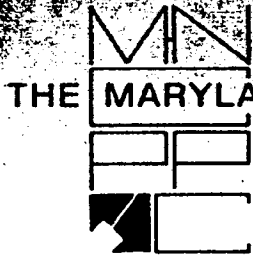


31/6-93K 3929 Prospect Street
K nsington Historic District



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

MEMORANDUM

TO: Robert Hubbard, Acting Chief
Division of Development Services and Regulation
Department of Environmental Protection

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

SUBJECT: Historic Area Work Permit

DATE: 9.9.93

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

Approved Denied

Approved with Conditions: _____

- #1) The installation of the fence will not harm any trees
- #2) Staff (HPC) will be provided with a copy of the landscape plan showing the placement of the replacement plantings.

The Building Permit for this project should be issued conditional upon adherence to the approved Historic Area Work Permit.

Applicant: Peter and Maureen Cappadona

Address: 3929 Prospect Street, Kensington



Historic Preservation Commission

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

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 2405458
 NAME OF PROPERTY OWNER PETER AND MARICELA CAPPAQUOLA TELEPHONE NO. 301-933-8363
 (Contract/Purchaser) ADDRESS 2929 PROSPECT ST. KENSINGTON, MD. 20875
 (Include Area Code) CITY STATE ZIP
 CONTRACTOR KELOE LANDSCAPING TELEPHONE NO. 301-229-2403
 CONTRACTOR REGISTRATION NUMBER MHIC 25723
 PLANS PREPARED BY SAME TELEPHONE NO. SAME
 (Include Area Code) REGISTRATION NUMBER MHIC 25723

LOCATION OF BUILDING/PREMISE

House Number 3929 Street PROSPECT ST.
 Town/City KENSINGTON Election District 13
 Nearest Cross Street COLLETTICIT AVENUE
 Lot 15 Block 11 Subdivision 15. KENSINGTON PARK
 Liber 1555 Folio 1 Parcel 000

1A. TYPE OF PERMIT ACTION: (circle one)
 Construct Extend/Add Alter/Renovate Repair Circle One: A/C Slab Room Addition
 Wreck/Raze Move Install Revocable Revision Fence/Wall (complete Section 4) Other Solar Woodburning Stove
 REMOVE TREE
 1B. CONSTRUCTION COSTS ESTIMATE \$ FENCE \$1700.00 TREE \$500
 1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # N/A
 1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO
 1E. IS THIS PROPERTY A HISTORICAL SITE? NO

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

4A. HEIGHT _____ feet _____ inches
 4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 1. On party line/Property line _____
 2. Entirely on land of owner
 3. On public right of way/easement _____ (Revocable Letter Required).

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

[Signature] Signature of owner or authorized agent (agent must have signature notarized on back) August 16, 1993 Date

APPROVED For Chairperson, Historic Preservation Commission
 DISAPPROVED _____ Signature Albert B. Randall Date 9.8.93

APPLICATION/PERMIT NO: 1277069 FILING FEE: \$ _____
 DATE FILED: _____ PERMIT FEE: \$ _____
 DATE ISSUED: _____ BALANCE \$ _____
 OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 3929 Prospect Street Meeting Date: 9/8/93
Resource: Kensington Historic District Review: HAWP/Alteration
Case Number: 31/6-93K Tax Credit: No
Public Notice: 8/25/93 Report Date: 9/1/93
Applicant: Peter and Maureen Cappadona Staff: Nancy Witherell
PROPOSAL: Remove tree/construct fence RECOMMEND: Approve

The application concerns the removal of a tree on the lot of a newly-constructed house and the installation of a white-painted lattice fence 6' tall inside the rear property line.

The construction of the house was reviewed several times by the Commission and staff. The footprint of the house and its location were changed during the review. Originally L-shaped and with a patio at the rear, the footprint of the house is now rectangular with a patio on the right (east) side near the driveway. (The front wing was eliminated from the scheme and the house set back slightly on its lot following review by the Commission in January, 1992.)

A tree survey produced by Murray and Associates dated July 1990 was used by the HPC during its review. Staff visited the site on August 4, 1993, with Steve Cary, a certified arborist on the M-NCPPC staff, to verify the information on the tree survey. In surveying the species and location of every tree on the property, Mr. Cary discovered several errors in the original tree survey, summarized by the staff as follows:

1. There are actually more trees on the site than are shown on the original survey, particularly dogwoods in the front yard, a walnut along the left side lot line and a walnut inside the rear lot line behind the garage.
2. Some of the trees are misidentified by species. Many of the trees labeled wild cherries are actually dogwoods.
3. The applicants have elected to retain most of the dogwoods (labeled wild cherries) previously approved for removal by the HPC. In addition, they have transplanted eight 50-year-old azaleas to the left side of the house.

