


31/06-04F 3934 Baltimore St  
Kensington Historic District



7/1



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: 4/14/04

**MEMORANDUM**

TO: Robert Hubbard, Director

FROM: Gwen Wright, Coordinator  
Historic Preservation *GWN*

SUBJECT: Historic Area Work Permit

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

Approved

Approved with Conditions

and HPC staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and

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

Applicant: PETER AND KATHRYN FITZGERALD

Address: 3934 BALTIMORE ST., KENSINGTON

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the 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



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RETURN TO: DEPARTMENT OF PERMITTING SERVICES  
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850  
240/777-8370

DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: KATHRYN FITZGERALD  
Daytime Phone No.: 301-933-9291

Tax Account No.: 01022252

Name of Property Owner: Peter & KATHRYN Fitzgerald Daytime Phone No.: 301-933-9291  
Address: 3934 Baltimore St. Kensington MD 20895  
Street Number City Street Zip Code

Contractor: Wood Acres (Forest Bowen) Phone No.: 301-949-4102  
Contractor Registration No.: LTE # 875

Agent for Owner: Forest Bowen (Wood Acres) Daytime Phone No.: 301-949-4102  
Address: \_\_\_\_\_

RECEIVED  
MAY 08 2004  
Dept. of Permitting Services  
Division of  
Casework Management

**LOCATION OF BUILDING/PREMISE**

House Number: 3934 Street: Baltimore St.  
Town/City: Kensington Nearest Cross Street: Detrick Ave.  
Lot: \*20x P19 Block: 11 Subdivision: 015 #13015  
Liber: Plot Book B Folio: 4 Parcel: \_\_\_\_\_

\*Tree is on Lot # 20

**PART ONE: TYPE OF PERMIT ACTION AND USE**

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input type="checkbox"/> Alter/Renovate	<input type="checkbox"/> AC	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input checked="" 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 checked="" type="checkbox"/> Other: <u>Removal of Tree</u>			

1B. Construction cost estimate: \$ 1000 to remove tree

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 incations:  
 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.

Kathryn Bowen Fitzgerald 3/7/04  
Signature of owner or authorized agent Date

Approved: 336802 For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: Julia O'Malley Date: 4/14/04  
Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

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

APPROVED by  
Historic Preservation Commission  
Montgomery County  
4/14/04

**1. WRITTEN DESCRIPTION OF PROJECT**

Yet, one more reason for removal  
our house during a storm!

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

We would like to remove a holly tree that is too close to our house. It has caused a moisture problem leading to mold growth on the large covered porch. Both our children have allergies and asthma. My son especially is very allergic to mold & requires daily asthma medicine year round. I believe this is harmful

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

to their health. The moisture problem also causes a deterioration of the paint condition. If you need another reason the tree also presents a safety hazard. We have had a number of vandalism incidents on our street lately. A car has been stolen, another car has had its windows smashed & a stereo stolen, our Christmas lights were stolen, our neighbor's windows were broken with a brick, another neighbor's French doors smashed & purses taken.

**2. SITE PLAN**

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

a. the scale, north arrow, and date;

b. dimensions of all existing and proposed structures; and

c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

As you can see from the photos it would be very easy for a person to climb up to our second floor & break into our house. This tree

**3. PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 3 1/2" x 11" paper are preferred.

a. 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.

b. 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**

a. 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.

b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

**6. TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 5" 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).

needs to go and I would appreciate a fast response from you!  
Thanks.  
P.S. In the past 7 years we have lived here we have had planted 6 trees & will probably plant more so we love trees, but not ones causing problems for our home!  
If you need letters from our allergist let me know.



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: 4/14/04

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Wright, Coordinator *GW*  
Historic Preservation Section

SUBJECT: Historic Area Work Permit Application – Approval

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

Prior to applying for a county building permit from the Department of Permitting Services, you must schedule a meeting with your assigned staff person to bring your final construction drawings in to the Historic Preservation Office at 1109 Spring Street for stamping. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

When you file for your building permit at DPS, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DPS. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 240-777-6370.

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

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 240-777-6210 or online at <http://permits.emontgomery.org> of your anticipated work schedule.

