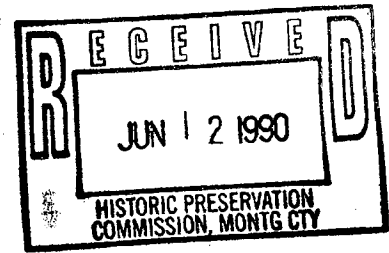


31/6 10234 Montgomery Ave.
31/6-90F Lot 15

MARTIN & NGUYEN, INC.
One Central Plaza
11300 Rockville Pike
Suite 607
Rockville, MD 20852



12 June, 1990

Mr. Jared Cooper
Historic Preservation Commission
51 Monroe Street
Suite 1001
Rockville, MD 20850

Dear Jared,

I would like to clarify a technical matter on the record of the May 9th hearing you had sent to my office on June 8th. On page one of both application records there is written, "the applicant appeared, represented by his architect..." The legal understanding of the word architect is one registered with the American Institute of Architects. Martin & Nguyen, Inc. is not an architecture firm. Although my training is architecture, I hold a Master's degree in architecture and am on the Architecture faculty at the Catholic University of America; I am not registered with the A.I.A. Martin & Nguyen, Inc. is a design consultation firm engaged primarily in residential work acting as consumer advocate to individuals in the building process with contractors.

I would appreciate it if you would make a note of this on the record. I thank you for your assistance in this matter.

Kind regards,


George J. Martin

rmn

PROPOSAL PRESENTED TO THE HISTORIC PRESERVATION COMMISSION
FOR PRELIMINARY CONSULTATION ON APPLICATION
FOR AN HISTORIC WORK PERMIT

March 14, 1990

AVERY-FLAHERTY PROPERTIES, INC.

Prepared by Martin Nguyen, Inc.

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PROPOSAL PRESENTED TO THE HISTORIC PRESERVATION COMMISSION
FOR PRELIMINARY CONSULTATION ON APPLICATION
FOR AN HISTORIC WORK PERMIT

March 14, 1990

The applicant, Avery-Flaherty Properties, Inc., seeks an historic work permit for new construction at 10234 Montgomery Avenue (Lot 15, Block 2) and 10232 Carroll Place (Lot 17, Block 2), both located in Kensington Park Subdivision, Kensington, Maryland. This proposal is presented to the Historic Preservation Commission (HPC) for the purpose of addressing particular design concerns and obtaining further input and feedback regarding the proposed structures from the HPC and residents of the historic community.

INTRODUCTION

Acknowledging the various elements which contribute to the value of the Kensington Historic District, the applicant presents here a design proposal for the development of Lots 15 and 17. The structures described in this proposal are not only stylistically consistent with the existing houses in the immediate area but also enhance and more clearly define the historic precedent or historic integrity that is itself the subject of preservation. The applicant has attempted to address all relevant issues of particular concern to the resident-owners of the twelve properties in the immediate vicinity of Lots 15 and 17.

A final introductory note should be expressed here. In reviewing this proposal it is helpful to bear in mind that the issues here relate directly to the quantitative

analysis and elements of design as they would relate to the existing structures in the historic district. Any question as to alternative uses of Lots 15 and 17, namely maintaining empty lots, is a separate matter and involves a question of property right or interest more appropriately determined in a court of law, and not discussed here.

PRINCIPAL ISSUES

The principal issues of concern are as follows: (1) impact on the open space and rhythm between open space and structures, particularly in regard to the proposal for Lot 15; (2) reduction of the mass of the Lot 15 structure; (3) alternative setback lines; (4) size and placement of driveways; (5) impact of construction activities on mature vegetation; (6) quantitative analysis of dimensions and setbacks, as related to existing resources in the immediate area; (7) justification for the choice of style; and (8) exclusion of garages. Each of these are discussed below.

IMPACT ON OPEN SPACE AND RHYTHM

Clearly, the issue of greatest concern is how the proposed structures on Lots 15 and 17 will affect the existing open spaces and rhythm of open space and structure. As discussed below, the proposed structures attempt to work with the open space and preserve the existing setbacks from the street. As for the relationship between open

space and structure, the proposed houses for Lots 15 and 17 actually enhance the existing rhythm.

Graphic G1 illustrates that the proposed structures can be placed in harmony with the existing rhythm of the area. The proposed structure for Lot 17 is discussed first, and then two alternatives for Lot 15 are explained.

Lot 17 - Carriage House. Refer to graphics G4 and G5 or G6.

The proposed building type for Lot 17 is the carriage house of Victorian massing. The placement of the structure here continues a line of out-buildings and essentially provides for the existence of the relationship of carriage house to main house. It fills the gap between Lots 16 and 17 for which no carriage house currently stands. The taxonomy of Kensington calls for this building type on Lot 17 because the existing house on Lot 16 lacks a carriage house whereas most of the surrounding structures show a carriage house belonging to a main house. In other words, the proposed structure for Lot 17 satisfies the historic precedent of main house and out-building relationship. As for the street view, the carriage house would not upset the open space from either a Carroll Place or a Montgomery Avenue view. In fact, it serves as a "visual pivot" for both the existing house on Lot 16 and the proposed structure on Lot 17 (see below). The carriage house, in short, would visually serve as an outbuilding to both houses depending on the particular street perspective. The

narrow facade would work as an outbuilding for the Lot 16 house, and the broad facade would work as an outbuilding for the Lot 17 house. Furthermore, the proposed carriage house would have the same setback from Montgomery Avenue as do the existing carriage houses from Montgomery Avenue. In these ways the open space from street to house is generous enough to maintain the existing street vistas. And more importantly, the rhythm of main house to outbuilding is fulfilled.

Lot 15 - Victorian Massing Scheme. Refer to graphic G5.

One of two proposed styles for Lot 15 derives its proportions and massing from Queen Anne Victorian houses. In terms of the impact on open space, the proposed structure has a more generous setback from the street than do the Georgian houses on the east and south of this site. Furthermore, its partial octagonal veranda wraps around the turret that turns the corner of Carroll Place and softens the edge of the house, allowing a view through the veranda to the existing Carroll Place house.

With respect to the rhythm, the proposed structure has a more intimate relationship with the brick walkway in front as do the other Victorian houses around the oval to the west on Carroll Place. A "neo-Queen Anne Victorian" on Lot 15 would visually commence the sequence of Victorian houses to the west along the oval. In addition, the proposed scheme continues a rhythm of a lacy, open veranda.

Lot 15 - Georgian scheme. Refer to graphic G6.

Alternatively, a Georgian style house is appropriate for Lot 15. Whereas the neo-Victorian would serve to accentuate the row of Victorians to the west, the proposed Georgian would serve to punctuate the rhythm of houses on the west side of Montgomery Avenue by terminating the sequence of the existing Georgian style houses. This Georgian is congruous with the residences to the south and east on Montgomery Avenue since they are Georgians. The house would also continue the existing rhythm because it shares the same setback as the residences immediately to the north of it with deep front yards. The proposed Georgian has the typical front porch with three-quarter length Tuscan columns which are also present in the existing Georgian houses around the area. It is in essence derived from the archetypal southern Georgian house which is the type from which most Georgians in the area were derived.

Particularly where Carroll Place comes off of Montgomery Avenue the street view from the latter onto Carroll Place would be improved with a facade of the proposed Georgian structure to terminate the rhythm of Georgian houses on Montgomery Avenue and punctuate the curve. Since the houses along the east side of Montgomery Avenue are predominantly of the Georgian style, the proposed structure would serve as a gateway and frame for the Noyes Library. Currently the back or "service side" of the existing Carroll Place house is what shows to the street and

essentially constitutes a poor frame for the Noyes Library. This back side is the only side of the house without a veranda, indicating that it is a side not meant to be seen along the street vista. With only the existing Carroll Place house, the street is accented by a service side rather than a facade.

Effect of the proposed structure for Lot 15 (either alternative).

The area along the curve of Carroll Place and Montgomery Avenue has not been defined yet and lacks a cohesiveness of a defined open space. The fact that the Noyes Library stands alone on an island serves to strengthen the Noyes Library as a focal point or sub-focal point from Carroll Manor. In order to be consistent with the notion of the historic core, there is a need to define the open outdoor space of the oval on which the old Warner mansion sits. The oval is to be looked at as the central open space, analogous to the "living room" of the community. To achieve this, the curve of Carroll Place must define the open space of the oval by framing it with houses.

It is important to note that the main oval has the large mansion and large carriage house--the two main types which serve as models for the surrounding area. In short, to enhance the street vista, there must be another facade on Lot 15.

REDUCTION OF MASS OF LOT 15 STRUCTURE

To be consistent with the taxonomy of historic Kensington certain height and square footage are necessary to be incorporated into any proposed design for Lot 15. A Victorian scheme shorter than thirty-two feet (32') would be inconsistent with the Victorian character and proportional system and would constitute more likely an outbuilding, such as a carriage house, and would therefore not justify its siting. A Victorian house must have a tripartite front facade with a substantial base.

In reference to the previous proposal, the mass of the Lot 15 structure has been reduced. The overall square footage has been decreased a total of fifteen per cent (15%) from the previously proposed application for permit, 1989. With this substantial reduction of massing and exclusion of garages, the streetscape is improved and views can filter through the lots.

ALTERNATIVE SETBACK LINES

The proposed Georgian house on Lot 15 reflects the setback of the house to the north of it. Both houses have substantially greater setbacks than in the previous proposal. The proposed Georgian has a setback of fifty-seven feet (57') from the brick walk to its porch. The existing house directly to the north has a setback of fifty-seven feet (57') from the same walk.

Similarly, the proposed Victorian house has a greater setback than previously proposed. The distance from the brick walkway to the front porch is forty-five feet (45') in comparison to the setback for the existing Carroll Place house which is thirty-five feet (35').

SIZE AND PLACEMENT OF DRIVEWAYS

The objective in designating appropriate driveway space is to keep street access from off the arc or curve of Carroll Place so as not to disrupt the Noyes Library. Furthermore, the greater risk of impaired view when turning into or driving out from a curve must be considered. Thus, the least obtrusive and safest locations for driveways are off of the curve and directly on Carroll Place and Montgomery Avenue.

