

31/6-99H 3730 Howard Avenue
(Kensington Historic District)

Sharon Wolff
301.942.8715

Copy:

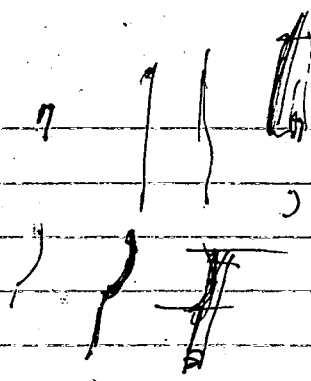
DPS

Welpoff

Stan Garbese

LAP

(5)



Forest Products

- Back prime
- paint ends - dip treat water repellent
- Follow manufacturers instructions (preservative)
- Make sure preservative is compatible
of paint

Check: Sherman Williams + what preservative?

Don't insulate.

Profile • Ute Stebich

by Tresca Weinstein

"Here's the United Nations," says Ute Stebich with a smile, swinging open the door to the Tribal and Folk Arts room of her gallery in Lenox, Mass. And the grand tour of the globe begins.

On the left, Neolithic Chinese pots from 3000 B.C. On the right, a carved Mexican desk. Underfoot, carpets from Namibia. On the wall, a primitive painting from the Bahamas. Shelves of jewel-toned Indian textiles. A drum and a ceremonial banner from Haiti. A papier-mache sculpture made by the grandson of the artist who made sculptures for Diego Rivera. Wooden boomerangs from Australia, used as scythes to clear bush. A piece of a wedding cart from Sicily. A Tibetan sling for throwing rocks. Art from Guatemala and Nepal, from the Anasazi and the Pennsylvania Dutch.

"I can't tell you there's any art I don't like," Stebich says. "Art is a product of people, what they think, what they believe. How could I not be interested in that?"

Downstairs, the main part of the gallery is also a showcase for Stebich's myriad interests. Here contrast is celebrated: the organic shapes of tiny baskets and vast asymmetrical pots, the stark lines of a minimalist metal table, touchable balls of wax and milkweed, the purity and depth of glass. Gordon Chandler's recycled art is constructed from industrial materials; "Maytag Stag" is a deer's head made from washing machine parts. Amherst artist Cynthia Consentino makes subtle statements with her ceramic figures -- an apron painted with strings and scissors, a shapely jacket patterned like a brain.

Janusz Walentynowicz's glass figures, luminous in light, perch animatedly atop pedestals. Curving sweeps of red earth and white sand fill the frames of Jan Henle's "film drawings," which capture his evanescent site-specific works. Cynthia Atwood's "Herd" of giraffes with pink vinyl heads shares space with Susan Hendrix's mixed-media shadow boxes. Nearly every corner is an encyclopedia of mediums -- glass, bronze, encaustic, oil, metal.

"Art has always been a part of me," Stebich says. "My parents were collectors, so the minute I opened my eyes I was surrounded by wonderful things."

When she and her husband left her native Germany for New York City in 1969, Stebich had the opportunity to immerse herself in that early love. She studied the History of Art at Manhattanville College and then went on to do her graduate work at the Institute of Fine Art at New York University. Along the way, she became a collector in her own right.

"If I took a course in Egyptian art, I would buy a little Egyptian art," she recalled. "I didn't just go to museums, I went to auction houses, and galleries, and cheap little stores. You can't just look at art, you've got to feel it and smell it."

Her 1971 visit to Haiti during an island-hopping trip in the Caribbean was a life-changing experience, Stebich says. "I thought I had discovered Haitian art," she recalls with a laugh. "I found out that wasn't true, but it was still inexpensive enough that I could collect it."

'My idea was to mix everything .. if you put a piece of folk art next to a fine painting, the folk art can be just as good. An Indian basket can be just as good as a fine piece of sculpture.'

A professor who admired her collection brought a friend to see it -- a friend who had just been appointed director of the Brooklyn Museum of Art. In this way, Stebich became the curator of a seminal show of Haitian art at the Brooklyn Museum.

"I was the first scholar who did serious research in Haitian art, who said, they aren't just painting pretty pictures, they mean something," Stebich says. "Maybe I was able to see that because my great love is medieval art, which is also concerned with religion."

Her pursuit of fine art changed Stebich's life once again in the 1980's. Exploring her interest in contemporary studio glass (glass sculpture made in a small-scale furnace in the artist's studio), she discovered the cool, mesmerizing work of Tom Patti. She became a collector, and the Pattis, who lived in Plainfield, MA, became her good friends; eventually, Stebich and her husband left Scarsdale to take up permanent residence in a 1785 farmhouse in Plainfield, forty minutes from Lenox.

The move prompted a reassessment for both Stebich and her husband. He left his corporate job and started a business storing, shipping, and installing fine art for major museums and collectors. As for Stebich, "I didn't want to work in a museum full-time because I enjoy people," she said. "I decided I wanted my own museum, and the only way was to have my own gallery."

The Ute Stebich Gallery, first located on Main Street and now at 69 Church Street in Lenox, is now 14 years old, and remains true to Stebich's original vision of eclecticism.

"My idea was to mix everything," she said. "If you put a piece of folk art next to a fine painting, the folk art can be just as good. An Indian basket can be just as good as a fine piece of sculpture."

For the gallery, she chooses what she loves. That means art from all around the world as well as work by world-famous artists, new artists, and local artists chosen selectively. Every two weeks, a new exhibition goes up; in late July, Daniel Kohn was hanging his large-

scale still lifes with loose, powerful brushwork. Perhaps the only art that's not here is video art and installation pieces.

"I made a conscious decision to have art that people could live with in their homes," Stebich says. "I like to have not such a high price range, so I don't scare people away." That means ingenious paper jewelry and necklaces made of bunches of tiny hand-blown glass figurines strung on stainless steel wire, on up to Ann Parkers's vivid flower photograms, paintings by Joan Barber, and pastels and prints by the Brazilian artist Ana Maria Pacheco, whose one-woman show will be mounted at the National Gallery in London next year.

During the winter months, when the gallery is closed, Stebich wanders the world in search of art. She also finds time to lecture, write and occasionally guest curate, along with soaking up the art scene in New York City, where she still has a home, and making annual visits to Haiti, where she is on the board of the island's museum. Her hunger to learn about the art people make -- and why they make it -- is insatiable, she says.

"Art should inspire you and make you think," she says. "If you buy a piece today and look at it again in 30 years, it has to be valid. Even though art is an expression of its time and where it comes from, it should still be



A Gallery Staircase

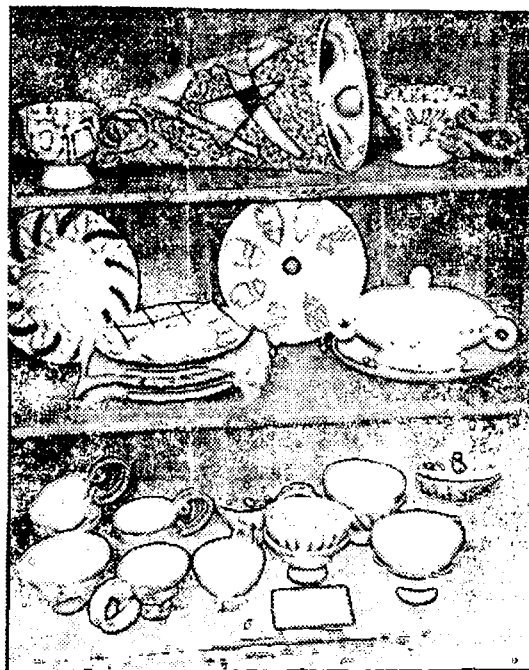
valid whether an Eskimo looks at it or an Indian."

The Ute Stebich Gallery is open every day in August from 10 a.m. to 5 p.m. For fall hours, call the gallery at (413) 637-3566.

Lenox, MA is also home to many other art galleries and antiques shops, and Tanglewood, and is easily accessible from I-90.



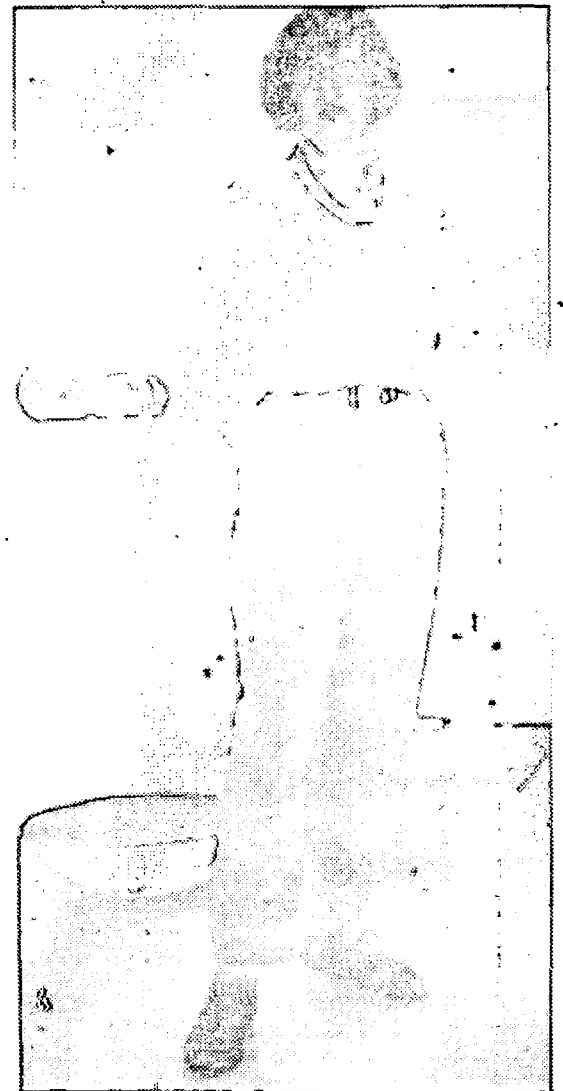
The Tribal Gallery



Art Ceramics



Drypoint etchings, in series of 12, editions of 25, by Ana Maria Pacheco




Ute Stebich

3730 Howard Ave.

Need photographs

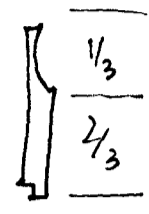
2 Diff siding

splits at ends
Cracking

Berclat siding 

German siding

newer



Openings

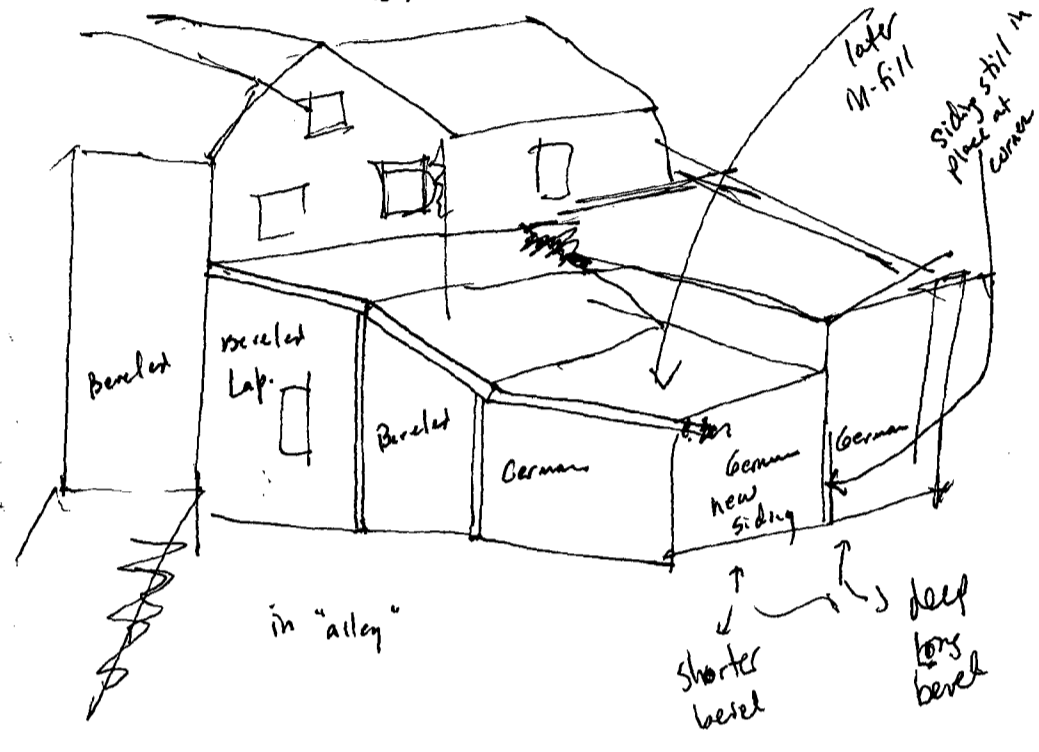
older



50%

50%

3 new additions:



HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

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

301-563-3400

Case No: 31/6-99H Received June 2, 1999

Public Appearance: June 23, 1999

Before the Montgomery County Historic Preservation Commission

Application of Ms. Charlotte Wolpoff

RE: Vinyl siding at 3730 Howard Avenue
Kensington Historic District

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to apply vinyl siding on the exterior of 3730 Howard Avenue.