4. Several trees marked on the survey either have been removed during construction or were inaccurately marked on the tree survey. These missing trees are a 6.5" tree in the center of the front yard, a 7" tree to the right of the front path, a 6" tree in the left front corner of the property, and a tree on the left property line.

5. In addition, a tree never marked on the tree survey was removed at the right front (southeast) corner of the house. According to the contractor, it was a deciduous tree approximately 8" in caliper.

6. The large 14" tree on the left property line on the survey is dead and should be removed.

7. Approximately half of the root system of the walnut at the rear, behind the garage, was cut for the construction of the garage's foundation. According to Mr. Cary, the tree is healthy now and it is too early to determine if it has been irrevocably damaged or not. This tree was not marked on the original tree survey.

8. As a result of the footprint revisions, the front right (southeast) corner of the house was built very close to a tree. The tree, a cherry tree approximately 12-14" in caliper, is leaning toward the house. Mr. Cary believes the tree is so damaged that it is a danger to the house and should be removed.

STAFF DISCUSSION

The applicants and their landscape architect propose removal of the cherry tree leaning toward the front corner of the house. They propose planting a cluster of 6'-tall narrow evergreens in its stead, in the banked area between the driveway and the house. Additional shrubbery will also be planted near the house on the east side.

Mr. Cary suggests, instead, that five hollies of the *Ilex opaca* family, each 6'-8' in height, be planted.

The diagonal-lattice framed fence would have corner posts with ball finials and would serve as a screen along the side and rear yard, as shown on the plan provided by the applicants' landscape architect.

STAFF RECOMMENDATION

The cherry tree was irrevocably damaged during construction of the house; its root system is so compromised that the tree is noticeably leaning toward the house and should be removed. Given the number of trees on the property, including those in the immediate area, the HPC staff and Mr. Cary find the replacement of the cherry tree with holly trees to be the most appropriate choice. In a case of this nature, the HPC weighs the best way to

mitigate the loss of the tree, because there is no equivalent substitute for a mature tree.

The staff is greatly concerned about the other trees removed during construction of the house. Since the applicants anticipate developing a planting plan for the property, the staff would recommend that it be submitted to the HPC for review.

The fence is a also an appropriate choice, in the opinion of the staff, in height, style, color, and location.

The staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A, particularly 24-8(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 Standard #2:

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



Historic Preservation Commission

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

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 2405458

NAME OF PROPERTY OWNER PETER AND MAUREEN CAPPADOLA TELEPHONE NO. 301-933-8383
(Contract/Purchaser) (Include Area Code)

ADDRESS 3929 PROSPECT ST. KENSINGTON, MD. 20845
CITY STATE ZIP

CONTRACTOR KEHOE LANDSCAPING TELEPHONE NO. 301-229-8403
CONTRACTOR REGISTRATION NUMBER MHIC 33723

PLANS PREPARED BY SAME TELEPHONE NO. SAME
(Include Area Code)

REGISTRATION NUMBER MHIC 33723

LOCATION OF BUILDING/PREMISE

House Number 3929 Street PROSPECT ST.

Town/City KENSINGTON Election District 13

Nearest Cross Street CONNECTICUT AVENUE

Lot 15 Block 11 Subdivision 15, KENSINGTON PARK

Liber 10855 Folio 1 Parcel 000

- 1A. TYPE OF PERMIT ACTION: (circle one)
- | | | | | | | |
|---|----------------------------------|--------------------------------------|---------------------------------|--|---|--|
| <input checked="" type="radio"/> Construct | <input type="radio"/> Extend/Add | <input type="radio"/> Alter/Renovate | <input type="radio"/> Repair | Circle One: <input type="radio"/> A/C | <input type="radio"/> Slab | <input type="radio"/> Room Addition |
| <input checked="" type="radio"/> Wreck/Raze | <input type="radio"/> Move | <input type="radio"/> Install | <input type="radio"/> Revocable | <input type="radio"/> Porch | <input type="radio"/> Deck | <input type="radio"/> Fireplace |
| | | | <input type="radio"/> Revision | <input checked="" type="radio"/> Fence | <input type="radio"/> Wall (complete Section 4) | <input type="radio"/> Other |
| | | | | | | <input checked="" type="radio"/> REMOVE TREE |
- 1B. CONSTRUCTION COSTS ESTIMATE \$ FENCE \$1700.00 TREE \$500.00
- 1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # N/A
- 1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO
- 1E. IS THIS PROPERTY A HISTORICAL SITE? No

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

- 2A. TYPE OF SEWAGE DISPOSAL
- | | |
|---|------------------------------------|
| 01 <input checked="" type="checkbox"/> WSSC | 02 <input type="checkbox"/> Septic |
| 03 <input type="checkbox"/> Other | |
- 2B. TYPE OF WATER SUPPLY
- | | |
|---|----------------------------------|
| 01 <input checked="" type="checkbox"/> WSSC | 02 <input type="checkbox"/> Well |
| 03 <input type="checkbox"/> Other | |

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 4A. HEIGHT _____ feet _____ inches
- 4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
- On party line/Property line _____
 - Entirely on land of owner
 - On public right of way/easement _____ (Revocable Letter Required).