With respect to the characteristics of the driveways, they are to be low impact gravel which is less noticeable, more natural and less of a continuation of the street.

IMPACT OF CONSTRUCTION ON MATURE VEGETATION

All efforts to preserve and maintain existing vegetation will be made. It is unlikely substantial harm will result to vegetation with the exception of the risk to the tulip poplar in the rear of Lot 16. The center of the tree would be twenty-two feet (22') from the perimeter of the carriage house and therefore there is some risk

that in the construction process the poplar would not be maintained as it is aged and brittle.

QUANTITATIVE ANALYSIS OF AREA

Existing House Lot 16

Total Foot Print	<u>1763</u> square feet
Height	<u>34</u> feet
Veranda	<u>844</u> square feet
Setback from Front Door to Walk	<u>30</u> feet

Existing House Lot 13 Montgomery Avenue

Total Foot Print	<u>2100</u> square feet
Height	<u>32</u> feet
Veranda	<u>300</u> square feet
Setback from Front Door to Walk	<u>57</u> feet

The following are rough figures from perimeter measurements.

Carriage House

Total Foot Print	<u>1122</u> square feet
Height	<u>28</u> feet
Veranda	<u>n/a</u>
Setback from Carroll Place	<u>110</u> feet

Georgian Massing Lot 15

Total Foot Print	<u>1505</u> square feet
Height	<u>34</u> feet
Veranda	<u>240</u> square feet
Setback from Front Door to Walk	<u>56</u> feet

Victorian Massing Lot 15

Total Foot Print	<u>1780</u> square feet
Height	<u>34</u> feet
Veranda	<u>480</u> square feet
Setback from Front Door to Walk	<u>35</u> feet

JUSTIFICATION FOR CHOICE OF STYLE

The choice of style for the proposed structures on Lots 15 and 17 are based on the fact that only two types of houses are historically valuable in the designated area. These are the Victorian and the Georgian--both of the Queen Anne period.

The Victorian type was the style of the time and reflected the progression of craftsmen such as carpenters and shipwrights becoming affluent enough to own their own houses. These structures were mansions not in the sense of size, but rather were mansions in that they were scaled down versions of the larger English estate types. These "little mansions" sat in close proximity to one another. The types existed first in England and subsequently were adopted in America after the usual ten-year delay in transition.

The Georgian type, on the other hand, was a revival style. Whereas the Victorian was thought by many to be too busy and complicated, the Georgian style which was from the earlier King George and Stuart period was revived in the early 1900's movement against the Victorian style. Therefore, there is the mix of the two types in the area and only one of these two would be suitable for the Lot 15 site.

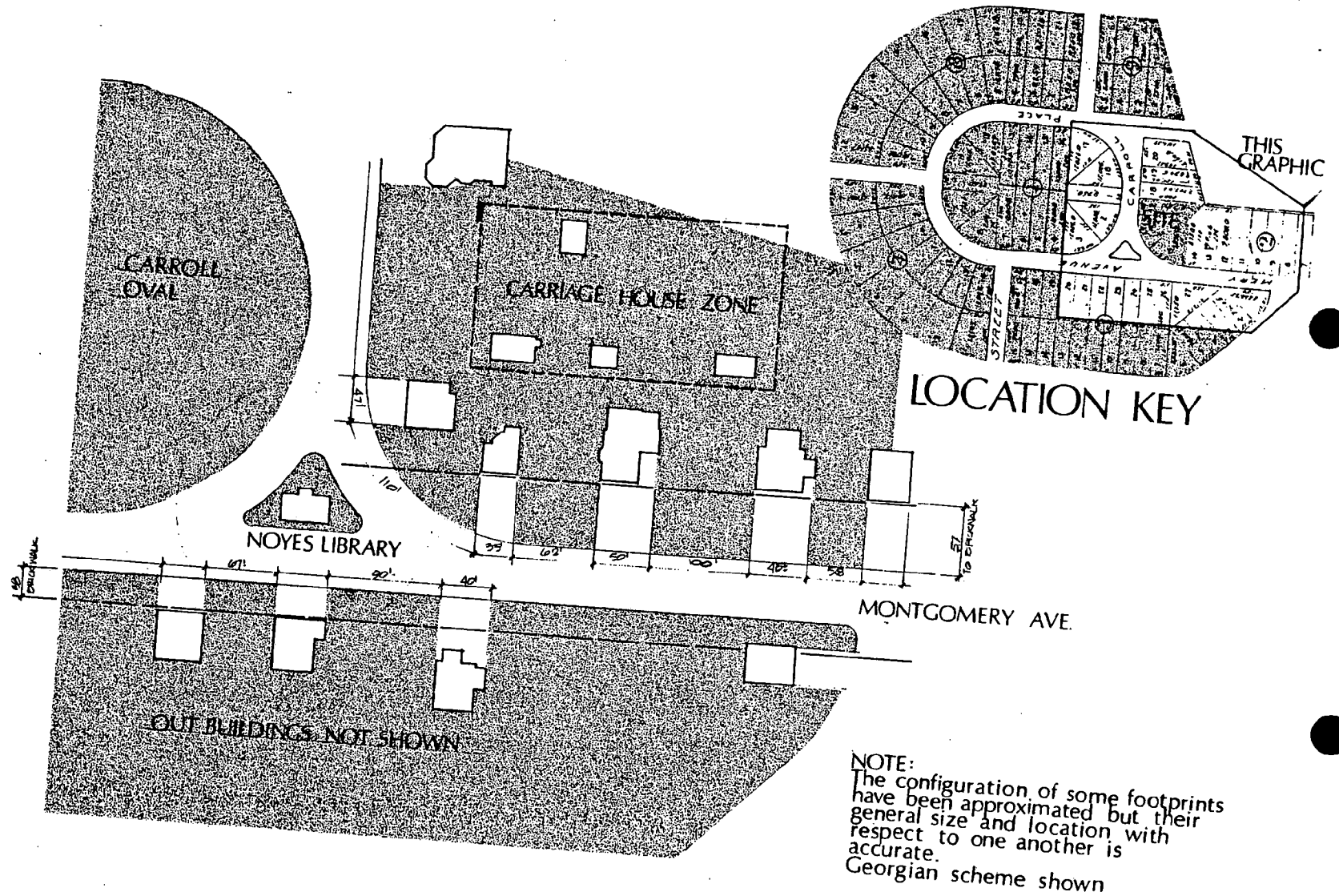
EXCLUSION OF GARAGES

As mentioned above, the proposed Carriage House on Lot 17 serves visually to be a carriage house, or garage, to both the Carroll Place house and the proposed house

for Lot 15. The applicant has no intention of including garages for either lot.

Because of the siting of the houses and the small rear yards, the only possible garage would be a one-car garage. Even this type of garage--wherever situated--would negate the possibility of turnaround space. Furthermore, any additional garage would be inconsistent with the carriage house to main house relationship created by the development on Lots 17 and 15.

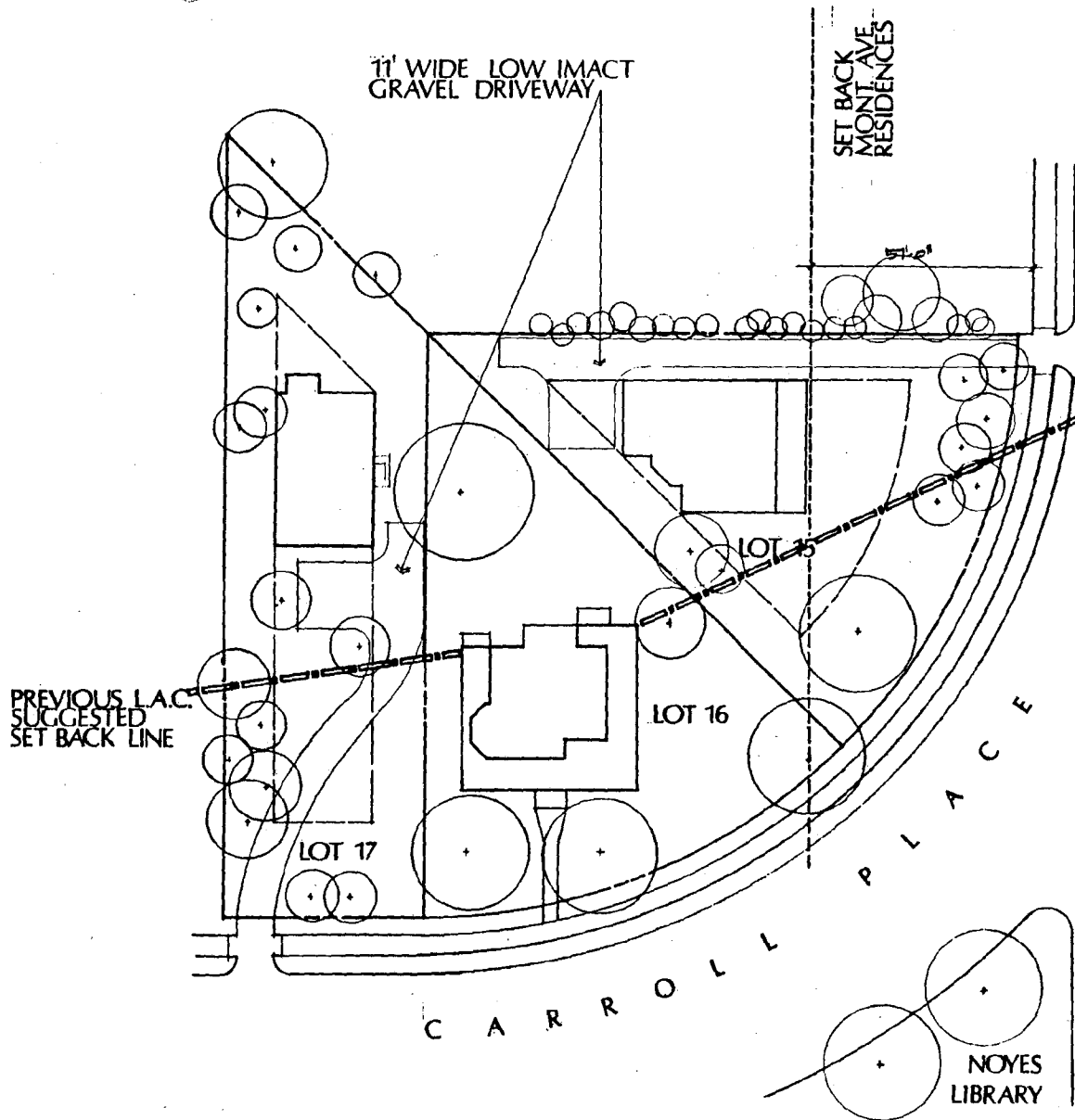
Finally, since the applicant has no intention of building garages the issue of future owners' desire for such structure is irrelevant here. Any future alterations will be subject to review by the HPC independently from the designs proposed here.