Commission Motion: At the June 23, 1999 meeting of the Historic Preservation Commission, Commissioner Velasquez presented a motion to deny this application for the installation of vinyl siding on the exterior of the commercial structure at 3730 Howard Avenue. Commissioner Watkins seconded the motion. Commissioners Eig, Spurlock, Velasquez and Watkins voted in favor of the motion. The motion was passed 4 - 0.

DEFINITIONS:

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

Appurtenances and environmental setting: The entire parcel, as of the date on which the historic resource is designated on the *Master Plan*, and structures thereon, on which is located a historic resource, unless reduced by the District Council or the commission, and to which it relates physically and/or visually. Appurtenances and environmental settings shall include, but not be limited to, walkways and driveways (whether paved or not), vegetation (including trees, gardens, lawns), rocks, pasture, cropland and waterways.

Board: The county board of appeals 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 or style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

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. This includes, but is not limited to, all properties on the *Locational Atlas and Index of Historic Sites in Montgomery County*.

Historic site: Any individual historic resource that is significant and contributes 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*.

Permit: An historic area work permit issued by the director authorizing work on an historic site or an historic resource located within an historic district.

BACKGROUND:

Historical Context

The Kensington Historic District was listed in the National Register for Historic Places in 1980. The local historic district was designated in 1986 on the Montgomery County *Master Plan for Historic Preservation* because, as stated in the Amendment to the *Master Plan*,

"The district is architecturally significant as a collection of late 19th and early 20th century houses exhibiting a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake and Colonial Revival. The houses share a uniformity of scale, set backs and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb."

The town of Kensington began as a small crossroads settlement along the Bladensburg Turnpike, an early market road between the County's major north/south route, Old Georgetown Road, and the port of Bladensburg on the Anacostia River in Prince George's County. When the

B&O Railroad was built in 1873, the crossroads settlement became known as Knowles Station, named after the major land holding family in the area.

By 1890, Knowles Station had developed into a village of several hundred people, most of whom were living north of the railroad. In that year, Washington financier and President of the D.C. Board of Trade, Brainard H. Warner, purchased and subdivided property to the south and southwest of the railroad, naming the area Kensington Park after the famous London suburb. The subdivision was designed in the picturesque manner of the day, using a curvilinear street pattern composed of interlocking ovals.

Warner established his own summer residence on a property comprised of 18 individual lots at the heart of his development, in the center of Carroll Place. Just 1-1/2 blocks to the north, at the intersection of Howard Avenue and Montgomery Avenue, the Kensington Railroad Station was built. Commercial development occurred near the railroad line, and Howard Avenue developed as the main commercial street.

Character and Integrity of Kensington Historic District

The purpose of the Historic District designation and the role of the Historic Preservation Commission (HPC) is described in the Introduction to the 1986 *Master Plan* Amendment (p.1):

"Once designated on the *Master Plan for Historic Preservation*, any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued. The Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

It is the intent of the *Master Plan* and Ordinance to provide a system for evaluating, protecting and enhancing Montgomery County's heritage for the benefit of present and future residents."

As the 1986 Amendment to the *Master Plan* contained no guidelines, and because guidelines are of great assistance in the evaluation of proposals for changes and alterations at historic sites for both the HPC and the general community, the HPC commissioned a study in 1992 to analyze the character and integrity of the Kensington Historic District and, further, develop recommendations for preservation of this District. The study, *Vision of Kensington: A Long-Range Preservation Plan*, was prepared for the HPC by Traceries and PMA Associates.

This study analyzed character-defining features of the district, including architectural styles, building materials, features, such as porches, and the relationship of structures within the landscape. The study noted that wood is the predominant siding material in Kensington, with 35% of the structures using wood clapboard, and 11% using wood shingles.

On April 28, 1999, a Notice of Violation was issued by the Department of Permitting Services for Montgomery County to the owners of 3730 Howard Avenue for the installation of vinyl siding without a Historic Area Work Permit (HAWP). The procedure is, in such cases, that the applicant should apply for a HAWP, but on a Retroactive basis.

On June 2, 1999, Charlotte Wolpoff submitted an application for a Retroactive HAWP at the Department of Permitting Services for repairs to the building at 3730 Howard Avenue, and this application was reviewed by the Historic Preservation Commission (HPC) on June 23, 1999.

3730 Howard Avenue was designated in 1978 as a Primary Resource in the Kensington Historic District. It is a Victorian Vernacular structure, built in late 19th century in the immediate vicinity of the Kensington Railroad station. It served as an general store in Kensington, and is mentioned twice in the *National Register Nomination Form* for the district. There are two distinct portions to the building: a two-story wood frame residence with intersecting gable roofs; and, a large one-story commercial area which wraps around to the east and rear of the residential portion. The two-story section has plain beveled siding, while the one-story commercial area has German siding.

Many original interior features still remain inside the store area, including the interior entry steps and columns, and parts of the original tin ceiling. Investigation of the structure from the interior showed that the wood frame storefront area has beaded board as the interior finish which is nailed directly to the framing. There is diagonal sheathing on the exterior of the framing and wood clapboard applied over that.

EVIDENCE IN THE RECORD:

A written staff recommendation on this application was prepared and sent to the HPC on June 16, 1999. At the HPC meeting on June 23, 1999, staff person Robin D. Ziek showed 35mm slides of the site and presented an oral report on the staff recommendation. Staff recommended denial of the vinyl siding, noting the significance of the structure and the prominence of its site within the historic district. Staff noted that this proposal is inconsistent with the criteria for approval in Chapter 24A-8(b)2 of the County Code, and inconsistent with the Secretary of the Interior's *Standards for Rehabilitation #2*, which addresses the historic character of a property, noting that "The removal of distinctive materials ... that characterize a property shall be avoided."

Staff's specific concerns about the proposed use of vinyl siding that constituted reasons for denial were:

1. Vinyl siding is not a historic building material in the Kensington Historic District, and would constitute a loss of integrity for the structure.

2. Vinyl siding is discouraged because it alters the appearance of the structure by covering original materials, may damage or disguise original building details, and lacks the distinctive qualities of wood which are characteristic of the 19th-century structures. This includes the sense of integrity, the density of the material, the texture of the wood, details of installation in terms of trim, and the painted finish requirements.
3. The building has a high level of integrity, as evidenced by a historic photograph included in the staff report, and provides a sense of the 19th-century Town in conjunction with other 19th-century buildings in this immediate vicinity. Integrity is the ability of a property to convey its significance. Historic properties either retain integrity, or they do not.
4. Both the east (left side) and south (rear) elevations are prominent in the historic district. The side elevation faces a public park, and the rear elevation is being promoted for public parking, providing the public with a clear view of this rear elevation.

Staff also noted that, while staff did not have the opportunity to examine the condition of the original siding, the addition of vinyl siding is not considered routine maintenance. Staff noted that rehabilitation of the original siding may also qualify for public assistance through the various tax credit programs available at the local, state, and federal levels, and this should be a factor in determining the appropriate treatment for the siding.

Ms. Sharon Wolpoff, representing Wolpoff Industries, Inc., came forward to testify. She apologized for not following the required procedure to obtain a HAWP prior to doing the work. She stated that their intention was to do some ordinary maintenance, and protect the building with the vinyl siding. They have planned that the siding would be temporary and intended to remove it after five years time. At that point, they planned to replace all of the wood siding. In terms of replying to the Staff recommendations that the siding on the east be removed within two months and the siding at the rear within one year, Ms. Wolpoff requested that she be given six months to complete all of the new work of removing the vinyl siding and rehabilitating the siding so that the project could be done at one time.

Commissioner Velasquez discussed the plans to replace the wood siding, noting that another HAWP applicant had proposed milling new siding to exactly replicate the original siding.

Ms. Wolpoff noted that some of the siding is actually in excellent condition, especially on the side of the building. But the siding at the rear and in a rear alcove area is badly damaged.

Staff noted at all "German" siding is not exactly the same, and that staff could work with them in terms of determining the profile and finding a good match, although the Secretary of the Interior's Standards recommends retention of original fabric to the maximum extent.

Ms. Wolpoff asked if there is any grant money to assist, mentioning that she was now aware of the tax credit programs. Staff noted that there are loan funds available, although not grant funds, again suggesting that the tax credit programs would be the most helpful in this case.

Ms. Wolpoff mentioned that her sister would review the potential of the tax credit programs. She also reiterated that they would like to do the best job in terms of undertake the rehabilitation of the building.

Mr. O'Donnell spoke as the representative of the LAP. He stated their support for the staff report, and the hope that they can come to a constructive solution for all concerned. He also stated that the applicant's proposal seemed reasonable.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The criteria which the Commission must use in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Ordinance.

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 generally accepted principles of historic preservation, including the Secretary of the Interior's *Standards for Rehabilitation and Guidelines*, adopted by the Commission on February 5, 1987. In particular Standards #2, and #9 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 a 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.

FINDINGS OF FACT:

Based on this, the Commission finds that:


1. The property at 3730 Howard Avenue is a Primary Resource within the Kensington Historic District, as designated on the Montgomery County *Master Plan for Historic Preservation*. As a Primary Resource in the district, all proposals for changes and alterations receive the highest level of scrutiny by the Historic Preservation Commission.
2. The vinyl siding was undertaken without consultation with the HPC and there is no staff analysis of the condition of the original siding.
3. The original siding is wood German siding, and is consistent with the quality and character of the historic district.
4. The use of vinyl would constitute a loss of integrity of the resource.

CONCLUSIONS OF LAW:

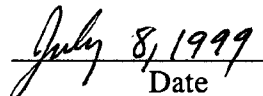
The Commission was guided in its decision by Chapter 24A, the Kensington *Guidelines*, and the Secretary of the Interior's *Standards for Rehabilitation*. Because the proposed project would affect the integrity of the Kensington Historic District, the Commission can not be lenient in its judgement of this proposal for vinyl siding, pursuant to 24A-8(d).

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 Historic Preservation Commission **denies** the application of Ms. Charlotte Wolpoff for a Historic Area Work Permit to install vinyl siding on the property at 3730 Howard Avenue in the Kensington Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-7(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 Kousoulas, Chairperson
Montgomery County
Historic Preservation Commission



Date



RETURN TO DEPARTMENT OF PERMITTING SERVICES
250 HUNGEFORD 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: CHARLOTTE WOLPOFF
Daytime Phone No.: 301-588-1815 or
301-588-0196 V.M.

Tax Account No.: 01023256
Name of Property Owner: CHARLOTTE WOLPOFF Daytime Phone No.: 301-588-1815
Address: 1300 SPRING STREET SILVER SPRING MD. 20910
Street Number City State Zip Code
Contractor: _____ Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 3730 HOWARD AVENUE Street: _____
Town/City: KENSINGTON, MD. Nearest Cross Street: FAWCETT
Lot: 3 Block: A Subdivision: WOOD + PAUL SUB KENSINGTON
Liber: 5306 Folio: 642 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: _____

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.

