she raises in her letters. The letters
13 will all be part of the record, but I ask you to look at those
14 and consider her objections.

15 In trying to deal with the driveway, as I say, staff
16 recommends grass pavers or a somewhat impermeable surface.
17 The applicant has specifically said she does not want gravel.
18 And gravel becomes impermeable anyway, so it is probably not
19 an option. I recommend that no turn around apron be used,
20 even if the garage is made smaller, that there not be a large
21 turning area, increasing the size of the paving directly in
22 front of the garage beyond what is already shown.

23 There is also sidewalk proposed, and I think that's
24 fine, but just recommend that there was nothing said about
25 paving, so we just included brick to match the front walk.

1 There is a side door to the garage. There is a
2 shelter, and staff recommended that that be simplified to a
3 smaller shed roof cover simply to provide shelters at the
4 doorway, rather than a full architectural feature.

5 And lastly, staff recommends that a tree survey be
6 made to ascertain whether there would be negative impact on
7 the trees, particularly on the front tree, which is an
8 important part of the streetscape in that area. But I would
9 also add that we probably, staff would ask that the staff for
10 arborist also provide an opinion to the Commission. The Park
11 and Planning staff arborist also provide an opinion, as well
12 as an arborist from the area.

13 And I recommended several different sizes, either a
14 two-car that is the full size, and that the drawings more
15 accurately reflect what they are proposing; or a smaller
16 garage that is a minimal two-car garage, since they are only
17 replacing a one-car garage. Or, in fact, go down to a very
18 small one-car garage, or either a 12 by 15 or a -- 12 by 20 or
19 15 by 20. And that the design of that be a simple front gable
20 that is more in keeping with the auto barn that was taken down
21 or moved, but in any case, removed from this property.

22 The issues, most of the issues that have come out of
23 the district have to do with the garden setting. The
24 percentages that the house now is 9.7 percent lot coverage
25 without a garage, and over 10 percent. In this area, my

1 understanding was that 10 percent was the optimum number for
2 lot coverage. An this garage brings it up over 12. So that
3 does need to be considered. But the average in the division
4 for Kensington for the overall district is 15 percent, and it
5 is under that overall number.

6 That average is derived from the houses that are
7 much closer together, and this area that has the houses much
8 wider apart. So this is the wide end of that average, as far
9 as the open space.

10 I can show you slides, and the applicant's architect
11 is here, George Myer.

12 MR. KOUSOULAS: Does anyone need to see slides, or
13 are the pictures -- okay. I've got one quick question.
14 What's the point of condition five?

15 MS. KEPHART: Because I think that the tree at the
16 front of the property would be killed by what is being
17 proposed.

18 MR. KOUSOULAS: But if we approve the HAWP and the
19 arborist says, yeah, it will get killed, what is our recourse?

20 MS. KEPHART: You mean, that it shouldn't be a
21 condition that it should be there?

22 MR. KOUSOULAS: Well, what does --

23 MS. KEPHART: That's a good point. It probably
24 should not be a condition. It should be something that should
25 be determined before any vote should be taken; that that tree

1 will not be killed.

2 MR. KOUSOULAS: Okay. The applicant is here. How do
3 you feel about those conditions, minus five, or this adjusted
4 five?

5 MR. MYER: I just wanted to ask one question. Is
6 the tree that you are concerned with, is that the one all the
7 way up towards the sidewalk, or the second one back?

8 MS. KEPHART: All the way up toward the sidewalk.

9 MR. MYER: All the way up towards the sidewalk.
10 Okay.

11 MS. KEPHART: The two toward the back, the black
12 walnuts, I think are going to be negatively impacted, but I
13 think the sugar maple will be killed.

14 MR. MYER: Well, you know, I look at it. I think
15 what I sketched on there, the picture I sent over to you, I
16 can tell you what we are trying to do is locate it as far as
17 we could. The only problem we have is we have an existing
18 fire hydrant right there.

19 So I think at the end of the day, you know, if there
20 is a way that we can -- I guess what I would like to say is
21 that if the arborist feels that by locating it where it is
22 that it would kill that tree, I don't think anybody wants that
23 tree to be killed. I would say that Jeanne Ahearn probably
24 ought to take steps to see what she could do to relocate the
25 fire hydrant over a little bit, so that she could move the

1 driveway over a little bit, which would be totally out of the
2 drip line of that tree.

3 See, it's just barely in the drip line where you cut
4 through that retaining wall there.

5 MS. KEPHART: Yes, I don't know what the other trees
6 are in that hedgerow between the two houses.

7 MR. MYER: I think that that's the only --

8 MS. KEPHART: So I don't know if that would solve
9 the problem.

10 MR. MYER: I'm not sure that it would either, but I
11 know that if, I think it's right now where we are proposing to
12 cut it, it is just barely in the drip line of that tree. And
13 I'm no arborist, so I couldn't really speak to it.

14 MS. KEPHART: But it is a very deep cut.

15 MR. MYER: It is. It is about -- I'm not denying
16 that it is.

17 MS. KEPHART: Yes.

18 MR. MYER: Yes. So I couldn't really say. But, you
19 know, the attempt is to try to get as far away as we can.
20 That's really the only place to make the cut, as far as where
21 the garage is located. I specifically just went back there
22 and found what I thought was like the one spot that was kind
23 of out of the drip line of everything, so that the garage is
24 in a spot where I thought it would be the least noticeable.

25 The ground drops off to the back left corner of the

1 lot. I think standing on the street, it is not going to be a
2 big, to me, I think that the garage is going to be lower than
3 the house. The house is up here. The garage sits down back
4 on the left. I'm just giving you some ideas as to why things
5 are.

6 Obviously, the design of the garage was an intent to
7 have a gable parallel to the existing house, with a peak off
8 the front, which is what the existing house does. Again, I'm
9 representing the owner. I spoke to the owner about some of
10 these conditions.

11 And I, as you know, Perry, I suggested that she do a
12 gravel driveway, to begin with. She responded that she
13 doesn't understand why the house directly across the street on
14 two lots, a very similar situation, is allowed to have a 20
15 foot wide paved driveway from the street down to a 24 by 24
16 garage with a porch on the side, and she can't.

17 That was a garage that I did and was approved here
18 probably a year ago or so, and is built. I'm not saying that
19 that means that this is okay. I am just giving you her
20 response.

21 She basically told me that I should -- she would
22 like to have a two-car garage and have room in there extra for
23 a couple bikes. So that's why it is 24 by 24 and not 20 by
24 20. Because you know, if you have a 20 by 20 garage, it is
25 really a one-car garage with some bike storage.

1 At the end of the day, this is what the applicant
2 would like to see. And I don't object and she doesn't object
3 to having an arborist certify that whatever the driveway
4 material or driveway that is being proposed does the minimal
5 damage to the existing trees.

6 So she basically doesn't want to change the design
7 of the garage, but wants to do everything she can to avoid the
8 loss of trees.

