

~~31/6-00C 3922 Baltimore St.~~  
~~(Kensington Historic District)~~

Cary

Phone . 301.340.5438

FAX 301.593.1930

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

May 12, 2000

Mr. Carey Hoobler  
Ellison Corporation  
10907 Jarboe Avenue  
Silver Spring, MD 20901

*Cary*

Dear Mr. Hoobler:

In anticipation of meeting with you next week to discuss the necessary grading plan submittal, I am enclosing an example of a grading plan which was accepted for new construction of a house in Brookeville. As with all new construction, the commission strives to incorporate the new element into the existing district with minimal disruption to the environmental setting and existing conditions. Concerns which have arisen in the past with other new construction projects include subsequent drainage problems and wet basements where there never had been any, heights of new porches relative to the finished grade, and heights of ridgelines of the new construction relative to the existing homes. A good grading plan will help to address all of these issues, and the following information should be included on your grading plan:

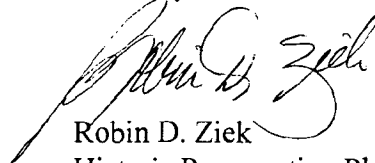
1. Existing topography, extending to both adjacent residences.
2. Modification of topography to accommodate the new construction, including the new house and relocation of the existing garage.
3. Real elevations, tied into the USGS system.
4. Elevations for the finished floor levels at the basement, first floor and porches for the new house.
5. Elevations of the existing finished first floor level of the existing resource at 3920 Baltimore Street.
6. Elevation of the ridgeline at 3920 Baltimore Street, provided by a licensed surveyor, as stipulated in Condition 12 of the HAWP approval.
7. Elevation of the proposed ridgeline at the new house, as per Condition 12.

In terms of landscaping, Condition 7 of the approval asked for a tree survey for existing conditions at Lot 25. This can also serve as the foundation for the new landscape plan, as some of the existing plant material will be retained in the new landscape plan, I believe. The landscape plan, required in Condition 6, should be presented as a separate drawing which incorporates the new landscape proposal with the modifications to the topography. The plantings (trees, shrubs) should be specified and their exact locations should be noted. This drawing would also show the driveway in its proposed configuration, with a portion of the existing asphalt removed. This is also the appropriate place to note tree save measures which you will have to take during construction to save existing trees to remain. Such measures typically include setting up protective fencing at the driplines to prevent heavy machinery or storage of materials on the root systems. This can be shown graphically or stipulated with a note on the drawing.

Both the grading plan and the landscape plan drawings should be presented at a large enough scale to accommodate detailed information, with numbers that are clearly legible.

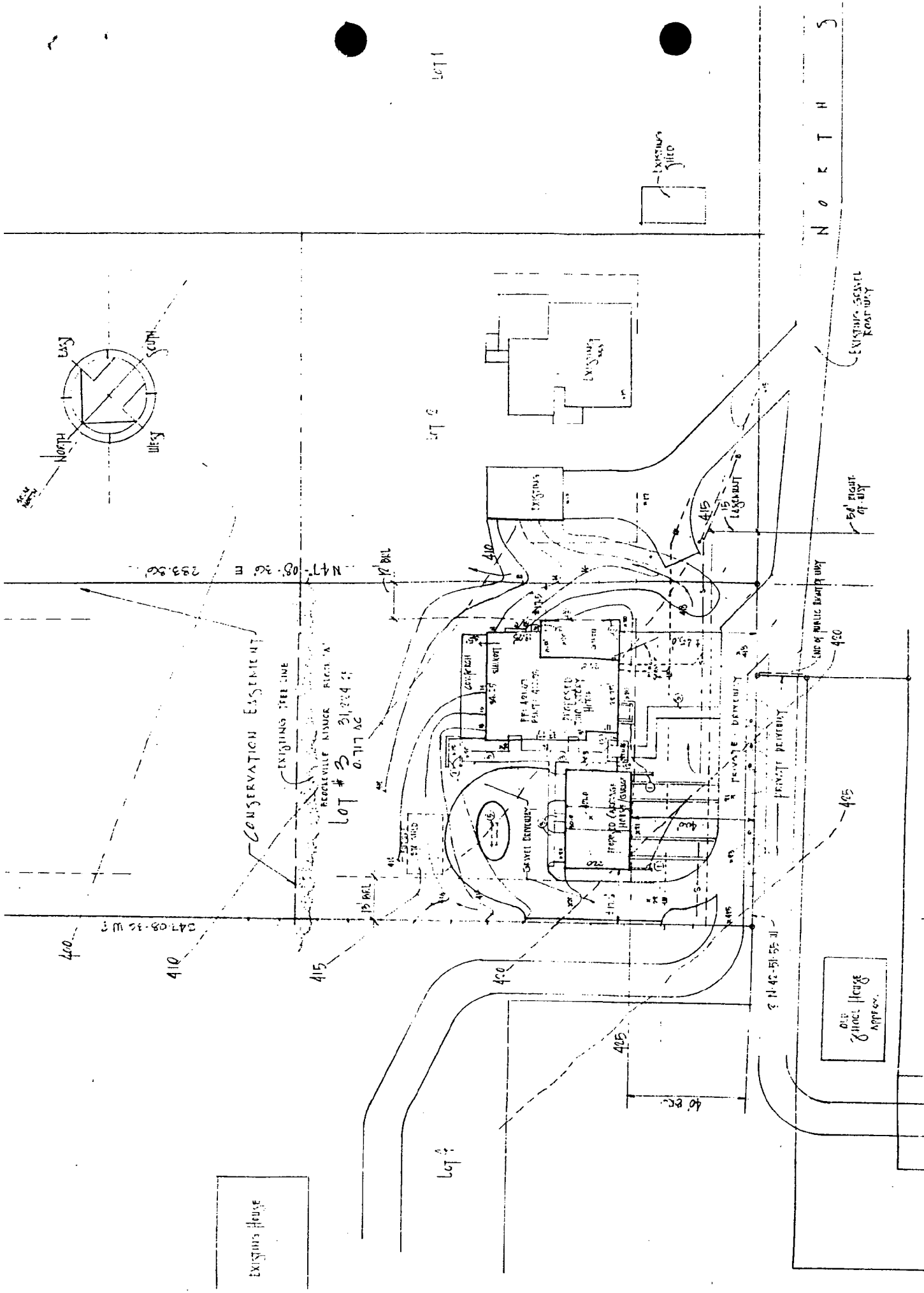
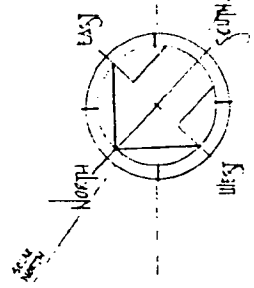
We have an appointment to meet at the site on Monday, May 15 at 2 p.m. If you have any questions, please call me at (301) 563-3400.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin D. Ziek", written in a cursive style.

Robin D. Ziek  
Historic Preservation Planner  
Staff to the Montgomery County  
Historic Preservation Commission

cc: Mrs. Jeannie Ahearn



N O R T H S

CONSERVATION EASEMENT  
 EXISTING FREE LINE  
 RECEIVED KINUCK RICH A  
 LOT # 3 0.717 AC

EXISTING HOUSE

EXISTING HOUSE APPROX.

EXISTING GARAGE

EXISTING WORKSHOP

EXISTING PORCH

EXISTING DRIVEWAY

EXISTING FENCE

EXISTING UTILITY

EXISTING WALKWAY

EXISTING PATIO

EXISTING DECK

EXISTING STAIRS

EXISTING RAMP

EXISTING CURB

EXISTING GROUND

EXISTING VEGETATION

EXISTING TREES

EXISTING SHRUBS

EXISTING GRASS

EXISTING SAND

EXISTING ROCK

EXISTING CONCRETE

EXISTING BRICK

EXISTING WOOD

EXISTING METAL

EXISTING PLASTIC

EXISTING GLASS

EXISTING CERAMIC

EXISTING TILE

EXISTING CARPET

EXISTING FLOORING

EXISTING PAINTING

EXISTING STAINING

EXISTING SEALING

EXISTING POLISHING

EXISTING CLEANING

EXISTING MAINTENANCE

EXISTING REPAIRS

EXISTING REPLACEMENTS

EXISTING IMPROVEMENTS

EXISTING MODIFICATIONS

EXISTING ALTERATIONS

EXISTING ADJUSTMENTS

EXISTING CORRECTIONS

EXISTING REVISIONS

EXISTING CHANGES

EXISTING ENHANCEMENTS

EXISTING OPTIMIZATIONS

EXISTING MAXIMIZATIONS

EXISTING MINIMIZATIONS

EXISTING BALANCING

EXISTING HARMONIZING

EXISTING COORDINATING

EXISTING SYNCHRONIZING

EXISTING INTEGRATING

EXISTING UNIFYING

EXISTING STREAMLINING

EXISTING SIMPLIFYING

EXISTING CLARIFYING

EXISTING FOCUSING

EXISTING PRIORITY

EXISTING EFFICIENCY

EXISTING EFFECTIVENESS

EXISTING PRODUCTIVITY

EXISTING PROFITABILITY

EXISTING GROWTH

EXISTING DEVELOPMENT

EXISTING EXPANSION

EXISTING INNOVATION

EXISTING CREATIVITY

EXISTING IMAGINATION

EXISTING VISION

EXISTING STRATEGY

EXISTING TACTICS

EXISTING OPERATIONS

EXISTING PROCEDURES

EXISTING POLICIES

EXISTING STANDARDS

EXISTING BEST PRACTICES

EXISTING LESSONS LEARNED

EXISTING FEEDBACK

EXISTING EVALUATION

EXISTING MONITORING

EXISTING REPORTING

EXISTING COMMUNICATION

EXISTING COLLABORATION

EXISTING PARTNERSHIP

EXISTING ALLIANCE

EXISTING NETWORKING

EXISTING RELATIONSHIP

EXISTING ENGAGEMENT

EXISTING PARTICIPATION

EXISTING INFLUENCE

EXISTING LEADERSHIP

EXISTING MANAGEMENT

EXISTING ORGANIZATION

EXISTING STRUCTURE

EXISTING CULTURE

EXISTING CLIMATE

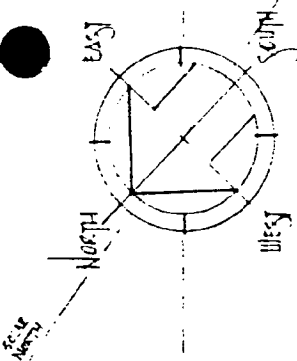
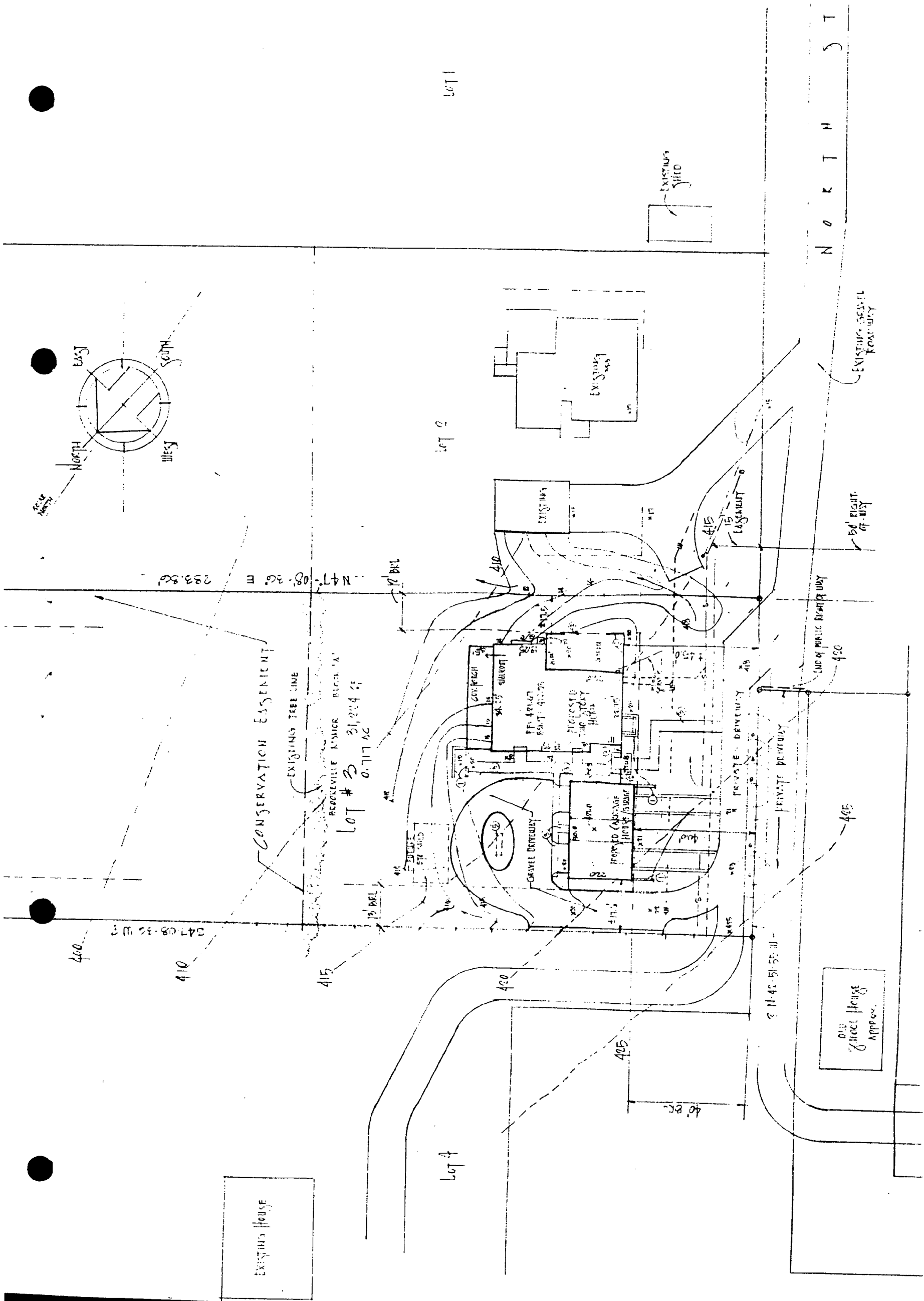
EXISTING ENVIRONMENT

EXISTING ECOSYSTEM

EXISTING ECOSYSTEM SERVICES

EXISTING ECOSYSTEM RESILIENCE

EXISTING ECOSYSTEM ADAPTABILITY



CONSERVATION EASEMENT  
EXISTING TREE LINE  
REGGEBVILLE MISHICK BLOCK 'A'  
LOT # 3 0.717 AC  
N47°08'36" E 233.86'  
347°08'35" W ?  
400'  
410'  
415'

LOT 1

LOT 2

LOT 4

N O R T H S T

EXISTING GRAVEL REAR-WAY

50' RIGHT-OF-WAY

405'

Direct House Approv.

ELLISON CORPORATION

Builders

10907 Jarboe Avenue  
Silver Spring, MD 20901

Telephone 301-681-1411  
Telefax 301-593-1930

5-3-00

Robin Zick  
HPC  
301-563-3412

Re 3922 Batt St Kears - HAWP

Dear Robin,

Please tell me what you think of the Grading Plan +  
Tree Survey w/ the Landscape Proposal sheet. Does  
it answer the things you need for conditions 5, 6 & 7?

Thank you.

Sincerely,

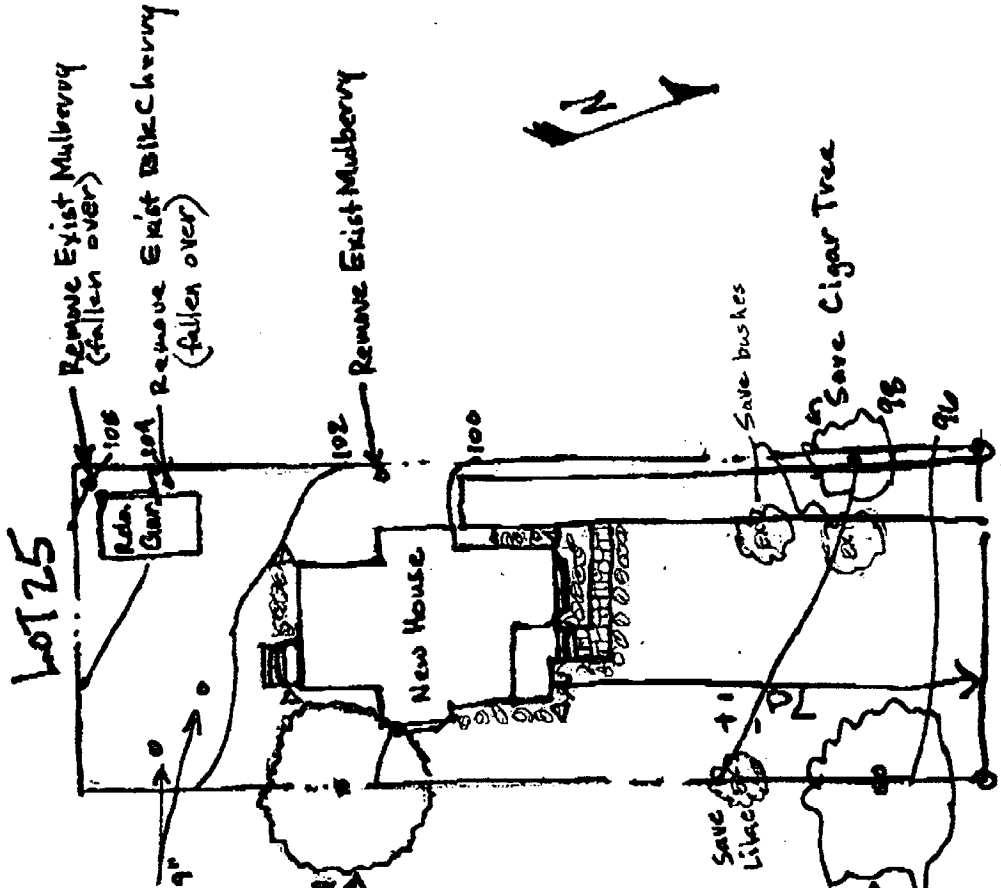
Cary Hobler

My mobile # is 301-370-5438

My fax line is 301-593-1930

Thanks!

# Grading Plan and Tree Survey



3922  
BALTIMORE ST.

## Landscaping Proposal

Foundation Planting - 2-3 gal Azaleas/Hollies upto 22 total  
 - gradecover T.B.S.  
 - upright evergreens on corners T.B.S. Δ

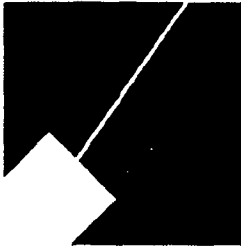
Flowering Trees - (3) 1" caliper - locations T.B.S.

Flagstone Walk on stone dust - square cut random pattern, 1 1/2" thick stones  
 - 2-3 gal Azaleas/Hollies upto 20 total w/ gradecover T.B.S. on both sides walkway.

Save Holly →



M-NCPPC



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8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

FAX TRANSMITTAL SHEET

Historic Preservation Section  
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301) 563-3412

TO: CARY HOEBLER FAX NUMBER: 301. 593. 1930

FROM: ROBIN ZIEK

DATE: MAY 12, 2000

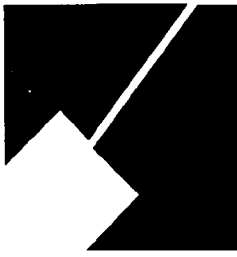
NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 1

NOTE:

See you Monday - Hope this is helpful -  
I have a larger scale on the grading plan example,  
but had to reduce it for the FAX. I'll bring  
that for you on Monday -

5/16/00 met w/ C.H. at site on 5/15. discussed conditions of approval & requirements for  
grading plan & landscape plan.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL  
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8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

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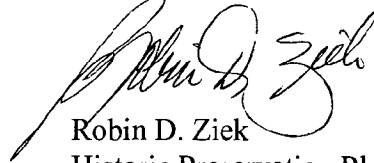
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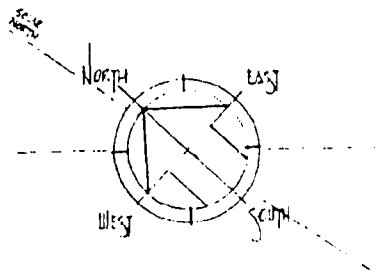
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Robin D. Ziek  
Historic Preservation Planner  
Staff to the Montgomery County  
Historic Preservation Commission

cc: Mrs. Jeannie Ahearn

EXISTING HOUSE



410  
S 47° 08' 36" W 7'

N 47° 08' 36" E 233.86'

CONSERVATION EASEMENT

EXISTING TREE LINE

ROCKVILLE RESUBD. BLOCK 'A'  
LOT # 3 31,244 sq ft  
0.717 AC

Lot 4

Lot 2

Lot 1

GRAVEL DRIVEWAY

PROPOSED GARAGE HOUSE / GARAGE

PROPOSED 2ND STORY  
HUTCH

PRIVATE DRIVEWAY

PRIVATE DRIVEWAY

END OF PUBLIC RIGHT OF WAY

50' RIGHT OF WAY

EXISTING GRAVEL ROADWAY

N O R T H

425  
40' R/W

Old  
Zooet House  
Approx.

S 71° 42' 51" W 55' 11"

425

420

415  
15' R/W

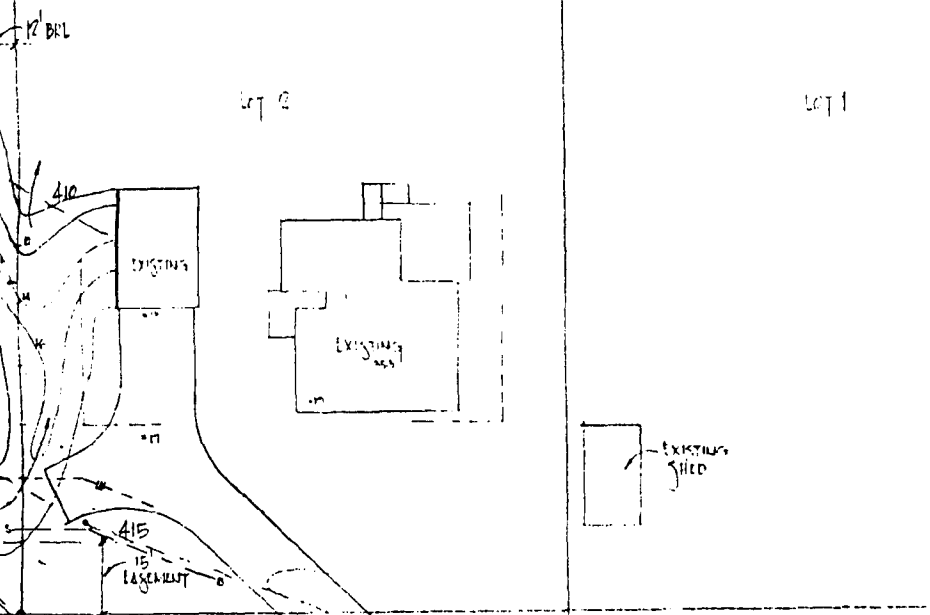
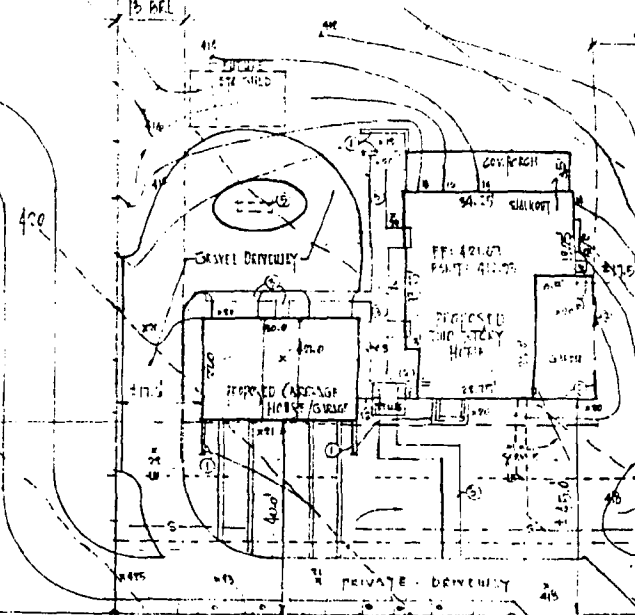
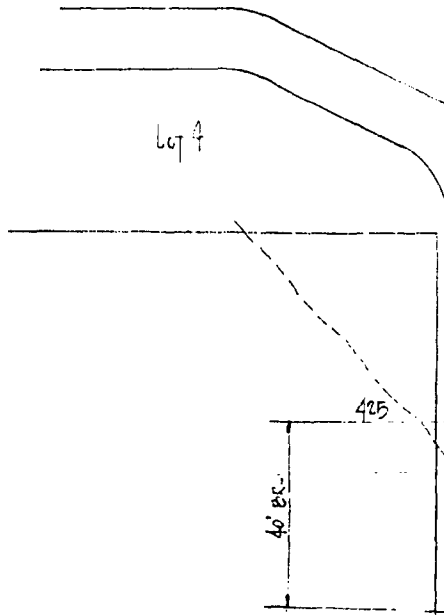
12' BFL

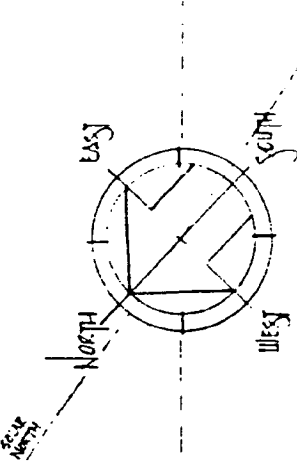
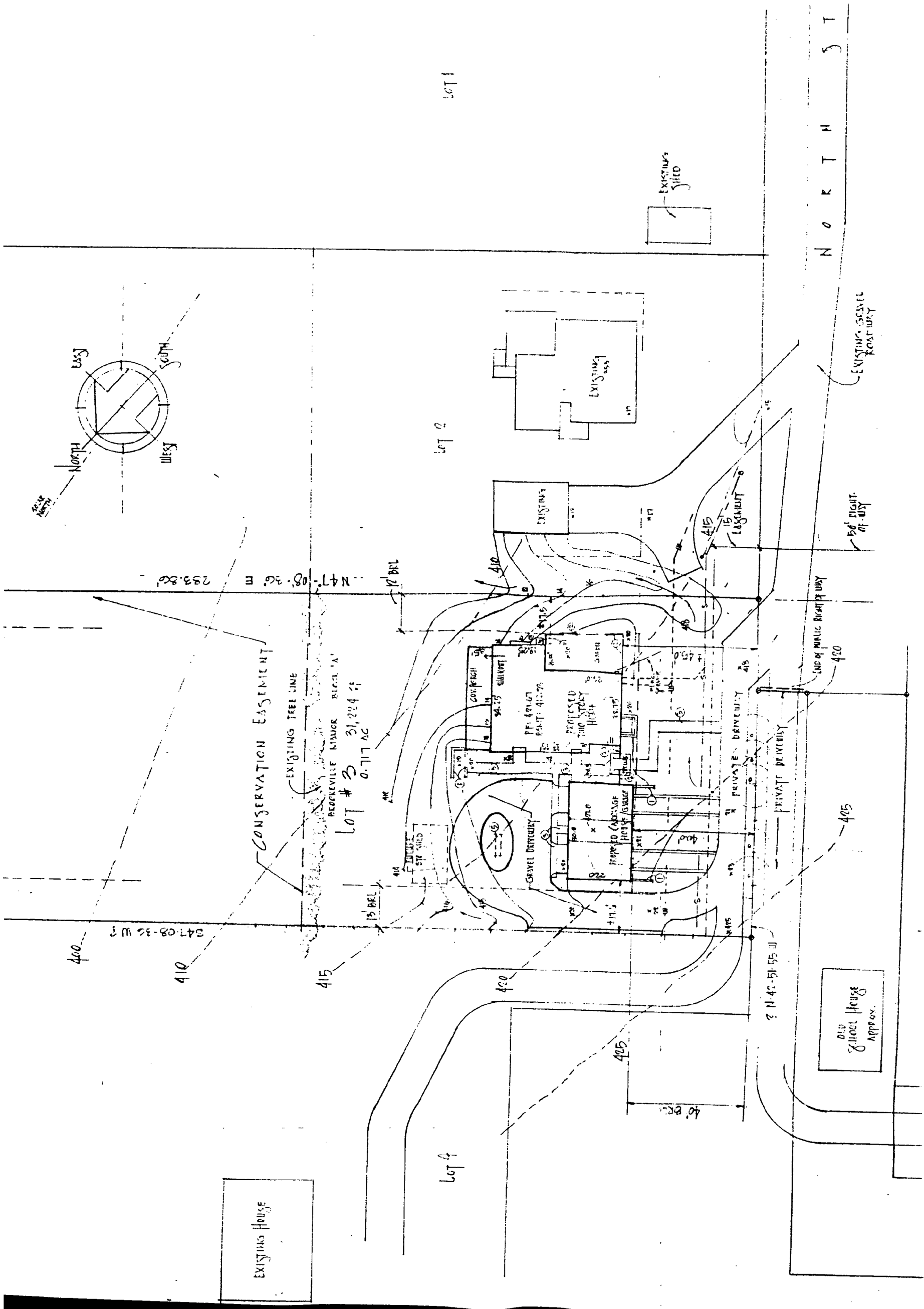
15' R/W

415

410

410





Existing House

EXISTING HOUSE APPROX.

EXISTING SHED

EXISTING EASEMENT ROOSTERY

50' RIGHT-OF-WAY

LAND OF PUBLIC RIGHT-OF-WAY

PRIVATE DRIVEWAY

PRIVATE DRIVEWAY

Lot 4

Lot 2

Lot 1

N O R T H S T

N47°08'36" E 293.86'

S47°08'35" W 3'

LOT # 3 0.717 AC

PROPOSED 2 STORY HOUSE

PROPOSED GARAGE

HORSE STABLE

EXISTING TREE LINE

CONSERVATION EASEMENT

EXISTING MASS

EXISTING

CRANET DRIVEWAY

CONCRETE

PROPOSED DRIVE

PROPOSED 2 STORY HOUSE

PROPOSED GARAGE

HORSE STABLE

EXISTING TREE LINE

CONSERVATION EASEMENT

EXISTING HOUSE APPROX.

EXISTING SHED

50' RIGHT-OF-WAY

LAND OF PUBLIC RIGHT-OF-WAY

PRIVATE DRIVEWAY

PRIVATE DRIVEWAY

40' EASE

400

410

415

420

425

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

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40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

40' EASE

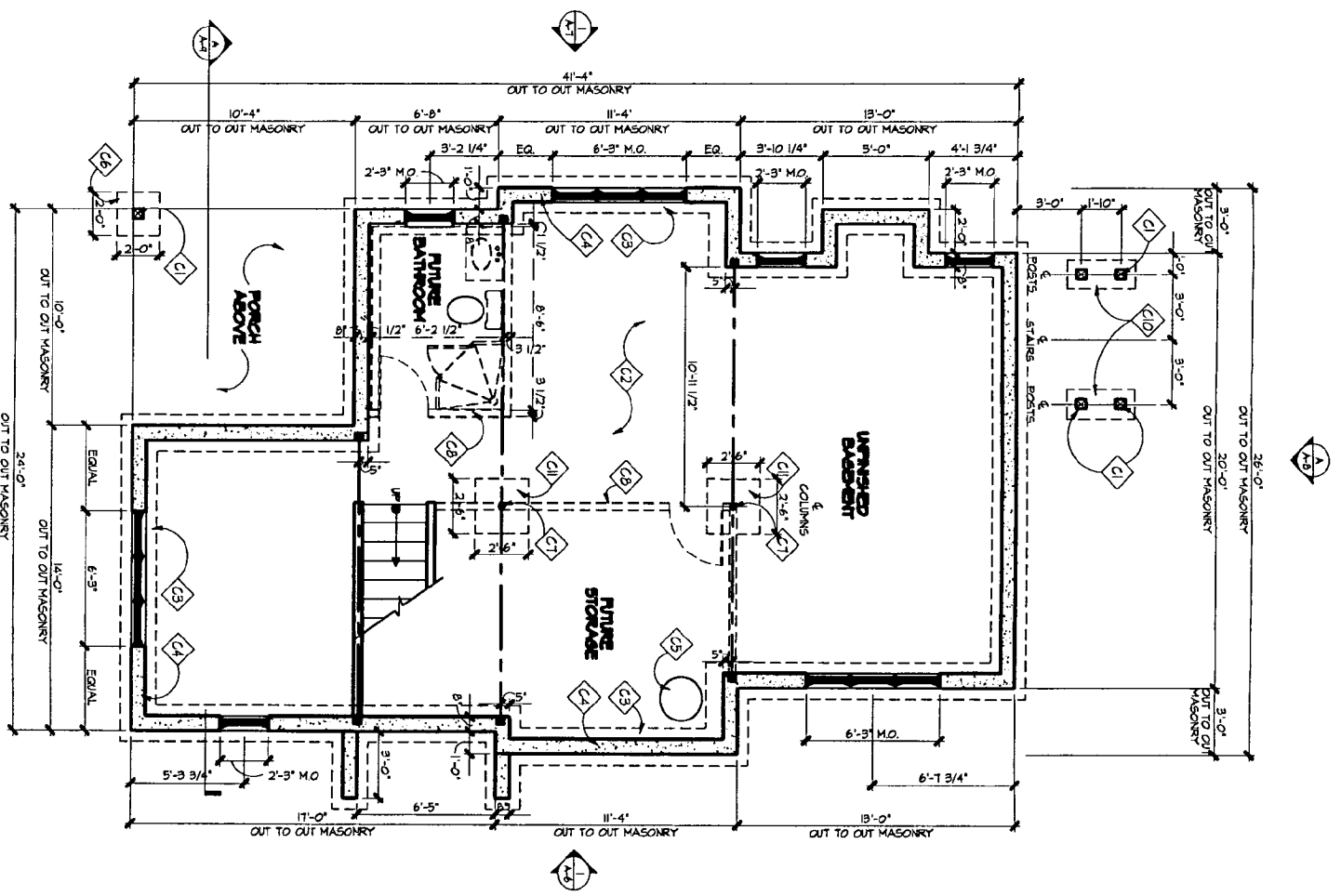
40' EASE

40' EASE

40' EASE







**1** BASEMENT/FOUNDATION PLAN  
 SCALE: 1/4"=1'-0"

**CONSTRUCTION NOTES**

- (1) 6x6 PRESS. TREATED POST, ABOVE
- (2) CONCRETE SLAB ON GRADE. REFER TO SPEC. SHEET FOR DETAILS
- (3) DOTTED LINE INDICATES 20" WIDE x 10' DEEP CONTINUOUS CONCRETE FOOTING. REFER TO ELEVATIONS FOR TOP OF FOOTING ELEVATION.
- (4) 8" CONCRETE FOUNDATION WALL W/4 BARS VERTICALLY & HORIZONTALLY TO CODE.
- (5) SUMP PUMP.
- (6) 2'-0" x 2'-0" x 1'-0" CONCRETE FOOTING W/ (3) #4 EACH WAY 3" FROM BOTTOM.
- (7) 3" DIA. STD. PIPE MIN. ALLOW LOAD @ 4'-0" = 25,000 LBS. WITH 5/8" CAP PLATE AND 5/8" x 1" x 10" BASE PLATE OVER 3/4" GROUT W/ (2) 5/8" 6XP BOLTS W/ 6" EMBED.
- (8) DOTTED LINES INDICATES FUTURE WALLS
- (9) BEAM ABOVE. SEE FRAMING PLANS
- (10) 1'-4" x 3'-2" x 8" DEEP CONCRETE FOOTING, 2" BELOW GRADE.
- (11) 2'-6" x 2'-6" x 1'-0" CONCRETE FOOTING W/ (4) #4 EACH WAY 3" FROM BOTTOM.

**GTM**  
 ARCHITECTS  
 1040 ARBORY AVENUE  
 KENSINGTON, MD 20895  
 (301)412-4662  
 (301)412-5924 FAX

3922 BALTIMORE ST.  
 KENSINGTON, MD 20895  
**BASEMENT/FOUNDATION PLAN**

**ELLISON CORP.  
 NEW HOUSE**

APPROVED  
 Montgomery County  
 Historic Preservation Commission

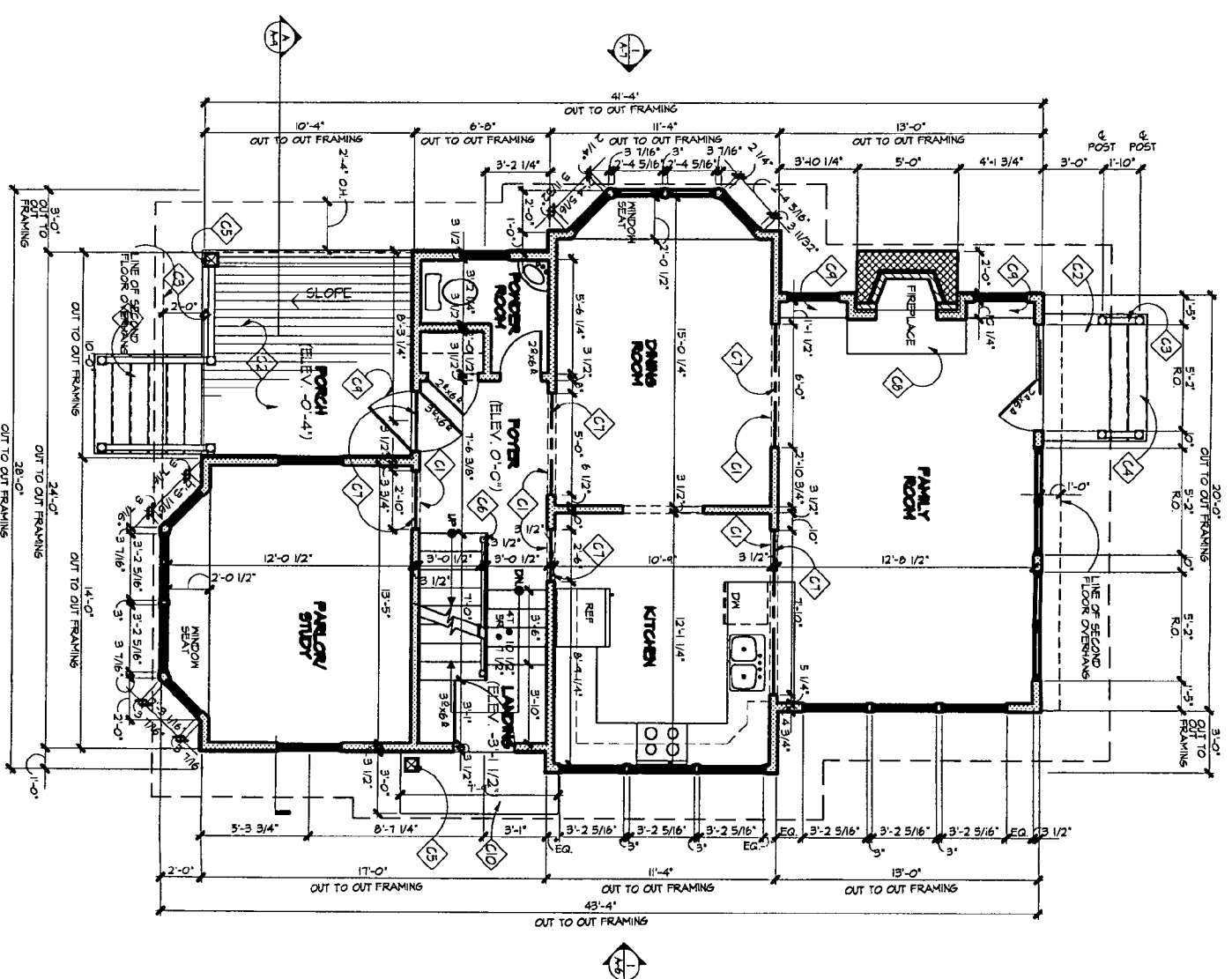
*[Signature]*  
 6/30/20

**NOTE:**  
 UNLESS NOTED OTHERWISE, DIMENSIONS ON INTERIOR AND EXTERIOR WALLS ARE TO FACE OF FRAMING. VERIFY ALL EXTERIOR RISER AND TREAD DIMENSIONS IN FIELD.

REVISIONS:	
SEAL:	
DRAWN BY:	DER
CHECKED BY:	GTM
SCALE:	1/4"=1'-0"
DATE:	6/4/2000
PROJECT NO.:	00005
DRAWING NO.:	

**A-1**





**1** FIRST FLOOR PLAN  
SCALE: 1/4"=1'-0"

**CONSTRUCTION NOTES**

- (C1) CASED OPENINGS
- (C2) BACK PRIMED & PAINTED T&G PINE PORCH FLOOR. SLOPE TO FRONT 1/8"
- (C3) PAINTED WOOD RAILING SYSTEM, SEE ELEVATION
- (C4) 5/4 x 12 STAIR TREADS W/ 1x PAINTED RISERS/ FIELD VERIFY RISE & RUN (TREADS TO BE PAINTED)
- (C5) 6x6 POST W/IN COLUMN FOR BEAM SUPPORT. SEE FRAMING PLAN. POST TO BE SOLID SOUTHERN YELLOW STRUCTURAL NO BUILT-UP STUDS ALLOWED. WRAP COLUMN IN TRIM, SEE ELEVATION.
- (C6) RAILING SYSTEM SYSTEM TO BE SELECTED.
- (C7) HEADER ABOVE, SEE FRAMING PLANS.
- (C8) HEARTH MATERIAL TO BE SELECTED.
- (C9) BUILT-IN SHELVES.
- (C10) CONCRETE STOOP ON GRADE.

**WALL TYPES**

- (W1) TYPICAL EXTERIOR WALL, 2 x 4 WOOD STUDS 16" O.C. W/ R-13 INSULATION & W/ VAPOR BARRIER 1/2" OSB SHEATHING, TYVEK BUILDING WRAP & PAINTED SIDING AND/OR CEDAR SHINGLES. INTERIOR FINISH TO BE GYP. BD. (1/2").
- (W2) TYP. INTERIOR PARTITION 2"x4" STUDS 16" O.C. W/ 1/2" GYP. BD. EACH SIDE.

APPROVED  
Montgomery County  
Historic Preservation Commission

*[Signature]*  
6/30/00

**ELLISON CORP.  
NEW HOUSE**

3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
FIRST FLOOR PLAN

**GTM**  
ARCHITECTS  
6045 ARBORY AVENUE  
KENSINGTON, MD, 20895  
301-424-3934 FAX

REVISIONS:	
SEAL:	
DRAWN BY:	DER
CHECKED BY:	GT1
SCALE:	1/4"=1'-0"
DATE:	6/9/2000
PROJECT NO:	00005
DRAWING NO:	A-2

**CONSTRUCTION NOTES**

- ① RAILING TO BE SELECTED.
- ② CLOSET SHELVES & RODS TO BE SELECTED.
- ③ VANITY TO BE SELECTED.
- ④ 1/4" POLISHED FLATE GLASS MIRROR FROM TOP OF SPLASH TO 7'-0", FILL MIDTH OF MALL.
- ⑤ 4x4 POST WITHIN MALL, SEE FRAMING PLANS.
- ⑥ HALF WALL @ 36" A.F.F.

**GTM**  
ARCHITECTS

1048 ARNOLD AVENUE  
BETHESDA, MD 20814  
(301)443-2904 FAX


3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
SECOND FLOOR PLAN

**ELLISON CORP.  
NEW HOUSE**

REVISIONS:

SEAL:

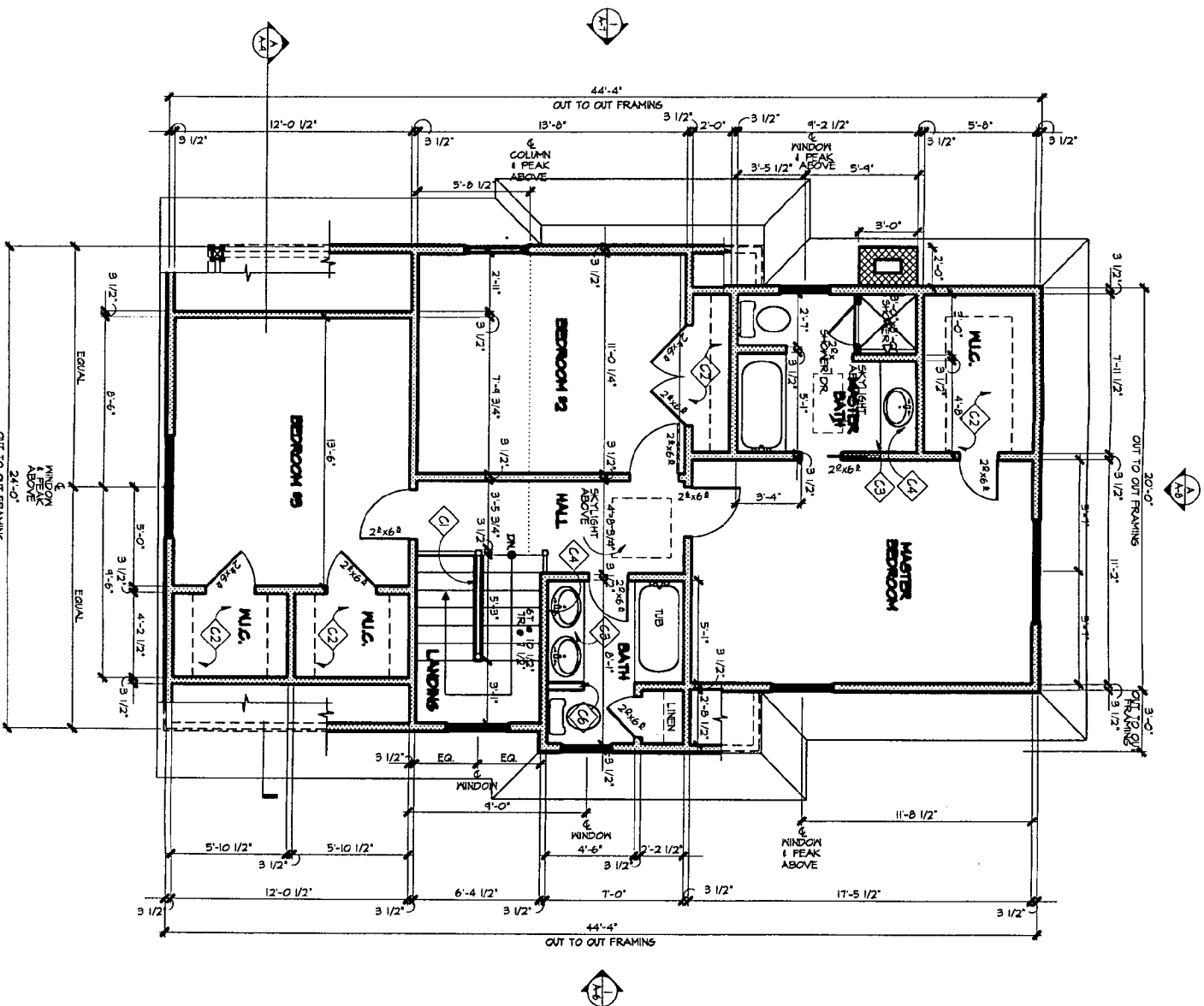
APPROVED  
Montgomery County  
Historic Preservation Commission



6/30/00

**WALL TYPES**

- ① TYPICAL EXTERIOR WALL, 2 X 4 WOOD STUDS 16" O.C. W/ R-13 INSULATION & W/ VAPOR BARRIER 1/2" OSB SHEATHING TYPICAL BUILDING WRAP & PAINTED SIDING AND/OR CEDAR SHINGLES. INTERIOR FINISH TO BE GYP. BD. (1/2")
- ② TYP. INTERIOR PARTITION, 2 X 4" STUDS 16" O.C. W/ 1/2" GYP. BD. EACH SIDE.

