

31/6-94K 10308 Connecticut Avenue  
Kensington Historic District

**FRANK O'DONNELL**  
10407 Fawcett Street  
Kensington, MD 20895  
Phone 301-942-3513

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MEMORANDUM

**TO:** Nancy Witherell, Historic Preservation Planner  
Patricia Parker, Historic Preservation Planner  
Design, Zoning, and Preservation Division  
M-NCPPC

**FROM:** Frank O'Donnell, Member *FO*  
Kensington Town Council  
Kensington Historic District LAP

**DATE:** August 10, 1994

**SUBJECT:** Historic Area Work Permit Application Review

Thank you for the opportunity to review and comment on the HAWP application by Robert Kirchiro for a fence at 10308 Connecticut Avenue in the Kensington Historic District (HPC Case No. 31/6-94K). Since the Kensington LAP apparently is not scheduled to meet on this matter, I am sending my comments directly to you.

I believe the proposed project would be compatible with the Secretary of the Interior's Standards for Rehabilitation.

I urge you to support construction of a new wood fence that would, to the extent possible, complement the existing wood fence.

Please feel free to call me at home or at work (202-293-7800) if you have any questions.

*Ray Smulman, LAP, called -  
no objections to project*

August 3, 1994

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

To whom it may concern;

I am writing with respect to the installation of a fence at 10308 Connecticut Avenue, Kensington, Maryland 20895. I understand a hearing is scheduled on this matter on August 17, 1994. The petitioner for the fence is Judith Heintz, owner/operator of "The Children in The Shoe, Inc." day care center located at this address. I live at 3913 Baltimore Street, Kensington, Maryland 20895 and this fence will span my property line at the rear of my lot and continue outward toward Connecticut Avenue. Due to previous commitments, namely a planned vacation, I will not be able to attend this meeting. I sincerely hope this letter will properly establish my approval and demonstrate the need for this fence.

I am in favor of this fence and would hope permission is given as soon as possible. Both Mrs. Heintz and I agree on the necessity of this fence and also wish to report that a fence along the property line was made a condition by Mr. Phillip Tierney, Director of the Office of Zoning and Administrative Hearings, Montgomery County, 100 Maryland Avenue, Rockville, Maryland as a result of a compromise reached by Mrs. Heintz and me. Without this fence, I have no privacy in my back yard nor my deck as my property is in full view of the occupants of 20 to 30 cars entering and exiting this property during the hours of 8:00 AM to 6:30 PM. My working in my backyard has caused great concern to Mrs. Heintz so as to lead her to believe I was spying on the activities of the day care center. Likewise, the constant traffic and daytime conditions at the day care center provide a less than desirable condition for me as I feel as though I am in a goldfish bowl whenever I am in my yard. The debate here is not the day care center but rather the preservation of privacy. The positioning of a fence will alleviate many of the problems encountered by both Mrs. Heintz and me.

Mrs. Heintz has proposed a stockade fence 6' high. I find that acceptable but would prefer a solid board fence of a natural color. Unlike the picket fence which encloses the current playground, I prefer that this fence not be painted white. The current chain link fence will be removed. The compromise reached in Mr. Tierneys office called for an 8' fence, however, I understand that zoning does not allow anymore than a 6' fence. I will be satisfied with the maximum height requirement whether 6' or 8'.

I have discussed this fence with other neighbors and no one has indicated any objection to the fence. This fence, if permitted, will blend in very nicely with a board fence separating my property from a neighbor on the west side of my lot. This fence spans the side boundary of the day care center and upwards to 2/3rds the length of my lot. It is solid board and constructed of cedar. This neighbor, at the time they installed their fence, had encouraged me to extend that fence along the same line that is now proposed.

I would hope a speedy approval is given so that I may enjoy some privacy over the remainder of the summer and that in the fall when leaves fall and yards need to be cleaned, that I may do so in privacy and not create an annoyance for Mrs. Heintz, her staff and/or clientele.