9 MS. VELASQUEZ: Do you know if Mrs. Ahearn saw this
10 letter from Kensington Historical Society?

11 MS. KEPHART: I would be surprised, because I think
12 it came in fairly late today.

13 MR. MYER: I have not even --

14 MS. KEPHART: I am not sure George has seen it.

15 MR. MYER: I have not seen it either, although I can
16 predict what it says.

17 MS. WATKINS: It basically just has a few questions.
18 Has the town approved a new curb cut?

19 MR. MYER: No, but I guess to me it is a separate
20 issue. You can't -- you have to get the design approved by
21 the HPC, a curb cut approved by the town, maybe by the
22 Department of Transportation. But all of them have to be
23 approved in order to do it. We could get the garage approved
24 here, and not be able to have a driveway.

25 So it's -- but I guess, to me, this is the first

1 step, to me, because it is easiest for me than to deal with
2 the bureaucracy of the Department of Transportation or whoever
3 it is. This is a relatively easy first step. And if we are
4 denied here, then I don't need to go to that trouble. Right.

5 MS. WATKINS: Does the garage ^{need} need the five-foot
6 setback of the town?

7 MR. MYER: Yes, the garage would need a five-foot
8 setback. Well, you know, it is funny because Montgomery
9 County in the past hasn't been really consistent about their
10 setbacks, in terms of garages.

11 In know that my own garage, which I built about --
12 was approved two years ago, was given a two-foot setback, rear
13 and side, based on the age of the lot. While I know that the
14 typical Montgomery County setback is five from the rear and
15 five from the side, that is what the, for R-60 zoning, that's
16 what the Zoning Ordinance says. In older lots, they have
17 maintained the two and the two.

18 We are perfectly amenable to the five feet on the
19 rear, and we are really about 10 feet from the side, because
20 we are trying to stay away from the trees. But again, where
21 the garage is located was really, it is a natural clearing
22 there, where it would do the minimal impact to the trees.

23 MR. HARBIT: Can you tell me why -- I'm sorry.

24 MS. KEPHART: I just want to know, can you respond
25 about the holly tree, because that tree looks -- as I stood

1 there in the driveway, it was directly in the line back to the
2 garage site.

3 MR. MYER: When I walked through, I thought it was
4 just the dogwood that needed to go. And I felt like could
5 dodge through there. The driveway at the end of the day, you
6 know, may not be a straight shot. It may need to bend a
7 little bit to the right spot through there.

8 MR. HARBIT: Can you tell me why this garage was not
9 originally proposed to us when we looked at the new
10 construction of the house?

11 MR. MYER: No. The owner approached me, you know,
12 two or three months ago and said that she wanted to build a
13 garage and would I design it for her. I don't know.

14 MR. HARBIT: Because I'm really concerned that I was
15 misled, that this property was going to be so heavily
16 developed. Because there was no indication when we were
17 looking at the new house construction that the owner was going
18 to be coming back again to bring out another new building.
19 Was staff aware of this?

20 MR. MYER: I had discussions with Robin Ziek that if
21 the owner at a later date decided to do a garage, the location
22 of the driveway, there was discussions about a location of a
23 future driveway for some other garage.

24 But it was also in discussion with whether, you
25 know, it was part of the discussion as to whether or not the

1 existing garage was going to be relocated or if it was going
2 to stay on that site, if the Jeannie Ahearn wanted to build
3 another garage to replace it, where would a driveway be. And
4 we said, well, that's something for a later time.

5 And, you know, regardless, I can tell you on my end,
6 to me, you have every -- if we had proposed a garage then, I
7 mean, you could have denied it then, you could deny it now, I
8 mean, if you don't feel it's appropriate.

9 MR. HARBIT: Well, that is, I guess, that's my
10 point. If we had been presented with this total development
11 scenario when we were looking at this property and subdivision
12 and a new house proposal, construction, I think that it would
13 have had a different outcome before this Commission. And I
14 feel that I am being nibbled at.

15 That you get a subdivision. You get a new house.
16 And then, oh, by the way, we forgot the garage. And oh yeah,
17 we are still under the maximum development percentage. And
18 that is significantly eroding the garden character of
19 Kensington, by nibbling away at the open space this way.

20 MS. WATKINS: I would agree with you. I have a real
21 concern also about taking the existing garage from the
22 existing house and using it for the new house, and then
23 coming and saying, I want a new garage for my house, after you
24 have taken away the other one.

25 MR. MYER: I don't -- I guess I would say that if

1 there was something that doesn't conform with the guidelines
2 for coming back and proposing something that doesn't still
3 meet the criteria, you have every reason to deny something.
4 An owner has a right to apply for anything, you know.

5 If she decides to add a garage at some point at a
6 later time, she has a right to propose it. And if it is not
7 within the guidelines, you have a right to deny it. But I
8 take a little bit of exception if you think there is something
9 deliberate going on.

10 As far as I'm concerned, the cottage, and that lot
11 is its own thing over there. And that was, you know, approved
12 or denied based on the merits of that property. And now we
13 have a lot that sits on two, it is two lots now, and there is
14 a lot coverage that applies there, and precedents that apply
15 there, and you can apply whatever you want. But I can assure
16 you that, you know, there is no -- I mean, you can ask Robin.
17 There were discussions about a driveway coming up this side
18 for a future garage.

19 It never came up in the hearings here. She never
20 brought it up. As far as I was concerned, it was for, you
21 know, a later date. And we are talking about it now. I mean,
22 you have the, if it is something you feel is not appropriate
23 for this lot, which is now two lots, and the lot coverage is
24 unacceptable -- I take a bit of exception if you think that
25 there was something devious going on here.

1 MR. KOUSOULAS: No, we should never ascribe that to
2 any applicant, and I don't think we are. In a case like this,
3 I think what we do need to do, though, is look at the property
4 as something that is constantly in flux.

5 And by that I mean, we need to establish whether
6 things are becoming too congested, and not look at the house
7 plus the additions as sort of an existing condition, as if it
8 were a legacy from 30 years ago, or 80 years ago, or 100 years
9 ago. But we need to see how these gradual accretions are
10 affecting the district, and as the ordinance applies to this
11 district.

12 And by that standard, I think that a Commissioner
13 can, I think, should wisely look at this new garage and any
14 additions that may have been approved fairly recently, and
15 sort of look at the whole composition.

16 MS. LESSER: What was the date of that approval?

17 MS. KEPHART: For the new house?

18 MS. LESSER: Yes.

19 MS. KEPHART: Isn't it 2000? I mean, it's been this
20 year.

21 MR. HARBIT: Just a few months ago.

22 MS. KEPHART: Yes.

23 MR. HARBIT: Well, when I was looking at this
24 proposal, the previous permit for the house, I was looking at
25 it and the design and scale of it as the primary resource with

1 a secondary building. And that's one of the reasons why, at
2 least from my point of view, the second building was set back
3 further from the street, has a more narrow street appearance.
4 So that you had a primary house and a secondary building.

5 And because that's the way this property overall had
6 read before, and the new house was basically obscuring the
7 garage, which was way in the back. So you still had that
8 feeling of a primary with secondary.