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

(Signature)

①

SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT
REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

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

A NEWLY CONSTRUCTED 3 STORY FRAME HOUSE WITH DETACHED 1-CAR GARAGE. STRUCTURES ARE HARMONIOUS WITH SURROUNDING HOMES & GARAGES WHICH ARE MUCH OLDER. LANDSCAPING WAS NON-EXISTANT PRIOR TO CONSTRUCTION. MANY TREES & SHRUBS WERE DISEASED AND NOT MAINTAINED.

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

ERECTION OF A WOODEN LATTICE FENCE ON OWNERS PROPERTY ALONG REAR PROPERTY LINE. FENCE WILL BE PAINTED WHITE AND IS CLASSIC IN APPEARANCE. NO SHRUBBERY OR PLANTINGS NEED BE REMOVED TO PROPERLY PLACE FENCE.

REMOVAL OF TREE ON SOUTHEAST CORNER IS ~~NOT~~ PREVENT DAMAGE TO HOUSE OR OCCUPANTS. THERE IS NO IMPACT ON THE HISTORIC RESOURCES, THE ENVIRONMENTAL SETTING OR THE HISTORIC DISTRICT (2)

2. Statement of Project Intent:

Short, written statement that describes:

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

1. 6' TALL LATTICE-DESIGN WOODEN FENCE LOCATED AT THE REAR OF THE PROPERTY.
2. REMOVE 35' TREE WHICH IS ENCRoACHING ON THE SOUTH EAST CORNER OF THE HOUSE

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

THE FENCE IS HARMONIOUS IN DESIGN WITH OUR NEWLY CONSTRUCTED HOME & GARAGE.

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

PLANS ARE COMPATIBLE.

3. Project Plan:

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

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

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

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

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

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

10. Addresses of Adjacent Property Owners. For all projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. If you need assistance obtaining this information, call the Department of Assessments and Taxation, at 279-1355.

1. Name MARSHALL PRESSER, NANCY SHERMAN
 Address 3927 PROSPECT ST.
 City/Zip KENSINGTON, MD. 20895
2. Name HELEN AND SANDY WILKES
 Address 3923 PROSPECT ST.
 City/Zip KENSINGTON, MD. 20895