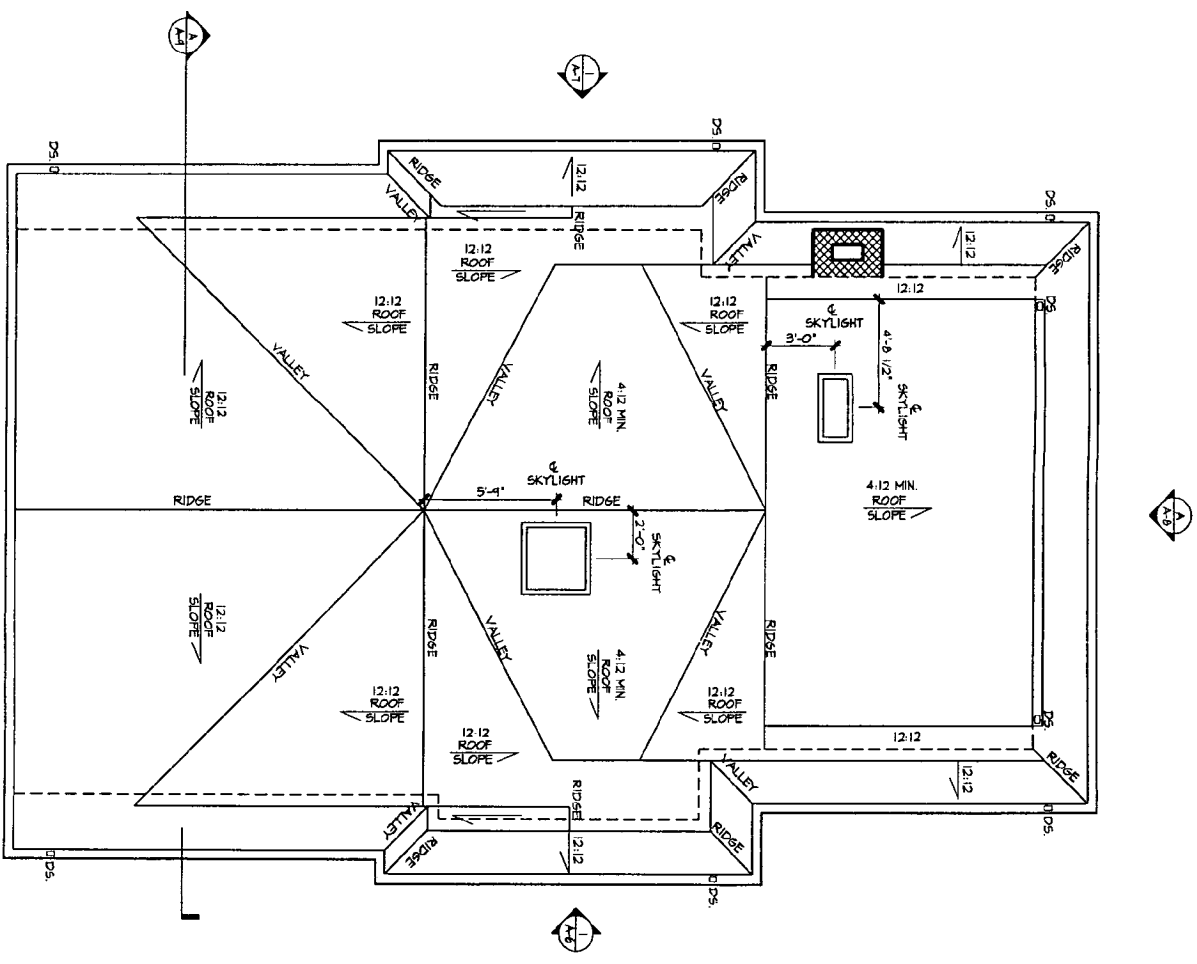


**1 SECOND FLOOR PLAN**  
SCALE: 1/4"=1'-0"

**A-3**

DRAWING NO. 00005  
DATE: 6/19/2000  
PROJECT NO. 00005

DRAWN BY: DER  
CHECKED BY: GTM  
SCALE: 1/4"=1'-0"



**1 ROOF PLAN**  
SCALE: 1/4"=1'-0"

**GENERAL ROOFING NOTES**

- ◊-1 ASPHALT/FIBERGLASS ROOF SHINGLES, TO BE SELECTED.
- ◊-2 RIDGE VENTS BY "ROLL VENT" OR APPROVED EQUAL, TYPICAL ALL RIDGES.
- ◊-3 SKYLIGHTS PROVIDE CURBS AS RECOMMENDED BY SKYLIGHT MANUFACTURER. VERIFY.

**GENERAL ROOFING NOTES**

- 1. PROVIDE WEATHER GUARD UNDERLAYMENT UNDER SHINGLES @ ALL VALLEYS, @ ALL PERIMETER AREAS (3'-0" BACK FROM FASCIA), AND ON ALL AREAS W/ SLOPE LESS THAN 4:12.

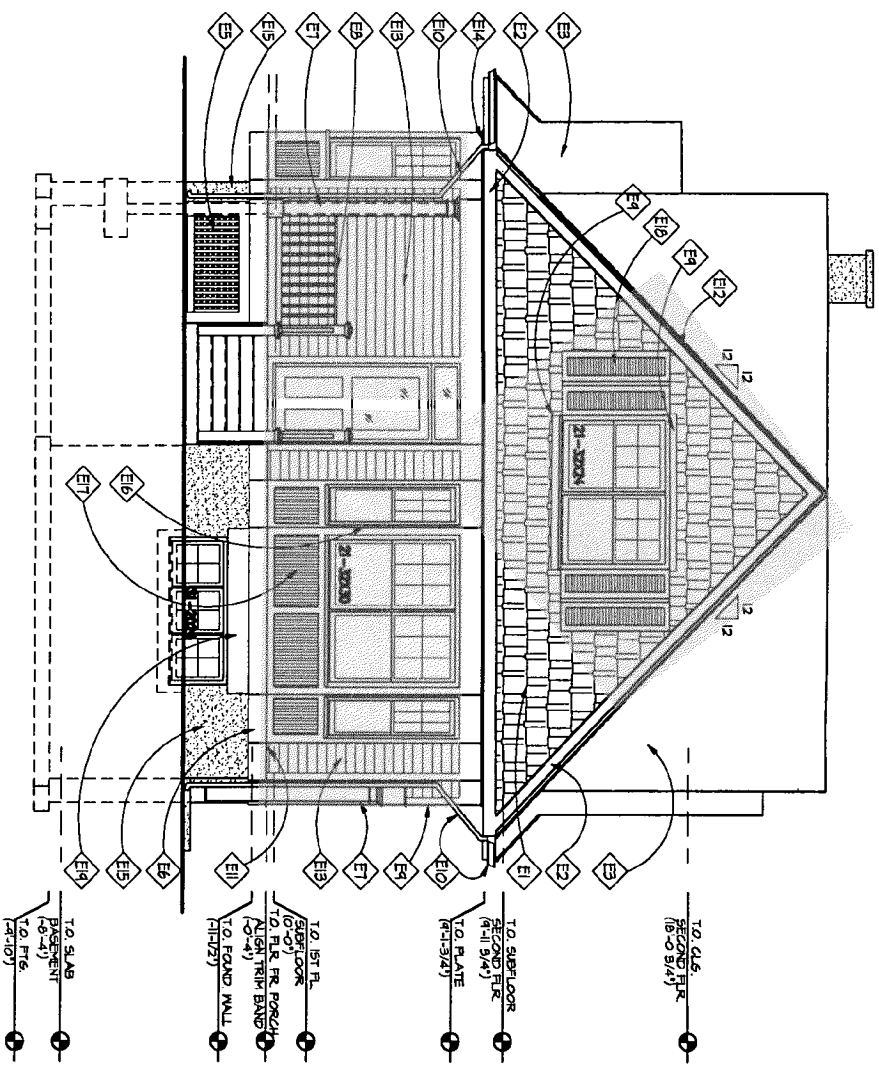
**GTM**  
ARCHITECTS  
10415 ARNOLD AVENUE  
KENSINGTON, MD 20895  
(301)442-2002  
(301)442-2904 FAX

3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
**ROOF PLAN**

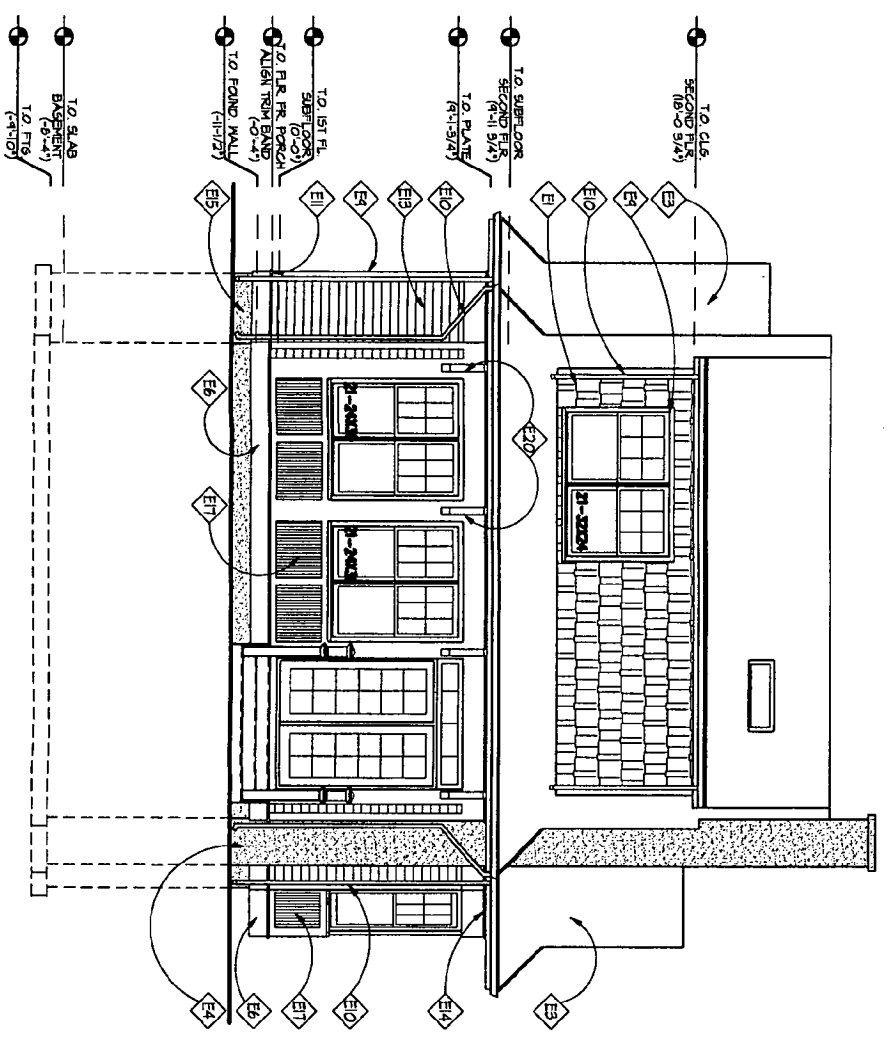
**ELLISON CORP.  
NEW HOUSE**

APPROVED  
Montgomery County  
Historic Preservation Commission  
*[Signature]*  
6/30/00

DRAWN BY: DER  
CHECKED BY: GTM  
SCALE: 1/4"=1'-0"  
DATE: 6/4/2000  
PROJECT NO: 00005  
DRAWING NO:  
**A-4**



**1** NORTH ELEVATION  
SCALE: 1/4"=1'-0"



**2** SOUTH ELEVATION  
SCALE: 1/4"=1'-0"

**ELEVATION NOTES**

- E1 PAINTED CEDAR SHINGLES
- E2 5/8"X8 SQUARE TRIM, TYPICAL
- E3 ASPHALT/FIBERGLASS SHINGLES TO BE SELECTED
- E4 STUCCO CHIMNEY
- E5 LATTICE PANEL ON PRESS. TREATED 2X4 FRAME; W/4" FTD. STOPS
- E6 5/8"X8 FTD. TRIM BAND, ALIGN W/ 2X4 JOISTS & FRONT PORCH
- E7 SQUARE COLUMN FROM 1/2" (WRAP 6x6 POST)
- E8 PAINTED RAILING SYSTEM, 5/8"X40 2" SQUARE POST, 5/8"X40 1"X1" SQUARE PICKETS, UN-237
- E9 5/8"X4 FTD. TRIM & WINDOWS AND CORNER RIM
- E10 WHITE ALUM. DOWNPOUTS & GUTTERS
- E11 DRIP CAP, SMOOT #M-417
- E12 1/2" TRIM
- E13 PAINTED SIDING
- E14 CROWN, M-44
- E15 CONCRETE FOUNDATION WALL
- E16 5/4" TRIM QTR TO FIT & BAY WINDOWS
- E17 BEAD BOARDED PANEL, W/ 1/2" QTR. RD. TRIM (BACK PRIMED)
- E18 PAINTED WOOD SHUTTERS
- E19 1" TRIM TO COVER HEADER ABOVE BASEMENT WINDOW
- E20 PAINTED BRACKETS

**GTM**  
ARCHITECTS  
1045 ARNOFF AVENUE  
KENSINGTON, MD 20895  
(301)422-2402  
(301)422-2423  
(301)422-2424 FAX

3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
NORTH ELEVATION

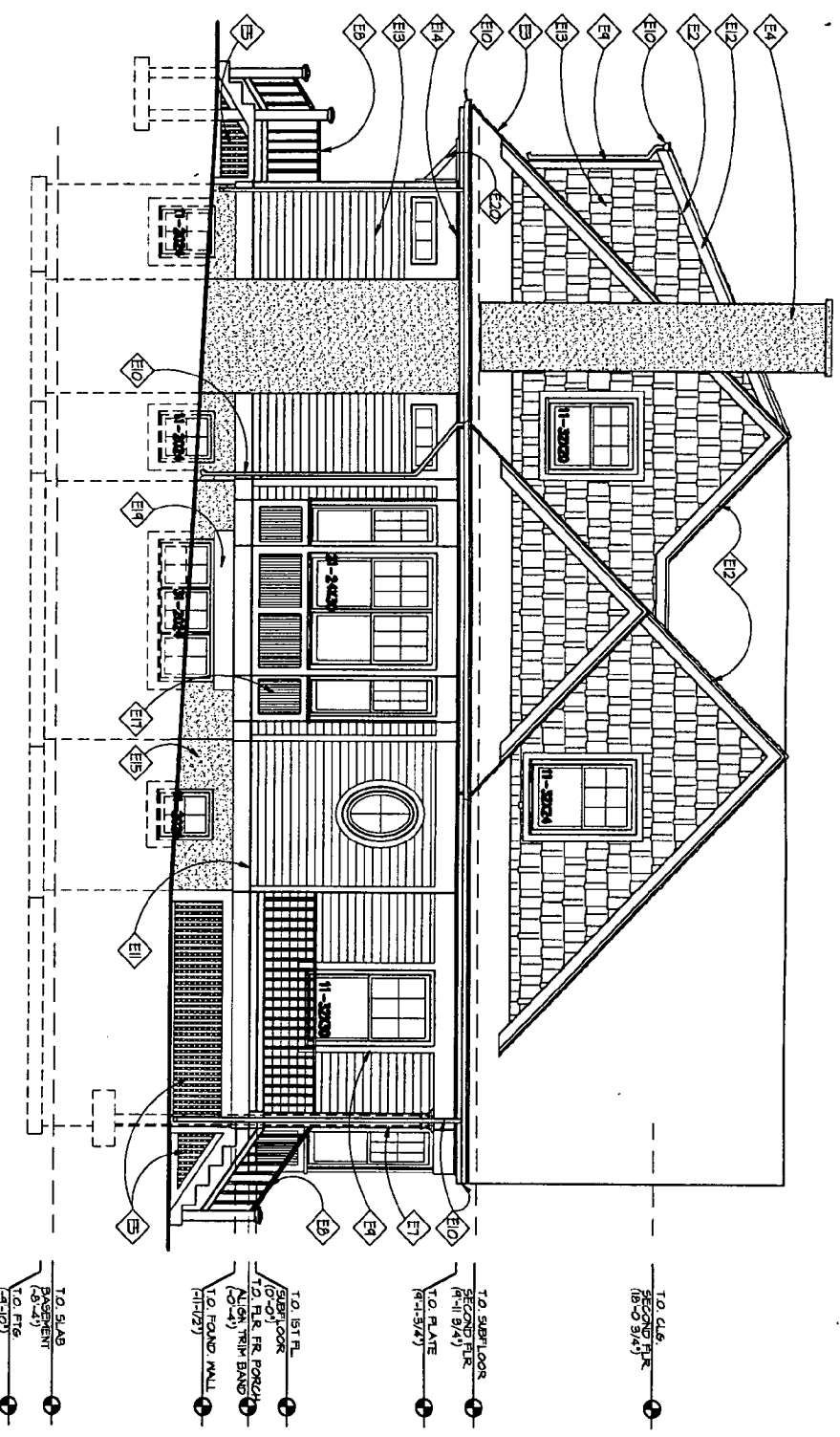
**ELLISON CORP.  
NEW HOUSE**

APPROVED  
Montgomery County  
Historic Preservation Commission

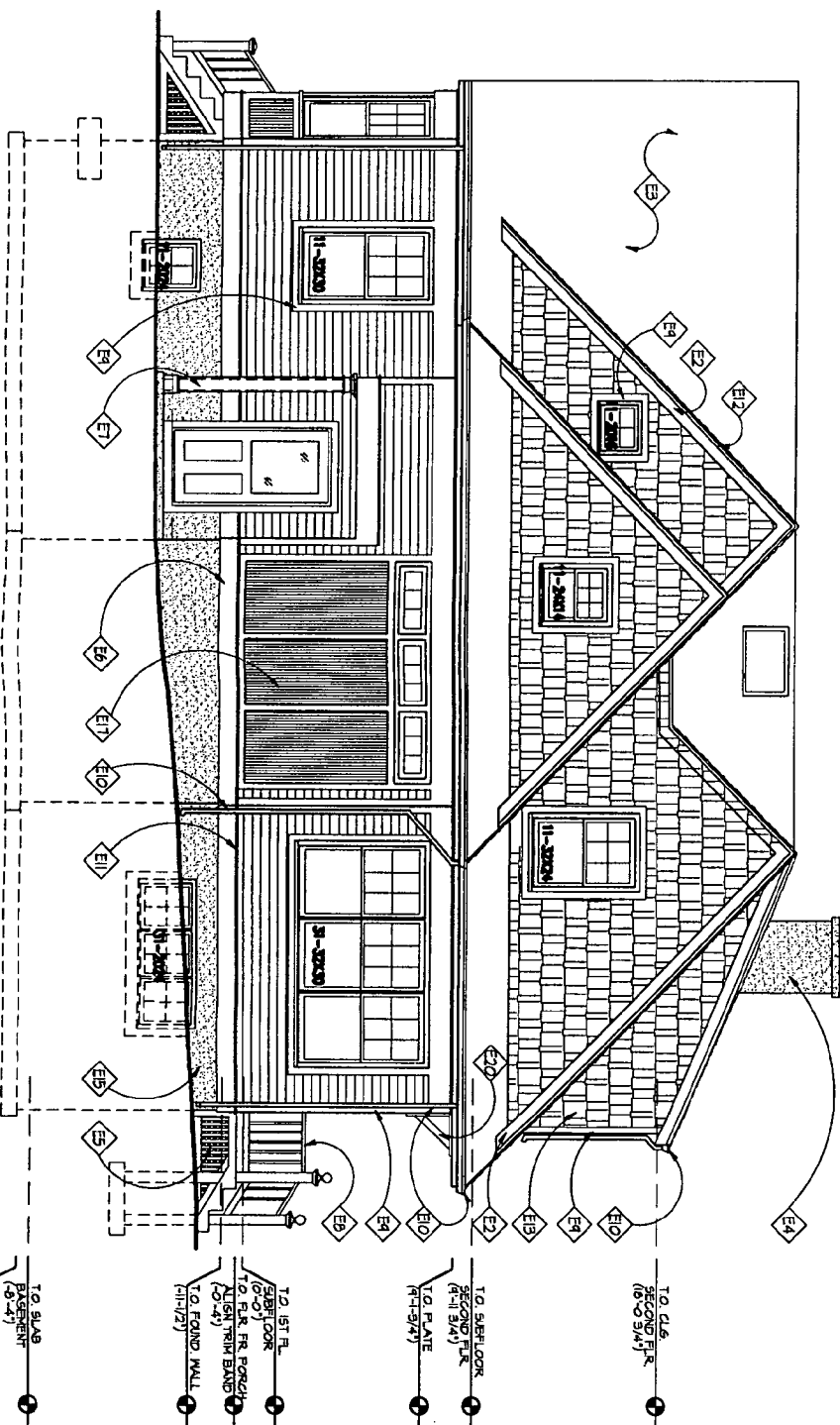
*[Signature]*  
10/20/02

NOTE:  
WINDOW SIZES INDICATED ARE BASED ON  
REARRENDERING DOWNSHOTS NUMBERS  
(DOUBLE-LINE TILT)

DRAWN BY:	DER
CHECKED BY:	GTM
SCALE:	1/4"=1'-0"
DATE:	6/1/2000
PROJECT NO.:	00005
DRAWING NO.:	A-5



**1 EAST ELEVATION**  
SCALE: 1/4"=1'-0"



**2 WEST ELEVATION**  
SCALE: 1/4"=1'-0"

**ELEVATION NOTES**

- E1 PAINTED CEDAR SHINGLES
- E2 5/8"X6 GABLE TRIM, TYPICAL
- E3 ASPHALT/FIBERGLASS SHINGLES TO BE SELECTED.
- E4 STUCCO CHIMNEY
- E5 LATTICE PANEL ON PRESS. TREATED 2X4 FRAME; W/4X PTD. STOPS
- E6 5/8"X6 PTD. TRIM BAND, ALIGN W/ 2X10 JOISTS & FRONT PORCH
- E7 SQUARE COLUMN FROM IHD (WRAP 6x6 POST).
- E8 PAINTED RAILING SYSTEM, 64-8840 TOP RAIL, SHOOT & SW-4284 BOT. RAIL, SHOOT & LHM-2871 FIBERGLASS
- E9 5/8"X4 PTD. TRIM & WINDOWS AND CORNER TRIM
- E10 WHITE ALUM. DOWNPOUTS & GUTTERS
- E11 DRIP CAP SHOOT 6W-4171
- E12 1/2" TRIM
- E13 PAINTED SIDING
- E14 GROWN MW-44
- E15 CONCRETE FOUNDATION WALL
- E16 5/4" TRIM CUT TO FIT & BAY WINDOWS
- E17 BEAD BOARD PANEL, W/ 1/2" GTR. RD. TRIM.
- E18 PAINTED WOOD SHUTTERS.
- E19 1" TRIM TO COVER HEADER ABOVE BASEMENT WINDOW
- E20 PAINTED BRACKETS

NOTE:  
MINIMUM SIZES INDICATED ARE BASED ON  
MEASURED IN PLACE CATALOG NUMBERS.  
(DOUBLE-HUNG TILT)

APPROVED  
Montgomery County  
Historic Preservation Commission  
*[Signature]*  
6/30/00


**ELLISON CORP.  
NEW HOUSE**

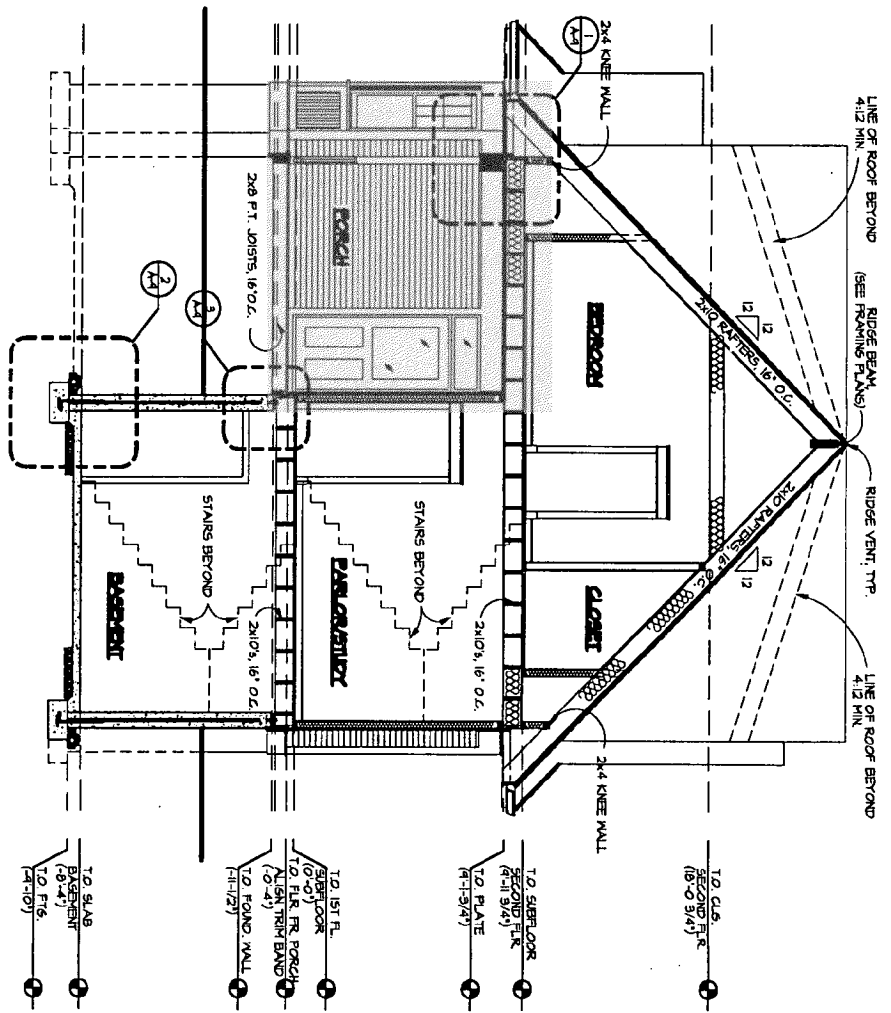
3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
**ELEVATIONS**

**GTJM**  
ARCHITECTS  
1018 ARMY AVE.  
KENSINGTON, MD 20895  
301-461-2821 FAX  
301-461-2821 FAX

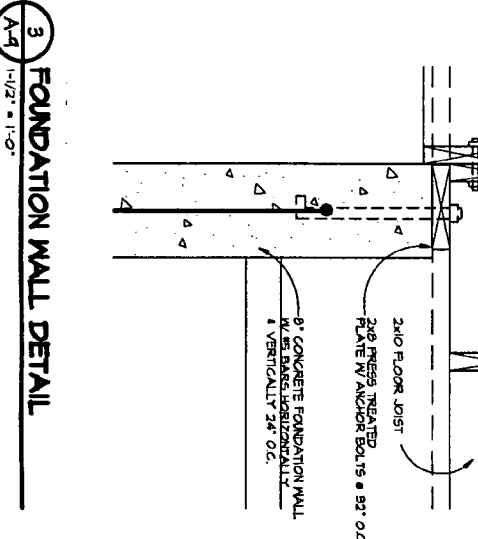
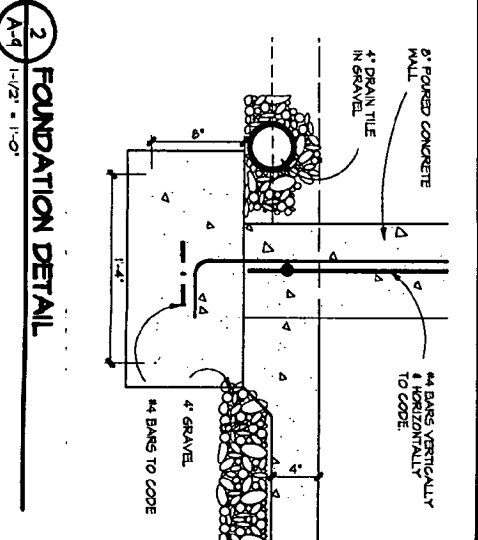
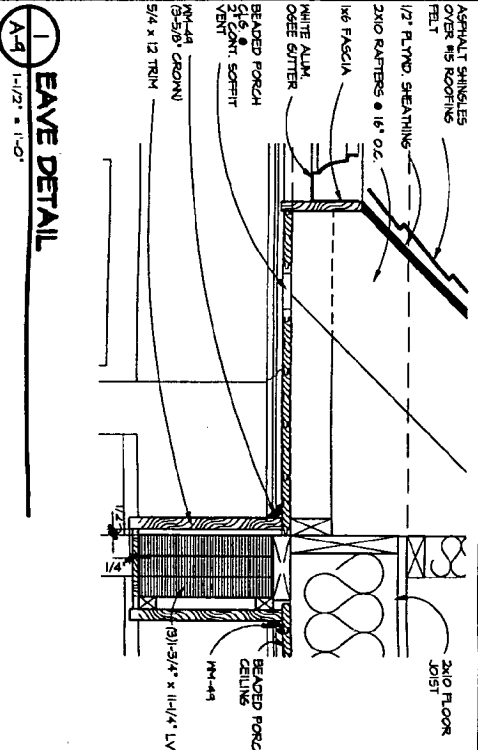
DRAWN BY: DIER  
CHECKED BY: GTM  
SCALE: 1/4"=1'-0"  
DATE: 6/19/2000  
PROJECT NO: C00005  
DRAWING NO: A-6

**ELLISON CORP.  
 NEW HOUSE**

APPROVED  
 Montgomery County  
 Historic Preservation Commission  
  
 6/30/00



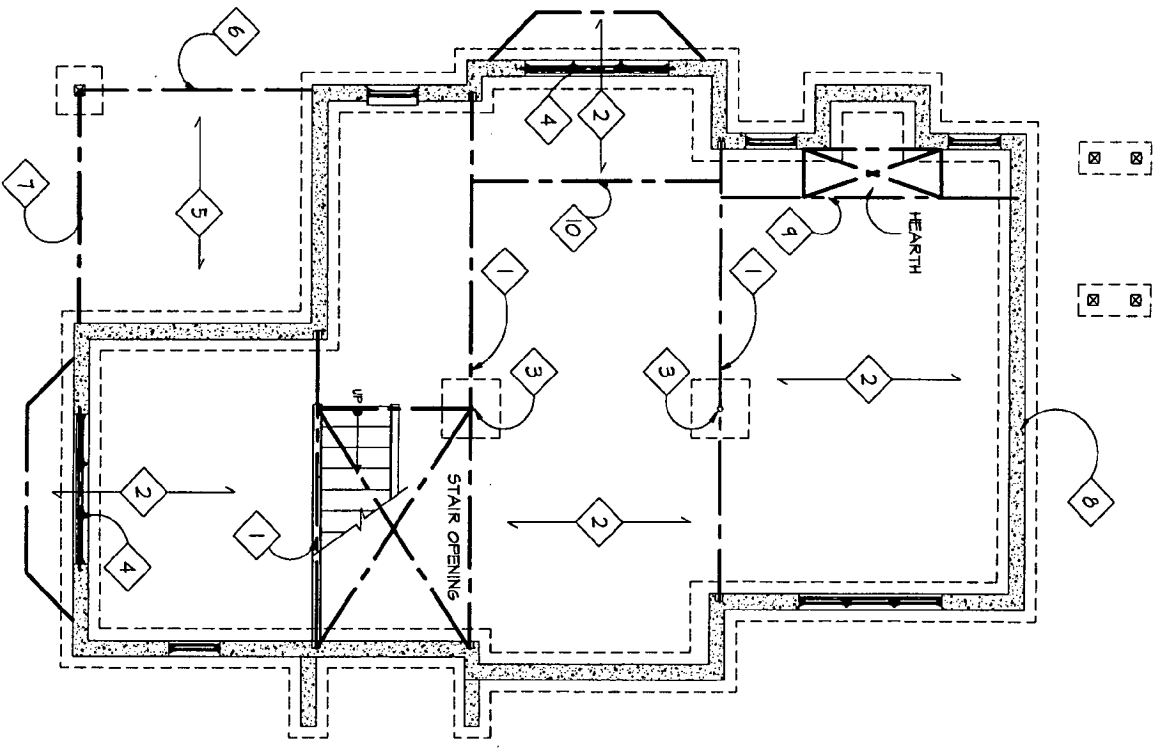
**A SECTION**  
 1/4" = 1'-0"



REVISIONS:	
SEAL:	
DRAWN BY:	DER
CHECKED BY:	GTM
SCALE:	AS NOTED
DATE:	6/4/2000
PROJECT NO.:	00005
DRAWING NO.:	

# FRAMING NOTES

- 1 MBXIS, MAX SPAN 13'-0"
- 2 2X10 FLOOR JOIST @ 16" O.C.
- 3 COLUMN BELOW, 3" DIA. STEEL PIPE COLUMNS, SEE A-1
- 4 HEADER ABOVE WINDOW BELOW  
(2) 1-5/4" x 4-1/4" LVL.
- 5 CCA 2x6's @ 16" O.C.
- 6 2- CCA 2X10 BEAMS
- 7 2X10 BAND
- 8 4'-0"x 1/2" HIGH, 8" THICK CONCRETE WALL W/ #4 @ 12" VERTICAL,  
1'-0" 1/2" HIGH GRADE
- 9 (2) 2X10's
- 10 (3) 2X10's



**1 FIRST FLOOR FRAMING PLAN**  
A-8 SCALE: 1/4"=1'-0"

**GTM**  
ARCHITECTS

1048 ARBOR AVE. E.  
KENSINGTON, MD 20895  
(301)442-4062  
(301)442-3024 FAX

3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
FRAMING PLANS

**ELLISON CORP.  
NEW HOUSE**

APPROVED  
Montgomery County  
Historic Preservation Commission

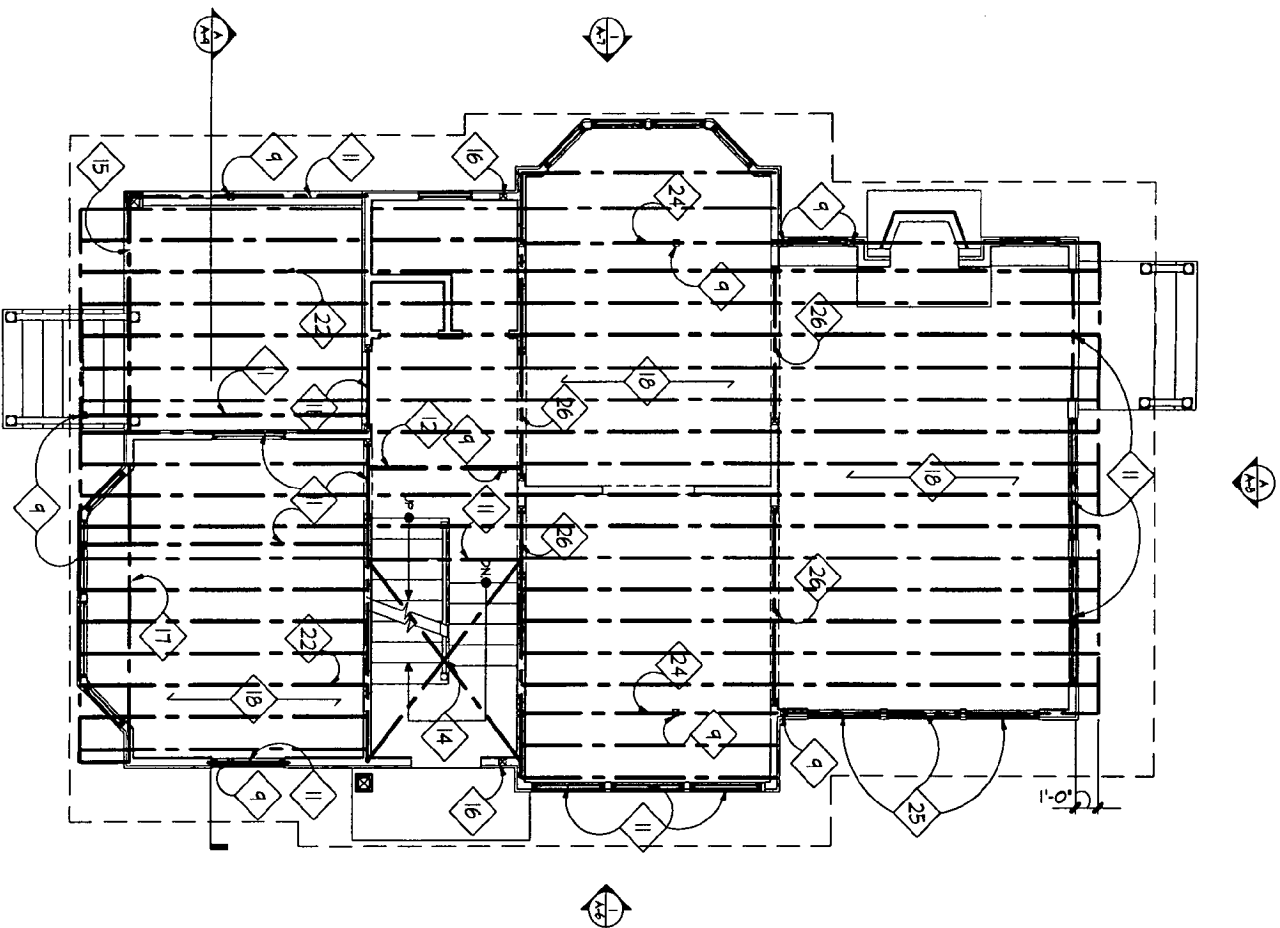
*[Signature]*  
6/30/05

DRAWN BY: DER  
CHECKED BY: GTM  
SCALE: 1/4"=1'-0"  
DATE: 6/4/2000  
PROJECT NO.: 00005  
DRAWING NO.:

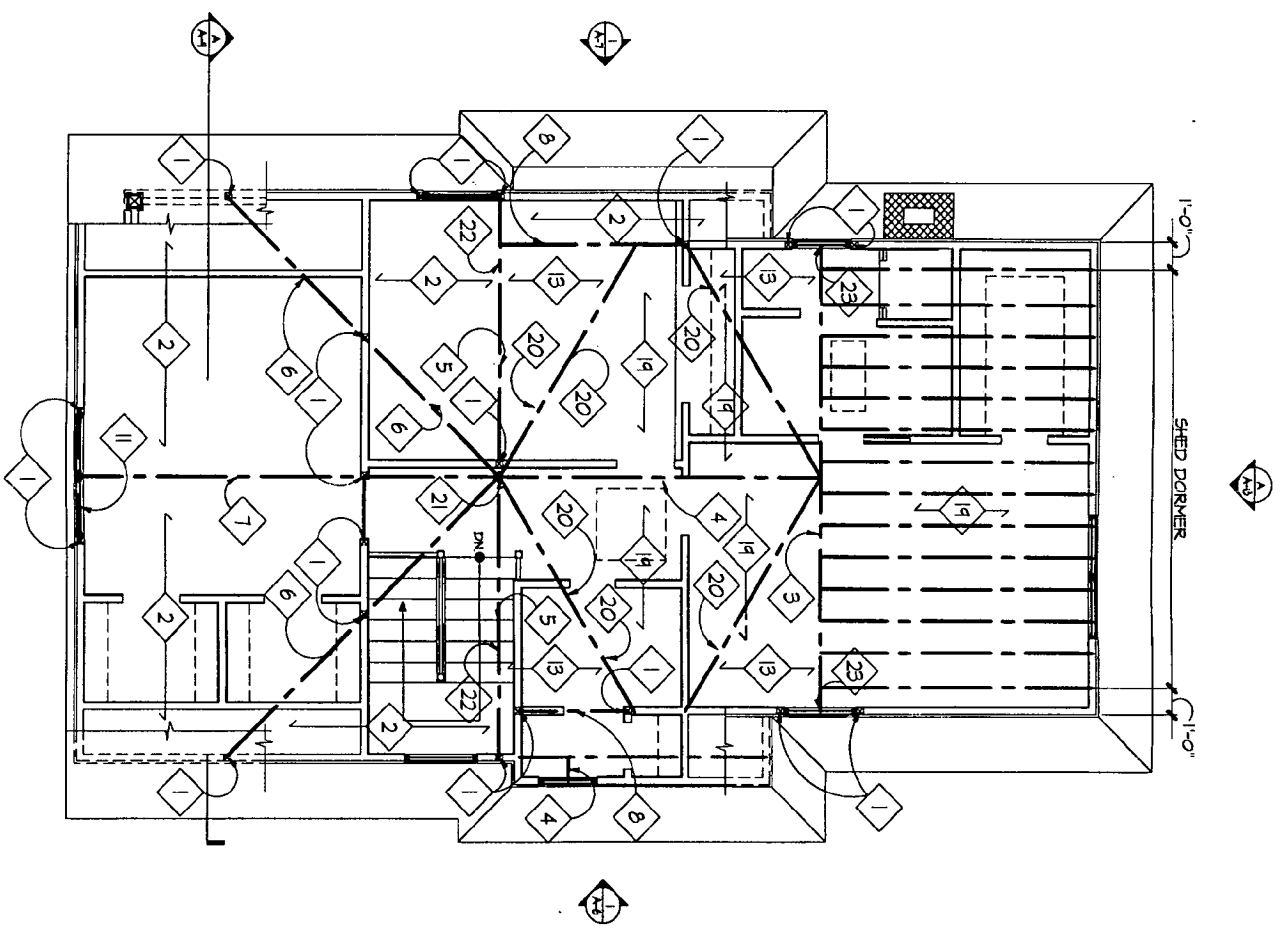
**A-8**

# FRAMING NOTES

- 1 4x4 POST WITHIN WALL BELOW
- 2 2x10 RAFTERS @ 16" O.C., 12/12 PITCH.
- 3 BEAM BELOW (2) 1-3/4" x 14" LVL, BOTTOM OF BEAM TO ALIGN W/ BOTTOM OF CEILING JOISTS, BUILD KNEE WALL UP TO RAFTERS.
- 4 2 x 12 RIDGE
- 5 RIDGE BEAM (2) 1-3/4" x 4-1/2" LVL, 12' SPAN, BOTTOM OF BEAM @ BOTTOM OF CEILING JOISTS, BOTTOM OF KNEE WALL UP TO RAFTERS.
- 6 VALLEY BEAM (2) 2x12
- 7 RIDGE BEAM (2) 2x12
- 8 (2) 2x10's @ BOTTOM OF BEAM TO ALIGN W/ BOTTOM OF CEILING JOISTS
- 9 4x4 POST ABOVE
- 10 (2) 1 3/4" x 4 1/4" LVL, IN SAME PLANE AS FLOOR JOIST.
- 11 (2) 2x10's
- 12 (2) 1-3/4" x 4-1/4" LVL, IN SAME PLANE AS JOISTS.
- 13 2x10 RAFTERS @ OVERBUILT, 12/12 PITCH.
- 14 STAIR OPENING
- 15 (2) 1-3/4" x 11-1/4" LVL @ PORCH, BELOW FLOOR JOISTS.
- 16 4x4 POST, ABOVE & BELOW
- 17 (2) 1-3/4" x 11-1/4" LVL, BELOW FLOOR JOISTS.
- 18 2 X10 FLOOR JOISTS @ 16" O.C.
- 19 2x10 RAFTERS & CEILING JOISTS, 5/12 PITCH.
- 20 2x10 VALLEY PLATE, NAIL OVER 2x10 RAFTERS BELOW.
- 21 POST FROM SUPPORTING RIDGE BEAM (22), & VALLEY BEAMS (6), DOWN TO BEAM (5).
- 22 (2) 2x10's UNDER KNEE WALL
- 23 (2) 2x8's
- 24 (3) 2x10's, IN SAME PLANE AS JOISTS.
- 25 (2) 1 3/4" x 4 1/4" LVL
- 26 (2) 2x12's, HEADER BELOW JOISTS.



1 SECOND FLOOR FRAMING PLAN  
A-9 SCALE: 1/4"=1'-0"



2 ROOF FRAMING PLAN  
A-9 SCALE: 1/4"=1'-0"

**GTM**  
ARCHITECTS  
1049 ARBORY AVENUE  
KENSINGTON, MD 20895  
301-442-4042  
301-442-5924 FAX

3922 BALTIMORE ST.  
KENSINGTON, MD 20895  
FRAMING PLANS

**ELLISON CORP.  
NEW HOUSE**

REVISIONS:  
DATE: 6/14/2000  
PROJECT NO. 000005  
DRAWING NO. A-9

APPROVED  
Montgomery County  
Historic Preservation Commission  
*[Signature]*  
6/20/00

DRAWN BY: DIER  
CHECKED BY: GTM

SCALE: 1/4"=1'-0"

DATE: 6/14/2000

PROJECT NO. 000005

DRAWING NO. A-9



**A WARM WELCOME TO  
3922 BALTIMORE STREET  
KENSINGTON, MARYLAND 20895**



**RARE OPPORTUNITY**

This new construction in Historic District of Kensington offers you an inviting floorplan, top quality craftsmanship and materials. The owner of the lot personally chose Ellison Construction to build this home because of their uncompromising attention to detail, standard of construction and experience in historic areas.

Natural daylight fills all three levels of this charming home. A parlor, formal dining room, gourmet kitchen with granite counter tops and large family room accommodate comfortable family living or gracious entertaining. This home offers a total of four bedrooms and three and one half baths. The lower level with two activity areas, a bedroom and full bath is a possible separate living area.

What a perfect blend of replicated historic and up to date features! You will find two masonry fireplaces, custom wood paneling with a plate rail, skylights, "Jacuzzi" tub, tray ceilings, shaker style cabinets, stainless steel Amana appliances, a unique niche on the stairway and so much more. In the garden there is even a restored "auto house".

You can invest your time and money in "this old house" or choose this home with all the charm and none of the work and worry.