9 Now, what you've got is a primary, a secondary, and
10 yet another secondary. And if you look at the overall site
11 plan, instead of two buildings you've got a house, a second
12 house, two garages and a storage shed. And I, for one, think
13 it is just becoming too congested, and will significantly
14 erode the environmental setting of the historic district, if
15 we approve yet another building on this property.

16 MS. KEPHART: The slides show the house, the new
17 house being built. That was why I wanted to show them, was to
18 show what the changes in the open spaces are, and also to show
19 you the grade. Because staff is more concerned about the
20 driveway than --

21 MS. LESSER: I'd like to see the slides, please.

22 MS. WATKINS: Can I ask one question while she's
23 getting the slides ready? Are there other 24 by 24 garages in
24 that district?

25 MS. KEPHART: He just constructed one across the

1 street that was on the pad of a pre-existing garage with an
2 earlier existing driveway that was probably not as wide as the
3 one that went in, is that right? And also not as paved. It's
4 paving had deteriorated. And that's the garage that I believe
5 the applicant is referring to. And I have a picture of that.

6 There was also a garage, that was at 3915. At 3923
7 there was a garage that is smaller, setback somewhat the same
8 as this is, and the applicant was not allowed to increase the
9 size of it, but was, it was an existing historic garage that
10 they had to keep small. But I didn't actually see that
11 application. I was just told that by that neighbor.

12 Here is the house on the left, and the new house to
13 the right. It is set back from the original house, but it is
14 visible from -- I'm just standing on the street, so it is
15 right there. But don't pay any attention to the construction
16 activity in front of it. Obviously, it will be gone.

17 This is looking down toward the site, and the tree
18 in question is on the right. But this is about where the cut
19 would go, is where the shadow starts beyond that strip of
20 sunlight. This is just another view farther down showing
21 where it would go.

22 This is the back yard. I'm standing behind the
23 house and in front of where the garage would go. And this is
24 the new construction. And the old garage would be, I assume
25 will be reassembled back here.

1 This is looking at the new house, the old house from
2 the site of the garage. You see the garage is proposed to be
3 set well back for that construction. Now, here is the garage
4 site is about over here. This is the tree I was questioning.
5 Here are the two large trees that show the black walnuts, and
6 the sugar maple. This is the little dogwood that would be
7 replaced someplace else. It would be destroyed, but there
8 would be a replanting.

9 And this is looking toward the front of the
10 property. No, excuse me, that was over to the side. And this
11 is the house that is directly behind where the garage would
12 go, and it is quite close. It has been built back, but it is
13 quite close to the site of the garage. So I didn't know if
14 that was an issue or not. It isn't at a period section, but
15 it is again, it's back yard is right there.

16 And this is looking from the street. Here is the
17 sugar maple, and here are the two black walnuts. So I'm
18 looking down the alley that is proposed, which would be just
19 beyond the, at the edges of the roots of the tree. And here
20 is the historic resource.

21 This is the garage that was constructed. It is
22 very, basically a garage, but it is a very big house. And it
23 is set back. It is not set as far back, and it does have a
24 lot of driveway, which when it is new is very visible. It
25 hasn't faded out at all.

1 And this is the other garage I was talking about,
2 that is an older garage, perhaps not as old as the house, but
3 still older. They were denied a request to put in a larger
4 garage. But they probably would have been allowed to put a
5 shed or something beside it, but I'm not sure that's -- they
6 didn't come in for that. They came in for, I believe, for a
7 replacement.

8 And this is the open lot on the other side of that
9 house that has the garage. And this is another open lot
10 that's available for in-fill building. And this is an in-fill
11 that came in. That's directly, almost directly across the
12 street from where the proposed driveway is. So that's, you've
13 seen that slide many times. That's the pre-existing in-fill
14 in the historic district. Taller, I believe, than the one
15 that's now being built. And that may be all I have.

16 Let me ask one question. Is the garage that was
17 built at 3915 the same height as the one you are proposing?

18 MR. MYER: Approximately.

19 MS. KEPHART: It's a little low, though, isn't it?
20 Because this is a one and a half story, and that's only a one
21 story?

22 MR. MYER: It's a hip roof. The existing house is a
23 hip roof. This is a gable. But if that were a criteria, I
24 mean, we could certainly --

25 MS. KEPHART: Lower it?

1 MR. MYER: Yes, again, it sits low in the back, so I
2 think, the grade drops off in the back. I would like to think
3 of, one suggestion I had made to the owner, which she wasn't
4 crazy about, but I want to throw this out at you because, to
5 see how you would react. Because, you know, I looked at this
6 and I said, well, at first I looked back and I saw, from the
7 street you can look back and you'll see something in the back
8 of this lot that you didn't see before.

9 And I am wondering how the Commissioners would feel
10 if the garage were behind the existing house. If that would
11 make, meaning that if you would look from this tree, you would
12 still only see the existing house. And it wouldn't affect
13 that sort of open swath of green that looks back to the next
14 block. You know, if the house was, instead of being in the
15 back corner, was reoriented behind the existing house, whether
16 that would, you know alleviate any of the concerns that have
17 been raised in terms of -- I mean, it seems to me, visually,
18 it would preserve some of the open space.

19 Now, I know physically, it would be the same lot
20 coverage, in terms of the 11 or 12 percent. But somehow,
21 visually, I think it might -- I felt it would be a better
22 location. The concern there is, again, there is the bigger
23 tree that you see on the right. It would have to be fairly
24 close up to the house.

25 I mean, the reason I say this is because I don't

1 think it would be unusual or out of the norm to think that,
2 you know, five or 10 years from now, that somebody might come
3 in, and Mrs. Ahearn might sell this house, and somebody might
4 propose an addition on the back of her house, of the existing
5 house that's there. And I think that that's something that's
6 normally approved, if it's not visible from the street, if the
7 lot coverage is pretty close to what the guidelines are.

8 So I'm thinking, that's why I'm throwing this out,
9 to see if that would alleviate any concerns.

10 MS. VELASQUEZ: I think that it is something to
11 think about, but I still don't particularly like it, and
12 because I have a few other problems other than the precise
13 location of the garage. It is how we get to the garage in the
14 first place that is really hanging me up.

15 I've seen too many trees go down, all over the
16 County. And I'm really concerned about these trees. And at
17 the same time, I do echo what Commissioner Harbit said. And
18 frankly, looking at the slides brought this feeling out even
19 more intensely. This is going to get really crowded.

20 One of the greatest pleasures of Kensington is the
21 fact that there is nothing but grass and trees and bushes, and
22 it is garden. And now it looks -- see, I'm not particularly
23 in favor of any in-fill at all.

24 So now that I've seen the in-fill house, which we
25 approved, starting to crowd in on this property, and now I'm

1 going to see another structure over here crowding on this
2 property, and there is a very real possibility that we could
3 lose trees in the process, I'm just not in favor of any of the
4 proposal at all.