Charlotte Wolpoff _____
Signature of owner or authorized agent June 2, 1999
Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: X Signature: [Signature] Date: 6/23/99
Application/Permit No.: 9906020084 Date Filed: 6/2/99 Date Issued: _____

Edit 2/4/98

SEE REVERSE SIDE FOR INSTRUCTIONS

31/6-99H

NOV paid on
Receipt # 96708
per Stan Garber

KENSINGTON HISTORICAL SOCIETY, INC.

**P.O. BOX 453
KENSINGTON, MD 20895
June 23, 1999**

**MCHPC
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910**

Dear Chair, Commissioners, and Staff:

I am writing as chair of the Preservation Committee of the Kensington Historical Society concerning the two applications for 3730 Howard Avenue.

I would like to address case #31/6-99H RETROACTIVE. This property is one of our earliest stores in the Town as well as in the Historic District. Any situation where owners have done work without obtaining a permit is always a difficult one. Frequently owners are aware of the permitting process and for one reason or another have failed to followed through. It is disappointing to ask anyone to add extra expense to their work, but the inappropriate and unapproved changes cannot be allowed. This building in particular is a cornerstone of the block and the side view is very prominent and will be even more so as the neighboring park is being enlarged to become more of a town square and gathering place. I would certainly agree with the Staff's suggestion to immediately remove and repair the siding along the driveway. I would hope that some agreement could be made on a time frame for repairs to the rear. The rear area of this property is actually in front of the neighboring building's front door. (the present "Prevention of Blindness" shop). Added to the parking area this makes it in a uniquely public "rear" of a building.

I would like to add that in reviewing previous cases of aluminum siding in Kensington these were my findings:

case 31/6-89N (1989)
10312 Kensington Pkwy. (one block from 3730 Howard)
An application was approved to remove aluminum siding.

case 31/6-89P (1989)
3935 Baltimore St.
Siding was allowed on a reconstructed addition to match the aluminum siding on the original resource.

case 31/6-92L (1993)
3919 Washington St.
An application approved included removal of aluminum siding to expose wood siding underneath.

case 31/6-94B (1994)
3923 Baltimore St.
Removal of aluminum sidings was approved.

KENSINGTON HISTORICAL SOCIETY, INC.

P.O. BOX 453

KENSINGTON, MD 20895

June 23, 1999

case 31/6-95A (1995)

10543 St. Paul St.

Aluminum siding was allowed on a new addition to match the aluminum siding on the original resource.

In no cases in Kensington, has aluminum siding been allowed to be installed on an historic resource. I believe that the same holds true for vinyl siding.

In every instance there are difficulties in repairing or restoring an historic property. Each individual exception will erode the fabric of the District. Hopefully, tax rebates for financial assistance; coupled with the pride, ambiance for those who live and shop here, and the financial benefits of being in an Historic District will be realized by those who own property here.

In addressing Case No. 31/6-99G, I would again agree with the Staff report. The signs appear to be appropriate to the building and the period. The use of the hand showing a parking area ties in with a similar design down the street. I would have to agree with the inappropriate design of the minibarn at the rear, but do not object to a storage structure to replace the present one.

We in Kensington appreciate the enormous time and effort that goes into your review and maintainance of the Historic Districts in Montgomery County.

Sincerely,



Julie O'Malley
KHS Preservation Committee Chair

Fax Cover Sheet

Kensington Copy Center

To: Robin Zeke - HPC

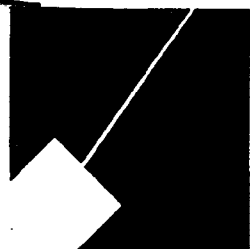
Fax Number: 301-563-3412

From: Julia O'Malley

Including this cover sheet there are 3 pages.

If you have any problems receiving this fax, please call USA(301) 933-6206 immediately.

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: 6/24/93

MEMORANDUM

31/6-99H

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: *GW* Gwen Wright, Coordinator
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~~

 Approved with Conditions: _____

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: Charlotte Wolpoff

Address: 1300 Spring Street, Silver Spring MD 20910

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.

C:\preserve\hawpdpn.ltr KE: 3730 Howard Ave., Kensington Historic District

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

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

301-563-3400

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Before the Montgomery County Historic Preservation Commission

Application of Ms. Charlotte Wolpoff

RE: Vinyl siding at 3730 Howard Avenue
Kensington Historic District

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to apply vinyl siding on the exterior of 3730 Howard Avenue.

Commission Motion: At the June 23, 1999 meeting of the Historic Preservation Commission, Commissioner Velasquez presented a motion to deny this application for the installation of vinyl siding on the exterior of the commercial structure at 3730 Howard Avenue. Commissioner Watkins seconded the motion. Commissioners Eig, Spurlock, Velasquez and Watkins voted in favor of the motion. The motion was passed 4 - 0.

DEFINITIONS:

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

Appurtenances and environmental setting: The entire parcel, as of the date on which the historic resource is designated on the *Master Plan*, and structures thereon, on which is located a historic resource, unless reduced by the District Council or the commission, and to which it relates physically and/or visually. Appurtenances and environmental settings shall include, but not be limited to, walkways and driveways (whether paved or not), vegetation (including trees, gardens, lawns), rocks, pasture, cropland and waterways.

Board: The county board of appeals 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 or style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

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. This includes, but is not limited to, all properties on the *Locational Atlas and Index of Historic Sites in Montgomery County*.

Historic site: Any individual historic resource that is significant and contributes 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*.

Permit: An historic area work permit issued by the director authorizing work on an historic site or an historic resource located within an historic district.

BACKGROUND:

Historical Context

The Kensington Historic District was listed in the National Register for Historic Places in 1980. The local historic district was designated in 1986 on the Montgomery County *Master Plan for Historic Preservation* because, as stated in the Amendment to the *Master Plan*,

"The district is architecturally significant as a collection of late 19th and early 20th century houses exhibiting a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake and Colonial Revival. The houses share a uniformity of scale, set backs and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb."

The town of Kensington began as a small crossroads settlement along the Bladensburg Turnpike, an early market road between the County's major north/south route, Old Georgetown Road, and the port of Bladensburg on the Anacostia River in Prince George's County. When the

B&O Railroad was built in 1873, the crossroads settlement became known as Knowles Station, named after the major land holding family in the area.

By 1890, Knowles Station had developed into a village of several hundred people, most of whom were living north of the railroad. In that year, Washington financier and President of the D.C. Board of Trade, Brainard H. Warner, purchased and subdivided property to the south and southwest of the railroad, naming the area Kensington Park after the famous London suburb. The subdivision was designed in the picturesque manner of the day, using a curvilinear street pattern composed of interlocking ovals.

Warner established his own summer residence on a property comprised of 18 individual lots at the heart of his development, in the center of Carroll Place. Just 1-1/2 blocks to the north, at the intersection of Howard Avenue and Montgomery Avenue, the Kensington Railroad Station was built. Commercial development occurred near the railroad line, and Howard Avenue developed as the main commercial street.

Character and Integrity of Kensington Historic District

The purpose of the Historic District designation and the role of the Historic Preservation Commission (HPC) is described in the Introduction to the 1986 *Master Plan* Amendment (p.1):

"Once designated on the *Master Plan for Historic Preservation*, any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued. The Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

It is the intent of the *Master Plan* and Ordinance to provide a system for evaluating, protecting and enhancing Montgomery County's heritage for the benefit of present and future residents."

As the 1986 Amendment to the *Master Plan* contained no guidelines, and because guidelines are of great assistance in the evaluation of proposals for changes and alterations at historic sites for both the HPC and the general community, the HPC commissioned a study in 1992 to analyze the character and integrity of the Kensington Historic District and, further, develop recommendations for preservation of this District. The study, *Vision of Kensington: A Long-Range Preservation Plan*, was prepared for the HPC by Traceries and PMA Associates.

This study analyzed character-defining features of the district, including architectural styles, building materials, features, such as porches, and the relationship of structures within the landscape. The study noted that wood is the predominant siding material in Kensington, with 35% of the structures using wood clapboard, and 11% using wood shingles.

On April 28, 1999, a Notice of Violation was issued by the Department of Permitting Services for Montgomery County to the owners of 3730 Howard Avenue for the installation of vinyl siding without a Historic Area Work Permit (HAWP). The procedure is, in such cases, that the applicant should apply for a HAWP, but on a Retroactive basis.

On June 2, 1999, Charlotte Wolpoff submitted an application for a Retroactive HAWP at the Department of Permitting Services for repairs to the building at 3730 Howard Avenue, and this application was reviewed by the Historic Preservation Commission (HPC) on June 23, 1999.

3730 Howard Avenue was designated in 1978 as a Primary Resource in the Kensington Historic District. It is a Victorian Vernacular structure, built in late 19th century in the immediate vicinity of the Kensington Railroad station. It served as a general store in Kensington, and is mentioned twice in the *National Register Nomination Form* for the district. There are two distinct portions to the building: a two-story wood frame residence with intersecting gable roofs; and, a large one-story commercial area which wraps around to the east and rear of the residential portion. The two-story section has plain beveled siding, while the one-story commercial area has German siding.

Many original interior features still remain inside the store area, including the interior entry steps and columns, and parts of the original tin ceiling. Investigation of the structure from the interior showed that the wood frame storefront area has beaded board as the interior finish which is nailed directly to the framing. There is diagonal sheathing on the exterior of the framing and wood clapboard applied over that.

EVIDENCE IN THE RECORD:

A written staff recommendation on this application was prepared and sent to the HPC on June 16, 1999. At the HPC meeting on June 23, 1999, staff person Robin D. Ziek showed 35mm slides of the site and presented an oral report on the staff recommendation. Staff recommended denial of the vinyl siding, noting the significance of the structure and the prominence of its site within the historic district. Staff noted that this proposal is inconsistent with the criteria for approval in Chapter 24A-8(b)2 of the County Code, and inconsistent with the Secretary of the Interior's *Standards for Rehabilitation #2*, which addresses the historic character of a property, noting that "The removal of distinctive materials ... that characterize a property shall be avoided."

Staff's specific concerns about the proposed use of vinyl siding that constituted reasons for denial were:

1. Vinyl siding is not a historic building material in the Kensington Historic District, and would constitute a loss of integrity for the structure.

2. Vinyl siding is discouraged because it alters the appearance of the structure by covering original materials, may damage or disguise original building details, and lacks the distinctive qualities of wood which are characteristic of the 19th-century structures. This includes the sense of integrity, the density of the material, the texture of the wood, details of installation in terms of trim, and the painted finish requirements.
3. The building has a high level of integrity, as evidenced by a historic photograph included in the staff report, and provides a sense of the 19th-century Town in conjunction with other 19th-century buildings in this immediate vicinity. Integrity is the ability of a property to convey its significance. Historic properties either retain integrity, or they do not.
4. Both the east (left side) and south (rear) elevations are prominent in the historic district. The side elevation faces a public park, and the rear elevation is being promoted for public parking, providing the public with a clear view of this rear elevation.

Staff also noted that, while staff did not have the opportunity to examine the condition of the original siding, the addition of vinyl siding is not considered routine maintenance. Staff noted that rehabilitation of the original siding may also qualify for public assistance through the various tax credit programs available at the local, state, and federal levels, and this should be a factor in determining the appropriate treatment for the siding.

Ms. Sharon Wolpoff, representing Wolpoff Industries, Inc., came forward to testify. She apologized for not following the required procedure to obtain a HAWP prior to doing the work. She stated that their intention was to do some ordinary maintenance, and protect the building with the vinyl siding. They have planned that the siding would be temporary and intended to remove it after five years time. At that point, they planned to replace all of the wood siding. In terms of replying to the Staff recommendations that the siding on the east be removed within two months and the siding at the rear within one year, Ms. Wolpoff requested that she be given six months to complete all of the new work of removing the vinyl siding and rehabilitating the siding so that the project could be done at one time.