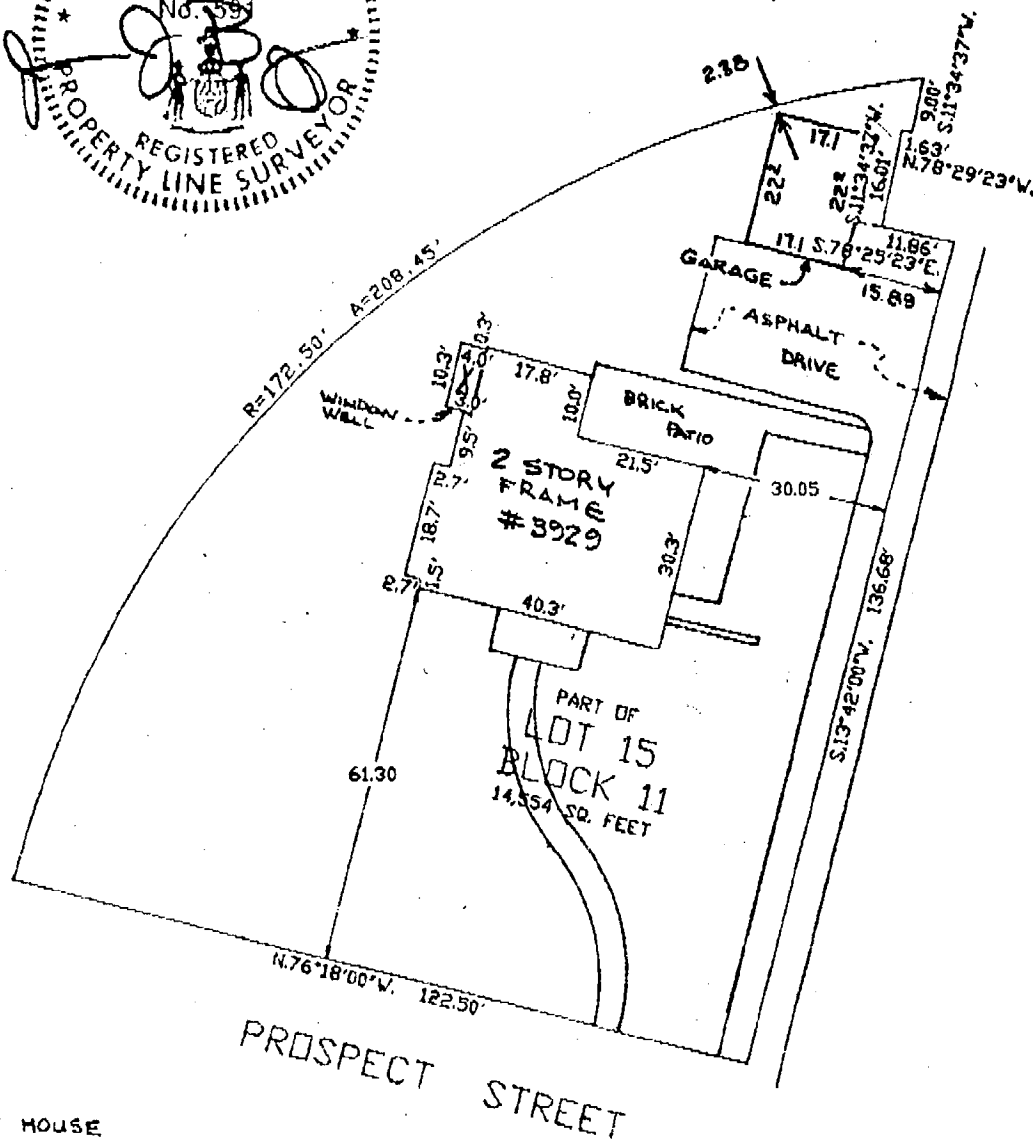
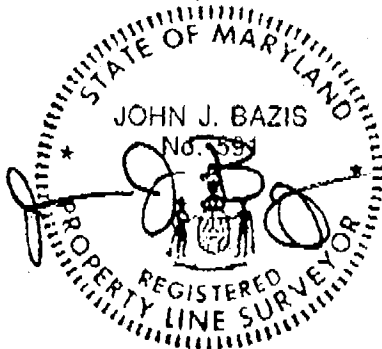
3. Name LOIS AND RAY WEISMAN
Address 3926 PROSPECT ST.
City/Zip KENSINGTON, MD. 20895
4. Name HOLLY AND MARK SULLIVAN
Address 3928 PROSPECT ST.
City/Zip KENSINGTON, MD 20895
5. Name MARLENA AND VICTOR COHAN
Address 3932 PROSPECT ST.
City/Zip KENSINGTON, MD 20895
6. Name DOROTHY AND HENRY JARVINEN
Address 3947 WASHINGTON ST.
City/Zip KENSINGTON, MD. 20895
7. Name CLAUDIA + MICHAEL BARNES
Address 3948 BALTIMORE ST.
City/Zip KENSINGTON, MD. 20895
8. Name MARY AND STEVEN HASH
Address 3944 BALTIMORE ST.
City/Zip KENSINGTON, MD. 20895

1757E

9. DONNA AND ALAN SPEALMAN
3940 BALTIMORE ST.
KENSINGTON, MD. 20895
10. MARY AND ROBERT EDMUND
3934 BALTIMORE ST.
KENSINGTON, MD. 20895
11. MIRTHA AND JAMES ORME
3928 BALTIMORE ST.
KENSINGTON, MD. 20895
12. JANE AND JOHN LOSSING
3924 BALTIMORE ST.
KENSINGTON, MD. 20895

(5)

THIS LOCATION IS FOR TITLE PURPOSES ONLY - NOT TO BE USED FOR DETERMINING PROPERTY LINES. PROPERTY MARKERS NOT GUARANTEED BY THIS LOCATION.



LOCATION OF HOUSE
LOT 15
BLOCK 11
KENSINGTON PARK
MONTGOMERY COUNTY, MD.

NO HUD PANEL AVAILABLE FOR TOWN OF KENSINGTON

ADDED GARAGE 6-21-93.
BUILDING LINE AND/OR FLOOD ZONE INFORMATION IS TAKEN FROM AVAILABLE SOURCES AND IS SUBJECT TO INTERPRETATION OF ORIGINATOR

SURVEYOR'S CERTIFICATE

"I HEREBY CERTIFY THAT THIS INSPECTION WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR REGISTERED SURVEYORS IN THE STATE AS ADOPTED BY THE MARYLAND SOCIETY OF SURVEYORS."

REFERENCES

PLAT BK. B
PLAT NO. 4

LIBER
FOLIO

ADVANTAGE ENGINEERING, INC.

SURVEYORS • ENGINEERS
LAND PLANNING CONSULTANTS



P.O. BOX 1333
GERMANTOWN, MD. 20876
(801) 607-0124

DATE OF LOCATIONS
WALL CHECK: 2/11/93
HSE. LOC.: 8-B-93

SCALE: 1" = 30'
DRAWN BY: JJB



P.O. BOX 15139, CHEVY CHASE, MARYLAND 20825 229-8403

August 10, 1993

Mr. and Mrs. Peter Cappadona
3929 Prospect Street
Kensington, Maryland

Dear Mr. and Mrs. Cappadona;

At your request, I have taken the time to look closely at the existing trees that are near the property line of your backyard. I am confident that we can construct a fence on your side of the property line without causing any damage to the existing trees.

