

31/06-04N 4010 Prospect Street
Kensington Historic District

31/06-05C 4010 Prospect St
Kensington Historic District

Smead.
UPC 17734
No. 2-153CR
HASTINGS, MN



Oaks, Michele

From: Thompson, Abigail
Sent: Wednesday, May 04, 2005 11:45 AM
To: 'nayala@ayalapa.com'
Cc: Oaks, Michele
Subject: 4010 Prospect St

Mr Ayala -

Please be advised that, per my conversation with DPS Inspector Peter Hrycak, the tongue and groove flooring you have installed satisfies the conditions of your Historic Area Work Permit. If you have any questions, please do not hesitate to contact me.

Thanks,

Abi


Abigail G. Thompson
Historic Preservation Office
301.563.3400



Date: July 15, 2004

MEMORANDUM

TO: Robert Hubbard, Director

FROM: Michele Naru, Senior Planner 
Historic Preservation Section

SUBJECT: Historic Area Work Permit

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application to demolish an existing addition and detached garage on Lot 58 and construct a new house and garage on Lot 59, both lots being identified as 4010 Prospect Street in the Kensington Historic District was **DENIED**.

The Commission was guided in its decision by Chapter 24A, by the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland, - Kensington Historic District and the Vision of Kensington: A Long-Range Preservation Plan.

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 Commission must deny the application as it would be inconsistent and detrimental to the preservation enhancement and ultimate protection of the this historic resource within the Kensington Historic District.

Applicant: Felix Ayala

Address: 4010 Prospect Street, Kensington Historic District



DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
301/777-5370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: _____

Daytime Phone No.: _____

Tax Account No.: _____

Name of Property Owner: Felix Ayala Daytime Phone No.: _____

Address: 4010 PROSPECT AVE KENSINGTON MD 20895
Street Number City Street Zip Code

Contractor: TO BE DETERMINED Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: George Myers, GTM ARCHITECTS #8385 Daytime Phone No.: 301-942-9062 ext 13

LOCATION OF BUILDING/PREMISE

House Number: 4010 Street: PROSPECT LOT 58

Town/City: KENSINGTON Nearest Cross Street: SUMMIT AVE. LOT 59

Lot: _____ Block: _____ Subdivision: _____

Liber: _____ Folio: _____ Parcel: _____

PORCH ADDITION
NEW HOUSE

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- | | | | | | | | | |
|---|----------------------------------|--|--|------------------------------------|---|--|-------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input checked="" type="checkbox"/> Alter/Renovate | <input type="checkbox"/> AC | <input type="checkbox"/> Slab | <input checked="" 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 checked="" type="checkbox"/> Wreck/Repe | <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>GARAGES</u> | | | |

1B. Construction cost estimate: \$ TO BE DETERMINED

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.

[Signature]
Signature of owner or authorized agent

5/19/04
Date

Approved: _____ For Chairman, Historic Preservation Commission

Disapproved: X Signature: Julia O'Malley Date: 7/15/04

Application/Permit No.: _____ Date Filed: _____ 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:

EXISTING STRUCTURE IS A PRIMARY RESOURCE IN KENSINGTON HISTORIC DISTRICT. IT IS IN POOR CONDITION.

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

PROPOSAL IS TO RESTORE/RENOVATE EXISTING STRUCTURE + BUILD A COMPATIBLE ADDITION. A PORCH A PREVIOUS ADDITION WILL BE REMOVED IN ORDER TO ~~REPLACE~~ FOR A NEW 1 1/2 STORY HOUSE TO BE BUILT ON ADJACENT LOT.

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 end 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 crown 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.

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

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

301-563-3400

Case No. 31/06-04J Received May 19, 2004

Public Appearance July 14, 2004

Before the Montgomery County Historic Preservation Commission

Application of Mr. Felix Ayala
4010 Prospect Street, Kensington

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to demolish an existing addition and detached garage on Lot 58 and construct a new house and garage on Lot 59.

Commission Motion: At the July 14, 2004 meeting of the Historic Preservation Commission (HPC), Commissioner Watkins presented a motion to deny the proposed Historic Area Work Permit application. Commissioner Williams seconded the motion. Commissioners O'Malley, Breslin, Williams, Watkins, Alderson, and Rotenstein voted in favor of the motion. Commissioner Fuller voted against the motion. Commissioner Anahtar abstained. Motion passed 6-1, with 1 abstention.

BACKGROUND:

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.

Commission: The historic preservation commission 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 and style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

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.

Mr. Felix Ayala completed an application for a Historic Area Work Permit (HAWP) to:

1. Demolish the existing c1930 shed roof frame addition and the existing c1930 frame garage at 4010 Prospect Street. He proposed to rebuild the altered wall of the main massing utilizing some of the 2/2 windows from the rear addition to be demolished.
2. Remove the asbestos shingle siding to expose the German siding underneath. Rehabilitate the German siding through patch and repair with matching siding.
3. Rehabilitate the existing house into a 2 bedroom, 2-1/2 bath residence. Construct an 8' x 16' porch onto the historic house's Prospect Avenue elevation.
4. Construct a new, 950 sq. ft. footprint, house on Lot 59.
5. Remove the existing curb cut and driveway and install a new curb cut and construct a new driveway along the rear property lines.
6. Remove (4) four evergreen trees from the property.
7. Construct a one-car garage to be associated with the historic building on Lot 58.
8. Construct a one-car garage to be associated with the new house on Lot 59.

4010 Prospect Street is a Primary Resource within the Kensington Historic District designated on the Master Plan For Historic Preservation in Montgomery County in 1986 and on the National Register of Historic Places in 1980.

Although May 19, 2004 is the date of this HAWP submittal, the applicant agreed to wave his 45 day review to come before the Commission on May 9, 2004, for a preliminary consultation.

HISTORY OF RESOURCE:

The *Vision of Kensington: A Long-Range Preservation Plan* was developed in 1992. It is referenced in the HPC's Executive Regulations as a guideline to be used in reviewing HAWP applications in the Kensington Historic District. The *Vision* defines primary resources within the Historic Residential Core as:

Historic resources built from 1890 to 1930, which exemplify the historic pattern of development characterized by expansive open spaces between adjacent homes. In this area it is important to preserve these patterns of open space, front yard setbacks, building scale, architectural character, and streetscape qualities.

EVIDENCE IN THE RECORD:

The Historic Preservation office received the submitted Historic Area Work Permit (HAWP) application on May 19, 2004. A written staff recommendation on this case was prepared and sent to the Commission on July 7, 2004. At the July 14, 2004, Historic Preservation Commission (HPC) meeting, staff person, Michele Naru showed a Powerpoint presentation of photos of the site and presented an oral report with staff recommendations. Staff recommended denial of this HAWP application.

The applicant, Mr. Felix Ayala, and his architect, Mr. George Myers, attended the meeting and commented on the staff recommendations.

Mr. Myers began the discussion about the subject proposal by stating that he feels that the major issue in this case is about infill. He stated that the existing c1930s addition is not a significant resource on its own, and felt that its removal could be approved by the Commission. He believes that the issue lies in the fact that the c1930s addition's removal creates a buildable lot, which triggers an infill issue. He adds that he generally is not supportive of infill development in Kensington, yet believes that there are circumstances where it can be successful. He believes that this is one of those circumstances because by allowing the infill, it provides an opportunity for the historic house to be restored and become economically viable. Mr. Myers summarized by stating that the owner purchased the property because he was under the impression from reading the transcripts from previous preliminary consultations and HAWPs for the property that he would be able to demolish the c1930s addition and build a house on the adjacent lot.

The meeting continued with the testimony from Mr. Jim Engel, a representative from the Kensington Local Advisory Panel (LAP). Mr. Engel testified that the son of the original owner of the house, Malcolm Walters, lived his entire life in the subject house that his father built in 1891. Mr. Engel further explained that Mr. Walters was identified as a noteworthy Montgomery County photographer by a recent Peerless Rockville exhibit. It was further conveyed to the Commission that Mr. Walters operated his photography business out of the subject house throughout most of his life. Mr. Engel explained that based upon this known history he feels that the c1930s addition has some historic merit. Mr. Engel concluded his testimony by expressing his concern with infill development. He feels that infill is the greatest threat to the integrity of the historic district, because it wears away at the relationship between the primary resources and their associated environment.

Dr. James Cooper, an adjacent property owner, presented testimony on behalf of twenty-nine (29) Kensington residents that object to the demolition of the c1930s addition and the proposed infill development because they collectively feel that this house is one of the oldest and most prominent structures within the Kensington Historic District. He further testified that he feels that its location makes it a “gateway” property for the district. He concludes his testimony by quoting the *Vision of Kensington*, “land contiguous to a structure and historically part of that structure and which is being used by the owner of the property functionally is not vacant land.”

The public testimony continued with Helen Wilkes, a neighbor and an architect. She expressed her concerns about the precedent that would result from an approval to remove a 1930s addition from a primary resource for the purpose of creating a buildable lot. She further explained that, in previous infill cases, there was a great deal of discussion of the intent of the Town’s founder, Brainard Warner. It is her belief that even though it is difficult to prove that the founder intended to have gracious homes built on two or three lots surrounded by garden space, there are clear markers in the Town’s architecture, including his own home, which occupied the central oval and has surrounding it the most open space of any property in town. She further explained that several historic houses in Kensington cross over their lot lines and were either built that way originally or have existed that way since the period of significance for Kensington’s primary historic resources. She feels that it is clear in these buildings that the intent was to surround the homes with open space since the homes are centered so as to produce a significant proportion of open space between these houses and their closest adjacent neighbors.

Chairman O’Malley stated that some of the guidelines that the Commission is charged with consulting when making decisions on cases within the Kensington Historic District are the *Secretary of the Interior’s Standards for Rehabilitation* and the *Vision of Kensington*. She continued by quoting the fourth *Standard*, “Changes to a property that has acquired historic significance in their own right will be retained and preserved.” She further stated that she feels that since the c1930s addition is 70 years old that it has gained significance in its own right. She also noted that the *Vision of Kensington* suggests that any infill in the historic core be on two lots and as such the proposed infill does not meet this criterion.

Mr. Myers came back to respond to the testimony and added that he feels that this case would not set a precedent. He continued by stating that he believes that the precedent has already been set by the HPC approved infill on Baltimore and Washington Street. He added that in his professional opinion, the c1930s addition is incompatible with the original structure and takes away a portion of its integrity.

Commissioner Williams responded by stating that the existing conditions of this building preclude development on the second lot. She continued by stating that it is the Commission’s mission to uphold the *Vision of Kensington* so as to retain the historic character of the district. She added that in her opinion the c1930s addition is not, in its own right, so significant to the history of the property that it should never be demolished, but that the addition is significant because it protects that side lot as open space and open space is very important to the character of the Kensington Historic District.

Commissioner Fuller concurred with Commissioner Williams comments that he does not believe the c1930s addition is significant. He further explained that he would like to see the proposed garages eliminated from the proposal, noting that the new building [footprint] would only be

slightly bigger than the existing garage. Commissioner Fuller concluded that if these issues were addressed he could support the proposal.

Commissioner Watkins concurred with Commissioner Williams' comments and added that she feels that it is really important to retain the addition because it retains open space.

Commissioner Alderson also concurred with Commissioner Williams.

Mr. Myers responded by pointing out that this house historically was not built over the lot line, which is in contrast to other properties previously mentioned that were built straddling their lot lines.

Commissioner Alderson responded by stating that straddling lot lines are a characteristic that remained very common through that time, a semi-rustic characteristic.

Mr. Myers requested that the Commission clarify the issue of infill in Kensington. He stated that it would be helpful for the Commission to identify which lots were off-limits and which lots were potentially buildable. He expressed that it would be a great assistance for future homeowners, developers and architects.

Commissioner Williams expressed that the Commission's policy is against building on the side lots.

Mr. Myers responded by asking for an explanation about the infill development, which occurred on Baltimore Street.

Historic Preservation Staff Supervisor, Gwen Wright, interjected by stating that the Commission has been extremely consistent in this particular issue. She further explained that the Commission can initiate an update or revision to the *Vision of Kensington* guidelines, yet it was her opinion the current *Vision* has worked well since 1992. She continued by noting that the Commission cannot do anything to a buildable lot to make it legally unbuildable. She added that here also is a major legal issue as to whether a buildable lot necessarily means a single-family house. Mrs. Wright expressed that owners cannot be deprived of all reasonable use of their property, but the question is what constitutes reasonable use. However, all of that is not applicable in this case because there is no buildable lot in existence at present.

Commissioner Watkins presented a motion to deny the proposed Historic Area Work Permit application. Commissioner Williams seconded the motion. Commissioners O'Malley, Breslin, Williams, Watkins, Alderson, and Rotenstein voted in favor of the motion. Commissioner Fuller voted against the motion. Commissioner Anahtar abstained. Motion passed 6-1, with 1 abstention.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The criteria, which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application, are found in Section 24A-8(a) of the Montgomery County Code, 1984, as amended.

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 the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland – Kensington Historic District and the Vision of Kensington: A Long-Range Preservation Plan.

Based on this, the Commission finds that:

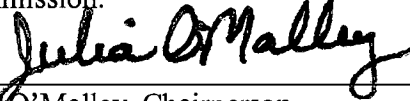
1. The existing structure covers Lots 58 and 59, thus Lot 59 is not a buildable lot for a new house;
2. The existing c1930s addition on 4010 Prospect Street is important to the overall configuration of the house and its relationship to the lot;
3. Retention of open space is a major goal in *Vision of Kensington* document; and
4. The current proposal would compromise the resource, which through its architectural fabric, design and associated open-space, contributes to the historic character of the Kensington Historic District as a whole.

CONCLUSION:

The Commission was guided in its decision by Chapter 24A, by the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland, - Kensington Historic District and the Vision of Kensington: A Long-Range Preservation Plan.

Based on the evidence in the record and the Commissions findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, the Commission must **deny** the application of Mr. Felix Ayala for a Historic Area Work Permit (HAWP) to demolish an existing addition and detached garage on Lot 58 and construct a new house and garage on Lot 59, both lots being identified as 4010 Prospect Street in the Kensington Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-70(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.



Julia O'Malley, Chairperson
Montgomery County Historic Preservation Commission



Date

Do not
issue approval
until decking
to Δ .

Oaks, Michele

From: Engel, James D [jdengel@firsthorizon.com]
Sent: Tuesday, March 22, 2005 10:25 AM
To: Tully, Tania; Fothergill, Anne; Wright, Gwen; Oaks, Michele
Cc: mayor.council@tok.org; jrcooper_99@yahoo.com; j.anderson126@verizon.net; Peoplesbarry@aol.com
Subject: 4010 prospect balustrade.rtf

Revised comments per recent emails. Please replace the previous comments. Thanks.

Local Advisory Panel
Kensington Historic District
REVISED COMMENT
March 22, 2005

RE: 31/06-05C RETROACTIVE: 4010 Prospect St.

LAP concurs with the finding of Staff that the applicant should adhere to the original conditions of approval for the porch flooring, as a condition for approval retroactively for the balustrade installation.

We note that the applicant has made several changes to the project that are inconsistent with permitted plans. We recognize the difficulty in ensuring that permitted plans are adhered to, and LAP will assist if possible. We also encourage the HPC, and where applicable, the Town of Kensington, to be vigilant with regard to enforcing builders and/or architects to adhere to permitted plans.

Jim Engel
LAP Chairman

Confidentiality notice:

This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

Staff identified to the applicant that the two major issues were the use of vinyl lattice around the base of the porch and wood, plank flooring for the porch floor. Staff asked the owners to change the vinyl lattice to the wood lattice panels and remove the plank flooring and replace it with painted, wood, tongue and groove flooring. The owners were given 30 days to complete this work.

On February 2, 2005, staff contacted the owner via e-mail to confirm that the above-mentioned projects were completed. The owner responded indicating that the lattice material had been changed and that the wood deck was being corrected by using the same decking material but abutting them closer together. I communicated to the owner that replacement with tongue and groove was the only solution that the Commission would support.

Staff feels that the porch issue needs to be resolved before we approve any other HAWP application for this property.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Primary 1 Resource
STYLE:	Vernacular
DATES OF CONSTRUCTION:	c1900, c1930

This Primary 1 resource is located at the edge of the historic district along Prospect Street. Built in two distinct phases, the original massing was built c1900 and the rear extension was built by 1931 (as per the 1931 Klinge Map). The original massing's historic principal façade is the current elevation that faces Summit Avenue. It is believed that this façade contained a full-width shed-roof front porch, which does not exist today. The current principal façade is the elevation that currently faces Prospect Street.

The main massing of this house (located on Lot 58) is a 2-1/2-story, three-bay, frame building sheathed in German wood siding and covered with asbestos shingle. It is set upon brick perimeter foundation and is covered with a cross-gable roof, clad with asphalt shingles. The windows are 2/2 double hung. A two-story, flat roof frame addition (c1930 – straddles Lot 58 and 59) clad in horizontal lap siding and also covered in asbestos shingle and set upon a battered concrete block foundation, extends off of the (current) rear elevation of the house. A one-story mudroom addition (post 1930), protrudes from the east, side elevation.

The property also contains a frame garage building (c1930) located on Lot 59.

PROPOSAL

The applicant is seeking retroactive approval to install a turned, wood balustrade along the perimeter of the approved flagstone patio.

APPLICABLE GUIDELINES

Proposed alterations and demolition to sites within the Kensington Master Plan Historic District must be in compliance with the *Secretary of Interior's Standards for Rehabilitation*. Rehabilitation is defined as the act or process of making possible a compatible use for a property

through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

The Secretary of Interior's Standards for Rehabilitation that pertain to this project are as follows:

- #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 the property will be avoided.
- #3 Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- #6 Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

In addition, the HPC formally adopted the planning study, *Vision of Kensington: A Long-Range Preservation Plan* (Vision), and is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. The goal of this preservation plan "was to establish a sound database of information from, which to produce a document that would serve the HPC, M-NCPPC, their staff and the community in wrestling with the protection of historic districts amidst the pressures of life in the 21st century." (page 1). The plan provides a specific physical description of the district as it is; an analysis of character-defining features of the district; a discussion of the challenges facing the district; and a discussion of proposed strategies for maintaining the character of the district while allowing for appropriate growth and change.

Montgomery County Code; Chapter 24A

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
 2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

STAFF DISCUSSION

The subject of this application is the retroactive approval for a balustrade installed along the perimeter of the approved flagstone patio on the property. The applicant constructed this balustrade without Commission approval and it is currently in violation of the Montgomery County Code,

Chapter 24-A.

The subject proposal is not problematic in concept, yet, staff feels that it is redundant in its implementation. The current flagstone patio is sited at ground level and a balustrade is not needed for safety reasons or required by code. It feels more like a fence than an architectural detail. However, staff is not in the business to dictate taste and does not feel that the proposed balustrade will negatively impact the historic resource. Therefore, we do not object to the retainment of this architectural feature.

STAFF RECOMMENDATION:

Staff recommends that the Commission *approve with the above stated condition* the HAWP application as being consistent with Chapter 25A-8(b) 1 & 2:

The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.

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

and with the *Vision of Kensington Guidelines*,

with the general conditions applicable to all Historic Area Work Permits that the applicant shall also present three (3) permit sets of drawings to HPC staff for review and stamping prior to submission for building permits and shall arrange for a field inspection by the Montgomery County Department of Permitting Services (DPS), Field Services Office, five days prior to commencement of work, and within two weeks following completion of work.

February 26, 2005

M-NCPPC
ATTN.: MICHELLE OAKS
1109 SPRING STREET; SUITE 801
SILVER SPRING, MD 20910

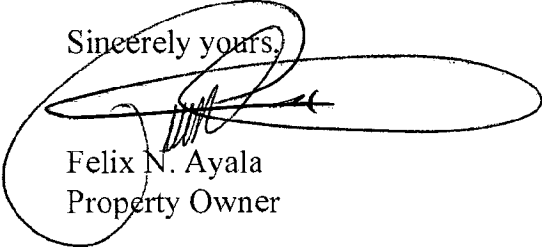
RE: 4010 PROPECT ST
KENSINGTON MD 20893
HISTORIC AREA WORS PERMIT #359048

Dear Mrs. Oaks:

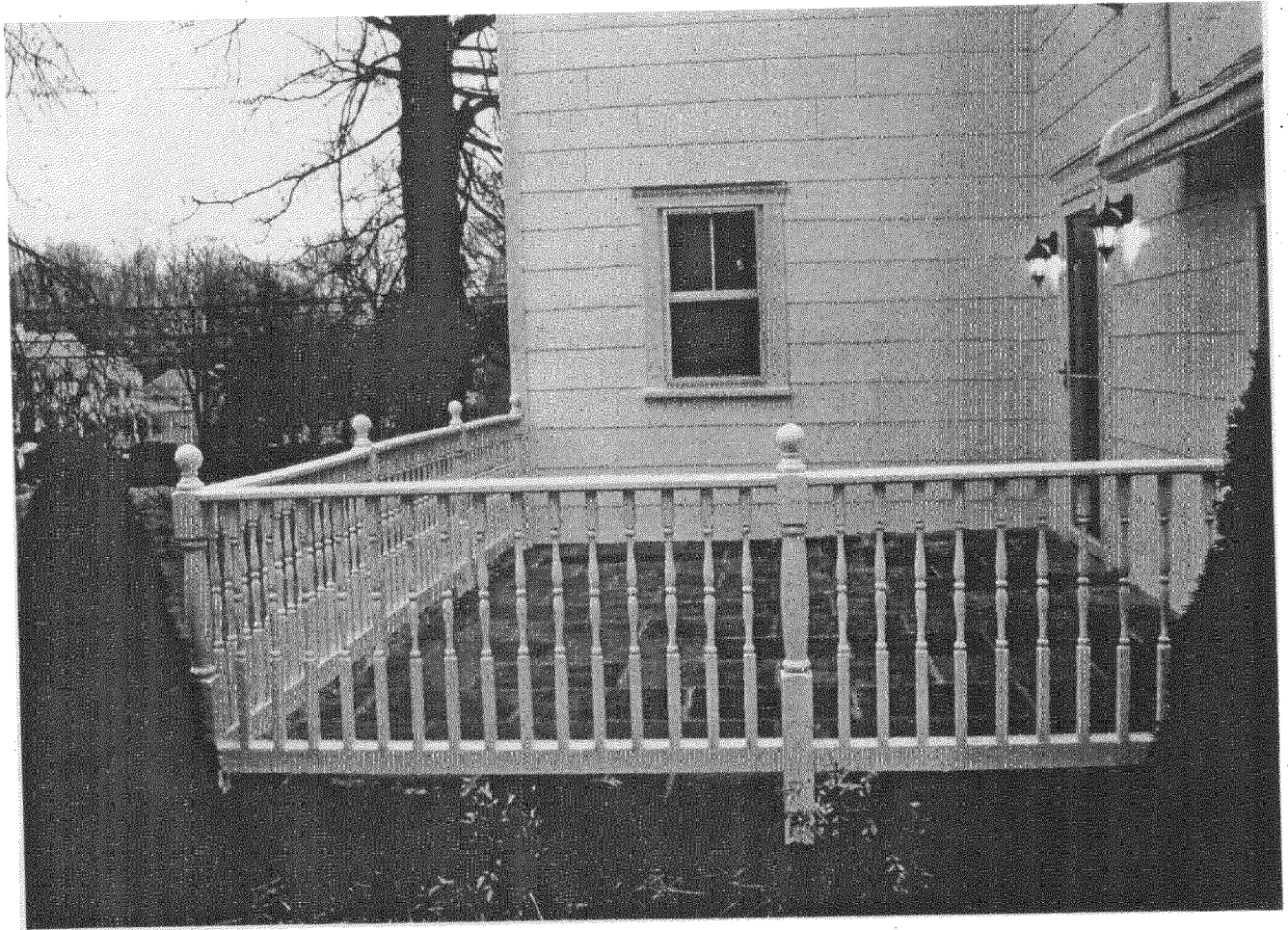
I hereby request permission to allow me the construction of wooded hand railing on the outside stone deck, located on the rear of the house as an extension of the original permit request date 09/14/04. Enclosed please find a photo of the hand rail.

I thank you in advance for your patient and understanding on this matter.