AREA ANALYSIS FRONT FACADE · OPEN SPACE RHYTHM

G1

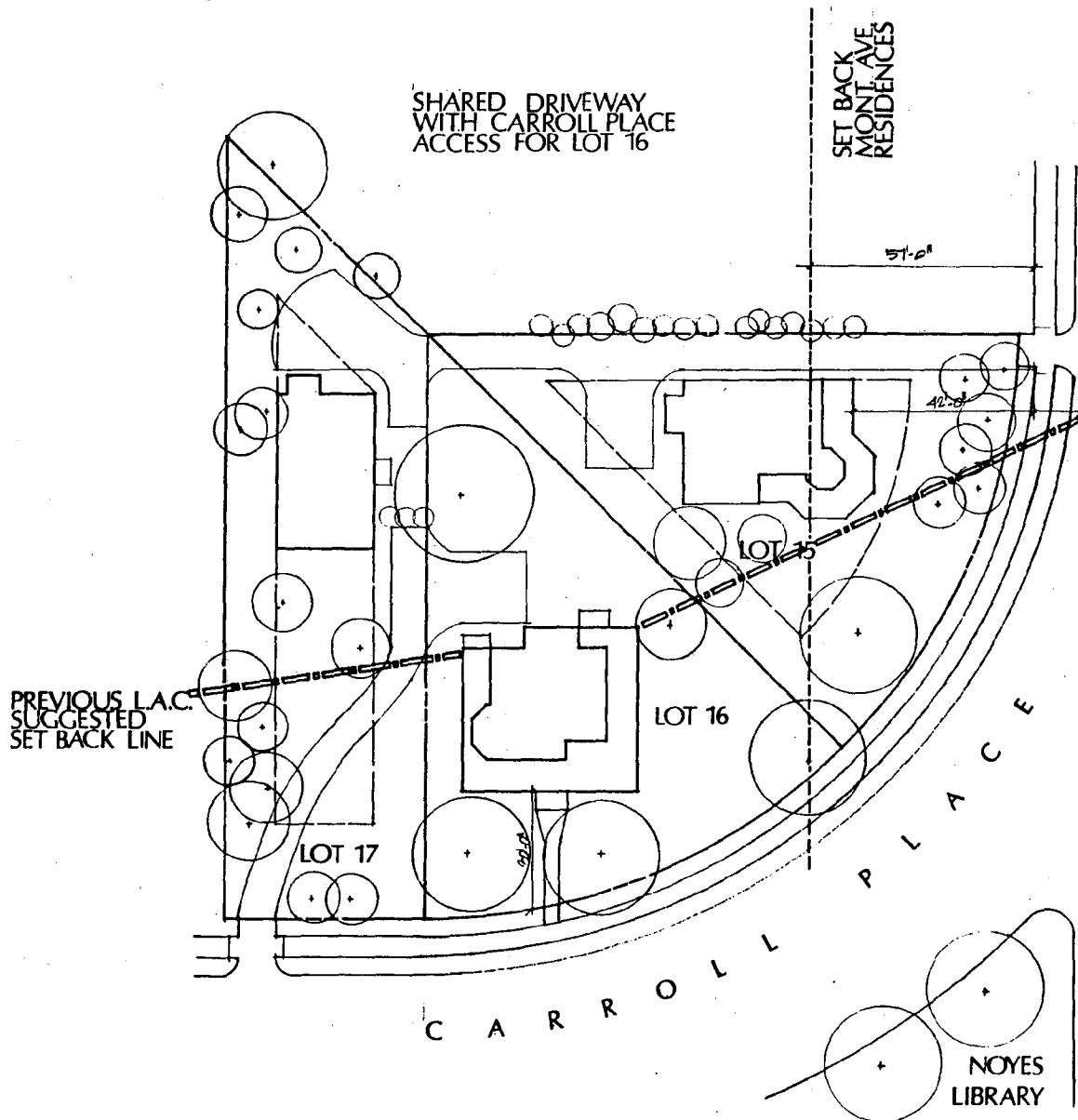
N '90



SITE PLAN GEORGIAN MASSING



G2

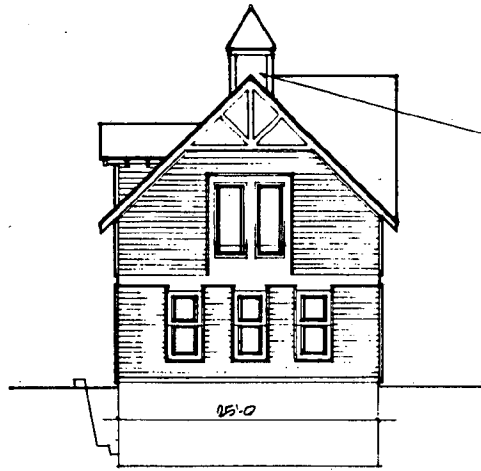


SITE PLAN VICTORIAN MASSING



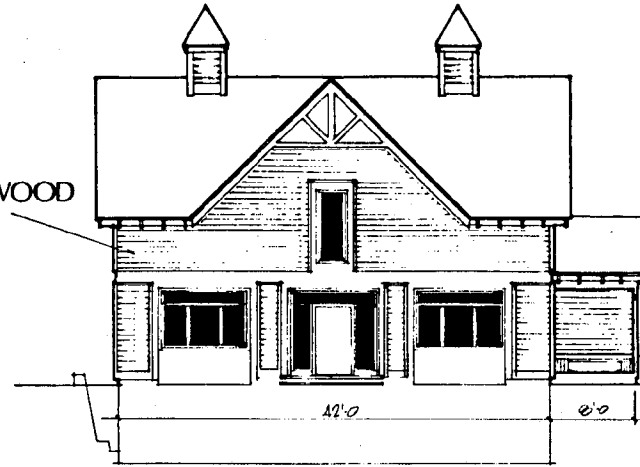
G3

© M.H.'90

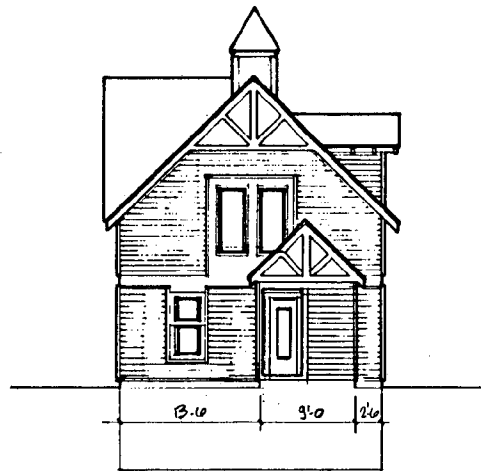
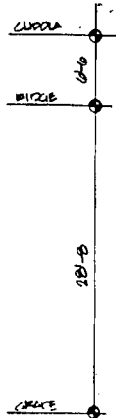


SOUTH

METAL CUPOLA
6" BEVELED LAP WOOD
SIDING PAINTED



EAST

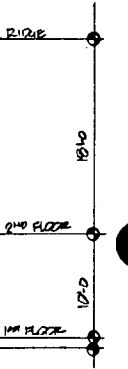


NORTH

FIBERGLASS ROOF
SHINGLES



WEST



LOT 17 CARRIAGE HOUSE

ELEVATION
STUDY

G4

© M: N '30

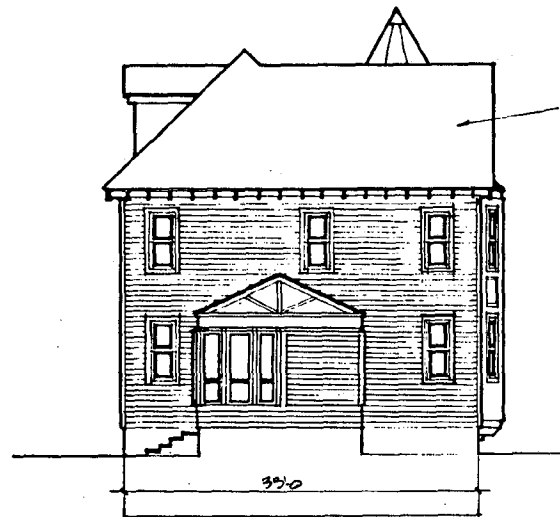


EAST

COPPER BAY ROOF
6" BEVELED LAP WOOD SIDING PAINTED

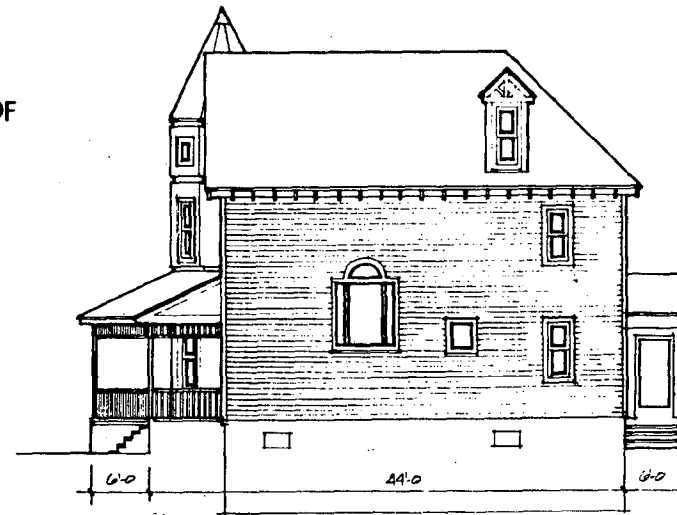


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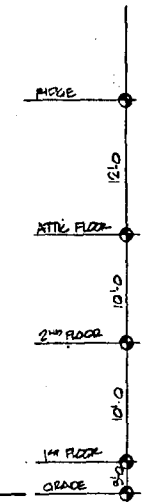


