

31/6-99K 10308 Montgomery Ave.
(Kensington Historic District)

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date: 9-23-99

file

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: 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: John and Lucia Rather

Address: 10308 Montgomery Avenue, Kensington H.D.

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.

IM-INCFC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

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PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date:

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MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Wright, Coordinator
Historic Preservation Section

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

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

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

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

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

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

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

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MEMORANDUM

DATE: 9-23-99

TO: Local Advisory Panel/Town Government

FROM: Historic Preservation Section, M-NCPPC

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

SUBJECT: Historic Area Work Permit Application - HPC Decision

The Historic Preservation Commission reviewed this project on 9-22-99.
A copy of the HPC decision is enclosed for your information.

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

G:\wp\laphawp.ltr



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

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

**APPLICATION FOR
 HISTORIC AREA WORK PERMIT**

Contact Person: _____

Daytime Phone No.: 301-942-0515

Tax Account No.: 01023314

Name of Property Owner: John + Lucia Rather Daytime Phone No.: 301-942-0515

Address: 10308 Montgomery Ave Kensington MD 20895
Street Number City State Zip Code

Contractor: John Sherb Phone No.: 301-897-3503

Contractor Registration No.: 830071

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 10308 Street: Montgomery Ave.
 Town/City: Kensington, MD Nearest Cross Street: Howard Ave.
 Lot: _____ Block: _____ Subdivision: _____
 Liber: _____ Folio: _____ 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: Landscape

1B. Construction cost estimate: \$ 5000

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.

John C. Rather
 Signature of owner or authorized agent

28 August 1999
 Date

Approved: _____ For Chairperson, Historic Preservation Commission
 Disapproved: _____ Signature: _____ Date: 9-23-99
 Application/Permit No.: 9909020091 Date Filed: 9/23/99 Date Issued: _____

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

1. WRITTEN DESCRIPTION OF PROJECT

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

House built c. 1900. High hemlock hedge across front. Large
barn at rear

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

Remove dying hemlock hedge. Replace with lower hedge composed
of 35 yew bushes (24" to 30"). Plant 2 arbutus at front north corner
Repair brick step at end of front walk

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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

6. TREE SURVEY

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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

Expedited

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10308 Montgomery Avenue, Kensington **Meeting Date:** 09/22/99

Resource: Primary Resource **Report Date:** 09/13/99
Kensington Historic District

Review: HAWP **Public Notice:** 09/08/99

Case Number: 31/6-99K **Tax Credit:** None

Applicant: John and Lucia Rather **Staff:** Robin Ziek/ Michele Naru

PROPOSAL: Remove a 6' hemlock hedge and replace with a lower hedge composed of Yew or Ligustrum bushes (24" to 30"). Plant 2 arborvitae trees at front north corner of property. Repair brick steps at the end of the front walk.

RECOMMEND: Approval

PROJECT DESCRIPTION

SIGNIFICANCE: Primary Resource in Kensington Historic District.

STYLE: Victorian Cottage

DATE: 1900

Built in 1900 by George Peter, this turn-of-the-century wood frame dwelling is located on a 22,540 SF parcel of land in the Kensington Historic District. The property includes a hemlock hedge along Montgomery Avenue, several mature trees and other plant material. The property also contains a large early 20th century barn its rear.

PROPOSAL

The applicant proposes to:

1. Remove dying hemlock hedge and replace with a lower hedge composed of 35 Yew or Ligustrum bushes (24" to 30" in height).
2. Remove Norway Maple (less than 6" in diameter) (No HAWP Required) and replace with 2 Arborvite trees at front north corner of lot #9.
3. Repair brick step at end of front walk. (No HAWP Required)

STAFF DISCUSSION

“Historically, properties in Kensington followed a common landscape plan. This plan included a back yard that was divided between a vegetable garden and a chicken yard. The front and side yards were generally lawn and there were few fences.”¹

The existing hemlock hedge planted along the front property line rises over six feet tall and is encroaching beyond the property line, into the sidewalk path. The property owners have fielded several complaints from the Town of Kensington and neighbors associated with this sidewalk problem. Staff feels that the proposed replacement plan is a good option. The hedge was not planted during this property’s period of significance and does not contribute to the integrity of the historic landscape. The smaller plant material would provide a better view of the existing primary resource and also correct the sidewalk encroachment problem.