If you should have any questions, please don't hesitate to call.

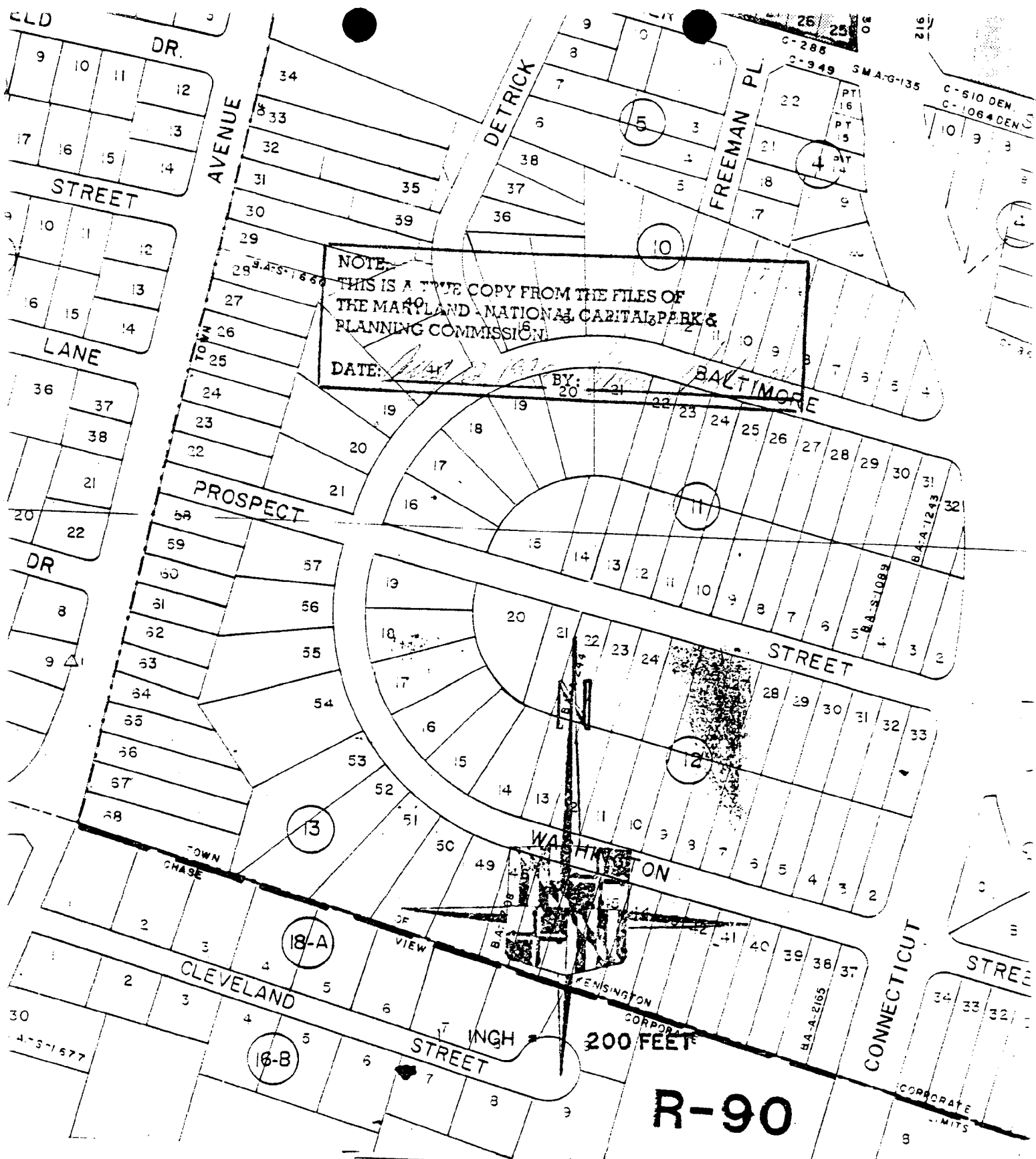
Sincerely,

A handwritten signature in cursive script that reads "Katherine Kehoe".

Katherine Kehoe
President

mc/kk

9



NOTE:
 THIS IS A TRUE COPY FROM THE FILES OF
 THE MARYLAND NATIONAL CAPITAL PARK &
 PLANNING COMMISSION
 DATE: 4/12/78 BY: [Signature]

GRANTED 10/10/78

Zoning is not depicted within public rights-of-way for roads, streets, alleys, easements or transit routes, nor is zoning depicted within privately owned railroad rights-of-way. Such rights-of-way are zoned in accordance with the provisions of Section 59-A-1.7 of the zoning ordinance entitled Zoning and Development Within Rights-of-way.