5 MR. HARBIT: Mr. Chairman, I would move that we deny
6 Case number 31/6-00K.

7 MS. VELASQUEZ: I'll second.

8 MR. KOUSOULAS: All those in favor of the motion,
9 raise your right hand? All those opposed? The motion passes
10 four to one.

11 MS. KEPHART: Thank you.

12 MR. KOUSOULAS: Okay. The next case is a
13 preliminary consultation. Do we have a staff report?

14 MS. NARU: All right, we're just going to --

15 MR. KOUSOULAS: Okay.

16 MS. NARU: Preliminary consultation number one is a
17 second preliminary consultation for this applicant for the
18 lots 99 and 100 in Hyattstown, 25912 Frederick Road. The
19 proposal is to construct a house on lot 99 and have a driveway
20 on lot 100 in Hyattstown.

21 At the previous preliminary consultation, the
22 applicant presented three house designs to the HPC which
23 included a garage design for lot 99. The applicant indicated
24 at this meeting his preference for design number one. And
25 you'll see that at circle 29 and 31.

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

**8787 Georgia Avenue
Silver Spring, Maryland 20910**

301-563-3400

Case No. 31/6-00K Received September 14, 2000

Public Appearance October 11, 2000

Before the Montgomery County Historic Preservation Commission

Application of Jeannie Ahearn
3920 Baltimore Street, Kensington

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to construct a 24 x24 square foot two-car garage and asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree.

Commission Motion: At the October 11, 2000 meeting of the Historic Preservation Commission, Commissioner Harbit presented a motion to deny the application to construct a 24 x 24 s.f. two-car garage and an asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree. Commissioner Velasquez seconded the motion. Commissioners Harbit, Velasquez, Watkins, and Lesser voted in favor of the motion. Commissioner Kousoulas voted against the motion. Commissioners DeReggi, Eig, Spurlock and Breslin were absent. The motion passed 4-1.

BACKGROUND:

The following terms are defined in Section 24A-2 of the Code:

Commission: The historic preservation commission of Montgomery County, Maryland.

Director: The director of the department of permitting services of Montgomery County, Maryland or his designee.

Exterior features: The architectural style, design and general arrangement of the exterior of an historic resource, including the color, nature and texture of building materials, and the type and style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

Historic District: A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archeological or cultural values within the Maryland-Washington Regional District and which has been so designated in the master plan for historic preservation.

Historic resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture.

On September 13, 2000, George Myers, the architect for Jeannie Ahearn completed an application for a Historic Area Work Permit (HAWP) to construct a 24x24 square foot, 1 ½-story garage and an asphalt driveway. 3920 Baltimore Street is designated a primary resource in the Kensington Historic District designated as an amendment on the Master Plan For Historic Preservation In Montgomery County in 1986. It is also designated an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery County, Maryland and listed on the National Register of Historic Places.

The designation lists the residence as:

- Circa 1880 Italianate "I" House with later Colonial Revival addition.
- A side-gabled, frame residence with lapped wood siding, and a center front gable with fishscale shingle cladding.
- With an auto-barn that is a contributing resource.

The historic resource is located on two lots with the majority of the building footprint on the right hand lot. On the left hand lot are a number of large trees. The auto-barn listed in the designation is on a third lot that has been sold and on which a house is being built on the site of the auto-barn. The auto-barn is to be placed at the rear of that property. There is an existing shed behind the historic resource.

EVIDENCE IN THE RECORD:

A written staff recommendation on this case was prepared and sent to the Commission on October 4, 2000. At the October 11, 2000 HPC meeting, staff person Perry Kephart showed 35MM slides of the site and presented an oral report on the staff recommendation. Staff recommended approval of the garage and driveway with a number of conditions that related to specific concerns about the proposed use of asphalt paving, the loss or potential loss of trees at the site, and reducing the size of the proposed garage. The concerns were:

1. The garage was proposed to replace a one-car auto barn and is substantially larger than its historic predecessor.
2. The proposed garage was substantially larger in scale than the historic resource, an 1880's I house, for which it was to be an accessory building.
3. The proposed new construction increased the lot coverage for a primary resource in the core historic district from 9.7% to 12.2%, substantially more than the 10% lot coverage recommended in the guidelines for primary resources.
4. The installation of a new driveway and garage may be detrimental to the sense of open space and garden setting of the primary resource.
5. The use of asphalt paving for the driveway in the critical root zones of several mature trees would negatively impact, if not kill the trees.
6. The need for substantial grading at the front of the lot would negatively impact a mature tree that is an important component of the core historic district streetscape.
7. The removal of a healthy dogwood tree and holly are not in keeping with the guidelines for the district.
8. The installation of large new accessory buildings in the historic district has not generally been approved.
9. The installation of paving in garden areas in the historic district has not generally been approved.

The applicant's architect, George Myers, attended the meeting. In response to the concern about the maple tree at the front of the lot, he suggested that the driveway be moved further away from the tree if a fire hydrant could be relocated to accommodate the change. He pointed out that the property drops off at the back corner such that the garage would be sited below grade from the front of the property and partially obscured from the street. He indicated that the previous garage

had been too small to function as a garage and that the applicant would like to have a two-car garage with room for bike storage. He also concurred with having an arborist certify as to the best paving material to prevent or to minimize damage to the existing trees.

The Kensington Local Advisory Panel sent in a letter in support of HPC staff's recommendation for approval with conditions, but noted that the addition of a new garage would be detrimental to the garden setting of the historic district. It would also add to an existing assemblage of structures on the three lots that were the Ahearn property. The majority of LAP members supported the approval of a smaller garage more in keeping with the original garage and asked that the footprint be no larger than 20x20 s.f.

The Kensington Historical Society, Inc. sent in a letter signed by Julie O'Malley, Chair of the Preservation Committee. The Committee felt that the replacement of a one-car garage with a large two-car garage was out of scale and not in the style of the main house. They also pointed out that the width of the new garage would be nearly the same width as that of the new house being constructed on the other side of the property. They felt that the brick retaining walls for the driveway were not clearly described. They asked that any means of diminishing the negative impact of the installation on the mature trees, as well as the negative visual impact on the open space should be explored. They felt that all the changes on the property would erode all *sense of time and place as a Victorian Garden Suburb* for which Kensington was placed on the National Register. They asked that the new structure be considered under the Montgomery County ordinance for historic preservation as to how the project would affect the attributes for which Kensington was designated as a historic district.

Helen Crettier Wilkes, who is an adjacent property owner, president of the Kensington Land Trust, and a residential architect, also sent in a letter. She indicated that the proposed garage furthers the erosion (of the historic district's garden setting) started by the construction of a house directly adjacent to the historic residence. She stated that the new construction signaled that the pursuit of private interest is more important to some property owners than the well-documented, well-supported preservation of a community heritage. Viewed just on its own merits, Ms. Wilkes noted that it is overscaled relative to the house for which it would be an ancillary structure. She also indicated that the probable damage and destruction of several mature trees calls to question the viability of the entire proposal. She also pointed out that in order to construct the driveway, it would be necessary to build retaining walls on either side of the driveway after cutting into the slope of the hill on which the house sits. Such cuts would diminish the characteristic rolling, naturalistic landscape on which the historic homes are placed. She pointed out that many historic homes in town do not have a garage, but asks that if the garage is approved, that the related damage be minimized. She also encourages the applicant to consider protection of the open space by means of a donated conservation easement.