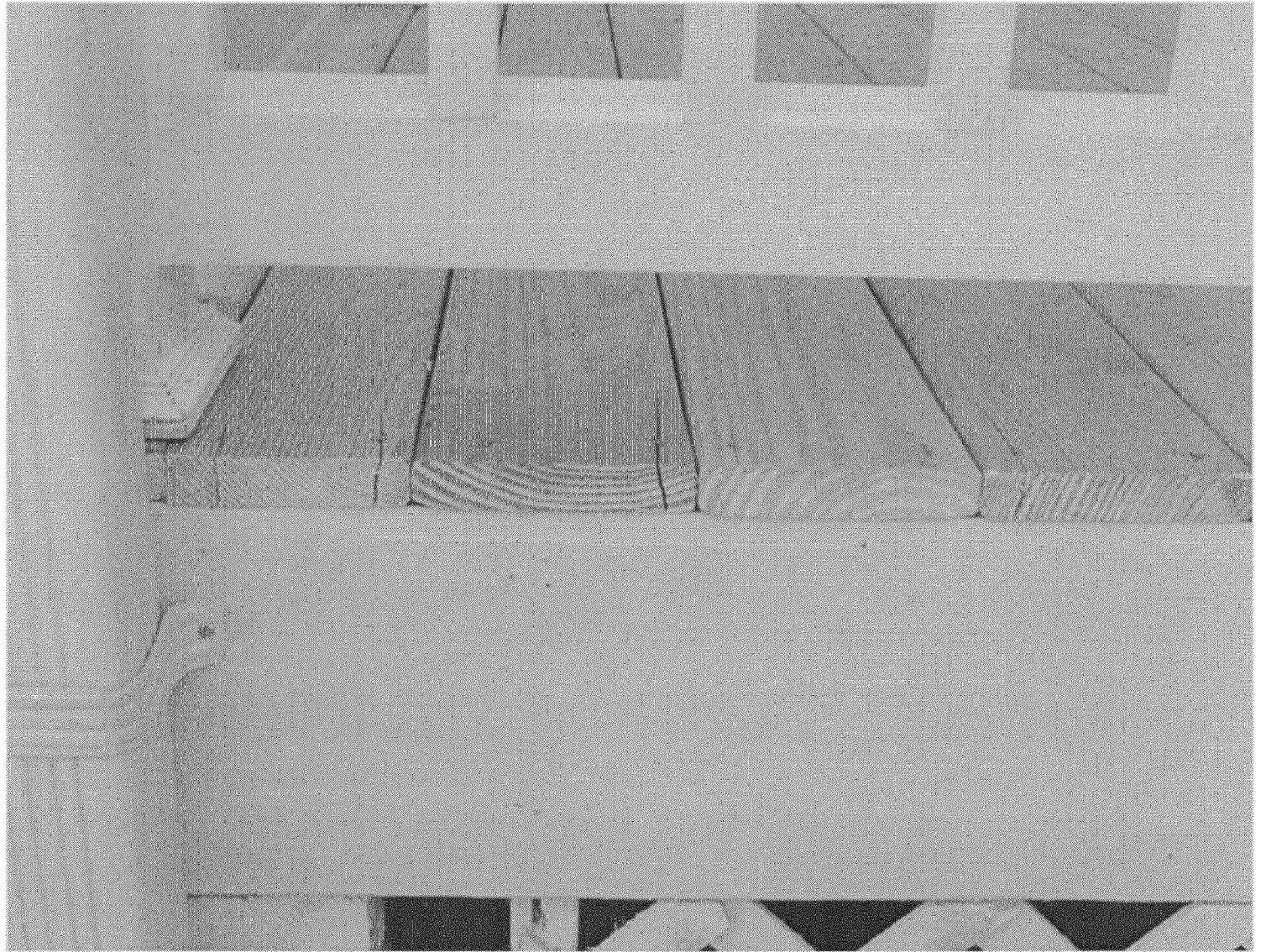
Sincerely yours,

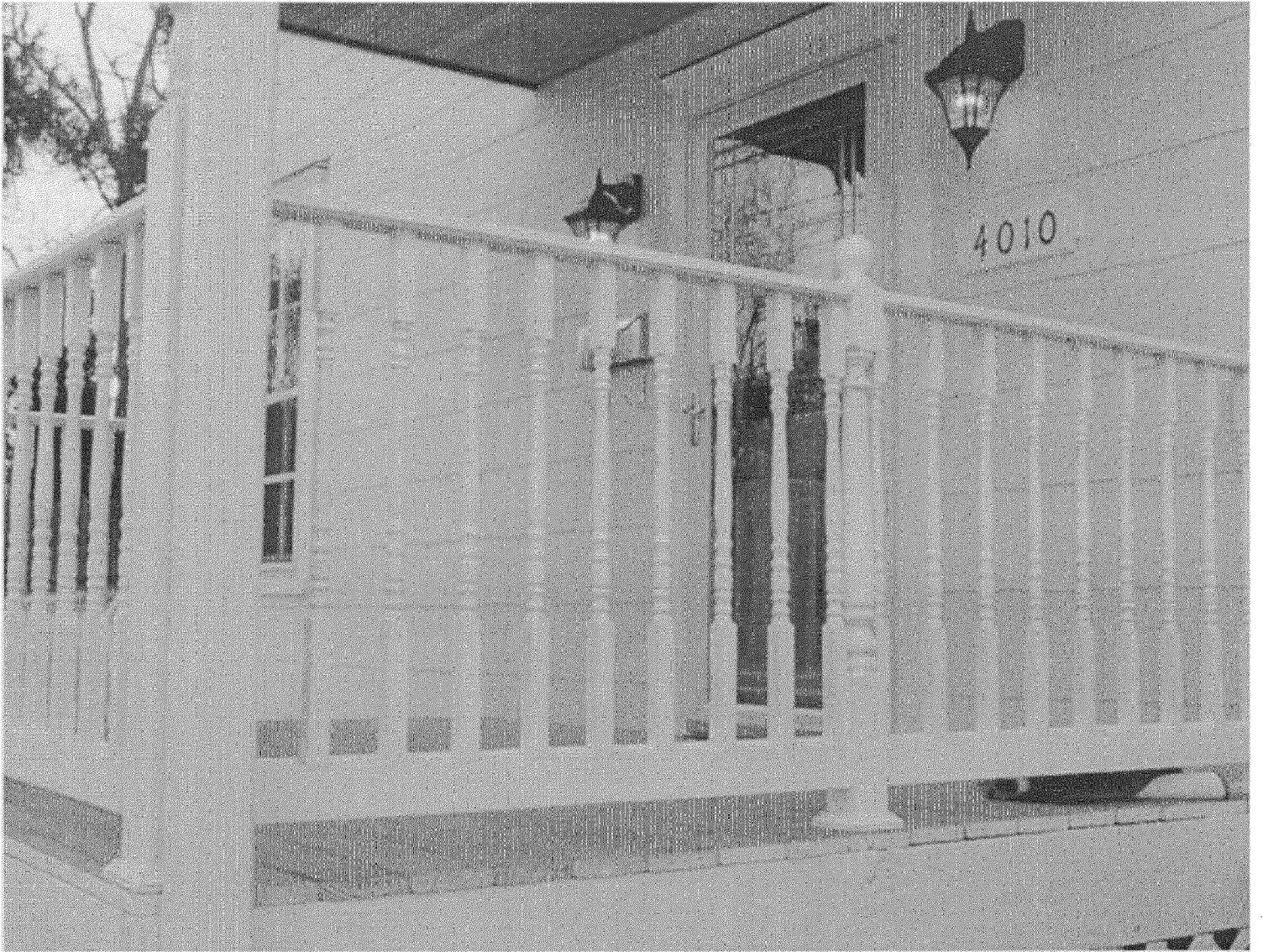


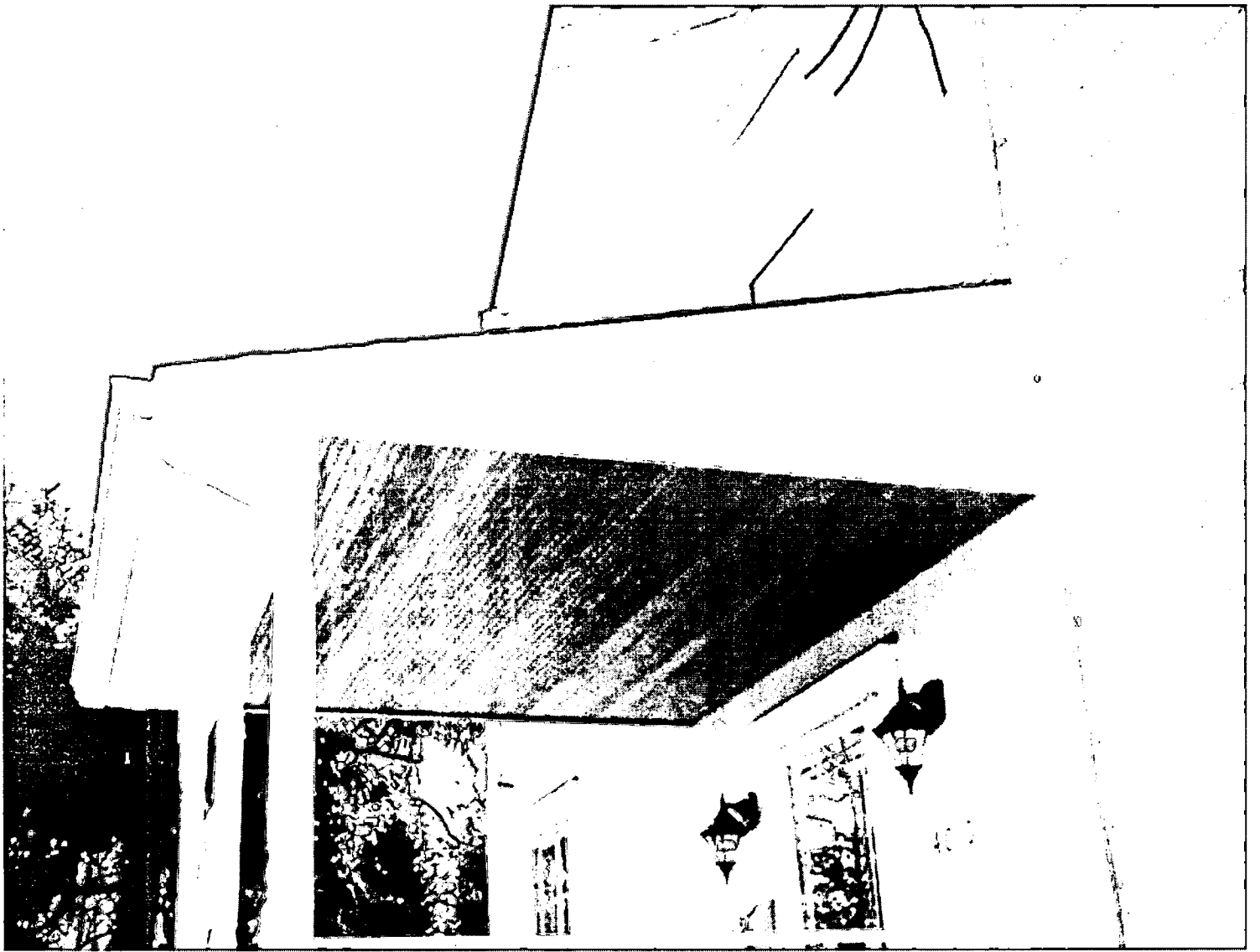
Felix N. Ayala
Property Owner

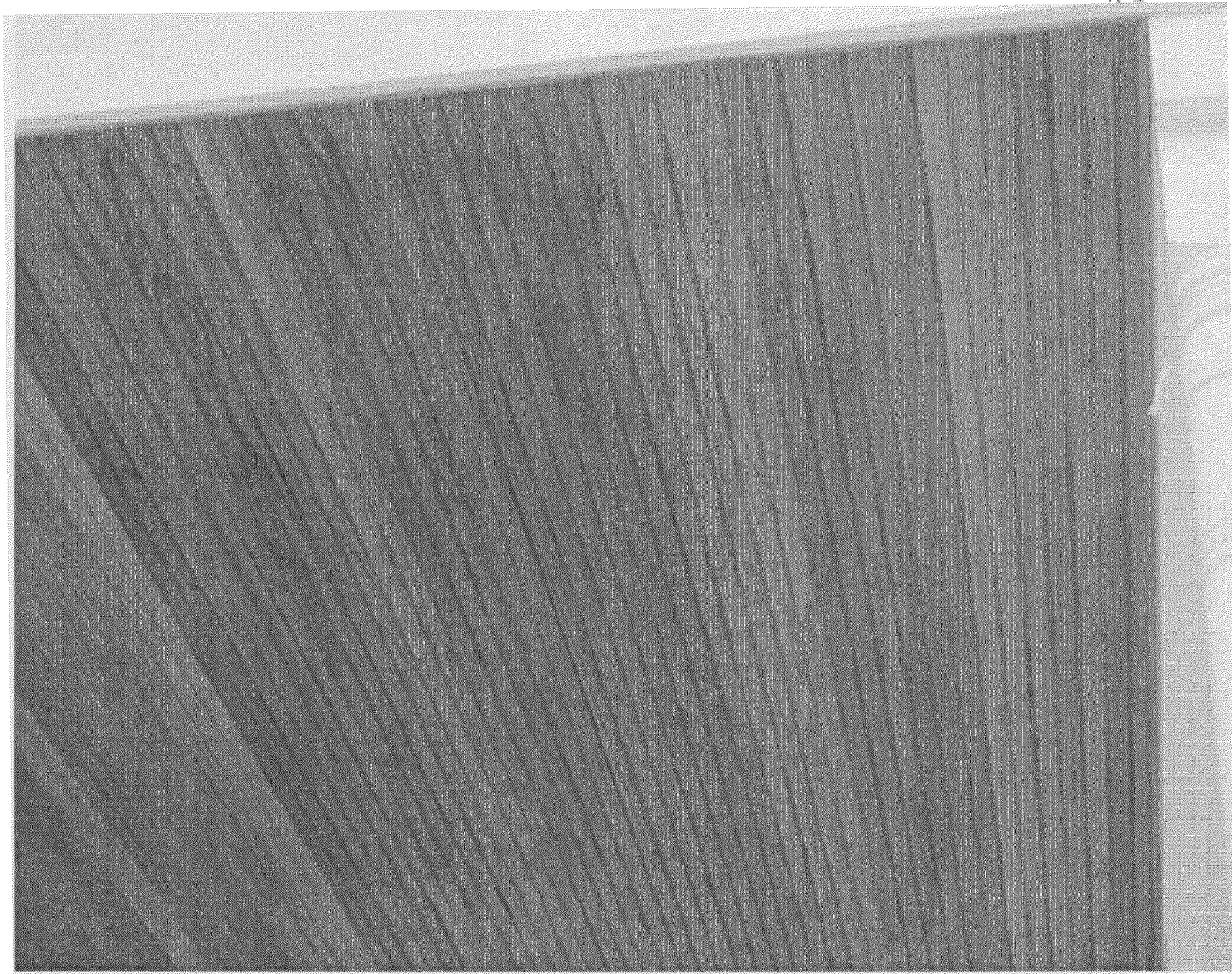


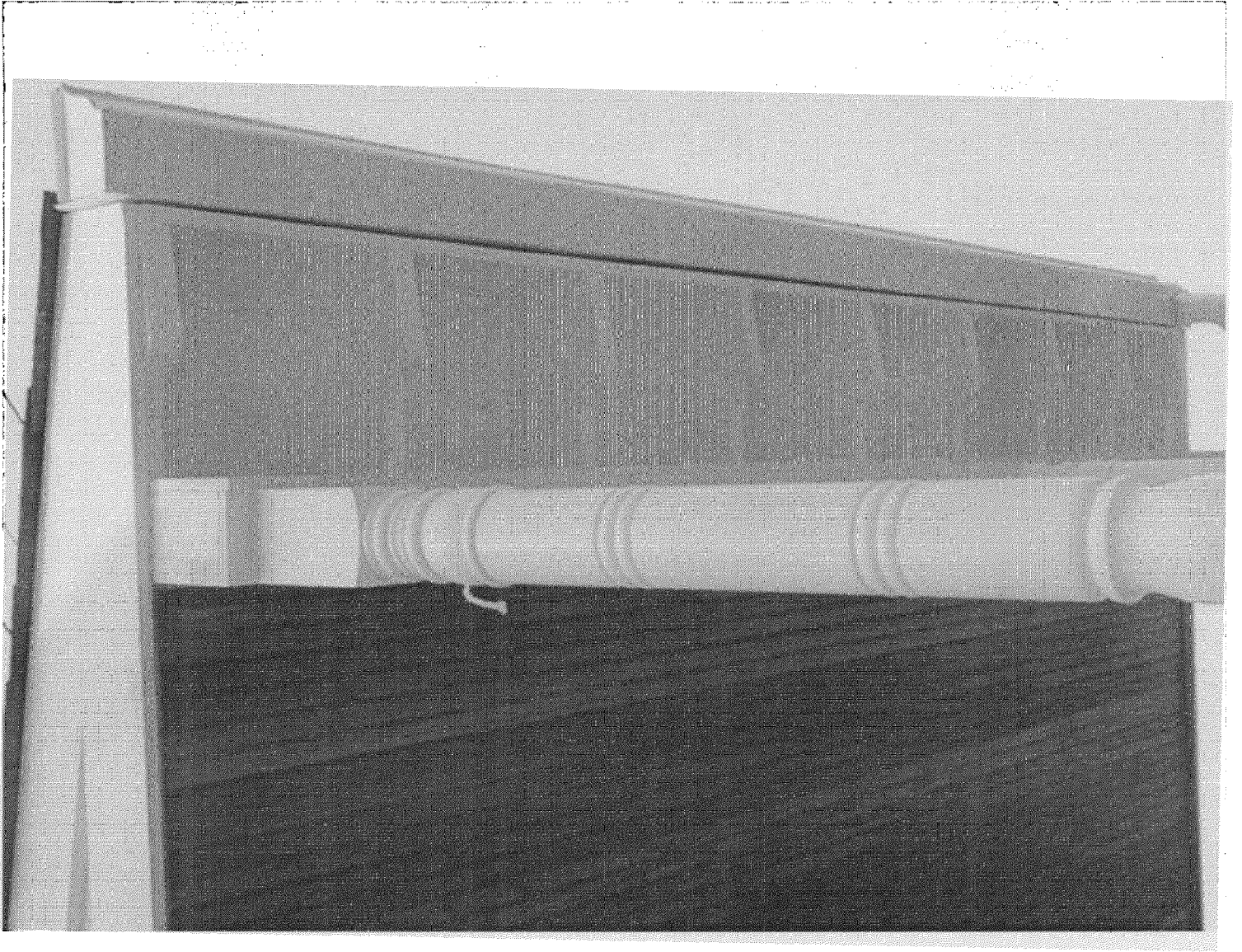


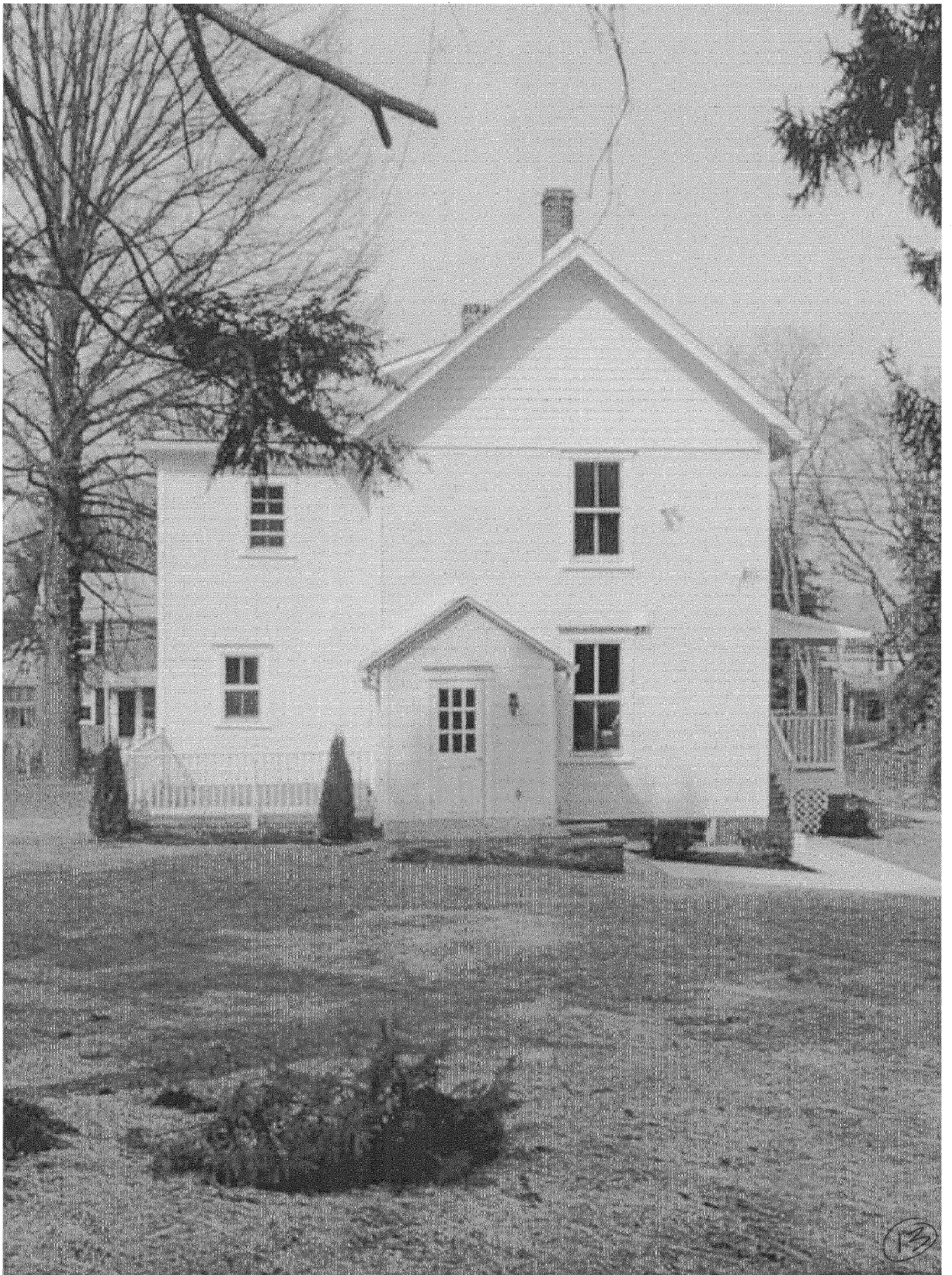
















Date: November 10, 2004

MEMORANDUM

TO: Robert Hubbard, Director

FROM: Michele Naru, Senior Planner
Historic Preservation Section

SUBJECT: Historic Area Work Permit # 359048

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved with conditions**.

The conditions of approval are:

- The design of the new garage door will be reviewed and approved at staff level.
- The new porch's floor will be painted, wood tongue and groove.

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

Applicant: Felix Ayala

Address: 4010 Prospect Street, Kensington Historic District

This HAWP approval is 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 Montgomery County DPS Field Services Office at 240-777-6210 or online at <http://permits.emontgomery.org> prior to commencement of work and not more than two weeks following completion of work.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

167
DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: George Myers
Daytime Phone No.: 240-333-2003

Tax Account No.: _____

Name of Property Owner: Felix + Maria Ayala Daytime Phone No.: 202-667-9473
Address: 4109 Debenham Court Rockville MD 20853
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: Lauren Clark Daytime Phone No.: 240-333-2028

LOCATION OF BUILDING/PREMISE

House Number: 4010 Street: Prospect Street
Town/City: Kensington Nearest Cross Street: Summit Avenue
Lot: 78 + 59 Block: 13 Subdivision: Kensington Park
Liber: _____ Folio: _____ 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/Reze 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.

Lauren Clark Signature of owner or authorized agent Date: 9.14.04

Approved: X W/CONDITIONS For Chairman, Historic Preservation Commission
Disapproved: _____ Signature: Julia O'Malley Date: 11/10/04
Application/Permit No.: 359048 Date Filed: 9-22-04 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:

Existing structure is a Primary I Resource, located within the Kensington Historic District. Built circa 1900, the house is in the Vernacular style & is clad with asbestos shingle. It has two additions: a two-story, flat roof frame addition (c1930) & a one-story mudroom addition (post 1930).

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

Proposal is to add a covered porch at existing door on side elevation and install new french doors into the 1930's addition on the rear elevation. Porch rafter details would match those of the existing house, as would trim details around new french doors.

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.

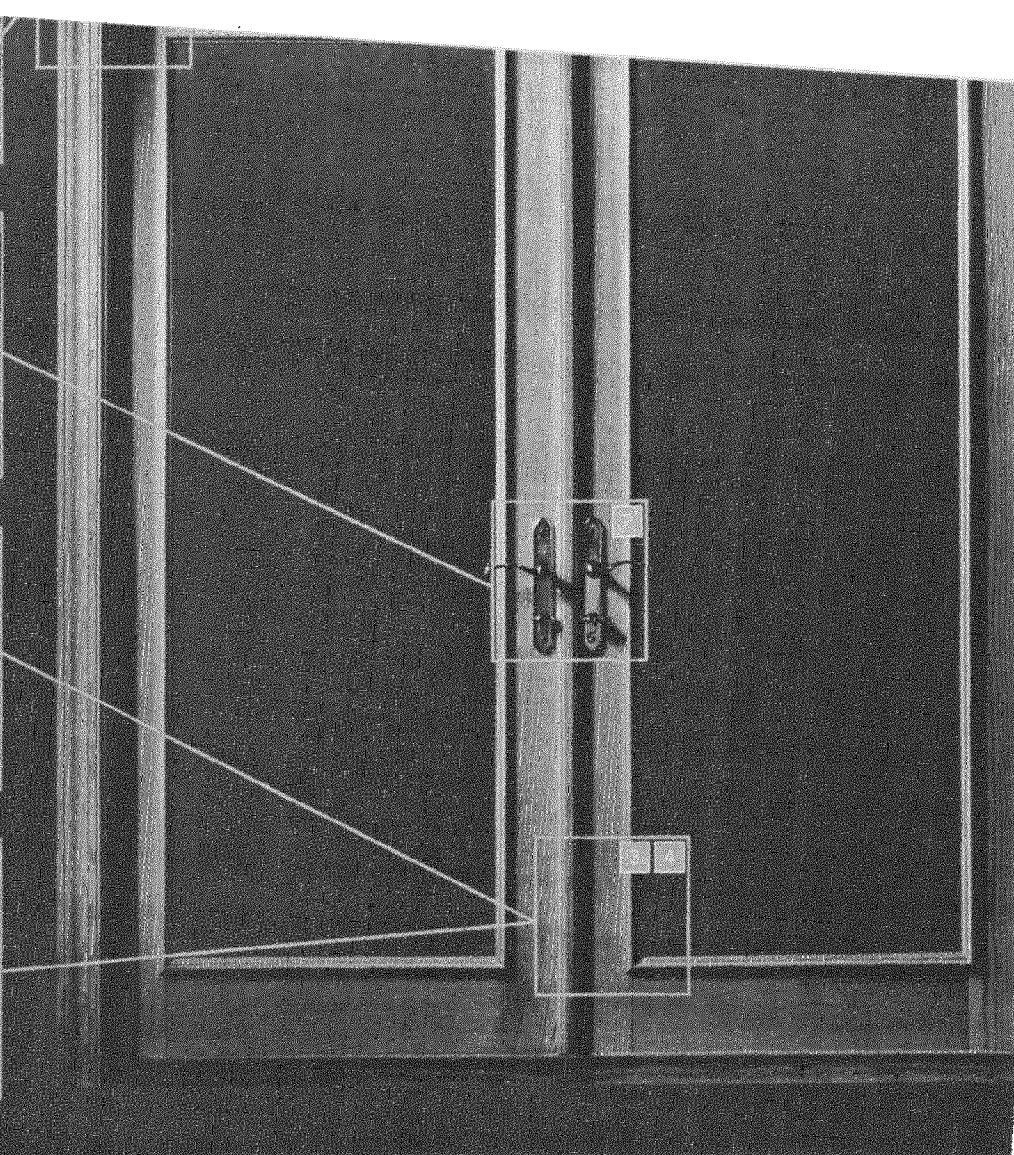
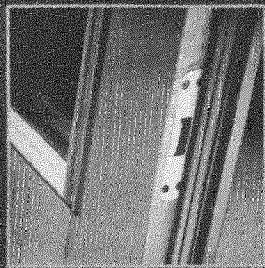
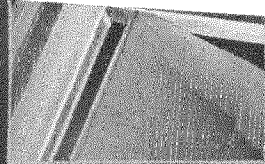
6. TREE SURVEY

If you are proposing construction adjacent to or within the drip-line 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.