WEST

FIBERGLASS ROOF SHINGLES



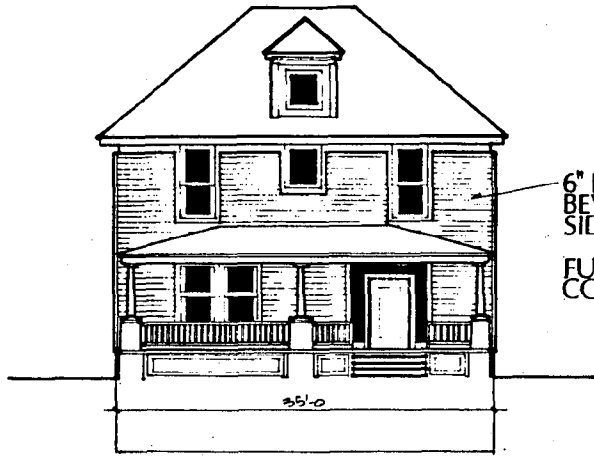
NORTH



LOT 15 VICTORIAN MASSING

ELEVATION STUDY

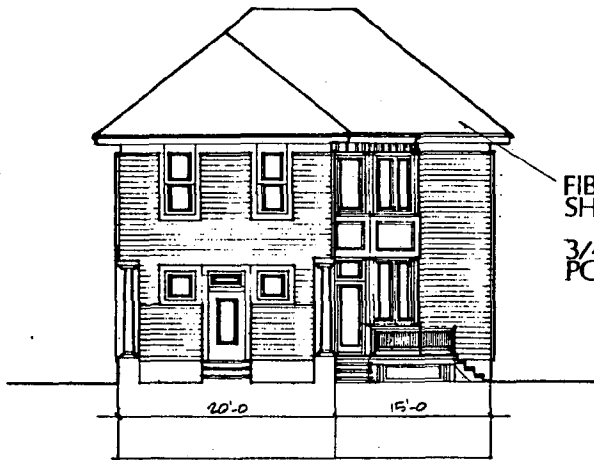
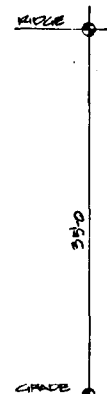
G5
© M.F.H.'20



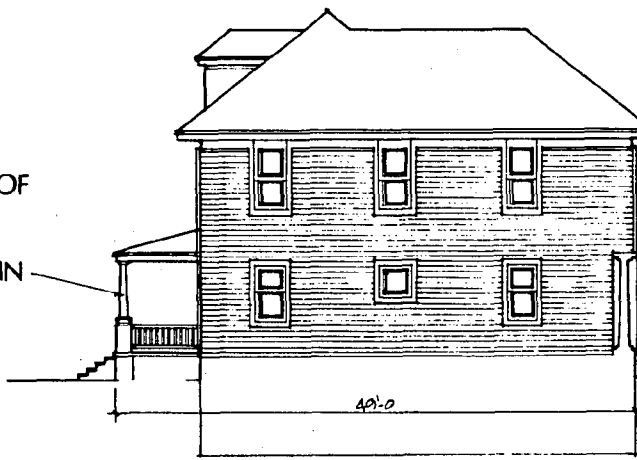
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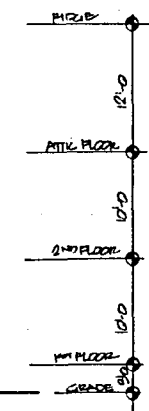
SOUTH