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

***EXPEDITED***  
**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

<b>Address:</b> 3934 Baltimore Street, Kensington	<b>Meeting Date:</b> April 14, 2004
<b>Applicant:</b> Peter and Kathryn Fitzgerald	<b>Report Date:</b> April 7, 2004
<b>Resource:</b> Kensington Historic District Primary Resource	<b>Public Notice:</b> March 31, 2004
<b>Review:</b> HAWP	<b>Tax Credit:</b> None
<b>Case No.:</b> 31/06-04F	<b>Staff:</b> Gwen Wright
<b>PROPOSAL:</b> Tree Removal	<b>RECOMMEND:</b> Approve

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**SIGNIFICANCE:**

Individual *Master Plan* Site  
 Within a *Master Plan* Historic District  
 Primary Resource  
 Contributing Resource  
 Non-contributing/Out-of-Period Resource

**PROPOSAL**

The applicant is proposing to remove an existing, large Holly tree at the front corner of their house. The tree is alive, but is so close to the house that it is causing moisture and mold problems.

The house is a two-story, turn-of-the-century structure with Craftsman and Colonial Revival elements. It is a Primary Resource in the Kensington Historic District.

The existing lot has numerous trees and staff feels that this Holly tree can be removed without a requirement for replacement tree planting.

**STAFF RECOMMENDATION**

Approval  
 Approval with conditions

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(b): The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

x   1. The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; or

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

       3. The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site, or historic resource located within an historic district, in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

       4. The proposal is necessary in order that unsafe conditions or health hazards be remedied; or

       5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or

       6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.





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Address: 3934 BALTIMORE ST. Kensington MD 20895  
Street Number City Street Zip Code

Contractor: Wood Acres (Forest Bowers) Phone No.: 301-949-4100

Contractor Registration No.: LTE # 875

Agent for Owner: Forest Bowers (Wood Acres) Daytime Phone No.: 301-949-4100

Address: \_\_\_\_\_

LOCATION OF BUILDING/PREMISE

House Number: 3934 Street: Baltimore St

Town/City: Kensington Nearest Cross Street: Detrick Ave.

\* 2004 P19 Lot: 11 Block: 11 Subdivision: OIS 13015

Liber: Plot Book B Folio: 4 Parcel: \_\_\_\_\_

\*Tree is on Lot # 20

RECEIVED  
MAR 11 2004  
COMMUNITY DEVELOPMENT

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/Reuse  Solar  Fireplace  Woodburning Stove  Single Family
- Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: Removal of Tree

1B. Construction cost estimate: \$ 1000 to remove tree

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

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Kathryn Bennett Fitzgerald  
Signature of owner or authorized agent

3/7/04  
Date

Approved: 336802 For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Thanks.

P.S. In the past 7 years we have lived here we have had planted 6 trees & will probably plant more so

we love trees, but not ones causing problems for our home!

If you need letters from our allergist let me know.

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.

**HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING**

[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address

FITZGERALD  
3934 BALTIMORE ST.  
Kensington, MD 20895

Owner's Agent's mailing address

Adjacent and confronting Property Owners mailing addresses

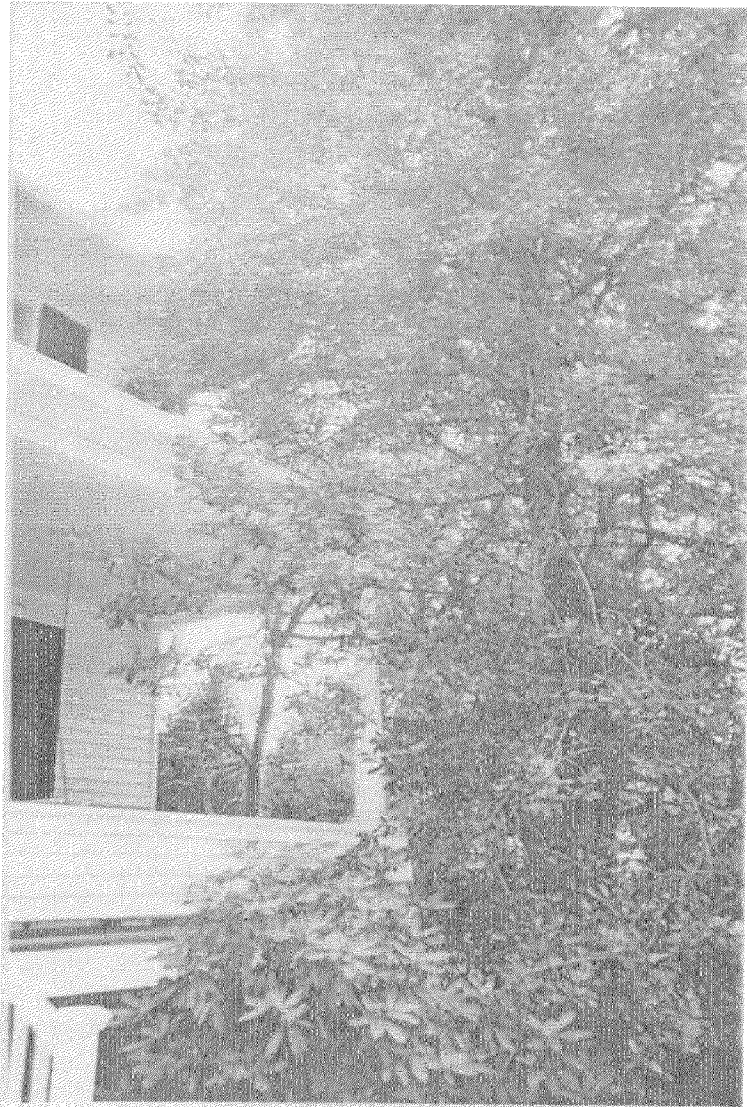
MR. + MRS. FICKARD  
3935 BALTIMORE ST.  
Kensington, MD 20895

MRS. ORME  
3928 BALTIMORE ST  
Kensington, MD 20895

MR. + MRS. SPEALMAN  
3940 BALTIMORE ST.  
Kensington, MD 20895

g'addresses: noticing table

Holly tree to be removed



← Holly Tree  
RIGHT  
HAND  
Corner  
of house

Fitzgeralds  
3934 Belmore  
St., Kensington  
301-933-9291

**HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING**

[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address

FITZGERALD  
3934 BALTIMORE ST.  
Kensington, MD 20895

Owner's Agent's mailing address

Adjacent and confronting Property Owners mailing addresses

MR. + MRS. PICKARD  
3935 BALTIMORE ST.  
Kensington, MD 20895

MRS. ORME  
3928 BALTIMORE ST  
Kensington, MD 20895

MR. + MRS. SPEALMAN  
3940 BALTIMORE ST.  
Kensington, MD 20895

1000 ft TIDAL water

---

Road side easement

Holly tree to be removed



Holly Tree  
RIGHT HAND  
Corner  
of house

Fitzgeralds  
3939 Baltimore  
St., Kensington  
301-933-9291



**HISTORIC AREA WORK PERMIT  
CHECKLIST OF APPLICATION REQUIREMENTS**

PROPOSED WORK:	REQUIRED ATTACHMENTS:	1. WRITTEN DESCRIPTION	2. SITE PLAN	3. PLANS/ELEVATIONS	4. MATERIAL SPECIFICATIONS	5. PHOTOGRAPHS	6. TREE SURVEY	7. PROPERTY OWNER ADDRESSES
NEW CONSTRUCTION		*	*	*	*	*	*	*
ADDITIONS/ALTERATIONS		*	*	*	*	*	*	*
DEMOLITION		*	*			*		*
DECKS/PORCHES		*	*	*	*	*		*
FENCES/WALLS		*	*	*	*	*		*
DRIVES/PARKING AREAS		*	*		*	*	*	*
MAJOR LANDSCAP./GRADING		*	*		*	*	*	*
TREE REMOVAL		*	*		*	*	*	*
SIDING/ROOFING CHANGES		*	*	*	*	*		*
WINDOW/DOOR CHANGES		*	*	*	*	*		*
MASONRY REPAIR/REPOINT		*	*	*	*	*		*
SIGNS		*	*	*	*	*		*

Please see attached instructions for further details regarding these application requirements.

**NOTE:** Historic Area Work Permits are not required for ordinary maintenance projects, such as painting, gutter repair, roof repair with duplicate materials, and window repairs. All replacement materials must be in kind and of the same dimensions.

ALL HAWPS MUST BE FILED AT DPS, 255 ROCKVILLE PIKE, ROCKVILLE, MD 20850