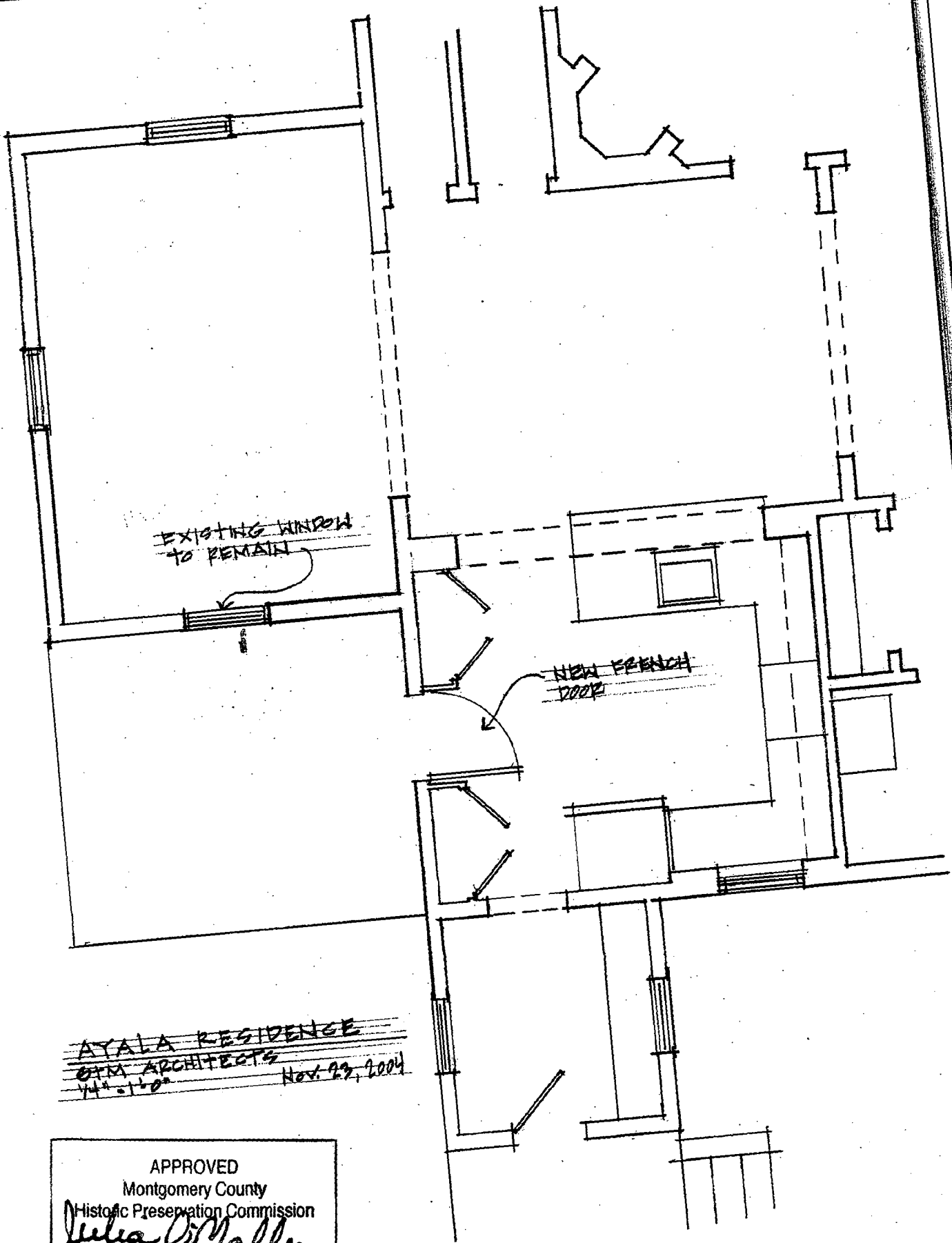
Eyebrow French doors direct sets with True Divided Lite above

The perfect combination of elegance and energy efficiency, our hi patio doors feature rich, all-wood interiors and solid craftsmanship

- Extruded aluminum exterior door units feature extruded aluminum clad integral nailing fin and clad door panels
- Traditional Style 1 handle set (shown) available in ten fashionable finishes
- Handle-activated, stainless steel multi-point locking mechanisms securely lock the door at top, middle and bottom
- Uniquely designed door stile contains receivers for multi-point locking mechanisms and eliminates visible strike plates on face of door panel
- Handle-activated flush bolts are standard on two-panel doors
- Bottom rail heights and seven door height options fit nearly any design
- Internal weep system channels water away from the interior.

Cross sections, elevations, rough openings and data charts found in Specifications Section (see p. 49)

— WEATHER SHIELD —



AYALA RESIDENCE
OTM ARCHITECTS
11/22/04 Nov. 22, 2004

APPROVED
Montgomery County
Historic Preservation Commission
Julia O'Malley

IV-D

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	4010 Prospect Street, Kensington	Meeting Date:	10/13/04
Resource:	Primary 1 Resource Kensington Historic District	Report Date:	10/06/04
Review:	HAWP	Public Notice:	09/29/04
Case Number:	31/06-04N	Tax Credit:	None
Applicant:	Felix Ayala (George Myers, AIA)	Staff:	Michele Naru
Proposal:	Porch Installation, Alterations and Rehabilitation of Existing House		

Recommendation: Approval with conditions

RECOMMENDATION: Staff recommends that the Commission approve this HAWP application with the conditions that:

1. The design of the new garage door will be reviewed and approved at staff level.
2. The new porch's floor will be painted, wood tongue and groove.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Primary 1 Resource
STYLE:	Vernacular
DATES OF CONSTRUCTION:	1894, c1930

This Primary 1 resource is located at the edge of the historic district along Prospect Street. Built in two distinct phases, the original massing was built c1900 and the rear extension was built by 1931. The original massing's historic principal façade is the current elevation that faces Summit Avenue. It is believed that this façade contained a full-width shed-roof front porch, which does not exist today. The current principal façade is the elevation that currently faces Prospect Street and it historically also contained a full-width porch, evidenced by the existing brick piers.

The main massing (located on Lot 58) is a 2-1/2-story, three-bay, frame building sheathed in German wood siding and covered with asbestos shingle. It is set upon brick perimeter foundation and is covered with a cross-gable roof, clad with asphalt shingles. The windows are 2/2 double hung. A two-story, flat roof frame addition (c1930 – straddles Lot 58 and 59) clad in horizontal lap siding and also covered in asbestos shingle and set upon a battered concrete block foundation, extends off of the (current) rear elevation of the house. A one-story mudroom addition (post 1930), protrudes from the east, side elevation.

The property also contains a frame garage building (c1930) in deteriorated condition (located on Lot 59).

PROPOSAL:

The applicant is proposing to:

1. Remove the asbestos shingle siding to expose the German siding underneath. Rehabilitate the German siding through patch and repair with matching siding.
2. Rehabilitate the existing house into a 3 bedroom, 2-1/2 bath residence. Construct a 14'8" x 8' shed-roof, porch supported by simple turned posts onto the historic house's Prospect Avenue elevation.
3. Rehabilitate the existing garage. Repair and replace rotten siding as needed. Replace the existing garage doors with a compatible overhead garage door.
4. Trim existing trees on property as needed. Cut back the branches, which currently touch the house.
5. Install a new concrete patio at the southwestern corner of the house.
6. Remove and replace in-kind, the existing concrete patio, which abuts the one-story mudroom entrance to the house.
7. Repair and replace in-kind with matching materials and dimensions the existing asphalt driveway and concrete walkways.
8. Installation of a 2/2 true-divided light wood window in the second story, Prospect Street elevation to match existing and to balance this façade.
9. Replace the existing 1/1, non-original windows in the second story, Summit Street elevation to match the existing 2/2, true-divided light wood windows. The size of the window openings will remain.
10. Install a wood, French door on the southwest elevation of the c1930's addition. The French door will lead onto the new concrete patio.
11. Replace existing asphalt roof in-kind.
12. Install 6" ogee gutters on the new porch and the house.
13. Rehabilitate the existing windows.

APPLICABLE GUIDELINES:

Proposed alterations, new construction and demolition to buildings within the Kensington Master Plan Historic District must be in compliance with the *Secretary of Interior's Standards for Rehabilitation*. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

The Secretary of Interior's Standards for Rehabilitation that pertain to this project are as follows:

- #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 the property will be avoided.
- #3 Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- #6 Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

STAFF DISCUSSION

Staff commends the applicants desire to retain the c1930's addition and completely rehabilitate this very important Kensington resource. All of the proposed work is in compliance with the Secretary of the Interior's Standards for Rehabilitation. Staff will also note that most of the work outlined above is eligible for the County and the State of Maryland tax credit. Additional information about these programs can be found on www.mc-mncppc.org/historic and www.marylandhistoricaltrust.net.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with the above-stated conditions** the HAWP application as being consistent with Chapter 24A-8(b)1 and 2:

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

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 Standards for Rehabilitation.

and being consistent with the *Vision of Kensington*, adopted in August 1992.

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED

SEP 21 2004

Dept. of Permitting Services
Division of
Cultural Heritage Services

Contact Person: George Myers
Daytime Phone No.: 240-333-2003

Tax Account No.: _____
Name of Property Owner: Felix + Maria Ayala Daytime Phone No.: 202-667-9473
Address: 4109 Debenham Court Rockville MD 20853
Street Number City State Zip Code

Contractor: _____ Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: Lauren Clark Daytime Phone No.: 240-333-2028

LOCATION OF BUILDING/PREMISE

House Number: 4010 Street: Prospect Street
Town/City: Kensington Nearest Cross Street: Summit Avenue
Lot: 78+59 Block: 13 Subdivision: Kensington Park
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate Move Install Wreck/Reze 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 # _____

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2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____
2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

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3A. Height: _____ feet _____ inches
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I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Lauren Clark Signature of owner or authorized agent 9.14.04 Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 359048 Date Filed: 9-22-04 Date Issued: _____
Emc

SEE REVERSE SIDE FOR INSTRUCTIONS

4

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

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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.

5

05: 11
Property list within 200 ft
Department H, I, D, M.
Baltimore County, Md.

AYALA AND ASSOCIATES

PUBLIC ACCOUNTANTS

May 18, 2004

GTM ARCHITECTS
10415 ARMORY AVENUE
KENSINGTON, MD 20895
ATTN: GEORGE T. MYERS

Re: List of Neighbors

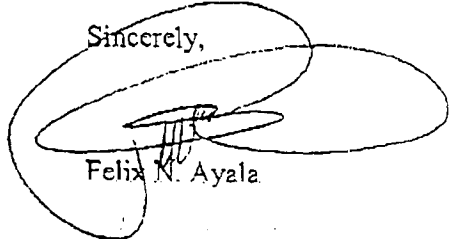
Dear Mr. George Myers:

As follow please fin the list of neighbors on the surroundings of the property (4010 Prospect Street) al though I do not know their names; but hope this is what you need.

- James R Cooper & Margaret O'neill Cooper < 3948 Washington Street (Behind the Lot)
Kensington, MD 20895
- David N. Rubin < 4011 Prospect Street (Side of House) - Side across street
Kensington, MD 20895
- Erica L. Dravin < 10302 Summit Avenue (Front of the House) - Across street
Kensington, MD 20895
- Eric T. & Catherine J. May < 10300 Summit Avenue (Front of the House) - Across street
Kensington, MD 20895
- Robe & Michael Boggs < 10223 Summit Avenue (Side of the House) - Occupant
Kensington, MD 20895

Thank you and good luck on the presentation with the historic board.

Sincerely,



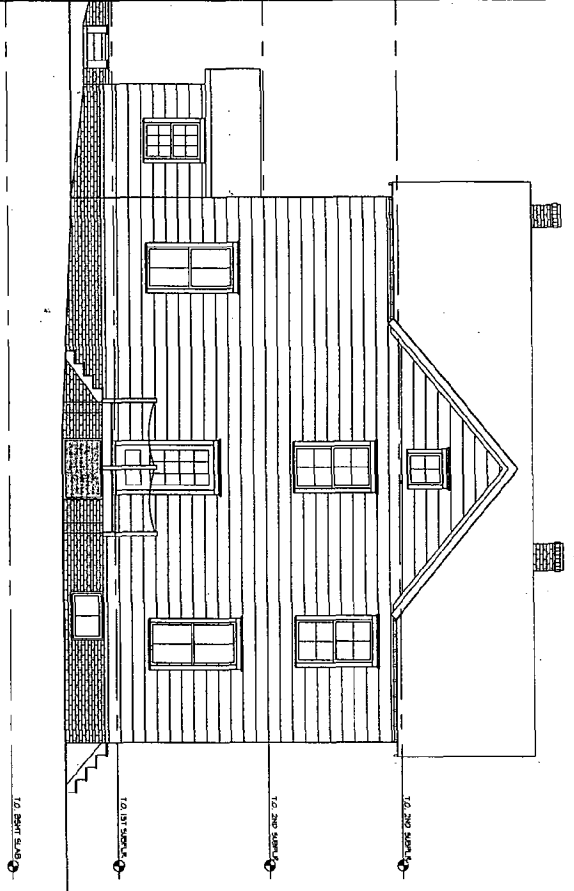
Felix N. Ayala

6
63

1

EXISTING LEFT SIDE ELEVATION

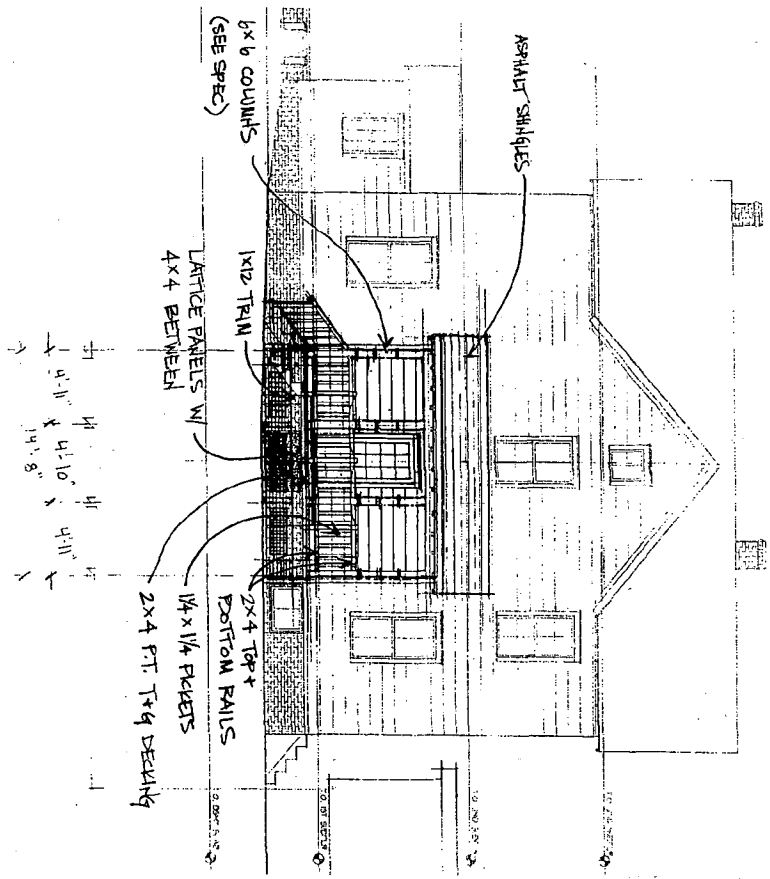
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PROPOSED LEFT SIDE ELEVATION

SCALE: 1/8"=1'-0"



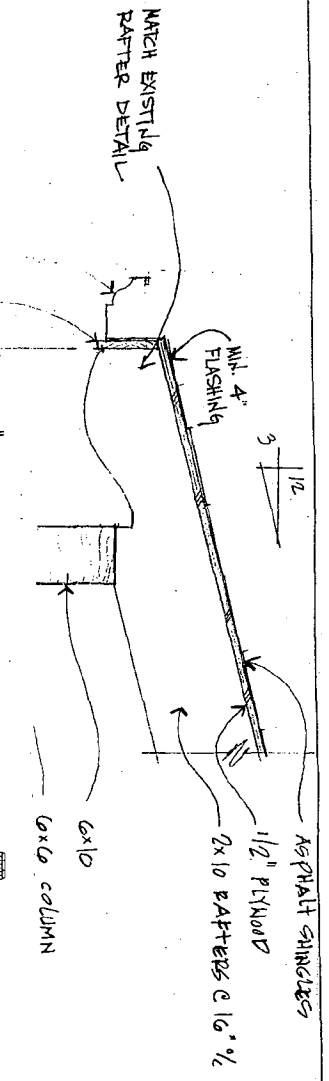
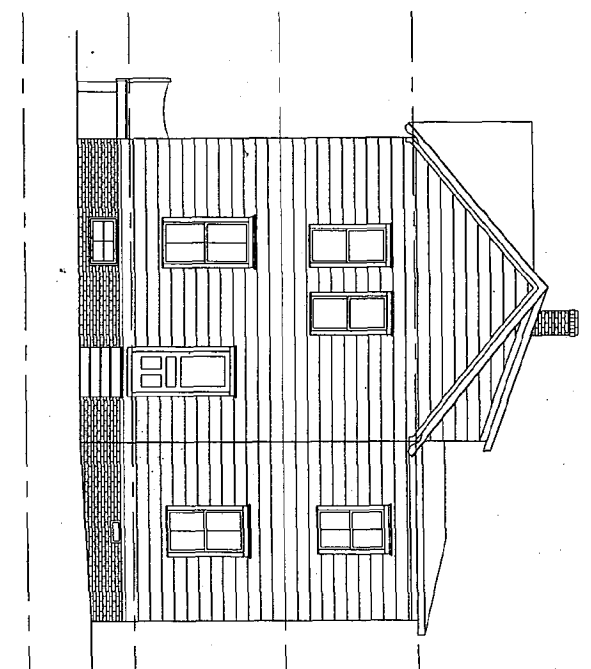
DRAWN BY: LSC CHECKED BY: STM SCALE: AS NOTED DATE: 04.22.04 PROJECT NO: C4-0161 DRAWING NO: 4	REVISIONS: ARCHITECT SEAL:	AYALA RESIDENCE	4010 PROSPECT STREET KENSINGTON, MD 20895	G.T.M.S.P. ARCHITECTS 2736 OLD GEORGETOWN ROAD BETHESDA, MD 20814 PHONE: 301.278.1100 FAX: 301.278.1101 WWW: G.T.M.S.P.AE.COM
			LEFT SIDE ELEVATIONS	

8

1

EXISTING FRONT ELEVATION

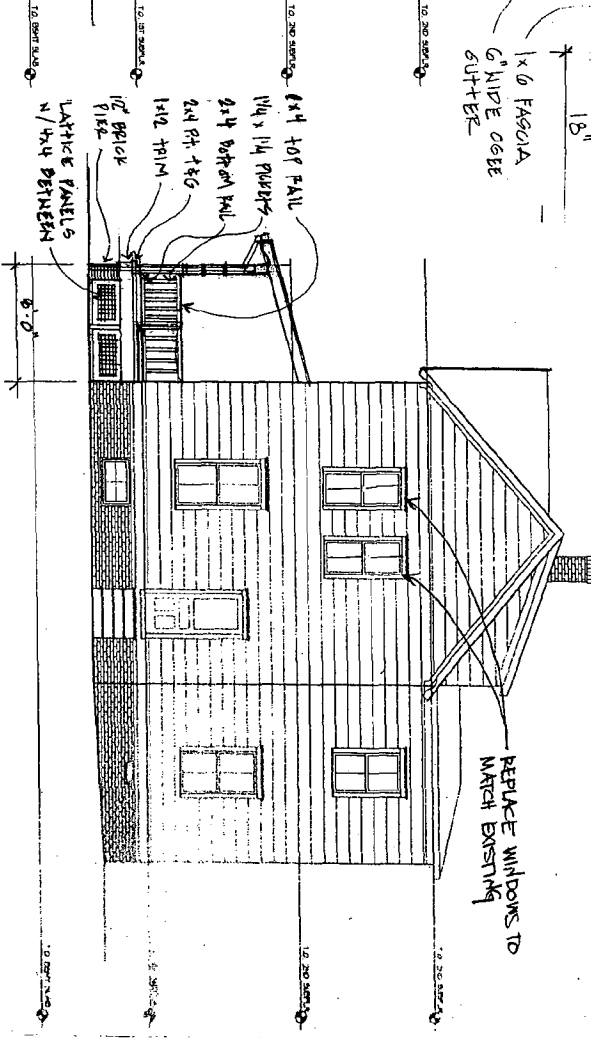
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2

PROPOSED FRONT ELEVATION

SCALE: 1/8"=1'-0"

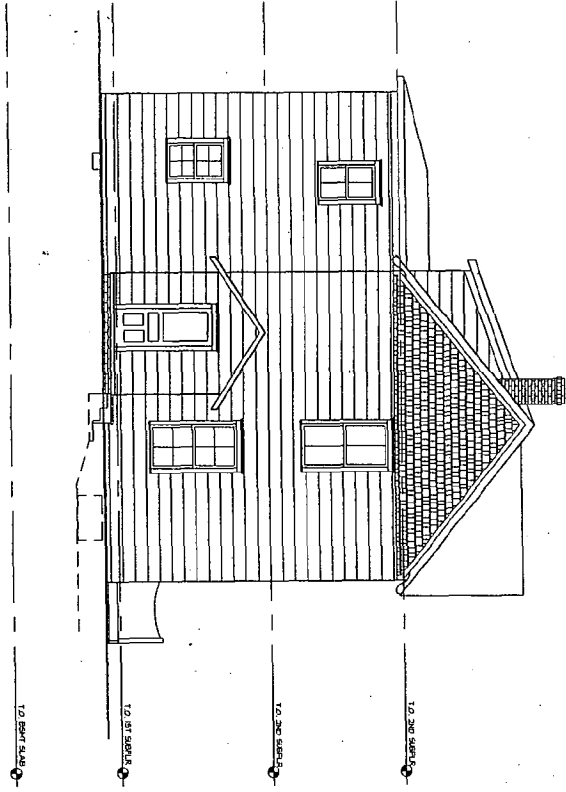


DRAWN BY: SC CHECKED BY: GTM SCALE: AS NOTED DATE: 04.22.04 PROJECT NO: 04.0161 DRAWING NO: 3	ARCHITECT SEAL	RESPONSE	AYALA RESIDENCE	4010 PROSPECT STREET KENSINGTON, MD 20895 FRONT ELEVATIONS	G.T.M. & A.T. STUBBS ARCHITECTS 7710 PROSPECT ROAD KENSINGTON, MD 20895 (301) 203-1100 FAX (301) 203-1100

9

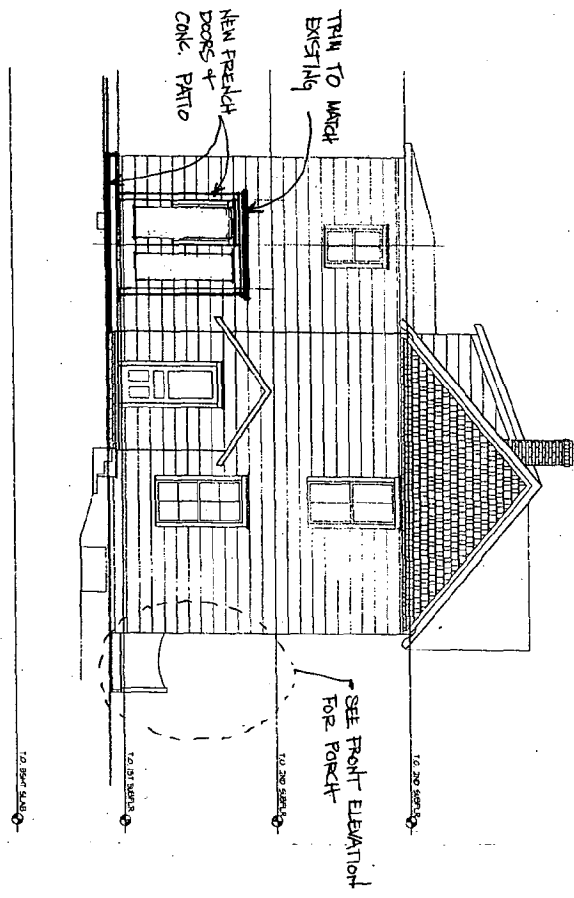
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EXISTING REAR ELEVATION
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2

PROPOSED REAR ELEVATION
SCALE: 1/8"=1'-0"