Commissioner Velasquez discussed the plans to replace the wood siding, noting that another HAWP applicant had proposed milling new siding to exactly replicate the original siding.

Ms. Wolpoff noted that some of the siding is actually in excellent condition, especially on the side of the building. But the siding at the rear and in a rear alcove area is badly damaged.

Staff noted that all "German" siding is not exactly the same, and that staff could work with them in terms of determining the profile and finding a good match, although the Secretary of the Interior's Standards recommends retention of original fabric to the maximum extent.

Ms. Wolpoff asked if there is any grant money to assist, mentioning that she was now aware of the tax credit programs. Staff noted that there are loan funds available, although not grant funds, again suggesting that the tax credit programs would be the most helpful in this case.

Ms. Wolpoff mentioned that her sister would review the potential of the tax credit programs. She also reiterated that they would like to do the best job in terms of undertake the rehabilitation of the building.

Mr. O'Donnell spoke as the representative of the LAP. He stated their support for the staff report, and the hope that they can come to a constructive solution for all concerned. He also stated that the applicant's proposal seemed reasonable.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The criteria which the Commission must use in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Ordinance.

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 generally accepted principles of historic preservation, including the Secretary of the Interior's *Standards for Rehabilitation and Guidelines*, adopted by the Commission on February 5, 1987. In particular Standards #2, and #9 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 a 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.

FINDINGS OF FACT:

Based on this, the Commission finds that:

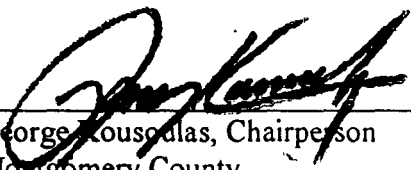
1. The property at 3730 Howard Avenue is a Primary Resource within the Kensington Historic District, as designated on the Montgomery County *Master Plan for Historic Preservation*. As a Primary Resource in the district, all proposals for changes and alterations receive the highest level of scrutiny by the Historic Preservation Commission.
2. The vinyl siding was undertaken without consultation with the HPC and there is no staff analysis of the condition of the original siding.
3. The original siding is wood German siding, and is consistent with the quality and character of the historic district.
4. The use of vinyl would constitute a loss of integrity of the resource.

CONCLUSIONS OF LAW:

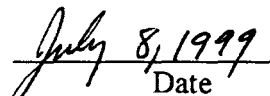
The Commission was guided in its decision by Chapter 24A, the Kensington *Guidelines*, and the Secretary of the Interior's *Standards for Rehabilitation*. Because the proposed project would affect the integrity of the Kensington Historic District, the Commission can not be lenient in its judgement of this proposal for vinyl siding, pursuant to 24A-8(d).

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 Historic Preservation Commission **denies** the application of Ms. Charlotte Wolpoff for a Historic Area Work Permit to install vinyl siding on the property at 3730 Howard Avenue in the Kensington Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-7(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 Kousoulas, Chairperson
Montgomery County
Historic Preservation Commission



Date

Montgomery County, Maryland
DEPARTMENT OF PERMITTING SERVICES
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850-4166



NOTICE OF VIOLATION

LOCATION: 3730 HOWARD AVE CASE NO.: 761

GENEVA MD

DEFENDANT NAME: VICTOR ASSOC. c/o WOLFF INDUSTRIES

ADDRESS: 1300 SPRING ST #124

SILVER SPRING MD 20910

DATE OF VIOLATION: APRIL 28, 1999

CODE SECTION: MONT. CO. CODE 24-A-6

VIOLATION: VINYL SIDING INSTALLATION TAKING PLACE WITHOUT AN ISSUED HISTORIC WORK PERMIT.

CORRECTIVE ACTION TO ELIMINATE VIOLATION: TO RESUME WORK, OBTAIN A HISTORIC WORK PERMIT BY SUBMITTING AN APPLICATION TO HPC WITHIN THE TIME GIVEN BELOW

A RE-INSPECTION AMOUNT OF \$ 82.50 IS REQUIRED IN ADDITION TO THE APPLICATION FEES.

COMPLIANCE TIME: TEN DAYS

YOU MAY APPEAL THIS NOTICE OF VIOLATION THE BOARD OF APPEALS IS LOCATED IN T1 MARYLAND 20850, (301) 217-6600.

IF THIS NOTICE JE. ROCKVILLE.

REMARKS: _____

Post-it® Fax Note		7671	Date	6/30/99	# of pages	1
To	ROBIN ZERE		From	STAN GARBER		
Co./Dept.	H.P.C		Co.	D.P.S		
Phone #			Phone #	301 370 3656		
Fax #	563 3412		Fax #			

FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN A \$ 500.00 CIVIL CITATION AND/OR A COURT ORDER TO INSURE COMPLIANCE.

ISSUED BY: Stan Garber signature DATE: 6-28-99 PHONE NO.: 301 370 3656

PRINT NAME: STAN GARBER

RECEIVED BY: _____ DATE: _____ PHONE NO.: _____

SENT BY CERTIFIED MAIL ON: _____ LEFT AT RESIDENCE ON: _____

write denial

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 3730 Howard Avenue	Meeting Date: 6/23/99
Resource: Kensington Historic District	Review: HAWP
Case Number: 31/6-99H RETROACTIVE	Tax Credit: No
Public Notice: 6/9/99	Report Date: 6/16/99
Applicant: Charlotte Wolpuff, Owner	Staff: Robin D. Ziek
PROPOSAL: Vinyl siding	RECOMMEND: Denial

Resource: Primary Resource in the Kensington Historic District
 Style: Victorian Vernacular
 Date: 1880-1910

The subject property was an early general store in Kensington (see Circle 9) which is mentioned twice in the National Register Nomination Form for the district. It consists of 2 distinct portions: a 2-story wood frame residence with intersecting gable roofs; and, a large 1-story commercial area where one might expect a wrap-around porch. Many original interior features still remain inside the store area, including the interior entry steps and columns, and parts of the original tin ceiling. The residential portion of the building is clad with bevel siding, while the siding on the storefront part of the building is "novelty", or German, siding. Investigation of the structure from the interior showed that the wood frame storefront area has beaded board for the interior finish which is nailed directly to the framing. There is diagonal sheathing on the exterior of the framing and wood clapboard applied over that.

The applicant has installed vinyl siding on the side and rear elevations of the commercial portion of the building. Apparently, masonite siding had been installed over the original wood siding at some point in the past. This siding had deteriorated and the applicant proceeded to remove the masonite boards. After seeing the condition of the wood siding, the applicant decided to defer rehabilitation of that siding, and proceeded to install vinyl siding instead.

DPS issued a stop work order, and the applicant has applied for the HAWP on a Retroactive basis (see letter on Circle 6-7).

PROJECT DESCRIPTION

The applicant proposes to leave the vinyl siding installation in place for the next 4-5 years. At that point, they would re-evaluate the siding at the same time that the entire building is painted. The vinyl siding extends along the east (driveway) side of the building, and along the south (rear) portion of the building.

STAFF DISCUSSION

The use of vinyl siding is discouraged in the Kensington Historic District. This is one of the original commercial buildings in Kensington, and it is prominent in the district. Staff notes that there has been some loss of integrity to the district along Howard Avenue between Armory Avenue and Fawcett Street, with a number of 20th century commercial structures. But in the vicinity of the subject property, there are a number of 19th century buildings remaining which

(1)

provides a sense of the 19th-century town. This includes the B & O train station, and the Mizell Lumber building across the tracks.

Staff notes that the applicant is enthusiastic about the building, and has restored an original storefront window on the driveway elevation which was discovered when the masonite siding was removed. The building will continue to play a role in the community, and staff appreciates the long-term plans of the applicant. Had the applicant applied for a HAWP prior to doing the work, the HPC and staff would have worked with the applicant in the evaluation of the building in order to make recommendations and provide guidance for the rehabilitation of the structure, including the proposed use of vinyl siding and any proposed insulation system. New building systems and technologies are not necessarily compatible with historic structures and such changes should be evaluated with care and caution.

Although this is not part of the HAWP, staff notes that the building is not currently insulated. The interior finish is beaded board nailed to the studs. With the diagonal siding on the other side, the building has an airspace in the wall. It would be very difficult to install insulation in this cavity with a vapor barrier without removing the interior beaded siding. Blown-in insulation would not have a vapour barrier and would not leave any air space to carry off moisture, and is not recommended. Staff would recommend that the owner consider insulation in the attic space and under the floor, and investigate the long-term effects of insulation in the wall cavities which can be damaging to the framing members, to the sheathing materials, and to the exterior paint finish.

In consideration of the HAWP, staff notes that the use of vinyl siding is discouraged because it alters the appearance of the structure by covering original materials, may damage or disguise original building details, and lacks the distinctive qualities of wood which are characteristic of the 19th century structures. This includes the sense of integrity, the density of the material, the texture of the wood, details of installation in terms of trim, and the painted finish requirements.

Staff notes that the east elevation is prominent in the historic district, and that the back area behind the store is being promoted for public parking. Therefore, even the rear elevation in this instance will be a highly public facade. Immediately adjacent to the subject property is a public park which is directly in front of the Prevention of Blindness shop (also a Primary Resource in the historic district). This park is an important element in the revitalization plans for Howard Avenue which are being undertaken at this time by the County. This east elevation forms an edge of this park and should be considered a prominent feature. Staff notes that the newly re-opened shop window faces this park and will provide the tenant of the subject property with a great opportunity for product display, either for the people using the park or for the people using the parking area behind the store as they walk up to Howard Avenue.

Rear elevations typically receive moderate to lenient scrutiny by the HPC because they are not readily visible from the public right-of-way. In this particular case, however, the rear elevation faces the parking lot, and will be a visible element for the public. This building stands in marked contrast to the 20th century buildings which flank the parking area to the west. The rear store addition, which may not have been built in the same year as the residential portion of the building, is clearly an early addition which has significance in its own right as a portion of the commercial development at this site. In fact, the German siding on the rear elevation is visible under the vinyl siding, indicating the level of integrity which the property retains and which would be compromised by being covered up with vinyl.

The HPC might consider a schedule for the removal of the vinyl siding to help the applicant with their obligations. This could involve two phases of the work: to remove the vinyl siding from the east elevation immediately, and remove the vinyl siding from the south elevation within a year's time.

This extra time could be used by the applicant to make all necessary inquiries and apply for consideration under the tax credit programs which are now available to help with the rehabilitation of the building. Rehabilitation of the original siding would be considered as a qualifying effort under the local, state and federal tax credit programs. If the applicant (and the applicant's individual situation) qualifies for these programs, 55% of the costs for the rehabilitation would be returned to them as tax credits.

STAFF RECOMMENDATION

Staff recommends, that the Commission deny this application and find this proposal **inconsistent** 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 inconsistent with Secretary of the Interior's Standards for Rehabilitation #2:

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

Staff further recommends that the vinyl siding on the east elevation be removed immediately, and that the vinyl siding on the rear elevation be removed within 1 year's time.

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: CHARLOTTE WOLPOFF
Daytime Phone No.: 301-588-1815 or 301-588-0196 U.M.

Tax Account No.: 01023256

Name of Property Owner: CHARLOTTE WOLPOFF Daytime Phone No.: 301-588-1815

Address: 1300 SPRING STREET, SILVER SPRING, MD. 20910
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 3730 HOWARD AVENUE Street: _____

Town/City: KENSINGTON, MD. Nearest Cross Street: FAWCETT

Lot: 3 Block: A Subdivision: WOOD & PAUL SUB KENSINGTON

Liber: 5306 Folio: 642 Parcel: _____

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: \$ _____

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.