I thank the HPC for assistance in this matter and apologize for not being able to attend this meeting.

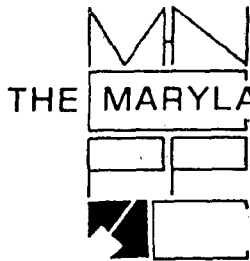
Hopefully this fence will alleviate many of the problems encountered by both of us and after having met with Mr. Tierney, we have decided that the installation of the fence, while not a complete solution, will be acceptable to me and to Mrs. Heintz.

Sincerely;

A handwritten signature in black ink, appearing to read "Walter E. Schmitt", with a long, sweeping horizontal flourish extending to the right.

Walter E. Schmitt  
3913 Baltimore Street  
Kensington, Maryland 20895  
(301) 929-8154

Copies sent to: Judith V. Heintz  
Phillip Tierney  
Charles Hollowell  
Town of Kensington



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE: 8-18-94

MEMORANDUM

TO: Robert Hubbard, Chief  
Division of Development Services and Regulation  
Department of Environmental Protection (DEP)

FROM: Gwen Marcus, Historic Preservation Coordinator  
Design, Zoning, and Preservation Division  
M-NCPPC

SUBJECT: Historic Area Work Permit

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

Approved  Denied  
 Approved with Conditions: \_\_\_\_\_

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

Applicant: Surf, Inc., Robert Kerchins

Address: 10308 Connecticut Ave, Kensington

\*\*\*THE APPLICANT MUST ARRANGE FOR A FIELD INSPECTION BY CALLING DEP/FIELD SERVICES (217-6240) FIVE DAYS PRIOR TO COMMENCEMENT OF WORK AND WITHIN TWO WEEKS FOLLOWING COMPLETION OF WORK.



# Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850  
217-3625

## APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # \_\_\_\_\_

NAME OF PROPERTY OWNER Surf Inc. Robert Kirchiro TELEPHONE NO. 301 654-1015  
(Contract/Purchaser) (Include Area Code)

ADDRESS 71631 Connecticut Ave. Chevy Chase, MD ZIP 20815  
CITY STATE ZIP

CONTRACTOR volunteer fathers from child care TELEPHONE NO. \_\_\_\_\_  
CONTRACTOR REGISTRATION NUMBER \_\_\_\_\_

PLANS PREPARED BY \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_  
(Include Area Code)

REGISTRATION NUMBER \_\_\_\_\_

LOCATION OF BUILDING/PREMISE

House Number 10308 Street Connecticut Ave

Town/City Kensington, MD Election District \_\_\_\_\_

Nearest Cross Street Baltimore Street

Lot 20 Block 4 Subdivision \_\_\_\_\_

Liber \_\_\_\_\_ Folio \_\_\_\_\_ Parcel \_\_\_\_\_

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition			
Wreck/Raze	Move	Revocable	Revision	Porch	Deck	Fireplace	Shed	Solar	Woodburning Stove
		<u>Install</u>		<u>Fence/Wall (complete Section 4)</u>	Other				

1B. CONSTRUCTION COSTS ESTIMATE \$: approx 700.

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # \_\_\_\_\_

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY Pepeco

1E. IS THIS PROPERTY A HISTORICAL SITE? Yes

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 ( ) Septic
03 ( ) Other _____	

2B. TYPE OF WATER SUPPLY

01 <input checked="" type="checkbox"/> WSSC	02 ( ) Well
03 ( ) Other _____	

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

4A. HEIGHT 6 feet 0 inches

4B. 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 \_\_\_\_\_ (Revocable Letter Required).