The removal of a tree with a diameter of less than 6" does not require a HAWP. The replacement of this Norway Maple with two Arborvite trees will assist the homeowner in camouflaging their view of the contiguous commercial district.

The replacement in kind of the brick steps does not require a HAWP if the replacement brick is of the exact material and dimension of the original.

The LAP has not yet responded at the time this report was prepared.

STAFF RECOMMENDATION

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

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

and with the Secretary of the Interior Guidelines #10:

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

with the general condition applicable to all Historic Area Work Permits that **the applicant will present any permit sets of drawings to HPC staff for review and stamping prior to submission for permits.**

¹Maury, William M. *Kensington: A Picture History*. Kensington Business District Association: Kensington, Maryland. 1994. p 38.



SEP 11 1999

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: _____

Daytime Phone No.: 301-942-0515

Tax Account No.: 01023314

Name of Property Owner: John + Lucia Rather Daytime Phone No.: 301-942-0515

Address: 10308 Montgomery Ave Kensington MD 20895
Street Number City State Zip Code

Contractor: John Sharp Phone No.: 301-897-3503

Contractor Registration No.: 830071

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 10308 Street: Montgomery Ave.

Town/City: Kensington, MD Nearest Cross Street: Howard Ave.

Lot: _____ Block: _____ Subdivision: _____

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

CHECK ALL APPLICABLE:

- | | | | | | | | | |
|------------------------------------|----------------------------------|--|--|------------------------------------|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input checked="" type="checkbox"/> Alter/Renovate | <input type="checkbox"/> A/C | <input type="checkbox"/> Slab | <input type="checkbox"/> Room Addition | <input type="checkbox"/> Porch | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Raze | <input type="checkbox"/> Solar | <input type="checkbox"/> Fireplace | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family | | |
| <input type="checkbox"/> Revision | <input type="checkbox"/> Repair | <input type="checkbox"/> Revocable | <input type="checkbox"/> Fence/Wall (complete Section 4) | | <input type="checkbox"/> Other: <u>Landscape</u> | | | |

1B. Construction cost estimate: \$ 5000

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: _____

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3A. Height _____ feet _____ inches

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

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they leave town on 5th will not be @ meeting.

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.

John C. Rather

23 August 1999

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Remove dying hemlock hedge. Replace with lower hedge composed of 35 yew bushes (24" to 30"). Plant 2 arborvite at front north corner. Repair brick step at end of front walk