**Offered for Sale at \$599,500**

Jeanie Ahearn  
301-215-4741

Long and Foster

Sterling Mehring  
301-585-2600

# PROPOSED HOUSE LOCATION GRADE & LANDSCAPE PLAN LOT 25 BLOCK 11 KENSINGTON PARK MONTGOMERY COUNTY, MARYLAND

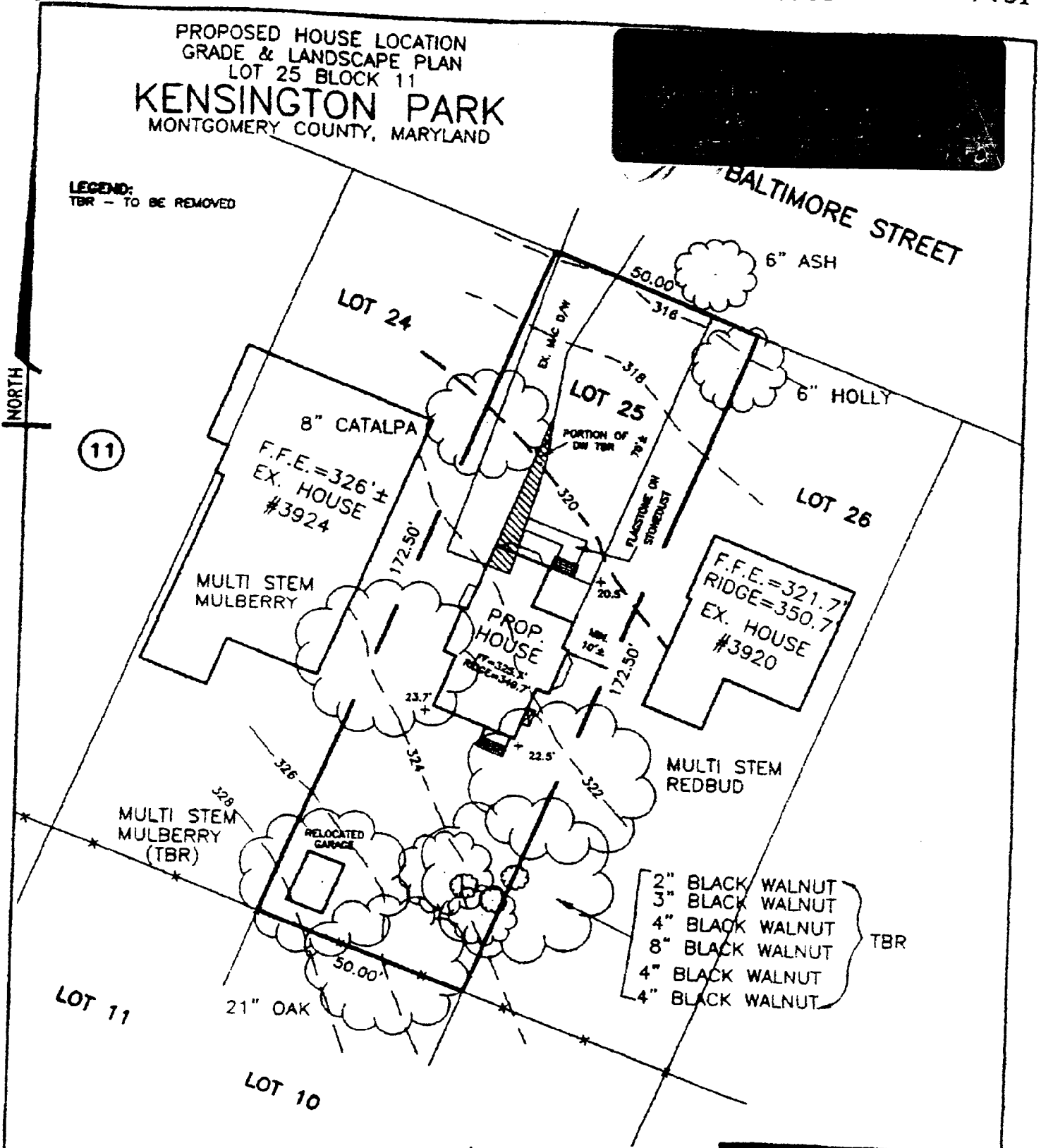


**LEGEND:**  
TBR - TO BE REMOVED

NORTH

11

BALTIMORE STREET



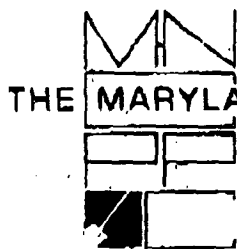
- 2" BLACK WALNUT
  - 3" BLACK WALNUT
  - 4" BLACK WALNUT
  - 8" BLACK WALNUT
  - 4" BLACK WALNUT
  - 4" BLACK WALNUT
- TBR

SCALE: 1"=30'  
DATE: 06-02-2000  
JOB NO.: 3018-97

- NOTES:**
- 1) NO NEW ASPHALT TO BE ADDED
  - 2) EAST SIDE GUTTERS TO BE PIPED TO FRONT YARD
  - 3) TREE-PROTECTION-FENCE TO BE ADDED TO SAVE TREES



CENTRAL MARYLAND SURVEYORS, INC.  
2813 PATTOCK RIVER ROAD, DAVISVILLE, MD. 21035  
PHONE (410) 798-9700 FAX (410) 798-8708



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
 8787 Georgia Avenue • Silver Spring, Maryland 20810-3760

September 5, 2000

Jeannie Ahearn  
 3920 Baltimore Street  
 Kensington, MD 20895

Dear Jeannie:

This letter serves as our agreement that we will meet prior to October 1, 2000 to work out the exact language - acceptable to all parties - for an "Agreement of Limitations" that will be entered into the land records for the new house at 3922 Baltimore Street. This "Agreement of Limitations" will meet the intent of the Historic Preservation Commission's condition #4 that was a part of their approval of the Historic Area Work Permit for the new house at 3922 Baltimore Street (see attached conditions.)

The "Agreement of Limitations" will serve to notify any future buyer of the property at 3922 Baltimore Street as to the existence of the Kensington Historic District, the implications of inclusion within the district, and the guidelines which govern the district. It will clearly reference the "Vision of Kensington Long Range Preservation Plan" and the guidelines for lot coverage included in that document.

However, the document will also be clear that, if the Kensington Historic District or the Historic Preservation Commission ceases to exist or if the Commission's guidelines for Kensington change at any point in the future, then limitations on the footprint size for the house at 3922 Baltimore Street would be removed.

I look forward to meeting with you to work out the final language prior to October 1, 2000, and will call you to set up a meeting date as soon as possible. To signify your agreement to this plan of action, please sign on the line below and send a copy of this letter back to me.

Sincerely,

Gwen Wright

Historic Preservation Coordinator

I concur with the issues detailed in the letter above.

Jeannie Ahearn

# NOTICE OF DEVELOPMENT GUIDELINES IN THE HISTORIC DISTRICT

3922 Baltimore Street, Kensington, Maryland is part of the Kensington Historic District which requires Historic Preservation Commission (HPC) approval for exterior alterations to any property located within its jurisdiction. Such approvals are to be guided by the Vision of Kensington Long Range Preservation Plan, which includes guidelines for lot coverage, as well as by the Montgomery County Historic Preservation Ordinance. The building of this home was authorized by the Commission **with a series of detailed conditions regarding design, lot coverage and landscaping. The approved HAWP with conditions may be obtained by contacting the HPC office at (301) 563-3400.** An Historic Area Work Permit (HAWP) application must be made for any **additional** exterior alteration. The application would be brought before the HPC for their consideration under the aforementioned criteria.

Any questions regarding these guidelines may be directed to the Jeanie Ahearn (301-526-1209) or directly to the Historic Preservation Commission (301-563-3400).

This notice meets the intent of the HPC'S condition that was part of the approval of the HAWP approval for the new home at 3922 Baltimore Street.

SELLER:

5-21-01 \_\_\_\_\_ (SEAL)  
Date Signature

PURCHASER:

5/21/01 \_\_\_\_\_ (SEAL)  
Date Signature

5/21/01 \_\_\_\_\_ (SEAL)  
Date Signature

5/21/01 \_\_\_\_\_ (SEAL)  
Date Signature

file

copy

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION  
MONTGOMERY COUNTY, MARYLAND

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- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00C  
3922 Baltimore Street :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/8-00A  
9803 Hollow Glen Place :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00E  
6000 Connecticut Avenue :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00F  
1 Primrose Street :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00G  
5912 Cedar Parkway :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00I  
7051 Eastern Avenue :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00D  
3919 Washington Street :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 30/13-00A  
10909 Montrose Avenue :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/81-00A  
3908 Rosemary Street :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00J  
512 New York Avenue :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00K  
7218 Spruce Avenue :  
- - - - - X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 19/13-00A  
19215 Blunt Avenue :  
- - - - - X  
PRELIMINARY CONSULTATION - : Master Plan Site #30/12  
10801 Rockville Pike :  
- - - - - X

**ORIGINAL**

A hearing in the above-entitled matter was held on Wednesday, April 12, 2000, commencing at 7:45 p.m., in the Montgomery Regional Office Auditorium at the Montgomery County Department of Park & Planning, at 8787 Georgia Avenue, Silver Spring, Maryland, before:

BOARD CHAIRMAN

Steven Spurlock

BOARD MEMBERS

Emily Hotaling Eig

Lynne Watkins

Steven Breslin

Marilyn DeReggi

Susan Velasquez

Nancy Lesser

Douglas Harbit

STAFF

Robin Ziek

Perry Kephart

Gwen Wright

Michelle Naru

APPEARANCES

George Myers

Frank O'Donnell

Julie O'Maley

Helen Wilkes

John Lawson

Larry Ott

Jim Engle

John O'Meil

Joy Jones

Mary Donahoe

Allen Joselyn

Elliot Pfansethl

P R O C E E D I N G S

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MR. SPURLOCK: Good evening and welcome to the April 12 meeting of the Montgomery County Historic Preservation Commission. My name is Steven Spurlock, I'm the vice chair. And as it is our custom, I'd like to have our commissioners and staff introduce themselves, starting on my left.

MR. BRESLIN: Steve Breslin, Bethesda.

MS. WATKINS: Lynne Watkins, Silver Spring.

MS. DEREGGI: Marilyn DeReggi, Boyds.

MS. VELASQUEZ: Susan Velasquez, Gaithersburg.

MR. HARBIT: Doug Harbit, Takoma Park.

UNIDENTIFIED SPEAKER: I'm --, I'm from the County Attorney's Office.

MS. WRIGHT: Gwen Wright, Historic Preservation Coordinator.

MS. KEPHART: Perry Kephart, Historic Preservation Coordinator.

MS. NARU: Michelle Naru, Historic Preservation Planner.

MS. ZIEK: Robin Ziek, Historic Preservation Planner.

MR. SPURLOCK: The first item on our agenda this evening are the historic area work permits. Have these been duly advertised?



1 MS. KEPHART: These were advertised in the  
2 Montgomery Journal on March the 29th, 2000.

3 MR. SPURLOCK: Thank you. I'd like to open a  
4 public record. First, is there anyone here to speak in  
5 opposition to the following cases: Case B, Case C, Case D,  
6 Case E, Case G, Case H, Case J, Case K or Case L?

7 MS. VELASQUEZ: Mr. Chairman, I move we approve  
8 the staff reports for the following cases, complete with  
9 their staff commission. New fence at 9803 --, Silver  
10 Spring, HPC Case No. 31/8-00A in the Forest Glen Historic  
11 District; the application 6000 Connecticut Avenue, Chevy  
12 Chase, Case No. 35/13-00E in Chevy Chase; 1 Primrose Street,  
13 HPC Case 35/13-00F in Chevy Chase; 59 12 Cedar Parkway, HPC  
14 Case No. 35/1300G; 3919 Washington Street, Kensington, HPC  
15 Case 31/6-00D in Kensington; 10909 Montrose Avenue, Garrett  
16 Park, HPC Case 30/13-00A in Garrett Park; 912 New York  
17 Avenue, Takoma Park, HPC Case 37/3-00J, Takoma Park; 7218  
18 Spruce Avenue, Takoma Park, Case No. 37/3-00K in Takoma  
19 Park; and 19215 Blunt Avenue in Germantown, HPC Case 19/13-  
20 00A in Germantown.

21 MR. HARBIT: I'll second.

22 MR. SPURLOCK: All those in favor, raise your  
23 right hand? Motion passes unanimously.

24 What we've just done, for the audience, we felt  
25 that these cases, we've reviewed these in a work session and

1 felt that these cases were outstanding examples of excellent  
2 work in the community, and we'd like to thank all of the  
3 applicants for the fine job they've done, and you're free to  
4 go home now. Thank you very much.

5           The next case on the -- first case on the agenda  
6 is Case A. May we have a staff report, please?

7           MS. ZIEK: Yes. The project is at 3922 Baltimore  
8 Street in the Kensington Historic District. This is a side  
9 lot which is associated with 3920 Baltimore Street in the  
10 district. It is an outstanding resource. It's a Victorian  
11 residence that we built in the late 19th century and was  
12 totally revitalized in the 20th century, early 20th century,  
13 and -- to a -- in other words, in the early 20th century,  
14 cladder was put on the house and now the cladder has been --  
15 not the cladder, wood shingles was put on the house and now  
16 cladders -- the wood shingles were taken off by the current  
17 owner and the house now cladder again. This -- because I'll  
18 show you a slide when it still had the shingles on it, and  
19 also the small historic garage also has shingles still on  
20 it.

21           The proposal is to construct a new house on the  
22 side lot, about 25 --, which is a single lot between two  
23 outstanding resources in the Historic District in the  
24 residential corner, the historic residential corner. The  
25 applicant also has proposed moving the existing historic

1 garage to the back of the lot, where it would be  
2 rehabilitated. It is important --, but it is a significant  
3 structure in the district. It is a Sear's garage, a mail  
4 order catalog garage, where the stamps from the Sear's  
5 Company and the delivery address for the homeowner, the  
6 homeowner's name can be clearly read on the inside. It's a  
7 significant resource in the district. And the proposal  
8 would be to move it to the back of the lot where it could be  
9 -- it could serve as a small garage or also as a garden  
10 shed. The applicant has suggested also moving it to the  
11 opposite side of the primary resource, 27, which is the east  
12 side yard; it's currently in the west side yard. I had  
13 discussed this  
14 --. I don't recommend that, and the reasons state --. But  
15 I want to make it clear that in that proposal there was a  
16 driveway proposed. They didn't provide us with any grade  
17 information or the tree survey, which I did discuss with  
18 them, would be important information for the Commission.  
19 And so this -- that would not be part of this application,  
20 that's -- that we would consider that any application for a  
21 driveway on Lot 27 would -- for another historic area work  
22 permit in the future.

23 I have some slides to show you of this project. A  
24 proposal for construction of this site has come before the  
25 Commission. I should say more than one proposal for

1 development of this lot as a single residential lot, not  
2 associated with the historic resource at 3920 Baltimore  
3 Street, has been before the Commission, has been considered  
4 by the Commission. The issues are -- remain the same in all  
5 cases, disturbing the integrity of the historic district.  
6 And with the -- the preservation of the Historic District in  
7 terms of integrity and all of the guidelines and the  
8 guidance that the Commission uses, specifically the  
9 development standards outlined in the -- of Kensington,  
10 which is the -- document that has been adopted by County  
11 Council to be used by this commission for guidance and  
12 direction.

13           This application, in the second iteration, there  
14 are two alternatives in the second iteration. It comes very  
15 close -- makes a very, very good attempt to conform to  
16 development standards in the vision of Kensington. I have  
17 covered in or circled three. I've outlined what those  
18 development standards are and I have gone through each item  
19 to show how the applicant has made good attempts to comply  
20 with the development standards. And I have recommended  
21 approval of this application with the -- with conditions.  
22 And those conditions would be that the historic garage be  
23 moved to the back of Lot 25, that it remain on the existing  
24 lot, which will I feel be used -- in the future would always  
25 be used as a clue that -- were associated with the main

1 house as a primary resource of 3920. So that the garage  
2 would remain on Lot but be moved to the back of the lot and  
3 rehabilitated or restored. The second condition would be  
4 that the existing driveway be modified as per drawings  
5 submitted by the applicant in a -- actually, a -- verbally,  
6 and the discussion was described verbally in a meeting staff  
7 had with the applicant at a meeting that was -- by the LAP.  
8 On Circle 13, where we felt that it would be certainly  
9 feasible to just maintain the original driveway where it was  
10 but remove some of the -- to narrow down the driveway. And  
11 staff is saying, in addition, that the driveway should not  
12 be extended any further back on the lot than it currently  
13 is. Staff feels that this will promote open space between  
14 more side yard, more opportunity for plantings, all of which  
15 is -- sets a spaciousness, all of which is a value in  
16 Kensington. Condition 3, a new house on Lot 25, will be  
17 built with a footprint that is no greater than 862 square  
18 feet. That is the 10 percent recommended in the condition  
19 of Kensington. And with the -- understanding that the  
20 historic garage stay on the lot, that there won't be greater  
21 than 10 percent lot coverage. But staff feels that since  
22 the applicant is willing to move the garage and meet the 10  
23 percent rule, I want to acknowledge that, but that I feel  
24 from a preservation point of view it's more important to  
25 keep the garage on Lot 25 --. And so that the

1 recommendation -- of the house meet the 10 percent rule.  
2 Four, at no time in the future will there be any additions  
3 to Lot 25 to increase this lot coverage. And that's just an  
4 acknowledgement of the need to preserve open space in  
5 Kensington. And, five, will need to do grading plan for  
6 this site. They -- moving the garage and some of the other  
7 conditions on the site which really haven't been addressed.  
8 Six will be landscape proposal and recommending a  
9 replacement -- for those that will be removed --. And,  
10 seven, I think that a tree survey should be clarified --  
11 proposed. And, eight, doors and windows will be true  
12 divided light or simulated true divided light. The porch  
13 railing is --. The shutters are --.

14 I just have a few slides that perhaps could -- the  
15 Commission on the general site and the issues.

16 This is the house, 3920, the property to the  
17 right. This has a -- it's on a center lot with the side lot  
18 yards. On the side is the subject property question is to  
19 the right.

20 This is the existing driveway where -- and the  
21 garage beyond. They show this is an earlier photograph of  
22 the garage without a car in front of it. It's --. Just to  
23 show the garage has original doors. The C is a stamping,  
24 and there's other stampings inside. And this is the back.  
25 Just to show the -- it is -- with -- that match to the

1 house.

2           This is the driveway on the -- this is the house  
3 on the east side, neighboring with -- driveway associated  
4 with that property. And this was the area that the  
5 applicant had proposed regarding moving to Lot 27 here, the  
6 driveway would be here. Issues which haven't been address -  
7 - to the grade  
8 -- and tree saving concerns having to do with cutting mature  
9 trees, this is a mature tree. And, in fact, there are --  
10 there are many trees on the edge of the road in this  
11 particular segment. So, of course, the trees are valuable  
12 asset in the district. You can see beyond to the garage,  
13 and the new house would be back further. So that you would  
14 still be able to see spacing between these houses, which is  
15 --.

16           This one is standing on the lot, looking back  
17 towards Baltimore Street. And here is the garage, and the  
18 house will be built in this area. And so you can see it's  
19 back pretty far.

20           This is the corner where the garage would go.  
21 There has to be some grading in here. There is a change in  
22 elevation to the west neighbor. There is some trees that  
23 have to be removed. And we would just like to work more  
24 closely with the applicant in terms of grading concerns back  
25 here.

1           And just to show there are sheds, this is the  
2 neighbor, 3920, has another shed here, and this is a shed  
3 associated with the backyard neighbor on Prospect Street.

4           And this is just another view showing the subject  
5 property, the west side yard of 3920 Baltimore Street.

6           MR. SPURLOCK: Are there any questions of staff at  
7 this time? If the applicant would like to sort of address  
8 some of the -- what we'd like to do is have you sort of  
9 address some of the conditions in the staff report. We have  
10 a number of speakers who would like to speak so I'd like to  
11 have you do that on a preliminary basis and then let the  
12 speakers do their presentations and have you come back and  
13 address some of those concerns.

14           MR. MYERS: Okay. My name is George Myers with  
15 GGM Architects, author of the proposal you see before you.  
16 Just a couple of thoughts and basically to tell you what my  
17 thoughts were when thinking about this project. The house  
18 looks like it does for two main reasons. When I thought  
19 about designing a house for this spot for the applicant who  
20 came to me, I agreed completely that it ought to look like a  
21 secondary structure. And I also, in light of that, I  
22 quickly, after looking around the neighborhood and looking  
23 at some other secondary structures in the neighborhood, two  
24 things that became important to me were that it be set back  
25 behind the face of the existing building and that it had a



1 proportion facing the street of a secondary structure, and  
2 that to me meant no more than the width of a typical garage,  
3 which is why it's 24 feet wide and one story facing the  
4 street. As a matter of fact, directly opposite of this  
5 house on the other side of the street, probably four or five  
6 months ago, I designed a garage, a free-standing garage,  
7 which is exactly 24 feet wide, exactly opposite this on the  
8 other side of the street. So after having established those  
9 parameters, the question is now how do I make a house out of  
10 that -- something that looks that small from the street.  
11 And I think that, you know, there was a lot of pushing and  
12 pulling to get it to look that way, and I know that if you  
13 look at the thing from the side, it clearly doesn't look  
14 like a garage. But the proportion facing the street, and I  
15 want to focus on that, because I think that's what the focus  
16 ought to be as to what you perceive and what does the public  
17 perceive that's there walking or driving or whatever, how do  
18 they see this house. And I think from the front and the  
19 back they'll see a 24-foot wide proportion with little bumps  
20 here and there on the sides, which I think are less  
21 noticeable.

22                   And having said that, I used the vision of  
23 Kensington as more of a guideline and less as a real zoning  
24 document. I didn't think of -- I understand 10 percent is  
25 around what it ought to be, but I didn't think of it as

1 exactly like a 35 percent lot coverage, which Montgomery  
2 County is, just say it's exactly that. I think around 10  
3 percent is accurate, I don't necessarily think 10 percent --  
4 it has to be 10 percent in order to succeed. And having  
5 said that, the applicant and I both prefer the first  
6 proposal that's about 944 square feet footprint because for  
7 the simple reason that I think that there's no way anybody  
8 could perceive the difference of the two houses from the  
9 street, yet it makes a better house. And I think that would  
10 be silly to knock off 80 square feet just to -- just to meet  
11 a, either it's a guideline or standard, but if it's a  
12 guideline then it's a guideline, and it should be used to  
13 help you make a good house and not keep you from making a  
14 better house if it's one percent or so.

15           And with regard to the other -- our stated -- our  
16 preference is for the -- is for the first proposal that was  
17 944 square feet. Our preference is also to move the  
18 existing garage to Lot 27 in a spot without a driveway, in a  
19 spot that we can mutually agree on with Robin, and to build  
20 another garage, single garage in the back of this driveway.  
21 Having said that, that's our preference, and we'd like to  
22 have that voted on, but we would -- obviously, we submitted  
23 another proposal because, you know, the smaller version at  
24 instruction of staff because we very much want to build  
25 something on this lot. Thank you.

1 MR. SPURLOCK: We have a number of speakers. I'm  
2 going to call you up in groups if that's -- to save some  
3 walking time. First, Frank O'Donnell, Julie O'Maley and  
4 Helen Wilkes.

5 MS. ZIEK: Just for the record, I'd like to note  
6 that the owner of 3920 has submitted some letters for the  
7 Commission's review, and those are part of the record,  
8 having distributed to the Commission.

9 MR. SPURLOCK: Who wants to go first?

10 MR. O'DONNELL: Chairman Spurlock and members of  
11 the Commission, my name is Frank O'Donnell, I live at 10407  
12 Faucet Street in the Historic District of Kensington. I'm  
13 also a chairman of the Kensington LAP. We've already  
14 provided in writing our -- the official comments of the LAP  
15 so I won't go over them literally to save time. I did want  
16 to touch on a couple of things though. First of all, I  
17 thank Robin Ziek very much for coming out on her own time  
18 and not on the clock, but spending an evening with us a  
19 couple of weeks ago to talk about this project and the  
20 historic district generally. And I think it was a very  
21 useful interactive kind of discussion that actually is the  
22 ideal kind of thing that you'd have in this kind of case,  
23 where we had a real free flow of information. I'd also like  
24 to thank the applicant and Mr. Myers, the architect, who  
25 also were there, they understood that we have no power and

1 there was no obligation for them to come but that we invite  
2 their participation so we could really talk it through with  
3 them.

4           Having said that, our position is probably one you  
5 might describe as our neutrality. It's probably pretty  
6 close to the staff report. You can read some nuances in it  
7 that may be slightly more restrictive. I want to explain a  
8 little bit about what goes behind it. I think you should  
9 know that there are a lot of people in the Historic  
10 District, some of them on the LAP, who probably prefer no --  
11 development at all, certainly not on a single lot kind of a  
12 situation. I know it's not -- opinion. I don't know if  
13 it's -- on the LAP, we didn't poll the members or anything  
14 like that, but there's a strong emotional feeling about that  
15 sort of thing. And if I were king for a day, conceivably I  
16 would say, are we going to change the zoning, and I'd say  
17 you can't build anything unless you've got a double lot.  
18 I'm not king, no one has made me king, and that would be a  
19 controversial move, obviously. And what we've got are the  
20 guidelines that you work under the -- of Kensington. And I  
21 think the staff has pointed out very accurately how the  
22 various iterations of this project dovetail with that.

23           I think it's significant that the LAP do not  
24 officially comment on the record oppose to this project. I  
25 would read into that some appreciation for the work that Mr.

1 Myers has done to try to create the continued appearance of  
2 open space, to minimize the size of it, move it back and to  
3 try to be flexible on his design, and in fact offering  
4 alternatives. We do leave it up to you, I think, to decide  
5 does it meet that level. But one thing I would like to  
6 raise, and I think there are a couple of good things in the  
7 staff report that have come up -- that I don't legally have  
8 the ability to do. As you know, there's another thing  
9 hanging on this and that's the applicant's appeal of the  
10 earlier rejection of a bigger, more objectionable project.  
11 And I don't know if we make it part of the condition here  
12 that that appeal be dropped. It seems to me the only reason  
13 that that appeal would go forward, if you gave any kind of  
14 approval, conditional or otherwise, this evening would be to  
15 roll the dice and try to build something bigger and uglier  
16 and essentially roll the whole process. So it seems to me  
17 that if the guys want to roll the dice, maybe the snake eyes  
18 ought to be an option. So I'll leave that for your  
19 discussion and be happy to take any questions.

20 MR. SPURLOCK: Any questions of the speaker?

21 Okay. MS. O'MALEY: I'm Julie O'Maley with the  
22 Kensington Historical Society. Some of you have seen me  
23 before. I've been here consistently for many years. I'm  
24 writing on behalf of the Preservation Committee. And I'm  
25 basically going to go over the letter that you -- I believe

1 she's just handed out. I'm sorry I didn't get it in  
2 earlier. The proposed house, while having an  
3 interesting character and some appropriate features, still  
4 doesn't meet the guidelines set for the core area of the  
5 Historic District. The applicant wants to build a house  
6 which is more than the 10 percent maximum permissible or  
7 recommended under the provision of Kensington guidelines.  
8 But there is a demand for small homes in the Historic  
9 District. When I first moved to Kensington, my husband, two  
10 children and I lived in a house which was 867.6 square feet  
11 with an 80-square-foot front porch, no second floor, was not  
12 a two-story house, it was only a one-story house. We lived  
13 there for six years, and when we wanted a bigger house, we  
14 just moved five blocks to a larger house in Kensington  
15 because we liked the area.

16 I don't believe that the Historic District should  
17 have to lower their standards or risk the historic  
18 designation by allowing a new house in the side yard of a  
19 primary resource which does not in every way meet the  
20 guidelines which have been developed specifically for the  
21 Historic District.

22 There was no streetscape submitted with this  
23 proposal. I noticed tonight, when she -- the slides, it  
24 looks to me like it goes uphill on the west side of the  
25 house, and I believe that the house, the height of the house

1 was to be the same as the primary resource, which would make  
2 it in effect taller than the primary resource if it's  
3 uphill. The size of the house tends to fill the space, when  
4 you look up the hill, between the two primary resources, and  
5 it appears -- it will appear even larger because of it's  
6 uphill from the street. But even the streetscape can be  
7 deceptive, not always capturing the true effect of the  
8 proposed infill. Recently a garage was permitted where the  
9 streetscape shows the garage to be below the grade, and in  
10 fact downhill, with only half of the first level in view.  
11 But, actually, when you go past this building which is being  
12 built apparently across the street, you can see from the  
13 street the ground level of that garage. So even when you  
14 visually see the object, it doesn't always appear as it does  
15 in the drawings. On Washington Street, where the house is  
16 built on the side yard, the neighbors were quite shocked  
17 when they realized what a large mass of a building it was.

18 Our Historic District is very small. The portion  
19 -- this portion is only four blocks wide. I'm not going to  
20 go into the letter. I put parts of the letter in there that  
21 were written about previous case in Kensington to the Board  
22 of Appeals. And you also have that portion which describes  
23 the concerns of the Historic Society in Kensington.

24 We ask that you weigh this proposal very carefully  
25 in light of the precedence it will set. The Historic

1 District is very small. The dominant features must be  
2 preserved in order to maintain our integrity as a district.  
3 This core area is of primary importance, and major changes  
4 such as proposed new construction, must be considered  
5 thoroughly with every new application. We thank you for  
6 your vigilance and thoroughness.

7 MR. SPURLOCK: Thank you.

8 MS. WILKES: Hi. I'm Helen Wilkes. I am  
9 president of the Kensington Lion Trust, I am a registered  
10 architect and I am an adjacent property owner. So I'm here  
11 wearing several hats.

12 As president of the Kensington Lion Trust, I  
13 continue to believe that the best and most appropriate use  
14 for this lot in question is as a side yard lot for the  
15 existing house at 3922 -- 3920 Baltimore Street, as it has  
16 been since the house was built.

17 As an architect and as the -- well, as an  
18 architect, I want to commend Mr. Myers for his very  
19 sensitive and well-designed cottage sort of house, which I  
20 think is architecturally very appropriate for this lot, and  
21 I think it's as suitable as anything might be for this  
22 particular lot between two houses. However, you knew there  
23 would be an however, there is the issue of precedent, and I  
24 want to really talk about that issue and the critical  
25 question of what constitutes lot coverage here and what is



1 acceptable. I want to remind you all that whatever you  
2 decide here will be the beginning of a new pattern of  
3 development for Kensington. I want you to be aware that  
4 this idea of the cottage and/or carriage house as a  
5 residence, as a precedent for Kensington, as a --, and the  
6 fact that this house will be built will create pressures for  
7 the same kind of development in Kensington. This will be  
8 the first time that there will be an approval, if you --  
9 should you approve this proposal, since the visions of  
10 Kensington guidelines have come into effect. And because of  
11 the resolutions, which are something we waited all for for a  
12 very long time, can be our salvation for Kensington in the  
13 sense that they give us something critical to work with, I  
14 mean something quantifiable with work with. That's why this  
15 10 percent lot coverage issue is so important. Envision, if  
16 you will, down the road, someone comes with a heavily-wooded  
17 lot between two houses, a similar circumstance but lots of  
18 trees, this will be used as a precedent. There's no  
19 question in my mind that that will happen. Put that  
20 precedent together with the fact that smart growth  
21 initiatives are enjoying -- engaging in popularity, and  
22 there are the increasing pressures for infill development to  
23 come with that, plus the fact that the economy is so high.  
24 And it would not surprise me if developers would start  
25 actually calling, as they do from time to time anyway,

1 property owners in the Kensington Historic District to say,  
2 hey, we've got a proposal for you, this is something that we  
3 can do. And that will be attractive to certain land owners  
4 in Kensington. So I think that this is a very, very serious  
5 issue, and the issue of shaving off, you know, 80 square  
6 feet is more important to the Historic District than it is  
7 to the particular property owner in question. I'm not  
8 concerned about whether this venture turns out to profitable  
9 for the developer in question. I agree with Julie O'Maley  
10 that there are plenty of one-story houses that are viable as  
11 residences in Kensington, I'm not opposed to the cottage or  
12 carriage house prototype, but it really and truly should be  
13 that, because this is going to come back to you again. And  
14 that's all I have to say.

15 MR. SPURLOCK: Any questions? Thank you. I think  
16 we have three more, actually two more speakers. John  
17 Lawson, Larry Ott, and Jim Engle is the first.

18 MR. LAWSON: My name is John Lawson. I live at  
19 3924 Baltimore Street, which is the house to the left of the  
20 applicant. And I want to encourage the Commission to  
21 approve the application when it comes to comply with the HPC  
22 staff report. I think it's important that the HPC staff  
23 report govern the application, especially for future  
24 reference. We have been attending these meetings for five  
25 years about this particular case, and part of the -- part of

1 the reason for the repeated meetings is the vagaries and  
2 uncertainty about the rules for historic development, or new  
3 development, in historic districts. So long as the vision  
4 of Kensington is endorsed by the HPC, as the staff has done,  
5 as the governing vision, then anybody will know the way that  
6 things should be done. And it will help even for real  
7 estate sales because there won't be the uncertainty about  
8 what goes and what doesn't go. So I endorse the  
9 application, the one that has complied with the HPC report,  
10 which is part of the visions of -- based on the visions of  
11 Kensington.

12 I want to compliment everyone, including the  
13 applicant and Mrs. Ahearn, on finding a creative solution to  
14 a development project that dates back five years. This  
15 scheme preserves the streetscape, it saves the red bud tree  
16 that has been on my mind for five years. I wanted to  
17 mention the fact that there's a mulberry tree that will have  
18 to come out of the southwest corner, and lest there be any  
19 questions about that, the mulberry tree has been capsizing.  
20 It's a big, full-size tree, but it's coming over, and it's  
21 not going to last two or three years because there's nothing  
22 left to hold the thing up. That will have to be removed,  
23 and I think that that's reasonable, speaking as the ex-tree  
24 committee of the LAC.

25 And, finally, I want to compliment Mrs. Jeannie

1 Ahearn for her efforts on behalf of historic preservation to  
2 restore the resource of 392. I've watched her restore that  
3 house with her own hands for the last nine years, and nobody  
4 could have worked harder on that than Mrs. Ahearn. And I  
5 hope that we can approve this application, let her move on  
6 with the development on the final restoration of her house  
7 at 3920 Baltimore Street.

8 MR. SPURLOCK: Thank you.

9 MR. ENGLE: I'm Jim Engle. My wife and son and I  
10 moved to Kensington October of 1998. We came to Kensington  
11 under similar circumstances I guess you might say. We -- a  
12 developer purchased a historic home with a side lot in the  
13 Historic District and assigned his interest in the home to  
14 us. He attempted to develop the side lot with a house  
15 design that was substantially in excess of the guidelines  
16 and visions of Kensington. And the Historic Area Work  
17 Permit was eventually turned down by the HPC in January of  
18 1999. In March of 1999, my wife and I purchased the side  
19 lot from the former owner.

20 What I want to talk about today, what I want to  
21 sort of bring forward is that we'll face considerable cost  
22 to renovate this house, and we have resources to renovate  
23 it, we have the will to do so, it may not happen overnight.  
24 But I just want to say that while it would be, given this  
25 set of circumstances, extremely lucrative to turn around and

1 do the kind of development that's talked about in this  
2 proposal, we wouldn't dream of doing it, we value the open  
3 space too much at this point. And just from my personal  
4 perspective, I don't know how anybody would want to wake up  
5 and see a house next door to them. Even though this is a  
6 nice plan and George Myers should be commended for coming up  
7 with what is, for all intents and purposes, a very  
8 attractive design, efficient use of allowable space. I  
9 guess my concern, though, is that in the long run, now that  
10 there's sort of a model that's going to be set forth, and if  
11 at some point in the future this does turn out to be a very  
12 profitable venture for the developer, it will set a  
13 precedent. We have to very mindful of the precedent that's  
14 being set here, because at some point, a substantially  
15 larger amount of the open space in Kensington could be  
16 infilled with just this type of house. I guess it is  
17 preferable that this type of house would go in than say a  
18 3,000 square foot house with 1,500 square foot footprint.  
19 But nevertheless, it does sort of take away from what makes  
20 Kensington unique, as opposed to, say, Falls Church or  
21 Herndon or Vienna, where there has been such considerable  
22 infill development over the years that all the character is  
23 no longer there to see.

24                   So it is our preference, my preference, my  
25 family's preference, we would like to see the space remain

1 open.

2 MR. SPURLOCK: thank you.

3 MR. OTT: Yes, my name is Larry Ott and I live at  
4 3911 Prospect Street, which is diagonally behind the  
5 property that's going to be developed, and I've lived there  
6 for 22 years at a Victorian house, which we restored  
7 substantially over the last 22 years. My personal feeling,  
8 I feel very strongly about this, is that the property should  
9 not be developed. I think it sets a precedent for the  
10 future, that starting with this and what's happened before  
11 that, the area is going to be totally infilled over the next  
12 two years. I think in five or six years we're going to come  
13 back and see pretty much every lot in that area filled up.  
14 I think it's a unique historic district, it has no equal in  
15 the Washington, D.C. area, and I think this is probably the  
16 beginning of the end of it. I wouldn't be surprised to see  
17 in the near distant future that the property on the other  
18 side of Kensington, where you have a home for the aged, in a  
19 beautiful, also a very beautiful and unique and historic  
20 district around a very unique train station and downtown  
21 area that probably doesn't exist anywhere that I know of in  
22 this part of the country, and certainly not near a major  
23 metropolis like Washington, D.C., will eventually be  
24 infilled. So that being said, I think we are setting a  
25 precedent for future infill that will continue and basically

1 ultimately destroy the historic character of Kensington.

2 Thank you very much.

3 MR. SPURLOCK: Thank you. We have one final  
4 speaker, John O'Meil. O'Meil.

5 MR. O'MEIL: Good evening. My name is John O'Meil  
6 and we are the adjacent property owner, immediately behind  
7 the property in question. We have opposed the large houses  
8 that have been proposed over the years before this  
9 Commission in the past, because when we bought our property,  
10 and that was before Mrs. Ahearn bought hers, we understood  
11 that there was a historic preservation district and that  
12 part of the preservation was for the Victorian garden  
13 setting, and if you take away the land, you have no  
14 Victorian garden setting. We also understand that there is  
15 a set of guidelines that established the possibility of  
16 development on lots, but in a manner that will achieve as  
17 much as possible the balance between a property owner's  
18 right to develop his land and the Victorian garden setting.  
19 And that guideline establishes a coverage of a lot of no  
20 more than 10 percent. I find somewhat inconsistent with  
21 that the 321 square foot garage, along with a house that's  
22 10 percent, which gives you considerably more than that.

23 As the property owner that is behind the existing  
24 property, we, of course, would have considerably less garden  
25 setting because allowing the house to be set back on the lot

1 for purposes of the streetscape certainly will adversely  
2 affect the view that we'll have from the rear of our  
3 property.

4           That being said, we would suggest that if this  
5 Commission strictly enforces these guidelines, establishes  
6 no more than a 10 percent coverage, and then chooses a  
7 design such as the one here that attempts as best as  
8 possible to fit into the overall Victorian setting, that we  
9 certainly wouldn't oppose it.

10           I would also, as did Dr. Lawson, commend Mrs.  
11 Ahearn for the wonderful job she has done restoring which  
12 was a dilapidated house when she bought it, which, as you  
13 saw from the two pictures, certainly looks a lot better, and  
14 attempting to address the issues that we have in the past  
15 brought before this Commission. And I've told her  
16 personally and I tell her again I think she's done a  
17 terrific job. But I believe that this Commission must adopt  
18 the conditions established by the staff, and, indeed, should  
19 ensure that it is no more than a 10 percent coverage,  
20 otherwise, it seems to me that the slippery slope that has  
21 been described by Mrs. Wilkes and others will indeed be  
22 embarked upon. Thank you.

23           MR. SPURLOCK: Thank you.

24           MR. MYERS: I would just like to make one point  
25 with regard to the precedent. I live in Kensington and work



1 there as well, and I think that when you talk about this as  
2 a precedent, you also have to think of the existing  
3 precedent for accessory structures. There are already many  
4 accessory structures, some of which are as big as 600 square  
5 feet in footprint, that exist currently in Kensington now.  
6 So I think that -- and I don't think that if we were coming  
7 up here now to say that I wanted to build a little garage  
8 with a room on top of it on this property, without  
9 subdividing it, without selling it, meaning it's truly an  
10 accessory structure, I would probably design something that  
11 looks an awful lot like what you see before you. So there  
12 is precedent and we could, you know, to put an accessory  
13 structure which has the same effect, I would venture to say,  
14 of these small little buildings between bigger houses. So I  
15 think to say that a precedent -- that this is such a bad  
16 precedent, and that if -- that if you approve this, that all  
17 of a sudden you're going to see all these little accessory-  
18 looking buildings between bigger houses all over Kensington,  
19 that may be true, but it's also true now. I mean, the  
20 precedent is set for accessory structures. There have been  
21 some ones approved recently that are of pretty good size. I  
22 mean, I know for sure of two that are 600 square feet in  
23 footprint, that's 20 by 30. That's, you know, that's a  
24 garage with a little storage on the edge of it, okay. So I  
25 don't think that this is going to be some watershed of all

1 of a sudden if you -- if you stop and you deny this, all of  
2 sudden you're going to stop small buildings from ever  
3 getting approved on side lots and you'll see smaller  
4 buildings between the bigger ones. The possibility exists  
5 currently.

6 MR. SPURLOCK: Does the -- go ahead.

7 MR. BRESLIN: I have a question for the staff. Is  
8 the size of this lot typical for other lots that would be --

9 MS. ZIEK: Kensington is -- it's typical for a  
10 portion of the lots. I think that the clearest thing to  
11 refer to would be Circle 33, no, I'm sorry, Circle 32, which  
12 shows you have a land that's subdivided in 50-foot lots,  
13 until it came to the corners, and those corners are much  
14 larger. And that's one of the reasons that the development  
15 pattern is stipulated on 33. We see that a lot of those  
16 corner lots indeed have been sold individually and developed  
17 individually, but houses in the straight sections with 50-  
18 foot lots were purchased as multiple lots to accommodate  
19 that size.

20 MR. BRESLIN: So if it just came up again as a  
21 precedent, a 50-foot lot is typical, because we might see  
22 the same size lot again?

23 MS. ZIEK: Oh no, there will be. The typical --,  
24 the smallest -- lot in Kensington, I think it's pretty safe  
25 to say, is 50 foot --. There are many larger lots, as per

1 the circles in this, you know, the curving areas in  
2 particular.

3 MR. SPURLOCK: Does anyone want to address any of  
4 the qualitative aspects of the house as presented by their  
5 scheme?

6 MR. BRESLIN: Well, I think in general, infill has  
7 a very bad reputation, and I think it deserves the bad  
8 reputation, but I think that's mostly because of the houses  
9 that we see proposed for infill. And I think the houses  
10 proposed here I think are -- they go out of their way to be  
11 compatible and they go out of their way to meet the  
12 standards, particularly the one that meets the 10 percent.  
13 So I think, as far as the right way and the wrong way to do  
14 infill, I think this is the right way to do it.

15 MS. WATKINS: I had a question about the existing  
16 house, 3920. What is the height of that --?

17 MR. MYERS: I think, I couldn't tell you for sure,  
18 but I believe it's around 29 feet. It's a full two stories  
19 with, you know, probably up to the roof line it's about 18  
20 to 20 feet, and it has a fairly steep pitch. So whether I  
21 guess you're going to have one house be taller or as tall?

22 MS. WATKINS: Yes.

23 MR. MYERS: My -- I think ours, if you measure off  
24 where the grade where ours will be, it's around, I think  
25 it's on here, the final -- it's 28 feet off the grade. The

1 question -- we have to shoot the grade exactly and see the  
2 difference in the first floor. My inclination is that it  
3 will be lower simply because our roof line starts off the  
4 first floor as opposed to their starting off the second  
5 floor. I can't say that for sure without having, you know,  
6 get out there with a transit and find out exactly.

7 MS. WATKINS: Will you have a streetscape or?

8 MR. MYERS: No, to tell you the truth, you know,  
9 the issue was brought up, but I feel like if you're going to  
10 do that, it needs to be exact. It takes a lot of time and  
11 to be done exactly right. I guess what I'm saying is all  
12 those grades would have to be shot. Because I'd hate to put  
13 up in front of you something that's going to either be --  
14 look better than it is or worse than it is. But, no, the  
15 drawing was not done just because of the expense and the  
16 time involved.

17 MR. BRESLIN: As far as height is concerned, you  
18 have a nine-foot ceiling on the first floor?

19 MR. MYERS: That's correct.

20 MR. BRESLIN: Would you consider dropping it to  
21 eight foot to reduce the height?

22 MR. MYERS: I, yeah, would consider it. I guess  
23 the, you know, Ellis & Corporation will be absolutely  
24 against it, but I think that we're, I mean, we're looking to  
25 get something approved. I think I would probably sooner

1 push it further in the ground.

2 MR. BRESLIN: Reduce to four foot?

3 MR. MYERS: Yeah, I would rather drop it further  
4 into the ground than drop the nine-foot ceiling on there, if  
5 that, you know, so.

6 Excuse me, but Ms. Ahearn did mention to me that  
7 with regards to their appeal, part of the reason I came  
8 today was wanting to be done with it and build something.  
9 So she told me that if something is approved, the appeal  
10 would actually be dropped with regard to the other larger  
11 structure. She just told me that while you were -- that was  
12 brought up, so I wanted it to be noted.

13 MR. SPURLOCK: That was a question I was going to  
14 ask you.

15 MR. MYERS: Yeah, there's no need for it if we  
16 have a house that we feel like we would like to build, so.

17 MS. EIG: But you could not make that a condition.

18 MR. SPURLOCK: No, we understand that. But we can  
19 receive assurances from the applicant that they will do  
20 that, but we cannot make that decision.

21 MS. EIG: Well, we can certainly mention it, so.

22 MS. VELASQUEZ: I still, and I know you've been  
23 going through this for five years, -- putting anything on  
24 the lot. I think --

25 MR. MYERS: I've only been doing it for about four

1 weeks.

2 MS. VELASQUEZ: --.

3 MR. MYERS: I know.

4 MS. VELASQUEZ: And in -- is maintained regarding  
5 --. It's -- and I did hear where a lot of people here were  
6 saying about what kind of -- precedent are we citing  
7 tonight. So I'm really wrestling with this, I'm having a  
8 hard time. I think if we have to have a house, this  
9 proposal is very nice. It meets a lot of what we talked  
10 about before --. But at the same time, I -- anything here,  
11 so I'm just going to listen to everybody else for a little  
12 while longer.

13 MR. MYERS: I think, you know, again, I think it's  
14 a false precedent. Because I could -- let's just say this  
15 was denied, and I came back from -- she goes, well, if I  
16 can't do that then I'd like to build a guest house/art  
17 studio out there, and it would be 24 feet wide and I'd  
18 probably put a little rim on top. And if you looked at the  
19 while three lots, it would be close to 10 percent lot  
20 coverage, because all of a sudden it would be one property.  
21 So I'm just saying in terms of accessory structure infill,  
22 the precedent has been set all over Kensington, and this  
23 looks -- I don't think it's a bad precedent to say that if  
24 you're going to do an infill house in Kensington, it ought  
25 to look like a secondary accessory structure, it ought to be

1 small, it ought to be set back. I think it's a good  
2 precedent, you know. So I mean I think that if you're --  
3 that's the precedent you're setting. It has to be well  
4 designed, you know, so that's the precedent. Because I  
5 think you're not going to be able to stop over years little  
6 buildings from cropping up between the bigger ones in  
7 Kensington. You can't deny people the right to build  
8 accessory structures, and that will happen.

9 MS. VELASQUEZ: I agree. I agree.

10 MR. MYERS: Right, so.

11 MS. VELASQUEZ: And so that -- subdividing --.

12 MR. MYERS: Exactly, so.

13 MR. BRESLIN: Well, I think another way to look at  
14 it is that if the house was kept at 10 percent, 10 percent  
15 is a good precedent. I think 10 percent is the spirit of  
16 the development standards.

17 MS. WATKINS: The problem that I think we enter  
18 into is that if we keep the house at 10 percent and there's  
19 already an existing structure on the site, it brings it  
20 above. So somebody who comes with -- and it's really close  
21 to 10 percent already, let's build another 10 percent, then  
22 we've got 20 percent. The problem that I have is with the  
23 existing garage and how the two buildings work together, and  
24 would the existing garage to the other lot, other empty lot,  
25 for the current house exclude that lot from further

1 development if we -- 10 percent. I don't know if staff  
2 could comment on this.

3 MS. ZIEK: It seems that the only thing that would  
4 -- development is the fact right now that one of the -- this  
5 side of the porch --. If somebody -- or to grant the  
6 demolition of that part of the house, then the lot could be  
7 built up because the garage -- Lot 25. So --.

8 MR. SPURLOCK: Could the applicant sort of -- you  
9 had mentioned moving the garage and building another garage.  
10 Could you address how you -- what your thoughts are about  
11 that or how strongly you feel about that?

12 MR. MYERS: Well, again, I think that I'm between  
13 the applicant who wants -- who is at one hand trying to  
14 build the most marketable house he can, so I don't not  
15 necessarily feel strongly about it. The applicant feels  
16 like some sort of storage or whether it's a shed or small  
17 single-story garage is something that he would like to have  
18 on there, on the property. We have looked at a number of  
19 alternatives. The simplest one was to, you know, pick the  
20 existing garage up. When I first started designing the  
21 house, I didn't know about the -- I thought we were just  
22 moving the garage, and so I was working with 10 percent on  
23 the house. And if you put the garage in there, you just  
24 can't do it with the house, I think. I mean, well, you'd  
25 have to knock off a room or two off the house for sure,



1 that's the bottom line. But I liked Robin's alternative,  
2 obviously, I thought that was very fair of her to say that  
3 in this case, okay, your house is 10 percent, and because of  
4 the extraordinary interest of the existing garage, to allow  
5 that garage to remain on this lot because it's an indicator  
6 of the entire -- the entire property being one at one time.  
7 And, plus, that satisfied our problem of needing some sort  
8 of storage on the lot, so we were happy with that. I know  
9 that the -- that the applicant, Keri Hoobl̄er, wanted the new  
10 garage, that's all, because I think he thinks that the other  
11 one is, you know, going to be difficult to rebuild back  
12 there. But I think at the end of the day, we would be very  
13 satisfied with what Robin suggested, which was to keep the  
14 single, the old garage on our property. We looked at other  
15 alternatives, we looked can we keep them all on Mrs.  
16 Ahearn's property and possibly just allowing her to -- to  
17 have the use of the lot -- of the garage, even though it's  
18 not specifically on this property, it's on the adjacent one.  
19 It's sort of a little technicality. Maybe some sort of  
20 easement would be involved, I don't know. But, again, the  
21 only issues we feel like some -- it would be nice, if he's  
22 got it for this house, to have some sort of storage area on  
23 it.