WEST



NORTH



6" RABBETTED &
BEVELED WOOD
SIDING PAINTED

FULL TUSCAN
COLUMN

FIBERGLASS ROOF
SHINGLES

3/4 TUSCAN
PORCH COLUMN

LOT 15 GEORGIAN MASSING

ELEVATION
STUDY

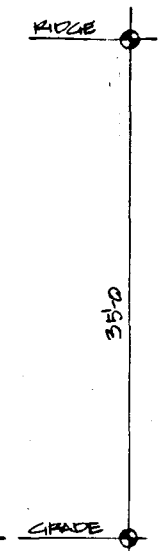
G6
© M + N '90



EAST



SOUTH

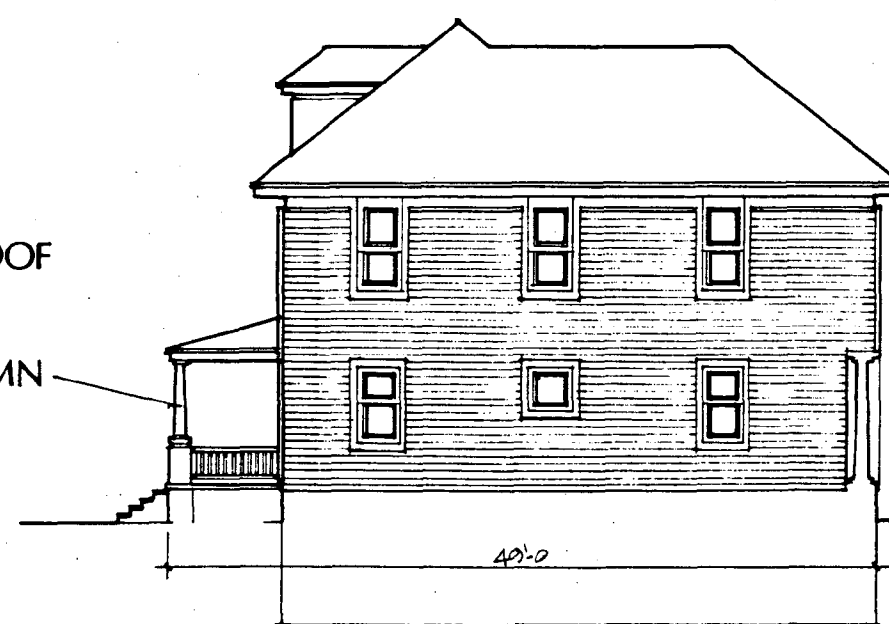


6" RABBETTED &
BEVELED WOOD
SIDING PAINTED

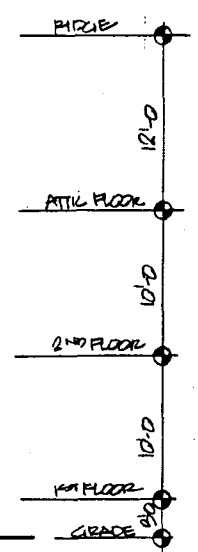
FULL TUSCAN
COLUMN



WEST



NORTH



FIBERGLASS ROOF
SHINGLES

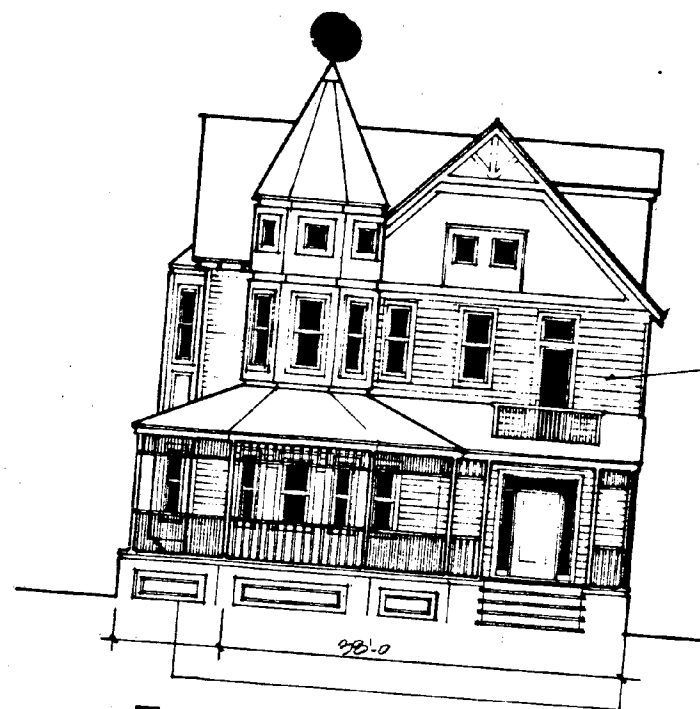
3/4 TUSCAN
PORCH COLUMN

LOT 15 GEORGIAN MASSING

ELEVATION
STUDY

G6

© M + N '90

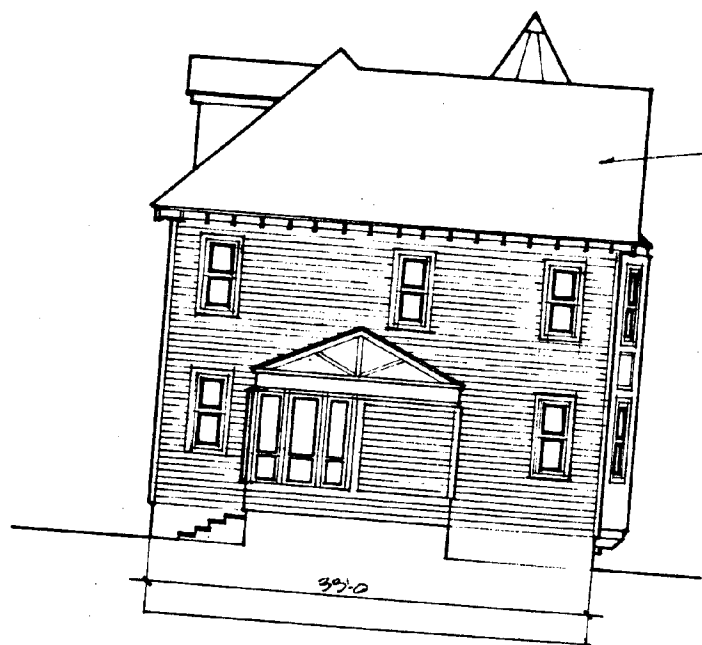


EAST

COPPER BAY ROOF
6" BEVELED LAP WOOD
SIDING PAINTED

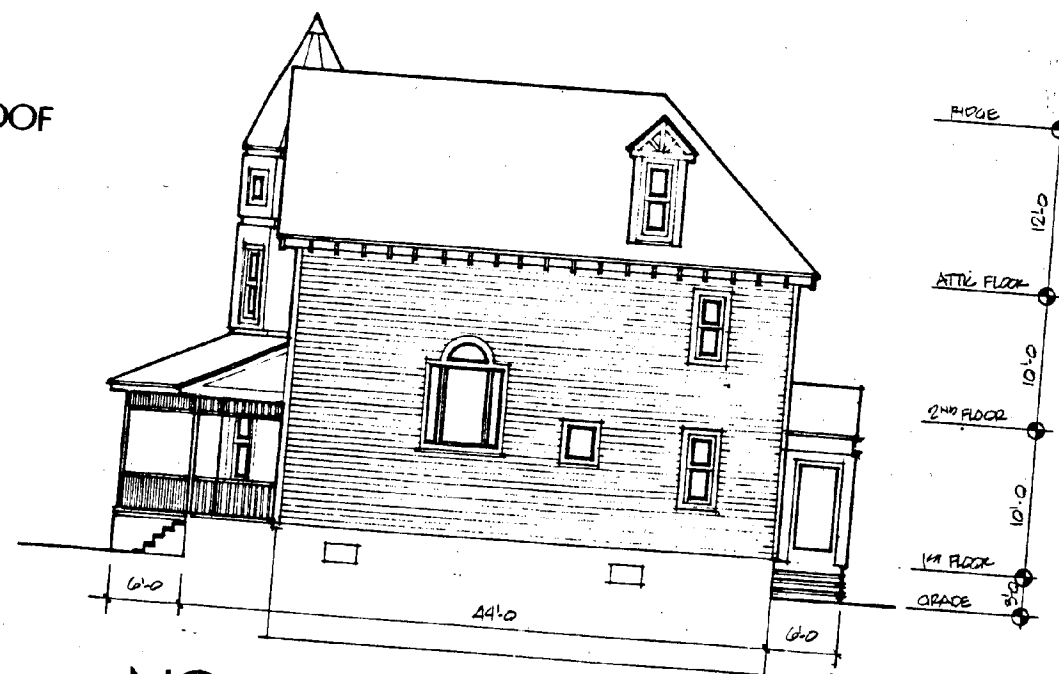


SOUTH



WEST

FIBERGLASS ROOF
SHINGLES

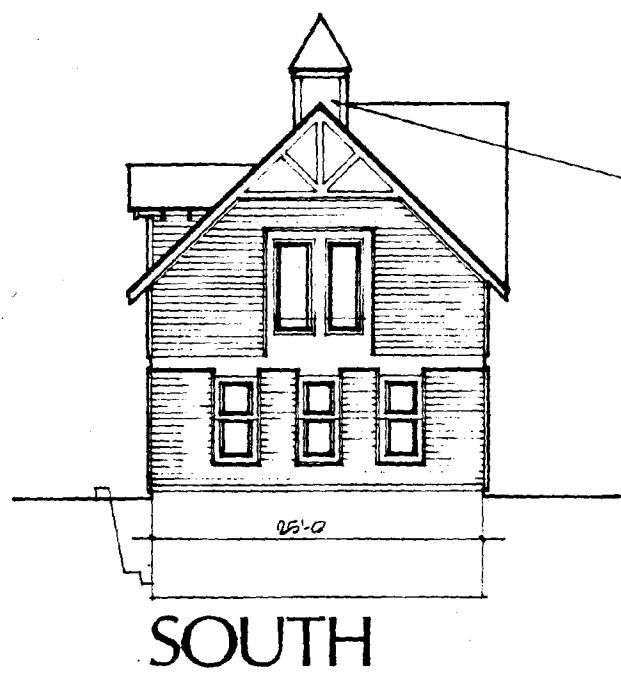


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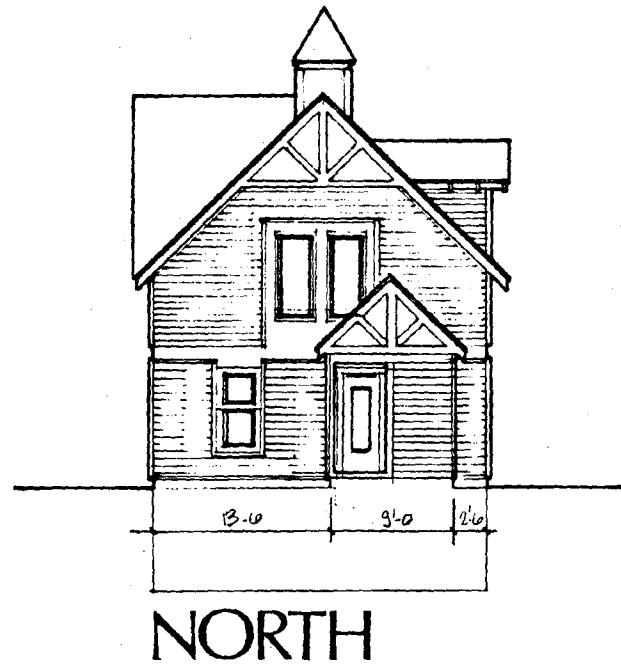
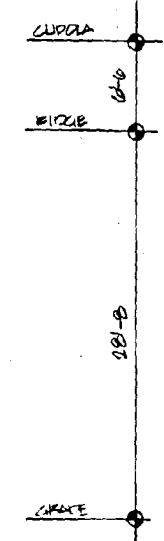
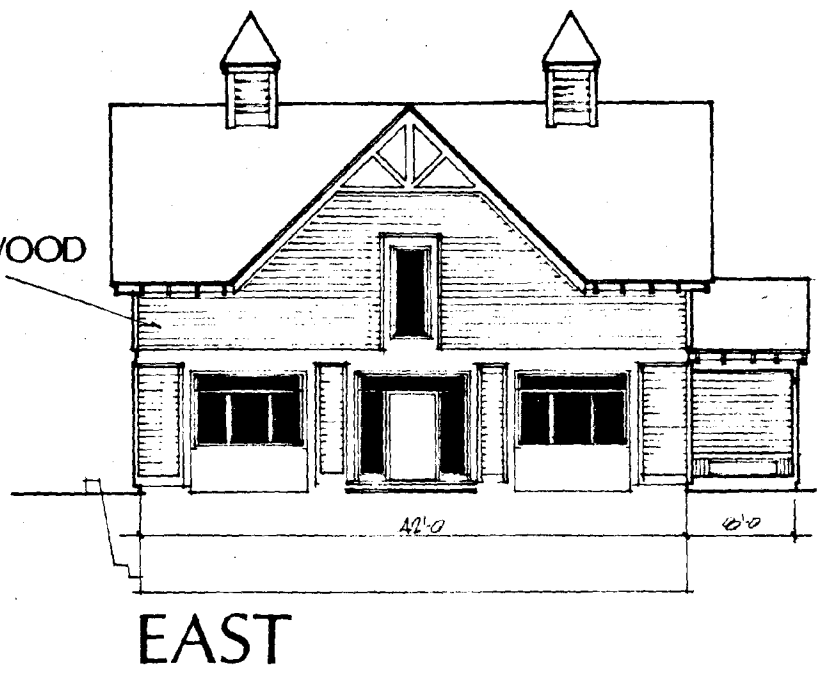
LOT 15 VICTORIAN MASSING

ELEVATION
STUDY

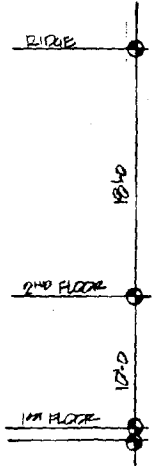
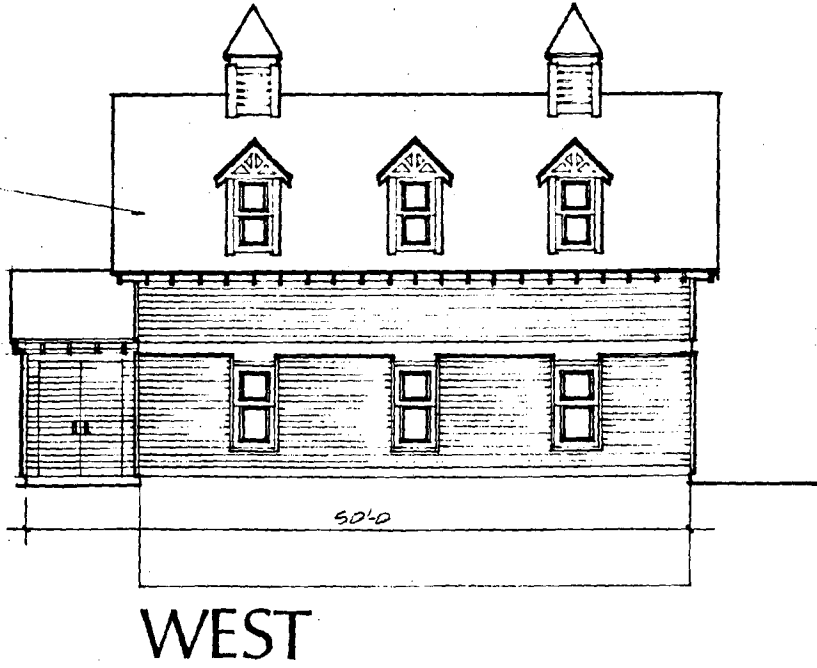
G5
© M.F.H.'80