several complaints - incl. a letter from town

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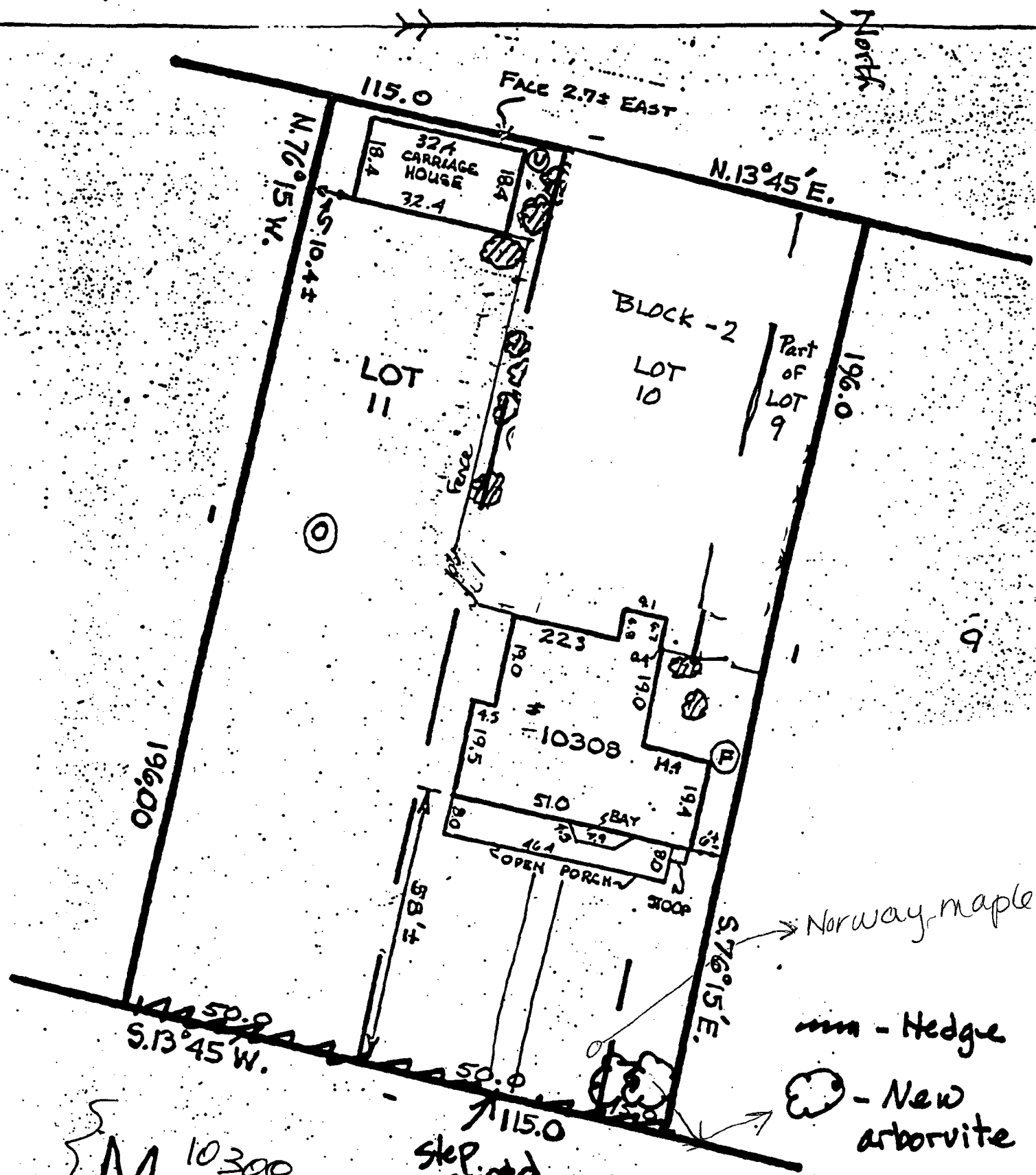
Adjoining/neighborhood property owners:

Bruce Caswell & Lauren Deichman
10312 Kensington Pkwy
Kensington, MD 20895

Sally & Patrick Gulbrandson
10400 Montgomery Ave.
Kensington, MD 20895

Gloria & Jeffery Capron
10304 Montgomery Ave.
Kensington, MD 20895

Mrs. Charles Stewart
10319 Fawcett St.
Kensington, MD 20895



10308
MONTGOMERY
 1st class - Det for

step repaired

Scale: 1" = 28.5'

Norway maple
 --- Hedge
 (circle) - New arborvite



Dying hemlock
hedge

Rt 6610308 Montgomery Ave.
Hensington MD 20895



Deteriorated brick step at end
of front walk



Rather 10308 Montgomery Avenue, Kensington, MD 20845

Kensington LAP
Frank O'Donnell, Chair

MEMORANDUM

To: Montgomery County Historic Preservation Commission

From: Frank O'Donnell, Kensington LAP *FO*

Date: September 22, 1999

Re: Case Number 31/6-99K

No member of the Kensington LAP has raised a concern with the permit application. The proposal makes a great deal of sense and should be approved.

Kensington LAP
Frank O'Donnell, Chair

FAX COVER PAGE

To: Robin Ziek 301-563-3412

From: Frank O'Donnell

Date: September 22, 1999

→ HPC

Please modify our
application to say -
new hedge will be
yew or ligustrum.