24 MS. WRIGHT: And just to reiterate, I think Mr.  
25 Myers made it clear, reiterate Robin's point, if there was

1 no garage on this property today, staff, I do not believe,  
2 would be supporting the house plus a one-car garage, because  
3 that would be way over the 10 percent limit. The only  
4 reason for going over the 10 percent limit is because it's  
5 somewhat important to keep the historic garage in proximity  
6 to where it was originally constructed.

7 MR. SPURLOCK: Let me ask one other question for  
8 the Commission, just to get some reaction. One thought I  
9 had in looking at this is that the -- it is -- it does seem  
10 somewhat as an accessory building, and I think the applicant  
11 has made -- gone to great lengths to describe it in that  
12 context, although it does have a front door and a porch  
13 facing the street. Would there be -- would it be beneficial  
14 to have the applicant look at perhaps rotating the porch so  
15 that there was a side entrance to the porch and not have it  
16 quite so frontal, so that it looked a little bit more like -  
17 - perhaps reinforce the concept that it was an accessory  
18 building as opposed to a house pushed back further on the  
19 lot?

20 MS. VELASQUEZ: You know, there's a house just  
21 they finished on -- Washington Road, which isn't really in  
22 the historic area, and they, to address their lot, I don't  
23 think it was for historic-looking purposes, but to address  
24 the lot they have, they have turned the house so that the  
25 side is on the main road, and the driveway is over the front

1 door here, and it looks so strange. It looks like if you're  
2 going to do that, it shouldn't be there at all. So I really  
3 am opposed to turning it like that. I mean, if you have a  
4 front door, the front door should address the street.

5 MR. SPURLOCK: But --

6 MR. MYERS: I'm not opposed to the stair, you  
7 know, being on the side or turned as, you know. I think the  
8 -- just from -- the house, believe me, is so tight, to try  
9 to every time you push and pull this it's a square footage  
10 issue. So I'm not opposed to moving the stair on the porch,  
11 you know, and having the railing -- and having the stair  
12 come up the side and sort of, you know, that would be okay.  
13 I think moving the door just presents move problems design-  
14 wise inside.

15 MR. SPURLOCK: Did you want to come back up and  
16 say something?

17 MS. WILKES: --.

18 MR. SPURLOCK: Could you come up to the mic,  
19 please?

20 MS. WILKES: I just wanted to, since I raised the  
21 issue of this new prototype as a precedent, I am continuing  
22 to believe that this is in fact a precedent in the fact that  
23 it is an accessory structure in appearance but it is under  
24 different ownership than the house to which it appears to be  
25 an accessory. And that raises a whole new set of

1 possibilities about how the materials get interpreted down  
2 the road, colors, you know, in all likelihood, the owner  
3 will exert individuality, so that it won't necessarily read  
4 as an accessory structure. So, really, it is a new  
5 prototype in the sense that it is in fact a residence, and  
6 it will appear as a residence, and I agree that it should  
7 appear as a residence, it should address the street, it  
8 should not pretend to be something that it isn't. It should  
9 not pretend to be a garage. But, as such, that's why I  
10 think that all this discussion has to approve here, because  
11 what you're coming up here -- with her will be a prototype  
12 for subsequent development, and that's why the size matters  
13 as far as I'm concerned, just my professional opinion.  
14 That, yes, there are accessory structures throughout  
15 Kensington but they are true accessory structures. This is  
16 not a true accessory structure, it is a new, separately  
17 owned house that appears secondary to primary resources to  
18 which it is adjacent, and it will potentially read as a  
19 completely different kind of house, depending on what the  
20 owners decide to do with it, than an accessory -- rather  
21 than an accessory structure.

22 MR. MYERS: Just a quick response on that.  
23 There's a house on this circle, probably a year or so ago an  
24 accessory structure was built, it is unbelievably  
25 contemporary, that looks nothing at all like the existing

1 house. So the precedent has set for accessory structures to  
2 look like whatever the heck they want, and have nothing to  
3 do with the existing house. So I think that -- that's not a  
4 good argument at this point because I could build whatever I  
5 want out there. You know, the precedent is already there.

6 MS. WILKES: May I ask are you referring to the  
7 studio on Montgomery Avenue?

8 MR. MYERS: Uh-huh.

9 MS. WILKES: Well, that is -- that is in fact a  
10 studio, and it belongs to the existing owner.

11 MR. MYERS: I know -- I know that it belongs  
12 there, I'm just telling you if I'm driving by there and  
13 you're saying that this house looks -- I know it reads as  
14 accessory structure, it reads as its own thing, meaning it  
15 doesn't really match, it's not painted the same colors, it  
16 doesn't look like the same owner because of some aesthetic  
17 issues. I'm just telling you that the idea -- I happen to  
18 agree, I built a garage and I made it match my house, okay.  
19 That's the -- I like that. But it's already been  
20 established that in Kensington you can build an accessory  
21 structure and use totally contemporary detailing, you can do  
22 whatever you want. So, I mean, it's just an --

23 MS. ZIEK: I'm sorry, I just need to go on the  
24 record. It is taken on a case-by-case basis. The  
25 Commission looks at every new construction as an example and

1 learns from it in whatever way it has to teach it. The  
2 Commission goes out there and decides if that one you're  
3 talking about is a good precedent, they will, I'm sure,  
4 endorse it. If they decide that it is not the direction.  
5 In other words, it's on a case-by-case basis.

6 MR. MYERS: No, I understand, Robin. It's not  
7 that I'm saying that I dislike the structure, I'm just  
8 telling you that it doesn't look anything like the existing  
9 house. And not that that's anything wrong with it, but if  
10 we're talking about precedents, you just said, well, what is  
11 a precedent. If you can just ignore whatever you just  
12 approved, what's the bother with saying it's a precedent?  
13 If it's not a precedent then why is this a precedent?

14 MS. WRIGHT: Well, I think that that -- I think  
15 that's the point is that -- the -- you tried to make, which  
16 is precedents certainly come into play, but, really, our  
17 commission has said time and time again that we review each  
18 case on a case-by-case basis, using our executive  
19 regulations and the criteria in the law, and, you know, --  
20 at one point the two-car was approved doesn't mean that  
21 every house is going to be allowed to have two-care garages  
22 from here on out. But I think this is like a side issue to  
23 some degree in terms of precedent. I think it's sort all  
24 what's before you tonight.

25 MS. VELASQUEZ: I also think that the point is

1 very valid, that this is going to be a house. We're trying  
2 to make it feel like an out building but it in fact is not,  
3 it's going to be somebody else's house, somebody else's  
4 azaleas. The other out buildings you're talking about are  
5 on, in fact, are on the house's property, and they are  
6 outbuildings to that house. This is, in reality, not on  
7 that primary resource's property, and it is -- different  
8 lot, and I think that's what we're sort of we're trying to  
9 wrestle with how to make this fit in the neighborhood, if in  
10 fact it will.

11 MR. HARBIT: I would just like to concur for the  
12 record that I don't feel this is setting precedent and we do  
13 review cases on an individual basis. And one of the reasons  
14 I'm going to vote for this is for the preservation of the  
15 garage as exceeding the 10 percent -- because of the --  
16 historic character of that particular structure. And that  
17 shouldn't be considered a precedent for -- the 10 percent  
18 coverage --. You've got secondary and third buildings on  
19 properties --. This issue you brought up about reducing the  
20 overall height of the structure possibly by reducing the  
21 ceiling height or reducing or pushing the building further  
22 down into the ground, I haven't heard any of the other  
23 commissioners talk about that, whether or not that's a  
24 concern.

25 MS. DEREGGI: I, too, -- for the approval of this

1 structure is consented with the second option meeting the 10  
2 percent restriction. I would definitely prefer to see it  
3 further in the ground than to lower the height of the  
4 ceiling to eight feet. And certainly make it a condition of  
5 any kind of approval that the Sear's garage be preserved and  
6 restored, and that that be in -- that it not be allowed to  
7 be replaced at any time by another structure.

8 MR. HARBIT: Could I ask a procedural question at  
9 this point? The -- talk about a series of conditions came -  
10 - in principle but not necessarily in detail. So if we  
11 approve the staff -- approve the staff recommendations, is  
12 the applicant going to come back to us with more detail of  
13 the house or -- at this point?

14 MS. ZIEK: That is my understanding, it would be  
15 your choice. If there were some details that at this point  
16 you felt strongly about, it would be helpful to hear  
17 actually what they were. It is not a-typical for somebody  
18 to come -- of this level of development, honestly. And, of  
19 course, staff typically, I mean, always, reviews the  
20 permits. So if there are specific issues, I think it would  
21 be very important --

22 MR. HARBIT: Do you have a consensus in terms of  
23 what we're looking for?

24 MS. WRIGHT: But if you vote with these  
25 conditions, you would be issuing the Historic Area Work



1 Permit, and it would then be up to the staff, in reviewing  
2 the building permits and drawings, to make sure all of those  
3 conditions are met. And if you wish to add another  
4 condition about the height of the building being no more  
5 than 27 feet instead of 28 feet, then that would have to be  
6 an additional condition that you would add.

7 MR. HARBIT: What is the current height proposed?

8 MR. MYERS: It's 28 from the grade of where the  
9 building is built.' I guess the issue -- it's going to be  
10 difficult and maybe -- it may be we don't have a height  
11 problem, maybe we do. I think that probably that's  
12 something that needs to be determined. It's hard to just  
13 say, shall we squash into the ground, but it may turn out  
14 with three feet lower than the other house, well, we maybe  
15 didn't need to do that. Or maybe it's better to say that  
16 the house needs to be lower by whatever you feel that's  
17 necessary to the existing house, and we'll make whatever  
18 adjustments, either pushing it down or lowering the  
19 ceilings, to do that.

20 MR. HARBIT: Do you know what the height of the  
21 current house is?

22 MR. MYERS: It's about 29 feet, but the difficulty  
23 is the difference in grade.

24 MS. ZIEK: We have the measurements on that. I've  
25 measured from the first floor, so that doesn't include the

1 foundation at 26 something, and Mr. Hoobler was there and he  
2 measured it as at 28. There's been, you know, some  
3 distinction, obviously, -- for the -- measure, but I think  
4 it's important -- I think that it's true that there is some  
5 -- you know, it's hard to sort of imagine it, but the grade  
6 on the west lot is higher than the grade of the existing  
7 lot. So that even if the house were 28 feet but set at a  
8 higher elevation, it will be higher. I don't think your eye  
9 will necessarily see that because the house will also be  
10 back further. But if you -- you know, I honestly think that  
11 it's a good idea to stipulate from grade, but realizing that  
12 the grade point is higher than the grade plan.

13 MS. WRIGHT: So are you suggesting, Mr. Myers,  
14 that what you could do as a condition is say, for example,  
15 that the new house will be one foot lower than the existing  
16 house or something like that?

17 MR. MYERS: Certainly. I mean, it sounds to me  
18 like if you measured whatever from the first floor, I know  
19 that we have another three or four feet to grade, I think  
20 the answer is probably closer to 33, 34 feet. Did you just  
21 say you measured from the first floor?

22 MS. ZIEK: No.

23 MR. MYERS: Or whatever. Whatever. I would  
24 stipulate that it would be lower by a foot than the existing  
25 house, you know.

1 MS. WRIGHT: Whatever it takes to make that  
2 happen.

3 MR. MYERS: Yeah, whether we have to push it  
4 further in the ground, we will, yes, yes.

5 MR. HARBIT: Mr. Chairman, I'd like to move the  
6 approval of --

7 MR. SPURLOCK: I'd just like to point out further,  
8 just to keep it in context before you make your motion --,  
9 that, you know, the staff has pointed out that there were  
10 three standards in Kensington, and we've been focusing on  
11 the 10 percent standard, but the other two are not. I think  
12 we need to probably -- the record that addresses these other  
13 two issues. Obviously, the first condition is not possible  
14 in this case. The third condition, the side yards, are not  
15 possible.

16 MR. HARBIT: And that for precedent, we are not  
17 abandoning those --.

18 MR. SPURLOCK: I mean, that's something that  
19 should just be acknowledged, that we're doing that.

20 MR. HARBIT: Okay. I approve -- I move that we  
21 should approve Case No. 31/6-00C, with the staff conditions,  
22 and with a new condition, number 12, that the height of the  
23 new structure be at least one foot below the height of the  
24 primary resource.

25 MR. BRESLIN: I second.

1 MR. SPURLOCK: Closing public record. All those  
2 in favor, raise your hand? Right hand, please. All those  
3 opposed?

4 MS. WATKINS: Abstain.

5 MR. SPURLOCK: Abstaining? Two abstentions.  
6 Three.

7 MS. WRIGHT: Okay, so the vote then was  
8 Commissioners Breslin, DeReggi and Harbit in favor of the  
9 motion, Commissioners Velasquez and Watkins opposed, and  
10 Commissioners Lesser and Spurlock abstaining. So the motion  
11 does pass.

12 MR. MYERS: Thank you.

13 MR. SPURLOCK: The next case on the agenda is Case  
14 F. Do we have a staff report, please?

15 MS. NARU: Case No. 37/3-00I, 7051 Eastern Avenue,  
16 is a on-story -- located in the Takoma Park Historic  
17 District. The house is covered with a side gable roof  
18 ornamented with an offset brick, central chimney. The walls  
19 are clattered covered with asbestos siding on the front and  
20 sides vinyl siding on the rear aberration. The roof is  
21 sheet with asphalt shingles, and a one-story enclosed front  
22 porch is clad in -- and lapsiding, and it projects out from  
23 the principle elevation.

24 Prior to the district's designation, the house  
25 underwent significant alterations. The original clapboard

**MAIN LEVEL**—Crown molding highlights 9 foot ceilings throughout main level

Gracious **Foyer** opens from inviting corner porch

Front **Parlor** brightened by floor to ceiling bay window

Dining Room made more charming with second bay window

Custom 5 inch wood paneling topped with plate rail

French doors leading to **Gourmet Kitchen** with maple Shaker Style cabinets

Granite counter tops—choice left up to you

Amana stainless appliances---side by side refrigerator with filter water & ice dispenser

Slide in gas stove with GE microwave above --- vented to outside

Ample cabinet space and pantry

Kitchen open to large **Family Room** across rear of home and windows on 3 sides

Brick masonry fireplace framed with paneling matching dining room

Breakfast bar to be topped with your choice of granite

French doors leading to back garden and Garden Shed

Prewired for ceiling fan

**Guest Closet** and **Powder Room** with decorative window completing main level

**UPPER LEVEL**---accessed from paneled stairway with unique niche to display your art piece

Bright hall with natural light from skylight

Large **Master Bedroom** --- tray ceiling & walk-in closet custom fitted for maximum use

Skylight in **Master Bath** illuminates vanity with granite top of your choice

Limestone tile, Jacuzzi with jets & separate shower with seat

**Two other large Bedrooms** with ample closet space

Pull down stairs to attic from one bedroom

Unique architectural details mirroring slope of gable

**Second Full Ceramic Tile Bath** with a window and linen closet

**LOWER LEVEL**---**TRULY DAYLIGHT**

**Two separate activity areas** defined by ceiling---tray ceiling in one area

Closets customized for maximum storage of games or “things”

Larger **Recreation Room** area highlights second brick fireplace with raised hearth

**Fourth Bedroom** brightened by oversized window with deepened window well

Third **Full Bath** featuring ceramic tile and a 5 foot shower

**Utility Room** roughed for laundry

**AMENITIES**

Garden shed—restored “auto house” originally Sears & Roebuck kit

2 zone heat-both units natural gas (lower 2 floors 92% efficient, upper level 80%)

Windows Crestline simulated divided light--tilt & wash--screens to be installed

Hardwood floors-main level Quarter sawn fir, upper level hall 3 1/4” oak

Wall to wall carpeting in bedrooms and on lower level---your choice of color

Prewired for cable and multi-phone lines

Adams window and door casing and oversized baseboard, Ogee shoe molding

Rough in for washer/dryer in utility room

Ample room for workbench in utility room

50 gallon gas Sidewinder hot water heater

Subdivision: Kensington Park

Builder: Ellison Construction

Lot size: 8640

NOTE: Please call listing agent for Historic Area Disclosure

All information deemed reliable but not guaranteed

NOTICE OF DEVELOPMENT GUIDELINES AFFECTING THE PROPERTY

This NOTICE OF DEVELOPMENT GUIDELINES AFFECTING THE PROPERTY (the "Notice") is made this \_\_\_\_ day of \_\_\_\_\_, 2000, by and among JEANIE AHEARN (the "Owner"); CARY E. HOOBLER, PRESIDENT OF THE ELLISON CORPORATION (the "Contractor Purchaser"); and the HISTORIC PRESERVATION COMMISSION OF MONTGOMERY COUNTY, MARYLAND (the "Commission"), (the Owner, Contract Purchaser, and Commission together the "Parties").

WHEREAS, the Owner is the owner of an undeveloped building lot located at Lot \_\_\_\_, Block \_\_\_\_ of the \_\_\_\_\_ subdivision, known as \_\_\_\_\_ Baltimore Road in Kensington, Maryland (the "Property");

↑  
3922

WHEREAS, the Contract Purchaser has entered into a contract with the Owner to purchase and develop the Property;

WHEREAS, the Property is located in the Kensington Historic District, and is subject to the [NAME OF THE GUIDELINES] (the "Guidelines");

WHEREAS, the Owner and Contract Purchase were co-applicants on an application for a Historic Area Work Permit (the "HAWP") to develop the Property;

WHEREAS, the Commission approved a HAWP, <sup>Permit No. 212943</sup> with conditions to permit development of the Property consistent with the Guidelines on April 19, 2000;

WHEREAS, the Property will be developed consistent with the conditions in the Permit; and

WHEREAS, the Owner and Contract Purchaser wish to record this Notice to comply with Condition 4 of the Commission's approval of the HAWP, and to provide information to future owners about the nature of the limitations on use of the Property under the Guidelines.

NOW, THEREFORE, in consideration of the approval of the HAWP for the Property and the conditions imposed on the approval, and for other good and valuable consideration, the Parties hereby agree to provide Notice of the conditions affecting the Property as follows.

- 1.) Under the terms of the Guidelines, the permissible footprint of a building that can be developed on the Property is 862 square feet.
- 2.) Condition ~~3~~<sup>3</sup> of the HAWP approval limits development on the Property to a footprint of 862 square feet.

3.) Condition 1 of the HAWP requires that the garage structure currently located on the Property be maintained, and that the footprint of the garage structure be included in calculations of developable area on the Property.

4.) The Owner and the Contract Purchaser have agreed to develop the Property in conformance with the Guidelines and the conditions imposed in the HAWP.

5.) The Owner and the Contract Purchaser are recording this Notice to alert future owners of the Property of the existence of the Guidelines and the HAWP, and of the requirement that future owners will have to file an application for a HAWP with the Commission pursuant to Chapter 24 of the Montgomery County Code, 1994, as amended, (the "Historic Preservation Ordinance") to make any other improvements or changes to the Property, ~~and Kensington Historic District~~

6.) This Notice, the Guidelines, and the HAWP will remain effective only so long as the Commission continues to exist and the Historic Preservation Ordinance remains in force and effect.

7.) The Parties, their successors, heirs, and assigns may take any action necessary to enforce the terms and conditions of the HAWP.

IN WITNESS OF THIS NOTICE AND THE AGREEMENTS made in it, the Parties have executed this Notice under seal on the date first written above.

[SIGNATURE BLOCKS AND NOTARY JURATS FOR JEANIE AHEARN, CARY HOOBLER, AND THE COMMISSION].

Parcel id no

After recording, please return to:

The Historic Preservation Commission of  
Montgomery County Maryland

Address  
Maryland - National Capital Park &

Attn: <sup>2</sup> Planning Commission

8787 Georgia Avenue

Silver Spring, MD 20910-3760

Attn.: Historic Preservation Coordinators

including  
my  
modifications  
to  
edition  
#4 of  
the  
HAWP.

and/or the  
Guidelines

and/or the Kensington Historic District

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WHEREAS, the Property is located in the Kensington Historic District, and is subject to the [NAME OF THE GUIDELINES] (the "Guidelines");

WHEREAS, the Owner and Contract Purchase were co-applicants on an application for a Historic Area Work Permit (the "HAWP") to develop the Property;

WHEREAS, the Commission approved a HAWP with conditions to permit development of the Property consistent with the Guidelines on April 19, 2000;

WHEREAS, the Property will be developed consistent with the conditions in the Permit; and

WHEREAS, the Owner and Contract Purchaser wish to record this Notice to comply with Condition \_\_\_ of the Commission's approval of the HAWP, and to provide information to future owners about the nature of the limitations on use of the Property under the Guidelines.

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2.) Condition \_\_\_ of the HAWP approval limits development on the Property to a footprint of \_\_\_\_\_ square feet.



3.) Condition \_\_\_ of the HAWP requires that the garage structure currently located on the Property be maintained, and that the footprint of the garage structure be included in calculations of developable area on the Property.

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6.) This Notice, the Guidelines, and the HAWP will remain effective only so long as the Commission continues to exist and the Historic Preservation Ordinance remains in force and effect.

7.) The Parties, their successors, heirs, and assigns may take any action necessary to enforce the terms and conditions of the HAWP.

IN WITNESS OF THIS NOTICE AND THE AGREEMENTS made in it, the Parties have executed this Notice under seal on the date first written above.

[SIGNATURE BLOCKS AND NOTARY JURATS FOR JEANIE AHEARN, CARY HOOBLER, AND THE COMMISSION].

Parcel id no

After recording, please return to:

The Historic Preservation Commission of  
Montgomery County Maryland  
Address

Attn: ?



**LONG &  
FOSTER**  
REALTORS®

# BETHESDA GATEWAY OFFICE

FAX TO :

ATTN: Gwen Wright

RE :

3922 Baltimore St, Kensington

PHONE # :

301-563-3400

FAX # :

301-563-3412

FROM :

Jeante Ahearne

OFFICE :

LONG & FOSTER BETHESDA GATEWAY

OFFICE TEL. # :

301.907.7600 • 301.951.0313

OFFICE FAX # :

301.907.6610 • 301.907.7997

DATE SENT :

9/6/00

# OF PAGES :  
(INCLUDING COVER SHEET)

2

COMMENTS :

I am so sorry about today's  
mixup.

Looking forward to our  
meeting!

(Mon am - Tues <sup>pm</sup> or Fri am.)

# FAX COVER SHEET

Jeanie Ahearn

Long and Foster Realtors

Fax Number: 301-907-7997

Home Fax: 301-949-6356

Phone Number: 301-949-6357

Cell Phone: 301-526-1209

To: GWEN WRIGHT

Fax Number: 301-563-3412

Date: April 25, 2001 Time: 9:52 AM

Number of Pages (including cover): 3

Re: 3922 Baltimore Street  
Kensington

Comments: Please call with any questions.  
Thank you for your help.

Jeanie

Post-it™ Fax Note	7671	Date	# of pages ▶ 3
To: <i>Filicia Bassman</i>		From: <i>Robin Ziek</i>	
Co./Dept. <i>Mt. City</i>		Co. <i>MNCRPC</i>	
Phone #		Phone # <i>301.563.3408</i>	
Fax # <i>240-777-6706</i>		Fax # <i>301.563.3412</i>	

**JEANIE AHEARN  
3920 Baltimore Street  
Kensington, MD 20895**

Gwen Wright  
Historic Preservation Commission

Dear Gwen:

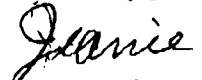
In the first week of October I faxed to Eileen Bassamen Carey's and my rendition of the "NOTICE OF DEVELOPMENT GUIDELINES". I followed up with phone calls no less than 10 times and she did not return my messages.

Carey and I feel that the attached "NOTICE" conveys the message. I have asked all agents to contact me regarding a special contract addendum and will have Purchaser(s) sign a copy. Since I am one of the listing agents, I have made it clear that there will be no additions to the footprint and the necessity of executing an Historic Area Work Permit for any exterior changes.

I believe that we may have a contract today, so I would appreciate your response as soon as possible. The best way to contact me is on my cell phone 301-526-1209.

Thanks for your help.

Sincerely yours,

  
Jeanie Ahearn

# NOTICE OF DEVELOPMENT GUIDELINES IN THE HISTORIC DISTRICT

3922 Baltimore Street, Kensington, Maryland is part of the Kensington Historic District which requires Historic Preservation Commission (HPC) approval for exterior alterations to any property located within its jurisdiction. Such approvals are to be guided by the Vision of Kensington Long Range Preservation Plan which includes guidelines for lot coverage, as well as the Montgomery County Historic Preservation Ordinances. The building of this home was authorized by the Commission. An Historic Area Work Permit (HAWP) application must be made for any <sup>ADDITIONAL</sup> exterior alteration. The application would be brought before the HPC for their consideration under the aforementioned criteria.

Any questions regarding these guidelines may be directed to the Jeanie Ahearn (301-526-1209) or directly to the Historic Preservation Commission (301-563-3400).

This notice meets the intent of the HPC'S condition that was part of the approval of the HAWP approval for the new home at 3922 Baltimore Street.

WITH A SERIES OF DETAILED CONDITIONS REGARDING DESIGN, LOT COVERAGE, AND LANDSCAPING. THE APPROVED HAWP WITH CONDITIONS MAY BE OBTAINED BY CONTACTING THE HPC OFFICE AT (301) 563-3400

**A WARM WELCOME TO  
3922 BALTIMORE STREET  
KENSINGTON, MARYLAND 20895**



**RARE OPPORTUNITY**

This new construction in Historic District of Kensington offers you an inviting floorplan, top quality craftsmanship and materials. The owner of the lot personally chose Ellison Construction to build this home because of their uncompromising attention to detail, standard of construction and experience in historic areas.

Natural daylight fills all three levels of this charming home. A parlor, formal dining room, gourmet kitchen with granite counter tops and large family room accommodate comfortable family living or gracious entertaining. This home offers a total of four bedrooms and three and one half baths. The lower level with two activity areas, a bedroom and full bath is a possible separate living area.

What a perfect blend of replicated historic and up to date features! You will find two masonry fireplaces, custom wood paneling with a plate rail, skylights, "Jacuzzi" tub, tray ceilings, shaker style cabinets, stainless steel Amana appliances, a unique niche on the stairway and so much more. In the garden there is even a restored "auto house".

You can invest your time and money in "this old house" or choose this home with all the charm and none of the work and worry.

**Offered for Sale at \$599,500**

Jeanie Ahearn  
301-215-4741

Long and Foster

Sterling Mehring  
301-585-2600

**MAIN LEVEL**—Crown molding highlights 9 foot ceilings throughout main level

Gracious **Foyer** opens from inviting corner porch

Front **Parlor** brightened by floor to ceiling bay window

Dining Room made more charming with second bay window

Custom 5 inch wood paneling topped with plate rail

French doors leading to **Gourmet Kitchen** with maple Shaker Style cabinets

Granite counter tops—choice left up to you

Amana stainless appliances—side by side refrigerator with filter water & ice dispenser

Slide in gas stove with GE microwave above --- vented to outside

Ample cabinet space and pantry

Kitchen open to large **Family Room** across rear of home and windows on 3 sides

Brick masonry fireplace framed with paneling matching dining room

Breakfast bar to be topped with your choice of granite

French doors leading to back garden and Garden Shed

Prewired for ceiling fan

**Guest Closet** and **Powder Room** with decorative window completing main level

**UPPER LEVEL**---accessed from paneled stairway with unique niche to display your art piece

Bright hall with natural light from skylight

Large **Master Bedroom** --- tray ceiling & walk-in closet custom fitted for maximum use

Skylight in **Master Bath** illuminates vanity with granite top of your choice

Limestone tile, Jacuzzi with jets & separate shower with seat

**Two other large Bedrooms** with ample closet space

Pull down stairs to attic from one bedroom

Unique architectural details mirroring slope of gable

**Second Full Ceramic Tile Bath** with a window and linen closet

**LOWER LEVEL**---**TRULY DAYLIGHT**

**Two separate activity areas** defined by ceiling---tray ceiling in one area

Closets customized for maximum storage of games or “things”

Larger **Recreation Room** area highlights second brick fireplace with raised hearth

**Fourth Bedroom** brightened by oversized window with deepened window well

Third **Full Bath** featuring ceramic tile and a 5 foot shower

**Utility Room** roughed for laundry

**AMENITIES**

Garden shed—restored “auto house” originally Sears & Roebuck kit

2 zone heat-both units natural gas (lower 2 floors 92% efficient, upper level 80%)

Windows Crestline simulated divided light--tilt & wash--screens to be installed

Hardwood floors-main level Quarter sawn fir, upper level hall 3 ¼” oak

Wall to wall carpeting in bedrooms and on lower level---your choice of color

Prewired for cable and multi-phone lines

Adams window and door casing and oversized baseboard, Ogee shoe molding

Rough in for washer/dryer in utility room

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50 gallon gas Sidewinder hot water heater

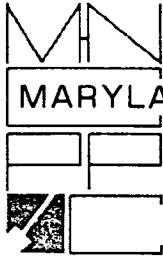
Subdivision: Kensington Park

Builder: Ellison Construction

Lot size: 8640

NOTE: Please call listing agent for Historic Area Disclosure

All information deemed reliable but not guaranteed



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

FAX TRANSMITTAL SHEET

Historic Preservation Office  
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: <sup>SP?</sup> Kathy Wilford FAX NUMBER: 301 9423929

FROM: Perry Kepsch

DATE: 6-5-01

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 3

NOTE:  
Copy of DPS Memo for 3922 Belt.

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301-370-5438  
Carey Hoabler

To be  
removed  
by settlement  
attorney or part  
of the deal.

ELLISON CORPORATION

Builders

10907 Jarboe Avenue  
Silver Spring, MD 20901

Telephone 301-681-1411  
Telefax 301-593-1930

FAX

TO: ROBYN ZIGK or GWEN WRIGHT  
MNC PH  
HISTORIC PRESERVATION OFFICE  
301-563-3412

FR: CAREY HOEBGER

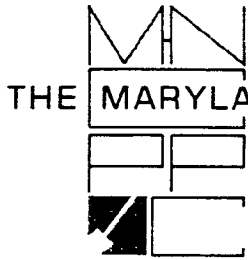
RE: CONDITION 12 AT 3922 BALT. ST  
KENSINGTON  
PERMIT # 223012

HERE'S THE LETTER CERTIFICATION  
BY THE SURVEYOR.

PLS CONTACT THE COUNTY SO I CAN  
SCHEDULE MY FINAL BEFORE NOON.

THANKS!

Carey



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

FAX TRANSMITTAL SHEET

Historic Preservation Office  
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Eileen Basanen FAX NUMBER: 240-777 6706

FROM: Robin Ziek

DATE: 5-18-01

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 4

NOTE:

Eileen - Please call me (-3408) or

Cowan (-3413)

Probably you'll reach us Monday -

Robin

## **FAX COVER SHEET**

**To:** ROBIN ZIEK  
**Fax Number:** 301-563-3412  
**From:** CAREY HOOBLER  
**Cell Phone:** 301-370-5438  
**Date:** MAY 18, 2001 2:31PM  
**Number of Pages (including cover):** 3  
**Re:** 3922 Baltimore Street

### **Comments:**

**Re: Condition #4 on HAWP approval**  
Due to time constraints I have resorted to faxes. We can have original signatures on one document for you Monday AM.

**Re: Condition # 12**  
I have contacted the surveyor and paper work will be forthcoming, as soon as I get it.

Please call with any questions but thanks for your help in the meantime.

# NOTICE OF DEVELOPMENT GUIDELINES IN THE HISTORIC DISTRICT

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Any questions regarding these guidelines may be directed to the Jeanie Ahearn (301-526-1209) or directly to the Historic Preservation Commission (301-563-3400).

This notice meets the intent of the HPC'S condition that was part of the approval of the HAWP approval for the new home at 3922 Baltimore Street.

SELLER:

5-18-01

(SEAL)

Date

Signature

PURCHASER:

5/18/01

(SEAL)

Date

Signature

5/18/01

(SEAL)

Date

Signature

5/18/01

Date

Signature

(SEAL)

# NOTICE OF DEVELOPMENT GUIDELINES IN THE HISTORIC DISTRICT

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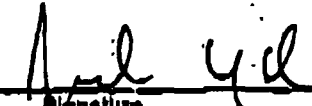
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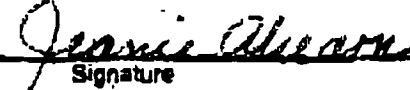
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SELLER:

5-18-01,  (SEAL)  
Date Signature

PURCHASER:

5/18/01,  (SEAL)  
Date Signature

5/18/01,  (SEAL)  
Date Signature

\_\_\_\_\_, \_\_\_\_\_ (SEAL)  
Date Signature



CENTRAL MARYLAND SURVEYORS, INC.

2813 Patuxent River Road • Davidsonville, MD 21035

(410) 798-9700

FAX: (410) 798-9705

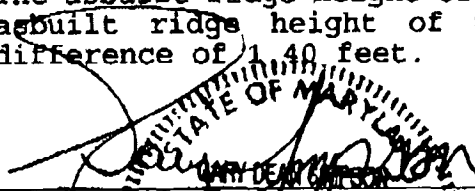
May 22, 2001

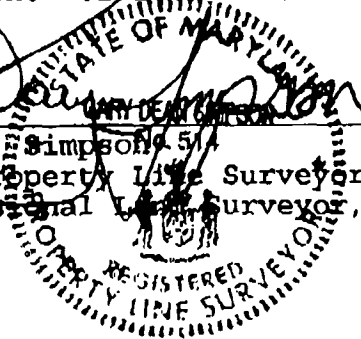
Mr. Carey Hoobler  
Ellison Construction  
10907 Jarboe Avenue  
Silver Spring, MD 20901

RE: Kensington Park  
Lot 25 Block 11  
#3922 Baltimore Street  
Montgomery Co., MD

**ELEVATION CERTIFICATE**

The asbuilt ridge height of #3920 Baltimore Street is 350.70'. The asbuilt ridge height of #3922 Baltimore Street is 349.3', a difference of 1.40 feet.

  
\_\_\_\_\_  
Gary D. Simpson, 5/18/01  
Reg. Property Line Surveyor, MD No. 514  
Professional Land Surveyor, VA No. 1122







**MAIN LEVEL**—Crown molding highlights 9 foot ceilings throughout main level

Gracious **Foyer** opens from inviting corner porch

Front **Parlor** brightened by floor to ceiling bay window

Dining Room made more charming with second bay window

Custom 5 inch wood paneling topped with plate rail

French doors leading to **Gourmet Kitchen** with maple Shaker Style cabinets

Granite counter tops—choice left up to you

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Ample cabinet space and pantry

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Ample room for workbench in utility room

50 gallon gas Sidewinder hot water heater

Subdivision: Kensington Park

Builder: Ellison Construction

Lot size: 8640

NOTE: Please call listing agent for Historic Area Disclosure

All information deemed reliable but not guaranteed

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION  
MONTGOMERY COUNTY, MARYLAND

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----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00C  
3922 Baltimore Street :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/8-00A  
9803 Hollow Glen Place :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00E  
6000 Connecticut Avenue :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00F  
1 Primrose Street :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-00G  
5912 Cedar Parkway :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00I  
7051 Eastern Avenue :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 31/6-00D  
3919 Washington Street :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 30/13-00A  
10909 Montrose Avenue :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 35/81-00A  
3908 Rosemary Street :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00J  
512 New York Avenue :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 37/3-00K  
7218 Spruce Avenue :  
----- X  
HISTORIC AREA WORK PERMIT - : HPC Case No. 19/13-00A  
19215 Blunt Avenue :  
----- X  
PRELIMINARY CONSULTATION - : Master Plan Site #30/12  
10801 Rockville Pike :  
----- X

**ORIGINAL**

*Deposition Services, Inc.*

A hearing in the above-entitled matter was held on Wednesday, April 12, 2000, commencing at 7:45 p.m., in the Montgomery Regional Office Auditorium at the Montgomery County Department of Park & Planning, at 8787 Georgia Avenue, Silver Spring, Maryland, before:

BOARD CHAIRMAN

Steven Spurlock

BOARD MEMBERS

Emily Hotaling Eig

Lynne Watkins

Steven Breslin

Marilyn DeReggi

Susan Velasquez

Nancy Lesser

Douglas Harbit

STAFF

Robin Ziek

Perry Kephart

Gwen Wright

Michelle Naru

APPEARANCES

George Myers

Frank O'Donnell

Julie O'Maley

Helen Wilkes

John Lawson

Larry Ott

Jim Engle

John O'Meil

Joy Jones

Mary Donahoe

Allen Joselyn

Elliot Pfansethl

P R O C E E D I N G S

1  
2 MR. SPURLOCK: Good evening and welcome to the  
3 April 12 meeting of the Montgomery County Historic  
4 Preservation Commission. My name is Steven Spurlock, I'm  
5 the vice chair. And as it is our custom, I'd like to have  
6 our commissioners and staff introduce themselves, starting  
7 on my left.

8 MR. BRESLIN: Steve Breslin, Bethesda.

9 MS. WATKINS: Lynne Watkins, Silver Spring.

10 MS. DEREGGI: Marilyn DeReggi, Boyds.

11 MS. VELASQUEZ: Susan Velasquez, Gaithersburg.

12 MR. HARBIT: Doug Harbit, Takoma Park.

13 UNIDENTIFIED SPEAKER: I'm --, I'm from the County  
14 Attorney's Office.

15 MS. WRIGHT: Gwen Wright, Historic Preservation  
16 Coordinator.

17 MS. KEPHART: Perry Kephart, Historic Preservation  
18 Coordinator.

19 MS. NARU: Michelle Naru, Historic Preservation  
20 Planner.

21 MS. ZIEK: Robin Ziek, Historic Preservation  
22 Planner.

23 MR. SPURLOCK: The first item on our agenda this  
24 evening are the historic area work permits. Have these been  
25 duly advertised?

1 MS. KEPHART: These were advertised in the  
2 Montgomery Journal on March the 29th, 2000.

3 MR. SPURLOCK: Thank you. I'd like to open a  
4 public record. First, is there anyone here to speak in  
5 opposition to the following cases: Case B, Case C, Case D,  
6 Case E, Case G, Case H, Case J, Case K or Case L?

7 MS. VELASQUEZ: Mr. Chairman, I move we approve  
8 the staff reports for the following cases, complete with  
9 their staff commission. New fence at 9803 --, Silver  
10 Spring, HPC Case No. 31/8-00A in the Forest Glen Historic  
11 District; the application 6000 Connecticut Avenue, Chevy  
12 Chase, Case No. 35/13-00E in Chevy Chase; 1 Primrose Street,  
13 HPC Case 35/13-00F in Chevy Chase; 59 12 Cedar Parkway, HPC  
14 Case No. 35/1300G; 3919 Washington Street, Kensington, HPC  
15 Case 31/6-00D in Kensington; 10909 Montrose Avenue, Garrett  
16 Park, HPC Case 30/13-00A in Garrett Park; 912 New York  
17 Avenue, Takoma Park, HPC Case 37/3-00J, Takoma Park; 7218  
18 Spruce Avenue, Takoma Park, Case No. 37/3-00K in Takoma  
19 Park; and 19215 Blunt Avenue in Germantown, HPC Case 19/13-  
20 00A in Germantown.

21 MR. HARBIT: I'll second.

22 MR. SPURLOCK: All those in favor, raise your  
23 right hand? Motion passes unanimously.

24 What we've just done, for the audience, we felt  
25 that these cases, we've reviewed these in a work session and



1 garage to the back of the lot, where it would be  
2 rehabilitated. It is important --, but it is a significant  
3 structure in the district. It is a Sear's garage, a mail  
4 order catalog garage, where the stamps from the Sear's  
5 Company and the delivery address for the homeowner, the  
6 homeowner's name can be clearly read on the inside. It's a  
7 significant resource in the district. And the proposal  
8 would be to move it to the back of the lot where it could be  
9 -- it could serve as a small garage or also as a garden  
10 shed. The applicant has suggested also moving it to the  
11 opposite side of the primary resource, 27, which is the east  
12 side yard; it's currently in the west side yard. I had  
13 discussed this  
14 --. I don't recommend that, and the reasons state --. But  
15 I want to make it clear that in that proposal there was a  
16 driveway proposed. They didn't provide us with any grade  
17 information or the tree survey, which I did discuss with  
18 them, would be important information for the Commission.  
19 And so this -- that would not be part of this application,  
20 that's -- that we would consider that any application for a  
21 driveway on Lot 27 would -- for another historic area work  
22 permit in the future.

23 I have some slides to show you of this project. A  
24 proposal for construction of this site has come before the  
25 Commission. I should say more than one proposal for

1 development of this lot as a single residential lot, not  
2 associated with the historic resource at 3920 Baltimore  
3 Street, has been before the Commission, has been considered  
4 by the Commission. The issues are -- remain the same in all  
5 cases, disturbing the integrity of the historic district.  
6 And with the -- the preservation of the Historic District in  
7 terms of integrity and all of the guidelines and the  
8 guidance that the Commission uses, specifically the  
9 development standards outlined in the -- of Kensington,  
10 which is the -- document that has been adopted by County  
11 Council to be used by this commission for guidance and  
12 direction.

13           This application, in the second iteration, there  
14 are two alternatives in the second iteration. It comes very  
15 close -- makes a very, very good attempt to conform to  
16 development standards in the vision of Kensington. I have  
17 covered in or circled three. I've outlined what those  
18 development standards are and I have gone through each item  
19 to show how the applicant has made good attempts to comply  
20 with the development standards. And I have recommended  
21 approval of this application with the -- with conditions.  
22 And those conditions would be that the historic garage be  
23 moved to the back of Lot 25, that it remain on the existing  
24 lot, which will I feel be used -- in the future would always  
25 be used as a clue that -- were associated with the main



1 house as a primary resource of 3920. So that the garage  
2 would remain on Lot but be moved to the back of the lot and  
3 rehabilitated or restored. The second condition would be  
4 that the existing driveway be modified as per drawings  
5 submitted by the applicant in a -- actually, a -- verbally,  
6 and the discussion was described verbally in a meeting staff  
7 had with the applicant at a meeting that was -- by the LAP.  
8 On Circle 13, where we felt that it would be certainly  
9 feasible to just maintain the original driveway where it was  
10 but remove some of the -- to narrow down the driveway. And  
11 staff is saying, in addition, that the driveway should not  
12 be extended any further back on the lot than it currently  
13 is. Staff feels that this will promote open space between  
14 more side yard, more opportunity for plantings, all of which  
15 is -- sets a spaciousness, all of which is a value in  
16 Kensington. Condition 3, a new house on Lot 25, will be  
17 built with a footprint that is no greater than 862 square  
18 feet. That is the 10 percent recommended in the condition  
19 of Kensington. And with the -- understanding that the  
20 historic garage stay on the lot, that there won't be greater  
21 than 10 percent lot coverage. But staff feels that since  
22 the applicant is willing to move the garage and meet the 10  
23 percent rule, I want to acknowledge that, but that I feel  
24 from a preservation point of view it's more important to  
25 keep the garage on Lot 25 --. And so that the

1 recommendation -- of the house meet the 10 percent rule.  
2 Four, at no time in the future will there be any additions  
3 to Lot 25 to increase this lot coverage. And that's just an  
4 acknowledgement of the need to preserve open space in  
5 Kensington. And, five, will need to do grading plan for  
6 this site. They -- moving the garage and some of the other  
7 conditions on the site which really haven't been addressed.  
8 Six will be landscape proposal and recommending a  
9 replacement -- for those that will be removed --. And,  
10 seven, I think that a tree survey should be clarified --  
11 proposed. And, eight, doors and windows will be true  
12 divided light or simulated true divided light. The porch  
13 railing is --. The shutters are --.

14 I just have a few slides that perhaps could -- the  
15 Commission on the general site and the issues.

16 This is the house, 3920, the property to the  
17 right. This has a -- it's on a center lot with the side lot  
18 yards. On the side is the subject property question is to  
19 the right.

20 This is the existing driveway where -- and the  
21 garage beyond. They show this is an earlier photograph of  
22 the garage without a car in front of it. It's --. Just to  
23 show the garage has original doors. The C is a stamping,  
24 and there's other stampings inside. And this is the back.  
25 Just to show the -- it is -- with -- that match to the

1 house.

2           This is the driveway on the -- this is the house  
3 on the east side, neighboring with -- driveway associated  
4 with that property. And this was the area that the  
5 applicant had proposed regarding moving to Lot 27 here, the  
6 driveway would be here. Issues which haven't been address -  
7 - to the grade  
8 -- and tree saving concerns having to do with cutting mature  
9 trees, this is a mature tree. And, in fact, there are --  
10 there are many trees on the edge of the road in this  
11 particular segment. So, of course, the trees are valuable  
12 asset in the district. You can see beyond to the garage,  
13 and the new house would be back further. So that you would  
14 still be able to see spacing between these houses, which is  
15 --.

16           This one is standing on the lot, looking back  
17 towards Baltimore Street. And here is the garage, and the  
18 house will be built in this area. And so you can see it's  
19 back pretty far.

20           This is the corner where the garage would go.  
21 There has to be some grading in here. There is a change in  
22 elevation to the west neighbor. There is some trees that  
23 have to be removed. And we would just like to work more  
24 closely with the applicant in terms of grading concerns back  
25 here.

1           And just to show there are sheds, this is the  
2 neighbor, 3920, has another shed here, and this is a shed  
3 associated with the backyard neighbor on Prospect Street.

4           And this is just another view showing the subject  
5 property, the west side yard of 3920 Baltimore Street.

6           MR. SPURLOCK: Are there any questions of staff at  
7 this time? If the applicant would like to sort of address  
8 some of the -- what we'd like to do is have you sort of  
9 address some of the conditions in the staff report. We have  
10 a number of speakers who would like to speak so I'd like to  
11 have you do that on a preliminary basis and then let the  
12 speakers do their presentations and have you come back and  
13 address some of those concerns.

14           MR. MYERS: Okay. My name is George Myers with  
15 GGM Architects, author of the proposal you see before you.  
16 Just a couple of thoughts and basically to tell you what my  
17 thoughts were when thinking about this project. The house  
18 looks like it does for two main reasons. When I thought  
19 about designing a house for this spot for the applicant who  
20 came to me, I agreed completely that it ought to look like a  
21 secondary structure. And I also, in light of that, I  
22 quickly, after looking around the neighborhood and looking  
23 at some other secondary structures in the neighborhood, two  
24 things that became important to me were that it be set back  
25 behind the face of the existing building and that it had a

1 proportion facing the street of a secondary structure, and  
2 that to me meant no more than the width of a typical garage,  
3 which is why it's 24 feet wide and one story facing the  
4 street. As a matter of fact, directly opposite of this  
5 house on the other side of the street, probably four or five  
6 months ago, I designed a garage, a free-standing garage,  
7 which is exactly 24 feet wide, exactly opposite this on the  
8 other side of the street. So after having established those  
9 parameters, the question is now how do I make a house out of  
10 that -- something that looks that small from the street.  
11 And I think that, you know, there was a lot of pushing and  
12 pulling to get it to look that way, and I know that if you  
13 look at the thing from the side, it clearly doesn't look  
14 like a garage. But the proportion facing the street, and I  
15 want to focus on that, because I think that's what the focus  
16 ought to be as to what you perceive and what does the public  
17 perceive that's there walking or driving or whatever, how do  
18 they see this house. And I think from the front and the  
19 back they'll see a 24-foot wide proportion with little bumps  
20 here and there on the sides, which I think are less  
21 noticeable.