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 (agent must have signature notarized on back) \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

APPROVED X For Chairperson, Historic Preservation Commission

DISAPPROVED \_\_\_\_\_ Signature [Signature] Date 8.17.94

APPLICATION/PERMIT NO: 74-11-7160001

DATE FILED: \_\_\_\_\_ FILING FEE: \$ \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_ PERMIT FEE: \$ \_\_\_\_\_

OWNERSHIP CODE: \_\_\_\_\_ BALANCE \$ \_\_\_\_\_

RECEIPT NO: \_\_\_\_\_ FEE WAIVED: \_\_\_\_\_

SEE REVERSE SIDE FOR INSTRUCTIONS

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10308 Connecticut Avenue                      Meeting Date: 8/17/94  
Resource: Kensington Historic District              Review: HAWP/Alteration  
Case Number: 31/6-94K                                      Tax Credit: No  
Public Notice: 8/3/94                                      Report Date: 8/10/94  
Applicant: Robert Kirchiro                              Staff: Nancy Witherell  
PROPOSAL: Install privacy fence                      RECOMMEND: Approve

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The property is a one-story, masonry house built in the mid-20th century that is designated a secondary resource in the Kensington Historic District. When a child care center leased the property last year, the house and yard were the subject of several reviews by the Historic Preservation Commission.

This HAWP concerns a change to the yard, specifically the removal of a 50' section of chain link fence along the south property line and its replacement with a 6' high stockade fence. The purpose of the fence is to block noise and views between an adjacent property owner on Baltimore Street and the child care facility. A letter in support of the fence has been submitted by the adjacent owner.

STAFF DISCUSSION

The fence will line up with a long wooden board fence along the south property line. The proposed fence would be stockade, with pointed tips, rather than the flat-topped board fence. It would probably look more uniform if the new fence matched the existing fence along the side property line. However, a long stockade fence has been installed along Connecticut Avenue for another adjacent owner, and either fence style is acceptable for a privacy fence in the historic district. The existing nearby privacy fences are neither stained nor painted.

STAFF RECOMMENDATION

The staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A, particularly 24A-8(b)1:

The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district;

and with Standard #2:

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

and provided the applicant arrange for a field inspection by calling the Montgomery County Department of Environmental Protection (DEP), Field Services Office, five days prior to commencement of work and within two weeks following completion of work.





# Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850

250 Huguenot Drive, Rockville, MD 20850  
217-3625-6370

## APPLICATION FOR HISTORIC AREA WORK PERMIT

*The Children in the Shoe, Inc.*  
3216 Coquelicot Terrace  
Chevy Chase, MD-20815

TAX ACCOUNT # \_\_\_\_\_

NAME OF PROPERTY OWNER Surf Inc, Robert Kirchiro TELEPHONE NO. 301 654-1016  
(Contract/Purchaser) (Include Area Code)

ADDRESS 7631 Connecticut Ave Chevy Chase MD 20815  
CITY STATE ZIP

CONTRACTOR volunteer fathers from child care center TELEPHONE NO. \_\_\_\_\_  
CONTRACTOR REGISTRATION NUMBER \_\_\_\_\_

PLANS PREPARED BY \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_  
(Include Area Code)

REGISTRATION NUMBER \_\_\_\_\_

### LOCATION OF BUILDING/PREMISE

House Number 10308 Street Connecticut Ave

Town/City Kensington, MD Election District \_\_\_\_\_

Nearest Cross Street Baltimore Street

Lot 20 Block 4 Subdivision \_\_\_\_\_

Liber \_\_\_\_\_ Folio \_\_\_\_\_ Parcel \_\_\_\_\_

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition
Wreck/Raze	Move	Revocable	Revision	Porch	Deck	Fireplace
		<u>Install</u>		<u>Fence/Wall (complete Section 4)</u>	Shed	Solar
					Woodburning Stove	Other

1B. CONSTRUCTION COSTS ESTIMATE \$ approx 700

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # \_\_\_\_\_

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY Pepco

1E. IS THIS PROPERTY A HISTORICAL SITE? Yes

### PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 <input type="checkbox"/> Septic
03 <input type="checkbox"/> Other _____	