METAL CUPOLA
6" BEVELED LAP WOOD
SIDING PAINTED



FIBERGLASS ROOF
SHINGLES



LOT 17 CARRIAGE HOUSE

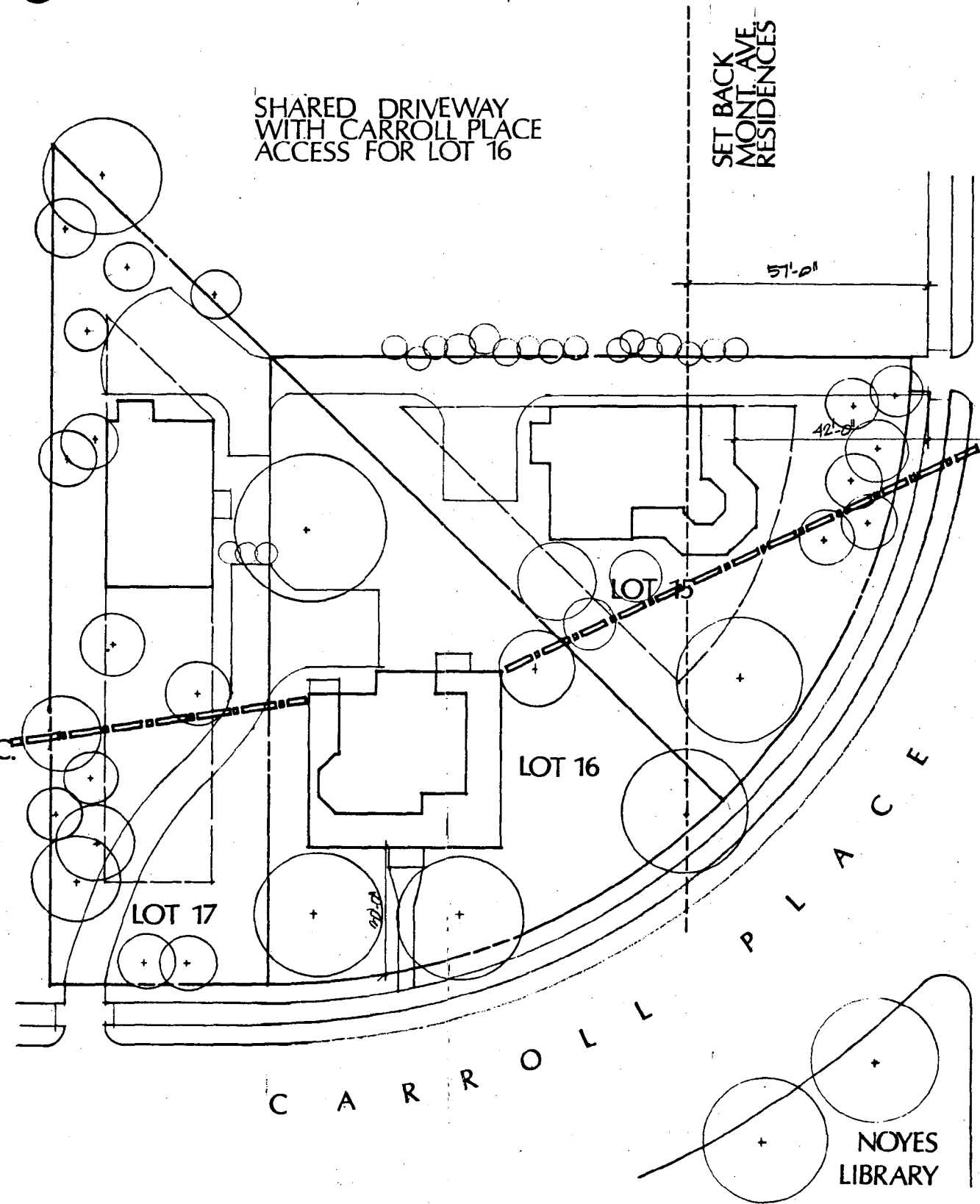
ELEVATION
STUDY

G4
© M: H '90

PREVIOUS L.A.C.
SUGGESTED
SET BACK LINE

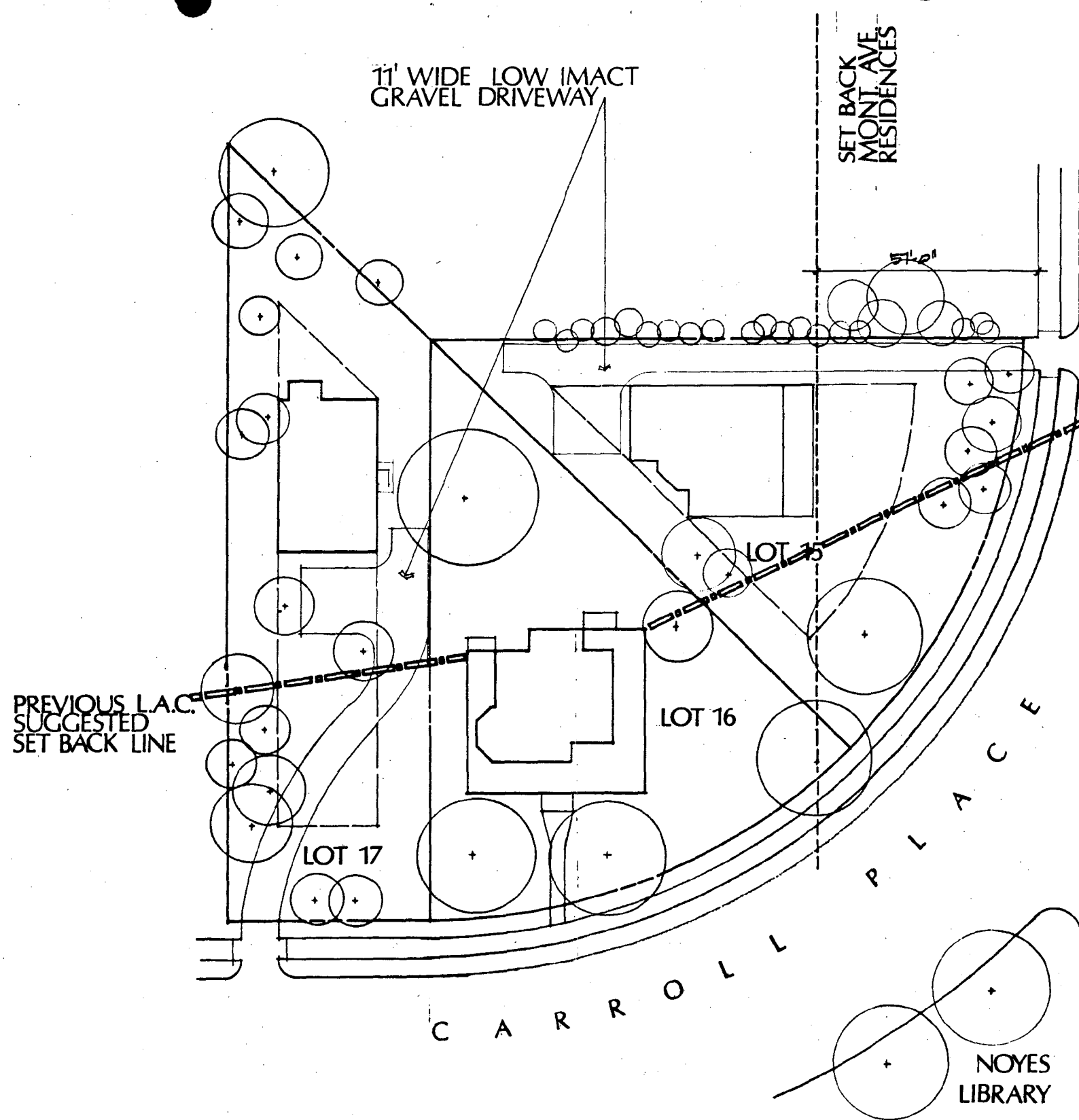
SHARED DRIVEWAY
WITH CARROLL PLACE
ACCESS FOR LOT 16