Commissioner Watkins asked if Mr. Myers had seen the letters, and he had not. She asked if

permission had been given for the curb cut and Mr. Myers indicated that they were coming to the HPC first. She then inquired as to the need for the five-foot setback, but was told that it could be accomplished, and that on historical lots, only two foot setbacks are sometimes required. Mr. Myers also indicated that the holly tree discussed by staff could be avoided by curving the driveway.

Commissioner Harbit asked why the garage was not proposed at the time that the adjacent new construction was brought to the HPC. He indicated his concern that there is so much development on this property. He felt the HPC was being asked for too many projects to go on this site; that as soon as one project is approved, the applicant returned with another development proposal. He stated that it was significantly eroding the garden character of the Kensington historic district by nibbling away at the open space.

Commissioner Watkins agreed with these remarks and added her concern that after taking an existing garage from an existing house and using its space for a new house, then the applicant now wants a new garage.

Mr. Myers responded that if the applicant decides she needs a garage she has the right to apply for one and if the HPC feels that it does not meet the historic district guidelines, they have the right to deny it. He pointed out that the new house had nothing to do with the current project.

Commissioner Kousoulas explained that the HPC should establish whether the site was becoming too congested, and whether the gradual accretions are affecting the district, and how the historic preservation ordinance applies to this situation and to the district.

Commissioner Harbit pointed out that the new house was specifically designed and sited to appear as an ancillary structure in relation to the primary resource. He felt that the new project means that there would be a primary, a secondary structure, and then a second secondary structure. On the site is a house, a second house, two garages and a storage shed if everything is built. He indicated that it was too congested and eroded the environmental setting of the historic district if the new project were approved.

Mr. Myers indicated that the similar garage across the street was approximately the same size as the proposed garage, although it was one-story as opposed to the one and a half story configuration proposed for the new garage. He also pointed out that the new garage would be set much farther back from the street, and on a lower site than the comparable garage. He also asked if the HPC would consider placement of the garage at the back of the house, out of sight from the street.

Commissioner Velasquez commented that the suggestion was something to be considered, but that she had other concerns beyond the precise location of the garage. Her main concern was the

driveway and its negative impact on the mature trees. She concurred with Commissioner Harbit that the site was becoming too crowded with the in-fill house and the proposed garage crowding from the other side.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The criteria which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Montgomery County Code, 1984, as amended.

Section 24A-8(a) provides that:

The Commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate or inconsistent with, or detrimental to the preservation enhancement or ultimate protection of the historic site, or historic resource within an historic district, and to the purposes of this chapter.

In analyzing whether the criteria for issuance of a Historic Area Work Permit have been met, the Commission also evaluates the evidence in the record in light of the *Vision of Kensington: A Long-Range Preservation Plan*. In particular, the following character-defining features, characteristics and strategies are applicable as guidelines in this case:

- Strategy 1.1: Any additional residential development on vacant lots within the historic residential core should meet the characteristic pattern of historical development for the district including maximum lot coverage of 10 percent.
- Guideline 1: The potential for infill development of the critical open space threatens to disrupt the historical pattern of development and character of the residential neighborhood within the district.
- Guideline 2: Kensington Historic District Lot Characteristics for 1890-1910 Properties include average lot coverage of 9% and average building separation of 75 feet.
- Feature 1: The Settings of the district's primary historic structures are picturesque with landscaped gardens composed of shrubs and flowers. Mature trees dot the environment.
- Feature 2: Rhythm of Spacing of the historic district's primary structures are at the middle of two lots, with large open-space to either side of the structures.

Feature 3: The houses share a uniformity of scale, set back and construction materials that when coupled with the subdivision plan creates a Victorian garden suburb.

The Commission also evaluates the evidence in light of generally accepted principles of historic preservation, including the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted in the HPC Executive Regulations in November 1997, to the extent that such Standards are consistent with the *Vision of Kensington: A Long-Range Preservation Plan*. In particular Standards #2, #9 and #10 are applicable in this case:

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

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Based on this, the Commission finds that:

1. 3920 Baltimore Street is a primary resource in the Kensington Historic District. For this reason it is essential to preserve the historic character, including the spatial relationship, of this resource and its setting, and maintain its integrity.
2. As listed on the National Register of Historic Places, the Kensington National Register Historic District is distinguished as a collection of houses that share a uniformity of scale, set back, and construction materials that when coupled with the subdivision plan creates a Victorian garden suburb.
3. The visual continuity and spatial harmony of the historic district is established along Baltimore Street with large free-standing structures separated by large gardens and vacant lots which would be impaired by new construction.
4. The settings of the historic district including landscaped gardens and mature trees that encompass the primary historic structures on either side have become intrinsic character defining features. Destruction of the trees would remove these character-defining features.
5. Lot coverage for primary 1890-1910 properties averages 9% v. 12.2% for this

proposal.


6. Building separation for primary 1890-1910 properties averages 75 feet v. 53 feet for this proposal.
7. The framework for the historic district includes the control of infill development that would compromise the historic setting of the district, and preservation of the critical open space that characterizes the suburban quality of the original historic development.
8. Tree preservation and limited construction in order to maintain maximum lot coverage of 10% are listed as construction guidelines for the Historic Residential Core where this property is located.
9. The applicant replaced an existing garage with infill housing.
10. The use of the garden as the site for a new garage and driveway is not consistent with the spatial relationships that characterize the historic district.

CONCLUSION:

The Commission was guided in its decision by Chapter 24A, by Historic Preservation Policy Guidelines in the Amendment to the *Vision of Kensington: A Long-Range Preservation Plan*, and by the Secretary of the Interior's Standards for Rehabilitation.

Based on the evidence in the record and the Commission's findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, the Commission must **deny** the application of Jeannie Ahearne for a Historic Area Work Permit (HAWP) to construct a 24 x24 square foot two-car garage and asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree at 3920 Baltimore Street in the Kensington Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-70(h) of the Montgomery County Code, an appeal may be filed within thirty (30) days with the Board of Appeals, which will review the Commission's decision de novo. The Board of Appeals has full and exclusive authority to hear and decide all appeals taken from the decision of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.