2B. TYPE OF WATER SUPPLY

01 <input checked="" type="checkbox"/> WSSC	02 <input type="checkbox"/> Well
03 <input type="checkbox"/> Other _____	

### PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

4A. HEIGHT 6 feet 0 inches

4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/Property line \_\_\_\_\_
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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 (agent must have signature notarized on back) \_\_\_\_\_ Date \_\_\_\_\_

APPROVED \_\_\_\_\_ For Chairperson, Historic Preservation Commission

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SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT

REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

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

We will replace a 50' section of chain link fence, 4' high, with a 50' section of spruce stockade fence to shield next door neighbor\* from view of day care center parking area. The new fence will be 6' high.

\* lot 6

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

There will be no impact on the historic resource. The fence will be on the south side of property & will line up with other 6' fence on other adjoining properties.

2. Statement of Project Intent:

Short, written statement that describes:

- a. the proposed design of the new work, in terms of scale, massing, materials, details, and landscaping:

a. 6' stockade fence, 50' long, made of spars with 4" x 4" posts. It will not affect landscaping.

- b. the relationship of this design to the existing resource(s):

Will replace 4' chain link fence, 50' long in same area

- c. the way in which the proposed work conforms to the specific requirements of the Ordinance (Chapter 24A):

Will be consistent with character of surrounding historic neighborhood. Several nearby properties, including adjoining properties, have identical fencing.

3. Project Plan:

Site and environmental setting, drawn to scale (staff will advise on area required). Plan to include:

- a. the scale, north arrow, and date;
- b. dimensions and heights of all existing and proposed structures;
- c. brief description and age of all structures (e.g., 2 story, frame house c.1900);
- d. grading at no less than 5' contours (contour maps can be obtained from the Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring; telephone 495-4610); and
- e. site features such as walks, drives, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

4. Tree Survey: If applicable, tree survey indicating location, caliper and species of all trees within project area which are 6" in caliper or larger (including those to be removed).

5. Design Features: Schematic construction plans drawn to scale at 1/8" = 1'-0", or 1/4" = 1'-0", indicating location, size and general type of walls, window and door openings, roof profiles, and other fixed features of both the existing resource(s) and the proposed work.
6. Facades: Elevation drawings, drawn to scale at 1/8" = 1'0", or 1/4" = 1'0", clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for 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.
7. Materials Specifications: General description of materials and manufactured items proposed for incorporation in the work of the project.
8. Photos of Resources: Clearly labeled color photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
9. Photos of Context: Clearly labeled color photographic prints of the resource as viewed from the public right-of-way and from adjoining properties, and of the adjoining and facing properties.

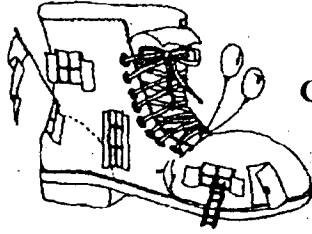
Color renderings and models are encouraged, but not generally required.

Applicant shall submit 2 copies of all materials in a format no larger than 8 1/2" x 14"; black and white photocopies of color photos are acceptable with the submission of one original photo.

10. Addresses of Adjacent 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. If you need assistance obtaining this information, call the Department of Assessments and Taxation, at 279-1355.

1. Name See Attached List  
 Address \_\_\_\_\_  
 City/Zip \_\_\_\_\_
2. Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Zip \_\_\_\_\_

# The Children in the Shoe, Inc.



Quality Child Care

3216 Coquelin Terrace  
Chevy Chase, MD 20815  
301-654-6176

## LIST OF ADJOINING PROPERTIES To 10308 Connecticut Ave., Kensington, MD

Mr. Walter C. Schmitt & Ms. Kathryn D. Hoyle (Lot 6, Block 10)  
3913 Baltimore Street