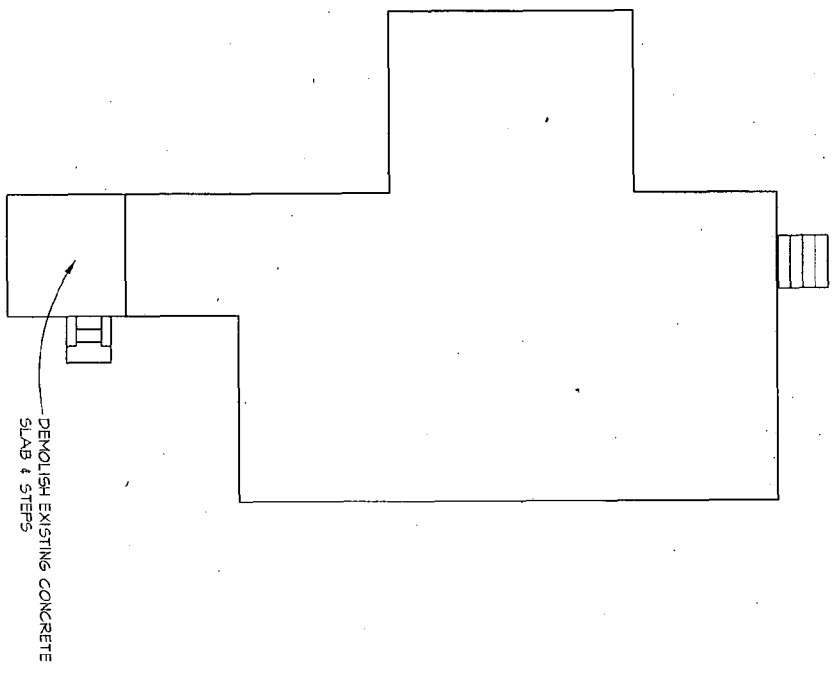
AYALA RESIDENCE	4010 PROSPECT STREET KENSINGTON, MD 20895		REAR ELEVATIONS
	<small> DTM ARCHITECTS 7720 GARDENVIEW ROAD BETHESDA, MD 20814 (301) 414-2800 FAX (301) 414-2801 </small>		
5	<small> DRAWN BY: SC CHECKED BY: GTM SCALE: AS NOTED DATE: 04.22.04 PROJECT NO: 04.04.671 DRAWING NO. </small>	<small> ARCHITECT SEAL </small>	<small> RESIDENCE </small>

18

1

EXISTING FIRST FLOOR PLAN

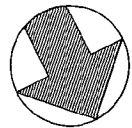
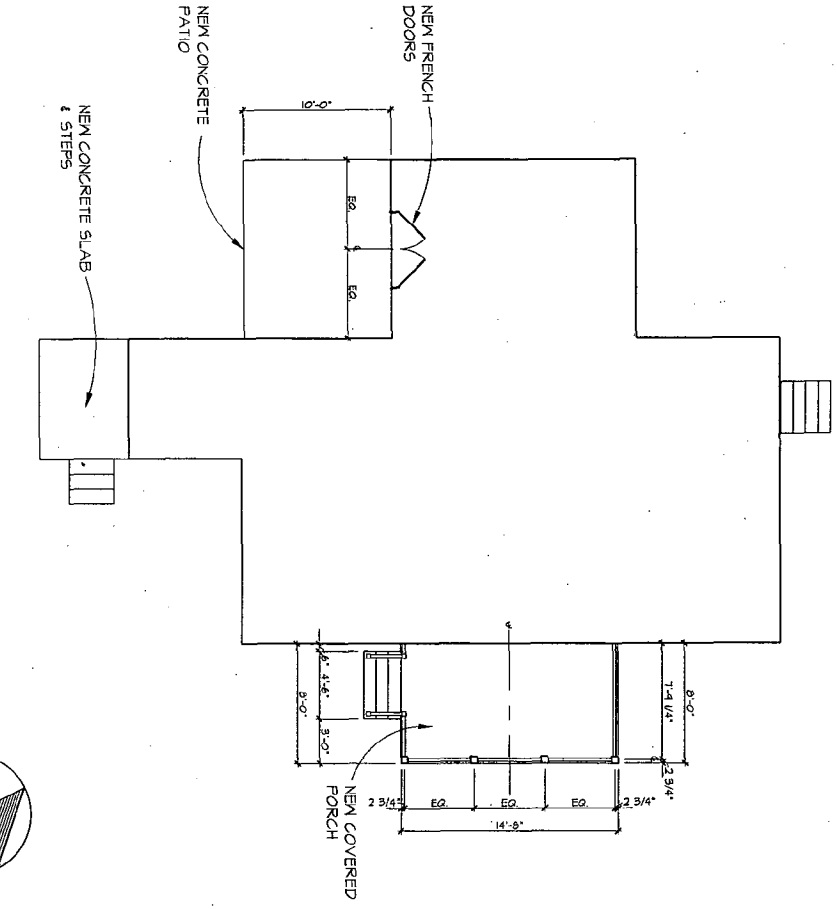
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2

PROPOSED FIRST FLOOR PLAN

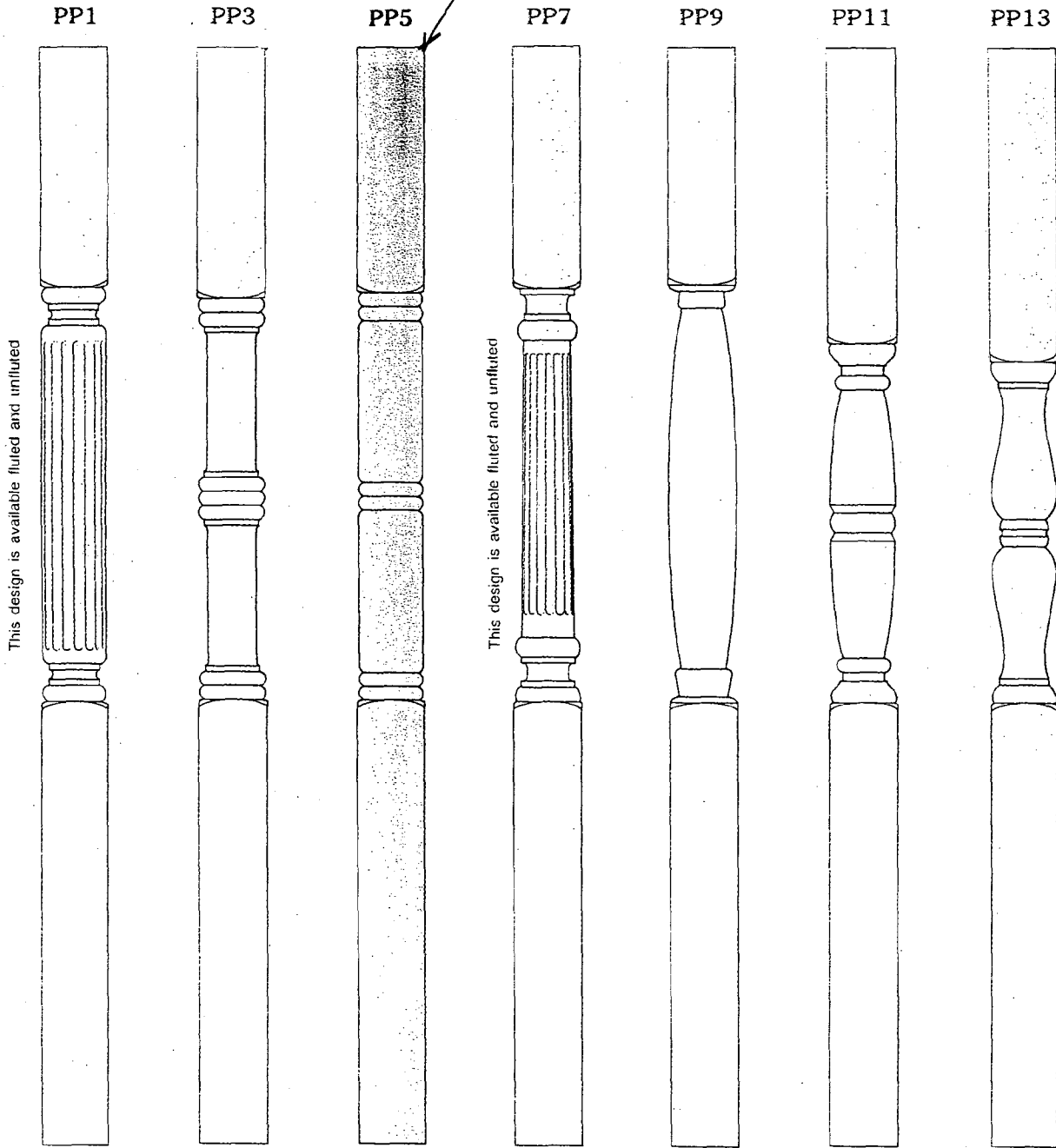
SCALE: 1/8"=1'-0"



AYALA RESIDENCE 4010 PROSPECT STREET KENSINGTON, MD 20895 FIRST FLOOR PLANS	G.M. HILL ARCHITECTS 1100 BENTLEY ROAD SUITE 200 KENSINGTON, MD 20895 (301) 251-1100 FAX (301) 251-1101
	DRAWN BY: LSC CHECKED BY: GTH SCALE: AS NOTED DATE: 04/22/04 PROJECT NO: 04-0161 DRAWING NO: 2

PORCH POSTS Scale: 3/4" = 1'-0"

PROPOSED NEW COVERED PORCH POSTS



PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP1 - 5 1/2 x 96	5 1/2	44	40	12	96
PP1 - 7 1/4 x 96	7 1/4	44	40	12	96
PP1 - 5 1/2 x 108	5 1/2	44	40	24	108
PP1 - 7 1/4 x 108	7 1/4	44	40	24	108
PP1 - 5 1/2 x 120	5 1/2	44	40	36	120
PP1 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP5 - 5 1/2 x 96	5 1/2	44	40	12	96
PP5 - 7 1/4 x 96	7 1/4	44	40	12	96
PP5 - 5 1/2 x 108	5 1/2	44	40	24	108
PP5 - 7 1/4 x 108	7 1/4	44	40	24	108
PP5 - 5 1/2 x 120	5 1/2	44	40	36	120
PP5 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP9 - 5 1/2 x 96	5 1/2	44	40	12	96
PP9 - 7 1/4 x 96	7 1/4	44	40	12	96
PP9 - 5 1/2 x 108	5 1/2	44	40	24	108
PP9 - 7 1/4 x 108	7 1/4	44	40	24	108
PP9 - 5 1/2 x 120	5 1/2	44	40	36	120
PP9 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP13 - 5 1/2 x 96	5 1/2	44	34	18	96
PP13 - 7 1/4 x 96	7 1/4	44	34	18	96
PP13 - 5 1/2 x 108	5 1/2	44	34	30	108
PP13 - 7 1/4 x 108	7 1/4	44	34	30	108
PP13 - 5 1/2 x 120	5 1/2	44	34	42	120
PP13 - 7 1/4 x 120	7 1/4	44	34	42	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP3 - 5 1/2 x 96	5 1/2	44	38	14	96
PP3 - 7 1/4 x 96	7 1/4	44	38	14	96
PP3 - 5 1/2 x 108	5 1/2	44	38	26	108
PP3 - 7 1/4 x 108	7 1/4	44	38	26	108
PP3 - 5 1/2 x 120	5 1/2	44	38	38	120
PP3 - 7 1/4 x 120	7 1/4	44	38	38	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP7 - 5 1/2 x 96	5 1/2	44	40	12	96
PP7 - 7 1/4 x 96	7 1/4	44	40	12	96
PP7 - 5 1/2 x 108	5 1/2	44	40	24	108
PP7 - 7 1/4 x 108	7 1/4	44	40	24	108
PP7 - 5 1/2 x 120	5 1/2	44	40	36	120
PP7 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP11 - 5 1/2 x 96	5 1/2	44	35	17	96
PP11 - 7 1/4 x 96	7 1/4	44	35	17	96
PP11 - 5 1/2 x 108	5 1/2	44	35	29	108
PP11 - 7 1/4 x 108	7 1/4	44	35	29	108
PP11 - 5 1/2 x 120	5 1/2	44	35	41	120
PP11 - 7 1/4 x 120	7 1/4	44	35	41	120



MANUFACTURED HALF ROUND & OGEE GUTTER

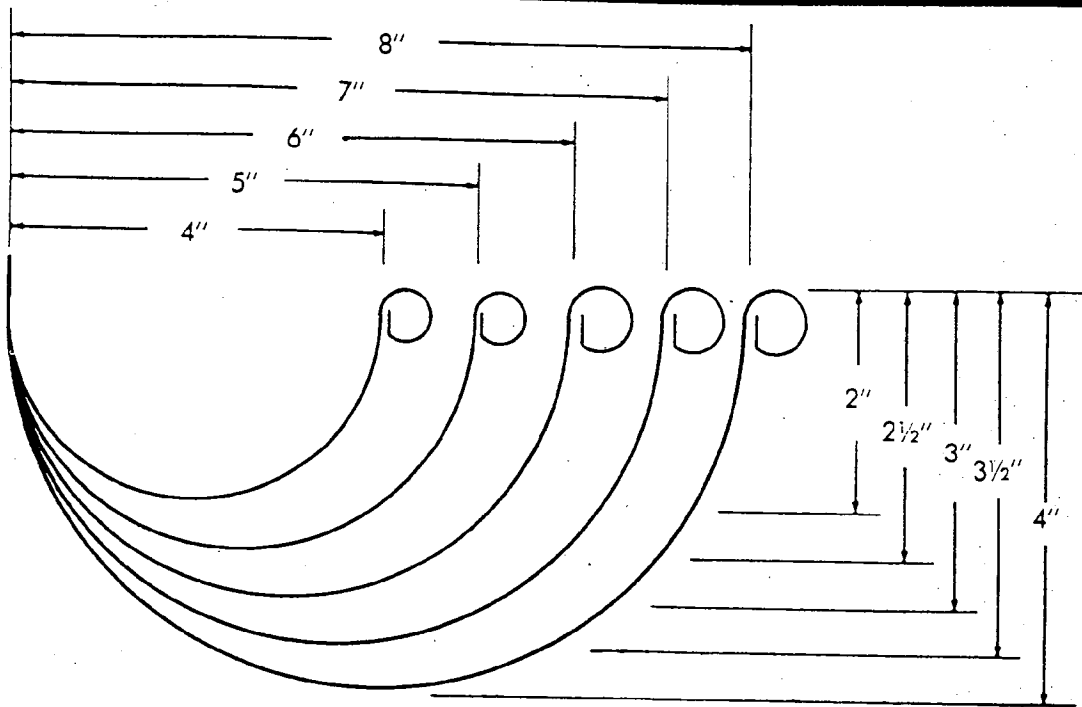


FIG A

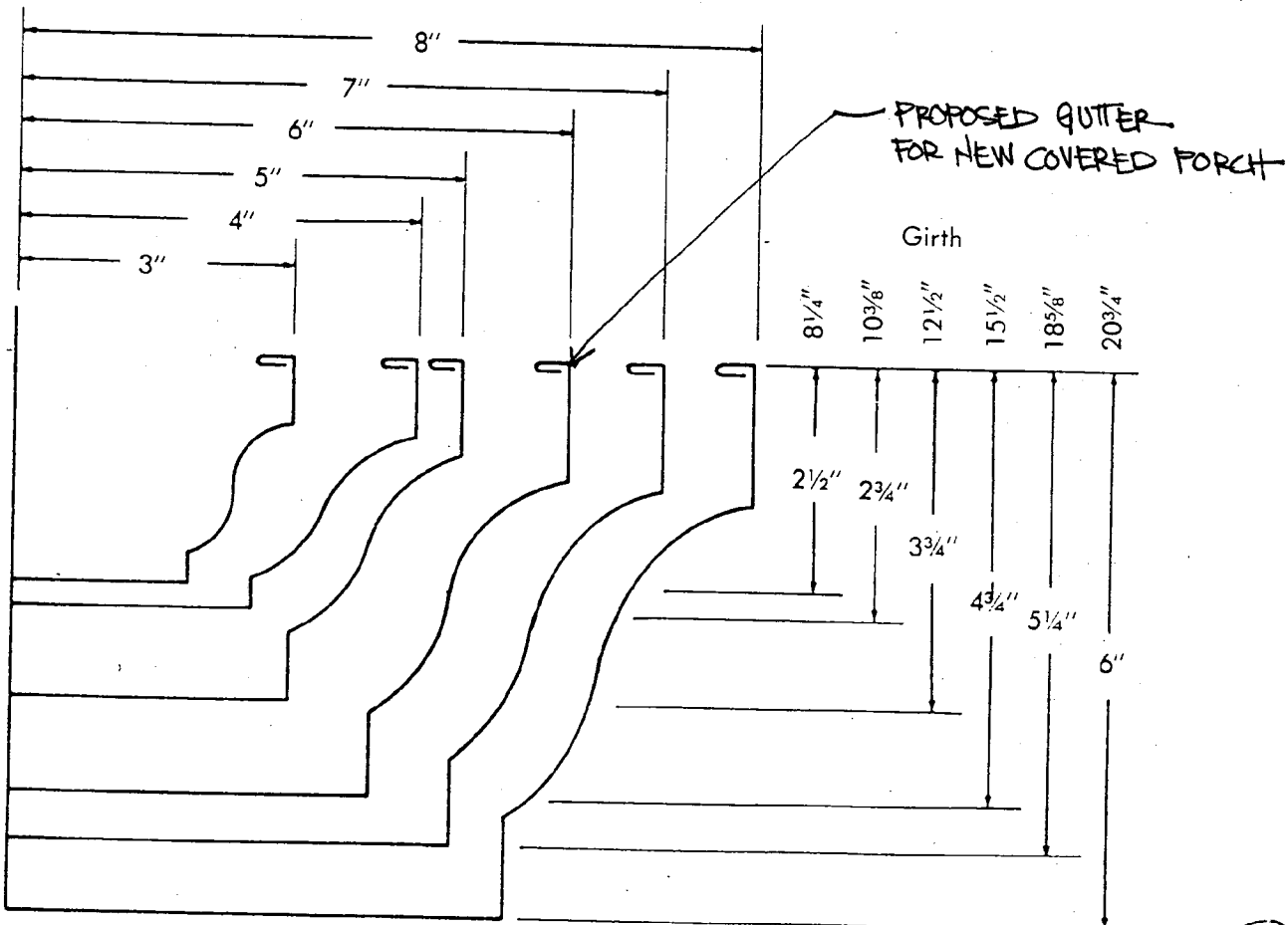
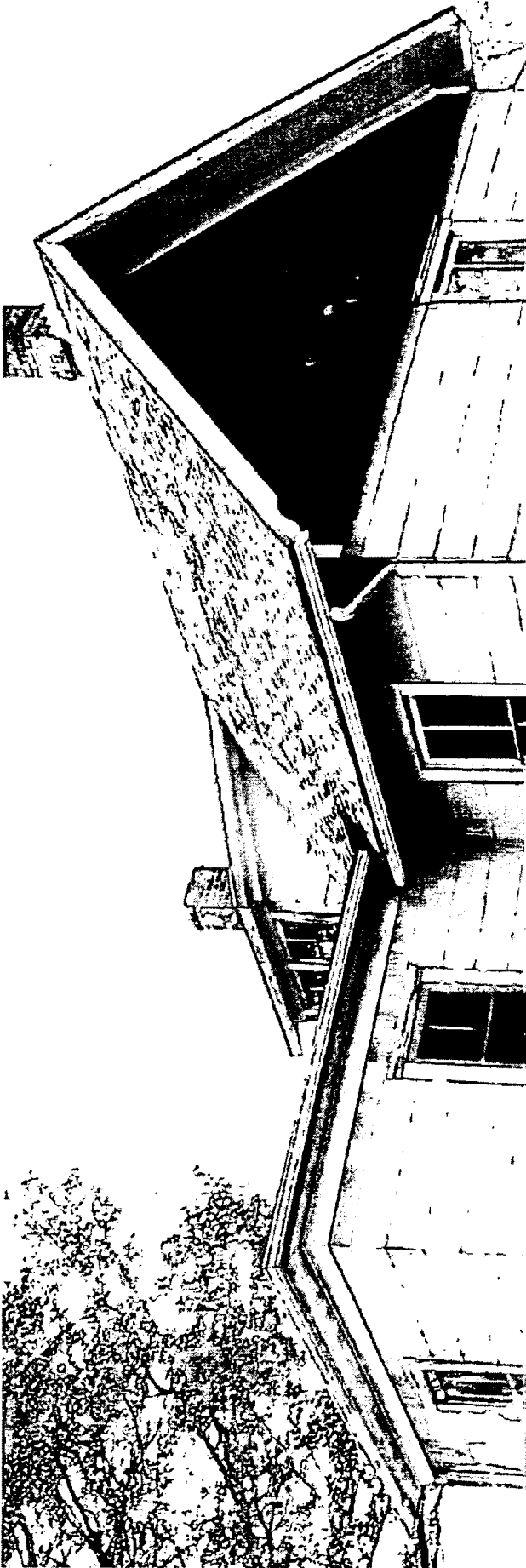