10

ROUND

4" x 4"
POST

6'-3"

6' HEIGHT

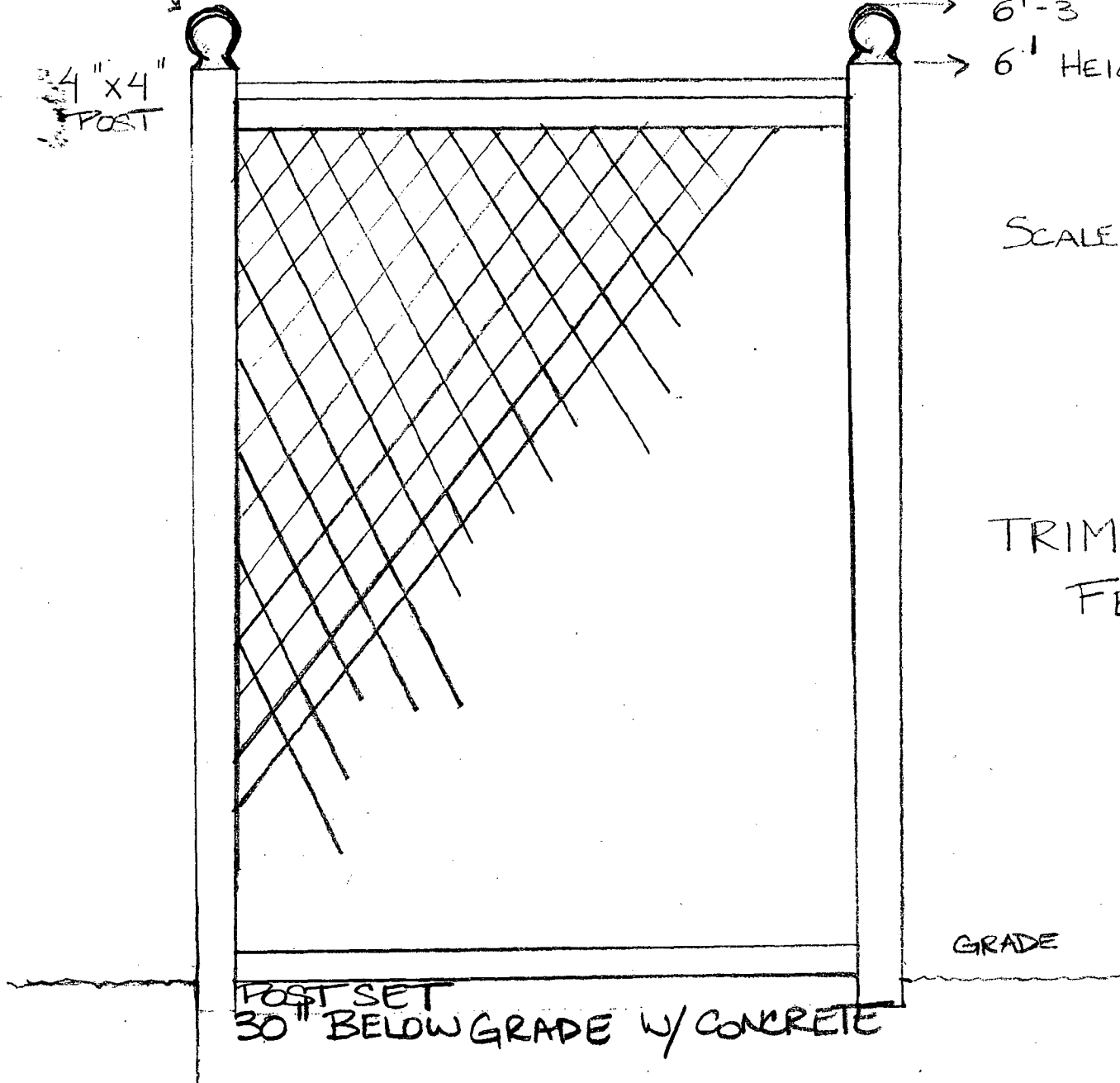
(=)

SCALE: 1" = 1'-0"