Charlotte Wolpoff
Signature of owner or authorized agent

June 2, 1999
Date

Approved: _____ For Chairperson, Historic Preservation Commission

(4)

HAWP APPLICATION: ADDRESSES OF ADJACENT & CONFRONTING PROPERTY OWNERS

Victor Associates
200 Spring St #124
Silver Spring MD 20910

MRS 2 Joint Venture
Attn: Mary Whitlow
4938 Hampden Lane #281
Bethesda MD 20814

Prevention of Blindness of Metropolitan
Wash
Arnold Simones, dir.
1775 Church St NW
Washington, DC 20036

Ann Donohoe
c/o Frank Emmet RE, Inc.
8609 2nd Ave #502
Silver Spring, MD
20910

Wolpoff Industries

Historic Preservation Commission
c/o Montgomery County, Maryland
Department of Permitting Services
255 Rockville Pike, 2nd floor
Rockville, MD 20850-4166

1300 Spring Street
Suite 124
Silver Spring, MD 20910
301-588-0196
June 2, 1999

Dear Historic Preservation Commission,

Wolpoff Industries respectfully requests a retroactive permit in order to complete repairs coinciding with normal maintenance necessary for the preservation of our building at 3730 Howard Avenue, in Kensington.

The planned repairs are compatible with the site, and will remedy conditions adverse to the safeguarding of the original structure. The work will not substantially alter the exterior of the site, in fact, it is our intention that this work enhance the preservation of the building. The colors that we've chosen for the exterior and the trim closely resemble, as far as we can tell, the facade of the general store originally located on these premises. (In the photos, please note that the color of the new siding will also be the base color of the entire building.)

Preparation for Repairs

A budget was allocated for painting and repairing the building, with work to begin in spring of 1999. Due to leaks and the potential for serious water damage, it was determined that a portion of the roof had to be replaced. It was further established that water seeping behind the siding on the ground level of the building could rot the original structure, if not remedied thoroughly and immediately. Much to our dismay, as we began working, we discovered that one reason for the water seepage was that the siding was not what it appeared to be. It was compressed cardboard (particle board), rather than wood. It held water, thereby enabling it to rot the interior wood while causing the exterior paint to peel. Further, there was no insulation present.

However, on a more positive note, by removing the offending siding, we discovered a magesitic window, apparently part of the original structure. It had been boarded up and hidden for years. Because our new tenant intends to recreate and preserve as much of the historic ambiance as possible, we've been in a position to save the window, and further glorify the heritage of the site.

Decision Making Process

Our budget was generous, but not unlimited. Confronted with the unexpected partial roof replacement, waterlogged siding, and the need to paint and trim the entire building, we had to prioritize the work to be done.

Any and all structural repairs would, of course, be done. Painting has to be done, to refresh and maintain the dignity of the building. Having removed the artificial siding, we were

Wolpoff Industries

1300 Spring Street
Suite 124
Silver Spring, MD 20910
301-588-0196

now in a position to expose the window and insulate the structure. Because our budget was becoming strained, we decided to put up temporary, but good-looking, acrylic siding on the ground level. Specifically, in the back of the building, and on "the driveway" side only, not the front or the upper level. The color of the siding has been matched to the fresh paint, in order to present a uniform facade. It is our expectation that, in the future, wooden siding will hug the entire building.

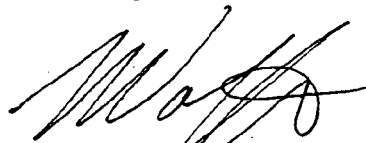
We have chosen to pursue this avenue at this time in order to preserve and protect the structure, not exceed our budget severely, and ultimately accommodate our new tenant's desire to recreate the look of old Kensington. And we're trying to accomplish all of this in a timely fashion.

Conclusion

Our replacement of the artificial siding with acrylic siding was intended as a temporary measure. For the reasons stated above, it would give us more latitude to replicate the rich ambiance available through this historical site. Realistically, the optimum time for us to consider the placement of wooden siding upon the building will be in 4-5 years, the next time we paint.

As you can see, the preservation and safety of the premises has been at the forefront of the big picture. Our approach is intelligent and cooperative, and we welcome your input. Please grant us the permit, so that we can get back to work.

Sincerely,



Sharon Wolpoff, Esq.

Enclosures: permit application, check (\$82.50), plat, photographs

HOWARD

CONCRETE

Lot 3
1,612\$

Masonry Building

Residue of
Lot 19
13,354\$

Frame Building

Right of Way for
Ingress & Egress
L. 1875 ~ F. 179

Park

Town

SUBDIVISION

ASPHALT

PARKING

Lot 2

PARK

STON

P. 4120

Lot 21

8

160.67

Well on line
72.00
(52.0 Bldg.)

S54°23'06"E
23.31

16.22

WALK

S56°23'41"E
62.14

Porch

15.4

14.1

84.42

N 26°15'00"E
30.1

68.20

32.9

14.1

46.0

S63°45'00"E
23.00

R.R. Spike found

S20°14'50"W
51.0

155.38

Conc. Walk

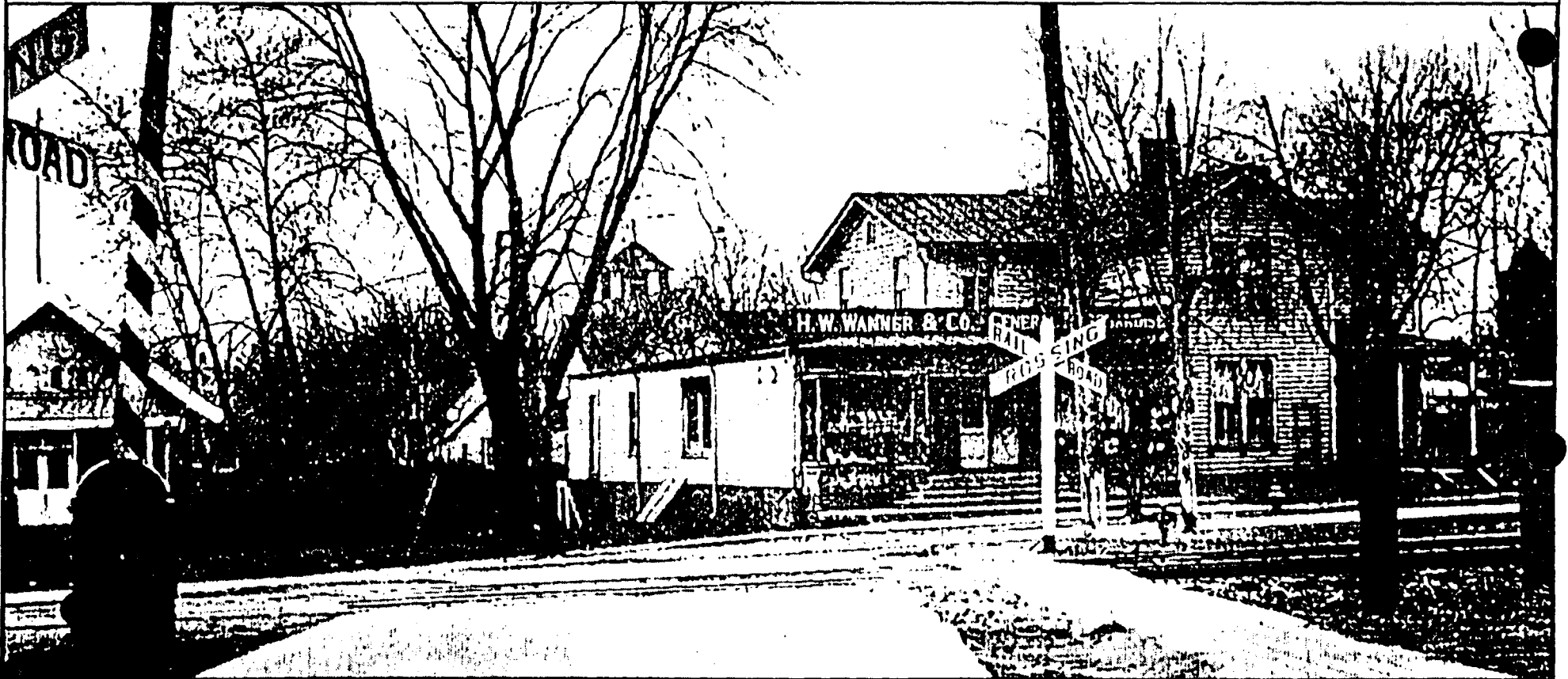
45°10'W

101.43

Pipe found

4' Alley

GRADE CROSSING AT ST. PAUL STREET



Credit: Kensington Historical Society

The grade crossing at St. Paul Street was one of the most dangerous in Montgomery County. In the 1927 picture above the street barricade is relatively new and is the result of long hours spent by Kensington residents badgering state officials. The H.W. Wanner store shown in the background occupies the same building that early Kensington entrepreneur Frank Fawcett built around 1880. It is now part of Antique Row.



1300 Spring Street

Suite 124

Silver Spring, MD 20910

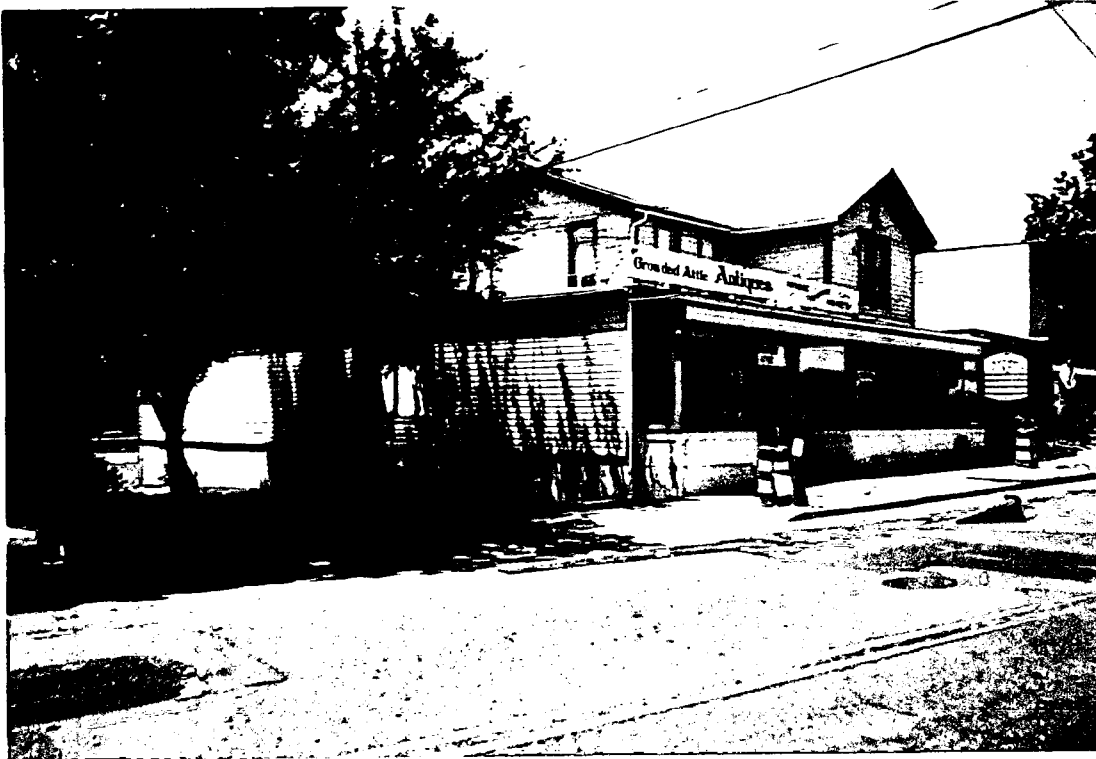
301-588-0196

- two views:
- driveway side of building with newly discovered window
 - the acrylic siding



Wolpoff Industries

1300 Spring Street
Suite 124
Silver Spring, MD 20910
301-588-0196



↑ - 3730 Howard Ave, acrylic siding on ground level "driveway side"

- newly uncovered window on "driveway side" of building



• back of building
• acrylic siding on ground level (lower right side of photo) (11)

Wolpoff Industries



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301-588-0196

3730 Howard Ave, Kensington



Wolpoff Industries



1300 Spring Street
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↑ neighbors directly across the railroad tracks
(and Howard Ave.)