SET BACK
MONT AVE
RESIDENCES



M O N T G O M E R Y A V E N U E

SITE PLAN VICTORIAN MASSING

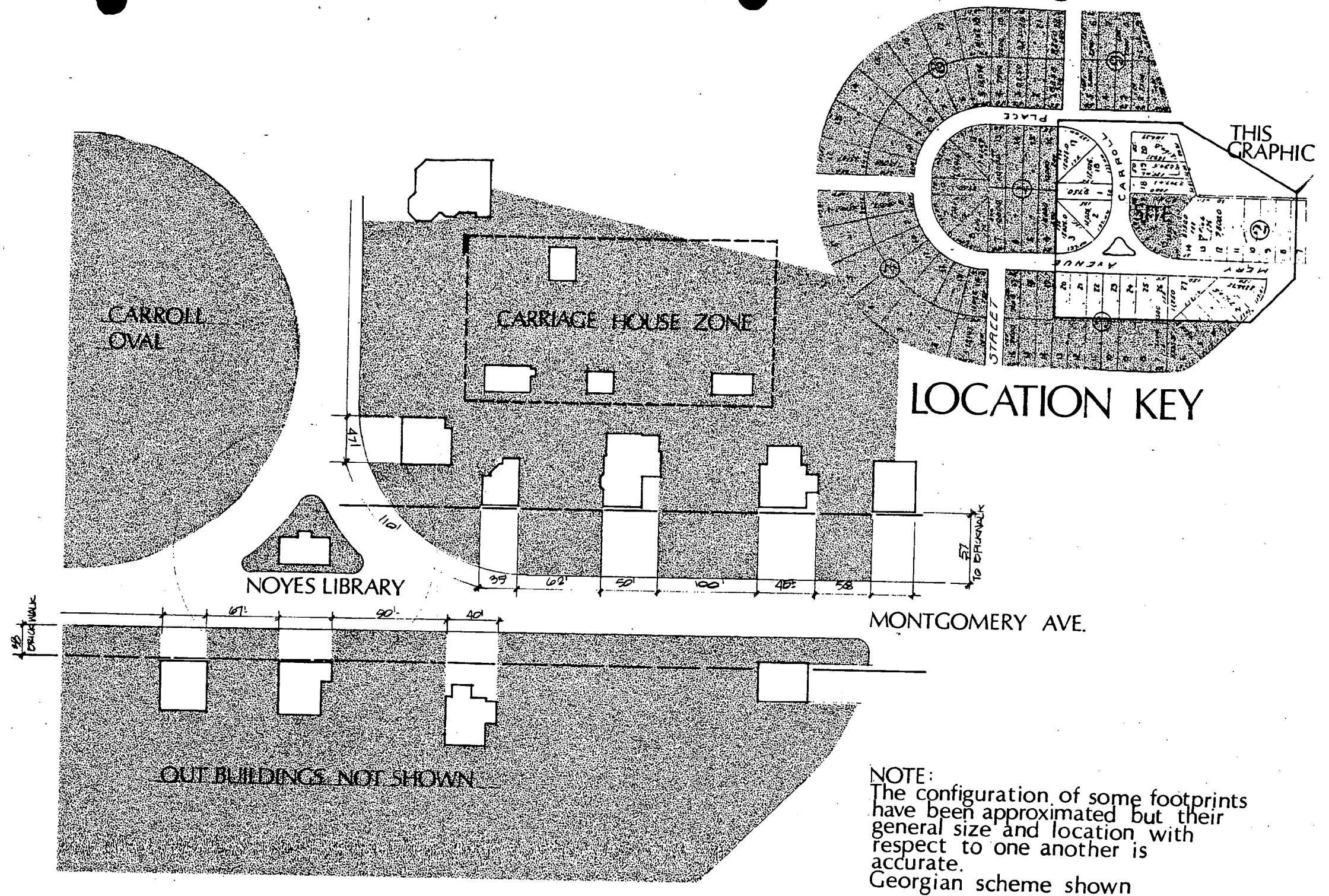


SITE PLAN GEORGIAN MASSING



G2

© M.H. 90



AREA ANALYSIS FRONT FACADE · OPEN SPACE RHYTHM

G1

M E M O R A N D U M

TO: Historic Preservation Commissioners
FROM: Jared B. Cooper *JBC*
DATE: March 7, 1990
SUBJECT: Preliminary Consultation- Martin and Nguyen, Inc.

As indicated on the agenda for March 14, Martin and Nguyen, Inc. (Designers/Builders) will be appearing before the Commission for a preliminary consultation regarding construction at 10232 Carroll Place and 10234 Montgomery Avenue in Kensington. They will be representing the same property owners (Messrs. Avery and Flaherty), who sought HAWP's in 1988 for new construction on the same lots.

On February 21, 1990, staff met with George Martin (of Martin and Nguyen) and Dr. Ray Shulman, who represented the Kensington LAP, and was given the opportunity to present some community input. The purpose of that meeting was to provide general guidance to the applicant's representative in terms of the HAWP application process and the design review criteria. Mr. Martin presented some preliminary drawings and models, upon which both Dr. Shulman and staff had the opportunity to comment. Immediately after the meeting, staff forwarded to Mr. Martin a list of the critical points and suggestions brought up during the meeting:

1. Further analysis of the impact of the proposal on the open space and rhythm between open space/structures, particularly in regard to the proposal for Lot 15. Staff informed the applicant's representative that this was a primary concern during review of the initial proposal.
2. Further examination of the possibility of reducing the height and mass of the structure proposed for Lot 15. Also, provide comparative dimensions from neighboring structures.
3. Examination of alternative setback lines for proposal for Lot 15.
4. Provide information as to the exact size and placement of proposed driveways, with justification.
5. Provide analysis of impact of all construction activities on mature vegetation.

Commissioners
Page Two
March 7, 1990

6. Provide general quantitative analysis regarding all proposed dimensions, setbacks, etc., as related to existing resources in the immediate area.
7. Provide justification for the choice of style for the proposed Lot 15 structure.
8. Discuss the choice to exclude garages as well as possible future locations for garages, should future owners desire such garages.

Martin and Nguyen will present the preliminary proposal(s) for construction on both lots at the meeting. If you have any questions, please contact me prior to the meeting at 217-3632.

JBC:av
1690E

PRE-PRELIMINARY MEETING

WITH HPC STAFF, LAP REPRESENTATIVE, AND APPLICANT'S REPRESENTATIVE

LOTS 15 AND 17, KENSINGTON PARK SUBDIVISION

February 21, 1990

At the meeting, HPC staff requested that the applicant's representative be prepared to respond to the following concerns prior to meeting with the HPC on a preliminary basis:

1. Further analysis of the impact of the proposal on the open space and rhythm between open space/structures, particularly in regard to the proposal for Lot 15. Staff informed the applicant's representative that this was a primary concern during review of the initial proposal.
2. Further examination of the possibility of reducing the height and mass of the structure proposed for Lot 15. Also, provide comparative dimensions from neighboring structures.
3. Examination of alternative setback lines for proposal for Lot 15.
4. Provide information as to the exact size and placement of proposed driveways, with justification.
5. Provide analysis of impact of all construction activities on mature vegetation.
6. Provide general quantitative analysis regarding all proposed dimensions, setbacks, etc., as related to existing resources in the immediate area.
7. Provide justification for the choice of style for the proposed Lot 15 structure.
8. Discuss the choice to exclude garages as well as possible future locations for garages, should future owners desire such garages.

1655E

BEFORE THE MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

Application of Avery Flaherty Properties, Inc.

Before the Historic Preservation Commission is the application of Avery-Flaherty Properties, Inc. for an Historic Area Work Permit for new construction at 10234 Montgomery Avenue (Lot 15, Block 2), Kensington Park Subdivision, Kensington, Maryland.

Procedural History

The Historic Preservation Commission (the "Commission") received the application on April 6, 1990 (HPC Exhibit 2).

The application was filed jointly with another application for an Historic Area Work Permit filed by Paul V. Flaherty for new construction at 10232 Carroll Place (Lot 17, Block 2, Kensington Park Subdivision). Therefore, both Historic Area Work Permit applications were considered at the same time by the Kensington Local Advisory Panel (the "LAP") and by this Commission.

A public hearing on the applicant's plans was held by this Commission on May 9, 1990.

The applicant appeared, represented by his architect, and presented several exhibits for the Commission's consideration. The Kensington LAP, the Mayor of the Town of Kensington, the Kensington Historical Society, the Kensington Citizens Association and many Kensington residents appeared in opposition to the application. Following the hearing, the record was left open until the close of business May 14, 1990, to allow the applicant to submit a streetscape plan and allow time for comment by "the opposition."

Commission Decision

Having heard and considered all of the testimony and exhibits contained in the record, it is the decision of the Commission to deny the application by Avery-Flaherty Properties, Inc. for an Historic Area Work Permit for new construction at 10234 Montgomery Avenue pursuant to Section 24A-8(a) of the Montgomery County Code (1984) as amended.

Background

It is the purpose of Chapter 24A of the Montgomery County Code, "Preservation of Historic Resources," to provide for the identification, designation and regulation, for purposes of protection, preservation, and continued use and enhancement, of those sites, structures with their appurtenances and environmental settings, and districts of historical, archeological,

architectural, or cultural value in that portion of Montgomery County within the Maryland-Washington Regional District. Its further purpose is to preserve and enhance the quality of life in the County, safeguard the historical and cultural heritage of the County, strengthen the local economy, stabilize and improve property values in and around historic areas, foster civic beauty, and to preserve such sites, structures, and districts for the education, welfare, and continued utilization and pleasure of the citizens of the County, the State of Maryland and the United States of America.

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

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

Historic Resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture. This includes, but is not limited to, all properties on the "Locational Atlas and Index of Historic Sites in Montgomery County."

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 an 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.

On July 7, 1986, the Montgomery County Council, sitting as the District Council, approved a resolution designating the Kensington Historic District (#31/6) as an amendment to the Master Plan for Historic Preservation. The amendment was adopted by the Maryland-National Capital Park and Planning Commission (M-NCPPC), effective July 8, 1986.

It is the responsibility of the Montgomery County Historic Preservation Commission to preserve designated historic districts and historic resources in the County through powers specified in the Historic Resources Preservation Ordinance. One of the primary methods of fulfilling this responsibility is through the Historic Area Work Permit review process.

It is the responsibility of an applicant for an Historic Area Work Permit to provide "information sufficient to support the application and the burden of persuasion on all questions of fact which are to be determined by the commission." Sec. 24A-7(g)(1). The plan submitted must meet at least one of the criteria set forth in Section 24A-8(b).

The Kensington Master Plan Amendment states:

According to [Section III of the Commission's Guidelines for Historic Districts,] a Historic District as identified, and if approved for inclusion in the County's Master Plan for Historic Preservation, shall consist of the entire area represented by all of the historic resources with their appurtenances and environmental setting. Non-historic properties within the boundaries of the Historic District are also subject to regulation, as they are considered appurtenances and part of the environmental setting of the historic resources of the district.

In regard to the properties identified as secondary resources -- that is, visually contributing but non-historic structures or vacant land within the Kensington District -- the Ordinance requires the Preservation Commission to be lenient in its judgment of plans for contemporary structures or for plans involving new construction unless such plans would seriously impair the historic or architectural value of surrounding resources or impair the character of the District (Emphasis added).

Evidence

The Kensington Master Plan amendment states that 12 properties in the immediate vicinity of the proposed new construction on Lot 15 are designated as primary resources. These primary resources include 10226 Carroll Place, 10231 Carroll Place, 10234 Carroll Place, 10300 Fawcett Street, 10302 Fawcett Street, 10213 Montgomery Avenue, 10221 Montgomery Avenue, 10225 Montgomery Avenue, 10303 Montgomery Avenue, 10304 Montgomery Avenue, 10308 Montgomery Avenue, and the Noyes Library, located at the corner of Carroll Place and Montgomery Avenue. Thus, Lot 15 is located in a primary resource area within the historic district.