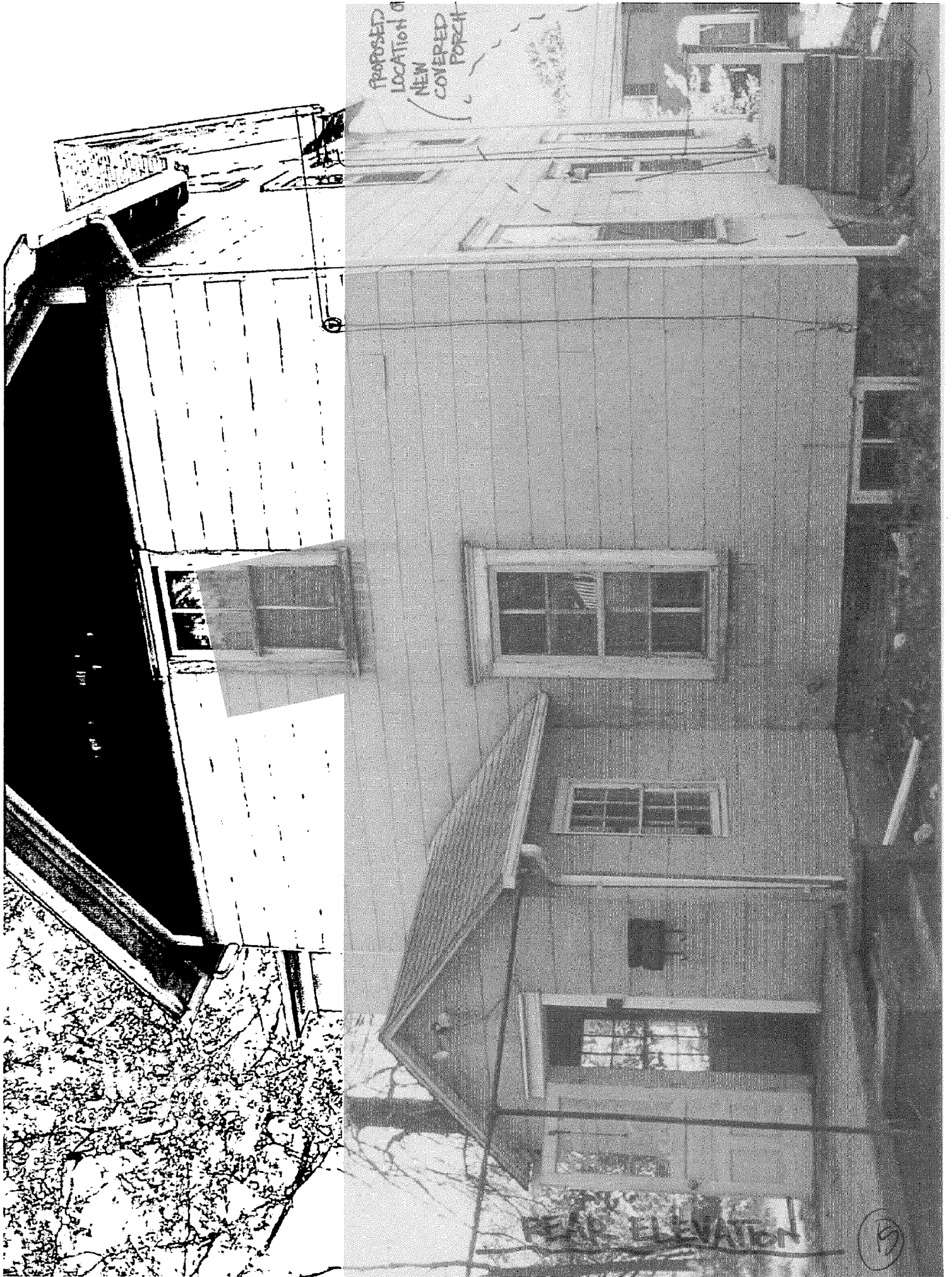
FIG B

12



REAR ELEVATION

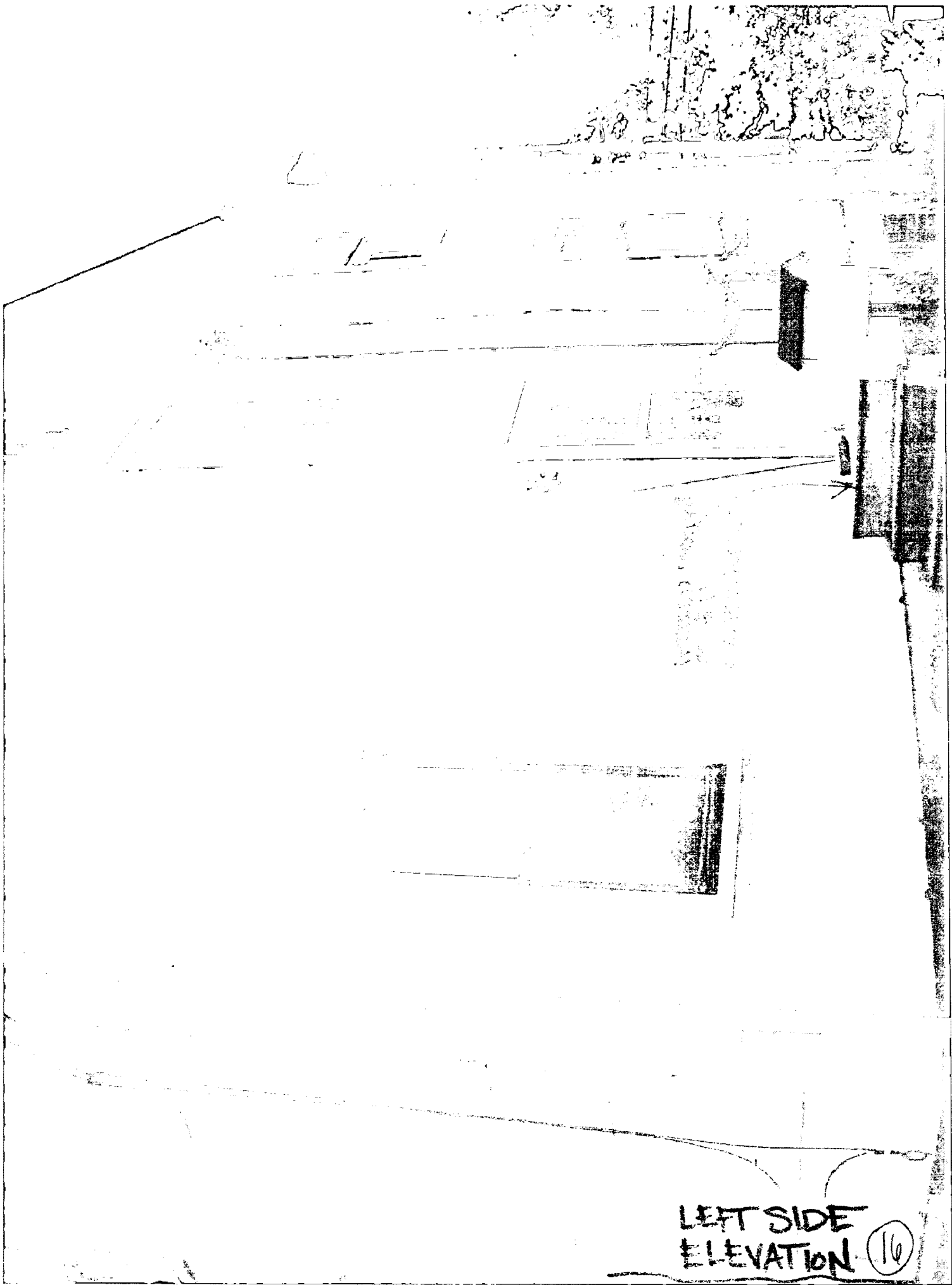




PROPOSED
LOCATION OF
NEW
COVERED
PORCH

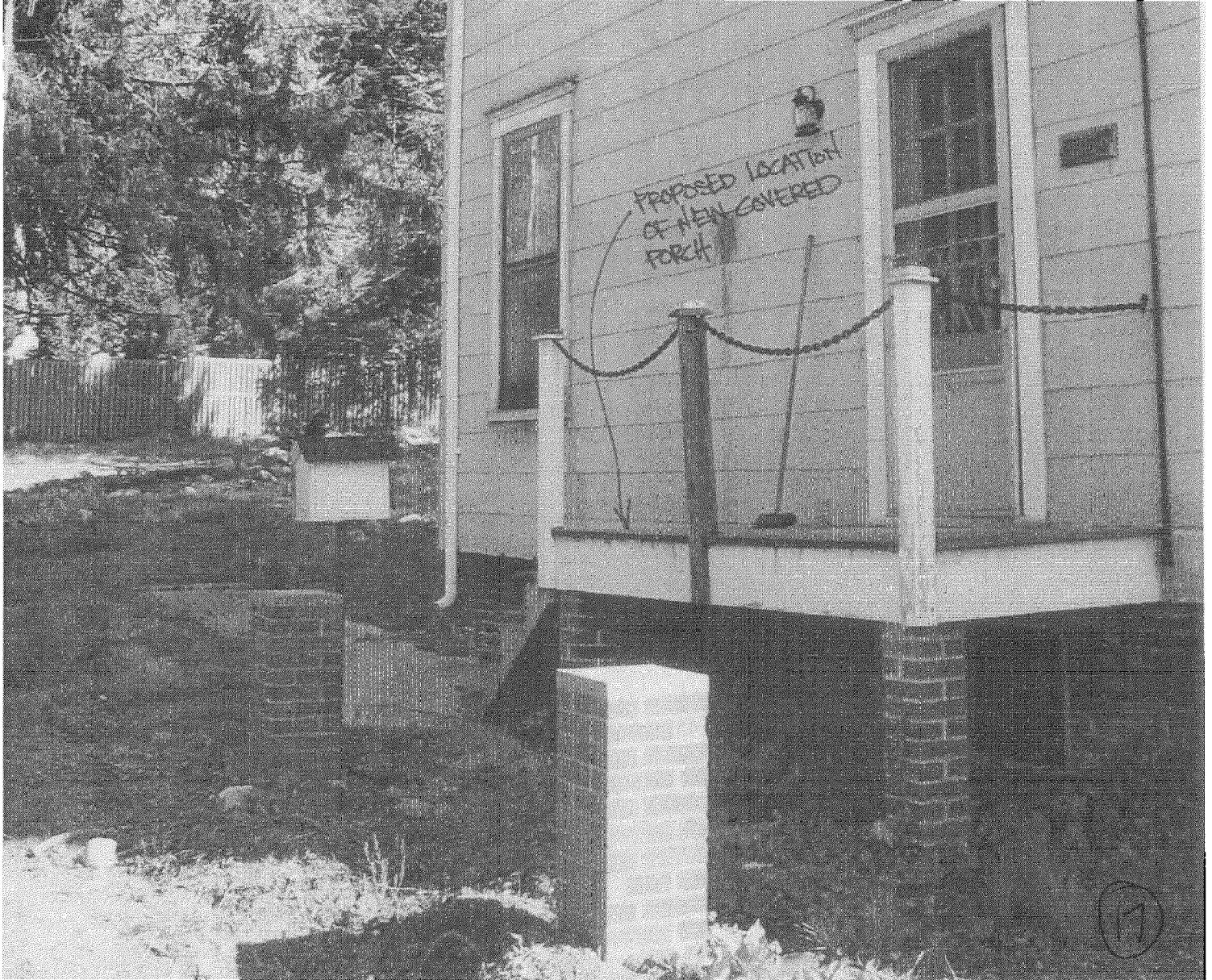
REAR ELEVATION

19



LEFT SIDE
ELEVATION

16



Oaks, Michele

From: Nelson Ayala [NAyala@ayalapa.com]
Sent: Tuesday, February 01, 2005 3:11 PM
To: Oaks, Michele
Subject: RE: 4010 Prospect Street

Mrs. OAKS. WELL COME BACK..

I HAVE CORRECTED THE PORCH LATTICE FOR WOOD LEAVING THE BRICK COLUMNS OPEN.
 WE HAVE CORRECTED THE WOODED DECK ON THE PORCH, SAME WOOD BUT CLOSER AND IT WILL
 BE STAINED NATURALLY.

WE HAVE SELECTED A WOODED STYLE GARAGE DOORS FROM THE MANUFACTUREES THAT YOU
 RECOMMENDED. I WILL BE GLADE TO
 SEND YOU A MORE DETAIL DESCRIPTION OF THE GARAGE DOOR WHEN IT CAMES AVAILABLE TO ME.
 MRS. OAKS I WAS UNDER THE OMPRESSION THAT THE RAILING WAS PART OF THE DECK APPROVAL,
 BUT IF THAT IS NOT THE CASE PLEASE LET NOT WHAT I NEED TO SUBMITTED TO YOU. PLEASE
 UNDERSTAND MY BUDGET ON THIS PROJECT HAS GONG SKY HIGHT, AND I STILL HAVE MANY THING
 TO DO. I THOUGHT THE NEIBOER WILL BE PLEASE TO SEE THAT THEIR OWN PROPERTIES WILL LOOK
 BETTER NOW THIS CORNER HOUSE IS BECAMINIG BEAUTIFUL. I WAS WRONG...
 THANK MICHELE.. SINCERELY NELSON AYALA.

-----Original Message-----

From: Oaks, Michele [mailto:Michele.Naru@mncppc-mc.org]
Sent: Tuesday, February 01, 2005 8:31 AM
To: Nelson Ayala
Subject: 4010 Prospect Street
Importance: High

Mr.. Ayala,

The letter below is my response to Mr.. Jim Engle's concerns with the unapproved modifications to the HAWP we discussed at the site visit prior to my vacation. I hope that these changes have been made. Also, after further examination of the approved plans, it has come to my attention that the railing that was installed around the concrete patio was not approved. This also required approval by the HPC. If you desire to retain the railing, it will need to be submitted as a retroactive HAWP application to my office and be heard by the HPC.

My inspector will be at the site in the next couple of days to check to see if the materials we discussed have been replaced (i.e.. the porch decking to a painted tongue and groove and the vinyl lattice work installed between the brick columns not over-top of them) . If not, unfortunately I will have to ask them to issue a citation.

Also, I have not seen a cut sheet for the garage door. Have you made a selection for this?

Call me if you have any questions.

Thanks,
 Michele Oaks (formerly Naru)

-----Original Message-----

From: Oaks, Michele
Sent: Tuesday, February 01, 2005 8:18 AM
To: 'jdengel@firsthorizon.com'
Cc: 'jrcooper_99@yahoo.com,'; Wright, Gwen; Fothergill, Anne; Tully, Tania
Subject: RE: 4010 Prospect Street

Hi Jim,

I am back from vacation and in receipt of your e-mail regarding 4010 Prospect Street.

Prior to going on leave, I did a site visit and did note that the owner has made some changes to the approved plans without checking with staff or the HPC. These changes were the use of vinyl lattice work surrounding the base of the porch, the use of wood decking material for the porch floor and the modification of the design of the porch columns. I told the owner at this meeting that the vinyl lattice work and the wood decking material needed to be replaced in accordance with the approved HAWP application within 30 days or we would be having the Department of Permitting Services Inspector issue a citation. As it is only my second day back in the office, I have not verified if this work was completed. I will ask a DPS inspector to go out and verify if the work is completed.

As for the modification of the design of the front porch columns, staff does not feel that the modification is significant enough to warrant proceeding with enforcement action for this change.

If you have any other questions, please do not hesitate to contact me. Please note that my e-mail address has changed, per my new name!

Thanks,

Michele Oaks

-----Original Message-----

From: Wright, Gwen

Sent: Thursday, January 20, 2005 10:17 AM

To: 'Engel, James D'; Tully, Tania; Fothergill, Anne; michelle.naru@mncppc-mc.org

Cc: 'jrcooper_99@yahoo.com'

Subject: RE: 4010 Prospect Street

Jim:

Michele is on leave until January 31st. I would like to speak with her and find out if she had discussed these changes with the owner before taking any enforcement action. We will give you an update right after Michele returns.

I am also copying this email to Dr. Cooper, who had sent an email on this issue to our office on Tuesday. We will make sure that he is also kept apprised of the situation after Michele returns.

Gwen Wright

Historic Preservation Supervisor

Montgomery County Department of Park and Planning

8787 Georgia Avenue

Silver Spring, MD 20910

(301) 563-3400

gwen.wright@mncppc-mc.org

-----Original Message-----

From: Engel, James D [mailto:jdengel@firsthorizon.com]

Sent: Wednesday, January 19, 2005 2:34 PM

To: Tully, Tania; Fothergill, Anne; Wright, Gwen; michelle.naru@mncppc-mc.org

Subject: 4010 Prospect Street

It has been pointed out to me by a couple of people in the vicinity of this house that there are some deviations from the plans as presented in the HAWP. My understanding is that

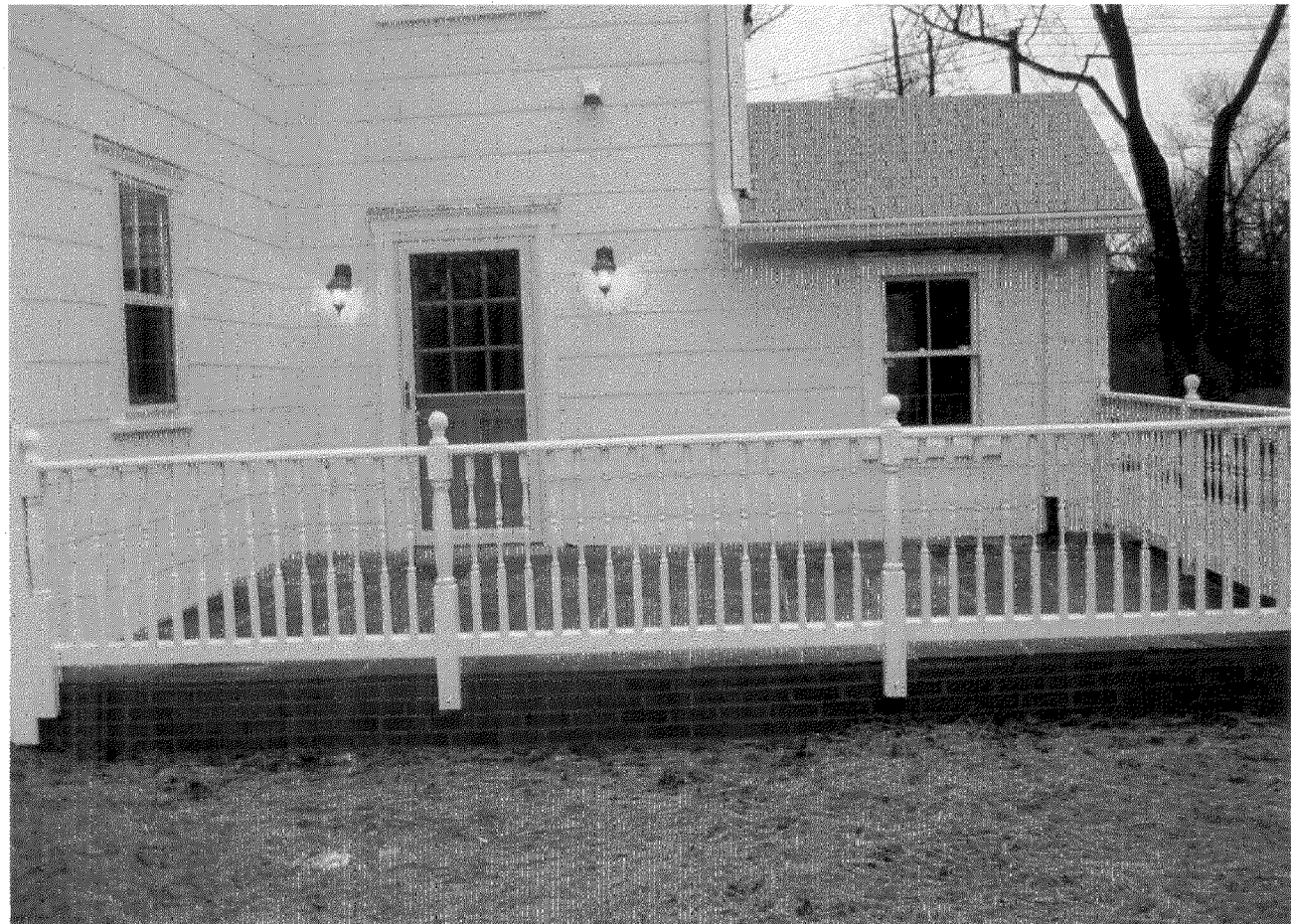
there were some changes to details on the side porch. Also, I noticed that the exterior remains clad in cement shingle, which I recall seeing that this would be removed and the German siding restored.

While I doubt that there would be strong objections to these changes if they were included in the original HAWP, are you aware of these changes? Was staff given the leeway in the commission's decision to deal with this?

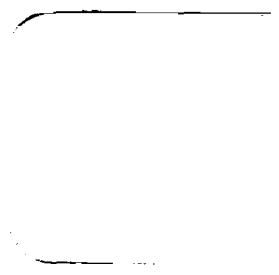
Jim Engel
Vice President
First Horizon Bank
1650 Tysons Boulevard, Suite 1150
McLean, VA 22102
(703) 394-2545
Fax. (703) 734-1834
JDEngel@ftb.com

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11F



AYALA AND ASSOCIATES

PUBLIC ACCOUNTANTS

2118 14th St., N.W. Washington, D.C. 20009 • (202) 667-9473 Fax (202) 667-9740

www.ayalapa.com

1 too, as Michele --

2 MS. WILLIAMS: No. No.

3 MR. FULLER: I'll second.

4 MS. O'MALLEY: Is there any more discussion? All
5 in favor? It's unanimous. Thank you. Good luck with
6 completing this project.

7 MR. WOOD: Thank you very much.

8 (Discussion off the record.)

9 MS. O'MALLEY: All right, the next case on the
10 agenda is Case D, 4010 Prospect Street. Can we have a staff
11 report?

12 MS. NARU: Okay, 4010 Prospect Street in
13 Kensington, Lots 58 and 59 is a Primary 1 Resource within
14 the Kensington Historic District. The project has had its
15 first meeting on February 11th, 2004. At this meeting, the
16 Commission reviewed a Historic Area Work Permit application
17 by a previous owner for the removal of the 1930's addition
18 and rehabilitation of the existing historic dwelling. The
19 application was denied. At this meeting some of the
20 Commissioners were supportive of the proposal and concept,
21 but were concerned about better understanding the future
22 development of the property. As such, the Commission
23 expressed that they wanted to see a comprehensive plan for
24 the entire property before considering approval of the
25 demolition of the 1930's addition.

1 They specified that the plan was to include
2 detailed specifications for the rehabilitation of the
3 existing house to make it livable and proposed new additions
4 for the house and, if applicable, the proposed new
5 construction for the adjacent lot.

6 At this -- subsequent to the February Historic
7 Area Work Permit review, the ownership to the property has
8 changed. The new owner submitted a preliminary consultation
9 for this project, which was discussed at your June 9th, 2004
10 meeting. At this meeting, you were presented a plan whereby
11 a circa 1930's addition and existing garage was demolished.

12 The historic house received an addition onto its
13 historically rear facade facing along Prospect Street, and a
14 new one-car garage was to be built at the back of the lot.
15 Additionally, the applicant proposed a new house to be
16 constructed on the new vacant lot with a new two-car garage,
17 also to be built in the back of the lot.

18 At the June 9th meeting, most of the Commissioners
19 expressed concern about removing the 1930's addition. Some
20 were concerned because they felt the addition had historic
21 merit and some were concerned because the removal of the
22 addition created a buildable lot. This was very different
23 from the comments made during the February, 2004 Historic
24 Area Work Permit review. The majority of the Commission
25 members vocalized that they were opposed to infill

1 development on the adjacent lot, but could support a new
2 addition that straddles the existing lot lines.

3 Additionally, Commissioner Fuller stated that the
4 -- that he did not object to the concept of development on
5 the adjacent lot, yet felt that the historic house's
6 proposed addition created too long of a building wall along
7 Prospect. Furthermore, he felt that the house needed a
8 major addition and that the current addition, to be
9 successful, he felt that it needed to be built at the rear
10 corner of the existing house straddling the lot line.

11 Currently before you you have a historic area work
12 permit application to demolish the existing 1930's shed roof
13 frame rear addition and the frame garage and to rebuild the
14 wall in the main massing utilizing some of the 2/2 windows
15 from the rear addition that is being demolished. Remove the
16 asbestos shingle siding to expose the German siding
17 underneath and rehabilitate the German siding through patch
18 and repair with matching siding.

19 To rehabilitate the house into a two-bedroom, two-
20 and-a-half bath residence and construct an 8-by-16 porch
21 onto the historic house's Prospect Avenue elevation. And to
22 construct a new 950 square feet footprint house on the
23 adjacent Lot 59.

24 The proposal further includes the removing of the
25 existing curbcut and driveway and an installation of a new

1 curbcut in which the construction of a new driveway along
2 the rear property lines. And too, a one-car garage to be
3 associated with the historic building and the new house.
4 And, finally, to remove four evergreen trees from the
5 property.

6 Following the Staff -- the Commission's comments
7 from the previous preliminary consultation on June 9th,
8 which expressed that they had concerns about removing the
9 1930's addition so as to allow development of a house on the
10 adjacent lot, Staff is recommending that the Commission deny
11 this HAWP application. Additionally, we are concerned about
12 the removal of the 1930's addition and without a plan to
13 construct a new addition, we feel that the current proposal
14 severely compromises the viability of the house.

15 The current square footage for the existing
16 addition is 2,124 square feet. The removal of the addition
17 will remove 396 square feet from the property, leaving the
18 existing house with a square footage of 1,728 -- this is the
19 proposed two-bedroom house and 1,728 of livable space.

20 Based upon the Commission's comments at the
21 previous hearing, Staff has recommended the applicant submit
22 a new Historic Area Work Permit application which includes
23 the demolition of the existing 1930's addition, the
24 construction of a two-story addition in the rear corner of
25 the existing house straddling the lot line and the

1 construction of a garage at the rear of the property.

2 I do have photos of this property if you are
3 interested in seeing them, and I'd be happy to entertain
4 questions you may have. And the transcript from the
5 previous meeting is also attached to your staff report. And
6 the architect for the project is here this evening.

7 MS. O'MALLEY: Are there any questions for Staff?
8 Would you like to see the slides, or have you seen enough
9 from last time? All right, you don't have anything else,
10 right? All right, and we have the applicants before us.
11 Would you state your names for the record, please?

12 MR. MYERS: I'm George Myers, architect.

13 MR. AYALA: Felix -- Ayala, owner.

14 MS. O'MALLEY: And did you want to make some
15 comments.

16 MR. MYERS: Yes, I would like to make just a
17 couple comments. First of all, obviously, this is about
18 infill. I personally don't think that the existing addition
19 that's there is significant and I think -- obviously, I
20 think it probably would have been approved to be demolished
21 if it wasn't for the infill issue. And I just wanted to say
22 that generally speaking, I'm not for infill development in
23 Kensington, but I do think there are circumstances where it
24 is acceptable and I think this is one of them, and I think
25 the reason is, is mainly because by allowing it, it allows

1 this existing house to be restored and become economically
2 viable again.

3 So, I think it really comes down to whether -- in
4 my opinion, I think it is in the interest of preservation
5 because if -- I think this proposal is the best chance that
6 this property has to get back on line in the near future.
7 You know, I've looked at it with Mr. Ayala in different ways
8 in terms of building an addition and I can tell you that it
9 -- long and short of it is he bought the property because he
10 was under the impression he'd be able to build a house.
11 And, you know, whether or not that's right or wrong, that is
12 the fact that the current state of the situation here and
13 for what he paid for the property, for what it would cost to
14 put an addition on and for what he could sell a big
15 property, it just doesn't work.

16 And so the long and short of it is the proposal
17 that you have in front of you probably will work not like
18 what he thought, but nevertheless it's a chance it could get
19 moved and get going versus having the property sit there and
20 then probably have to change hands again before somebody can
21 come back to you with an addition.

22 So, I think in this case this is one of these
23 situations where we can have a choice of -- we can have an
24 existing house restored exactly the way it was built
25 originally. It is completely viable, and I disagree with

1 Staff on that, because 1,728 square feet doesn't include the
2 third floor, which we were going to finish as well for
3 another bedroom. It's also more square footage than the
4 house we built on Baltimore Street, which we finally sold
5 for over \$600,000 several years ago, so it's clearly -- two
6 small houses are clearly viable here, and in my opinion, a
7 better situation because what the public will see is an
8 existing house restored completely. A little perfect gem on
9 the corner the way it was without any addition, a perfect
10 gateway to Kensington in my opinion, and I don't think the
11 public or anybody -- would even notice the house behind. I
12 mean, I just really think that in this case this is one of
13 those situations where I think an infill lot is a good
14 trade-off for the restoration of an existing house. And,
15 again, I'm not -- wouldn't say this about, you know, doing
16 infill building in the main historic core around the circle
17 and some of these other spots in Kensington.

18 So, that's really all I have to say. I just
19 wanted to put my two cents in about it, so I'd be happy to
20 answer any of your questions or --

21 MS. O'MALLEY: Could you -- I noticed you've been
22 working on the house. Could you fill me in as to what
23 you've done so far?

24 MR. AYALA: We've been trying to clean it up on
25 the inside basically. So, I've been moving some of the old

1 appliances that we had and also -- the -- cement, which is
2 not --

3 MR. MYERS: Plaster.

4 MR. AYALA: -- plaster.

5 MR. MYERS: There's been no removal of walls or
6 any structure of any kind. It's just cleaning up and
7 removing finishes at this point. The house has to be
8 rewired and replumbed and all of those things would have to
9 occur.

10 MS. O'MALLEY: So, you've removed all the plaster?

11 MR. AYALA: Yeah, most of it.

12 MS. O'MALLEY: Any other questions? We have a
13 couple of speakers, so if you'll step down. The first
14 speaker is Jim Engel with LAP. It will be five minutes.

15 MR. ENGEL: I'm Jim Engel with the Kensington
16 Local Advisory Panel. I guess what George talks about as
17 far as the historic nature of the addition and whether it
18 merits retaining, in a lot of cases that's probably true,
19 but in this case it's somewhat unique. Rarely in Kensington
20 do we find a situation where we really know the history of
21 the house and its owners and in this case, there has only
22 been one owner; that's is, until Tom Cosgrove bought it a
23 while back -- a few months ago and then sold it to Mr.
24 Ayala.

25 I obtained a copy of a brochure that's published

1 by Peerless Rockville as part of their exhibit of the
2 photography of Malcolm Walters, the last owner of the house,
3 and it's interesting. It says here, "Except for a brief
4 four-year period spent in school in Catonsville and in the
5 armed services, Mr. Walters live his entire life in the
6 Kensington house his father built in 1891." This was
7 printed in 1993 when Mr. Walter was alive. And he operated
8 a business out of that house throughout most of his life, so
9 it's a little unusual in this case that we would find a
10 situation where we can really look at the house and what was
11 done to it and understand its relationship to its
12 environment. Again, if this house had not had this sort of
13 well-documented history, it might make sense here to say,
14 sure it would be okay to tear off this addition, but in this
15 case, it has some historic merit.