↑ neighbors farther down Howard Ave. (13)

Wolpoff Industries



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↑ Neighbors at the back of our parking lot



↑ Neighbors on the other side of
our driveway

KENSINGTON HISTORICAL SOCIETY, INC.*P.O. BOX 453**KENSINGTON, MD 20895**June 23, 1999*

MCHPC
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Chair, Commissioners, and Staff:

I am writing as chair of the Preservation Committee of the Kensington Historical Society concerning the two applications for 3730 Howard Avenue.

I would like to address case #31/6-99H RETROACTIVE. This property is one of our earliest stores in the Town as well as in the Historic District. Any situation where owners have done work without obtaining a permit is always a difficult one. Frequently owners are aware of the permitting process and for one reason or another have failed to followed through. It is disappointing to ask anyone to add extra expense to their work, but the inappropriate and unapproved changes cannot be allowed. This building in particular is a cornerstone of the block and the side view is very prominent and will be even more so as the neighboring park is being enlarged to become more of a town square and gathering place. I would certainly agree with the Staff's suggestion to immediately remove and repair the siding along the driveway. I would hope that some agreement could be made on a time frame for repairs to the rear. The rear area of this property is actually in front of the neighboring building's front door, (the present "Prevention of Blindness" shop). Added to the parking area this makes it in a uniquely public "rear" of a building.

I would like to add that in reviewing previous cases of aluminum siding in Kensington these were my findings:

case 31/6-89N (1989)

10312 Kensington Pkwy. (one block from 3730 Howard)

An application was approved to remove aluminum siding.

case 31/6-89P (1989)

3935 Baltimore St.

Siding was allowed on a reconstructed addition to match the aluminum siding on the original resource.

case 31/6-92L (1993)

3919 Washington St.

An application approved included removal of aluminum siding to expose wood siding underneath.

case 31/6-94B (1994)

3923 Baltimore St.

Removal of aluminum sidings was approved.

KENSINGTON HISTORICAL SOCIETY, INC.

P.O. BOX 453

KENSINGTON, MD 20895

June 23, 1999

case 31/6-95A (1995)

10543 St. Paul St.

Aluminum siding was allowed on a new addition to match the aluminum siding on the original resource.

In no cases in Kensington, has aluminum siding been allowed to be installed on an historic resource. I believe that the same holds true for vinyl siding.

In every instance there are difficulties in repairing or restoring an historic property. Each individual exception will erode the fabric of the District. Hopefully, tax rebates for financial assistance, coupled with the pride, ambiance for those who live and shop here, and the financial benefits of being in an Historic District will be realized by those who own property here.

In addressing Case No. 31/6-99G, I would again agree with the Staff report. The signs appear to be appropriate to the building and the period. The use of the hand showing a parking area ties in with a similar design down the street. I would have to agree with the inappropriate design of the minibarn at the rear, but do not object to a storage structure to replace the present one.

We in Kensington appreciate the enormous time and effort that goes into your review and maintenance of the Historic Districts in Montgomery County.

Sincerely,



Julie O'Malley
KHS Preservation Committee Chair

III D

**HISTORIC PRESERVATION COMMISSION
SPEAKER'S FORM**

If you wish to speak on an agenda item, please fill out this form and give it to a Historic Preservation staff person sitting at the left end of the table in the front of the auditorium prior to consideration of that item. The Historic Preservation Commission welcomes public testimony on most agenda items.

Please print using ink, and provide your full name, complete address, and name of person/organization that you officially represent (yourself, an adjacent property owner, citizens association, government agency, etc.). This provides a complete record and assists with future notification on this case. **This meeting is being recorded. For audio identification, please state your name and affiliation for the record the first time you speak on any item.**

DATE: JUNE 23, 1999

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: III D

NAME: Sharon Wolpoff

COMPLETE MAILING ADDRESS: 3730 Mowand Ave
Kensington, MD 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): WOLPOFF INDUSTRIES

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

- HAWP applicant's presentation..... 7 minutes
- Comment by affected property owners on Master Plan designation..... 3 minutes
- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes

**HISTORIC PRESERVATION COMMISSION
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DATE: 6/23/99

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: 31/6-99 G
31/6-99 H

NAME: FRANK O'DONNELL

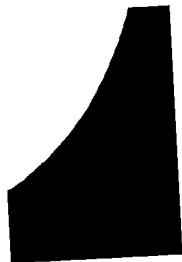
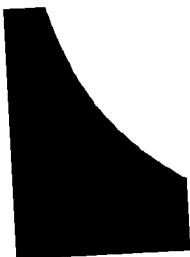
COMPLETE MAILING ADDRESS: 10407 FAWCETT ST.
KENSINGTON, MD 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): KENSINGTON LAB

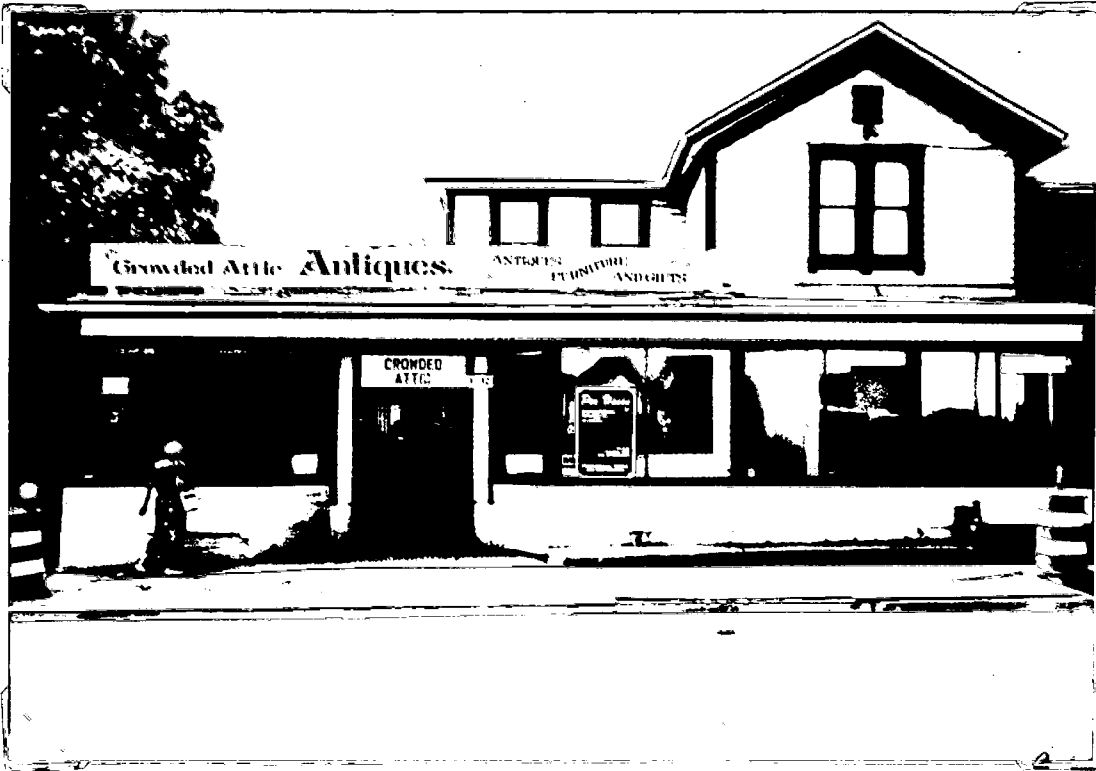
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10/20
ex view.



Wolpoff Industries



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301-588-0196

3730 Howard Ave, Kensington



Wolpoff Industries

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- 3730 Howard Ave, acrylic siding on ground level "driveway side"

↑
- newly uncovered window on "driveway side" of building

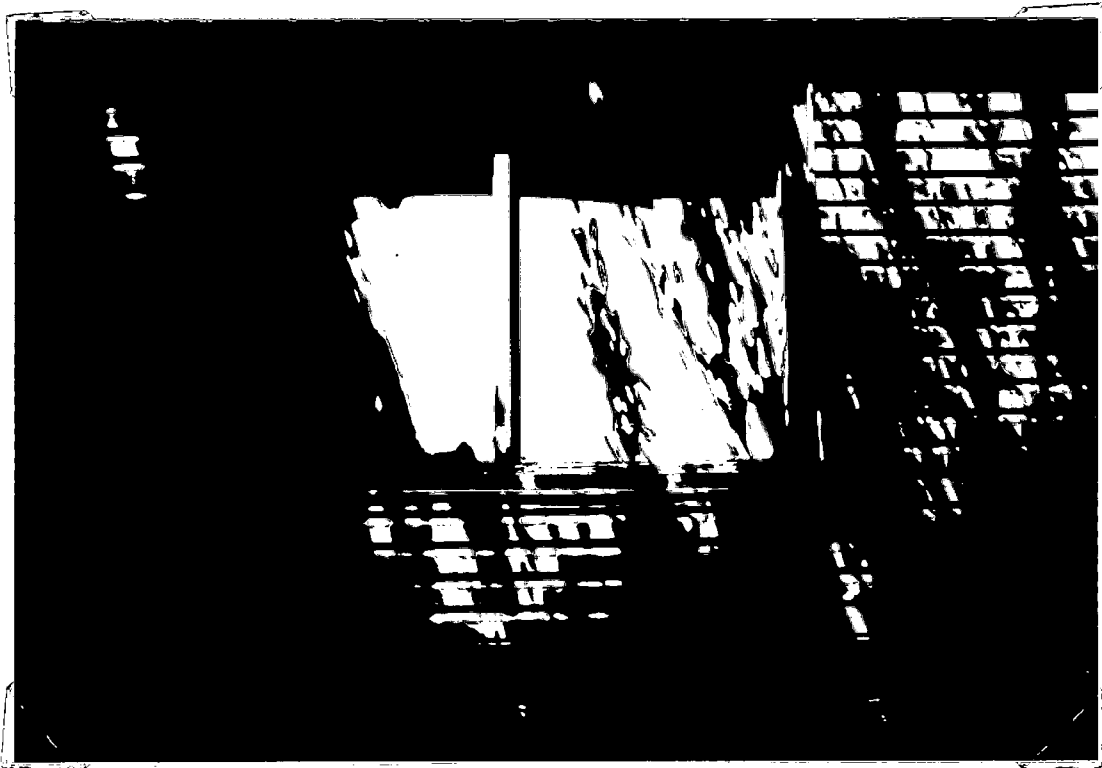


• back of building
• acrylic siding on ground level (lower right side of photo)