TRIMMED LATTICE
FENCING

GRADE

POST SET
30" BELOW GRADE W/ CONCRETE



34124 PROSPECT ST.
KENSINGTON, MD

TREE TO BE REMOVED



↑
SOUTHEAST CORNER
FROM THE REAR
OF THE PROPERTY

3929 PROSPECT ST.
KENSINGTON, MD.

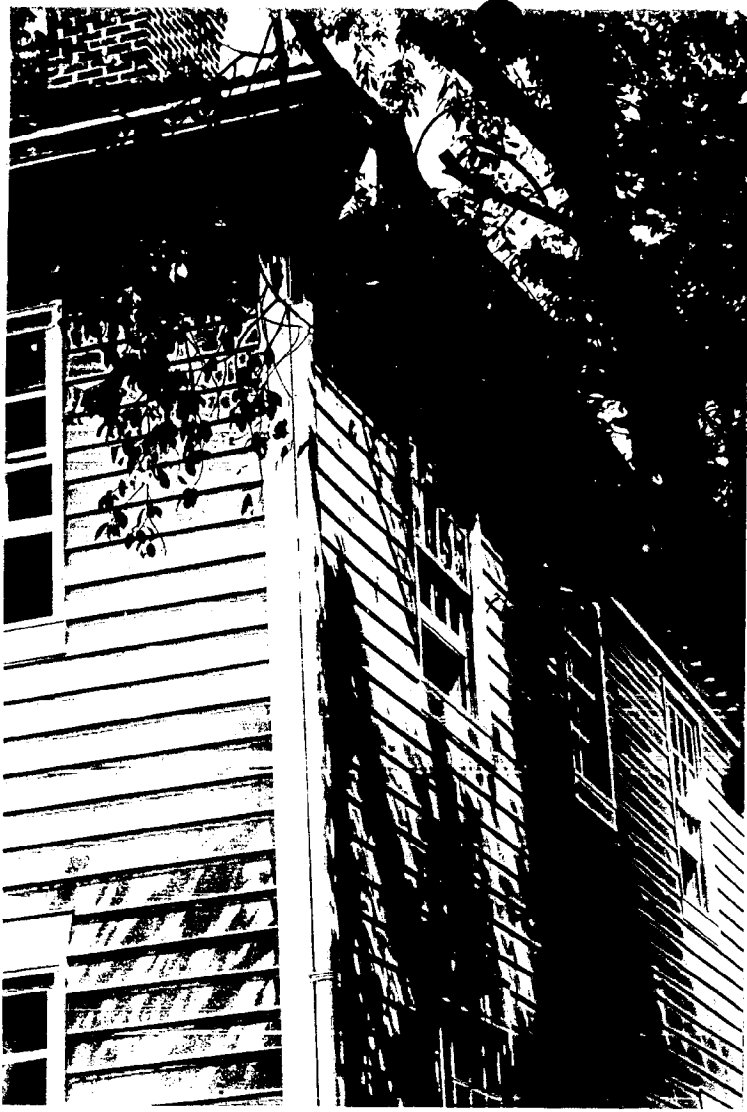


TREE TO BE REMOVED



↑
SOUTH EAST CORNER
FROM THE FRONT
OF THE PROPERTY

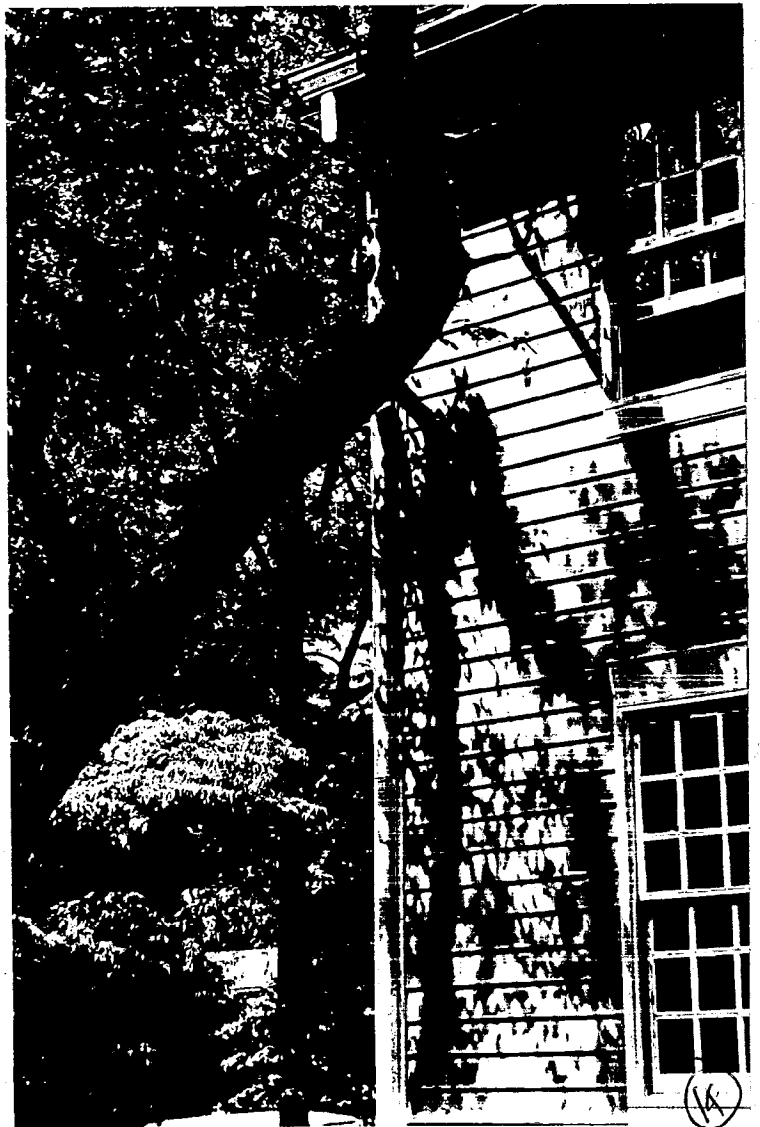
34174 KENNINGTON ST
KENSINGTON, MD.