The following exhibits and testimony were presented at the hearing:

George Martin of Martin & Nguyen, Inc., representing the applicant, Avery-Flaherty Properties, Inc., as well as an applicant for a related Historic Area Work Permit for new construction on Lot 17, Block 2, testified that the design of the proposed new house on Lot 15 is Georgian in style. Mr. Martin stated that this style, in his opinion, is compatible with most of the structures in the historic district, particularly the resource immediately to the north along Montgomery Avenue.

In terms of size and massing, Mr. Martin stated that the proposed house is designed to have a greater presence as a residence along Montgomery Avenue. In his opinion, Mr. Martin went on to say that a smaller, carriage house-style residence, such as the one proposed for Lot 17, would be an inappropriate design for Lot 15.

Mr. Martin further stated that, because of the pie-shaped configuration of Lot 15, the proposed new structure would not disrupt the streetscape rhythm nor adversely impact the density in this area of the historic district.

Mr. Martin also testified that this particular portion of the historic district was unique due to the street curve and the proximity to both the Noyes Library and the Lot 16 resource and, because of that, lent itself to a "different density consideration" (HPC Exhibit 1, page 23, page 77).

Lastly, in response to a Commission question on the relationship between the existing development patterns of the Carroll Place area and the proposed development patterns of the Carroll Place area and the proposed construction for Lot 15, Mr. Martin described the area as a "living room for this historic part of town." As such, Mr. Martin stated that, in his opinion, the proposed new structure for Lot 15 was an appropriate design solution (HPC Exhibit 1, pages 14-28 and 77-80).

Dr. Ray Shulman, Acting Chair of the Kensington LAP, testified that, in its review of the application on May 6 and 8, 1990, the Kensington LAP found the proposed plans for new construction would "interfere with the existing rhythm of the buildings as they exist in this area of Kensington" (HPC Exhibit 1, page 11).

He stated that the houses in the immediate area of the historic district are of "showcase quality." Dr. Shulman further stated that these houses average 118 feet apart and averaged three lots per house, with an average frontage of approximately 159 feet. Dr. Shulman went on to say that, historically, these multiple-lot sites have been transferred undivided from property owner to property owner for more than 100 years, thus establishing a development pattern of houses built in a spacious garden setting.

Lastly, Dr. Shulman cited the absence of a tree survey, a landscape plan and a streetscape plan in the application submitted for the proposed new construction on Lot 15. Without such information, the Kensington LAP testified that, in its opinion, the applicant had submitted an incomplete application (HPC Exhibit 1, page 13).

Mr. Don Little, speaking on behalf of many of the citizens of Kensington, presented an analysis of the average percentage of yard coverage (defined as the ratio of house footprint to the total yard coverage of primary resources within the core of the historic district). The analysis indicated that the average yard coverage in this area of the historic district is approximately eight percent and that the proposed new construction for Lot 15 would result in a yard coverage of 14.8 percent, thus significantly altering and destroying the existing rhythm between the historic structures and the surrounding open space.

Mr. Little also stated that the Georgian design of the proposed structure would result in a very boxlike configuration, devoid of breaks or detailing until it reaches the high roof line. Mr. Little went on to say that the design of the proposed four-square house may be appropriate along Montgomery Avenue; however, in his opinion, the design is not compatible with the Victorian-style structures of Carroll Place, specifically the Noyes Library and the residence on Lot 16.

Mr. Little stated that more detailed information was needed with respect to the construction sequence for the proposed new house, to assess adequately the impact of construction on the existing vegetation on Lot 15, Lot 16, and Lot 17.

Lastly, in response to a Commission question regarding the relationship between the existing development patterns in the Carroll Place area and the proposed construction for Lot 15, Mr. Little testified that the original design of the historic district included several open, curved configurations in the immediate vicinity of Carroll Place. Mr. Little also stated that these curves are marked by cut-through vistas and large amounts of garden open space. According to Mr. Little, the openness of the area is further defined by a large number of shared backyard spaces and the absence of tall fences, which also tend to destroy visually the gardenlike setting of the historic district (HPC Exhibit 1, pages 35-44 and 78-79).

Helen Wilkes, testifying as a resident of the historic district, an architect and co-chair of the preservation committee of the Kensington Historical Society, stated that a critical component of historic Kensington is its Victorian garden setting. In her opinion, Ms. Wilkes stated, the construction of the proposed new house on Lot 15 would create excess bulk and thus impair the naturalistic setting of the core historic area.

She challenged Mr. Martin's statement that there was a need for "edge definition" such as the proposed new house for Lot 15. Ms. Wilkes testified that, in her opinion, the construction of the proposed structure for Lot 15 represents an urban, rather than suburban, design solution and is thus inappropriate to the garden and open space of the Carroll Place area (HPC Exhibit 1, pages 72-73).

Jeff Capron, owner and resident of 10304 Montgomery Avenue, Kensington, testified that in his opinion the proposed construction for Lot 15 is incompatible within this core historic area in terms of size and relationship of the historic built environment to its surrounding traditional open space. Mr. Capron stated that the proposed new house would alter the streetscape and block the views from the surrounding historic resources to the central oval of Carroll Place.

Mr. Capron testified that this collection of viewsheds is an important element of the historic district. He cited the experience several years ago of his own application for an Historic Area Work Permit for an addition to his Montgomery Avenue residence. According to Mr. Capron, in approving his building plans, the Commission stated the importance of preserving these multiple vistas as an important feature in the core historic area (HPC Exhibit 1, pages 74-76).

In addition, many area residents and concerned citizens, the Mayor of the Town of Kensington, the Kensington Historical Society and the Kensington Citizens Association presented verbal and written testimony in opposition to the construction proposal. Their testimony was entered into the record, and is found in HPC Exhibit 1, pages 46-76, and in Opposition Exhibits 7, 10, and 13.

Findings

The Kensington Master Plan amendment ("Master Plan amendment") details the findings of historical and architectural significance that resulted in the placement of the historic district on the Master Plan.

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, 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 Victorian manner with ample sized lots and a curvilinear street pattern.

Warner established his own summer residence and invited his friends to join him in this park-like setting away from the heat and congestion of Washington. It is this concentration of Victorian period, residential structures located in the center of the town which constitutes the core of the historic district.

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 (Emphasis added).

1. Based on the evidence presented and the testimony in the record, the Commission finds that the proposed structure would do irreversible damage to the Kensington Historic District by violating its essential character as defined in the Master Plan amendment, that of a cohesive grouping of late 19th and early 20th century architecture in a Victorian suburb setting which is dominated by large areas of open green space, spacious informal yards and mature plantings and trees. The proposed structure would increase the density of the district at a crucial core location. This core area includes 12 historic resources in the immediate vicinity of Lot 15, all of which are indicated as primary resources in the historic district, according to the Master Plan.

As shown in both the oral and written testimony submitted by the Kensington LAP and Mr. Little, the average percentage of yard coverage (defined as the ratio of house footprint to its traditional yard coverage) in the core area of the district is approximately eight percent. The current proposed footprint for Lot 15 covers 14.8 percent of the yard, almost twice the average in this area. Thus, the proposed construction would dramatically change the existing traditional development pattern of house-to-open space.

2. The Commission finds that the proposed construction would radically alter the established streetscape of the core of the historic district. Streetscape is defined as the street views created by the interrelationship of structures, appurtenances and environmental setting.

As shown in the oral testimony of Messrs. Little and Capron (HPC Exhibit 1, pages 33-46 and 74-76), and articulated in the Master Plan Amendment, the streetscape in this area of the historic district is that of a garden suburb, an area characterized by late 19th and early 20th century houses situated on informal yet spacious yards. The proposed structure, because of its size (1310 square feet) and massing (a very large, unarticulated square box) violates the graceful rhythm and harmonious relationship of building to open space of the area.

3. The Commission finds that the siting of the proposed structure blocks the view from the historic resources along Montgomery Avenue to the oval central space of Carroll Place, the heart of the district. Thus, an important characteristic of the historic district is compromised.

As described in Mr. Little's and Ms. Wilke's testimony, the traditional development plan in this area of the district includes six sweeping open corners with two highly figural Victorian residences surrounded by open gardens. The remaining four corners of the oval are open vistas which allow the historic resources to be viewed as objects in a landscape. The proposed structure for Lot 15 is frontal in design and close to its neighboring residence. This type of siting may be more appropriate for the "linear" street, but is not appropriate for a curvilinear street pattern.

4. The Commission finds that the size and massing of the proposed structure, which is larger than its neighboring historic resources, is inappropriate and negatively impacts the historic resource on Lot 16, as well as the Noyes Library.

In his testimony, George Martin, the applicant's architect and spokesperson, suggested a Georgian-style house be built on Lot 15 which reads as a single unarticulated structure with very little detail. Although the design may echo the four-square residences along Montgomery Avenue, the proposed structure does not relate to the other more Victorian properties to its south, specifically the historic resource on Lot 16 and the Noyes Library. Thus, the architectural cohesiveness of the district's streetscape as noted in the Master Plan amendment would be destroyed.

5. The Commission finds that the proposed construction would adversely affect the existing natural environment on Lot 16 and Lot 15.

Based on the testimony submitted by the Kensington LAP and individual citizens, (HPC Exhibit 1, pages 13, 41-43 and 62-66, and Opposition Exhibit 9), the proposed construction would result in the loss of established trees, shrubs and other vegetation. The loss of this verdant landscape will adversely impact the area, recognized in the Master Plan amendment for its mature trees and informal gardens. In the absence of a landscape plan for the proposed construction on Lot 15, the Commission finds it cannot evaluate how the applicant proposes to mitigate the impact of this loss.

Based on these facts and findings, and having heard and carefully considered all of the testimony and exhibits contained in the record, it is the decision of the Montgomery County Historic Preservation Commission that the application by Avery-Flaherty Properties, Inc., for an Historic Area Work Permit for new construction at 10234 Montgomery Avenue (Lot 15, Block 2), Kensington Park Subdivision, is denied.

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 with the Board of Appeals for Montgomery County, Maryland, within 30 days from the date on which the Commission's decision is made public.



Jeffrey Miskin, Chairperson
Montgomery County Historic Preservation Commission

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