Thanks

Lucia Rathe

13 sept 99

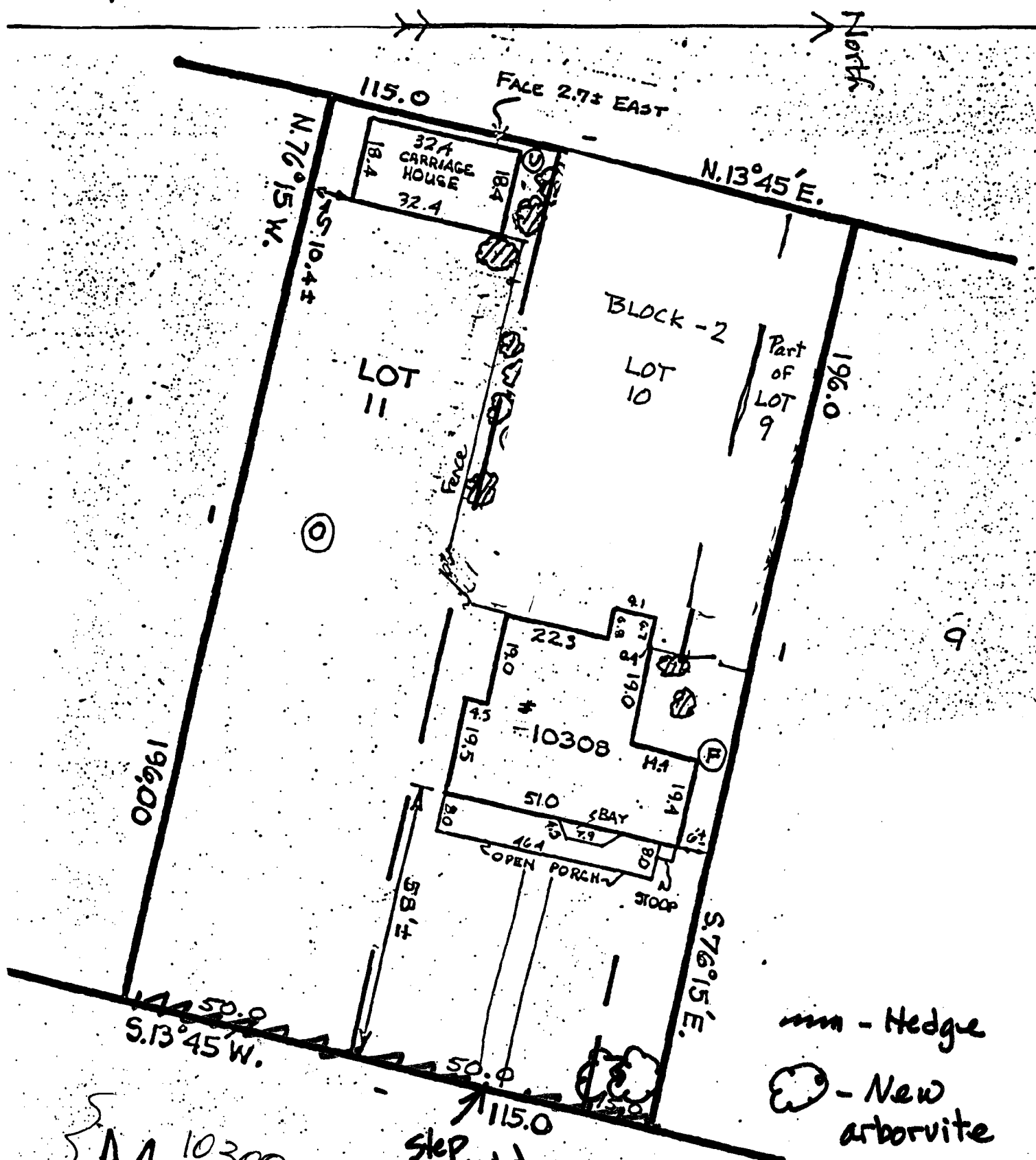
Adjoining/neighborhood property owners?

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10304 Montgomery Ave.
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- Hedge
 - New arborvite

10308
MONTGOMERY
 John & Lucia Rather
 Air.

Scale: 1" = 28.5'



Dying hemlock
hedge

Rt 10308 Montgomery Ave.
Kensington MD 20895



Deteriorated brick step at end
of front walk



Rather 10308 Montgomery Avenue, Kensington, MD 20895