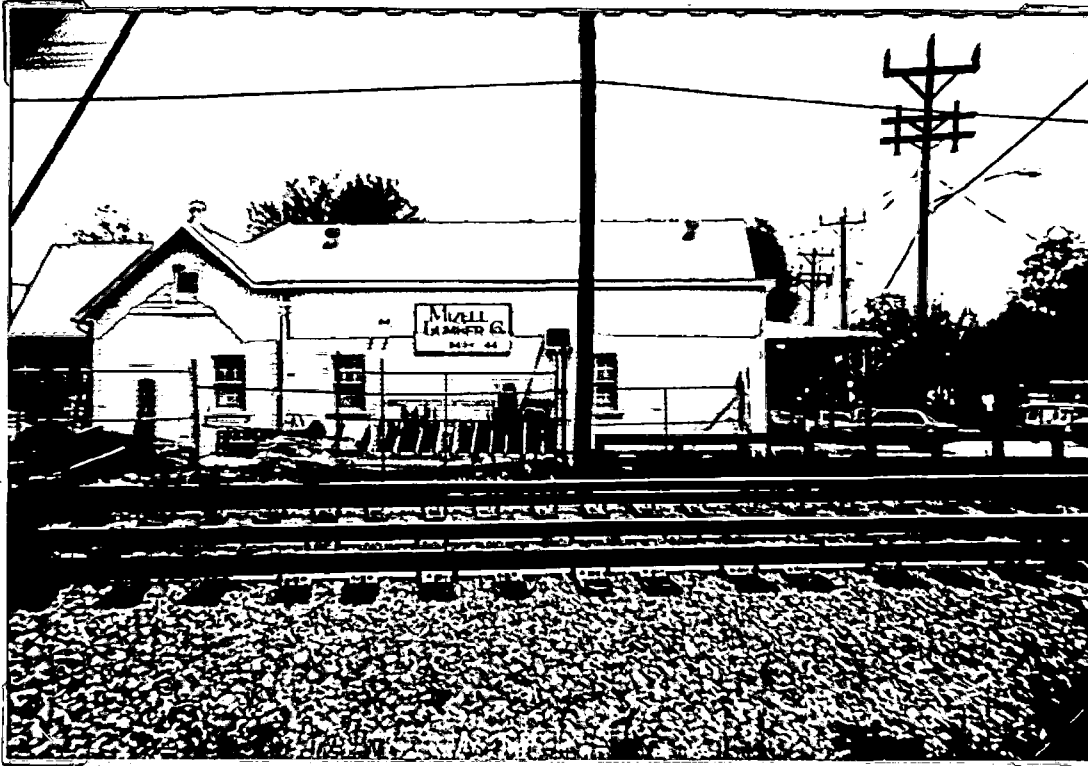


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- two views:
- driveway side of building with newly discovered window
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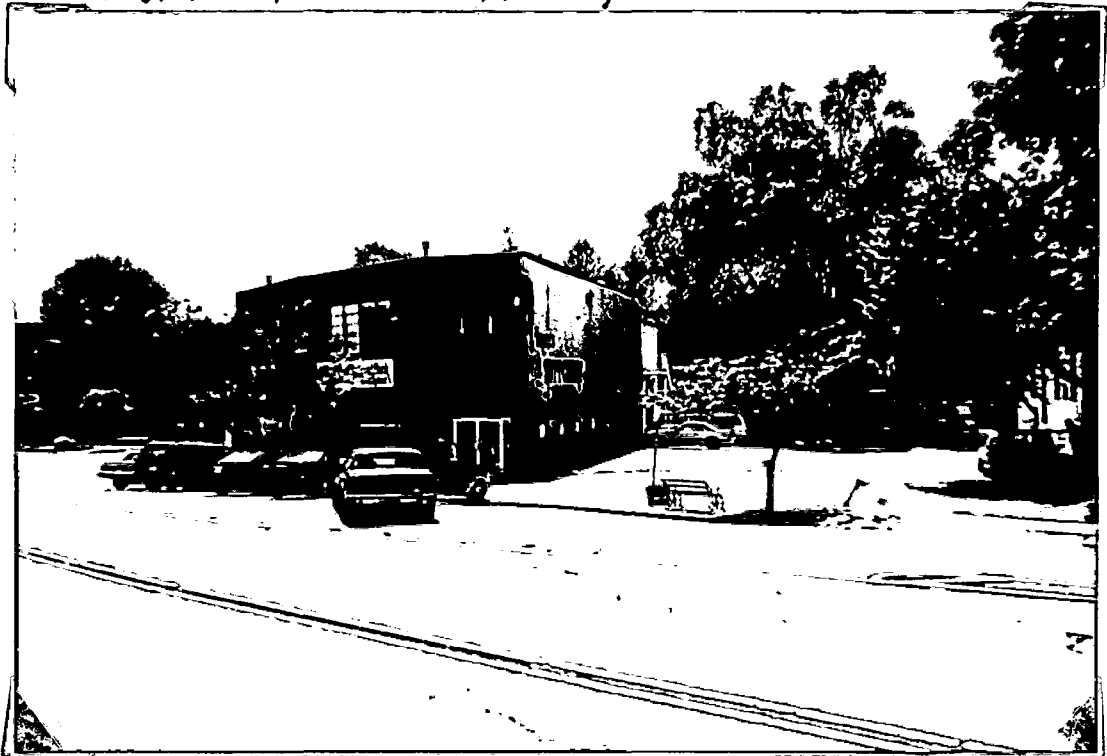


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↑ neighbors directly across the railroad tracks
(and Howard Ave.)



↑ neighbors farther down Howard Ave.

Wolpoff Industries



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↑ neighbors at the back of our parking lot



↑ neighbors on the other side of
our driveway

1 approve the staff recommendations in Case No. 37/3-99N,
2 Takoma Park Historic District, 11 Pine Street, Takoma Park.
3 I move we accept staff recommendations with the condition
4 work that the applicant work with the staff for final
5 approval -- in HPC Case No. 31/6-99G in the Kensington
6 Historic District at 3730 Howard Avenue. I move we approve
7 staff recommendations for approval of Case No. 31/7-99D,
8 Capitol View Park Historic District at 9925 Capitol View
9 Avenue; and Case No. 21/7-99E, Capitol View Park Historic
10 District at 10023 Menlo Avenue in Silver Spring; and Case No.
11 37/C-990, Takoma Park Historic District, 7318 Baltimore
12 Avenue, Takoma Park; and HPC Case No. 37/3-99N, Takoma Park
13 Historic District which is at 7221 Cedar Avenue, Takoma Park.

14 MS. WATKINS: I second.

15 MR. SPURLOCK: Close the public record. All those
16 in favor, please raise your right hand. The motion passes
17 unanimously. The next case on our agenda is Case D. May we
18 have a staff report, please.

19 MS. ZIEK: Okay. The proposed historic area work
20 permit at 3730 Howard Avenue is a retroactive HAWP. The
21 applicant and um, uh, actually uh, recommended by um, her
22 daughter, Sharon Wolpuff is here tonight. Uh, the applicant
23 has a Victorian Vernacular Building in the Kensington
24 Historic District in the commercial district. It's a primary
25 resource in the district. They've applied vinyl siding on

1 the side and the rear elevations of the commercial portion of
2 the building. The structure has uh, wood siding, uh has half
3 wood siding and um, and I can show you some slides showing
4 that the uh, German siding which was on the historic front
5 part of the building is still extant under the vinyl siding.

6 The um, maybe I should just show my slides and get
7 us sort of oriented. Okay. This is a view of the um,
8 looking down Howard Avenue. And the subject property is the
9 yellow and blue building right at the corner. Let me see,
10 there's another slide. Here's another picture of the
11 building. And you can see that along the alley entrance,
12 well the driveway entrance way, right hand side of the slide,
13 you can see the vinyl siding uh, right here. The um, the
14 building is a wonderful structure. The applicant actually
15 provided, or actually the applicant's tenant provided me with
16 an historic photograph showing that this historic front
17 portion is early original and or early to the building. The
18 residential portion was over here. And this is the
19 commercial portion of the structure.

20 There's just a lap siding on the main part of the
21 house. And German siding is uh, was apparently installed on
22 the commercial side. This is metal panels right here in the
23 front that are covering, I don't know exactly what. And
24 other than that, um, the building is uh, has a high level of
25 integrity. There's a lot of interior finishes that still

1 remain, and some interior columns. Everybody seems quite
2 excited about that. That was the shed which was to be
3 removed. Let's see. Just to show you how the building sits
4 in the district. It's adjacent to another primary resource,
5 which is the Site for Blindness. It's a brick structure. I
6 believe 19th Century structure adjacent. When, they've done
7 some work. There was originally masonite. When the
8 applicants started this project it was masonite siding on
9 this part of the building. And this window is actually
10 covered up. And everybody's quite excited about uncovering
11 that historic window and using it as part of the store front,
12 the shop. That's quite exciting.

13 I walked down the driveway here. We're at the back
14 of the building, and you can see the rear with the vinyl
15 siding, the additions. And the return here for the vinyl.
16 And this is wood. There's been a door that was closed off
17 some time in the past. The biggest problem with the rear
18 elevation is that it um, they are going to put one of the
19 signs which you just approved, is a parking sign. They would
20 like to utilize this parking area for the shops, which makes
21 a lot of sense. And so the public will be coming to the
22 back. So, even this back elevation which typically would be
23 considered a non public face will be seen by the public. And
24 in a sense will be the first thing they'll see as they get
25 out of their cars and walk up along side of the building and

1 then come in the front door right on Howard Avenue.

2 Howard Avenue is now undergoing a commercial
3 revitalization. There's a lot of work that the County is
4 undertaking to help all of the shop owners here. And
5 everybody's very excited about that work as well. That's in
6 process right now. So uh, you can see here the German
7 siding. This is a shot right outside the back door on the
8 rear elevation. So you can see the German siding, at least
9 in this particular area is still in place. I understand from
10 the person who did the vinyl siding installation that the
11 siding is in bad condition, poor condition. I've not been
12 able to evaluate it. It simply is not available, which is
13 one of the problems, of course with a retroactive HAWP that
14 we should be involved with the process. We would like to be
15 able to have a fuller understanding of the condition of the
16 building which we don't have.

17 This is a better, this is a good view of the side
18 windows. And I'm standing in the park which is a public
19 park. And this is another reason why the side elevation is a
20 significant elevation. And very often the Commission looks
21 at rear elevations or side elevations as secondary elevations
22 that may not be significant or as significant in the
23 district. But in this particular case, the side elevation is
24 a significant elevation. The public park will be uh,
25 redesigned, reinvigorated with the streetscape work which is

1 going on now. And it also is the entry way for the
2 Prevention of Blindness Building which is a wonderful primary
3 historic building in the district.

4 So, people will definitely see the side elevation.
5 I'm sure that the tenant will take advantage of that,
6 hopefully with this, considering the side window perhaps as
7 another display opportunity. Um, but it's uh, you know, it's
8 a very nice window. It has a lot of light inside. This is
9 just another view of the street. And uh, just to show you a
10 little bit of the context, there's another 19th Century
11 structure. Well Howard Avenue has a lot of 20th Century
12 intrusions. Right in this area you can still get a sense of
13 why some of the historic district in Kensington is actually
14 on the north side of the railroad tracks. It used to be able
15 to very easily walk across the tracks. Myzell Lumber right
16 now, it's in a 19th Century structure. And of course the
17 train station would be to the left in this picture. Um,
18 another 19th Century structured town.

19 This is a view standing on the train side looking
20 back at the, existing the park for the Prevention of
21 Blindness. And um, just a closer look at that park and that
22 building. So you get a sense of that. And at this point,
23 I'm standing at the rear of the building. And so you can see
24 that actually the Prevention of Blindness Building is set
25 well back from the street, so that the people coming here

1 have another opportunity to look at the back of the subject
2 property. It's a pale dash finish of the gay of London, that
3 was interesting. And here again is our view, at this point
4 I'm standing at the side of the Prevention of Blindness
5 Building.

6 These are some of the other neighbors at the
7 parking lot area. And I think again, um, that's another
8 reason why the subject property's so important. It stands in
9 contrast as a 19th Century structure um, in uh, with there
10 are 20th Century intrusions. But I think to hide one of the
11 importance of the 19th Century structure.

12 I've had some conversations with the applicant.
13 They clearly have uh, uh, uh, good feeling for the building,
14 a fondness. And they care about the building. Um,
15 nevertheless, I have to say that I think the Commission, the
16 law requires that the Commission participate in these
17 decisions. And uh, I would just note that the use of vinyl
18 siding is discouraged in our historic districts, specifically
19 the Kensington Historic District. As one of the early
20 commercial buildings in Kensington, the structure has added
21 significance as it is along Howard Avenue to show what the
22 19th Century was. The um, vinyl siding, of course does, the
23 installation of vinyl siding actually does more damage to the
24 original siding, which of course has happened. And, uh, I
25 just want to note that the applicant has expressed some

1 dismay that there's no installation in the building. I hope
2 that we'll be able to work with the owner about that because
3 there are many problems involved with adding installation
4 into the technologies of older structures. And we would like
5 to try to work with applicants before they create new
6 problems for themselves with these structures.