22                   And having said that, I used the vision of  
23 Kensington as more of a guideline and less as a real zoning  
24 document. I didn't think of -- I understand 10 percent is  
25 around what it ought to be, but I didn't think of it as

1 exactly like a 35 percent lot coverage, which Montgomery  
2 County is, just say it's exactly that. I think around 10  
3 percent is accurate, I don't necessarily think 10 percent --  
4 it has to be 10 percent in order to succeed. And having  
5 said that, the applicant and I both prefer the first  
6 proposal that's about 944 square feet footprint because for  
7 the simple reason that I think that there's no way anybody  
8 could perceive the difference of the two houses from the  
9 street, yet it makes a better house. And I think that would  
10 be silly to knock off 80 square feet just to -- just to meet  
11 a, either it's a guideline or standard, but if it's a  
12 guideline then it's a guideline, and it should be used to  
13 help you make a good house and not keep you from making a  
14 better house if it's one percent or so.

15           And with regard to the other -- our stated -- our  
16 preference is for the -- is for the first proposal that was  
17 944 square feet. Our preference is also to move the  
18 existing garage to Lot 27 in a spot without a driveway, in a  
19 spot that we can mutually agree on with Robin, and to build  
20 another garage, single garage in the back of this driveway.  
21 Having said that, that's our preference, and we'd like to  
22 have that voted on, but we would -- obviously, we submitted  
23 another proposal because, you know, the smaller version at  
24 instruction of staff because we very much want to build  
25 something on this lot. Thank you.

1 MR. SPURLOCK: We have a number of speakers. I'm  
2 going to call you up in groups if that's -- to save some  
3 walking time. First, Frank O'Donnell, Julie O'Maley and  
4 Helen Wilkes.

5 MS. ZIEK: Just for the record, I'd like to note  
6 that the owner of 3920 has submitted some letters for the  
7 Commission's review, and those are part of the record,  
8 having distributed to the Commission.

9 MR. SPURLOCK: Who wants to go first?

10 MR. O'DONNELL: Chairman Spurlock and members of  
11 the Commission, my name is Frank O'Donnell, I live at 10407  
12 Faucet Street in the Historic District of Kensington. I'm  
13 also a chairman of the Kensington LAP. We've already  
14 provided in writing our -- the official comments of the LAP  
15 so I won't go over them literally to save time. I did want  
16 to touch on a couple of things though. First of all, I  
17 thank Robin Ziek very much for coming out on her own time  
18 and not on the clock, but spending an evening with us a  
19 couple of weeks ago to talk about this project and the  
20 historic district generally. And I think it was a very  
21 useful interactive kind of discussion that actually is the  
22 ideal kind of thing that you'd have in this kind of case,  
23 where we had a real free flow of information. I'd also like  
24 to thank the applicant and Mr. Myers, the architect, who  
25 also were there, they understood that we have no power and

1 there was no obligation for them to come but that we invite  
2 their participation so we could really talk it through with  
3 them.

4           Having said that, our position is probably one you  
5 might describe as our neutrality. It's probably pretty  
6 close to the staff report. You can read some nuances in it  
7 that may be slightly more restrictive. I want to explain a  
8 little bit about what goes behind it. I think you should  
9 know that there are a lot of people in the Historic  
10 District, some of them on the LAP, who probably prefer no --  
11 development at all, certainly not on a single lot kind of a  
12 situation. I know it's not -- opinion. I don't know if  
13 it's -- on the LAP, we didn't poll the members or anything  
14 like that, but there's a strong emotional feeling about that  
15 sort of thing. And if I were king for a day, conceivably I  
16 would say, are we going to change the zoning, and I'd say  
17 you can't build anything unless you've got a double lot.  
18 I'm not king, no one has made me king, and that would be a  
19 controversial move, obviously. And what we've got are the  
20 guidelines that you work under the -- of Kensington. And I  
21 think the staff has pointed out very accurately how the  
22 various iterations of this project dovetail with that.

23           I think it's significant that the LAP do not  
24 officially comment on the record oppose to this project. I  
25 would read into that some appreciation for the work that Mr.



1 Myers has done to try to create the continued appearance of  
2 open space, to minimize the size of it, move it back and to  
3 try to be flexible on his design, and in fact offering  
4 alternatives. We do leave it up to you, I think, to decide  
5 does it meet that level. But one thing I would like to  
6 raise, and I think there are a couple of good things in the  
7 staff report that have come up -- that I don't legally have  
8 the ability to do. As you know, there's another thing  
9 hanging on this and that's the applicant's appeal of the  
10 earlier rejection of a bigger, more objectionable project.  
11 And I don't know if we make it part of the condition here  
12 that that appeal be dropped. It seems to me the only reason  
13 that that appeal would go forward, if you gave any kind of  
14 approval, conditional or otherwise, this evening would be to  
15 roll the dice and try to build something bigger and uglier  
16 and essentially roll the whole process. So it seems to me  
17 that if the guys want to roll the dice, maybe the snake eyes  
18 ought to be an option. So I'll leave that for your  
19 discussion and be happy to take any questions.

20 MR. SPURLOCK: Any questions of the speaker?

21 Okay. MS. O'MALEY: I'm Julie O'Maley with the  
22 Kensington Historical Society. Some of you have seen me  
23 before. I've been here consistently for many years. I'm  
24 writing on behalf of the Preservation Committee. And I'm  
25 basically going to go over the letter that you -- I believe

1 she's just handed out. I'm sorry I didn't get it in  
2 earlier. The proposed house, while having an  
3 interesting character and some appropriate features, still  
4 doesn't meet the guidelines set for the core area of the  
5 Historic District. The applicant wants to build a house  
6 which is more than the 10 percent maximum permissible or  
7 recommended under the provision of Kensington guidelines.  
8 But there is a demand for small homes in the Historic  
9 District. When I first moved to Kensington, my husband, two  
10 children and I lived in a house which was 867.6 square feet  
11 with an 80-square-foot front porch, no second floor, was not  
12 a two-story house, it was only a one-story house. We lived  
13 there for six years, and when we wanted a bigger house, we  
14 just moved five blocks to a larger house in Kensington  
15 because we liked the area.

16 I don't believe that the Historic District should  
17 have to lower their standards or risk the historic  
18 designation by allowing a new house in the side yard of a  
19 primary resource which does not in every way meet the  
20 guidelines which have been developed specifically for the  
21 Historic District.

22 There was no streetscape submitted with this  
23 proposal. I noticed tonight, when she -- the slides, it  
24 looks to me like it goes uphill on the west side of the  
25 house, and I believe that the house, the height of the house

1 was to be the same as the primary resource, which would make  
2 it in effect taller than the primary resource if it's  
3 uphill. The size of the house tends to fill the space, when  
4 you look up the hill, between the two primary resources, and  
5 it appears -- it will appear even larger because of it's  
6 uphill from the street. But even the streetscape can be  
7 deceptive, not always capturing the true effect of the  
8 proposed infill. Recently a garage was permitted where the  
9 streetscape shows the garage to be below the grade, and in  
10 fact downhill, with only half of the first level in view.  
11 But, actually, when you go past this building which is being  
12 built apparently across the street, you can see from the  
13 street the ground level of that garage. So even when you  
14 visually see the object, it doesn't always appear as it does  
15 in the drawings. On Washington Street, where the house is  
16 built on the side yard, the neighbors were quite shocked  
17 when they realized what a large mass of a building it was.

18 Our Historic District is very small. The portion  
19 -- this portion is only four blocks wide. I'm not going to  
20 go into the letter. I put parts of the letter in there that  
21 were written about previous case in Kensington to the Board  
22 of Appeals. And you also have that portion which describes  
23 the concerns of the Historic Society in Kensington.

24 We ask that you weigh this proposal very carefully  
25 in light of the precedence it will set. The Historic

1 District is very small. The dominant features must be  
2 preserved in order to maintain our integrity as a district.  
3 This core area is of primary importance, and major changes  
4 such as proposed new construction, must be considered  
5 thoroughly with every new application. We thank you for  
6 your vigilance and thoroughness.

7 MR. SPURLOCK: Thank you.

8 MS. WILKES: Hi. I'm Helen Wilkes. I am  
9 president of the Kensington Lion Trust, I am a registered  
10 architect and I am an adjacent property owner. So I'm here  
11 wearing several hats.

12 As president of the Kensington Lion Trust, I  
13 continue to believe that the best and most appropriate use  
14 for this lot in question is as a side yard lot for the  
15 existing house at 3922 -- 3920 Baltimore Street, as it has  
16 been since the house was built.

17 As an architect and as the -- well, as an  
18 architect, I want to commend Mr. Myers for his very  
19 sensitive and well-designed cottage sort of house, which I  
20 think is architecturally very appropriate for this lot, and  
21 I think it's as suitable as anything might be for this  
22 particular lot between two houses. However, you knew there  
23 would be an however, there is the issue of precedent, and I  
24 want to really talk about that issue and the critical  
25 question of what constitutes lot coverage here and what is

1 acceptable. I want to remind you all that whatever you  
2 decide here will be the beginning of a new pattern of  
3 development for Kensington. I want you to be aware that  
4 this idea of the cottage and/or carriage house as a  
5 residence, as a precedent for Kensington, as a --, and the  
6 fact that this house will be built will create pressures for  
7 the same kind of development in Kensington. This will be  
8 the first time that there will be an approval, if you --  
9 should you approve this proposal, since the visions of  
10 Kensington guidelines have come into effect. And because of  
11 the resolutions, which are something we waited all for for a  
12 very long time, can be our salvation for Kensington in the  
13 sense that they give us something critical to work with, I  
14 mean something quantifiable with work with. That's why this  
15 10 percent lot coverage issue is so important. Envision, if  
16 you will, down the road, someone comes with a heavily-wooded  
17 lot between two houses, a similar circumstance but lots of  
18 trees, this will be used as a precedent. There's no  
19 question in my mind that that will happen. Put that  
20 precedent together with the fact that smart growth  
21 initiatives are enjoying -- engaging in popularity, and  
22 there are the increasing pressures for infill development to  
23 come with that, plus the fact that the economy is so high.  
24 And it would not surprise me if developers would start  
25 actually calling, as they do from time to time anyway,

1 property owners in the Kensington Historic District to say,  
2 hey, we've got a proposal for you, this is something that we  
3 can do. And that will be attractive to certain land owners  
4 in Kensington. So I think that this is a very, very serious  
5 issue, and the issue of shaving off, you know, 80 square  
6 feet is more important to the Historic District than it is  
7 to the particular property owner in question. I'm not  
8 concerned about whether this venture turns out to profitable  
9 for the developer in question. I agree with Julie O'Maley  
10 that there are plenty of one-story houses that are viable as  
11 residences in Kensington, I'm not opposed to the cottage or  
12 carriage house prototype, but it really and truly should be  
13 that, because this is going to come back to you again. And  
14 that's all I have to say.

15 MR. SPURLOCK: Any questions? Thank you. I think  
16 we have three more, actually two more speakers. John  
17 Lawson, Larry Ott, and Jim Engle is the first.

18 MR. LAWSON: My name is John Lawson. I live at  
19 3924 Baltimore Street, which is the house to the left of the  
20 applicant. And I want to encourage the Commission to  
21 approve the application when it comes to comply with the HPC  
22 staff report. I think it's important that the HPC staff  
23 report govern the application, especially for future  
24 reference. We have been attending these meetings for five  
25 years about this particular case, and part of the -- part of

1 the reason for the repeated meetings is the vagaries and  
2 uncertainty about the rules for historic development, or new  
3 development, in historic districts. So long as the vision  
4 of Kensington is endorsed by the HPC, as the staff has done,  
5 as the governing vision, then anybody will know the way that  
6 things should be done. And it will help even for real  
7 estate sales because there won't be the uncertainty about  
8 what goes and what doesn't go. So I endorse the  
9 application, the one that has complied with the HPC report,  
10 which is part of the visions of -- based on the visions of  
11 Kensington.

12 I want to compliment everyone, including the  
13 applicant and Mrs. Ahearn, on finding a creative solution to  
14 a development project that dates back five years. This  
15 scheme preserves the streetscape, it saves the red bud tree  
16 that has been on my mind for five years. I wanted to  
17 mention the fact that there's a mulberry tree that will have  
18 to come out of the southwest corner, and lest there be any  
19 questions about that, the mulberry tree has been capsizing.  
20 It's a big, full-size tree, but it's coming over, and it's  
21 not going to last two or three years because there's nothing  
22 left to hold the thing up. That will have to be removed,  
23 and I think that that's reasonable, speaking as the ex-tree  
24 committee of the LAC.

25 And, finally, I want to compliment Mrs. Jeannie

1 Ahearn for her efforts on behalf of historic preservation to  
2 restore the resource of 392. I've watched her restore that  
3 house with her own hands for the last nine years, and nobody  
4 could have worked harder on that than Mrs. Ahearn. And I  
5 hope that we can approve this application, let her move on  
6 with the development on the final restoration of her house  
7 at 3920 Baltimore Street.

8 MR. SPURLOCK: Thank you.

9 MR. ENGLE: I'm Jim Engle. My wife and son and I  
10 moved to Kensington October of 1998. We came to Kensington  
11 under similar circumstances I guess you might say. We -- a  
12 developer purchased a historic home with a side lot in the  
13 Historic District and assigned his interest in the home to  
14 us. He attempted to develop the side lot with a house  
15 design that was substantially in excess of the guidelines  
16 and visions of Kensington. And the Historic Area Work  
17 Permit was eventually turned down by the HPC in January of  
18 1999. In March of 1999, my wife and I purchased the side  
19 lot from the former owner.

20 What I want to talk about today, what I want to  
21 sort of bring forward is that we'll face considerable cost  
22 to renovate this house, and we have resources to renovate  
23 it, we have the will to do so, it may not happen overnight.  
24 But I just want to say that while it would be, given this  
25 set of circumstances, extremely lucrative to turn around and



1 do the kind of development that's talked about in this  
2 proposal, we wouldn't dream of doing it, we value the open  
3 space too much at this point. And just from my personal  
4 perspective, I don't know how anybody would want to wake up  
5 and see a house next door to them. Even though this is a  
6 nice plan and George Myers should be commended for coming up  
7 with what is, for all intents and purposes, a very  
8 attractive design, efficient use of allowable space. I  
9 guess my concern, though, is that in the long run, now that  
10 there's sort of a model that's going to be set forth, and if  
11 at some point in the future this does turn out to be a very  
12 profitable venture for the developer, it will set a  
13 precedent. We have to very mindful of the precedent that's  
14 being set here, because at some point, a substantially  
15 larger amount of the open space in Kensington could be  
16 infilled with just this type of house. I guess it is  
17 preferable that this type of house would go in than say a  
18 3,000 square foot house with 1,500 square foot footprint.  
19 But nevertheless, it does sort of take away from what makes  
20 Kensington unique, as opposed to, say, Falls Church or  
21 Herndon or Vienna, where there has been such considerable  
22 infill development over the years that all the character is  
23 no longer there to see.

24                   So it is our preference, my preference, my  
25 family's preference, we would like to see the space remain

1 open.

2 MR. SPURLOCK: thank you.

3 MR. OTT: Yes, my name is Larry Ott and I live at  
4 3911 Prospect Street, which is diagonally behind the  
5 property that's going to be developed, and I've lived there  
6 for 22 years at a Victorian house, which we restored  
7 substantially over the last 22 years. My personal feeling,  
8 I feel very strongly about this, is that the property should  
9 not be developed. I think it sets a precedent for the  
10 future, that starting with this and what's happened before  
11 that, the area is going to be totally infilled over the next  
12 two years. I think in five or six years we're going to come  
13 back and see pretty much every lot in that area filled up.  
14 I think it's a unique historic district, it has no equal in  
15 the Washington, D.C. area, and I think this is probably the  
16 beginning of the end of it. I wouldn't be surprised to see  
17 in the near distant future that the property on the other  
18 side of Kensington, where you have a home for the aged, in a  
19 beautiful, also a very beautiful and unique and historic  
20 district around a very unique train station and downtown  
21 area that probably doesn't exist anywhere that I know of in  
22 this part of the country, and certainly not near a major  
23 metropolis like Washington, D.C., will eventually be  
24 infilled. So that being said, I think we are setting a  
25 precedent for future infill that will continue and basically

1 ultimately destroy the historic character of Kensington.

2 Thank you very much.

3 MR. SPURLOCK: Thank you. We have one final  
4 speaker, John O'Meil. O'Meil.

5 MR. O'MEIL: Good evening. My name is John O'Meil  
6 and we are the adjacent property owner, immediately behind  
7 the property in question. We have opposed the large houses  
8 that have been proposed over the years before this  
9 Commission in the past, because when we bought our property,  
10 and that was before Mrs. Ahearn bought hers, we understood  
11 that there was a historic preservation district and that  
12 part of the preservation was for the Victorian garden  
13 setting, and if you take away the land, you have no  
14 Victorian garden setting. We also understand that there is  
15 a set of guidelines that established the possibility of  
16 development on lots, but in a manner that will achieve as  
17 much as possible the balance between a property owner's  
18 right to develop his land and the Victorian garden setting.  
19 And that guideline establishes a coverage of a lot of no  
20 more than 10 percent. I find somewhat inconsistent with  
21 that the 321 square foot garage, along with a house that's  
22 10 percent, which gives you considerably more than that.

23 As the property owner that is behind the existing  
24 property, we, of course, would have considerably less garden  
25 setting because allowing the house to be set back on the lot

1 for purposes of the streetscape certainly will adversely  
2 affect the view that we'll have from the rear of our  
3 property.

4 That being said, we would suggest that if this  
5 Commission strictly enforces these guidelines, establishes  
6 no more than a 10 percent coverage, and then chooses a  
7 design such as the one here that attempts as best as  
8 possible to fit into the overall Victorian setting, that we  
9 certainly wouldn't oppose it.

10 I would also, as did Dr. Lawson, commend Mrs.  
11 Ahearn for the wonderful job she has done restoring which  
12 was a dilapidated house when she bought it, which, as you  
13 saw from the two pictures, certainly looks a lot better, and  
14 attempting to address the issues that we have in the past  
15 brought before this Commission. And I've told her  
16 personally and I tell her again I think she's done a  
17 terrific job. But I believe that this Commission must adopt  
18 the conditions established by the staff, and, indeed, should  
19 ensure that it is no more than a 10 percent coverage,  
20 otherwise, it seems to me that the slippery slope that has  
21 been described by Mrs. Wilkes and others will indeed be  
22 embarked upon. Thank you.

23 MR. SPURLOCK: Thank you.

24 MR. MYERS: I would just like to make one point  
25 with regard to the precedent. I live in Kensington and work

1 there as well, and I think that when you talk about this as  
2 a precedent, you also have to think of the existing  
3 precedent for accessory structures. There are already many  
4 accessory structures, some of which are as big as 600 square  
5 feet in footprint, that exist currently in Kensington now.  
6 So I think that -- and I don't think that if we were coming  
7 up here now to say that I wanted to build a little garage  
8 with a room on top of it on this property, without  
9 subdividing it, without selling it, meaning it's truly an  
10 accessory structure, I would probably design something that  
11 looks an awful lot like what you see before you. So there  
12 is precedent and we could, you know, to put an accessory  
13 structure which has the same effect, I would venture to say,  
14 of these small little buildings between bigger houses. So I  
15 think to say that a precedent -- that this is such a bad  
16 precedent, and that if -- that if you approve this, that all  
17 of a sudden you're going to see all these little accessory-  
18 looking buildings between bigger houses all over Kensington,  
19 that may be true, but it's also true now. I mean, the  
20 precedent is set for accessory structures. There have been  
21 some ones approved recently that are of pretty good size. I  
22 mean, I know for sure of two that are 600 square feet in  
23 footprint, that's 20 by 30. That's, you know, that's a  
24 garage with a little storage on the edge of it, okay. So I  
25 don't think that this is going to be some watershed of all

1 of a sudden if you -- if you stop and you deny this, all of  
2 sudden you're going to stop small buildings from ever  
3 getting approved on side lots and you'll see smaller  
4 buildings between the bigger ones. The possibility exists  
5 currently.

6 MR. SPURLOCK: Does the -- go ahead.

7 MR. BRESLIN: I have a question for the staff. Is  
8 the size of this lot typical for other lots that would be --

9 MS. ZIEK: Kensington is -- it's typical for a  
10 portion of the lots. I think that the clearest thing to  
11 refer to would be Circle 33, no, I'm sorry, Circle 32, which  
12 shows you have a land that's subdivided in 50-foot lots,  
13 until it came to the corners, and those corners are much  
14 larger. And that's one of the reasons that the development  
15 pattern is stipulated on 33. We see that a lot of those  
16 corner lots indeed have been sold individually and developed  
17 individually, but houses in the straight sections with 50-  
18 foot lots were purchased as multiple lots to accommodate  
19 that size.

20 MR. BRESLIN: So if it just came up again as a  
21 precedent, a 50-foot lot is typical, because we might see  
22 the same size lot again?

23 MS. ZIEK: Oh no, there will be. The typical --,  
24 the smallest -- lot in Kensington, I think it's pretty safe  
25 to say, is 50 foot --. There are many larger lots, as per

1 the circles in this, you know, the curving areas in  
2 particular.

3 MR. SPURLOCK: Does anyone want to address any of  
4 the qualitative aspects of the house as presented by their  
5 scheme?

6 MR. BRESLIN: Well, I think in general, infill has  
7 a very bad reputation, and I think it deserves the bad  
8 reputation, but I think that's mostly because of the houses  
9 that we see proposed for infill. And I think the houses  
10 proposed here I think are -- they go out of their way to be  
11 compatible and they go out of their way to meet the  
12 standards, particularly the one that meets the 10 percent.  
13 So I think, as far as the right way and the wrong way to do  
14 infill, I think this is the right way to do it.

15 MS. WATKINS: I had a question about the existing  
16 house, 3920. What is the height of that --?

17 MR. MYERS: I think, I couldn't tell you for sure,  
18 but I believe it's around 29 feet. It's a full two stories  
19 with, you know, probably up to the roof line it's about 18  
20 to 20 feet, and it has a fairly steep pitch. So whether I  
21 guess you're going to have one house be taller or as tall?

22 MS. WATKINS: Yes.

23 MR. MYERS: My -- I think ours, if you measure off  
24 where the grade where ours will be, it's around, I think  
25 it's on here, the final -- it's 28 feet off the grade. The

1 question -- we have to shoot the grade exactly and see the  
2 difference in the first floor. My inclination is that it  
3 will be lower simply because our roof line starts off the  
4 first floor as opposed to their starting off the second  
5 floor. I can't say that for sure without having, you know,  
6 get out there with a transit and find out exactly.

7 MS. WATKINS: Will you have a streetscape or?

8 MR. MYERS: No, to tell you the truth, you know,  
9 the issue was brought up, but I feel like if you're going to  
10 do that, it needs to be exact. It takes a lot of time and  
11 to be done exactly right. I guess what I'm saying is all  
12 those grades would have to be shot. Because I'd hate to put  
13 up in front of you something that's going to either be --  
14 look better than it is or worse than it is. But, no, the  
15 drawing was not done just because of the expense and the  
16 time involved.

17 MR. BRESLIN: As far as height is concerned, you  
18 have a nine-foot ceiling on the first floor?

19 MR. MYERS: That's correct.

20 MR. BRESLIN: Would you consider dropping it to  
21 eight foot to reduce the height?

22 MR. MYERS: I, yeah, would consider it. I guess  
23 the, you know, Ellis & Corporation will be absolutely  
24 against it, but I think that we're, I mean, we're looking to  
25 get something approved. I think I would probably sooner



1 push it further in the ground.

2 MR. BRESLIN: Reduce to four foot?

3 MR. MYERS: Yeah, I would rather drop it further  
4 into the ground than drop the nine-foot ceiling on there, if  
5 that, you know, so.

6 Excuse me, but Ms. Ahearn did mention to me that  
7 with regards to their appeal, part of the reason I came  
8 today was wanting to be done with it and build something.  
9 So she told me that if something is approved, the appeal  
10 would actually be dropped with regard to the other larger  
11 structure. She just told me that while you were -- that was  
12 brought up, so I wanted it to be noted.

13 MR. SPURLOCK: That was a question I was going to  
14 ask you.

15 MR. MYERS: Yeah, there's no need for it if we  
16 have a house that we feel like we would like to build, so.

17 MS. EIG: But you could not make that a condition.

18 MR. SPURLOCK: No, we understand that. But we can  
19 receive assurances from the applicant that they will do  
20 that, but we cannot make that decision.

21 MS. EIG: Well, we can certainly mention it, so.

22 MS. VELASQUEZ: I still, and I know you've been  
23 going through this for five years, -- putting anything on  
24 the lot. I think --

25 MR. MYERS: I've only been doing it for about four

1 weeks.

2 MS. VELASQUEZ: --.

3 MR. MYERS: I know.

4 MS. VELASQUEZ: And in -- is maintained regarding  
5 --. It's -- and I did hear where a lot of people here were  
6 saying about what kind of -- precedent are we citing  
7 tonight. So I'm really wrestling with this, I'm having a  
8 hard time. I think if we have to have a house, this  
9 proposal is very nice. It meets a lot of what we talked  
10 about before --. But at the same time, I -- anything here,  
11 so I'm just going to listen to everybody else for a little  
12 while longer.

13 MR. MYERS: I think, you know, again, I think it's  
14 a false precedent. Because I could -- let's just say this  
15 was denied, and I came back from -- she goes, well, if I  
16 can't do that then I'd like to build a guest house/art  
17 studio out there, and it would be 24 feet wide and I'd  
18 probably put a little rim on top. And if you looked at the  
19 while three lots, it would be close to 10 percent lot  
20 coverage, because all of a sudden it would be one property.  
21 So I'm just saying in terms of accessory structure infill,  
22 the precedent has been set all over Kensington, and this  
23 looks -- I don't think it's a bad precedent to say that if  
24 you're going to do an infill house in Kensington, it ought  
25 to look like a secondary accessory structure, it ought to be

1 small, it ought to be set back. I think it's a good  
2 precedent, you know. So I mean I think that if you're --  
3 that's the precedent you're setting. It has to be well  
4 designed, you know, so that's the precedent. Because I  
5 think you're not going to be able to stop over years little  
6 buildings from cropping up between the bigger ones in  
7 Kensington. You can't deny people the right to build  
8 accessory structures, and that will happen.

9 MS. VELASQUEZ: I agree. I agree.

10 MR. MYERS: Right, so.

11 MS. VELASQUEZ: And so that -- subdividing --.

12 MR. MYERS: Exactly, so.

13 MR. BRESLIN: Well, I think another way to look at  
14 it is that if the house was kept at 10 percent, 10 percent  
15 is a good precedent. I think 10 percent is the spirit of  
16 the development standards.

17 MS. WATKINS: The problem that I think we enter  
18 into is that if we keep the house at 10 percent and there's  
19 already an existing structure on the site, it brings it  
20 above. So somebody who comes with -- and it's really close  
21 to 10 percent already, let's build another 10 percent, then  
22 we've got 20 percent. The problem that I have is with the  
23 existing garage and how the two buildings work together, and  
24 would the existing garage to the other lot, other empty lot,  
25 for the current house exclude that lot from further

1 development if we -- 10 percent. I don't know if staff  
2 could comment on this.

3 MS. ZIEK: It seems that the only thing that would  
4 -- development is the fact right now that one of the -- this  
5 side of the porch --. If somebody -- or to grant the  
6 demolition of that part of the house, then the lot could be  
7 built up because the garage -- Lot 25. So --.

8 MR. SPURLOCK: Could the applicant sort of -- you  
9 had mentioned moving the garage and building another garage.  
10 Could you address how you -- what your thoughts are about  
11 that or how strongly you feel about that?

12 MR. MYERS: Well, again, I think that I'm between  
13 the applicant who wants -- who is at one hand trying to  
14 build the most marketable house he can, so I don't not  
15 necessarily feel strongly about it. The applicant feels  
16 like some sort of storage or whether it's a shed or small  
17 single-story garage is something that he would like to have  
18 on there, on the property. We have looked at a number of  
19 alternatives. The simplest one was to, you know, pick the  
20 existing garage up. When I first started designing the  
21 house, I didn't know about the -- I thought we were just  
22 moving the garage, and so I was working with 10 percent on  
23 the house. And if you put the garage in there, you just  
24 can't do it with the house, I think. I mean, well, you'd  
25 have to knock off a room or two off the house for sure,

1 that's the bottom line. But I liked Robin's alternative,  
2 obviously, I thought that was very fair of her to say that  
3 in this case, okay, your house is 10 percent, and because of  
4 the extraordinary interest of the existing garage, to allow  
5 that garage to remain on this lot because it's an indicator  
6 of the entire -- the entire property being one at one time.  
7 And, plus, that satisfied our problem of needing some sort  
8 of storage on the lot, so we were happy with that. I know  
9 that the -- that the applicant, Keri Hoobler, wanted the new  
10 garage, that's all, because I think he thinks that the other  
11 one is, you know, going to be difficult to rebuild back  
12 there. But I think at the end of the day, we would be very  
13 satisfied with what Robin suggested, which was to keep the  
14 single, the old garage on our property. We looked at other  
15 alternatives, we looked can we keep them all on Mrs.  
16 Ahearn's property and possibly just allowing her to -- to  
17 have the use of the lot -- of the garage, even though it's  
18 not specifically on this property, it's on the adjacent one.  
19 It's sort of a little technicality. Maybe some sort of  
20 easement would be involved, I don't know. But, again, the  
21 only issues we feel like some -- it would be nice, if he's  
22 got it for this house, to have some sort of storage area on  
23 it.

24 MS. WRIGHT: And just to reiterate, I think Mr.  
25 Myers made it clear, reiterate Robin's point, if there was

1 no garage on this property today, staff, I do not believe,  
2 would be supporting the house plus a one-car garage, because  
3 that would be way over the 10 percent limit. The only  
4 reason for going over the 10 percent limit is because it's  
5 somewhat important to keep the historic garage in proximity  
6 to where it was originally constructed.

7 MR. SPURLOCK: Let me ask one other question for  
8 the Commission, just to get some reaction. One thought I  
9 had in looking at this is that the -- it is -- it does seem  
10 somewhat as an accessory building, and I think the applicant  
11 has made -- gone to great lengths to describe it in that  
12 context, although it does have a front door and a porch  
13 facing the street. Would there be -- would it be beneficial  
14 to have the applicant look at perhaps rotating the porch so  
15 that there was a side entrance to the porch and not have it  
16 quite so frontal, so that it looked a little bit more like -  
17 - perhaps reinforce the concept that it was an accessory  
18 building as opposed to a house pushed back further on the  
19 lot?

20 MS. VELASQUEZ: You know, there's a house just  
21 they finished on -- Washington Road, which isn't really in  
22 the historic area, and they, to address their lot, I don't  
23 think it was for historic-looking purposes, but to address  
24 the lot they have, they have turned the house so that the  
25 side is on the main road, and the driveway is over the front

1 door here, and it looks so strange. It looks like if you're  
2 going to do that, it shouldn't be there at all. So I really  
3 am opposed to turning it like that. I mean, if you have a  
4 front door, the front door should address the street.

5 MR. SPURLOCK: But --

6 MR. MYERS: I'm not opposed to the stair, you  
7 know, being on the side or turned as, you know. I think the  
8 -- just from -- the house, believe me, is so tight, to try  
9 -- to every time you push and pull this it's a square footage  
10 issue. So I'm not opposed to moving the stair on the porch,  
11 you know, and having the railing -- and having the stair  
12 come up the side and sort of, you know, that would be okay.  
13 I think moving the door just presents move problems design-  
14 wise inside.

15 MR. SPURLOCK: Did you want to come back up and  
16 say something?

17 MS. WILKES: --.

18 MR. SPURLOCK: Could you come up to the mic,  
19 please?

20 MS. WILKES: I just wanted to, since I raised the  
21 issue of this new prototype as a precedent, I am continuing  
22 to believe that this is in fact a precedent in the fact that  
23 it is an accessory structure in appearance but it is under  
24 different ownership than the house to which it appears to be  
25 an accessory. And that raises a whole new set of

1 possibilities about how the materials get interpreted down  
2 the road, colors, you know, in all likelihood, the owner  
3 will exert individuality, so that it won't necessarily read  
4 as an accessory structure. So, really, it is a new  
5 prototype in the sense that it is in fact a residence, and  
6 it will appear as a residence, and I agree that it should  
7 appear as a residence, it should address the street, it  
8 should not pretend to be something that it isn't. It should  
9 not pretend to be a garage. But, as such, that's why I  
10 think that all this discussion has to approve here, because  
11 what you're coming up here -- with her will be a prototype  
12 for subsequent development, and that's why the size matters  
13 as far as I'm concerned, just my professional opinion.  
14 That, yes, there are accessory structures throughout  
15 Kensington but they are true accessory structures. This is  
16 not a true accessory structure, it is a new, separately  
17 owned house that appears secondary to primary resources to  
18 which it is adjacent, and it will potentially read as a  
19 completely different kind of house, depending on what the  
20 owners decide to do with it, than an accessory -- rather  
21 than an accessory structure.

22 MR. MYERS: Just a quick response on that.  
23 There's a house on this circle, probably a year or so ago an  
24 accessory structure was built, it is unbelievably  
25 contemporary, that looks nothing at all like the existing



1 house. So the precedent has set for accessory structures to  
2 look like whatever the heck they want, and have nothing to  
3 do with the existing house. So I think that -- that's not a  
4 good argument at this point because I could build whatever I  
5 want out there. You know, the precedent is already there.

6 MS. WILKES: May I ask are you referring to the  
7 studio on Montgomery Avenue?

8 MR. MYERS: Uh-huh.

9 -- MS. WILKES: Well, that is -- that is in fact a  
10 studio, and it belongs to the existing owner.

11 MR. MYERS: I know -- I know that it belongs  
12 there, I'm just telling you if I'm driving by there and  
13 you're saying that this house looks -- I know it reads as  
14 accessory structure, it reads as its own thing, meaning it  
15 doesn't really match, it's not painted the same colors, it  
16 doesn't look like the same owner because of some aesthetic  
17 issues. I'm just telling you that the idea -- I happen to  
18 agree, I built a garage and I made it match my house, okay.  
19 That's the -- I like that. But it's already been  
20 established that in Kensington you can build an accessory  
21 structure and use totally contemporary detailing, you can do  
22 whatever you want. So, I mean, it's just an --

23 MS. ZIEK: I'm sorry, I just need to go on the  
24 record. It is taken on a case-by-case basis. The  
25 Commission looks at every new construction as an example and

1 learns from it in whatever way it has to teach it. The  
2 Commission goes out there and decides if that one you're  
3 talking about is a good precedent, they will, I'm sure,  
4 endorse it. If they decide that it is not the direction.  
5 In other words, it's on a case-by-case basis.

6 MR. MYERS: No, I understand, Robin. It's not  
7 that I'm saying that I dislike the structure, I'm just  
8 telling you that it doesn't look anything like the existing  
9 house. And not that that's anything wrong with it, but if  
10 we're talking about precedents, you just said, well, what is  
11 a precedent. If you can just ignore whatever you just  
12 approved, what's the bother with saying it's a precedent?  
13 If it's not a precedent then why is this a precedent?

14 MS. WRIGHT: Well, I think that that -- I think  
15 that's the point is that -- the -- you tried to make, which  
16 is precedents certainly come into play, but, really, our  
17 commission has said time and time again that we review each  
18 case on a case-by-case basis, using our executive  
19 regulations and the criteria in the law, and, you know, --  
20 at one point the two-car was approved doesn't mean that  
21 every house is going to be allowed to have two-car garages  
22 from here on out. But I think this is like a side issue to  
23 some degree in terms of precedent. I think it's sort all  
24 what's before you tonight.

25 MS. VELASQUEZ: I also think that the point is

1 very valid, that this is going to be a house. We're trying  
2 to make it feel like an out building but it in fact is not,  
3 it's going to be somebody else's house, somebody else's  
4 azaleas. The other out buildings you're talking about are  
5 on, in fact, are on the house's property, and they are  
6 outbuildings to that house. This is, in reality, not on  
7 that primary resource's property, and it is -- different  
8 lot, and I think that's what we're sort of we're trying to  
9 wrestle with how to make this fit in the neighborhood, if in  
10 fact it will.

11 MR. HARBIT: I would just like to concur for the  
12 record that I don't feel this is setting precedent and we do  
13 review cases on an individual basis. And one of the reasons  
14 I'm going to vote for this is for the preservation of the  
15 garage as exceeding the 10 percent -- because of the --  
16 historic character of that particular structure. And that  
17 shouldn't be considered a precedent for -- the 10 percent  
18 coverage --. You've got secondary and third buildings on  
19 properties --. This issue you brought up about reducing the  
20 overall height of the structure possibly by reducing the  
21 ceiling height or reducing or pushing the building further  
22 down into the ground, I haven't heard any of the other  
23 commissioners talk about that, whether or not that's a  
24 concern.

25 MS. DERECCI: I, too, -- for the approval of this

1 structure is consented with the second option meeting the 10  
2 percent restriction. I would definitely prefer to see it  
3 further in the ground than to lower the height of the  
4 ceiling to eight feet. And certainly make it a condition of  
5 any kind of approval that the Sear's garage be preserved and  
6 restored, and that that be in -- that it not be allowed to  
7 be replaced at any time by another structure.

8 MR. HARBIT: Could I ask a procedural question at  
9 this point? The -- talk about a series of conditions came -  
10 - in principle but not necessarily in detail. So if we  
11 approve the staff -- approve the staff recommendations, is  
12 the applicant going to come back to us with more detail of  
13 the house or -- at this point?

14 MS. ZIEK: That is my understanding, it would be  
15 your choice. If there were some details that at this point  
16 you felt strongly about, it would be helpful to hear  
17 actually what they were. It is not a-typical for somebody  
18 to come -- of this level of development, honestly. And, of  
19 course, staff typically, I mean, always, reviews the  
20 permits. So if there are specific issues, I think it would  
21 be very important --

22 MR. HARBIT: Do you have a consensus in terms of  
23 what we're looking for?

24 MS. WRIGHT: But if you vote with these  
25 conditions, you would be issuing the Historic Area Work

1 Permit, and it would then be up to the staff, in reviewing  
2 the building permits and drawings, to make sure all of those  
3 conditions are met. And if you wish to add another  
4 condition about the height of the building being no more  
5 than 27 feet instead of 28 feet, then that would have to be  
6 an additional condition that you would add.

7 MR. HARBIT: What is the current height proposed?

8 MR. MYERS: It's 28 from the grade of where the  
9 building is built. I guess the issue -- it's going to be  
10 difficult and maybe -- it may be we don't have a height  
11 problem, maybe we do. I think that probably that's  
12 something that needs to be determined. It's hard to just  
13 say, shall we squash into the ground, but it may turn out  
14 with three feet lower than the other house, well, we maybe  
15 didn't need to do that. Or maybe it's better to say that  
16 the house needs to be lower by whatever you feel that's  
17 necessary to the existing house, and we'll make whatever  
18 adjustments, either pushing it down or lowering the  
19 ceilings, to do that.

20 MR. HARBIT: Do you know what the height of the  
21 current house is?

22 MR. MYERS: It's about 29 feet, but the difficulty  
23 is the difference in grade.

24 MS. ZIEK: We have the measurements on that. I've  
25 measured from the first floor, so that doesn't include the

1 foundation at 26 something, and Mr. Hoobler was there and he  
2 measured it as at 28. There's been, you know, some  
3 distinction, obviously, -- for the -- measure, but I think  
4 it's important -- I think that it's true that there is some  
5 -- you know, it's hard to sort of imagine it, but the grade  
6 on the west lot is higher than the grade of the existing  
7 lot. So that even if the house were 28 feet but set at a  
8 higher elevation, it will be higher. I don't think your eye  
9 will necessarily see that because the house will also be  
10 back further. But if you -- you know, I honestly think that  
11 it's a good idea to stipulate from grade, but realizing that  
12 the grade point is higher than the grade plan.

13 MS. WRIGHT: So are you suggesting, Mr. Myers,  
14 that what you could do as a condition is say, for example,  
15 that the new house will be one foot lower than the existing  
16 house or something like that?

17 MR. MYERS: Certainly. I mean, it sounds to me  
18 like if you measured whatever from the first floor, I know  
19 that we have another three or four feet to grade, I think  
20 the answer is probably closer to 33, 34 feet. Did you just  
21 say you measured from the first floor?

22 MS. ZIEK: No.

23 MR. MYERS: Or whatever. Whatever. I would  
24 stipulate that it would be lower by a foot than the existing  
25 house, you know.

1 MS. WRIGHT: Whatever it takes to make that  
2 happen.

3 MR. MYERS: Yeah, whether we have to push it  
4 further in the ground, we will, yes, yes.

5 MR. HARBIT: Mr. Chairman, I'd like to move the  
6 approval of --

7 MR. SPURLOCK: I'd just like to point out further,  
8 just to keep it in context before you make your motion --,  
9 that, you know, the staff has pointed out that there were  
10 three standards in Kensington, and we've been focusing on  
11 the 10 percent standard, but the other two are not. I think  
12 we need to probably -- the record that addresses these other  
13 two issues. Obviously, the first condition is not possible  
14 in this case. The third condition, the side yards, are not  
15 possible.

16 MR. HARBIT: And that for precedent, we are not  
17 abandoning those --.

18 MR. SPURLOCK: I mean, that's something that  
19 should just be acknowledged, that we're doing that.

20 MR. HARBIT: Okay. I approve -- I move that we  
21 should approve Case No. 31/6-00C, with the staff conditions,  
22 and with a new condition, number 12, that the height of the  
23 new structure be at least one foot below the height of the  
24 primary resource.

25 MR. BRESLIN: I second.

1 MR. SPURLOCK: Closing public record. All those  
2 in favor, raise your hand? Right hand, please. All those  
3 opposed?

4 MS. WATKINS: Abstain.

5 MR. SPURLOCK: Abstaining? Two abstentions.  
6 Three.

7 MS. WRIGHT: Okay, so the vote then was  
8 Commissioners Breslin, DeReggi and Harbit in favor of the  
9 motion, Commissioners Velasquez and Watkins opposed, and  
10 Commissioners Lesser and Spurlock abstaining. So the motion  
11 does pass.

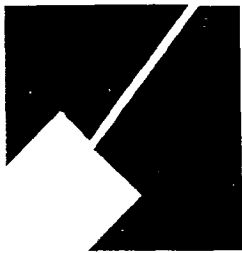
12 MR. MYERS: Thank you.

13 MR. SPURLOCK: The next case on the agenda is Case  
14 F. Do we have a staff report, please?

15 MS. NARU: Case No. 37/3-00I, 7051 Eastern Avenue,  
16 is a on-story -- located in the Takoma Park Historic  
17 District. The house is covered with a side gable roof  
18 ornamented with an offset brick, central chimney. The walls  
19 are clattered covered with asbestos siding on the front and  
20 sides vinyl siding on the rear aberration. The roof is  
21 sheet with asphalt shingles, and a one-story enclosed front  
22 porch is clad in -- and lapsiding, and it projects out from  
23 the principle elevation.

24 Prior to the district's designation, the house  
25 underwent significant alterations. The original clapboard





Date: April 19, 2000

**MEMORANDUM**

TO: Robert Hubbard, Director  
Department of Permitting Services

FROM: *GW* Gwen Wright, Coordinator  
Historic Preservation

SUBJECT: Historic Area Work Permit #31/6-00C (Permit #212943)

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

Approved       Denied       **Approved with Conditions:**

- 1) The historic garage will be moved to the back of Lot 25 and restored, using the original doors and materials (clapboard siding). Special care will be given to retention of the structural members which have been stamped by Sears and Roebuck.
- 2) The existing driveway on Lot 25 will be modified as per the tree survey (attached) with a small area of macadam removed. The driveway will not be extended any further back on the lot.
- 3) Scheme 2 will be used for the new house on Lot 25, with a footprint which is no greater than 862 sf.
- 4) At no time in the future will any additions to the house on Lot 25 which increase the footprint above 862 sf be approved for this site. This will be stipulated by deed by the current property owner prior to transfer of the lot.
- 5) A new grading plan for this site will be provided to HPC staff.
- 6) A landscape proposal for Lot 25 will be provided for HPC approval which includes replacement trees for those being removed as well as sidewalk details.

- 7) A clear tree survey for Lot 25 will be provided to HPC prior to submitting for a building permit for use in reviewing the landscape proposal.
- 8) The doors and windows will be wood, True-divided-light (TDL) or Simulated TDL.
- 9) The porch railing will utilize in-set pickets.
- 10) The shutters will be operable and sized to fit the window opening.
- 11) Any proposal for a new driveway on Lot 27 will need to come back to the HPC as a separate HAWP, with a full tree survey and information on the impact of the driveway construction on existing trees.
- 12) The new house will be one foot lower in absolute elevation than the absolute elevation of the height (roof ridge line) of the house at 3920 Baltimore Street, to be certified by an independent surveyor.

and subject to the general conditions that 1) HPC Staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and 2) after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301) 217-6240 prior to commencement of work and not more than two weeks following completion of work.

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

Applicant: Ellison Corporation (Cary Hoobler, Agent)

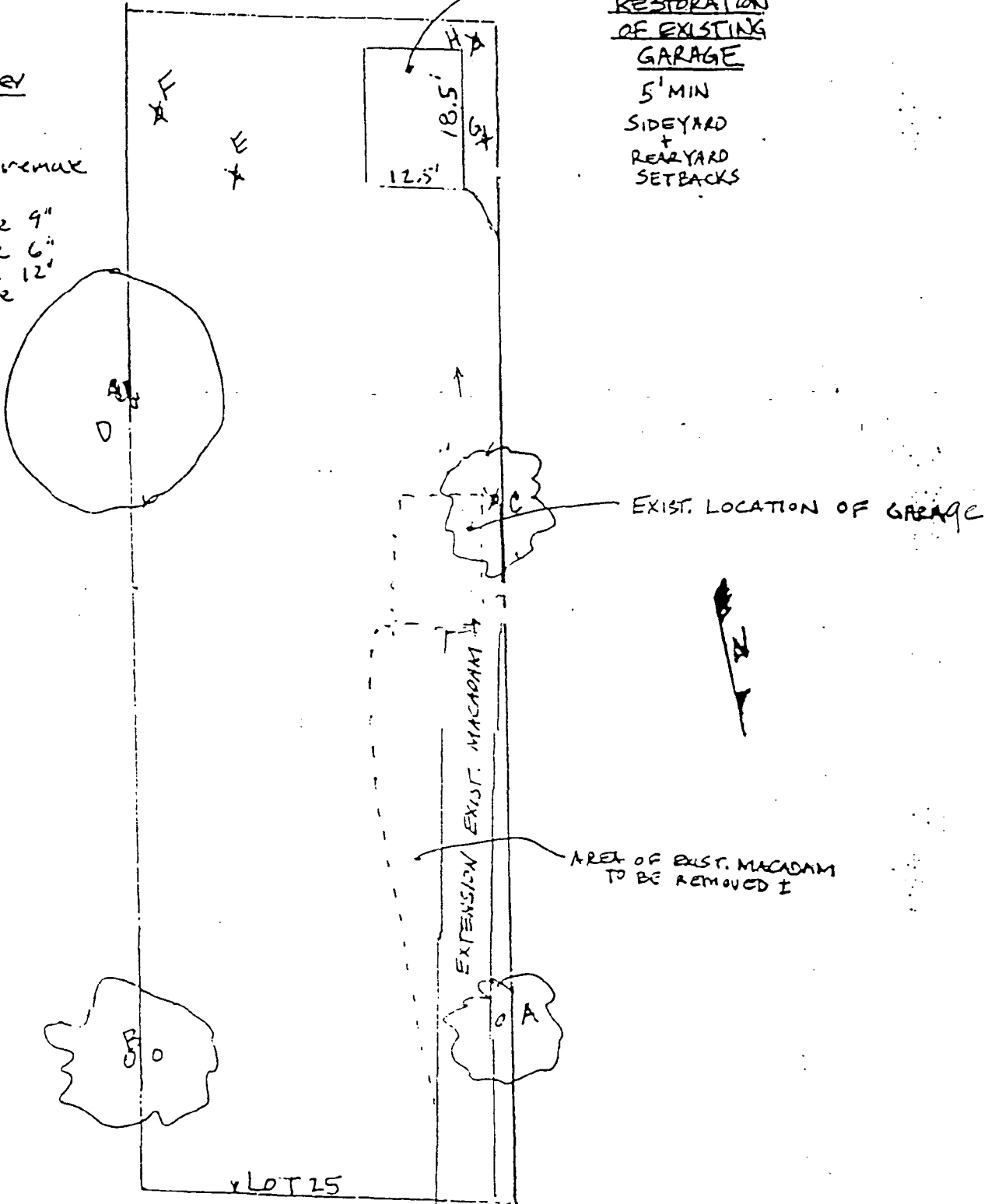
RE: 3922 Baltimore Street, Kensington MD 20895  
(Kensington Historic District)

PLAN/SURVEY

- SAV. SAVE
- SAV. SAVE
- any SAVE or remove
- old SAVE
- Valnut remove 9"
- " remove 6"
- Cherry remove 12"
- erry remove
- (+trunk)

PROPOSED  
RELOCATION  
+  
RESTORATION  
OF EXISTING  
GARAGE

5' MIN  
SIDEYARD  
+  
REARYARD  
SETBACKS



3922  
BALTIMORE ST.

TREE SURVEY (From previous submission)



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

DPS - #8

**HISTORIC PRESERVATION COMMISSION**  
**301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: George Myers  
Daytime Phone No.: 301 947 9062 ext. 13  
Tax Account No.: 1315 3186525  
Name of Property Owner: ELLISON CORP. (CONTRACT) Daytime Phone No.: \_\_\_\_\_  
Address: 10907 JARBOR AVENUE Silver Spring, Md. 20901  
Street Number City State Zip Code  
Contractor: Sane or abae Phone No.: \_\_\_\_\_  
Contractor Registration No.: 14099-2657  
Agent for Owner: George Myers Daytime Phone No.: 301 947 9062 13

**LOCATION OF BUILDING/PREMISE**

House Number: 3922 Street: Baltimore St.  
Town/City: Kensington Nearest Cross Street: Conn. Ave.  
Lot: 25 Block: 11 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/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: garage

1B. Construction cost estimate: \$ 200,000

1C. If this is a revision of a previously approved active permit, see Permit # NO

**PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS**

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

**PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL**

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 of owner or authorized agent: (George Myers) Date: 3-2-2000

Approved: W/conditions For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: [Signature] Date: 4/10/00  
Application/Permit No.: 212943 Date Filed: 3/6/00 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:

3922 is a separate building lot sold by by  
Bill Warr in 1903.