16 I guess also when we talk about infill in general,
17 you know we've raised this issue before -- the issue of
18 precedent. That allowing infill says to the next developer
19 that comes along, "Well, it was allowed on Summit and
20 Prospect, why can't it be allowed here?" This isn't the
21 historic core, but it's Baltimore Street or it's Washington
22 Street or it's Fawcett Street." So, you know, that's what
23 we -- that's what we get concerned about when we talk about
24 infill and infill, as we say, represents the greatest threat
25 because eventually it wears away at the relationship between

1 the primary resources and the environment, which in the case
2 of Kensington is so unique because it's obvious that while
3 the developer of Kensington, Mr. Warner, laid out a lot of
4 small narrow development lots, the people that bought those
5 lots chose to buy two and three lots at a time so that they
6 could enjoy the space around these summer homes that they
7 chose to build for themselves.

8 Any questions?

9 MS. O'MALLEY: Thank you. And we are in receipt
10 of your report from the LAP. James Cooper?

11 MR. COOPER: Good evening. My name is James
12 Cooper. I own the Lot 56 and 57, which is adjacent to the
13 lots -- the Lot 58 and 59. In February at the HPC meeting,
14 I presented my objections when the previous owner, Mr.
15 Cosgrove, made a rather rudimentary proposal to demolish the
16 historic addition at 4010 Prospect Street.

17 Interesting, listening to Mr. Myers, it's
18 reminiscent of Mr. Cosgrove's argument that they paid -- the
19 owners paid too much money for this property and can only
20 recoup the money if they're allowed to tear off the addition
21 and put in another property. I think Mr. Cosgrove at the
22 time hadn't really elaborated on his plans -- he basically
23 just wanted to be allowed to demolish the historic addition
24 and so he could sell that lot and so he could then get the
25 money to fix up the existing structure.

1 In May, my wife and I sent to Commissioner
2 O'Malley a response to a preliminary consultation that we
3 had received. The letter outlined in detail our objections
4 to that proposal, which was more detailed, as I said, than
5 the previous owners. I would have been here that night,
6 June 9th, but my daughter graduated from high school that
7 evening and -- but we had in the letter additionally 29
8 other residents who signed that letter from Kensington.
9 Actually, there are more folks who would sign the letter if
10 they became necessary, depending on where this goes -- this
11 process goes - but we had to get that letter out in time
12 since I couldn't present that night we wanted to make
13 certain the letter reached Abby so that she could make sure
14 that all of you got a copy of that in your packets for the
15 June 9th letter -- June 9th meeting.

16 I won't bore you with reading the whole letter. I
17 see --

18 MS. O'MALLEY: I was going to recommend that you
19 try to shorten your --

20 MR. COOPER: And I'll just highlight a couple of
21 things. All of us thought -- think and believe that this is
22 a primary resource. It's one of the oldest and most
23 prominent and important structures in the Kensington
24 district. It is surely a gateway property and it's a 70-
25 year-old addition that they are proposing to demolish. It

1 qualifies as per National Trust standards to be historically
2 designated. It existed at the time that the Kensington
3 Historic District was designated. The existing structure
4 and environmental setting on Lot 58 and 59 are prominent and
5 important to the historic district and part of the vision of
6 Kensington as outlined in the historic designation document.

7 The vision noted specifically, and I'm quoting now
8 that, "Land contiguous to a structure and historically part
9 of that structure and which is being used by the owner of
10 the property functionally is not vacant land." The existing
11 side yard adds to the character, rhythm and streetscape and
12 complements the historic structure. And, for example, there
13 are four trees on Lot 59 alone which tower high above this
14 structure. They were al -- there were also existing gardens
15 which have already been demolished by the previous owner.

16 In our letter we recommended that regardless of
17 the owner that the HPC deny any permission to demolish the
18 historic addition and/or compromise the existing
19 environmental setting by destroying mature trees. We do
20 urge the Commission to limit the development of the property
21 to the restoration and/or expansion of the existing
22 structure consistent with the previous HPC approvals of
23 properties throughout that district.

24 Thank you.

25 MS. O'MALLEY: Thank you. We have one other

1 speaker. Helen Wilkes.

2 MS. WILKES: Good evening. I'm Helen Wilkes. I'm
3 a neighbor of the property on Prospect Street and an
4 architect, and I spoke previously about my concerns. Mostly
5 I would like to reiterate my concern about the dangerous
6 precedent that might result from the approval to remove a
7 1930's addition from a primary resource for the purpose of
8 creating a buildable lot. I believe this is the biggest
9 issue by far in this case.

10 Around 1990, just to -- some of my history with
11 the issue, there were in Kensington two controversial infill
12 proposals around the same time that were considered by the
13 HPC. One of them was opposite Circle Manor, the large oval
14 in the center of our town on Carroll Place, and one was on
15 Prospect Street. Attorneys were retained by both sides. It
16 was fairly acrimonious in both of these cases because the
17 neighbors felt so strongly opposed to these infill
18 proposals.

19 Much time was spent by the attorneys in these
20 hearings discussing the intent of the Town's founder,
21 Brainard Warner in laying out regular lots that were sold in
22 single, double, or triple units to those who were encouraged
23 to buy and build and move to a garden park suburb. While it
24 was difficult to prove in these hearings Mr. Warner's
25 personal intent that gracious homes by built on two or three

1 lots surrounded by garden space, there are clear markers of
2 that intent in many of the Town's historic properties in
3 their architecture, including his own home, which occupied
4 the central oval and has around it the most open space of
5 any property in town.

6 Several historic houses in Kensington cross over
7 their lot lines and were either built that way originally or
8 have existed that way since the period of significance for
9 Kensington's primary historic resources. It's clear in
10 these buildings that the intent was to surround the homes
11 with open space since the homes are centered so as to
12 produce a significant proportion of open space between these
13 houses and their closest adjacent neighbors.

14 The addition was built by the original owners in
15 this case and has existed intact for three-quarters of the
16 life of that house. That house is a primary resource, which
17 is every bit as worthy of protection as any other primary
18 resource in the historic district, despite its adjacency to
19 a non-historic neighborhood.

20 Final -- not final. At a time when the Town is
21 working on establishing a clear identity for Kensington that
22 includes gateway signage and landscape features at entry
23 points into the Town, clearly what we do with this
24 significant entry point into the Town matters in a big way
25 and I think making the statement that we protect our

1 historic properties is a rather important statement to make
2 in the Town's historic district.

3 And finally, I'd suggest that if Mr. Ayala had the
4 impression here that he was buying a buildable lot and was
5 so informed by the realtor or the previous owner, he was
6 clearly mistaken and he may have legal recourse. There is
7 no buildable lot there. It does not exist, nor should there
8 be one created if this historic property receives the
9 historic protection mandated so very clearly by the
10 Preservation Ordinance as it applies to Kensington.

11 Thank you.

12 MS. O'MALLEY: Would the applicants like to come
13 back up. Questions? One of our guidelines is the Secretary
14 of Interior Standards and number four on that list is that
15 most properties change over time and those changes that have
16 acquired historic significance in their own right shall be
17 retained and preserved. This particular addition has been
18 there for 70 years. Perhaps the roofline doesn't quite tie
19 in with the original resource, but the addition itself has
20 gained significance in its own right.

21 Also, in the Vision of Kensington, they suggest
22 that any infill in the historic core be two lots, and we
23 don't have that here.

24 MR. MYERS: I just would make a comment there's
25 been a little bit of talk about precedence. I don't really

1 perceive this as a -- this particular one as precedent, and
2 I'm also kind of intrigued by the talk about it because it
3 seems to me there already is a precedent on Baltimore Street
4 and there's also a house on Washington Street, both infill
5 projects; one of which I was involved in. I'm wondering how
6 -- I mean, clearly it doesn't seem to matter a heck of a
7 lot, I mean in terms of infill building. I supposed the
8 difference here is the addition that you're talking about,
9 but I'm just saying from an architectural point of view, I
10 look at it as something that detracts from the original
11 structure; that it was incompatible, in my opinion. So,
12 that's why that I thought it was reasonable to -- whenever I
13 went by, I thought it was just reasonable to remove it.

14 MS. WILLIAMS: Yeah, I mean I think the biggest
15 difference there is that the existing conditions of this
16 building preclude development on the second lot and -- on
17 the adjacent lot, and the Vision of Kensington clearly
18 states its goal to retain open space in the name of this
19 Victorian garden suburb. And, you know, I'm sitting here --
20 it's a particularly difficult situation to be in because
21 you're both trying to be, you know, looking at it from a
22 design perspective and a preservation perspective and I have
23 to keep reminding myself, we're the Historic Preservation
24 Commission. Because when I look at your plans, I think, you
25 know, really and truly this is a good proposal in many

1 respect architecturally and, you know, listening to you talk
2 it makes me believe, you know, in a way this is the only
3 solution for this poor house; otherwise, it's going to be
4 forlorn and abandoned and never saved again.

5 And then I have to remind myself that that's not
6 what it's about. We are a preservation commission. This is
7 about open space. It's about upholding the Vision of
8 Kensington and it's, you know, about retaining the historic
9 character of the historic district. And, you know, it's not
10 -- to me it's not so much about this house and that
11 addition. I don't necessarily think that that addition is
12 so significant that it should never be demolished in the
13 future, but I think the fact that the addition straddles the
14 lot line is so significant because it protects that side lot
15 from future development, it is important. And so I guess,
16 you know, for me I just -- I have to just keep saying this
17 is the vision that we're looking at. The vision is open
18 space, retain the open space and I think you have a great
19 proposal in a way.

20 I mean, I think the proposed house is compatible
21 in many respects if it were an existing buildable lot I
22 think we'd be hard-pressed to deny it. But it's not an
23 existing buildable lot currently, so -- I mean, I think, you
24 know, I sort of -- after struggling and, you know, thinking
25 hard about it, I think there is actually a future for a

1 single-family residence, you know, on the site; not on the
2 side lot, but you know in addition to the existing structure
3 that is viable, and I don't really buy the argument that the
4 only viable alternative here is two smaller houses. I
5 think, you know, in the future we probably would entertain
6 an addition to the existing structure with -- of the side
7 lot.

8 MR. MYERS: And I don't mean to say that it's not
9 viable. It's not viable for this client, this owner who
10 currently owns it. It may be viable after he sells it at a
11 reduced price to someone else. That's all I meant to say.
12 I'm not saying from a preservation point that's not
13 achievable. The shame of it all really probably goes back
14 to the -- I guess this client and the previous owner made --
15 and others were sort of led to believe one thing and it
16 would have been better if that had happened before the thing
17 ever got sold in the first place so everybody knew what the
18 -- what really could happen there and would have adjusted
19 the price to the point where what ought to happen from a
20 preservation point of view could happen for an owner. Just
21 sort of -- we're sort of two owners down and here we are,
22 so --

23 MS. O'MALLEY: I do think --

24 MS. WILLIAMS: I also just think, you know, that
25 what we're looking at is in perpetuity. I mean --

1 MR. MYERS: I understand.

2 MS. WILLIAMS: -- you know -- you know, I hate to
3 be callous about this. You know, I'm sorry that your client
4 is going to lose some money, but ultimately what we're
5 concerned about is what Kensington looks like 100 years from
6 now and so, you know, we're more concerned with retaining
7 the historic character.

8 So, you know, this isn't -- isn't necessarily an
9 easy decision and I just -- I have to remind myself what the
10 vision of our Commission is and I think it is to uphold the
11 standards of the Vision of Kensington and even though I sort
12 of differ from some of my Commissioners in that I don't
13 think that that addition necessarily in its own right has
14 significance, it's significant in the fact that it sits
15 where it sits and is, by virtue of that fact, retaining open
16 space.

17 MS. O'MALLEY: I think it also shows that the
18 intent was that it would be used as one property.

19 MR. FULLER: I'll go the other route on it so --
20 diversity. I agree with Commissioner Williams. I don't
21 think the significance of the existing addition really
22 warrants that that has to be there, so there's a question is
23 it there to prevent us from having infill development? I
24 personally like the fact that -- with the cleaned up
25 exterior of the existing building. I think it does sit on

1 the corner like a jewel. As it relates to coverage and
2 things like that, I'd almost be inclined to say what if we
3 got rid of all the garages. At that point your new building
4 is only slightly bigger than the existing garage plus the
5 addition, so that in terms of open space and things, there
6 might be methods of, you know, taking the onus off of the
7 paving and things like that that are at the rear. But I
8 think I could be in support of a proposal like this. As I
9 said, it's not easy -- but I do believe I could support it
10 this way. It's probably the minority position.

11 MR. MYERS: Well, we'd -- you know, obviously, if
12 they're given a choice, the garages aren't really that
13 important, so go on record if that were ever the case.
14 That's an easy one.

15 MS. WATKINS: I would agree with Commissioner
16 Williams. I think it's really important that we retain the
17 addition and that the fact that the addition does maintain
18 the open space I think is the key issue here. So, I
19 couldn't support that structure.

20 MR. MYERS: The only thing that I would, again,
21 fall back on is that I think there are situations in
22 preservation where a trade off -- when you have a -- I've
23 been involved in some where you have a property that is sort
24 of -- gotten left out on their corner, probably had a bigger
25 front yard before Summit got widened and now it's sort of

1 out there on the corner and lost some of its value because
2 of it. And this has, you know, been the case in other
3 situations and sort of -- some sort of trade off sometimes
4 is a good thing preservation-wise. So, that's what I'm
5 hanging my hat on here, to say that this is not -- this
6 house is not going to have the value of a house that's a
7 block or two into the historic district because of its
8 location; not only the lot is not the problem, the fact of
9 where it sits on the lot. It's practically on top of
10 Summit. You know, it's literally five or 10 feet back from
11 Summit so it's -- it's got value problems and that's why it
12 looks the way it does. That's why it's run down, that's why
13 it's been run down and so it's going to continue to be run
14 down. And that's why you see a lot of run down houses on
15 roads that used to be country lanes, but are not major
16 thoroughfares and I think in some cases trade offs are
17 necessary to get that house back to the point where there's
18 a family living in it or somebody living in it and
19 somebody's taking care of it. And I think this is one of
20 them.

21 And I'm just telling you that I understand all of
22 your arguments and I don't disagree. I think it's a
23 difficult issue, but the choice of the matter is I just
24 think it's going to still be sitting there for a while
25 because things are going to have to happen -- you know, it's

1 going to change hands and some loss of value is going to
2 have to happen before somebody can buy that thing and afford
3 to put the money into it as it is and live there.

4 So, just -- the decision you have will mean that
5 that property -- you could have a beautiful restored house
6 there in about six months or it could be sitting just like
7 it is now in two years. And it's not a threat of anything;
8 I'm just telling you the reality.

9 MS. WILLIAMS: No, I think that's absolutely true.
10 But I mean I'm questioning are we really at that point of
11 having to make a compromise and I keep, you know, thinking
12 about the Seminary, you know, at Forest Glen. It's like I
13 think a lot of even preservationists would have thrown in
14 the towel on that project 10 or 15 years ago --

15 MR. MYERS: But that has some government money,
16 doesn't it?

17 MS. WILLIAMS: -- but there were die-hard strong,
18 you know, supporters and now we're going to get a really
19 great new project and, you know, I think about this one.
20 Are we ready to throw in the towel? Are we ready? I don't
21 think we're there yet. I think we can wait another two
22 years and see if a buyer comes along who's going to really
23 fix it up appropriately. Sure -- I mean, I'm sure that the
24 neighborhood would like to have something in there in six
25 months, but I don't think they're ready to compromise their

1 open space for that yet.

2 MS. ALDERSON: I'm going to agree with
3 Commissioner Williams and restate my position from the last
4 hearing. And that is that I, too, agree that although I
5 think that setback is certainly obviously a challenge,
6 needing more space -- the greater likelihood that a family
7 would be comfortable building to the side.

8 However, I too agree that there is not compelling
9 evidence that there is no alternative. There are times when
10 a trade off has to be accepted, but we've not been given the
11 evidence we are at that point. I bring -- another
12 perspective I bring to it is one of the owners of a double
13 lot in Takoma Park. I can't picture modifying the house
14 that is centered on the double lot to get in another
15 building and in Takoma Park, like Kensington, a very
16 prominent characteristic of the core historic district is
17 the variable lot sizes, and those handful of houses that
18 still exist centered on their lots -- I felt it was a very
19 good description how they were positioned to have this space
20 -- is a very defining characteristic of the district.

21 So, I think here, although I do -- I think the
22 restoration plan is very commendable, I think the overriding
23 and very significant issue here is the dominant character of
24 the district and if we do lose this variability and this
25 space where it exists to removal of additions to create

1 additional buildable lots, I think we do seriously erode the
2 city.

3 MR. MYERS: I just would point out that this house
4 originally wasn't built over the lot line. When it was
5 originally built, it was on the one lot so it's not typical
6 of those other lots that are sort of straddling originally.
7 I mean, it is a little different in that when it was built,
8 it was on a lot and the addition put it over the lot. So,
9 when it was built, it wasn't necessarily -- I mean, if he'd
10 have meant to -- why didn't he build it in the center of
11 those two lots if he really had meant not to build on the
12 other lot. So, there's not quite the same as a lot of the
13 other ones we're talking about in Kensington.

14 MS. ALDERSON: It's a characteristic that remained
15 very common through that time, that sort of semi-rustic
16 characteristic. And I remember reading the early real
17 estate journals in Takoma Park where many of these people
18 were buying these houses with the expectation they would
19 plant orchards, they would have chickens, I mean they really
20 had a somewhat rustic quality and that is -- that's the
21 remnant of it, is these houses that have some space around
22 them.

23 MR. BRESLIN: One other thing to consider is the
24 historic houses being made smaller, which is usually what
25 we're not -- we usually don't see that. We usually see

1 houses being made bigger with additions.

2 MR. MYERS: That's ironic, isn't it. It works for
3 me.

4 MR. BRESLIN: So, it's -- I'm looking at it --

5 MR. MYERS: It occurs to me -- too small --

6 MR. BRESLIN: No, in a way it's kind of refreshing
7 to see that happen. On the other hand, you're making the
8 house smaller -- you know, two bedrooms if you don't count
9 the attic, 1,700 and some odd square feet and there's no way
10 to put an addition on it in the future. Unless it's put
11 in -

12 MR. MYERS: Yeah, I think -- nevertheless, there's
13 -- again, the house we built on Baltimore Street's 850
14 square foot footprint. I mean -- and it was only one-and-a-
15 half stories. This is two full stories. So, yes, it's a
16 small house, but I don't think a restored house here would
17 ever have trouble somebody living -- you know, a couple with
18 one kid or just a couple. You know, it's like a townhouse
19 size really is what it is.

20 MS. ALDERSON: With these values I would not be
21 surprised at all if the next proposal we got is for the
22 maximum possible addition on this lot with great challenges.

23 MR. MYERS: Well, I think that's probably true.
24 You know, you can't go too big because it's going to
25 overwhelm that little -- fairly small house. But then the

1 other challenge goes, well now it's -- you've got to make it
2 big enough to warrant certain value and that's going to
3 start -- historic structure as well. So, it's just a
4 different -- you know, that's -- again, I've looked at it
5 both ways and you all know I've done plenty of additions in
6 the historic district of Kensington and, you know, I just
7 think I'd love to see this house as a small home. I'd like
8 to see more small houses in Kensington. I think there's an
9 opportunity for it. So, I keep arguing -- I keep throwing
10 it out there. I can see where it's going, but I just --
11 anyway --

12 I would -- can I just say one more thing? The
13 issue of this infill in Kensington would greatly -- I'm not
14 sure how to do it, but if there's any way to clarify and,
15 for example, just going into it, if everybody sort of knew
16 which lots were off limits, which lots were potentially
17 buildable, it really could save a lot of trouble for some
18 people, which, you know, I've become involved in helping
19 them. I'm not exactly sure how to do it, but I could --
20 right now when people call me, I don't know what to tell
21 them. You know people say what is this house; can you build
22 the lot next to it? You know --

23 MS. WILLIAMS: No.

24 MR. MYERS: But then how do you -- but then they
25 say -- well, how do you explain Baltimore Street? I mean,

1 which I was involved and I designed. So, they say -- well,
2 I don't know what to say. I'm just saying if there was an
3 official policy somehow that really was clear and that
4 really established the division of Kensington, you know it
5 does trump the Zoning Ordinance and these things -- because
6 I think there are some gray areas in there and I wish -- I
7 almost wish somebody would just take it and challenge it so
8 that there's a definitive legal thing to it.

9 MS. WILLIAMS: Consistency is a problem because --

10 MR. MYERS: And -- I mean, it's been -- this has
11 been --

12 MS. WILLIAMS: -- this is a revolving Commission,
13 there are revolving LAP members. I mean --

14 MS. WRIGHT: I think the Commission has been
15 extremely consistent in this particular issue and -- I mean,
16 we can talk about that offline if you want. If folks feel
17 that there needs to be some update or revision to the Vision
18 of Kensington guidelines, that can happen, but those
19 guidelines have worked quite well since 1992. It is clear
20 that nothing this Commission can do can make a buildable lot
21 legally unbuildable. There is nothing this Commission can
22 do. But there also is a major legal issue as to whether a
23 buildable lot necessarily means a single-family house. And
24 that is an interesting legal issue that may be challenged at
25 some point and if that happens, that happens. Owners cannot

1 be deprived of all reasonable use of their property, but the
2 question is what constitutes reasonable use.

3 MR. MYERS: I don't think you're actually allowed
4 to build if you -- unless you eliminate the lot line. You
5 have -- if you build something on the lot, it has to -- for
6 example if --

7 MS. WRIGHT: Well, outbuildings and garages.

8 MR. MYERS: Not unless you eliminate it as a
9 buildable lot.

10 MS. WRIGHT: Well, I mean, we can debate that --
11 I'm not absolutely sure. I've seen -- I think we've
12 approved outbuildings on buildable lots --

13 MR. MYERS: I'm not saying you guys can, but when
14 you go to the County --

15 MS. WRIGHT: They have to erase their lot line?

16 MR. MYERS: Yeah, they have to do a minor
17 subdivision to get rid of the lot line in order to build an
18 outbuilding that's not a single-family house.

19 MS. WRIGHT: Hmmm; okay.

20 MR. MYERS: I'm just saying that --

21 MS. WRIGHT: I think that -- you know, again, we
22 have the issue before us tonight of this particular
23 application and what's unique about this application is
24 there is no buildable lot today. That is the bottom line.
25 And the question you're being asked is do you want to create

1 a buildable lot? And I think that's really what you're
2 being asked to vote on.

3 MS. WATKINS: I move that we approve Case No.
4 31/06-04J as recommended -- approve the recommendation.
5 Which is the recommendation for denial.

6 MS. WILLIAMS: I'll second.

7 MS. O'MALLEY: All in favor, raise your right
8 hand. All opposed, raise your right hand. We have one
9 opposed; Jef Fuller. Any abstentions? And Nuray Anahtar is
10 abstaining.

11 I would like to just say that as far as -- when
12 people ask you about buildable lots, you'll find that the
13 Baltimore Street was an unusual case because there were
14 three lots and the original house still retained two lots --
15 still retained a lot of land around it, and that was a very
16 contentious --

17 MR. MYERS: I know, but again, going back to isn't
18 the buildable lot -- the house that was built didn't really
19 follow the Vision of Kensington like Kim said recommends two
20 lots in order to build a house. That wasn't --

21 MS. O'MALLEY: I think it was a mistake.

22 MR. MYERS: -- okay, well it's probably better to
23 just go -- say, look that was an aberration of the policy --
24 and have it official. I'm just saying it would save some
25 trouble.



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: November 10, 2004

MEMORANDUM

TO: Robert Hubbard, Director

FROM: Michele Naru, Senior Planner
Historic Preservation Section

SUBJECT: Historic Area Work Permit # 359048

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved with conditions**.

The conditions of approval are:

- The design of the new garage door will be reviewed and approved at staff level.
- The new porch's floor will be painted, wood tongue and groove.

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

Applicant: Felix Ayala

Address: 4010 Prospect Street, Kensington Historic District

This HAWP approval is 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 Montgomery County DPS Field Services Office at 240-777-6210 or online at <http://permits.emontgomery.org> prior to commencement of work and not more than two weeks following completion of work.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED
SEP 21 2004

Montgomery County
Department of Permitting and
Inspection Management

Contact Person: George Myers
Daytime Phone No.: 240-333-2003

Tax Account No.: _____
Name of Property Owner: Felix + Maria Ayala Daytime Phone No.: 202-667-9473
Address: 4109 Debenham Court Rockville MD 20853
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: Lauren Clark Daytime Phone No.: 240-333-2028

LOCATION OF BUILDING/PREMISE

House Number: 4010 Street: Prospect Street
Town/City: Kensington Nearest Cross Street: Summit Avenue
Lot: 38 + 59 Block: 13 Subdivision: Kensington Park
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: 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.

Lauren Clark 9.14.04
Signature of owner or authorized agent Date

Approved: X W/CONDITIONS For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: Julia O'Malley Date: 11/10/04

Application/Permit No.: 359048 Date Filed: 9-22-04 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:

Existing structure is a Primary I Resource, located within the Kensington Historic District. Built circa 1900, the house is in the Vernacular style, & is clad with asbestos shingle. It has two additions: a two-story, flat roof frame addition (c1930) & a one-story mudroom addition (post 1930).

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

Proposal is to add a covered porch at existing door on side elevation and install new french doors into the 1930's addition on the rear elevation. Porch rafter details would match those of the existing house, as would trim details around new french doors.

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 skyline 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).

ROOF

sheathing needs to be replaced -

pictures of garage doors

- send contractor list - via email

*

SEGOVIA INTERIOR CO. INC.