7 But, I'm recommending that the vinyl siding not be
8 approved by the Commission. That it be denied. That vinyl
9 siding is inconsistent with the purposes of Chapter 24A that
10 this material and on this building in this location is
11 incompatible with the historic district. I note that there
12 are programs that are available to people in historic
13 districts, such as the County tax credit and the State tax
14 credit. And in this particular case, because this is a
15 commercial structure, the federal income tax, federal tax
16 credit program may also be pertinent. So that there are
17 programs to assist with the costs that anybody incurs in
18 terms of maintenance of their historic structure.

19 Uh, I am recommending that the vinyl siding on the
20 east elevation, that's the driveway side be removed
21 immediately, and that the vinyl siding on the rear elevation
22 be removed within a year's time. The applicant is here
23 tonight. And I'll be happy to answer any of your questions.
24 I'll note that the um LAP has submitted a letter. I'm sorry,
25 the LAP's here tonight. But the Historical Society has

1 submitted a letter which you received a copy of, of which
2 you've received a copy, and also the applicant has received a
3 copy that expresses support for the staff suggestion. And
4 also notes um, the various times. I think it's a very
5 interesting letter in terms of noting, having done research
6 on the number of times that the vinyl siding issue or
7 aluminum siding issue has come up before the Commission, and
8 the response. And um, they've stated no cases in Kensington
9 as -- no siding be allowed to be installed on a historic
10 resource on aluminum siding. And I believe the same holds
11 true for vinyl siding.

12 So, um, I'll be happy to answer any questions you
13 may have.

14 MR. SPURLOCK: Any questions of staff?

15 MS. VELASQUEZ: I don't have any questions. But
16 I'd like to congratulate Perry for her hard work. That's--

17 MS. KEPHART: Actually Robin did it.

18 MS. VELASQUEZ: Robin. Both of you. It was a very
19 well researched report. Thank you.

20 MR. SPURLOCK: Would the applicant like to step
21 forward, please.

22 MS. WOLPUFF: Yes, where would you like me?

23 MR. SPURLOCK: Would you like -- please state your
24 name for the record, and would you like --

25 MS. WOLPUFF: Oh, my name is Sharon Wolpuff and I'm

1 to involve the Commission. If you want to come and evaluate
2 the damage or the good condition, you would be welcome to do
3 so. And you'll just have to tell me who to be in touch with
4 with regard to this. And uh, but, we'll be happy to involve
5 you and include you.

6 Um, what I would ask is, it seems to me, what
7 you've asked us that we remove the side elevation immediately
8 and the rear elevation within one year. And what we'd like
9 to do is split the difference and tell you we can have
10 everything done by the end of December of 1999. And what
11 we're aiming for is to do this in the early Fall. We would
12 like to do it while the weather is still good, before winter
13 hits. Even though winters have been mild around here. And
14 that's the timing that works really well for us.

15 MS. VELASQUEZ: That doesn't sound unreasonable to
16 me. I have a question.

17 MS. WOLPUFF: Yes.

18 MS. VELASQUEZ: You um, you say you have replaced
19 the siding, you mean the wood siding?

20 MS. WOLPUFF: We'll do what needs to be done. What
21 needs to be replaced, we'll replace. What needs to be
22 refreshed, we'll refresh. Uh, it's uh, some of it's in
23 extremely good condition, especially on the side of the
24 building. But it's the rear of the building and that, how
25 did you describe it? That goes in that little back area in

1 the, that, like around that corner where you really can't see
2 it.

3 MS. KEPHART: We called it a return.

4 MS. WOLPUFF: The turn, the return, that's right.
5 It's uh, there's some badly damaged siding back there.

6 MS. VELASQUEZ: What do you expect to replace it
7 with? I mean, would you have the siding milled to match the
8 existing novelty siding or would you just use modern siding?
9 What would you put on there?

10 MS. WOLPUFF: I think it would be wisest for me to
11 ask you what you suggest. We'd like to do it just once.

12 MS. VELASQUEZ: We have recently heard of a place
13 that will mill siding to make it look like that German
14 siding. I think the staff can tell you where that is when
15 it's time for you to do that.

16 MS. WOLPUFF: Oh, really. Are they local?

17 MS. ZIEK: I think the point is that uh, what we
18 would call just standard German siding sometimes in the past,
19 they would have had a different profile. It might still have
20 been called German siding, but you know each house has its
21 own, or each building has its own specific history. So, we
22 would like to certainly work with you to do that analysis.
23 See what's readily available, then work with you to see if
24 perhaps what was readily available didn't match what you had,
25 maybe it would match. We don't know that at that point. But

1 she'll be speaking to you at some point.

2 MS. ZIEK: Okay.

3 MS. WOLPUFF: And we'll get that set in motion.

4 MS. VELASQUEZ: I have one more concern. Robin
5 raised in her report and we recently had uh, this type of
6 thing come up before. I understand that your building is not
7 insulated. Which is --

8 MS. WOLPUFF: Uh, it's not well insulated on the
9 bottom part, on the --

10 MS. VELASQUEZ: Is that going to make it cold?

11 MS. WOLPUFF: It has, but um, you know, I'm
12 thinking. Because I don't remember experiencing the cold
13 when I've been in that building. And I've been over, my
14 studio's over there. And actually our operations manager,
15 who would be in charge of the project has his office over
16 there too. And um, I don't remember experiencing that part
17 of the building as being cold. I think we're more concerned
18 about protecting the structure rather than um, the
19 temperature inside. But any little bit will help preserve
20 the heat and the air conditioning in the summertime.

21 MS. VELASQUEZ: I was just going to make a
22 suggestion.

23 MS. WOLPUFF: Yes.

24 MS. VELASQUEZ: I suggest you work with Robin um,
25 when you do decide or as you're doing, in doing this whole

1 process, she's, the whole staff is very knowledgeable about
2 this kind of thing. The wrong kind of insulation can
3 actually damage the wood on the inside and the outside of the
4 building. So, um, I think staff can probably help guide you.
5 When, that's the insulation's your business. But if it
6 deteriorates the inside and outside siding, it's defeating
7 everybody's work.

8 MS. WOLPUFF: That's right. That's right.

9 MS. VELASQUEZ: So.

10 MS. WOLPUFF: And we want to do this right. And
11 just to know that we have this kind of, we have the
12 opportunity to do it. And that there are people to help us.
13 I'm delighted.

14 MR. SPURLOCK: Uh, we have one other speaker. Why
15 don't we have from the LAP and then we'll have you step back
16 up, please. Mr. O'Donnell.

17 MR. O'DONNELL: Chairman Spurlock and members of
18 the Commission, thank you. I will just take a moment of your
19 time. Sorry I couldn't get you a letter earlier today on the
20 topic. The LAP is definitely in support of the staff report
21 on this thing. Obviously, we don't have an attitude that's
22 punitive on this. It's more a question of coming to a
23 constructive solution. And it seems like the applicant has
24 got a very constructive attitude toward it. So, it may be
25 the strategy is to uh, deny this HAWP, but then proceed to an

1 interactive discussion on how to best make this happen. And
2 I think that's probably about as much as I need to say.
3 Unless you've got any questions.

4 MR. SPURLOCK: Did you have an opinion on the
5 applicant's proposal to --

6 MR. O'DONNELL: It seems reasonable to me. As you
7 said, I can't think of anything that would be unreasonable
8 about it. It sounds like the attitude is what's important.
9 I mean people basically on the LAP said we ought to figure
10 out a way to expedite to expedite removal of the vinyl siding
11 in a constructive manner, so.

12 MR. SPURLOCK: Okay. Thank you.

13 MR. O'DONNELL: Thank you.

14 MR. SPURLOCK: Could staff give us a little
15 guidance on what sort of motion.

16 MS. KEPHART: That's what we're discussing.

17 MS. ZIEK: We were just discussing that uh,
18 probably think that you, since the application was for vinyl
19 siding, that you have to deny it. But I think that you can
20 then go ahead and say that you can stipulate the schedule
21 that you would agree on with the applicant --

22 MS. VELASQUEZ: So that it will be --

23 MS. ZIEK: -- as part of your motion.

24 MS. VELASQUEZ: But we don't want it to be punitive
25 to the applicant.

1 MS. KEPHART: What we were suggesting is that the
2 applicant could ask that the HAWP be modified to be actually
3 a change from vinyl to wood and that you approve that with
4 the condition that it be coordinated with the staff.

5 MS. ZIEK: But I don't know if they can do that
6 right here. I mean, you know you make your application --

7 MS. KEPHART: Then modify the application, tell
8 them --

9 MS. WATKINS: Which is repair in kind.

10 MS. VELASQUEZ: Yeah, if it's removing vinyl,
11 because we don't want the vinyl on the building. And she's
12 just repairing the siding, that's replacement in kind. She
13 doesn't need a HAWP for that.

14 MS. ZIEK: Right.

15 MS. KEPHART: But she does have to go from vinyl to
16 wood which would be she's actually changing the material at
17 this point.

18 MS. ZIEK: Right. I mean we do require people to
19 come in even when they're removing non original siding to
20 restore original siding. That's a change. Even though we
21 welcome that kind of change, you still have to --

22 MS. EIG: If we're telling her --

23 MS. VELASQUEZ: Even though the vinyl was put up
24 without a permit in the first place --

25 MS. EIG: We're telling her she has to take it down

1 --

2 MS. VELASQUEZ: She has to come back --

3 MS. ZIEK: The thing is that as far as I can see,
4 she's on record now with an application. The permit has been
5 submitted that requests approval of the vinyl. So you have
6 to vote on that.

7 MR. SPURLOCK: I think perhaps we need to deny this
8 HAWP in front of us and give the applicant an understanding
9 from the Commission that we are receptive to her proposal and
10 have her just file another HAWP. Which we can expedite.

11 MS. KEPHART: Then it becomes just a repair.
12 You're not going to consider it a change from vinyl to wood,
13 it just becomes wood.

14 MS. ZIEK: Right.

15 MS. VELASQUEZ: If we deny the use of vinyl --

16 MS. ZIEK: Right.

17 MS. VELASQUEZ: -- then vinyl is a non issue. Once
18 it's off, it's the building that we started with.

19 MS. ZIEK: Right. But what the issue now is the
20 schedule. And as staff, in my report, I have recommended one
21 schedule, the applicant is recommending a different schedule.
22 And I think in your motion, you can address that.

23 MS. VELASQUEZ: Okay. I can do that. Mr.
24 Chairman, um, I move that we deny the application in front of
25 us, Case No. 31/6-99H at 3730 Howard Avenue in the Kensington

3/99M
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1 Historic District. And further require that the vinyl siding
2 on the entire building be removed within one year. In six
3 months, so revise my motion, six months.

4 MS. WATKINS: I second.

5 MR. SPURLOCK: Close the public record. All those
6 in favor raise your right hand. Motion passes unanimously.
7 Do you need a clarification?

8 MS. ZIEK: Um, I just wonder if you would just want
9 to go on record in terms of why you, you know say for the
10 reasons cited in the staff report, or um --

11 MS. VELASQUEZ: I'll amend my motion to include the
12 reasons, to include the staff report as part of my motion.
13 Uh, for the reasons in the staff report, I move we deny and
14 etc.

15 MR. SPURLOCK: Thank you.

16 MS. WOLPUFF: Oh, can I ask you one question?

17 MR. SPURLOCK: Absolutely.

18 MS. WOLPUFF: What's my next step? Do I --

19 MS. VELASQUEZ: Take the siding off and repair your
20 building.

21 MS. WOLPUFF: Do we need a permit to do that?

22 MS. EIG: I don't think so. We might suggest that,
23 you have to repair it in kind. Which means that it should
24 look the same way. And I think that the staff can provide
25 you some assistance in being able to match that wood

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

FAX TRANSMITTAL SHEET

Historic Preservation Section
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301) 563-3412

TO: George Kousoulas FAX NUMBER: 202-638-5592
~~202-462-7234~~

FROM: Row Zick

DATE: July 7, 1999

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 8

NOTE: PLEASE Review So I CAN SEND THIS OUT -
MY DEADLINE IS FAST APPROACHING! Thanks
Row

7/8/99 George says "fine"