George Koussinas, Chairperson
Montgomery County
Historic Preservation Commission

October 26, 2000
Date



DEPARTMENT OF PERMITTING SERVICES
250 HUNGFORD DRIVE, 2nd FLOOR ROCKVILLE, MD 20850
301-217-6371

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: George Myers
Daytime Phone No.: 301 992-9002 ext. 13

Tax Account No.: _____
Name of Property Owner: Jeanne Aboen Daytime Phone No.: 3
Address: 3920 Baltimore St. Kensington, Md.
Street Number City State Zip Code
Contractor: To be determined Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: George T. Myers (GTM ARCHITECTS) Daytime Phone No.: 301 992-9002 ext. 13

LOCATION OF BUILDING/PREMISE

House Number: 3920 Baltimore St. Street: _____
Town/City: Kensington, Md. Nearest Cross Street: Connecticut Avenue
Lot: _____ Block: _____ Subdivision: _____
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
 Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: GARAGE
1B. Construction cost estimate: \$ _____
1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

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

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

Signature of owner or authorized agent: _____ Date: 9/13/00

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: Signature: _____ Date: 10-11-00
Application/Permit No.: 229876 Date Filed: 9/14/00 Date Issued: _____

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

**8787 Georgia Avenue
Silver Spring, Maryland 20910**

301-563-3400

Case No. 31/6-00K Received September 14, 2000

Public Appearance October 11, 2000

Before the Montgomery County Historic Preservation Commission

Application of Jeannie Ahearn
3920 Baltimore Street, Kensington

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to construct a 24 x24 square foot two-car garage and asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree.

Commission Motion: At the October 11, 2000 meeting of the Historic Preservation Commission, Commissioner Harbit presented a motion to deny the application to construct a 24 x 24 s.f. two-car garage and an asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree. Commissioner Velasquez seconded the motion. Commissioners Harbit, Velasquez, Watkins, and Lesser voted in favor of the motion. Commissioner Kousoulas voted against the motion. Commissioners DeReggi, Eig, Spurlock and Breslin were absent. The motion passed 4-1.

BACKGROUND:

The following terms are defined in Section 24A-2 of the Code:

Commission: The historic preservation commission of Montgomery County, Maryland.

Director: The director of the department of permitting services of Montgomery County, Maryland or his designee.

Exterior features: The architectural style, design and general arrangement of the exterior of an historic resource, including the color, nature and texture of building materials, and the type and style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

Historic District: A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archeological or cultural values within the Maryland-Washington Regional District and which has been so designated in the master plan for historic preservation.

Historic resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture.

On September 13, 2000, George Myers, the architect for Jeannie Ahearn completed an application for a Historic Area Work Permit (HAWP) to construct a 24x24 square foot, 1 ½-story garage and an asphalt driveway. 3920 Baltimore Street is designated a primary resource in the Kensington Historic District designated as an amendment on the Master Plan For Historic Preservation In Montgomery County in 1986. It is also designated an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery County, Maryland and listed on the National Register of Historic Places.

The designation lists the residence as:

- Circa 1880 Italianate "I" House with later Colonial Revival addition.
- A side-gabled, frame residence with lapped wood siding, and a center front gable with fishscale shingle cladding.
- With an auto-barn that is a contributing resource.

The historic resource is located on two lots with the majority of the building footprint on the right hand lot. On the left hand lot are a number of large trees. The auto-barn listed in the designation is on a third lot that has been sold and on which a house is being built on the site of the auto-barn. The auto-barn is to be placed at the rear of that property. There is an existing shed behind the historic resource.

EVIDENCE IN THE RECORD:

A written staff recommendation on this case was prepared and sent to the Commission on October 4, 2000. At the October 11, 2000 HPC meeting, staff person Perry Kephart showed 35MM slides of the site and presented an oral report on the staff recommendation. Staff recommended approval of the garage and driveway with a number of conditions that related to specific concerns about the proposed use of asphalt paving, the loss or potential loss of trees at the site, and reducing the size of the proposed garage. The concerns were:

1. The garage was proposed to replace a one-car auto barn and is substantially larger than its historic predecessor.
2. The proposed garage was substantially larger in scale than the historic resource, an 1880's I house, for which it was to be an accessory building.
3. The proposed new construction increased the lot coverage for a primary resource in the core historic district from 9.7% to 12.2%, substantially more than the 10% lot coverage recommended in the guidelines for primary resources.
4. The installation of a new driveway and garage may be detrimental to the sense of open space and garden setting of the primary resource.
5. The use of asphalt paving for the driveway in the critical root zones of several mature trees would negatively impact, if not kill the trees.
6. The need for substantial grading at the front of the lot would negatively impact a mature tree that is an important component of the core historic district streetscape.
7. The removal of a healthy dogwood tree and holly are not in keeping with the guidelines for the district.
8. The installation of large new accessory buildings in the historic district has not generally been approved.
9. The installation of paving in garden areas in the historic district has not generally been approved.

The applicant's architect, George Myers, attended the meeting. In response to the concern about the maple tree at the front of the lot, he suggested that the driveway be moved further away from the tree if a fire hydrant could be relocated to accommodate the change. He pointed out that the property drops off at the back corner such that the garage would be sited below grade from the front of the property and partially obscured from the street. He indicated that the previous garage

had been too small to function as a garage and that the applicant would like to have a two-car garage with room for bike storage. He also concurred with having an arborist certify as to the best paving material to prevent or to minimize damage to the existing trees.

The Kensington Local Advisory Panel sent in a letter in support of HPC staff's recommendation for approval with conditions, but noted that the addition of a new garage would be detrimental to the garden setting of the historic district. It would also add to an existing assemblage of structures on the three lots that were the Ahearn property. The majority of LAP members supported the approval of a smaller garage more in keeping with the original garage and asked that the footprint be no larger than 20x20 s.f.

The Kensington Historical Society, Inc. sent in a letter signed by Julie O'Malley, Chair of the Preservation Committee. The Committee felt that the replacement of a one-car garage with a large two-car garage was out of scale and not in the style of the main house. They also pointed out that the width of the new garage would be nearly the same width as that of the new house being constructed on the other side of the property. They felt that the brick retaining walls for the driveway were not clearly described. They asked that any means of diminishing the negative impact of the installation on the mature trees, as well as the negative visual impact on the open space should be explored. They felt that all the changes on the property would erode all *sense of time and place as a Victorian Garden Suburb* for which Kensington was placed on the National Register. They asked that the new structure be considered under the Montgomery County ordinance for historic preservation as to how the project would affect the attributes for which Kensington was designated as a historic district.

Helen Crettier Wilkes, who is an adjacent property owner, president of the Kensington Land Trust, and a residential architect, also sent in a letter. She indicated that the proposed garage furthers the erosion (of the historic district's garden setting) started by the construction of a house directly adjacent to the historic residence. She stated that the new construction signaled that the pursuit of private interest is more important to some property owners than the well-documented, well-supported preservation of a community heritage. Viewed just on its own merits, Ms. Wilkes noted that it is overscaled relative to the house for which it would be an ancillary structure. She also indicated that the probable damage and destruction of several mature trees calls to question the viability of the entire proposal. She also pointed out that in order to construct the driveway, it would be necessary to build retaining walls on either side of the driveway after cutting into the slope of the hill on which the house sits. Such cuts would diminish the characteristic rolling, naturalistic landscape on which the historic homes are placed. She pointed out that many historic homes in town do not have a garage, but asks that if the garage is approved, that the related damage be minimized. She also encourages the applicant to consider protection of the open space by means of a donated conservation easement.