MR. NAUN SEGOVIA

202 359-1986

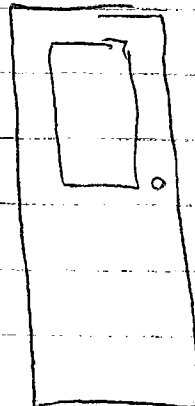
~~WIND~~

DIVINO LOUNGE

7345 WISL. #45

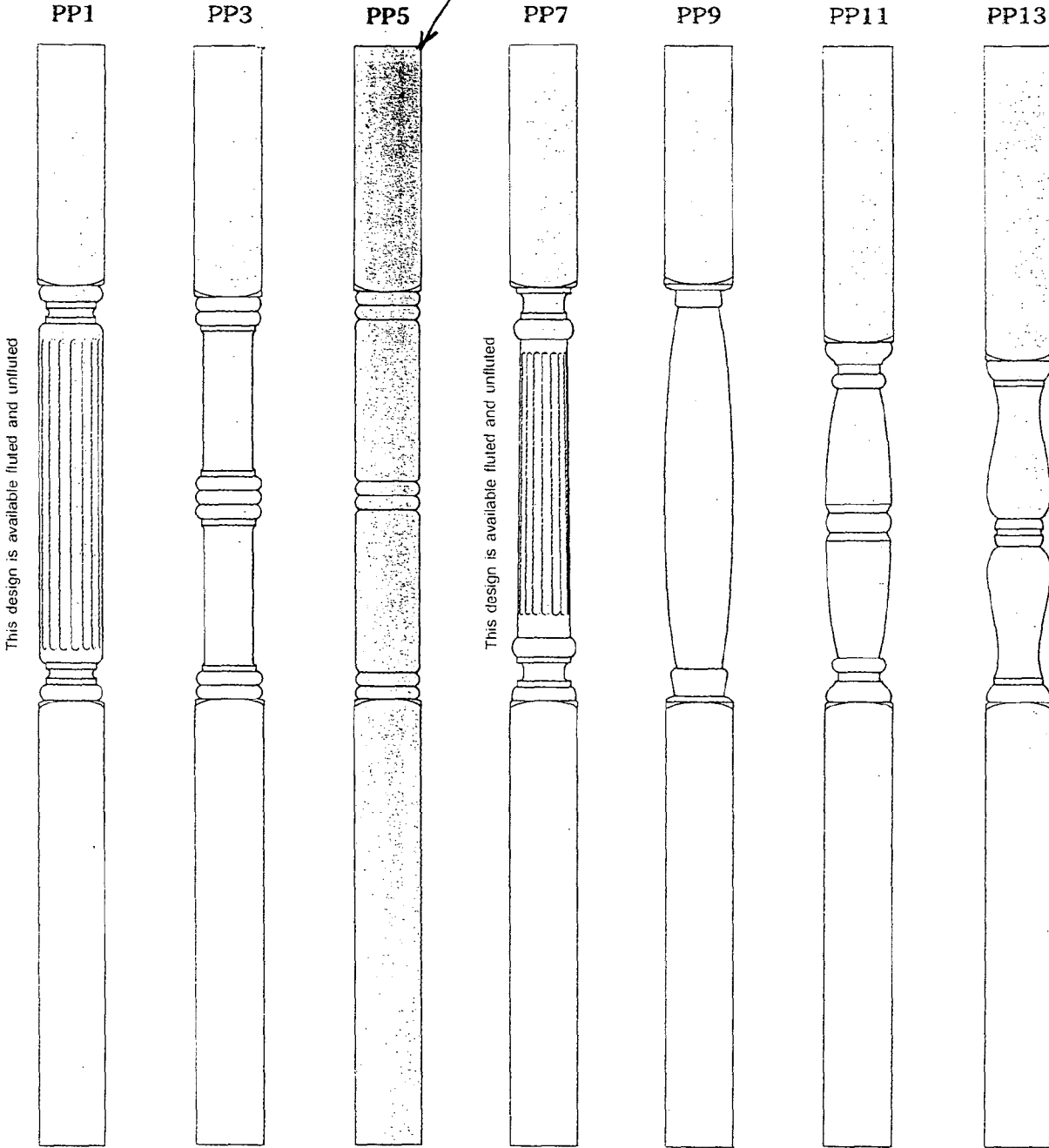
STARS DA MS

(240) 497.0360



PORCH POSTS Scale: 3/4" = 1'-0"

PROPOSED NEW COVERED PORCH POSTS



This design is available fluted and unfluted

This design is available fluted and unfluted

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP1 - 5 1/2 x 96	5 1/2	44	40	12	96
PP1 - 7 1/4 x 96	7 1/4	44	40	12	96
PP1 - 5 1/2 x 108	5 1/2	44	40	24	108
PP1 - 7 1/4 x 108	7 1/4	44	40	24	108
PP1 - 5 1/2 x 120	5 1/2	44	40	36	120
PP1 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP5 - 5 1/2 x 96	5 1/2	44	40	12	96
PP5 - 7 1/4 x 96	7 1/4	44	40	12	96
PP5 - 5 1/2 x 108	5 1/2	44	40	24	108
PP5 - 7 1/4 x 108	7 1/4	44	40	24	108
PP5 - 5 1/2 x 120	5 1/2	44	40	36	120
PP5 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP9 - 5 1/2 x 96	5 1/2	44	40	12	96
PP9 - 7 1/4 x 96	7 1/4	44	40	12	96
PP9 - 5 1/2 x 108	5 1/2	44	40	24	108
PP9 - 7 1/4 x 108	7 1/4	44	40	24	108
PP9 - 5 1/2 x 120	5 1/2	44	40	36	120
PP9 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP13 - 5 1/2 x 96	5 1/2	44	34	18	96
PP13 - 7 1/4 x 96	7 1/4	44	34	18	96
PP13 - 5 1/2 x 108	5 1/2	44	34	30	108
PP13 - 7 1/4 x 108	7 1/4	44	34	30	108
PP13 - 5 1/2 x 120	5 1/2	44	34	42	120
PP13 - 7 1/4 x 120	7 1/4	44	34	42	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP3 - 5 1/2 x 96	5 1/2	44	38	14	96
PP3 - 7 1/4 x 96	7 1/4	44	38	14	96
PP3 - 5 1/2 x 108	5 1/2	44	38	26	108
PP3 - 7 1/4 x 108	7 1/4	44	38	26	108
PP3 - 5 1/2 x 120	5 1/2	44	38	38	120
PP3 - 7 1/4 x 120	7 1/4	44	38	38	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP7 - 5 1/2 x 96	5 1/2	44	40	12	96
PP7 - 7 1/4 x 96	7 1/4	44	40	12	96
PP7 - 5 1/2 x 108	5 1/2	44	40	24	108
PP7 - 7 1/4 x 108	7 1/4	44	40	24	108
PP7 - 5 1/2 x 120	5 1/2	44	40	36	120
PP7 - 7 1/4 x 120	7 1/4	44	40	36	120

PART NUMBER	DIMENSIONS				
	A	B	C	D	E
PP11 - 5 1/2 x 96	5 1/2	44	35	17	96
PP11 - 7 1/4 x 96	7 1/4	44	35	17	96
PP11 - 5 1/2 x 108	5 1/2	44	35	29	108
PP11 - 7 1/4 x 108	7 1/4	44	35	29	108
PP11 - 5 1/2 x 120	5 1/2	44	35	41	120
PP11 - 7 1/4 x 120	7 1/4	44	35	41	120

MANUFACTURED HALF ROUND & OGEE GUTTER

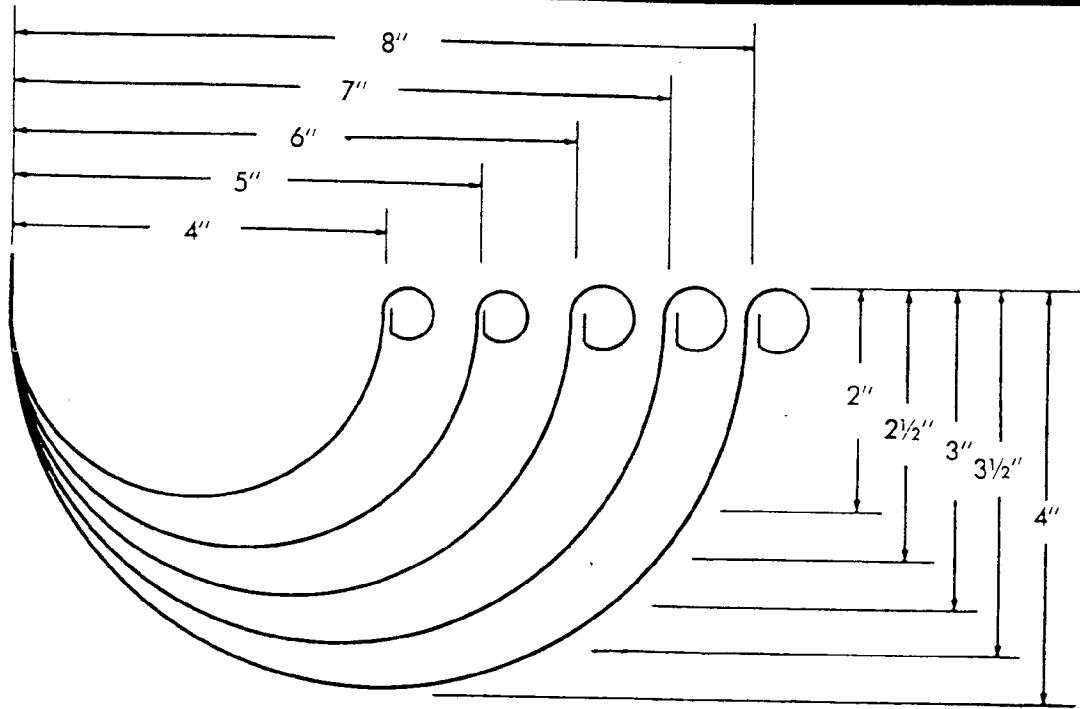


FIG A

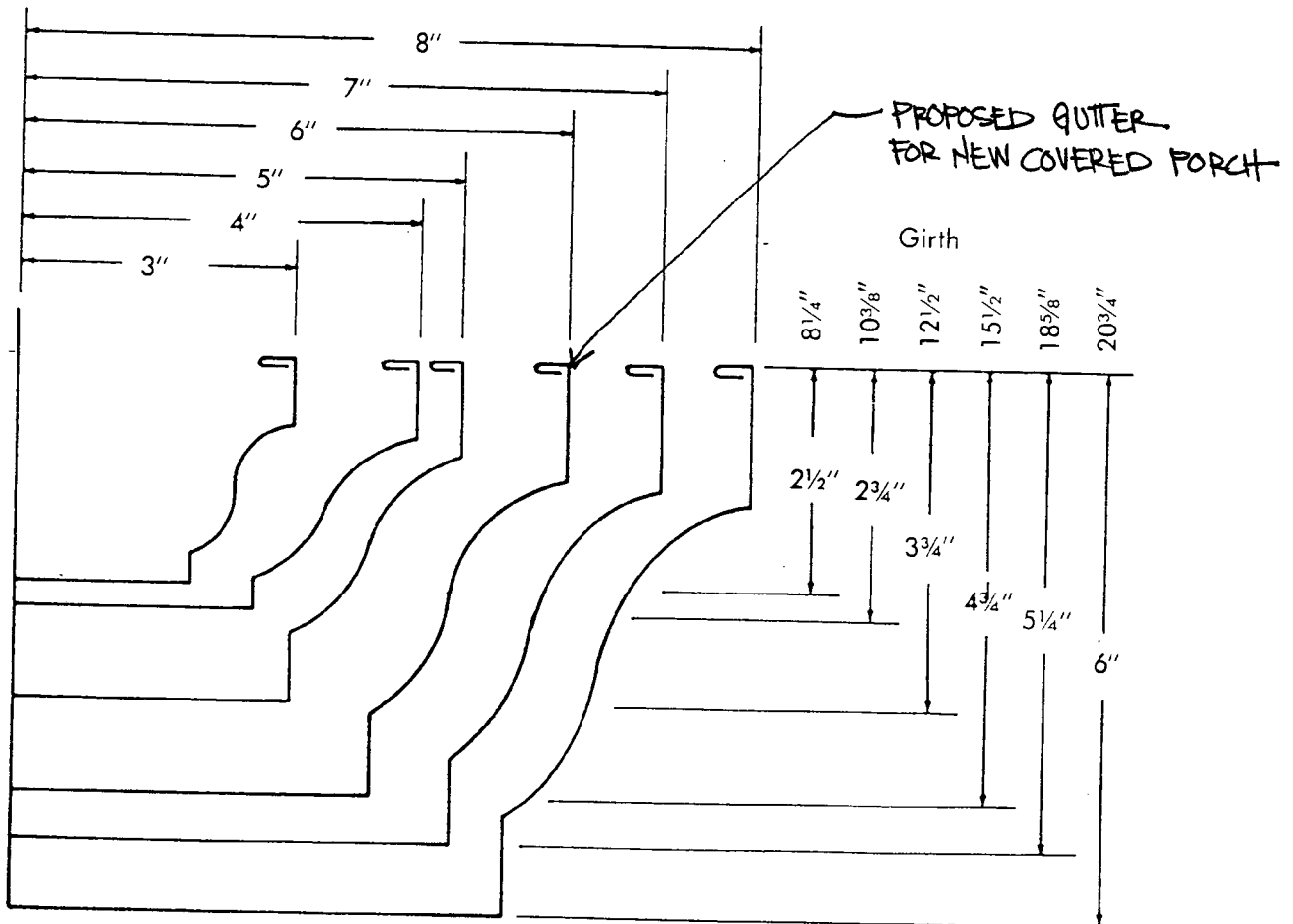


FIG B

00:17
Property lies within Zone
Department H. J.D. m.
Baltimore County, Mar

AYALA AND ASSOCIATES

PUBLIC ACCOUNTANTS

May 18, 2004

GTM ARCHITECTS
10415 ARMORY AVENUE
KENSINGTON, MD 20895
ATTN: GEORGE T. MYERS

Re: List of Neighbors

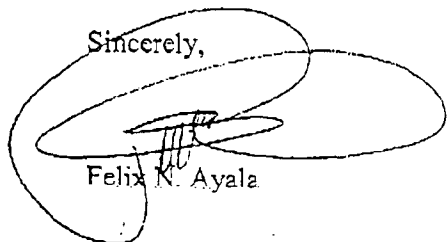
Dear Mr. George Myers:

As follow please fin the list of neighbors on the surroundings of the property (4010 Prospect Street) al though I do not know their names; but hope this is what you need.

- James R Cooper & Margaret O'Neill Cooper \ 3948 Washington Street (Behind the Lot)
Kensington, MD 20895
- David N. Rubin \ 4011 Prospect Street (Side of House) - Side across street
Kensington, MD:20895
- Erica L. Druin \ 10302 Summit Avenue (Front of the House) - Across street
Kensington, MD 20895
- Eric T. & Katherine J. May \ 10300 Summit Avenue (Front of the House) - Across street
Kensington, MD 20895
- Phoebe & Michael Bosgs \ 10223 Summit Avenue (Side of the House) - Occupant
Kensington, MD 20895

Thank you and good luck on the presentation with the historic board.

Sincerely,


Felix N. Ayala



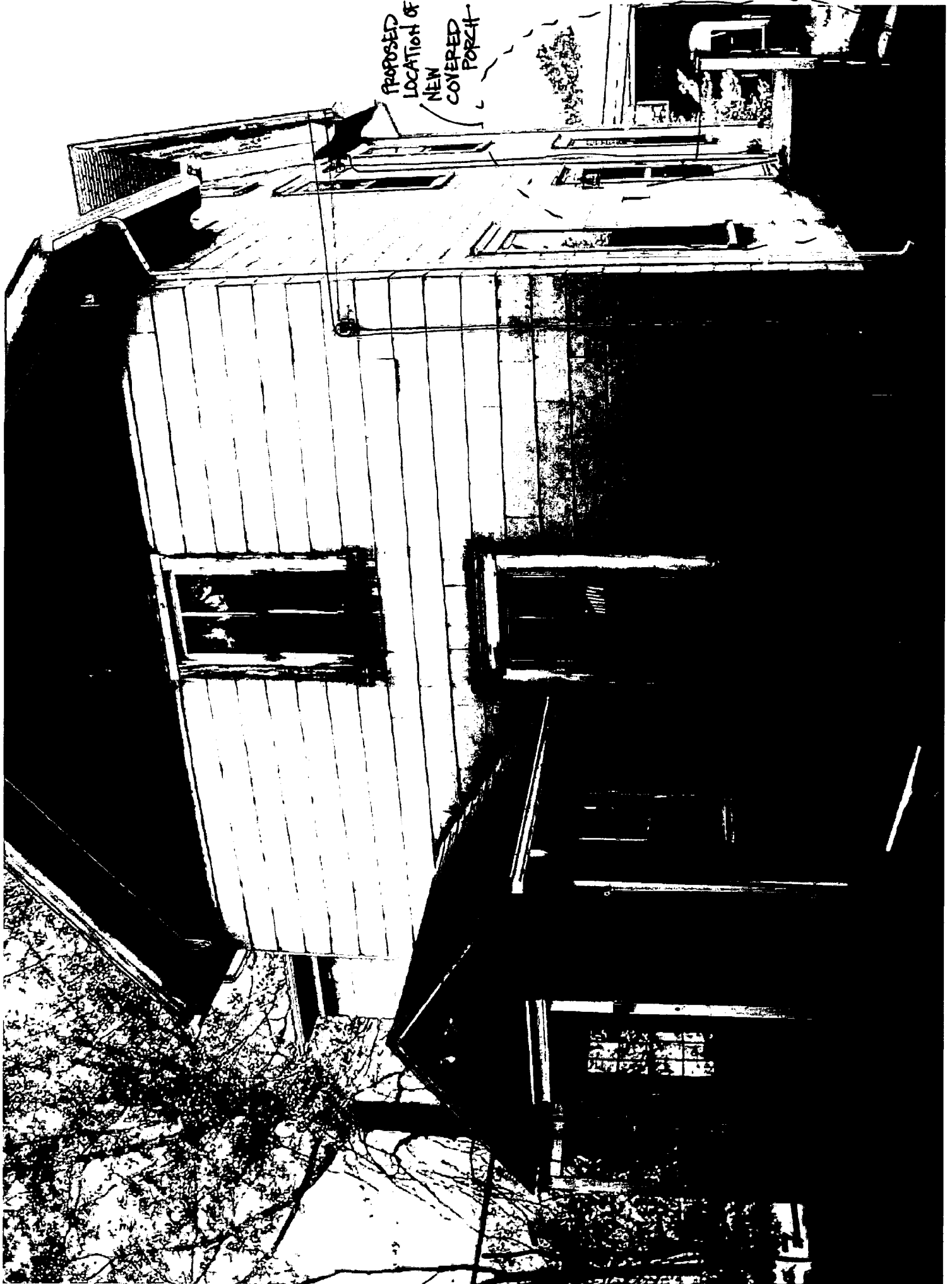
PROPOSED LOCATION
OF NEW FRENCH DOORS

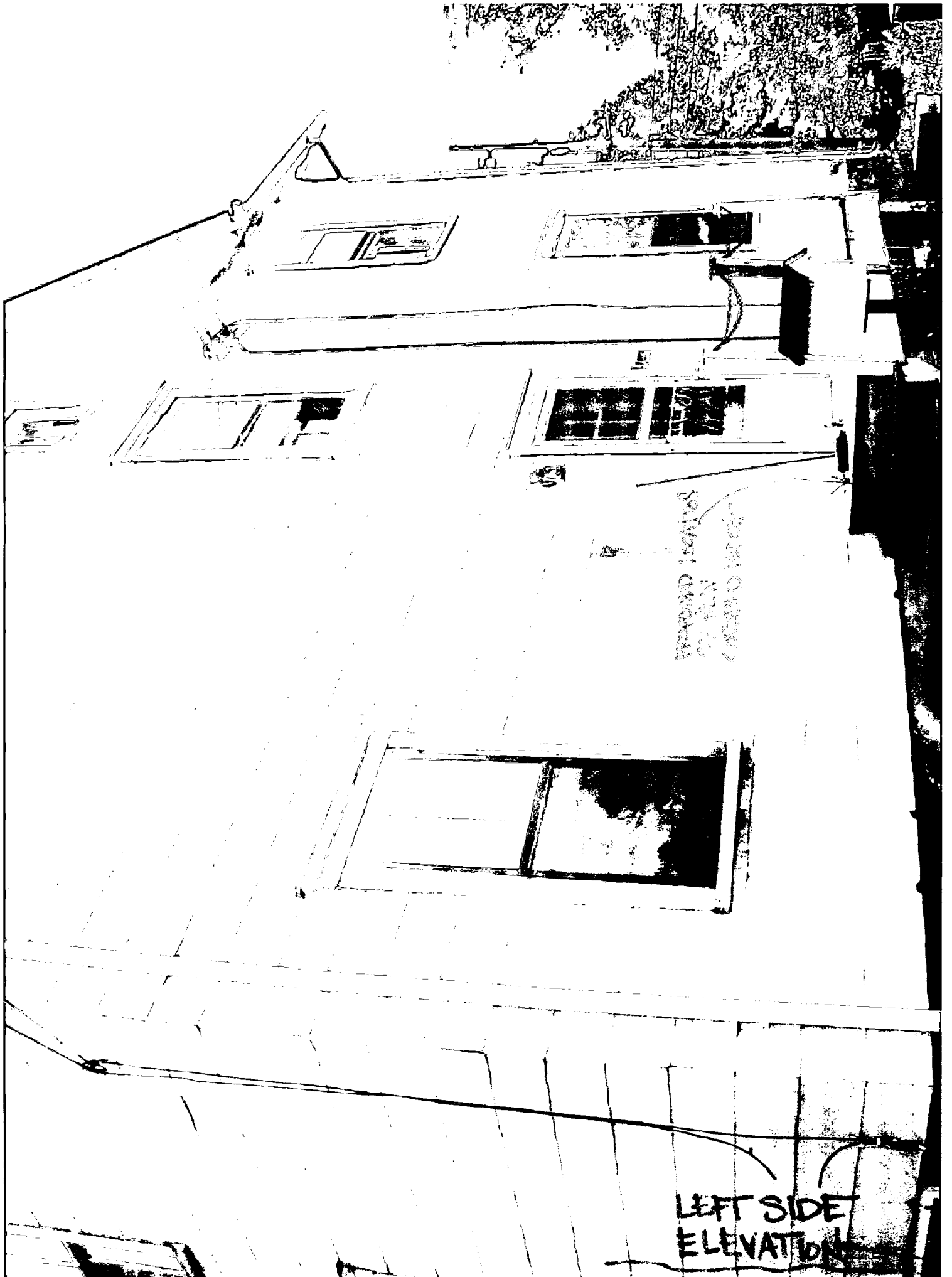
REAR ELEVATION

REAR ELEVATION



PROPOSED
LOCATION OF
NEW
COVERED
PORCH





STANDARD LIGHTING
BY THE WAY
CONCRETE WORK

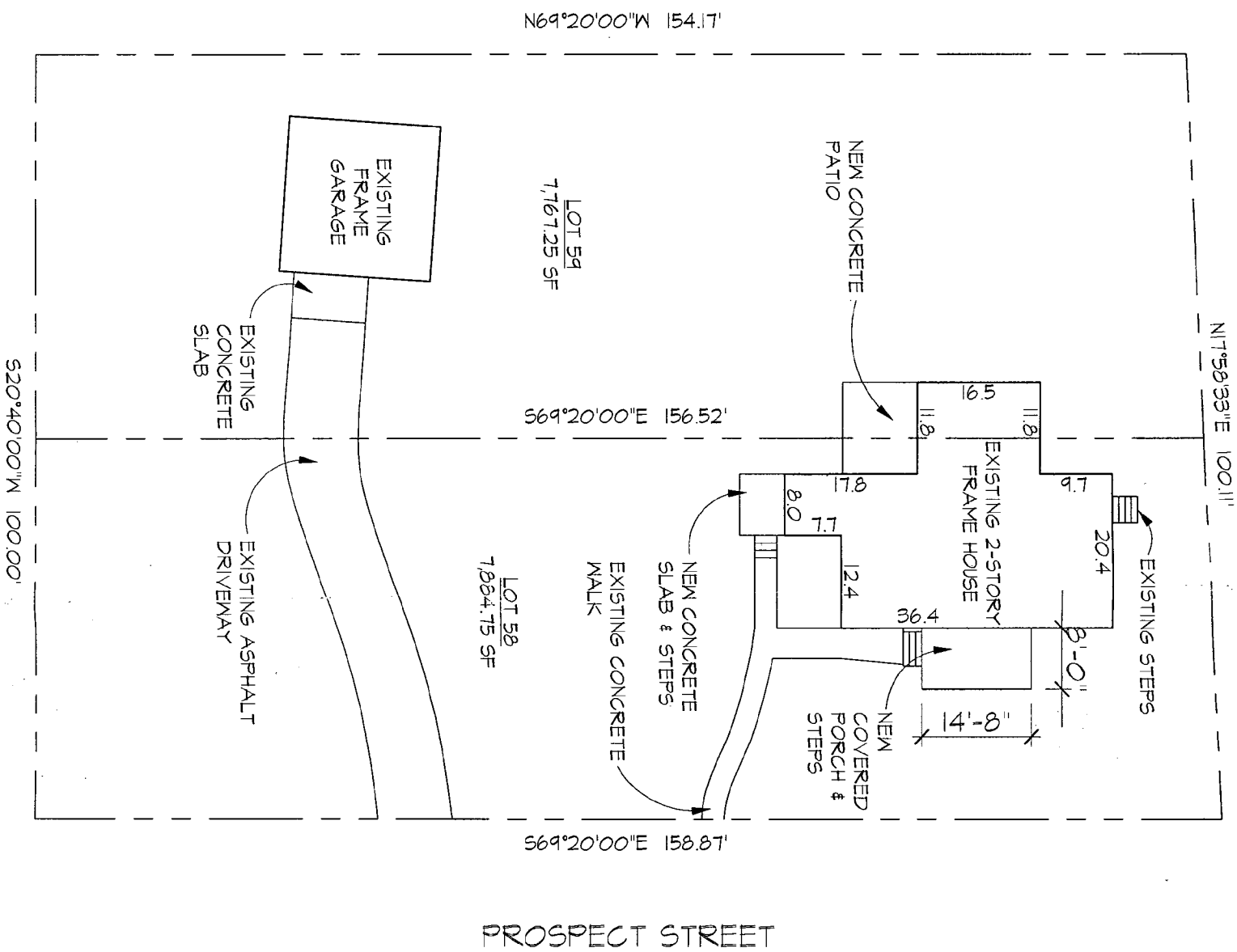
LEFT SIDE
ELEVATION

LEFT SIDE
ELEVATION

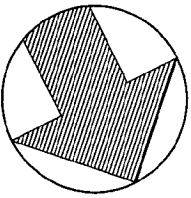
PROPOSED LOCATION
OF NEW COVERED
PORCH



SUMMIT AVENUE



1 SITE PLAN
SCALE: 1"=20'-0"



GTM
GTM ARCHITECTS
7715 OLD GEORGETOWN ROAD
BETHESDA, MD 20814
(301)333-2000
(301)333-2001 FAX

4010 PROSPECT STREET
KENSINGTON, MD 20895
SITE PLAN

AYALA
RESIDENCE

REVISIONS:

ARCHITECT SEAL:

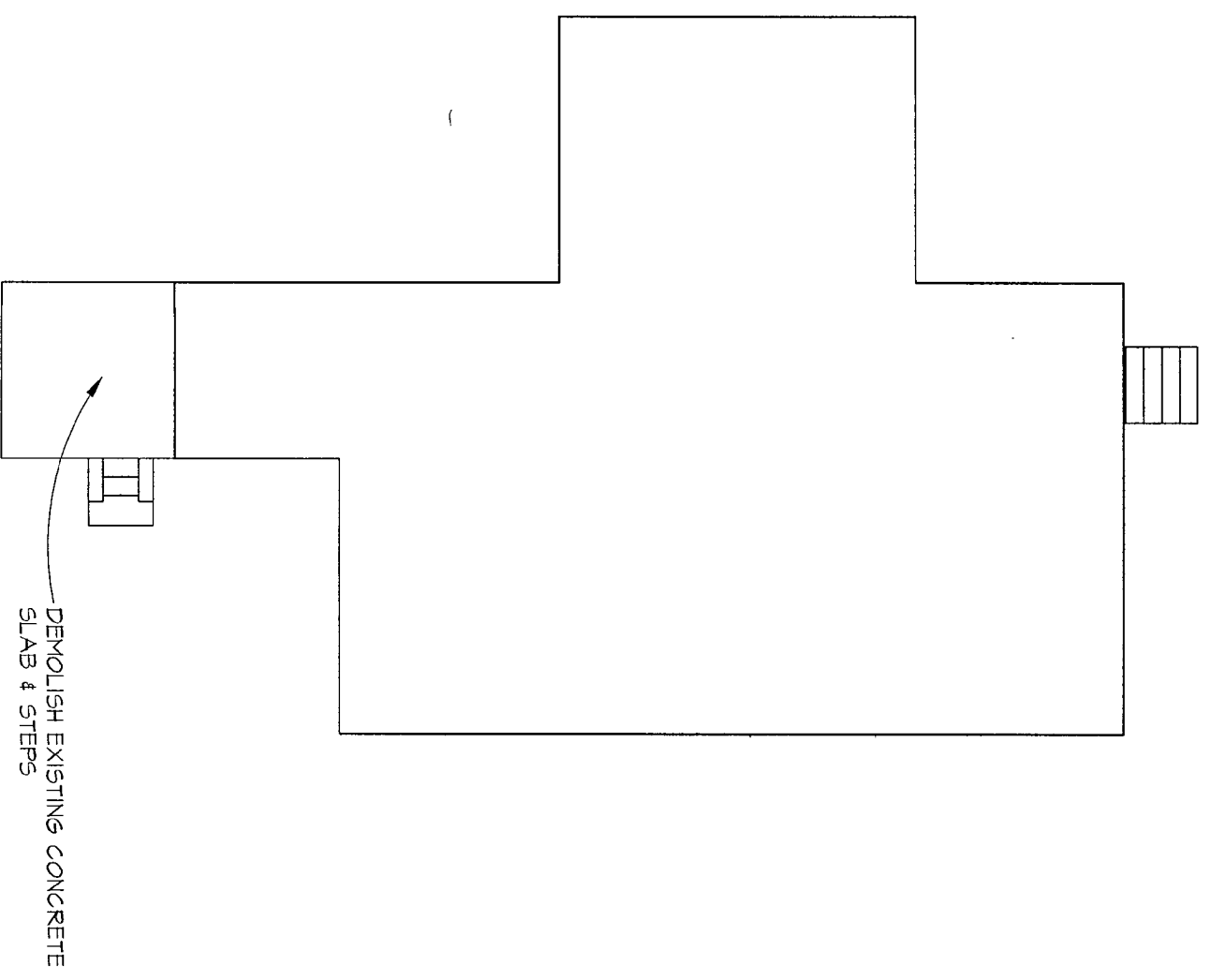
DRAWN BY: LSC
CHECKED BY: GTM
SCALE: AS NOTED
DATE: 04.22.04
PROJECT NO.: 04.0161
DRAWING NO.:

AYALA RESIDENCE

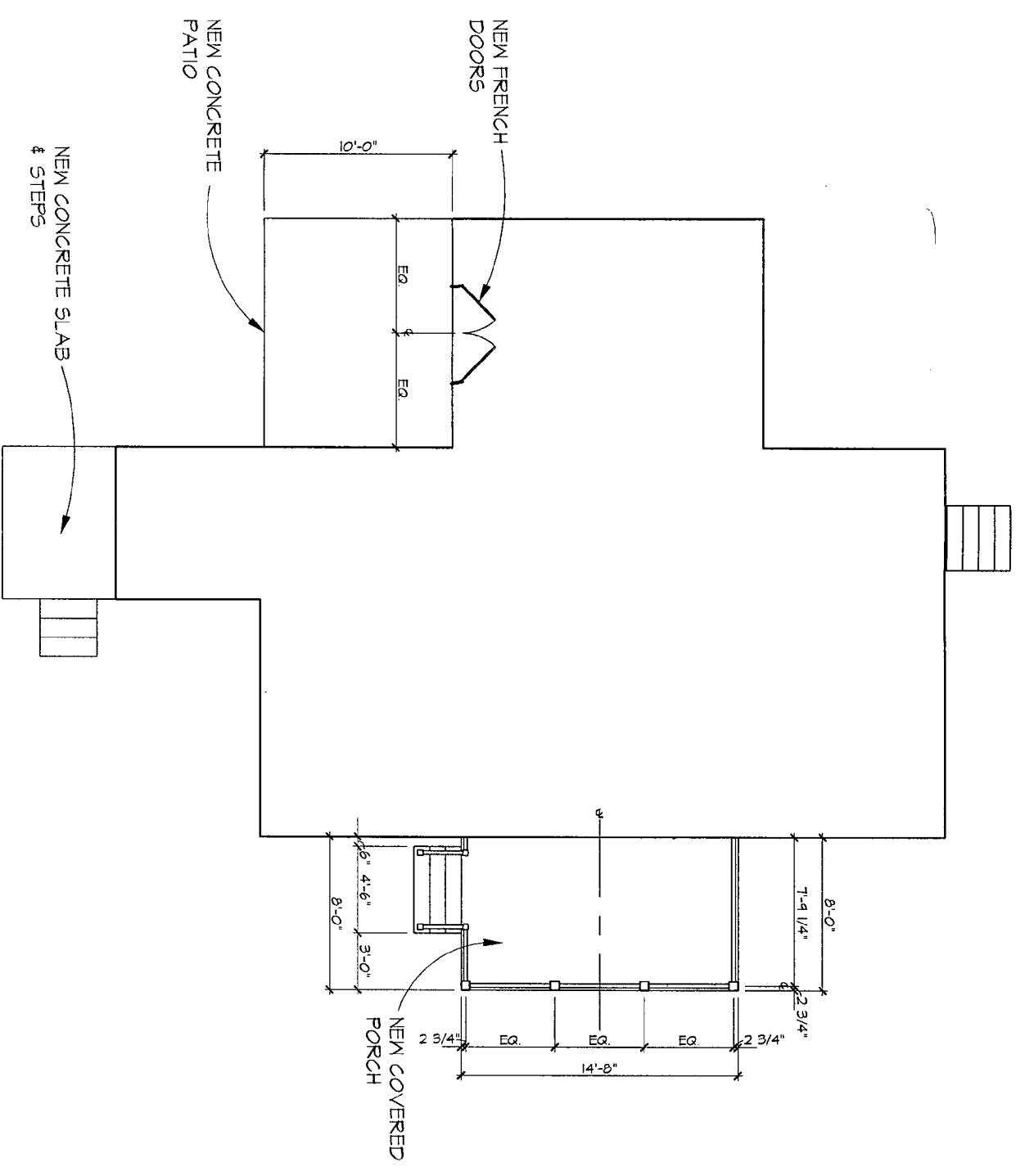
REVISIONS:

ARCHITECT SEAL

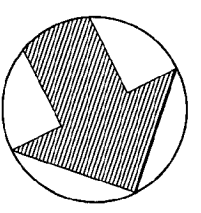
DRAWN BY: LSC
 CHECKED BY: GTM
 SCALE: AS NOTED
 DATE: 04.22.04
 PROJECT NO: 04.0167
 DRAWING NO:



1
 EXISTING FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

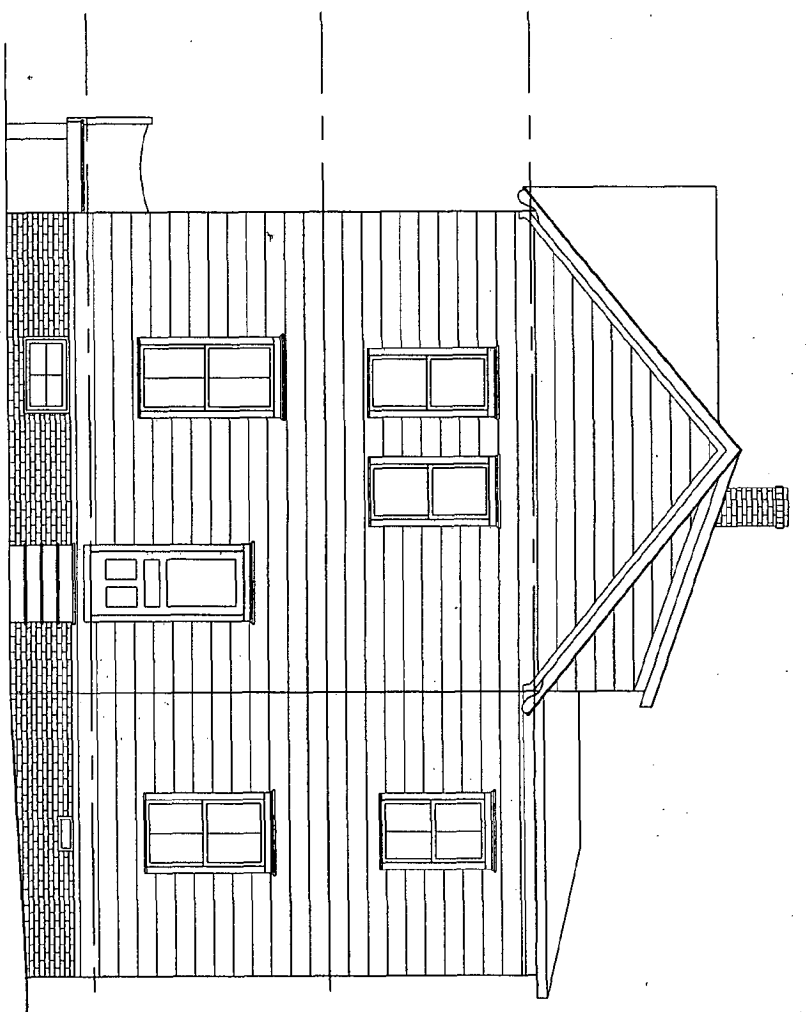


2
 PROPOSED FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"



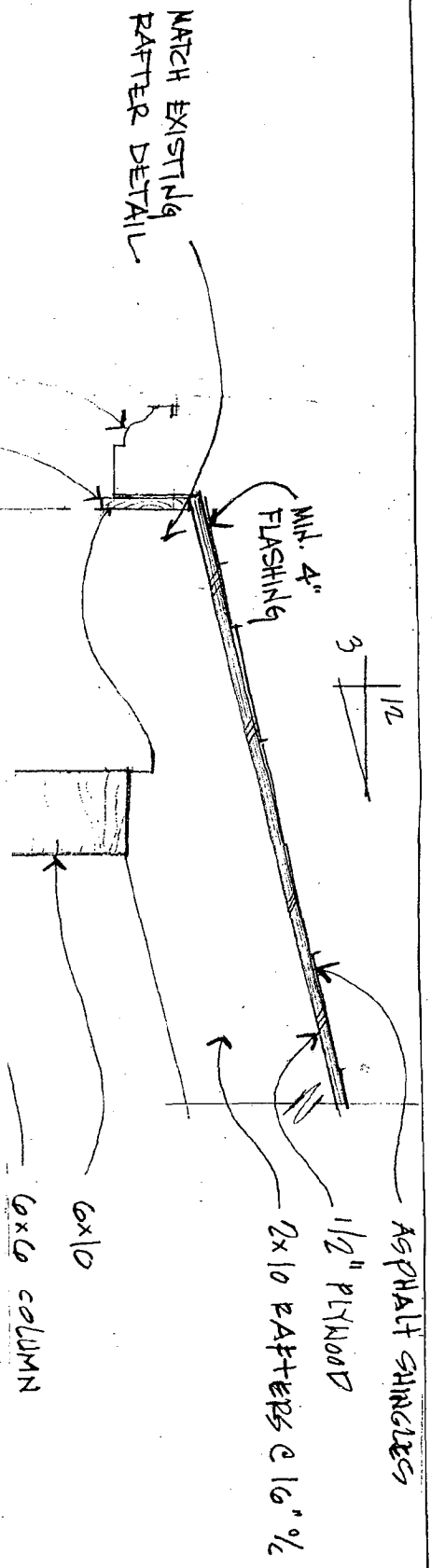
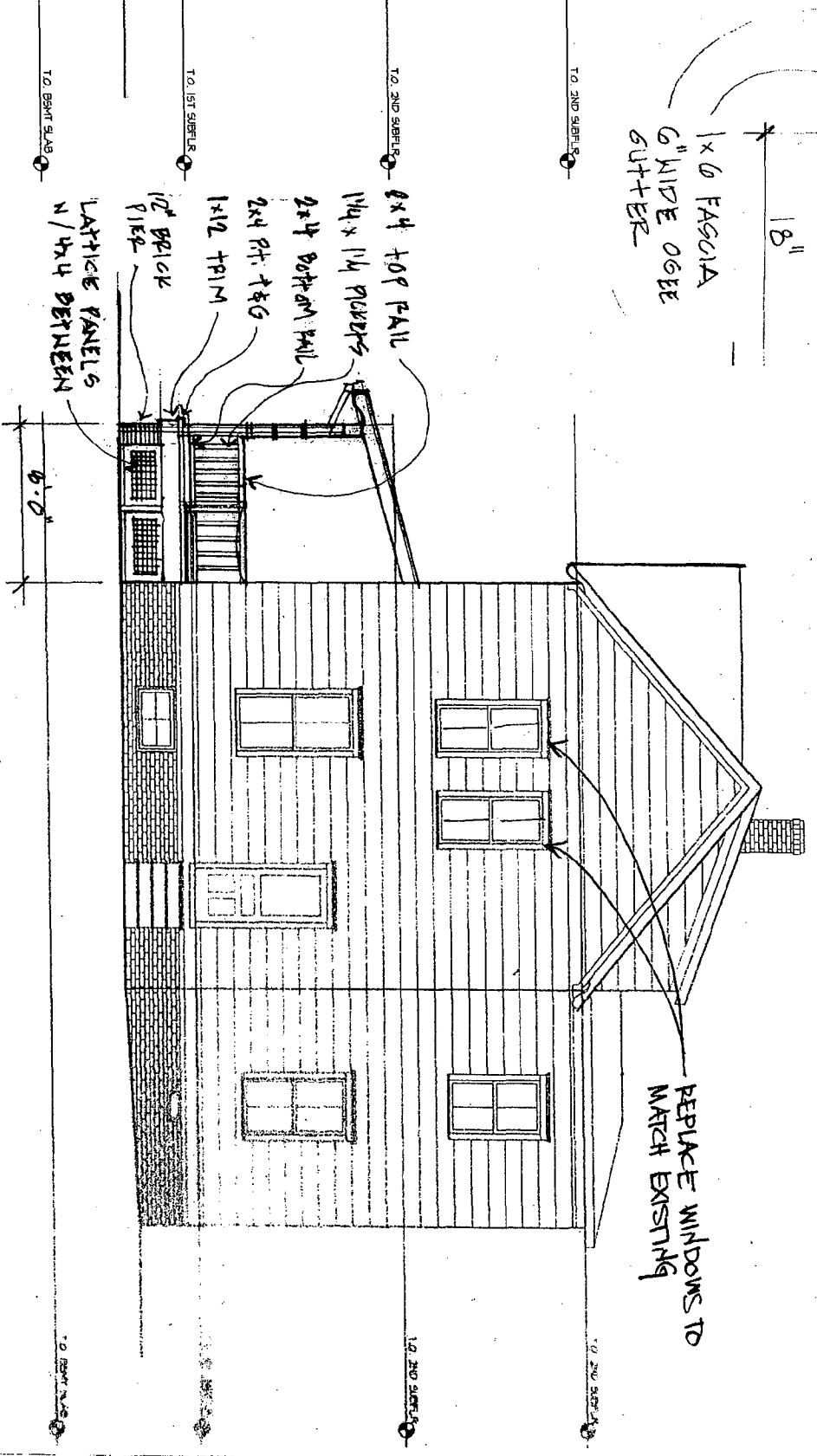
1

EXISTING FRONT ELEVATION
SCALE: 1/8"=1'-0"



2

PROPOSED FRONT ELEVATION
SCALE: 1/8"=1'-0"



4010 PROSPECT STREET
KENSINGTON, MD 20895
FRONT ELEVATIONS

AYALA
RESIDENCE

GTM ARCHITECTS
7755 OLD GEORGETOWN ROAD
SUITE 700
BETHESDA, MD 20814
(202) 335-2000
(202) 335-2001 FAX

REVISIONS:
ARCHITECT SEAL:
DRAWN BY: LSC
CHECKED BY: GTM
SCALE: AS NOTED
DATE: 04.22.04
PROJECT NO: 04.0167
DRAWING NO: 3

4010 PROSPECT STREET
 KENSINGTON, MD 20895
REAR ELEVATIONS

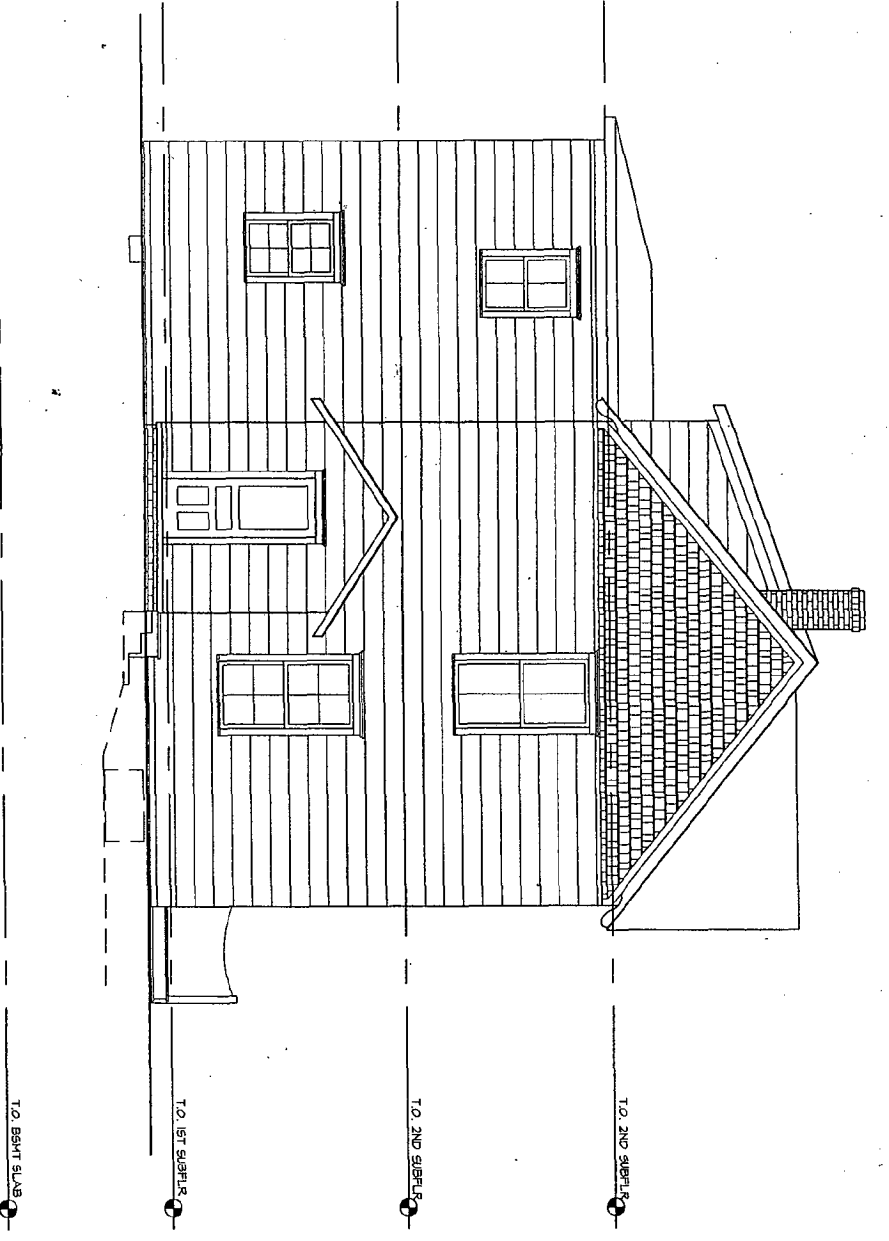
**AYALA
 RESIDENCE**

REVISIONS:

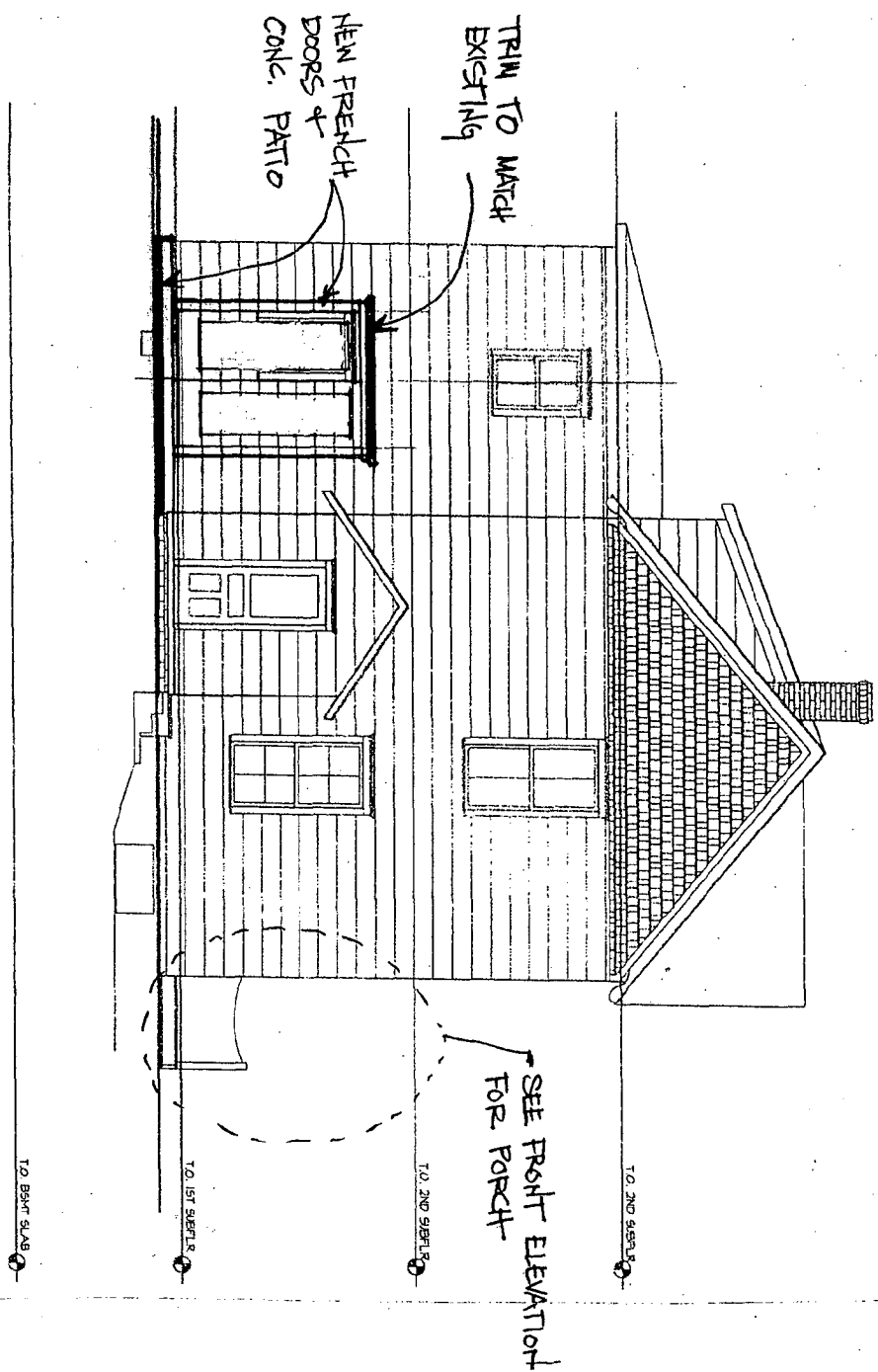
ARCHITECT SEAL

DRAWN BY: LSC
 CHECKED BY: GTM
 SCALE: AS NOTED
 DATE: 04.22.04
 PROJECT NO: 04.0167
 DRAWING NO:

5



1
 EXISTING REAR ELEVATION
 SCALE: 1/8"=1'-0"



2
 PROPOSED REAR ELEVATION
 SCALE: 1/8"=1'-0"