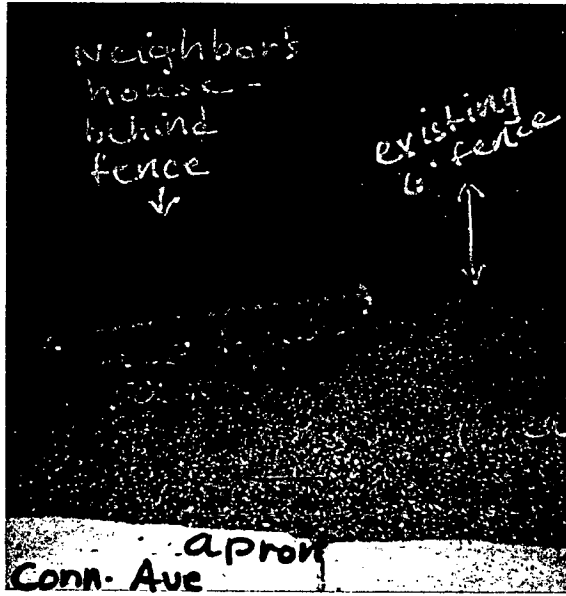
Mr. and Mrs. James Wagner (Lot 7 and 8, Block 10)  
3915 Baltimore Street

Mr. and Mrs Jack McCrory (Lot 9, Block 10)  
3919 Baltimore Street

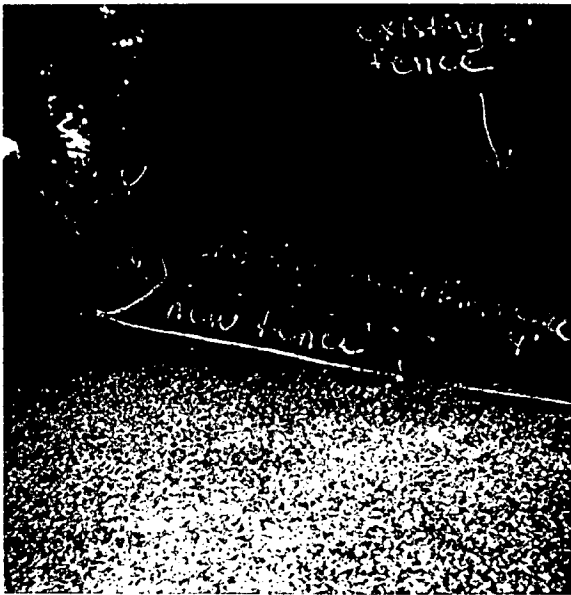
Mr. Charles Hollowell (Lot 17, Block 4)  
10311 Freeman Place