(see previous H.A.U.P. applications  
on this property.)

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

New construction of "cottage" style dwelling,  
restore + relocate existing garage, and  
build an additional single car garage.

**2. SITE PLAN**

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

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

**3. PLANS AND ELEVATIONS**

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

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

**4. MATERIALS SPECIFICATIONS**

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

**5. PHOTOGRAPHS**

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

**6. TREE SURVEY**

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

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

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

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

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

# 31/6-00C

MEMORANDUM

DATE: April 12, 2000

TO: Local Advisory Panel/Town Government KENSINGTON

FROM: Historic Preservation Section, M-NCPPC  
POZ Robin D. Ziek, Historic Preservation Planner  
Perry Kephart, Historic Preservation Planner  
Michele Naru, Historic Preservation Planner

SUBJECT: Historic Area Work Permit Application - HPC Decision

---

The Historic Preservation Commission reviewed this project on April 12, 2000.  
A copy of the HPC decision is enclosed for your information.

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

Speakers

April 12, 2000

1. Agent for applicant - George Myers
  2. Frank O'Donnell - LSP. - Ask harbler to drop the Appeal
  3. Julie O'Malley - Kans. Hist Soc. - Oppose it. Letter Submitted.
  4. Helen Wilkes - Land Trust, - Precedent / Lot Coverage /  
Support the Division Plan.  
Supports 10% rule.
  5. John Lossing - 3924 Butt St. - Approve when analyzing w/ staff conditions. Reasonable approach.
  6. Larry Ott - 3911 Prospect - behind prop. - Don't develop -  
opposes it. Terrible precedence.
  7. John Engle - Owners of house w/ side lot - We're doing the house renovation and saving the side lot!  
Concerned about precedence. Opposes it for destroying open space.
  8. John O'Neill - Adj. on prospect st. (Helen Wilkes' husband)  
Bought property w/ confidence in District...  
mentions over 10% coverage of the garage. Adverse effect of the setbacks! If HPC strictly enforces the ~~set~~ standards, he'd support it.
- George talks about precedent - Notes precedent for accessory structures already - so this fits in.

HPC discussion - Not be allowed to be replaced.



GTM  
ARCHITECTS  
*fax transmission*

10415 Armory Avenue • Kensington, MD 20895 • (301) 942-9062 Fax: (301) 942-3929

To: ROBIN ZEIK

Date: 3/1/2000

From: GEORGE WATERS

Pages: 10

Fax#: 301 563 3412

Subject:

COMMENTS:

Call to  
Discuss



April 12, 2000

Montgomery County Historic Preservation Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Chairperson:

Re: HPC Case No. 31/6-99/0

New construction at 3922 Baltimore Street  
Kensington, Maryland 20895

My husband and I live at 3915 Baltimore Street, directly across from the new construction.

We have had an opportunity to look over the plans for this house and we think that they are not only compatible with our lovely street but that the house will enhance the neighborhood - it looks terrific!

Sincerely,  
Nick and Toni Deoudas  
Nick and Toni Deoudas  
3915 Baltimore Street

THOMAS F. AND MARY JANE FISHER  
3923 BALTIMORE STREET  
KENSINGTON, MD 20895

April 12, 1999

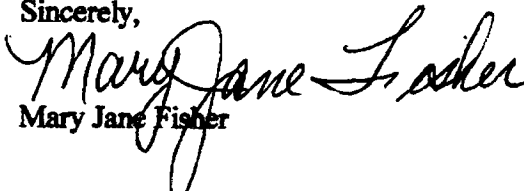
Dear Members of the Historic Preservation Committee,

I am again writing on behalf of my neighbor Mrs. Ahearn. I am very much in favor of Plan I for her buildable lot. I also feel the Auto House should be located on the lot of the original structure.

I continue to be amazed at the restrictions and length of this endeavor to build. I cannot help but feel there has been a personal vendetta in this case. I watch as in one meeting a garage is approved which is twice the size of the original. Five years ago we were told that our garage, which was dangerously leaning to one side, could not be replaced. If it fell, it also could not be replaced and therefore we had to repair or go without. Please do not misunderstand. I do not begrudge the new garage our neighbors are building. I do, though, resent the inconsistency of guidelines and the inconsistent rulings.

I look forward to a new cottage across the street and meeting new neighbors soon.

Sincerely,

  
Mary Jane Fisher

March 11, 1998

To Whom It May Concern:

We are writing to show our support of Jeannie Ahern and her perspective buyer concerning the sale and building of a home on the lot at 3922 Baltimore Street in the Kensington historic district.

We, like most people we know, respect green space and enjoy living in a neighborhood where there are mature trees, gardens, and lawns. However, in our experience, the mechanism that an individual traditionally used to maintain an abundance of green space around his house was to buy adjoining lots, thus having absolute control over any future building. Until we lived in the Kensington historic district, we'd had no experience with residents misusing the historic preservation bureaucracy to obtain control over green space without paying for it.

We are taking issue with the HPC's practice of setting the Kensington historic district, and Baltimore Street in particular, apart from other historic districts and streets. The statute provides for the review of any proposed change (e.g. new construction) to an historic district to ensure that it does not detract from the historic district's environment. The concept of "not detracting from the environment" is obviously vague. In our opinion, the HPC should disapprove a proposed structure if it would dominate the streetscape or if its style would be drastically different from and would clash with the historic structures. A proposed structure that is comparable in style and size to the rest of the structures should in no way be prohibited. However, this is exactly what the HPC is doing as regards Baltimore Street. *Proposed buildings are given a more rigorous test—that they actually be subservient to the historic structures.*

This is the crux of our objection to the HPC's current practice as regards Baltimore St. This practice of requiring new construction to be subservient to the existing historical structures, while having the appearance of preserving property rights, actually has the opposite effect on those owning buildable lots in the neighborhood. This is because a subservient structure is necessarily smaller and less worthwhile for a builder to undertake. Thus the property owner may be unable to find a builder who will take on a project with such severe constraints. The result is a lowering (perhaps a drastic lowering) of the market value of the buildable lot.

There is no specific mention in the statute of what could constitute protecting the environment of an historic district. In our opinion, requiring new structures to be subservient to historic ones is a contrived and unwarranted extension of the power to protect the historic district's environment. We feel that there is a clear and unwarranted invasion on the rights of the property owners in the historic district to enjoy the benefits of property ownership.

JMM  
JMM

We live at 3919 Baltimore St., directly across the street from the proposed new construction. We have reviewed the proposed structure for 3922 Baltimore St., and have no objection to having it built across the street from our home.

Sincerely,

*Seaborn M. McCrory* *Jill W. McCrory*  
Seaborn M. and Jill W. McCrory

Date March 10, 1998  
To Board of Appeals  
for Montgomery County  
From Katherine Davidson  
3911 Baltimore Street  
Kensington, MD 20895

I am writing in support of Mrs. Ahearn's and Mr. Hoobler's petition to build on the lot that will be 3922 Baltimore Street.

I own and live in the property next to the Schmitts whose home at 3913 Baltimore Street was built in 1987.

In 1987 my husband, now deceased, and I were asked by the owners of 391<sup>5</sup> if we had any objection to the family selling their lot and home separately. Naturally, we enjoyed the trees and birds on the vacant lot but told the Farrells that they should do what was best for them. They did own the lot and had the right to do with it as they wished. We were aware that Jim and Barbara Wagner, who then lived on Warner Street, had sold off the back of their property to make it possible for a home to be built on Freeman Street. It was evident to us that any one who bought the home and lot at 391<sup>4</sup> Baltimore Street could and probably would sell off the lot. Our feeling was that the Farrells should have the benefit of the sale of the lot.

I feel strongly that Mrs. Ahearn has the same right to sell her lot. I feel that a home similar to the Schmitt's home is appropriate and should be given a permit. The proposed plan appears to be in keeping with the neighborhood and will add to the value of my home.

Sincerely,



Katherine Davidson

November 25, 1997

To Whom It May Concern:

My husband Craig and I own the property located at 3914 Baltimore Street in Kensington. We have lived in our homes for 37 years.

We understand that Jeanie Ahearn, who lives at 3920 Baltimore Street, is trying to sell her side lot to a builder who wishes to construct a home on that lot. We saw the original plans for the proposed dwelling and felt they definitely were in keeping with and appropriate for the neighborhood.

I have also met Mr. Hoobler and am impressed with his concern for the quality of his construction and the pains he has taken to design an appropriate dwelling.

Most importantly, both my husband I feel that Mrs. Ahearn has every right to sell part of her property, and restrictions, as have been described to us, should not be put on the builder. The property belongs to Mrs. Ahearn and she should be able to do with it as she wishes.

In summary, we endorse Mr. Hoobler's request for permission to build the dwelling on the property.

Sincerely yours,

Pat Reynolds

A handwritten signature in cursive script that reads "Pat Reynolds". The signature is written in black ink and is positioned to the right of the typed name "Pat Reynolds".

THOMAS F. AND MARY JANE FISHER  
3923 BALTIMORE STREET  
KENSINGTON, MD 20895

MAY 4, 1998

DEAR MEMBERS OF THE BOARD OF APPEAL,

I AM WRITING THIS LETTER ON BEHALF OF MY NEIGHBOR MRS. AHEARN. I AM APPALLED WITH THE TREATMENT SHE HAS RECEIVED IN HER ATTEMPTS TO BUILD ON HER BUILDABLE LOT. IN MY PAST EXPERIENCE WITH THE HPC I WAS UNABLE TO OBTAIN ANY WRITTEN GUIDELINES WHICH GAVE SPECIFIC INFORMATION AS TO WHAT CAN OR CANNOT BE BUILT. I CAN APPRECIATE THE CRY OF "INFILL" BUT AS YOU HAVE ALREADY NOTED, MRS. AHEARN HAS EVERY RIGHT TO BUILD ON HER LOT.

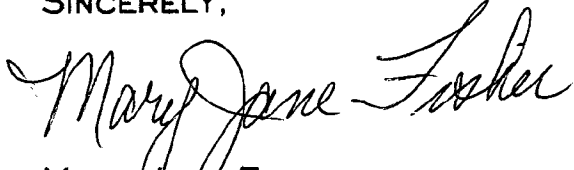
HER PROPOSAL HAS BEEN NO MORE THAN HAS BEEN APPROVED AT LEAST TWO TIMES ON LOWER WASHINGTON STREET AND ONCE HERE IN THE 3900 BLOCK OF BALTIMORE STREET! WHY ARE HER RIGHTS ANY DIFFERENT THEN THOSE? IF THE RULES HAVE CHANGED WHY WAS THE COMMUNITY NOT NOTIFIED? I DO FAVOR HISTORIC PRESERVATION BUT NOT WHEN THE STANDARDS ARE SO SUBJECTIVE. IT IS SAD TO SEE A TOWN AS LOVELY AS KENSINGTON, FITTING ONE NEIGHBOR AGAINST ANOTHER. WILL SHE NOT BE ALLOWED TO DO WHAT THREE HAVE DONE BEFORE HER, BECAUSE HER OPPONENTS ARE ELOQUENT? OR IS IT SIMPLY THAT IT IS FELT THAT THREE ARE ENOUGH? EITHER, GOES AGAINST EVERY RIGHT THAT MRS. AHEARN HAS AS A CITIZEN AND HOMEOWNER IN THIS TOWN.

IT IS TOTALLY FRUSTRATING DEALING WITH HISTORIC PRESERVATION. ONE FAMILY (PRICHARD) ON BALTIMORE STREET RECEIVED AN AWARD FROM THE NATIONAL HISTORICAL PRESERVATION FOR AN ADDITION TO

THEIR HOME WHICH WAS DONE IN SUCH A WAY AS TO BE UNABLE TO DISTINGUISH THE OLD FROM THE NEW. WHEN MY HUSBAND AND I APPLIED TO ADD ONTO OUR HOME, WE WERE TOLD THE ADDITION WAS TO BE DONE IN SUCH A WAY AS TO BE ABLE TO DISTINGUISH OLD FROM NEW. WHY DO THE REQUIREMENTS VARY? EACH RESIDENT IS TO BE TREATED EQUALLY!

I HOPE THAT YOU WILL CONSIDER THE RIGHTS OF ALL INVOLVED AND DO THE RIGHT THING.

SINCERELY,



MARY JANE FISHER



**Walter E. and Kathryn D. Schmitt**  
3913 Baltimore Street  
Kensington, Maryland 20895  
(301) 929-8154  
FAX (301) 942-5737

April 11, 2000

Montgomery County Historic Preservation Commission  
Silver Spring, Maryland

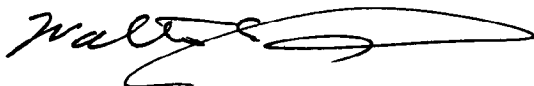
Dear Sirs:

It is with great pleasure that my wife and I endorse the construction of a new home at Lot 25, Block 11, in the Kensington Historic District. We have reviewed the commission staff report (Case 31/6-00C) and would recommend the following:

1. We prefer Scheme 1 as the reduction in size, as shown in Scheme 2, would create a home in a diminished size considering adjacent structures as well as other homes on Baltimore Street.
2. We would hope that the HPC would also restrict the construction of any other buildings on this lot in the future.
3. We prefer that the "Sears Auto-House" be moved from its present location to a location at the end of a driveway as shown on page 11, a drawing prepared by GTM Architects. This would essentially prohibit the construction of any other buildings on this lot.
4. We prefer that the driveway, as shown on Lot 25 be allowed to continue to a point even with the front of the home and not extend the length of the lot.
5. We prefer that as many trees as possible be maintained and that the red bud tree be moved to another location (it could be donated to a Town of Kensington park) if, in the opinion of a certified arborist, that it could survive a transplanting.

The proposed home would fit in very nicely in the neighborhood and would not hurt the aesthetic view envisioned by "*The Vision of Kensington: A long-range Preservation Plan.*"

We thank the HPC for its diligence in this matter.



Walter E. Schmitt

To: Historic Preservation Commission  
From: Undersigned supporters of construction of dwelling on Lot 25 Block 11  
Also known as 3922 Baltimore Street, Kensington  
Re: Meeting of 4/12/00

Throughout the process initiated by Mrs. Ahearn and Ellison Construction, we have endorsed their request for permission to build on the above referenced lot and have found the previous proposals acceptable. After review of the present proposed dwelling we again endorse the construction. Since our sentiments are basically the same as expressed for previous hearing, we would like this signature to authorize Mrs. Ahearn and Ellison Construction to reenter our previous letters which are attached.

*AMC  
Pat Reynolds  
Reynolds*

II - A

**HISTORIC PRESERVATION COMMISSION  
SPEAKER'S FORM**

If you wish to speak on an agenda item, please fill out this form and give it to a Historic Preservation staff person sitting at the left end of the table in the front of the auditorium prior to consideration of that item. The Historic Preservation Commission welcomes public testimony on most agenda items.

Please print using ink, and provide your full name, complete address, and name of person/organization that you officially represent (yourself, an adjacent property owner, citizens association, government agency, etc.). This provides a complete record and assists with future notification on this case. **This meeting is being recorded. For audio identification, please state your name and affiliation for the record the first time you speak on any item.**

DATE: 4/12/2000

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: II A

NAME: John O'Neil

COMPLETE MAILING ADDRESS: 3915 PROSPECT ST  
KENSINGTON, MD

REPRESENTING (INDIVIDUAL/ORGANIZATION):  
Adjacent property owner

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

- HAWP applicant's presentation..... 7 minutes
- Comment by affected property owners on Master Plan designation..... 3 minutes
- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes

# - A

**HISTORIC PRESERVATION COMMISSION  
SPEAKER'S FORM**

If you wish to speak on an agenda item, please fill out this form and give it to a Historic Preservation staff person sitting at the left end of the table in the front of the auditorium prior to consideration of that item. The Historic Preservation Commission welcomes public testimony on most agenda items.

Please print using ink, and provide your full name, complete address, and name of person/organization that you officially represent (yourself, an adjacent property owner, citizens association, government agency, etc.). This provides a complete record and assists with future notification on this case. **This meeting is being recorded. For audio identification, please state your name and affiliation for the record the first time you speak on any item.**

DATE: APRIL 12, 2000

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: A. ELLISON  
BALTIMORE ST.

NAME: LARRY OTT

COMPLETE MAILING ADDRESS: 3911 Prospect St.  
Kensington, MD 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): ADJACEN TOWER

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

- HAWP applicant's presentation..... 7 minutes
- Comment by affected property owners on Master Plan designation..... 3 minutes
- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes

II - A

**HISTORIC PRESERVATION COMMISSION  
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DATE: 4/12/00

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: \_\_\_\_\_

E. H. Olson / Hoobler

NAME: Jim Ensel

COMPLETE MAILING ADDRESS: 10220 Carroll Pl.

Kensington, Md 20895

REPRESENTING INDIVIDUAL (ORGANIZATION): \_\_\_\_\_

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II - A

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DATE: 4/12-2000

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: \_\_\_\_\_  
# A Ellison

NAME: John Lossing

COMPLETE MAILING ADDRESS: 3924 Baltimore  
Kensington Md 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): \_\_\_\_\_

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- Comment by elected officials/government representatives..... 7 minutes

# - A

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DATE: 7/12/00

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: 31/6-00C (Ellison)

NAME: FRANK O'DONNELL

COMPLETE MAILING ADDRESS: 10407 Rawcett St.  
Kensington, MD 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): Kensington Cdp

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

- HAWP applicant's presentation..... 7 minutes
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- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes

**HISTORIC PRESERVATION COMMISSION  
SPEAKER'S FORM**

II - A

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DATE: April

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: 3922 Baltimore St.

Kensington

NAME: Julie O'Malley

COMPLETE MAILING ADDRESS: 10019 Frederick Ave, Kensington,

MD 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): Preservation Committee,

Kensington Historical Society

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

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- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes



II - A

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DATE: 4/12/00

AGENDA ITEM ON WHICH YOU WISH TO SPEAK: LOT 25, BALTIMORE ST., KENS.

NAME: HELEN WILKES

COMPLETE MAILING ADDRESS: 3923 PROSPECT ST., KENS. 20895

REPRESENTING (INDIVIDUAL/ORGANIZATION): KENS. LAND TRUST

The Montgomery County Historic Preservation Commission observes the following time guidelines for testimony at regular meetings and hearings:

- HAWP applicant's presentation..... 7 minutes
- Comment by affected property owners on Master Plan designation..... 3 minutes
- Comment by adjacent owners/interested parties..... 3 minutes
- Comment by citizens association/interested groups..... 5 minutes
- Comment by elected officials/government representatives..... 7 minutes

HISTORIC PRESERVATION COMMISSION STAFF REPORT

<b>Address:</b>	3922 Baltimore Street	<b>Meeting Date:</b>	04/12/00
<b>Resource:</b>	Kensington Historic District	<b>Report Date:</b>	04/05/00
<b>Review:</b>	HAWP	<b>Public Notice:</b>	03/29/00
<b>Case Number:</b>	31/6-00C	<b>Tax Credit:</b>	N/A
<b>Applicant:</b>	Ellison Corporation (Cary Hoobler, Agent)	<b>Staff:</b>	Robin Ziek
<b>PROPOSAL:</b>	New Construction	<b>RECOMMEND:</b>	Approval w/Conditions

PROJECT DESCRIPTION

RESOURCE: Kensington Historic District, Primary Resource (1880s, 1910-1930)

(DEEDS: SEE CIRCLE 41-46)

PROJECT PROPOSAL

1. Construct a new house at Lot 25 Block 11. This will be a major alteration to the property associated with the Primary Resource at 3920 Baltimore Street (see Circle 10, 33 ) as it will develop the house's west side yard.
2. Move the existing historic garage on Lot 25 to an alternate site: either at the rear of Lot 25, or on Lot 27 (see Circle 11, 12 ). The historic garage would be rehabilitated at either location. The proposal to move it to Lot 27 also includes the installation of a new driveway.

The applicant has submitted a proposal and an alternate which reflects concerns about the size of the footprint and lot coverage. The one proposal has a foundation of 944 sf (Scheme 1 - see Circle 14-21 ); and, the alternate has a foundation footprint of 859.3 sf (Scheme 2 - see Circle 22-29 ). Either measurement excludes the square footage for the front porch (83 sf in Scheme 1; or, 100 sf in Scheme 2), the rear stoop (25 sf in Scheme 1 and 2), and for the chimney (10 sf).

The new house will have a full basement (with the potential for two rooms and a full bathroom as well as a mechanical room), and a first and second floor. The building is designed as a cottage with no attic story. The materials include wood clapboard and wood shingles, wood trim, and asphalt shingles for the roof. There are no details on the windows or doors, or the porch railings.

## **BACKGROUND FOR EVALUATION OF THE APPLICATION**

Kensington has been protective of its historic significance for a long time, as evidenced by the work undertaken by its civic groups (Kensington Historical Society, Kensington Local Advisory Panel, Kensington Land Trust), by its listing in the National Register of Historic Places (1980), and by its designation on the County's *Master Plan for Historic Preservation* (1986). There are nomination forms and documentation available in support of the National Register listing, and the County's designation.

In further support of the district, the HPC commissioned a planning study in 1992, *The Vision of Kensington: A Long-Range Preservation Plan (Vision/Plan)*, to evaluate Kensington in terms of its special characteristics. This was commissioned to aid in future decisions which might affect the district, especially new construction. The planning study evaluated specific qualities of the historic district, such as open space, distance between structures, and patterns of development, which all contribute to the sense of "place" of the district. Two areas were identified in the district: the Historic Residential Core, and the Peripheral Residential area; the subject property is in the Historic Residential Core. The *Vision/Plan* was included in the Executive Regulations for the HPC adopted by the County Council in 1997, and the HPC is directed by these Regulations to use it when considering HAWP applications.

The *Vision/Plan* was also adopted by the Town of Kensington and is available at the Kensington Town offices, at the Kensington library, and at the HPC offices.

## **APPLICATION BACKGROUND**

The applicant, Ellison Corporation, is a contract purchaser with the property owner, Ms. Jeannie Ahearn. Staff and the HPC have reviewed several proposals for residential development of Lot 25 in the past five years, from two separate developers. None of the previous proposals met the development standards outlined in the *Vision/Plan* (page 58), and the applicants have been directed, with consistency, to review these standards and comply with them. Previous staff reports on construction proposals for this lot are available through the HPC, and provide in-depth discussion on relevant issues such as the history of Kensington, and "integrity" as a component of a historic district.

## **STAFF DISCUSSION**

This is the first proposal to come before the HPC which comes close to meeting the development standards outlined in the *Vision/Plan*. The character-defining features of the district include the broad range of late 19<sup>th</sup> and early 20<sup>th</sup> century architectural styles, the extensive spacing between individual homes in the Historic Residential Core, and the effect of the generous amounts of open space which have been developed as gardens, such that the district is characterized as a "Victorian Garden Suburb" (National Register nomination).

The development standards were arrived at by analyzing existing conditions in the historic district in 1992, noting that the Kensington Historic District was designated by the County Council in 1986 and that alterations undertaken prior to 1986 were **not** reviewed by the HPC. The existing conditions reflect the unique environment in Kensington in 1992, which retained a high level of integrity and late-19th and early 20<sup>th</sup> century character-defining features despite many alterations and changes prior to that date.

The development standards for the Kensington Historic District, Historic Residential Core, are:

- 1: *Utilize a minimum of two lots, or 15,000 sf.*
- 2: *There should be a maximum lot coverage of 10%.*
- 3: *The minimum front yard setback should be 35';  
The side yard setbacks should be 25'.*

With regard to the current application, staff notes the following:

RE: 1 In several locations in the district, it would be possible for someone to accumulate two adjacent lots (from two separate owners, typically), or 15,000 sf to meet the first standard. In the case of Lot 25, this is not possible as the lot in question is located between two lots with existing dwellings (both Primary Resources). While not meeting the letter of the standard, the applicant strives to maintain the effective open space by setting the proposed new house 70' back on the lot in contrast with the existing 40' setback for the historic structures. In addition, the applicant proposes to maintain the existing driveway, and add a small walk along the front of the house so that there will be no direct link between the house and street (see Circle // ). This will contrast to the typical historic resource which has a strong and highly visible front sidewalk leading from the public right-of-way to the front door of the house. The front yard of the new house will continue to serve, visually, as a side yard between both of the Primary Resources.

RE: 2 Lot 25 has 8,625 sf. The stipulated 10% lot coverage amounts to a footprint of 862 sf. In the past, staff has evaluated proposed lot coverage as a guide which stipulates 90% of the lot to be open space, and available for garden development. This approach has been taken because the character-defining features of Kensington include elements of the environmental setting, such as the wide spacing between houses, and available garden space for trees, shrubs, and lawn. This is not the same approach taken by DPS for building permits, where lot coverage is computed in terms of enclosed area, exclusive of porches. This difference has been debated by the staff and applicant. That said, it is important to note that the proposed house in Scheme 2 comes close to the 10% lot coverage if one excludes the porch and stoop and chimney (as well as the historic garage, which will be further discussed below).

Staff notes that the effort to reduce the lot coverage of the "footprint" from Scheme 1 to 2 involves some real reductions as well as some apparent expansions. Staff feels that this

illustrates flexibility on the part of the applicant and a willingness to work with his architect to develop a proposal which will respond to the development standards.

RE: 3 The front yard set back can be achieved in the proposal. The applicant, however, proposes to achieve the side yard setbacks through the retention of apparent open space between the Primary Resources with the additional 35' front yard setback beyond the stipulated 35'. Staff feels that the open space between the Primary Resources is accentuated by not installing a sidewalk from the street to the front door of the new house, and by leaving the front yard in its present state.

Staff feels that the applicant should combine the best features of Scheme 1 and 2, and come to the HPC with a proposal that meets the 10% lot coverage stipulated in the *Vision/Plan* because the current proposal is *very* close. Staff notes that the proposal will not meet the exact 10% lot coverage anyway, because the calculation excludes the historic garage (231 sf), the front porch, and back stoop and the chimney. None of these areas could be planted and might easily be included in the calculation for lot coverage. It should be noted, too, that the applicant has calculated the footprint based on the foundation perimeter only, and is not counting bay windows which are projected over the ground in the square footage.

A very positive part of the proposal in Scheme 2 is that the house is narrow (24') at the front edge, and slightly wider (28') at the middle of the house. The house then is reduced in width at the rear of the house, so that the roof is accentuated rather than the wall. The front porch is set under the roof, so that it doesn't project towards the street. In this way, this is not a prominent element, although porches are characteristic of the district and a modest porch provides a sense of compatibility. The house is proposed as 4' above grade, providing a typical condition in the district, which also permits adequate light in the basement to make that space desirable. The height of the house is 28' to the ridge lines, including the 4' foundation. This is similar to the overall height of the adjacent house at 3920 Baltimore Street, but no greater. Staff feels that the narrow width of the proposed house, as well as the use of the front-facing gable, will serve to reduce the sense of height of the house.

Staff supports the retention of the historic garage on Lot 25 rather than moving it to the opposite side of the associated residence because it will then continue to reflect the historic unity of property associated with the Primary Resource at 3920 Baltimore Street. If the garage were moved to Lot 27, it would look as if it had always been there and there would be no evidence of the existing three-lot conformation. In addition, staff notes that a requested tree survey has not been provided for HPC consideration of a proposed new driveway on Lot 27. Field inspection of the property indicates that there are two mature trees along the edge of the property in this vicinity which would be affected by the proposed driveway (see Circle // ), and these are the only two remaining trees on this side of the property by the edge of the road. Several dead or dying trees have been removed under the HPC procedures, but no replacement trees were planted (or mandated) in this area.

Given the small size of the historic garage, staff feels that the existing driveway should not be extended to the rear of the yard. This will help to minimize the loss of garden space, and

promote a green space between the new house and the adjacent house to the west. The historic garage will serve for storage or a garden shed, as is typical behind many homes in the district. The location at the rear of the yard will require the removal of several trees (see Circle 13 ), and the HPC may wish to stipulate the need for replacement trees for this property. This could be done through the mechanism of a landscape plan for the newly developed lot. This will also provide a means of reviewing the impact on its neighbors vis-a-vis the environmental setting of this property in the historic district.

Staff notes that proposals for new construction in any historic district require careful scrutiny because the preservation of the overall character and feel of the district are key. Within a district, each proposal must be evaluated for its effect on both its immediate neighborhood and on the overall district. At this site, and working with the *Vision/Plan*, staff has consistently advised that only a small structure will work without compromising the character-defining features of Kensington. It should be clear, from the explicit regard to elements such as foundation height, footprint, width of the house, and roof height, that this proposal should not be regarded as merely the first step towards achieving a large house on this lot. In fact, given the efforts that have gone into assuring that any construction on this lot be modest in size, staff feels that there should be protections in place to assure that this is the final size and form of construction on this lot. Historic districts are different than those parts of the county which have not been designated as historic, and the protection of the character of these small historic portions of the county is a value which benefits everyone.

#### **STAFF RECOMMENDATION**

Staff recommends, **with the following conditions**, that the Commission find this proposal consistent with the purposes of Chapter 24A-8(b)2:

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

and with Secretary of the Interior's Standards for Rehabilitation #2:

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

#### **CONDITIONS:**

- 1) The historic garage will be moved to the back of Lot 25 and restored, using the original doors and materials (clapboard siding). Special care will be given to retention of the structural members which have been stamped by Sears and Roebuck.
- 2) The existing driveway on Lot 25 will be modified as per the tree survey (on Circle 13 ), with a small area of macadam removed. The driveway will not be extended any further back on the lot.

- 3) The new house on Lot 25 will be built with a footprint which is no greater than 862 sf. - Scheme 2 -
- 4) At no time in the future will any additions to the house on Lot 25 which increase the footprint above 862 sf be approved for this site. This will be stipulated by deed by the current property owner prior to transfer of the lot.
- 5) A new grading plan for this site will be provided to HPC staff.
- 6) A landscape proposal for Lot 25 will be provided for HPC approval which includes replacement trees for those being removed as well as sidewalk details.
- 7) A clear tree survey for Lot 25 will be provided to HPC prior to submitting for a building permit for use in reviewing the landscape proposal.
- 8) The doors and windows will be wood, TDL or simulated TDL.
- 9) The porch railing will utilize in-set pickets.
- 10) The shutters will be operable and sized to fit the window opening.
- 11) Any proposal for a new driveway on Lot 27 will need to come back to the HPC as a separate HAWP, with a full tree survey and information on the impact of the driveway construction on existing trees.

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (240)777-6210 prior to commencement of work and not more than two weeks following completion of work.

12. New house will be 1' lower <sup>in final height</sup> than the absolute elevation of the height of the house at 3920 feet.

Motion passes 3:2  
2 abstentions

---



**HISTORIC PRESERVATION COMMISSION**  
**301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: George Myers  
 Daytime Phone No.: 301 942 9062 ext. 13  
 Tax Account No.: 1315 3186925  
 Name of Property Owner: Ellison Corp. (owner) Daytime Phone No.: \_\_\_\_\_  
 Address: 10907 JARBOE AVENUE Silver Spring, Md. 20901  
Street Number City State Zip Code  
 Contractor: same as above Phone No.: \_\_\_\_\_  
 Contractor Registration No.: 14099-2657  
 Agent for Owner: George Myers Daytime Phone No.: 301 942 9062 x 13

**LOCATION OF BUILDING/PREMISE**

House Number: 3922 Street: Baltimore St.  
 Town/City: Kensington Nearest Cross Street: Cann. Ave.  
 Lot: 25 Block: 11 Subdivision: Kensington Park  
 Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

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

1A. CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 200,000

1C. If this is a revision of a previously approved active permit, see Permit # NO

**PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS**

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

**PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL**

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.

George Myers (George Myers) 3-2-2000  
 Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Application/Permit No.: 212943 Date Filed: 3/6/00 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:

3922 is a separate building lot sold by  
BH Warner in 1903.

(see previous H.A.U.P. applications  
on this property.)

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

New construction of "cottage" style dwelling,  
restore + relocate existing garage, and  
build an additional single car garage.

**2. SITE PLAN**

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

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

**3. PLANS AND ELEVATIONS**

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

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

**4. MATERIALS SPECIFICATIONS**

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

**5. PHOTOGRAPHS**

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

**6. TREE SURVEY**

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

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

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

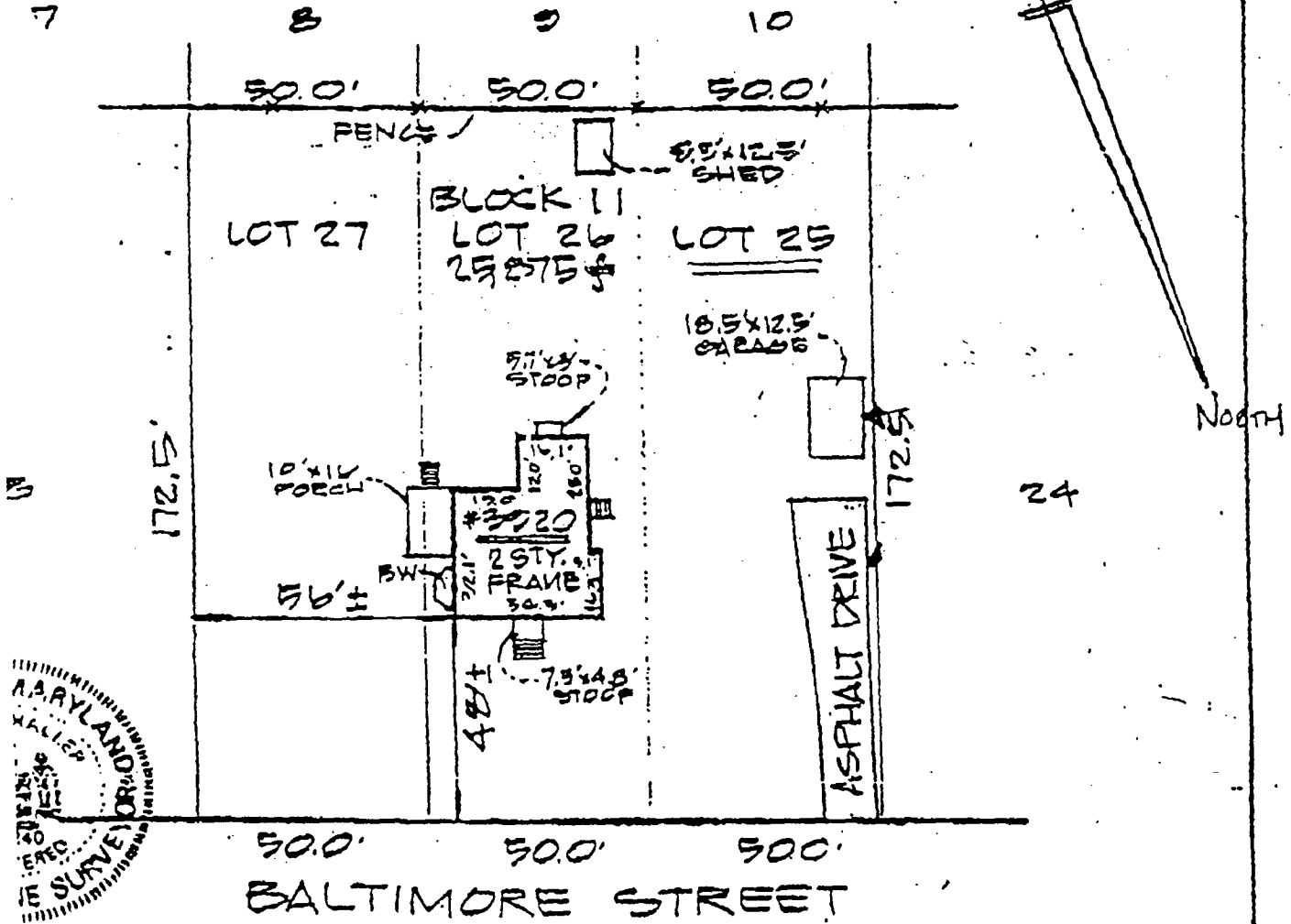
PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



53

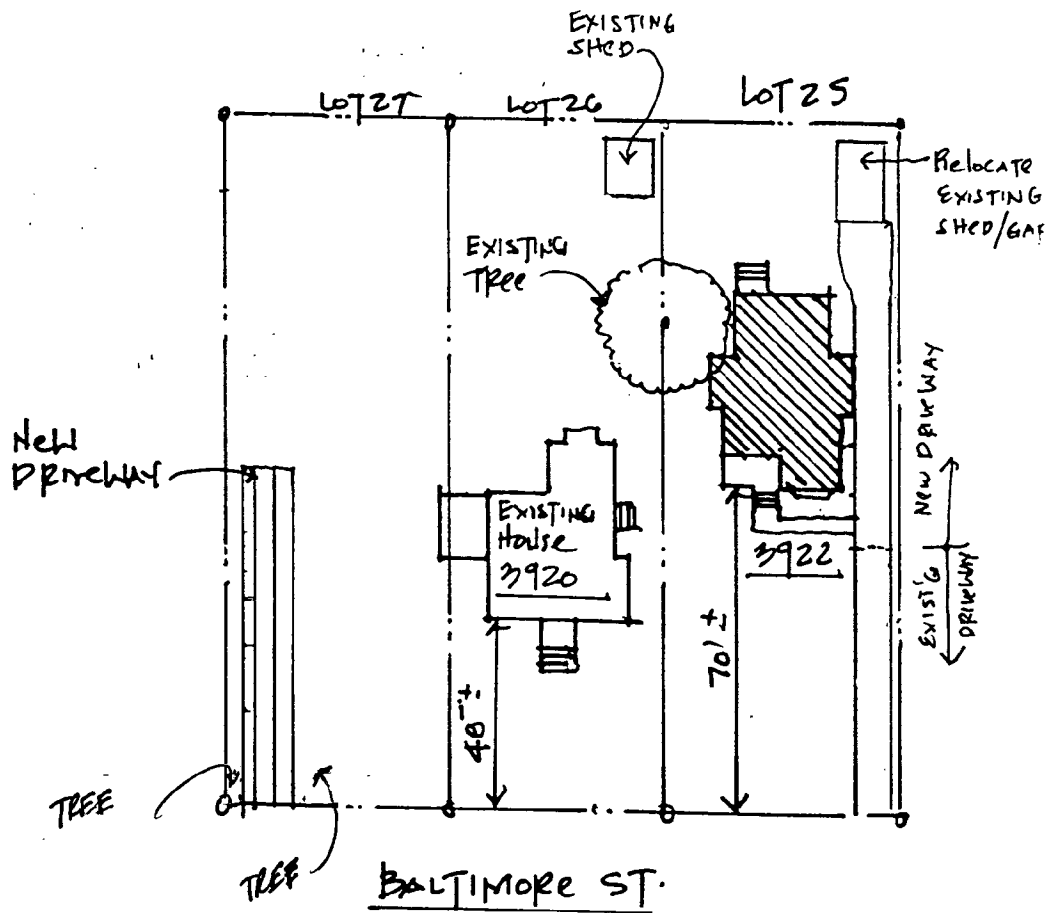
Location for 1779 purposes only - not to be used for determining property lines. Property corners marked with iron pins. Accuracy not guaranteed by this location.

HOUSE LOCATION  
 LOTS 25, 26 & 27 BLOCK 11  
 KENSINGTON PARK  
 MONTGOMERY COUNTY, MD.



<b>CERTIFICATE</b> BEYOND THAT THE POSITION OF ALL THE POINTS ON THE ABOVE DESCRIBED LOTS HAS BEEN CAREFULLY ESTABLISHED BY A SURVEY AND UNLESS OTHERWISE NOTED THERE ARE NO ENCROACHMENTS  DAVID L. HALLER MARYLAND R.P.S. No. 240	<b>REFERENCES</b> PLAT NO. <b>B</b> PLAT NO. <b>4</b>	<b>ALLEN ASSOCIATES</b> P.O. BOX 6263 SILVER SPRING, MARYLAND 20906 301-871-3154	
	LIBER. POLIO		

This map is for 1779 purposes only - not to be used for determining property lines. Property corners marked with iron pins. Accuracy not guaranteed by this location. This map is not to be used for determining property lines. Property corners marked with iron pins. Accuracy not guaranteed by this location. This map is not to be used for determining property lines. Property corners marked with iron pins. Accuracy not guaranteed by this location.