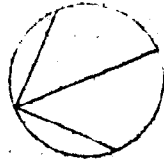


TREE TO BE REMOVED

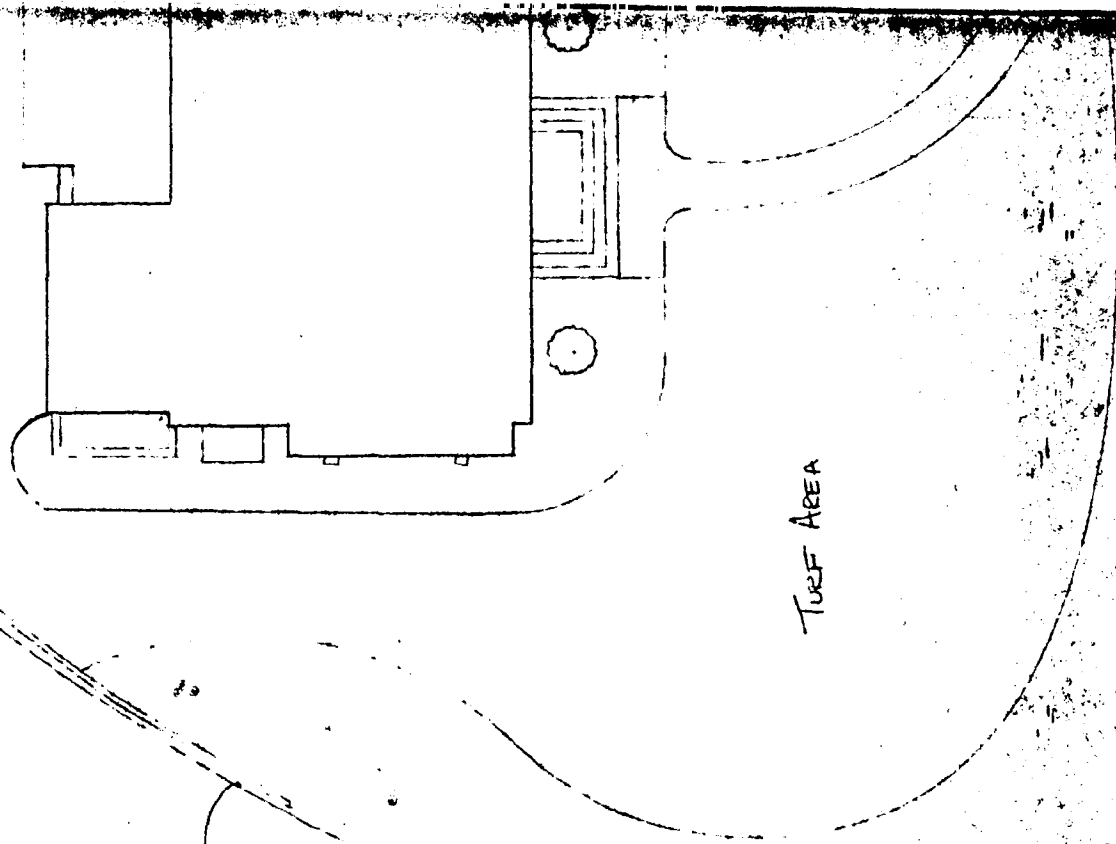


SOUTHEAST CORNER
FROM THE RIGHT
SIDE OF THE
PROPERTY





FENCING TO FOLLOW
PROPERTY LINE.



TURF AREA

BEDDED
AREA

CONTINUED →

(15)

3929 PROSPECT ST.
KENSINGTON, MD



SOUTHEAST CORNER
FROM THE REAR
OF THE PROPERTY



392 Prospect St.
Kensington, Md.



SOUTHEAST CORNER
FROM THE FRONT
OF THE PROPERTY



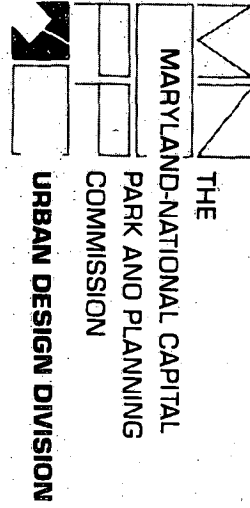
3929 PROSPECT ST
KENSINGTON, MD.



SOUTHEAST CORNER
FROM THE RIGHT
SIDE OF THE
PROPERTY



8787 Georgia Avenue • Silver Spring, Maryland 20910-3760



3/6-93K

3929 Prospect St.

Wash.

9-8-93

Cappadona