Mr. Kaman Maieki (Lot 19, Block 4)  
6126 West 77th Drive  
Arvada, CO 80003

Mr. and Mrs. Gilbert Prine (Lot PT 14-16, Block 4)  
3820 Warner Street

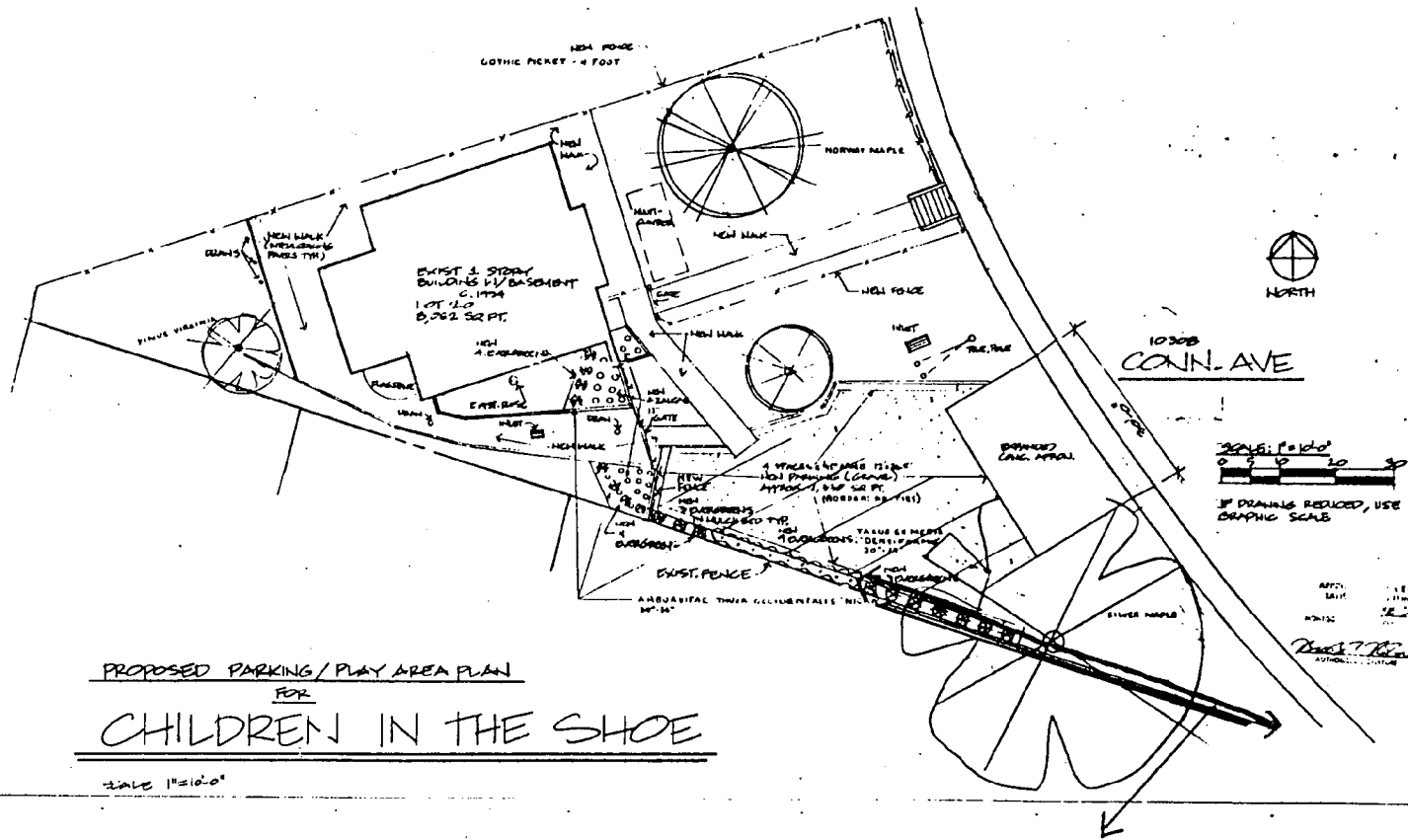


View from Conn. Ave. Fence will be contiguous to existing 6' fence. Will be just outside of shrubs + bushes - will go behind (North) of big tree



--- = old fence  
 ——— = new fence

red = new fence 6' x 50'  
 yellow = existing 6' wood fence  
 purple = existing chain link 4' x 50'



PROPOSED PARKING/PLAY AREA PLAN  
 FOR  
CHILDREN IN THE SHOE

SCALE 1"=10'-0"

new fence 50' long x 6' high  
 Spruce stockade fencing

SUBMITTED	
REVISED	
APPROVAL	
CLIENT	
PROJ. MGR.	
DRAWN BY	
CERTIFICATION	
CONFIDENTIAL	
PROJECT	
SHEET NO.	
DATE	



View from Conn. Ave. Fence will be contiguous to existing 6' fence. Will be just outside of shrubs + bushes - will go behind (North) of big tree



--- = old fence  
 ↔ = new fence







**THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
8787 GEORGIA AVENUE  
SILVER SPRING, MARYLAND 20907**