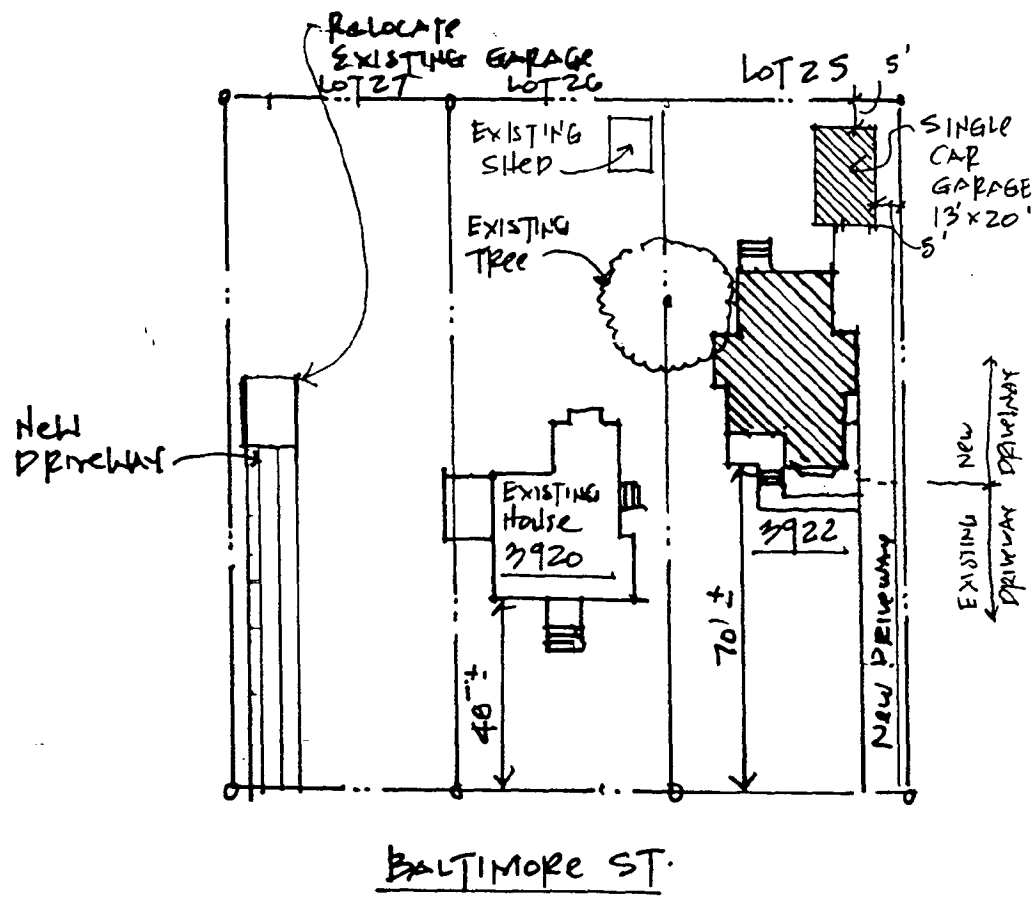
SITE PLAN: OPTION # 1

3-2-2000

1"=40'

**GTM ARCHITECTS**  
 10415 Armory Avenue  
 KENSINGTON, MARYLAND 20895  
 (301) 942-9062

11



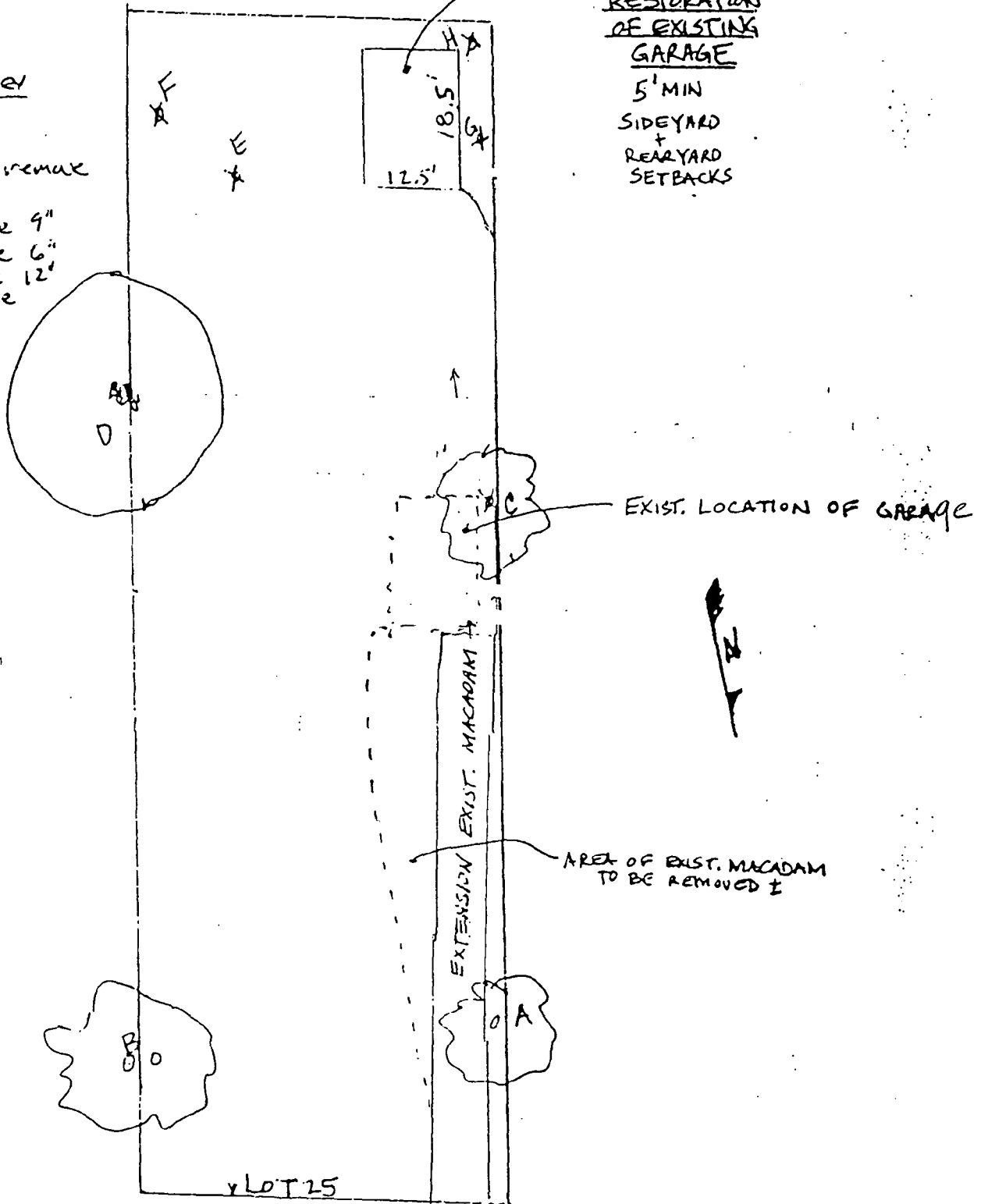
SITE PLAN. OPTION # 2  
 3.2.2000. 1" = 40'

PLAN/SURVEY

- igar save
- holly save
- tulberry save or remove
- Redbud save
- 1k Walnut remove 9"
- " " remove 6"
- 3k Cherry remove 12"
- tulberry remove
- multi-trunk

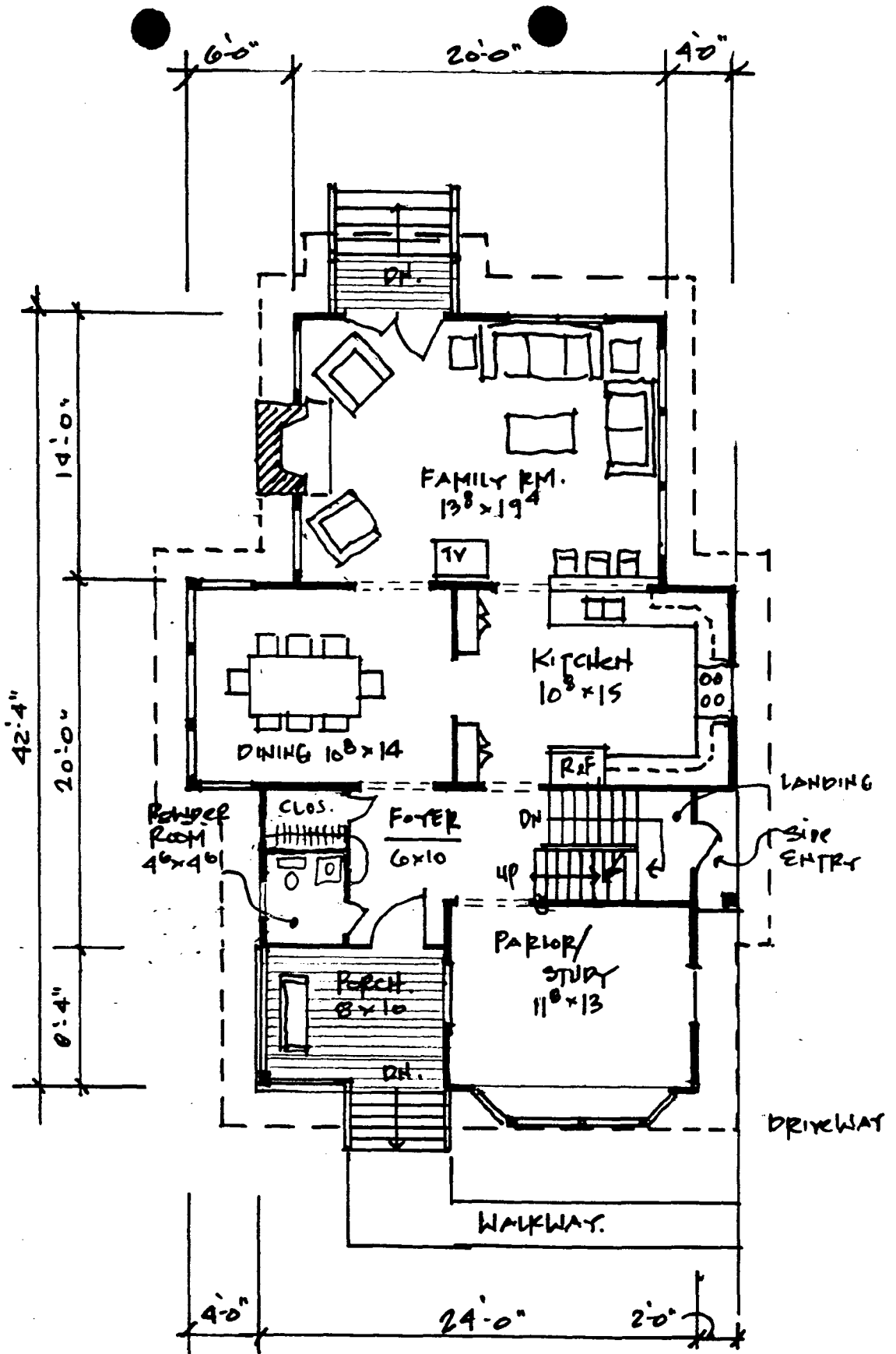
PROPOSED  
RELOCATION  
+  
RESTORATION  
OF EXISTING  
GARAGE

5' MIN  
SIDEYARD  
+  
REARYARD  
SETBACKS



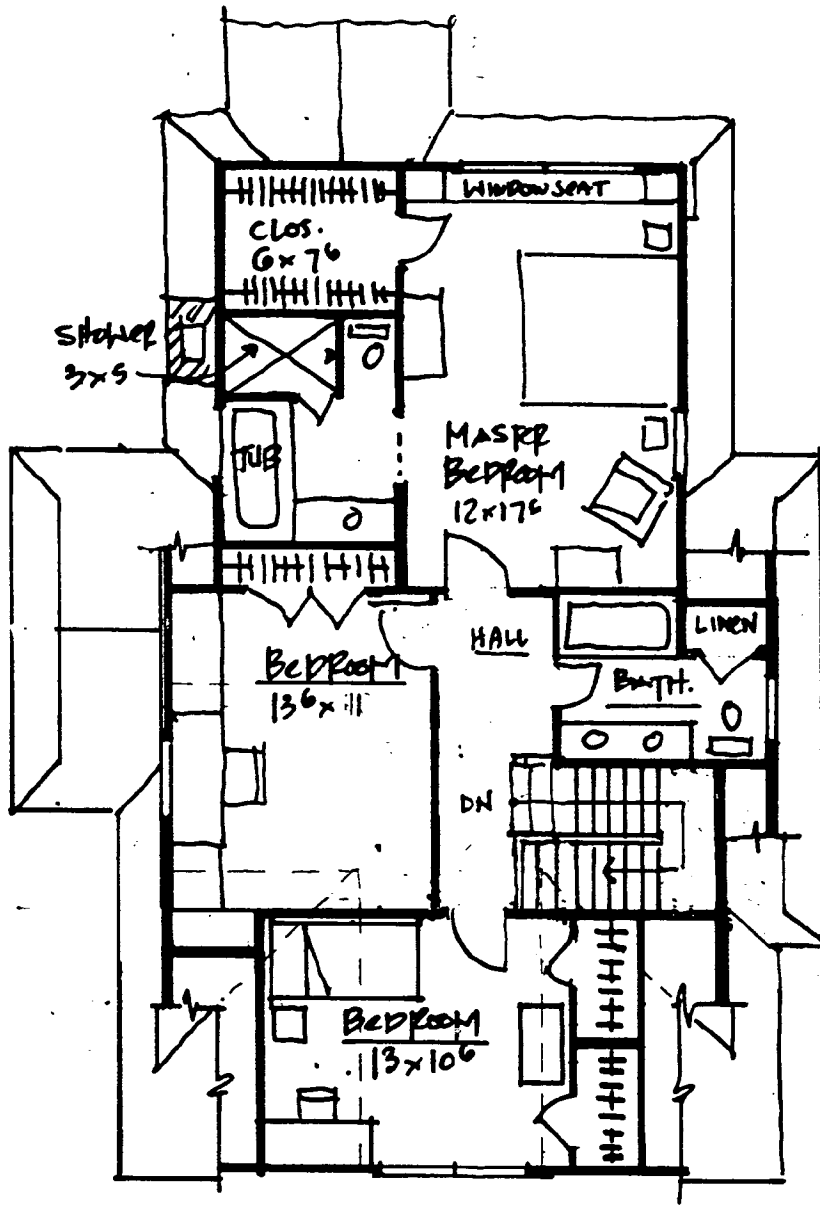
3922  
BALTIMORE ST.

TREE SURVEY (from previous submission)



FIRST FLOOR PLAN  
 1/8" = 1'-0"

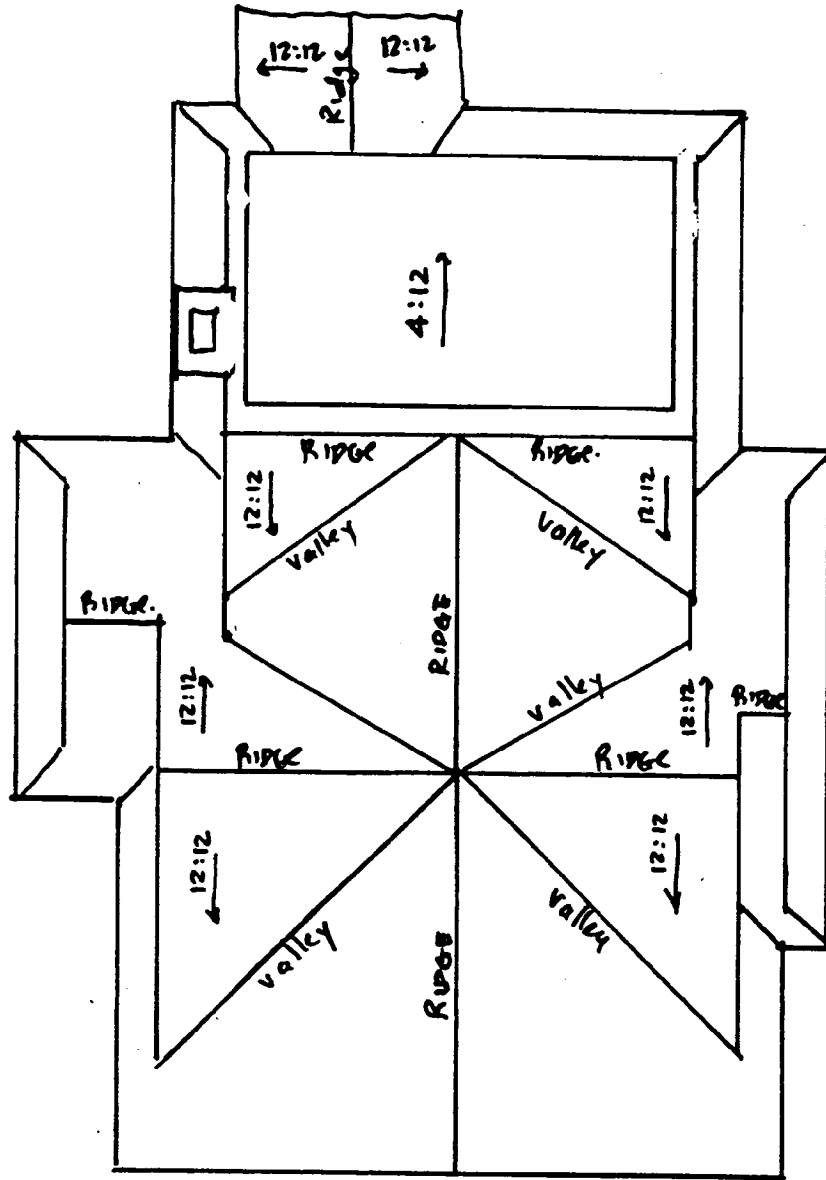
944'± FOOTPRINT  
 (FOUNDATION)  
 83'SF (FRONT PORCH)  
 25'SF (REAR STOOP)



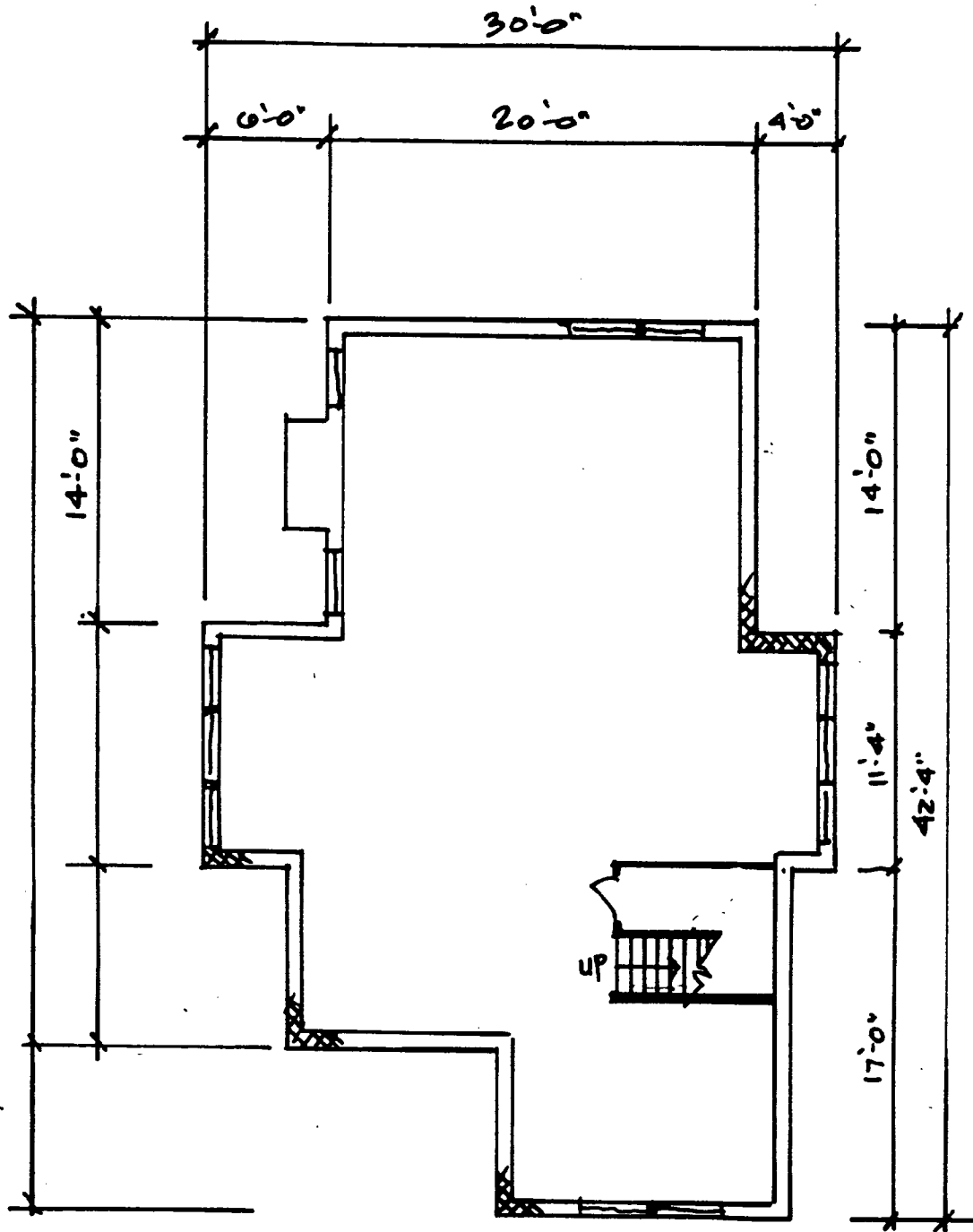
SECOND FLOOR PLAN

$\frac{1}{8}'' = 1'-0''$





ROOF PLAN  
 $\frac{1}{8}'' = 1'-0''$

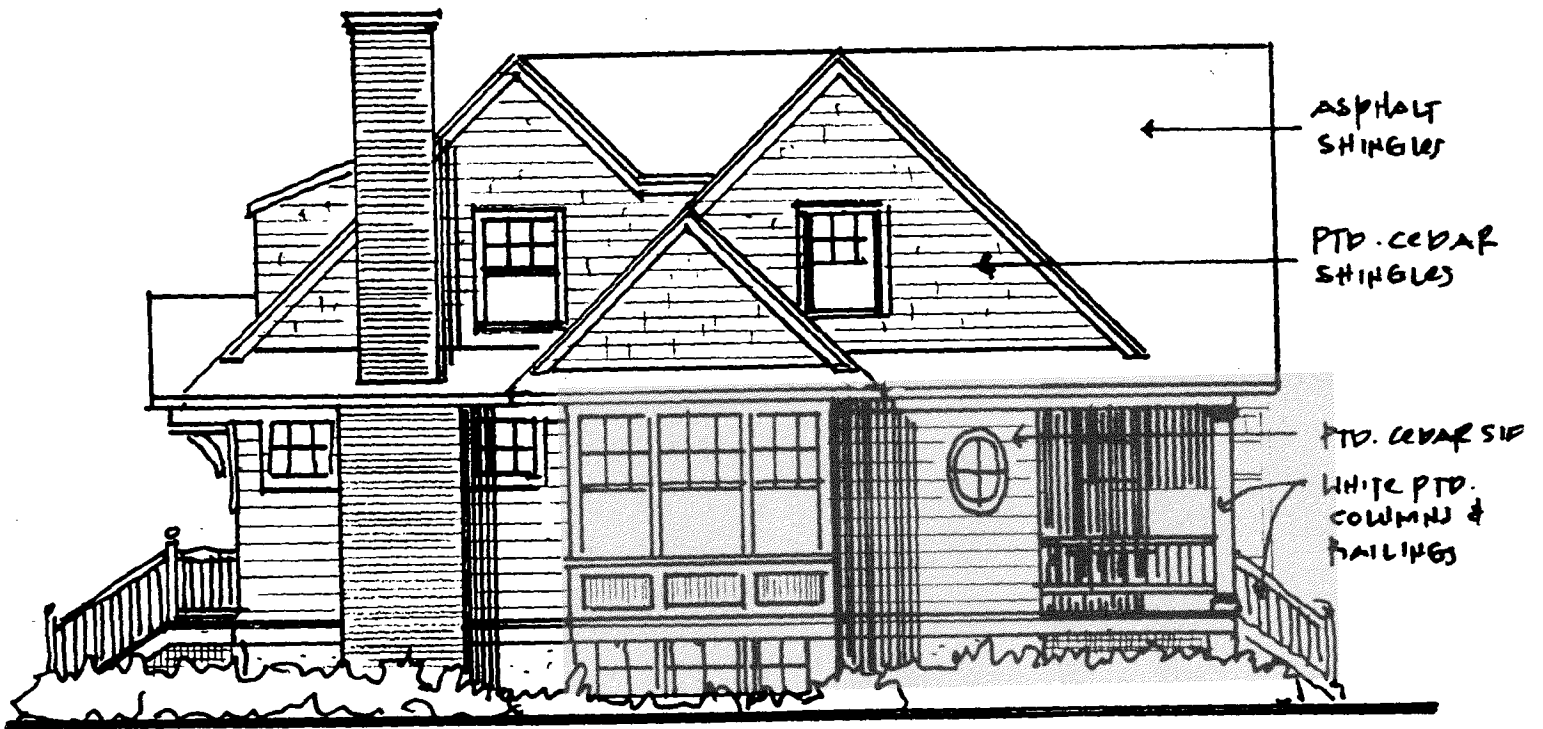


BASMENT/FOUNDATION PLAN  
 1/8" = 1'-0" 944 SF FOOTPRINT



FRONT (NORTH) ELEVATION

$\frac{1}{8}'' = 1'-0''$



EAST (SIDE) ELEVATION

$\frac{1}{8}'' = 1'-0''$



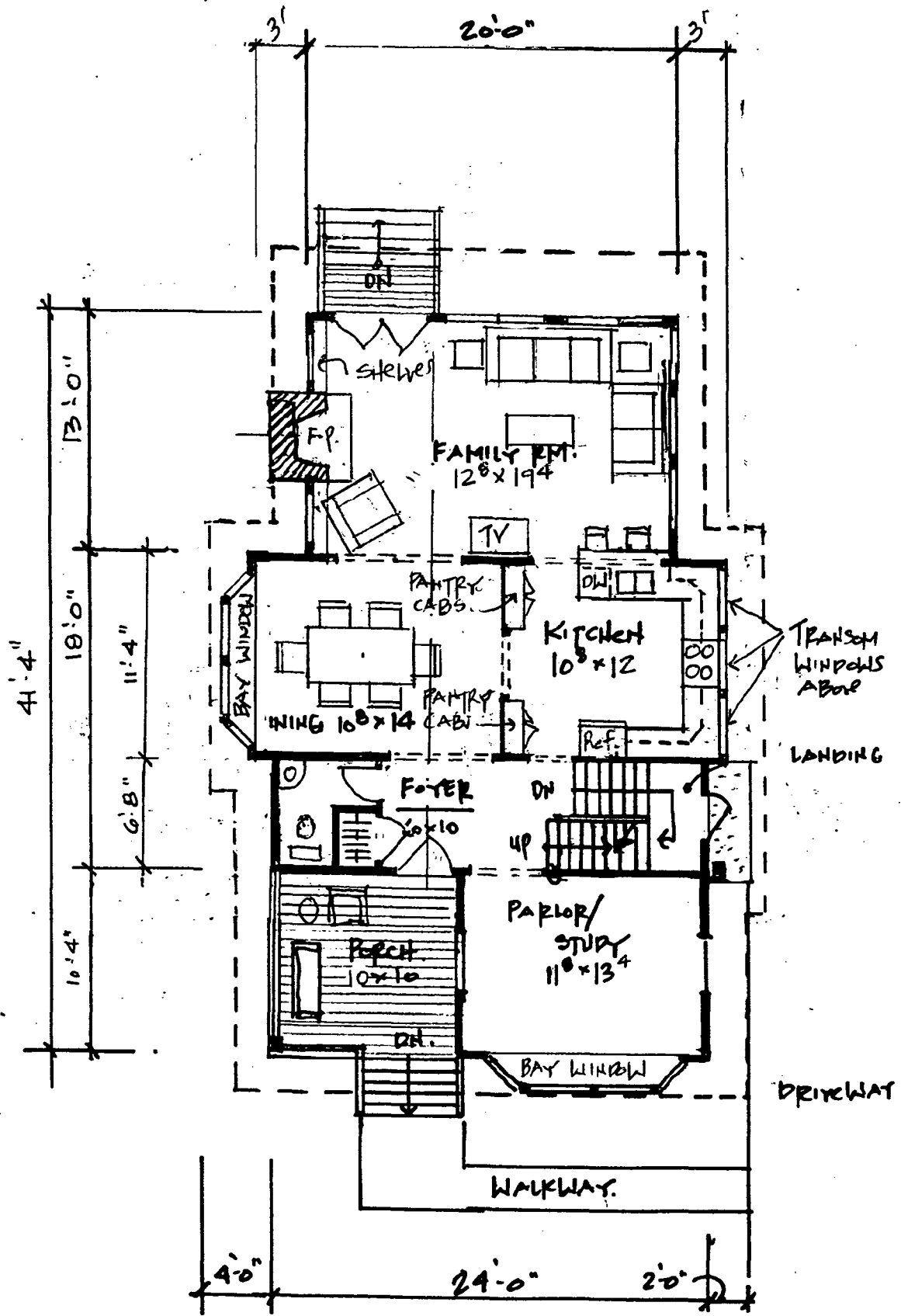
SIDE (WEST) ELEVATION

$\frac{1}{8}'' = 1'-0''$



REAR (SOUTH) ELEVATION

$\frac{1}{8}'' = 1'-0''$



**Scheme 2**

**869 SF FOOTPRINT**

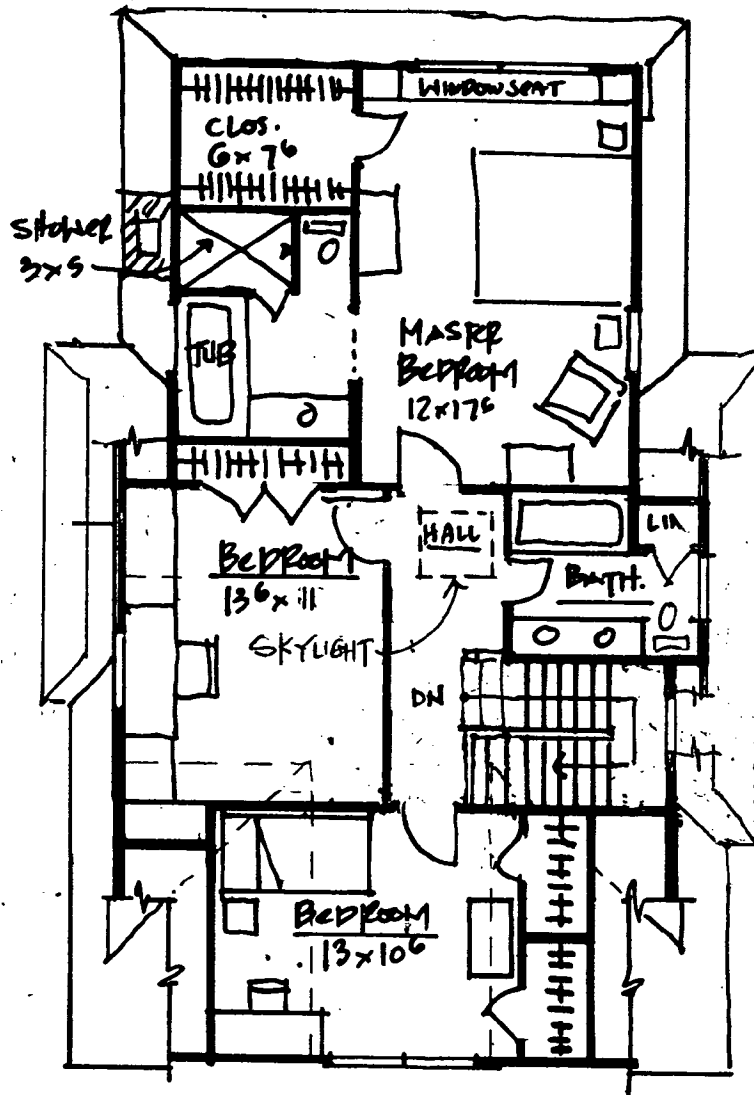
FIRST FLOOR PLAN

1/8" = 1'-0"

Revised 3-22-2000

859-4" SF FOOTPRINT  
(EXCLUDES PORCHES + BAY WINDOWS)

22

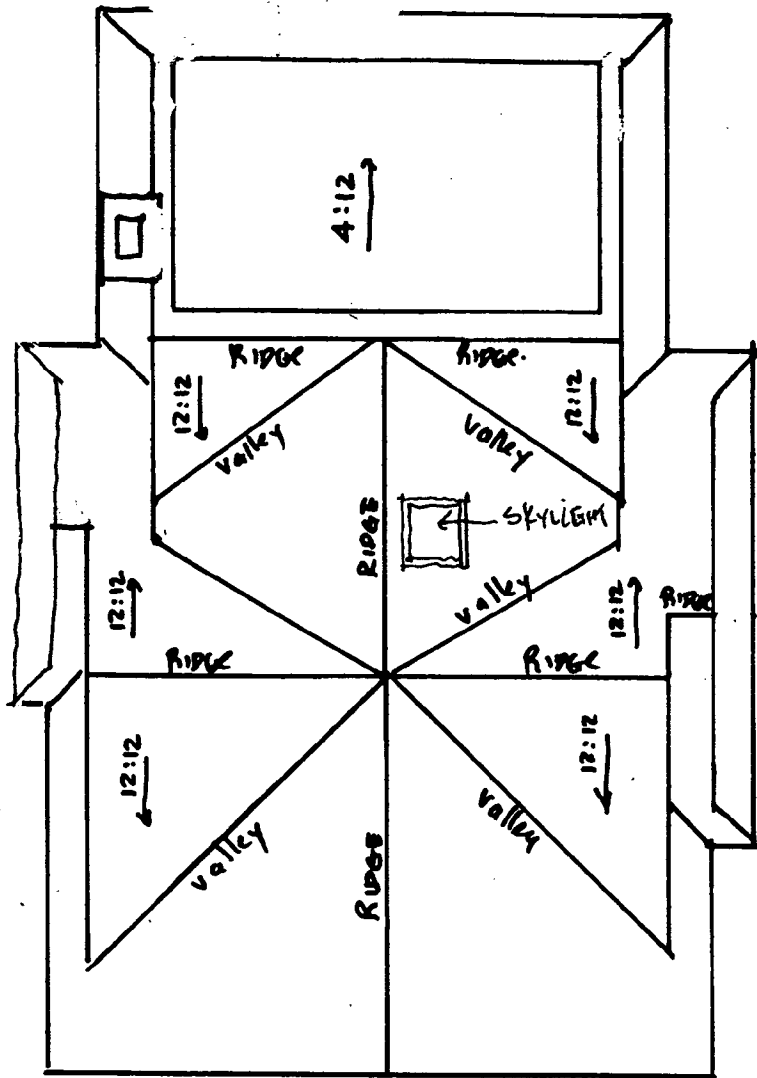


SECOND FLOOR PLAN (REVISED 3.22.2000)

1/8" = 1'-0"

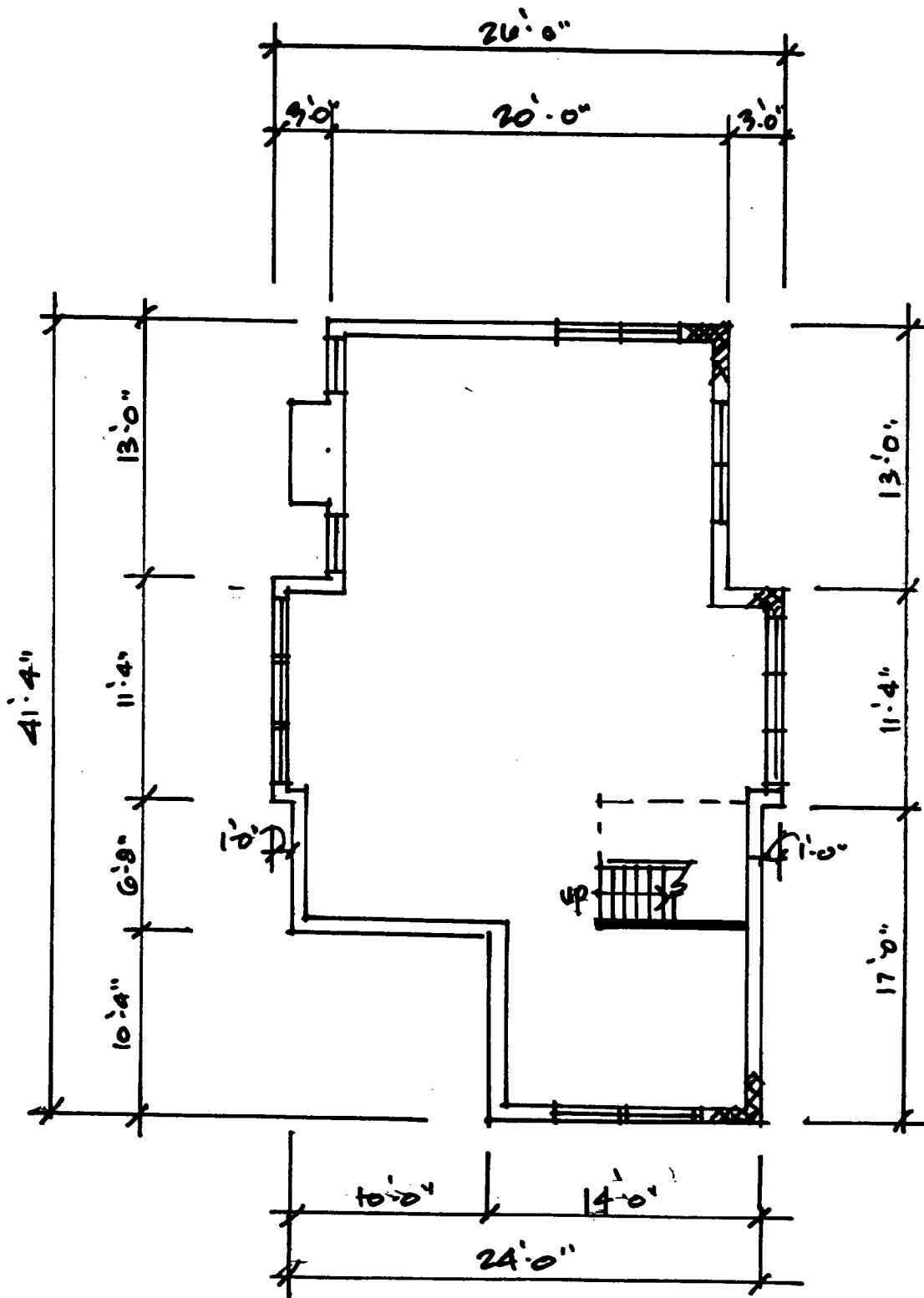
Scheme 2





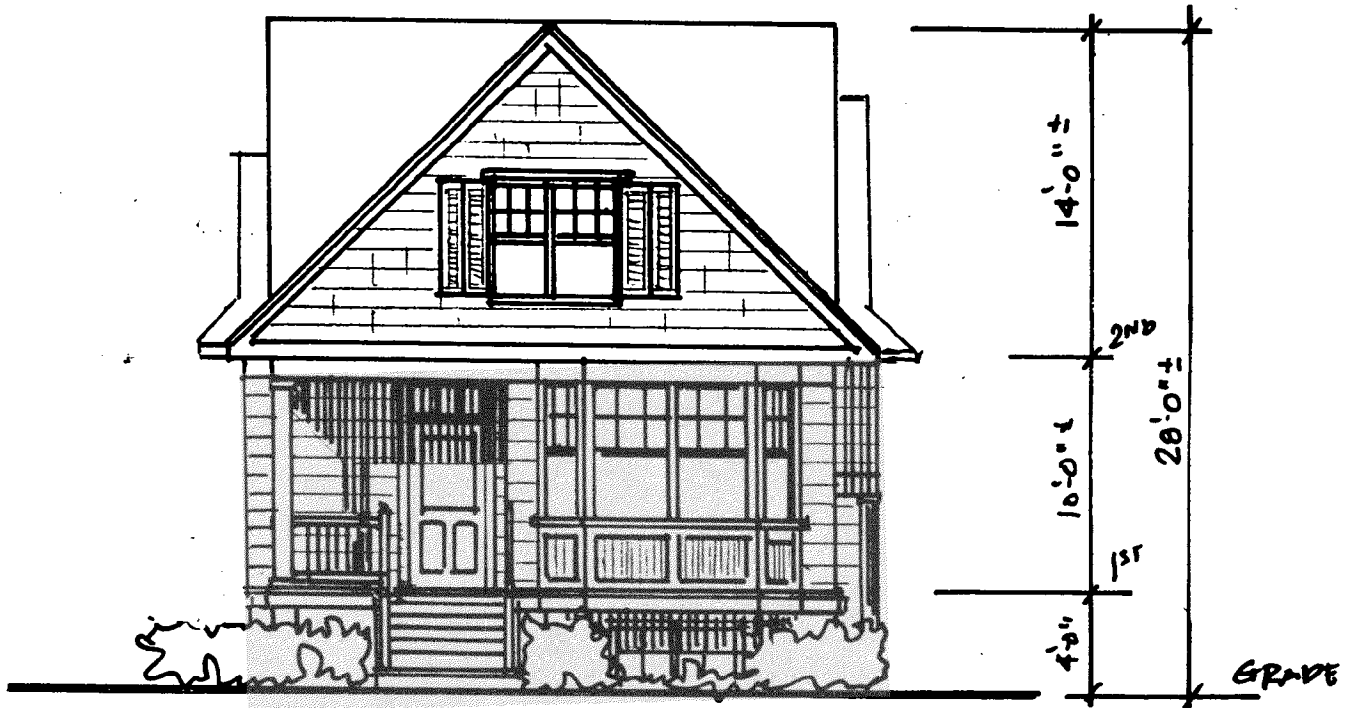
ROOF PLAN  
 $\frac{1}{8}'' = 1'-0''$

Scheme 2



Scheme 2

BASMENT/FOUNDATION PLAN (REVISED 3-22-2000) 25  
 1/8" = 1'-0"      869.4" SF

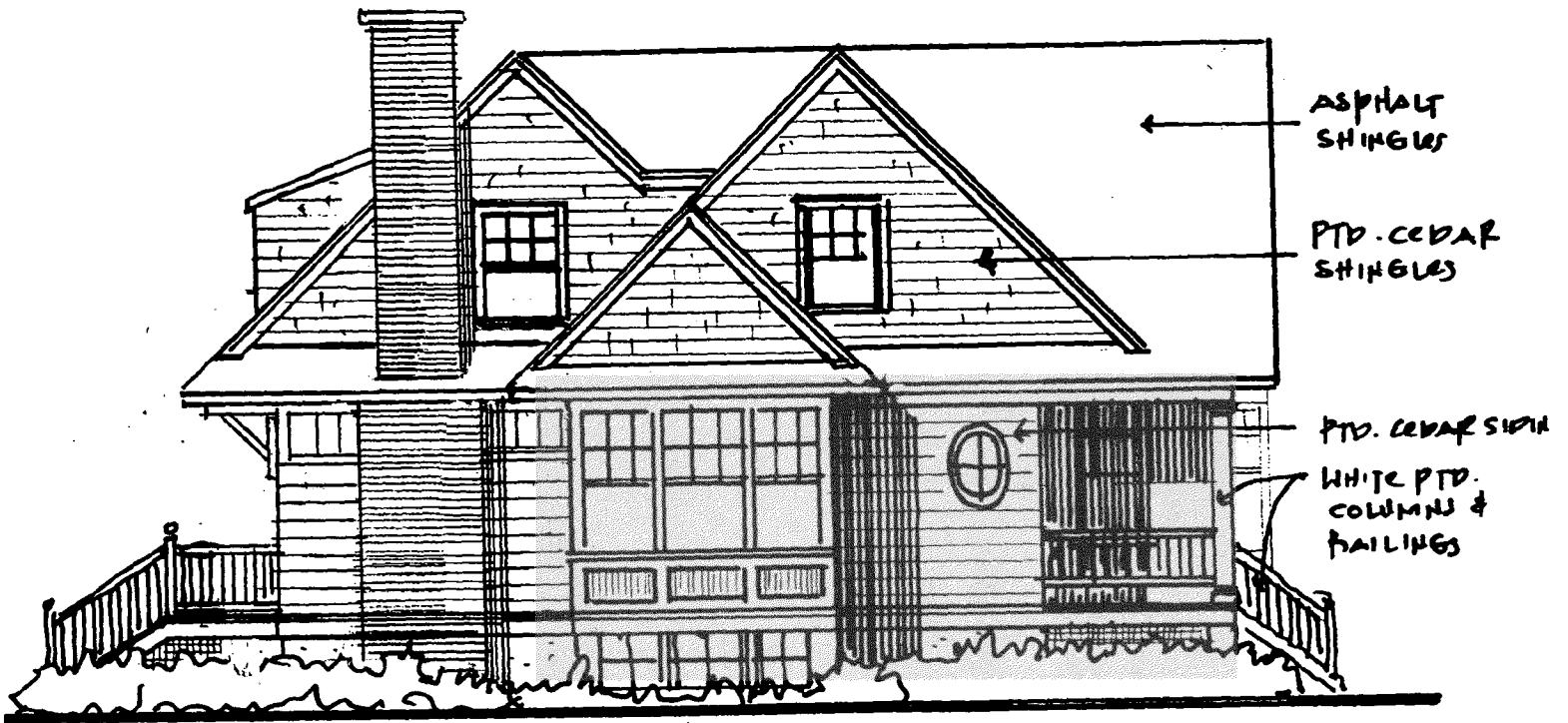


FRONT (NORTH) ELEVATION

Revised 3-22-2000

$\frac{1}{8}'' = 1'-0''$

Scheme 2

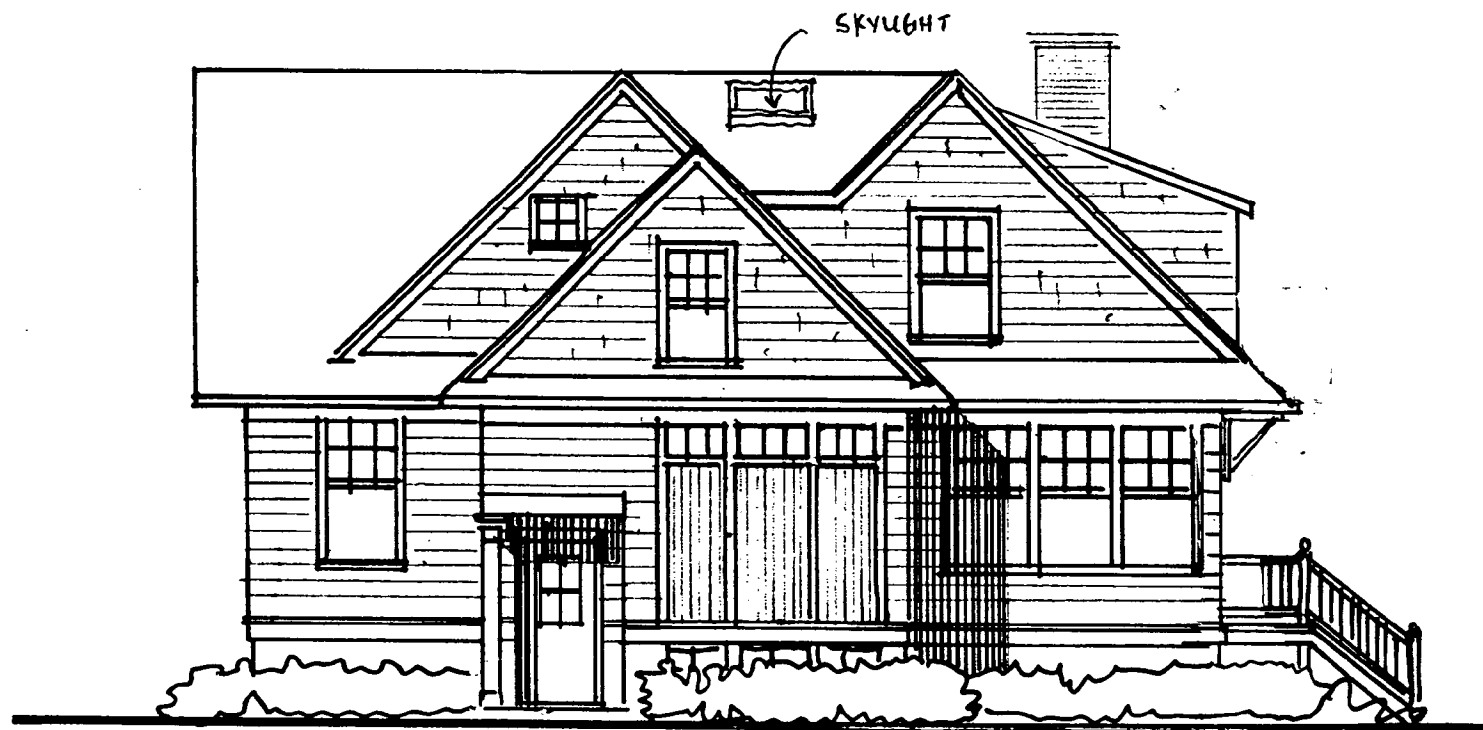


EAST (SIDE) ELEVATION

$\frac{1}{8}'' = 1'-0''$

Scheme 2

27



SIDE (WEST) ELEVATION  
 $\frac{1}{8}'' = 1'-0''$

Scheme 2



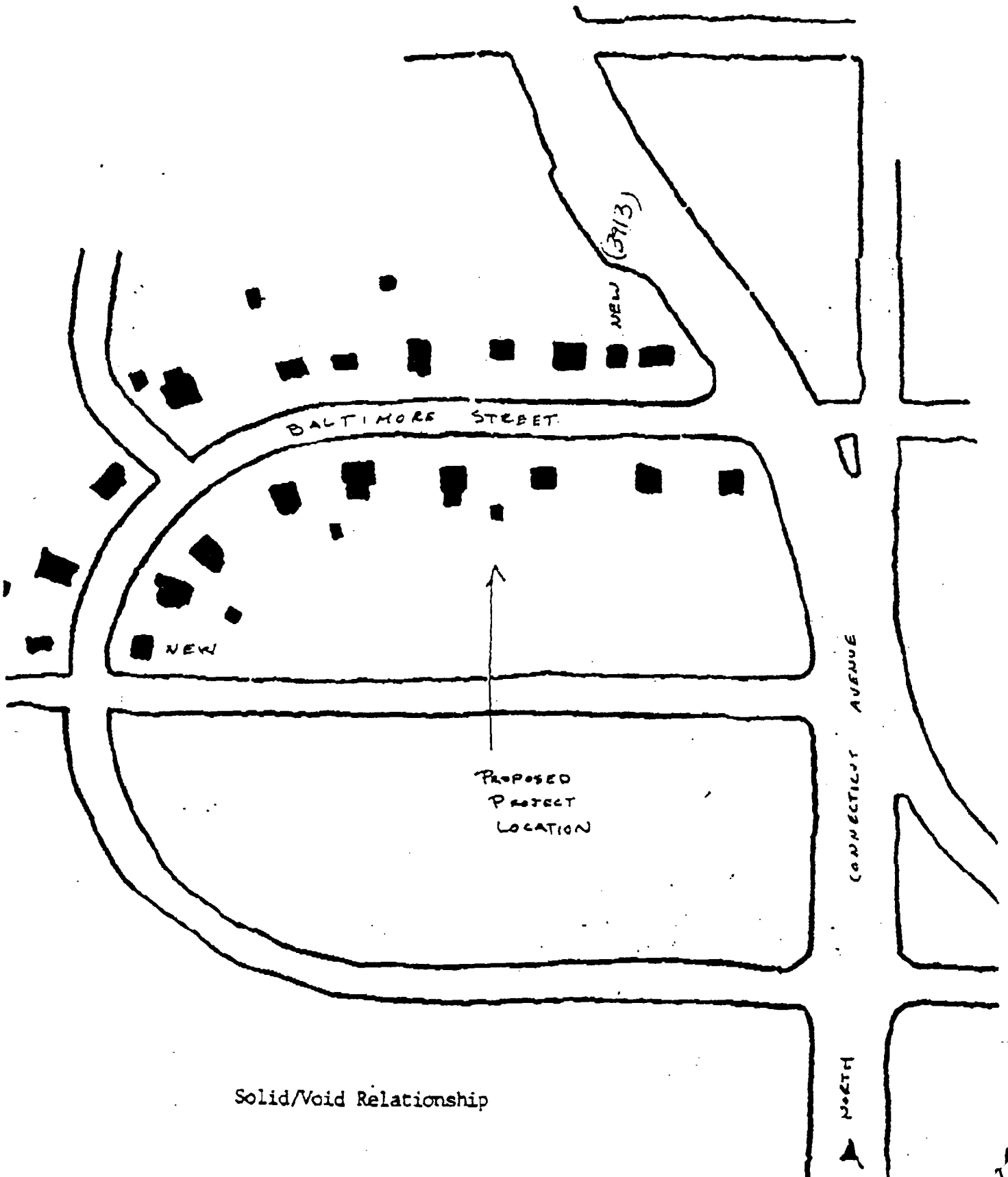
BRACKETS

BEAR (SOUTH) ELEVATION  
1/8" = 1'-0"