Commissioner Watkins asked if Mr. Myers had seen the letters, and he had not. She asked if

permission had been given for the curb cut and Mr. Myers indicated that they were coming to the HPC first. She then inquired as to the need for the five-foot setback, but was told that it could be accomplished, and that on historical lots, only two foot setbacks are sometimes required. Mr. Myers also indicated that the holly tree discussed by staff could be avoided by curving the driveway.

Commissioner Harbit asked why the garage was not proposed at the time that the adjacent new construction was brought to the HPC. He indicated his concern that there is so much development on this property. He felt the HPC was being asked for too many projects to go on this site; that as soon as one project is approved, the applicant returned with another development proposal. He stated that it was significantly eroding the garden character of the Kensington historic district by nibbling away at the open space.

Commissioner Watkins agreed with these remarks and added her concern that after taking an existing garage from an existing house and using its space for a new house, then the applicant now wants a new garage.

Mr. Myers responded that if the applicant decides she needs a garage she has the right to apply for one and if the HPC feels that it does not meet the historic district guidelines, they have the right to deny it. He pointed out that the new house had nothing to do with the current project.

Commissioner Kousoulas explained that the HPC should establish whether the site was becoming too congested, and whether the gradual accretions are affecting the district, and how the historic preservation ordinance applies to this situation and to the district.

Commissioner Harbit pointed out that the new house was specifically designed and sited to appear as an ancillary structure in relation to the primary resource. He felt that the new project means that there would be a primary, a secondary structure, and then a second secondary structure. On the site is a house, a second house, two garages and a storage shed if everything is built. He indicated that it was too congested and eroded the environmental setting of the historic district if the new project were approved.

Mr. Myers indicated that the similar garage across the street was approximately the same size as the proposed garage, although it was one-story as opposed to the one and a half story configuration proposed for the new garage. He also pointed out that the new garage would be set much farther back from the street, and on a lower site than the comparable garage. He also asked if the HPC would consider placement of the garage at the back of the house, out of sight from the street.

Commissioner Velasquez commented that the suggestion was something to be considered, but that she had other concerns beyond the precise location of the garage. Her main concern was the

driveway and its negative impact on the mature trees. She concurred with Commissioner Harbit that the site was becoming too crowded with the in-fill house and the proposed garage crowding from the other side.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The criteria which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Montgomery County Code, 1984, as amended.

Section 24A-8(a) provides that:

The Commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate or inconsistent with, or detrimental to the preservation enhancement or ultimate protection of the historic site, or historic resource within an historic district, and to the purposes of this chapter.

In analyzing whether the criteria for issuance of a Historic Area Work Permit have been met, the Commission also evaluates the evidence in the record in light of the *Vision of Kensington: A Long-Range Preservation Plan*. In particular, the following character-defining features, characteristics and strategies are applicable as guidelines in this case:

- Strategy 1.1: Any additional residential development on vacant lots within the historic residential core should meet the characteristic pattern of historical development for the district including maximum lot coverage of 10 percent.
- Guideline 1: The potential for infill development of the critical open space threatens to disrupt the historical pattern of development and character of the residential neighborhood within the district.
- Guideline 2: Kensington Historic District Lot Characteristics for 1890-1910 Properties include average lot coverage of 9% and average building separation of 75 feet.
- Feature 1: The Settings of the district's primary historic structures are picturesque with landscaped gardens composed of shrubs and flowers. Mature trees dot the environment.
- Feature 2: Rhythm of Spacing of the historic district's primary structures are at the middle of two lots, with large open-space to either side of the structures.

Feature 3: The houses share a uniformity of scale, set back and construction materials that when coupled with the subdivision plan creates a Victorian garden suburb.

The Commission also evaluates the evidence in light of generally accepted principles of historic preservation, including the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted in the HPC Executive Regulations in November 1997, to the extent that such Standards are consistent with the *Vision of Kensington: A Long-Range Preservation Plan*. In particular Standards #2, #9 and #10 are applicable in this case:

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

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Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Based on this, the Commission finds that:

1. 3920 Baltimore Street is a primary resource in the Kensington Historic District. For this reason it is essential to preserve the historic character, including the spatial relationship, of this resource and its setting, and maintain its integrity.
2. As listed on the National Register of Historic Places, the Kensington National Register Historic District is distinguished as a collection of houses that share a uniformity of scale, set back, and construction materials that when coupled with the subdivision plan creates a Victorian garden suburb.
3. The visual continuity and spatial harmony of the historic district is established along Baltimore Street with large free-standing structures separated by large gardens and vacant lots which would be impaired by new construction.
4. The settings of the historic district including landscaped gardens and mature trees that encompass the primary historic structures on either side have become intrinsic character defining features. Destruction of the trees would remove these character-defining features.
5. Lot coverage for primary 1890-1910 properties averages 9% v. 12.2% for this

proposal.

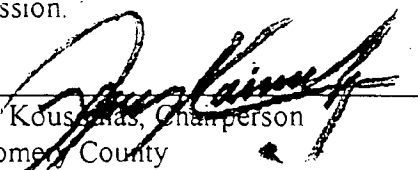
6. Building separation for primary 1890-1910 properties averages 75 feet v. 53 feet for this proposal.
7. The framework for the historic district includes the control of infill development that would compromise the historic setting of the district, and preservation of the critical open space that characterizes the suburban quality of the original historic development.
8. Tree preservation and limited construction in order to maintain maximum lot coverage of 10% are listed as construction guidelines for the Historic Residential Core where this property is located.
9. The applicant replaced an existing garage with infill housing.
10. The use of the garden as the site for a new garage and driveway is not consistent with the spatial relationships that characterize the historic district.

CONCLUSION:

The Commission was guided in its decision by Chapter 24A, by Historic Preservation Policy Guidelines in the Amendment to the *Vision of Kensington: A Long-Range Preservation Plan*, and by the Secretary of the Interior's Standards for Rehabilitation.

Based on the evidence in the record and the Commission's findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, the Commission must **deny** the application of Jeannie Ahearne for a Historic Area Work Permit (HAWP) to construct a 24 x24 square foot two-car garage and asphalt paved driveway with an adjacent brick sidewalk, and to remove a dogwood tree at 3920 Baltimore Street in the Kensington Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-70(h) of the Montgomery County Code, an appeal may be filed within thirty (30) days with the Board of Appeals, which will review the Commission's decision de novo. The Board of Appeals has full and exclusive authority to hear and decide all appeals taken from the decision of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.


George Kouskias, Chairperson
Montgomery County
Historic Preservation Commission

October 26 2000
Date

AHEARN RESIDENCE: LIST OF ADJOINING
PROPERTY OWNERS.

- ① KATHERYN HOYLE & WALTER SCHMIDT
3913 Baltimore ST.
Kensington, Md. 20895
- ② JACK & JILL MCGORY
3919 Baltimore ST.
Kensington, Md. 20895
- ③ CRAIG & PAT REYNOLDS
3914 Baltimore ST.
KENSINGTON, MD. 20895
- ④ NICK & TONI DEODDES
3915 Baltimore ST.
Kensington, Md. 20895.
- ⑤ JOHN LOSSING
3924 Baltimore ST.
Kensington, Md. 20895.
- ⑥ JOHN O'NEILL
3915 Prospect St.
Kensington, Md.

**LOCAL ADVISORY PANEL
KENSINGTON HISTORIC DISTRICT**

October 10, 2000

Re: Case 31/6-00K
Proposal to construct new garage (Ahearn property, 3920 Baltimore Street)

The LAP for Kensington Historic District has discussed the above referenced case and reviewed both the architect's proposal and HPC Staff's report. We discussed this case from the perspective of its impact on the garden setting of the Historic District. Several members noted that the addition of the garage would be new to its lot and would be detrimental to the garden setting of the Historic District. ~~The garage would also add to an assemblage of structures on the three lots (now two) comprising the Ahearn property.~~ The majority of LAP members, however, expressed support for HPC Staff's recommendation and conditions with regard to this Case. LAP also supports a smaller garage than the one proposed by the applicant. It was felt by the majority of LAP members that a smaller garage would be more in keeping with the character of the original garage (now part of the development on Lot 25) and more in scale with the original foot print of the historic resource. Should a garage be approved, LAP prefers that the footprint of the garage be no more than 20 by 20 feet.

Re: Case 31/06-00L
Proposal to enclose open side porch (McCurry property, 10313 Fawcett Street)

This case was discussed from the perspective of its impact on the historic integrity of the house. LAP unanimously support's HPC Staff's recommendation for approval of this case.



Jim Engel
LAP Chairman
Kensington Historic District

Kensington Historical Society, Inc

P.O. Box 453

Kensington, MD 20895

October 11, 2000

Montgomery County Historic Preservation Commission
Maryland-National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Staff and Commissioners:

I am the Chair of the Preservation Committee of the Kensington Historical Society. Our Committee has reviewed the application for a garage at 3920 Baltimore St., in Kensington. This project was also discussed at the Historical Society Meeting, October 10 as are all applications for work in Kensington which fall after a scheduled meeting.

We have read the Staff Discussion on this proposal. The first sentence is very important. "The garage is being proposed to replace a one-car auto barn..." This property had a one car garage. Because that garage is no longer part of the remaining property, the applicant wants a new garage. Instead of replacing it with a similar scale one car garage, the request is for construction of a 24 by 24 foot, two car garage. Presently, this Core area has only one carriage type structure on a large property, behind a large Victorian home. A new garage was built recently across the street. We opposed this garage because it disrupted the rhythm of the streetscape, yet it is at least in keeping with the scale and style of the main house. There are several examples of smaller garages in the immediate Core area which are of the appropriate scale and style for their houses and we would assume that this would certainly be a requirement for any new structure. We certainly question the width of the new garage which would be nearly the same width as the new house being built on the other side of this property.

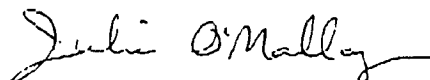
We are unfamiliar with the grass pavers described. A wide strip of asphalt down the center of the lot under the drip line of three large trees would clearly damage the environmental setting. Two new asphalt driveways in the Kensington Historic District have recently killed the two mature trees abutting them.

The brick retaining walls which are in the forefront have not been clearly described nor are they clear from the plans, as to height, width or design. Has the Town approved a new curb cut? Does the garage meet the five foot setback the Town requires?

All ways which would diminish the negative impact on the mature trees as well as the visual impact on the open space should be explored. This historic resource is undergoing serious changes to its setting: rearrangement of its original garage, a large new building nearly as tall as the primary resource and now a large new garage. This type of continuous development will eventually erode all sense of time and place in this Victorian Garden Suburb for which Kensington was placed on the National Register. Chapter 24A of the Montgomery County Code for Preservation of Historic Resources reminds us in Section 24A-3 that designation requires the district or resource to: a. have a character, interest, or value as part of the development, heritage or cultural characteristics of the count... and d. exemplify the cultural, economic, social, political or historic heritage of the count and its communities...

Every new structure must be considered under these guidelines as to how it will affect these attributes for which Kensington was chosen.

Sincerely,



Julie O'Malley, Chair

H E L E N C R E T T I E R W I L K E S

October 10, 2000

Montgomery County Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Members of the Historic Preservation Commission:

I am writing with reference to the application for a new garage for the property located at 3920 Baltimore Street. I am unable to present my views in person, unfortunately, due to a prior commitment; however, I wish to express my views for your strong consideration. I am an adjacent property owner; President of the Kensington Land Trust; and I am a residential architect.

I have previously commended the property owner for her continued work on restoring the original historic house at this address. It is important to note, however, that other actions of this property owner have contributed significantly to the erosion of the garden setting of the Kensington Historic District. This erosion is furthered by the construction of a new house which goes against HPC-endorsed design criteria for a minimum of two lots for new house construction, as put forth in the Vision of Kensington guidelines, and against significant community opposition, on the side yard lot to the west of the house. Its construction has signaled to the many Kensington historic property owners who respect and cherish the heritage they keep, that the pursuit of private interests is more important to some property owners than the well-documented, well-supported preservation of a community heritage. The many historic property owners who see themselves as responsible stewards of Kensington's unique garden heritage -- a significant factor for this National Register Historic District -- view with great dismay such blatant erosion of the fabric of the historic district.

In this context, it is difficult not to see the garage application before you as a further erosion of this estate in its historic setting. However, whether viewed in this context or independent of the construction on this home's other side yard lot, the proposed garage presents several problems as proposed:

1. It is oversized relative to the house for which it would be an ancillary structure. One need only to look at the (now dismantled) historic autohouse that remained for most of the life of the house on its grounds, for an appropriate precedent. A one-story, one-car garage is called for.
2. The probable damage and destruction to several mature trees along the proposed driveway calls to question the viability of the entire proposal. The disruption to the roots of several mature trees -- by cutting and from bearing the weight of automobiles over time -- is sure to bring on their destruction. It may be a year or longer, as an arborist can testify.

3923 PROSPECT STREET, KENSINGTON, MARYLAND 20895

- 3 It is noteworthy that it would be necessary to build retaining walls on either side of the driveway as it cuts through the slope of the hill on which the house sits. Such cuts diminish a very essential characteristic of historic Kensington, that of a rolling, naturalistic landscape into which houses were placed.

Although many historic homes in town are without or do not use a garage, I recognize the right of this property owner to build a garage. I urge you all to carefully consider how to minimize the damage that this proposal can cause to the environmental setting of this primary historic resource and to the historic district as a whole.

I would also urge the property owner to consider, as she once offered to do in a prior hearing, the protection of her remaining open space against further erosion through the donation of a conservation easement to the Kensington Land Trust, together with Montgomery County or the Maryland Historical Trust. ~~Several Kensington property owners are pursuing this course currently; we would be delighted to bring this property into that group.~~

Sincerely,



Helen Crettier Wilkes, A.I.A.