(REVISED 7-22-2000)

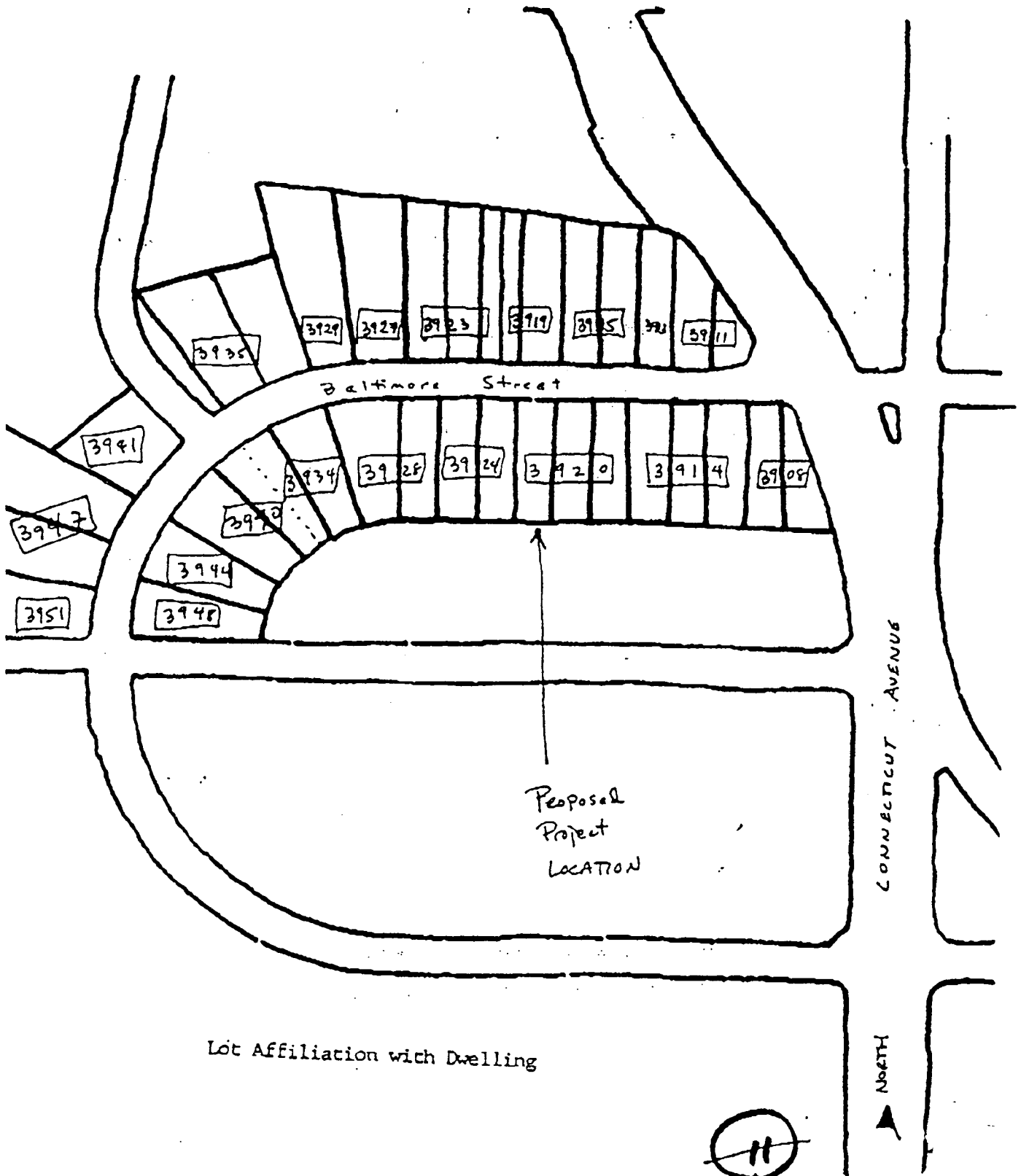
Scheme 2





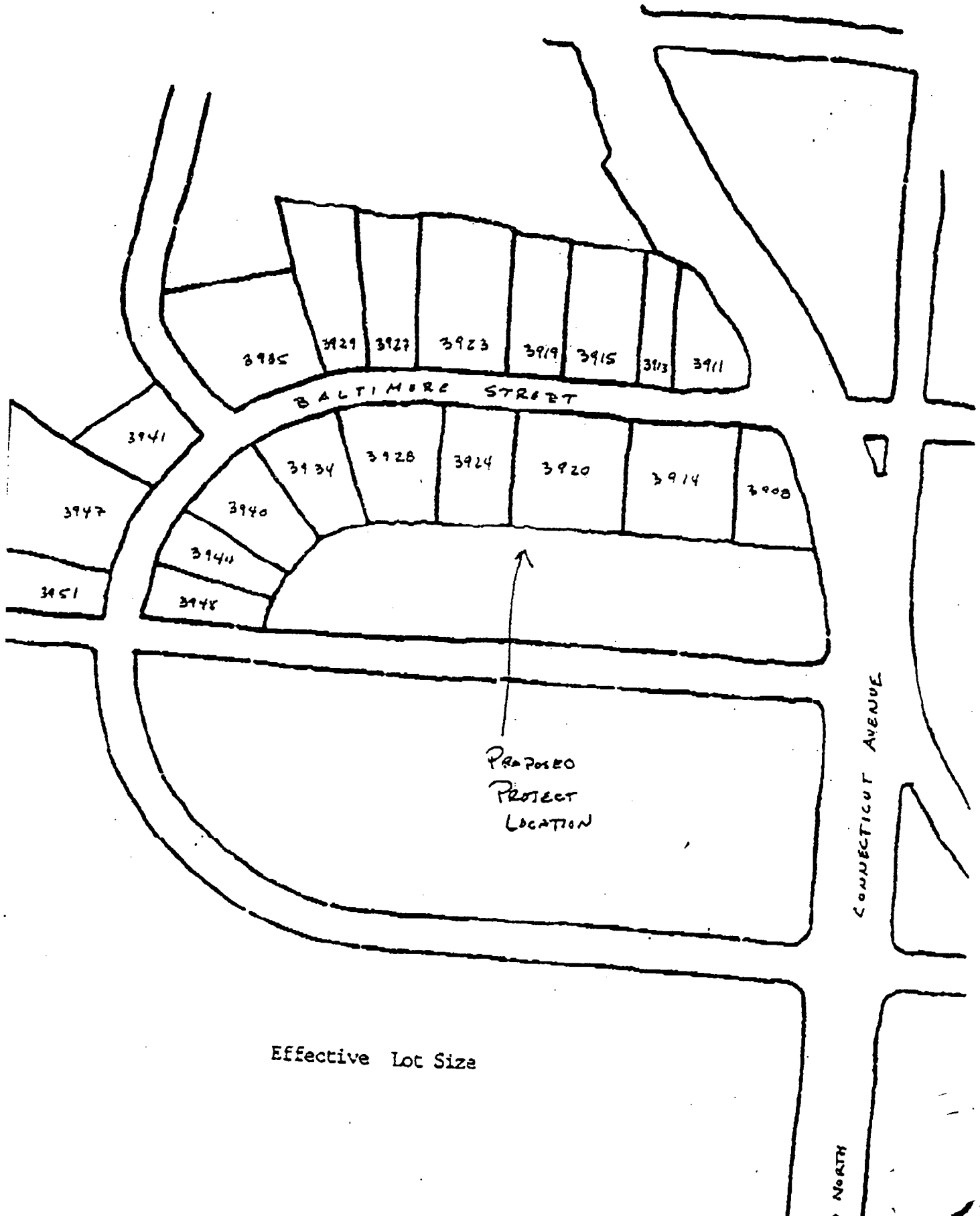
Solid/Void Relationship





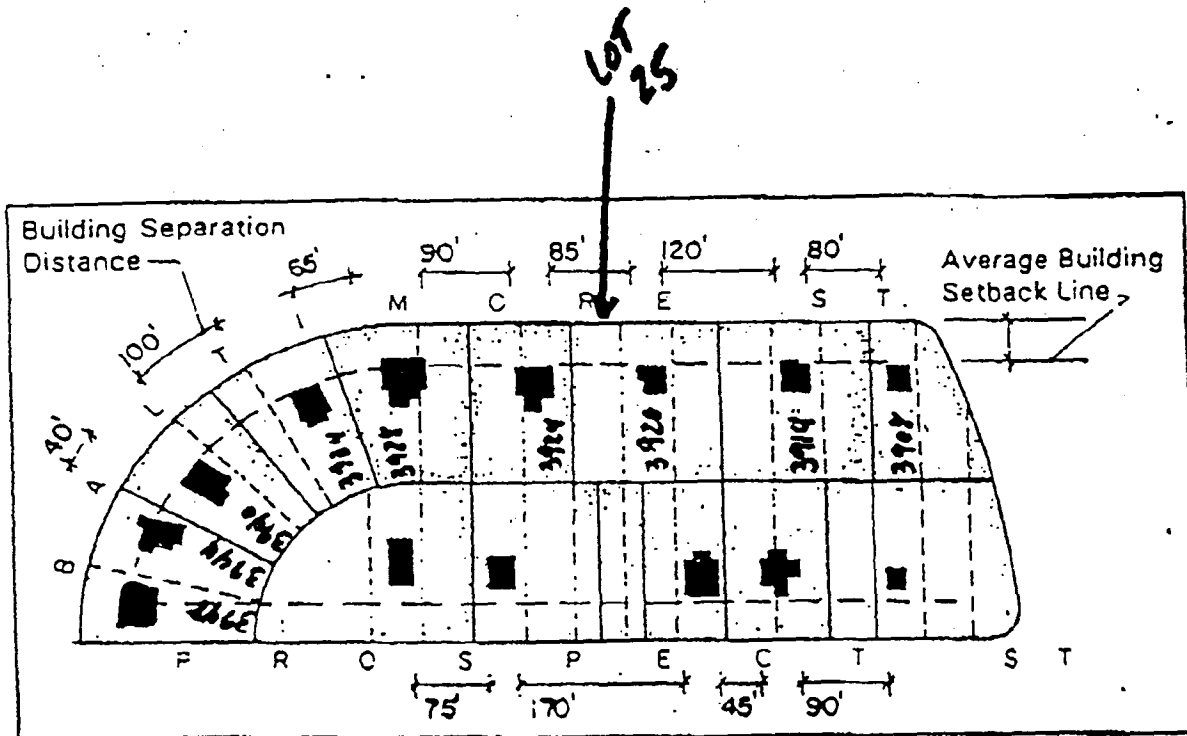
Lot Affiliation with Dwelling

11



**Relationships of Front Yard Setback and Building Separation**

The front yard "setback" is the distance a building is set away or back from the property line on the street or road which it fronts. The front yard setback determines how prominent a building is in the streetscape of a community. When many buildings are involved, a pattern can be established which helps to define the character of the streetscape through the width of sidewalks, the amount of green space (lawn or vegetation area) between street and building, the apparent scale of the buildings in relation to pedestrians, and other subtle qualities of the community. In combination with setbacks, building separation distances establish the openness or visual porosity of the streetscape. Buildings which are separated allow for view and landscape elements in the interstitial space. These relationships are illustrated in the map titled Kensington Historic District Vacant Land and Open Space (Figure 34).



Pattern of Building Setbacks and Separation Distances for Block #11

**Coverage Patterns**

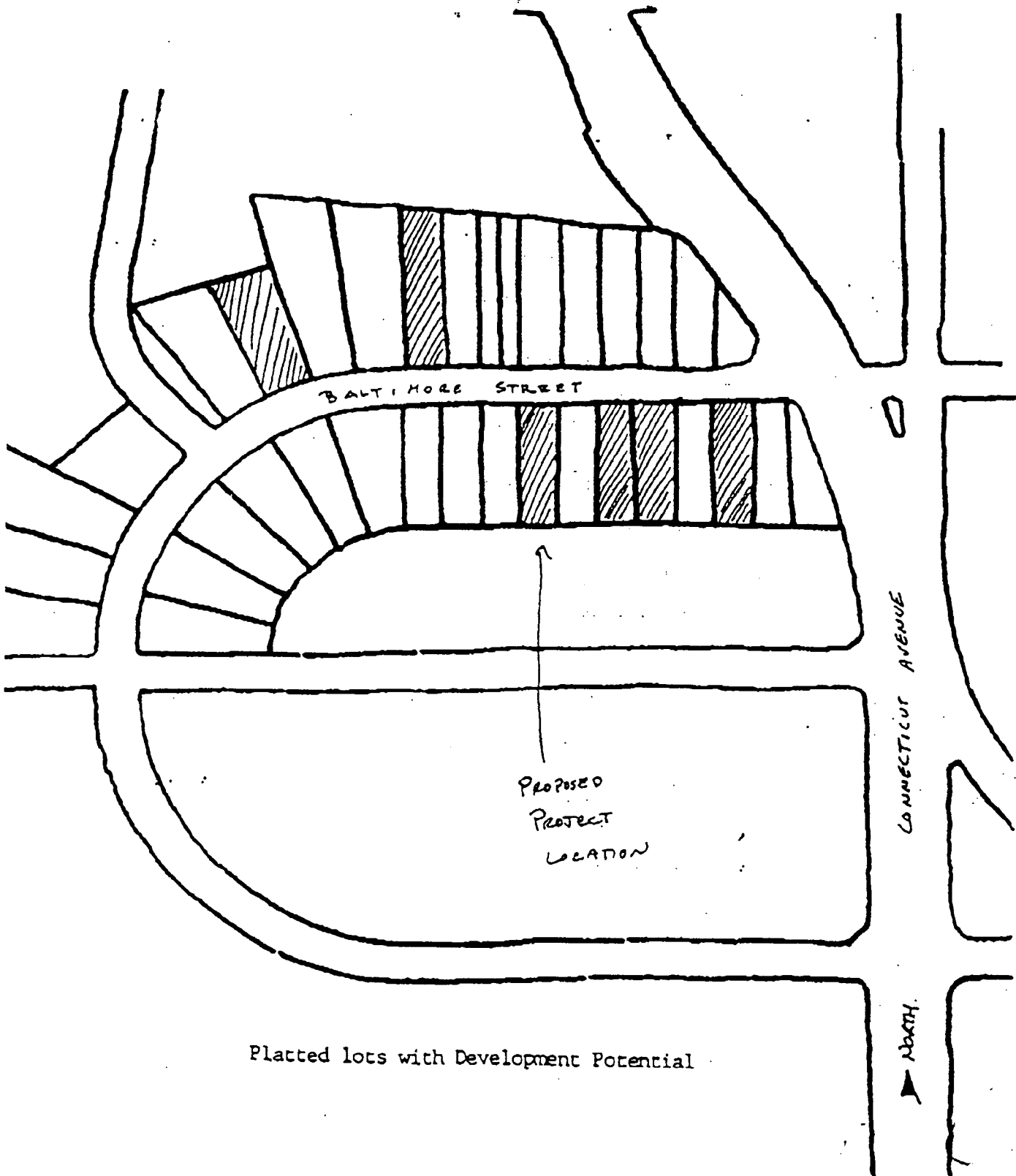
coverage is the ratio of the building footprint area to the overall lot area, and it reflects the density of development on a given parcel of land. Lot coverage was identified using planimeter measurements of the building footprint area from the County's topography maps and compared with areas to determine percent of coverage as given in the table Kensington Historic District Lot Characteristics. Analysis of lot coverage in Kensington reveals that the density of development is greater for the overall district than in the areas where the primary resources are located. This is related to the inclusion of the commercial district for the calculation, as well as the use of fewer lots per dwelling for post-1930s' construction. The lower lot coverage figures for primary resources reflects the pattern of using multiple lots for the older primary resource dwellings.



**Kensington Historic District Lot Characteristics**

Category		Entire District	All Primary Resources Properties	1890 - 1910 Properties
Lot Area	Maximum	3.3 acres	3.3 acres	3.3 acres
	Average	0.40 acres	0.38 acres	0.42 acres ←
	Minimum	0.15 acres	0.15 acres	0.18 acres
Lot Coverage	Maximum	25%	25%	25%
	Average	15%	10%	9% ←
	Minimum	5%	5%	5%
Front Yard Setback	Maximum	65 ft	65 ft	65 ft
	Average	33 ft	35 ft	38 ft ←
	Minimum	0 ft	20 ft	20 ft
Building Separation	Maximum	170 ft	170 ft	170 ft
	Average	40 ft	55 ft	75 ft' ←
	Minimum	15 ft	20 ft	50 ft

35



Platted lots with Development Potential



*Kensington LAP*  
*Frank O'Donnell, Chair*

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**FAX COVER PAGE**

To: Robin Ziek 301-563-3412

From: Frank O'Donnell

Date: April 3, 2000

**Kensington LAP**  
**Frank O'Donnell, Chair**

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**MEMORANDUM**

To: Montgomery County Historic Preservation Commission

From: Frank O'Donnell, Kensington LAP

Date: April 3, 2000

Re: Case Number 31/6-00C (3922 Baltimore Street, Kensington)

Summary:

The Kensington LAP prefers that this project meet all of the guidelines enumerated in the *Vision of Kensington: A Long-Range Preservation Plan*.

The LAP notes that of the various plans proposed for this property, the plan described as "Scheme 2" comes closest to meeting the guidelines. The LAP believes it is up to the Historic Preservation Commission to decide on the merits of this project, but several specific recommendations follow.

Discussion:

The LAP notes that the applicant in Case Number 31/6-00C has submitted other HAWPs that the Historic Preservation Commission has rejected as being incompatible with the guidelines noted in the *Vision of Kensington*.

To review the latest HAWP submission, the LAP met March 29. All LAP members were present, as was the applicant, the applicant's architect, and a member of the HPC staff. In this open and constructive process, the LAP examined the project and possible alternatives.

The submitted HAWP included a proposed house with a footprint of approximately 944 square feet – a size in excess of the 10 percent maximum lot coverage recommended by the *Vision of Kensington*. (The lot in question is approximately 8,600 square feet.) In response to questioning, the applicant's architect noted that the 944 square feet did not include the proposed fireplace – which would take the size to approximately 954 square feet – nor did it include the proposed front porch. The LAP noted that a proposed new garage would add to the lot coverage, and expressed concern about possible additional driveway paving.



It should be noted that the LAP praised the architect for working to design a house that not only appears attractive, but also strives to be compatible with the guidelines of the *Vision* and the overall ambience of the Kensington Historic District. Even so, LAP members questioned whether the project could be reduced in size. In response, the architect produced an alternative plan labeled "Scheme 2" with a footprint of 859 square feet. LAP members unanimously agreed this alternative appeared preferable to the official proposal. One LAP member remarked "for an infill house [in the Kensington Historic District] this is probably as good as you can get."

The LAP decided not to go on record either in opposition or support of the proposal, but to note that it:

- Prefers that the proposal meet all the *Vision* guidelines;
- Believes "Scheme 2" comes closest to meeting those guidelines;
- Prefers that any proposed fireplace or porch be counted in reckoning the footprint of the house;
- Opposes construction of a new garage and a new driveway on the lot; and
- Wants the existing garage preserved and protected. If it falls apart for any reason, the LAP does not want it to be replaced with a new structure.

Should the HPC grant conditional approval to this HAWP, the LAP hopes the applicant will drop his prior appeal to the Board of Appeals.

The LAP would like to thank HPC staff, the applicant, and the applicant's architect for participating in this process.

Ex D<sup>d</sup> to  
Grant  
Nov. 13<sup>th</sup> 1899.

<sup>215</sup> The request of Arthur Hendricks the following  
Deed was recorded June 12<sup>th</sup> 1899 9 A.M. to wit:

This Indenture, made this Twentieth (20<sup>th</sup>) day of  
Nov. in the year of our Lord one thousand eight hundred  
and ninety nine. and between Earnard H. Warner  
and his wife Mary H. Warner of Montgomery County,  
Maryland of the first part, and Arthur Hendricks of  
Washington City D.C. party of the second part:

Witnesseth That the said parties of the first part,  
for and in consideration of the sum of Five Hundred  
Dollars (\$500) Dollars, in lawful money of the  
United States, to them in hand paid by the said  
party of the second part, at and before the sealing  
and delivery of these presents, the receipt whereof is  
herein acknowledged, have granted, bargained, sold,  
aliened, conveyed, released, and conveyed, and  
so by these presents grant, bargain and sell, alien,  
convey, release and convey unto the said party of  
the second part his heirs and assigns, forever,  
The following described real estate situate in the  
County of Montgomery State of Maryland to wit:

All those certain pieces or parcels of land and  
premises known and distinguished as and being Lots  
numbered Twenty six (26) and Twenty seven (27) in  
Block numbered Eleven (11) in B. H. Warner's Sub-  
division of land now known as "Hensington Park"  
as and according to a plat duly recorded among  
the land records of said County.

Together with all the improvements, ways, easements,  
rights, privileges, appurtenances, and hereditaments  
to the same belonging, or in anywise appertaining,  
and the remainders, reversions, rents, issues, and  
profits thereof; and all estate, right, title, interest,  
claim, and demand whatsoever, either at law  
or in equity, of the said parties of the first part,  
as in, to or out of the said pieces or parcels of land  
and premises:

To Have and to Hold the said pieces or parcels of  
land and premises, with the appurtenances, unto  
the said party of the second part, his heirs and  
assigns, to his and their sole use, benefit, and behoof,  
forever.

And the said parties of the first part for themselves

1899 Deed for Lots 26, 27

and for their heirs, executors, and administrators, do hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they the said parties of the first part, and their heirs shall and will warrant and forever defend the said pieces or parcels of land and premises and appurtenances, unto the said party of the second part, his heirs and assigns, from and against the claims of all persons claiming or to claim the same, or any part thereof, in, from, under, or through them, the said party of the first part.

And the said parties of the first part further covenant, promise and agree to and with the said party of the second part, that they the said parties of the first part, and their heirs, shall and will at any and at times hereafter, upon the request and at the cost of the said party of the second part, his heirs or assigns, make, execute, deliver, and acknowledge all such other Deed or Deeds, or other assurance in law, for the more certain and end-effectual conveyance of the said pieces or parcels of land and premises and appurtenances, unto the said party of the second part, <sup>as the said party of the second part, his heirs or assigns</sup> his heirs or assigns, or his or their counsel learned in law shall advise, devise, or require.

In Testimony Whereof, The said parties of the first part part, have hereunto set their hands and seals on the day and year first hereinbefore written

Signed, Sealed and delivered in

the presence of

Henry J. Gross (Not Sec'd)

Brainard H. Warner *seal*

Mary H. Warner *seal*

District of Columbia ss:

I Henry J. Gross, a Notary Public in and for the District aforesaid, do hereby certify that Brainard H. Warner and his wife Mary H. Warner parties to a certain deed, bearing date on the 19th day of May, A. D. 1899, and hereunto annexed, personally appeared before me, in the District aforesaid

said, the said Erainard H. Warner and wife Mary H. Warner being personally well known to me to be the persons who executed the said deed, and acknowledged the same to be their act and deed; and the said Mary H. Warner being by me examined privily and apart from her husband and having the deed aforesaid fully explained to her acknowledged the same to be her act and deed, and declared that she had willingly signed, sealed, and delivered the same, and that she wished not to retract it

Henry J. Cross  
Notary Public  
District of  
Columbia

Given under my hand and Notarial seal, this Thirty First day of May, A.D. 1899.

Henry J. Cross  
Notary Public

Examined  
by J. S. G.  
Notary  
June 23, 1899.

At the request of Lawrence A. Chiswell the following deed was recorded June 12th 1899 to wit: This Deed, made this 10th day of June in the year 1899, by me William P. N. Lawson, of Frederick County in the State of Maryland, Witnesseth:- That in consideration of the sum of Twelve Hundred Dollars, the receipt whereof is hereby acknowledged, I the said William P. N. Lawson do hereby grant and convey, in fee simple, unto Lawrence A. Chiswell of Montgomery county, in said State, all the following described real estate, situated at Dickerson Station in said Montgomery county, to wit: Beginning for the same at a stone planted near the North-east corner of a stone building belonging to J. S. Coole and now occupied by the said Lawrence A. Chiswell, the said stone being on the South side of, and about 33 feet from the main track of the Metropolitan Branch Railroad, measuring from midway between the rails thereof and running thence from said stone, (1) South  $8\frac{1}{2}$  East  $20\frac{3}{4}$  perches to a stone planted along along the South margin of the land of said rail-road, thence (2) South  $3\frac{1}{2}$  West  $30$  perches to a stone planted, thence (3) North  $7\frac{1}{2}$  West  $10.92$  perches, to a willow bush and stump in or near the spring branch, thence (4) South  $6\frac{1}{2}$  West  $9\frac{1}{2}$  perches to a stone standing

State of Maryland, Montgomery County, to wit:

I hereby certify that on this 29th day of June in the year nineteen hundred and three before the subscriber a Justice of the Peace of the State of Maryland, in and for Montgomery County, personally appeared Charles W. Souder, Collector of State and County taxes for the Second Collection District of Montgomery County, in the State of Maryland, and did acknowledge the foregoing and annexed deed to be his act.

Rufus K. King J.P.

#####

At the request of Ida V. Hendricks, the following Deed was recorded August 6th 1903, 9'15 A.M. to wit:

This Indenture, Made this 1st day of August in the year of our Lord one thousand nine hundred and three, by Brainard H. Warner and Mary H. Warner, his wife, of Montgomery County, Maryland, but now in Washington, District of Columbia,

Witnesseth, That in consideration of the sum of Five Hundred (500) Dollars, the receipt whereof is hereby acknowledged, and the further consideration of certain covenants of the grantee, which are to run with the title, the same being attached hereto, made a part hereof, and signed by the grantee herein, we, the said Brainard H. Warner and Mary H. Warner, do grant, bargain, sell and convey unto Ida V. Hendricks, wife of Arthur Hendricks of Kensington, County of Montgomery State of Maryland heirs and assigns, forever, the following-described real estate situate in the County of Montgomery and State of Maryland, to wit: All that certain piece or parcel of land and premises known and distinguished as being lot numbered Twenty five (25) in Block numbered Eleven (11) in E. H. Warners' Subdivision of a tract of land in said County of Montgomery known and designated as "Kensington Park" the same being surveyed and described in the Plat thereof on file and of record in the Office of the Clerk of the Circuit Court of the County and State aforesaid.

Together with all and singular the improvements thereon, and all the rights, ways, easements, privileges, and appurtenances thereunto belonging or in anywise thereunto appertaining.

To Have and to hold the said above described lot of ground, hereditaments and premises hereby granted or mentioned and intended to be, with the appurtenances, unto the grantee her heirs and assigns, to and for the only proper use and behoof of the grantee her heirs and assigns, forever under and subject to the covenants and restrictions hereinafter contained.

And the said Ida V. Hendricks for herself for her heirs and assigns, owners occupiers of the said above-described lot of ground, doth hereby covenant and agree with the grantor his heirs and assigns, that she the said Ida V. Hendricks her heirs and assigns, shall at all times hereafter forever leave unbuilt upon or unobstructed, except by steps, cellar doors, fences, trees, or shrubbery thereupon, the front Thirty (30) feet of the hereby granted lot fronting on the Baltimore Street and, further, that neither she, nor any nor either of them, shall or will at any time hereafter, erect or build or cause or permit to be erected or built, upon the hereby granted lot of ground, or upon any part thereof, any hotel tavern, drinking saloon, blacksmith, carpenter

1903 Deed for Lot 25

or wheel wright shop, steam mill,, tannery, slaughter-house, skin dressing establishment, livery stable, glue, soap, candle, or starch manufactory, or other building for offensive purpose or occupation; nor shall any building thereon erected be converted into a hotel tavern, drinking saloon, blacksmith, carpenter or wheelwright shop, steam Mill, tannery, slaughter-hose, skin- dressing establishment, livery stable, glue, soap, candle, or starch manufactory, or used for any offensive purpose or occupation hereafter forever. And, moreover, it is further covenanted and agreed by and between the said parties hereto, for themselves respectively and for their respective heirs and assigns, that if any buildings shall at any time hereafter be put, placed, erected, or used or occupied, upon the hereby granted lot or any part thereof, contrary to the true intent and meaning of these presents, and if the grantee her heirs or assigns, shall fail to remove the same on receiving thirty days' notice, in writing, so to do from the grantor his heirs and assigns, or from any other owner of any other lot, part of the lots known and designated as Kensington Park, then and in such case it shall and may be lawful for the grantor his heirs and assigns, or for any of the said owners of any of the said lots, part of the said Kensington Park, with their workmen, tools and implements, to enter into and upon the hereby granted lot of ground, and into the buildings thereon to be erected, and at the cost of the grantee her heirs or assigns, owners or occupiers of the said hereby granted lot, to tear down, remove, and abate all such buildings or manufactories as may be erected or constructed or used contrary to the true intent and meaning of these presents, and without being subject to any writ, action, or proceeding, civil or criminal, for any thing reasonably done by him, them, or any of them, by reason thereof, or for any entry thereon for the purpose aforesaid, anything hereinbefore contained to the contrary thereof notwithstanding. Also, that shc the grantee her heirs or assigns, shall and will build on the said hereby granted lot a substantial brick, stone, or frame dwelling-house of not less value than Twenty five hundred (2500) dollars Also, to maintain the foot way in front of the said lot of at least ten feet also; that no privy, well, drain or cesspool shall be sunk or constructed on the premises, unless the same shall be built with bricks or stone laid in cement, and thoroughly lined and entirely covered with the same, or made of iron, or such other material as may be agreed upon between the parties hereto, and kept in repair, so that it shall be at all times water tight, and kept from overflowing or leakage, and subject at all times to the inspection and approval of the grantor or his agents.

And we, the said Brainard H. Warner and Mary H. Warner, his wife, do hereby covenant that we will warrant and defend the lands and premises hereby conveyed from and against the claims of all persons claiming or to claim the same or any part thereof, by, from, under or through them or either of them.

Witness our hands and seals.

✓ 411 Brainard H. Warner (seal)

Attest:

✓ 437 Mary H. Warner (seal)

S. A. Terry

45

District of Columbia County of Washington, To wit;

I hereby Certify, That on this 1st day of August, A.D. 1903, before the subscriber, a Notary Public of the District of Columbia, in and for said County, personally appeared Brainard H. Warner and Mary H. Warner, his wife, the grantors named in the foregoing and annexed deed to Ida V. Hendricks and did each acknowledge said Deed to be their respective act.

G. A. Terry  
Notary Public,  
District of  
Columbia.

IN Testimony Whereof I have hereunto subscribed my name and affixed my official seal, this 5th day of August, A. D. 1903,

S. A. Terry  
Notary Public.

*2*  
*Recorded*  
*W. G. Platt*  
*Washington*  
*4 Oct 21, 1903*

#####

At the request of Wilmer G. Platt, the following Deed was recorded August 7th 1903, 8:30 A.M. to wit:

This Deed, Made this Third day of August in the Year of our Lord one thousand nine hundred and three by and between Vina Garrigus of Washington, D.C. party of the first part, and Wilmer G. Platt of Takoma Park, D.C. party of the second part:

Witnesseth, That in consideration of one dollar, lawful money of the United States of America the party of the first part does grant and convey unto Wilmer G. Platt party of the second part, his heirs and assigns, in fee simple, all that piece or parcel of ground situate, lying and being in Montgomery County State of Maryland, being the same land which the said party of the first part obtained from Wilmer G. Platt and Clara M. Platt ux. by deed dated the eighth day of July 1899, recorded in in the Land Records of Montgomery County, Maryland, in Liber T. D. No. 17 at folio 71 and being described as follows, to wit: Lot numbered six (6) in Block numbered seventy three (73) of The Takoma Park Loan and Trust Company's subdivision of Takoma Park near Washington, in the District of Columbia, reference being hereby made to a plat of said subdivision which is duly recorded among the land Records of said County, in Liber J. A. No. 27, folio 193.

Together with the buildings and improvements thereon, erected, made, or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said piece or parcel of ground and premises above described or mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said Wilmer G. Platt, his heirs and assigns.

And the said party of the first part covenants that she will warrant specially and generally the property hereby conveyed; that she is seized of the land hereby conveyed; that she has a right to convey said land; that the said party of the second part shall quietly enjoy said land; that she has done no act to encumber said land; and that she will execute such further assurances of said land as may be requisite.

Witness my hand and seal  
Test:  
Arthur R. Colman

*147* Vina Garrigus (seal)

*The Kensington Historical Society, Inc.*  
*PO Box 453*  
*Kensington, MD 20895*

April 12, 2000

**Chairman, Members & Staff**  
**Historic Preservation Commission**  
**8787 Georgia Avenue**  
**Silver Spring, MD**

**Dear Chairman, Members & Staff;**

**I am writing on behalf of the Preservation Committee of the Kensington Historical Society concerning the proposed building permit for 3922 Baltimore Street.**

**This proposed house while having an interesting character and some appropriate features still does not meet the guidelines set out for the Core area of the Historic District in Kensington. The applicant wants to build a house, which is greater than the 10% maximum permissible under the *Vision of Kensington* guidelines. Yet there is a demand for small homes in this area. There are a variety of small homes within the Historic District. When I first moved to Kensington, my husband, two children and I lived in a house in the Historic District which was 867.6 square feet with a 80 square foot front porch. This house had NO second floor NOR was it a one and a half story house. We had a living room, three bedrooms, dining room, kitchen, bath and storage basement. When we wanted a larger house and realized there were no options for this particular property, we moved five blocks to another home in Kensington. We should not be made to lower our standards and risk our Historic designation by allowing a new house in the side yard of a primary resource which does not in every way meet the guidelines which have been developed specifically for this Historic District.**

**There is no streetscape submitted with this proposal. Not only will the size of the house tend to fill the space between two primary resources, but it will appear even larger because of its uphill location from the street level. And even a streetscape can be deceptive, not always capturing the true effect of the proposed infill. Recently a garage was permitted where the streetscape showed the garage to be below the grade, in fact downhill, with only half of the first level in view. In actuality the ground floor is totally in view from the street making it appear much larger. On Washington Street where a house was built in the side yard of a primary resource, the neighbors were aghast at the actual mass of the building. Even when figures are correct and a streetscape is drawn, the overall effect of the building is shocking.**

**Our Historic District is very small indeed. This portion being only four blocks wide. In a letter written by Michael K. Day, Administrator (Local Government), of the Maryland Historical Trust, Mr. Day wrote of the Kensington Historic District:**



2763 4/12/2000

**“There is uniformity among the houses, a quality of openness and rhythm to the streetscape, and defined sense of time and place. These are the factors, which were cited as the basis for significance in the national Register nomination for the district:**

**The district is significant primarily for the collection of late 19<sup>th</sup> and early 20<sup>th</sup> century houses, which stand in a turn-or-the-century garden-like setting of curving streets, tall trees, and mature shrubbery. The houses, which exhibit the influence of Queen Anne, Shingle, Eastlake, and Colonial Revival styles, have a uniformity of scale, design, and construction materials, that combine with their juxtaposition and placement upon the gently sloping terrain to create a significant urban neighborhood which still retains much of its early 20<sup>th</sup> century environment.**

**It is the opinion of this office that any new infill development within the district would have an adverse impact on the qualities from which the District derives its historic significance. The historic streetscape of large, wooded lots and the sense of time and place conveyed by this district would be severely altered by the introduction of greater density.”**

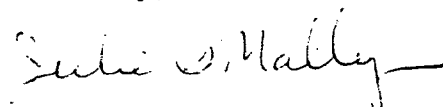
**The Kensington Historical Society adopted a Policy Statement on Historical Preservation in 1994:**

**First, that the Society’s goals in historic preservation will be governed by the goals, standards, and procedures of the Secretary of the Interior Guidelines for renovation and new construction in historic districts, and by the provisions of the Montgomery County Historical Preservation Ordinance. Second, the Society’s principal goal in interpreting those standards and that Ordinance is the preservation of open space and the garden suburb ambiance that is the essential historical quality of the Kensington Historic District. An important characteristic is the preservation of the appearance of individual historical structures and the sites upon which they are located to assure that the late-Victorian atmosphere of the Historic District is maintained. Finally, the Society is committed to supporting a consistent interpretation to assure that residents of the community have stable expectations on the appearance of the Historical District, and what modifications to their property should be permitted under the County ordinance and the Secretary of Interior Guidelines.**

**We ask you to weigh this proposal very carefully in light of the precedence it will set. The Kensington Historical District is a small district indeed. The dominant features must be preserved in order to maintain our integrity as a district. This core area is of primary importance and major changes such as proposed new construction must be considered thoroughly with every new application.**

**We thank you for your continued vigilance in preserving our District.**

**Sincerely,**



**Julie O'Malley, Chair  
Preservation Committee, KHS**

**Walter E. and Kathryn D. Schmitt**  
3913 Baltimore Street  
Kensington, Maryland 20895  
(301) 929-8154  
FAX (301) 942-5737

April 11, 2000

Montgomery County Historic Preservation Commission  
Silver Spring, Maryland

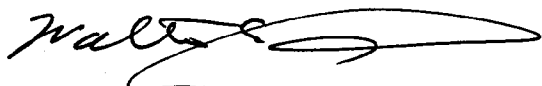
Dear Sirs:

It is with great pleasure that my wife and I endorse the construction of a new home at Lot 25, Block 11, in the Kensington Historic District. We have reviewed the commission staff report (Case 31/6-00C) and would recommend the following:

1. We prefer Scheme 1 as the reduction in size, as shown in Scheme 2, would create a home in a diminished size considering adjacent structures as well as other homes on Baltimore Street.
2. We would hope that the HPC would also restrict the construction of any other buildings on this lot in the future.
3. We prefer that the "Sears Auto-House" be moved from its present location to a location at the end of a driveway as shown on page 11, a drawing prepared by GTM Architects. This would essentially prohibit the construction of any other buildings on this lot.
4. We prefer that the driveway, as shown on Lot 25 be allowed to continue to a point even with the front of the home and not extend the length of the lot.
5. We prefer that as many trees as possible be maintained and that the red bud tree be moved to another location (it could be donated to a Town of Kensington park) if, in the opinion of a certified arborist, that it could survive a transplanting.

The proposed home would fit in very nicely in the neighborhood and would not hurt the aesthetic view envisioned by "*The Vision of Kensington: A long-range Preservation Plan.*"

We thank the HPC for its diligence in this matter.



Walter E. Schmitt

To: Historic Preservation Commission  
From: Undersigned supporters of construction of dwelling on Lot 25 Block 11  
Also known as 3922 Baltimore Street, Kensington  
Re: Meeting of 4/12/00

Throughout the process initiated by Mrs. Ahearn and Ellison Construction, we have endorsed their request for permission to build on the above referenced lot and have found the previous proposals acceptable. After review of the present proposed dwelling we again endorse the construction. Since our sentiments are basically the same as expressed for previous hearing, we would like this signature to authorize Mrs. Ahearn and Ellison Construction to reenter our previous letters which are attached.

*Pat Reynolds*  
*Pat Reynolds*  
*Reynolds*

April 12, 2000

Montgomery County Historic Preservation Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Chairperson:

Re: HPC Case No. 31/6-99/0

New construction at 3922 Baltimore Street  
Kensington, Maryland 20895

My husband and I live at 3915 Baltimore Street, directly across from the new construction.

We have had an opportunity to look over the plans for this house and we think that they are not only compatible with our lovely street but that the house will enhance the neighborhood - it looks terrific!

Sincerely,

Nick and Toni Deoudas  
Nick and Toni Deoudas  
3915 Baltimore Street

THOMAS F. AND MARY JANE FISHER  
3923 BALTIMORE STREET  
KENSINGTON, MD 20895

April 12, 1999


Dear Members of the Historic Preservation Committee,

I am again writing on behalf of my neighbor Mrs. Ahearn. I am very much in favor of Plan I for her buildable lot. I also feel the Auto House should be located on the lot of the original structure.

I continue to be amazed at the restrictions and length of this endeavor to build. I cannot help but feel there has been a personal vendetta in this case. I watch as in one meeting a garage is approved which is twice the size of the original. Five years ago we were told that our garage, which was dangerously leaning to one side, could not be replaced. If it fell, it also could not be replaced and therefore we had to repair or go without. Please do not misunderstand. I do not begrudge the new garage our neighbors are building. I do, though, resent the inconsistency of guidelines and the inconsistent rulings.

I look forward to a new cottage across the street and meeting new neighbors soon.

Sincerely,

  
Mary Jane Fisher

March 11, 1998

To Whom It May Concern:

We are writing to show our support of Jeannie Ahern and her perspective buyer concerning the sale and building of a home on the lot at 3922 Baltimore Street in the Kensington historic district.

We, like most people we know, respect green space and enjoy living in a neighborhood where there are mature trees, gardens, and lawns. However, in our experience, the mechanism that an individual traditionally used to maintain an abundance of green space around his house was to buy adjoining lots, thus having absolute control over any future building. Until we lived in the Kensington historic district, we'd had no experience with residents misusing the historic preservation bureaucracy to obtain control over green space without paying for it.

We are taking issue with the HPC's practice of setting the Kensington historic district, and Baltimore Street in particular, apart from other historic districts and streets. The statute provides for the review of any proposed change (e.g. new construction) to an historic district to ensure that it does not detract from the historic district's environment. The concept of "not detracting from the environment" is obviously vague. In our opinion, the HPC should disapprove a proposed structure if it would dominate the streetscape or if its style would be drastically different from and would clash with the historic structures. A proposed structure that is comparable in style and size to the rest of the structures should in no way be prohibited. However, this is exactly what the HPC is doing as regards Baltimore Street. *Proposed buildings are given a more rigorous test—that they actually be subservient to the historic structures.*

This is the crux of our objection to the HPC's current practice as regards Baltimore St. This practice of requiring new construction to be subservient to the existing historical structures, while having the appearance of preserving property rights, actually has the opposite effect on those owning buildable lots in the neighborhood. This is because a subservient structure is necessarily smaller and less worthwhile for a builder to undertake. Thus the property owner may be unable to find a builder who will take on a project with such severe constraints. The result is a lowering (perhaps a drastic lowering) of the market value of the buildable lot.


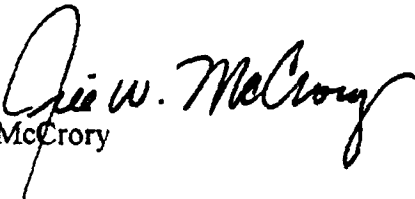
There is no specific mention in the statute of what could constitute protecting the environment of an historic district. In our opinion, requiring new structures to be subservient to historic ones is a contrived and unwarranted extension of the power to protect the historic district's environment. We feel that there is a clear and unwarranted invasion on the rights of the property owners in the historic district to enjoy the benefits of property ownership.

MMAM

WOW

We live at 3919 Baltimore St., directly across the street from the proposed new construction. We have reviewed the proposed structure for 3922 Baltimore St., and have no objection to having it built across the street from our home.

Sincerely,

   
Seaborn M. and Jill W. McCrory

Date March 10, 1998  
To Board of Appeals  
for Montgomery County  
From Katherine Davidson  
3911 Baltimore Street  
Kensington, MD 20895


I am writing in support of Mrs. Ahearn's and Mr. Hoobler's petition to build on the lot that will be 3922 Baltimore Street.

I own and live in the property next to the Schmitts whose home at 3913 Baltimore Street was built in 1987.

In 1987 my husband, now deceased, and I were asked by the owners of 391<sup>5</sup> if we had any objection to the family selling their lot and home separately. Naturally, we enjoyed the trees and birds on the vacant lot but told the Farrells that they should do what was best for them. They did own the lot and had the right to do with it as they wished. We were aware that Jim and Barbara Wagner, who then lived on Warner Street, had sold off the back of their property to make it possible for a home to be built on Freeman Street. It was evident to us that any one who bought the home and lot at 391<sup>4</sup> Baltimore Street could and probably would sell off the lot. Our feeling was that the Farrells should have the benefit of the sale of the lot.

I feel strongly that Mrs. Ahearn has the same right to sell her lot. I feel that a home similar to the Schmitt's home is appropriate and should be given a permit. The proposed plan appears to be in keeping with the neighborhood and will add to the value of my home.

Sincerely,



Katherine Davidson



November 25, 1997

To Whom It May Concern:

My husband Craig and I own the property located at 3914 Baltimore Street in Kensington. We have lived in our homes for 37 years.

We understand that Jeanie Ahearn, who lives at 3920 Baltimore Street, is trying to sell her side lot to a builder who wishes to construct a home on that lot. We saw the original plans for the proposed dwelling and felt they definitely were in keeping with and appropriate for the neighborhood.

I have also met Mr. Hoobler and am impressed with his concern for the quality of his construction and the pains he has taken to design an appropriate dwelling.

Most importantly, both my husband I feel that Mrs. Ahearn has every right to sell part of her property, and restrictions, as have been described to us, should not be put on the builder. The property belongs to Mrs. Ahearn and she should be able to do with it as she wishes.

In summary, we endorse Mr. Hoobler's request for permission to build the dwelling on the property.

Sincerely yours,

Pat Reynolds

A handwritten signature in cursive script that reads "Pat Reynolds". The signature is written in black ink and is positioned to the right of the typed name "Pat Reynolds".

THOMAS F. AND MARY JANE FISHER  
3923 BALTIMORE STREET  
KENSINGTON, MD 20895

MAY 4, 1998

DEAR MEMBERS OF THE BOARD OF APPEAL,

I AM WRITING THIS LETTER ON BEHALF OF MY NEIGHBOR MRS. AHEARN. I AM APPALLED WITH THE TREATMENT SHE HAS RECEIVED IN HER ATTEMPTS TO BUILD ON HER BUILDABLE LOT. IN MY PAST EXPERIENCE WITH THE HPC I WAS UNABLE TO OBTAIN ANY WRITTEN GUIDELINES WHICH GAVE SPECIFIC INFORMATION AS TO WHAT CAN OR CANNOT BE BUILT. I CAN APPRECIATE THE CRY OF "INFILL" BUT AS YOU HAVE ALREADY NOTED, MRS. AHEARN HAS EVERY RIGHT TO BUILD ON HER LOT.

HER PROPOSAL HAS BEEN NO MORE THAN HAS BEEN APPROVED AT LEAST TWO TIMES ON LOWER WASHINGTON STREET AND ONCE HERE IN THE 3900 BLOCK OF BALTIMORE STREET! WHY ARE HER RIGHTS ANY DIFFERENT THEN THOSE? IF THE RULES HAVE CHANGED WHY WAS THE COMMUNITY NOT NOTIFIED? I DO FAVOR HISTORIC PRESERVATION BUT NOT WHEN THE STANDARDS ARE SO SUBJECTIVE. IT IS SAD TO SEE A TOWN AS LOVELY AS KENSINGTON, PITTING ONE NEIGHBOR AGAINST ANOTHER. WILL SHE NOT BE ALLOWED TO DO WHAT THREE HAVE DONE BEFORE HER, BECAUSE HER OPPONENTS ARE ELOQUENT? OR IS IT SIMPLY THAT IT IS FELT THAT THREE ARE ENOUGH? EITHER, GOES AGAINST EVERY RIGHT THAT MRS. AHEARN HAS AS A CITIZEN AND HOMEOWNER IN THIS TOWN.

IT IS TOTALLY FRUSTRATING DEALING WITH HISTORIC PRESERVATION. ONE FAMILY (PRICHARD) ON BALTIMORE STREET RECEIVED AN AWARD FROM THE NATIONAL HISTORICAL PRESERVATION FOR AN ADDITION TO

THEIR HOME WHICH WAS DONE IN SUCH A WAY AS TO BE UNABLE TO DISTINGUISH THE OLD FROM THE NEW. WHEN MY HUSBAND AND I APPLIED TO ADD ONTO OUR HOME, WE WERE TOLD THE ADDITION WAS TO BE DONE IN SUCH A WAY AS TO BE ABLE TO DISTINGUISH OLD FROM NEW. WHY DO THE REQUIREMENTS VARY? EACH RESIDENT IS TO BE TREATED EQUALLY!

I HOPE THAT YOU WILL CONSIDER THE RIGHTS OF ALL INVOLVED AND DO THE RIGHT THING.

SINCERELY,

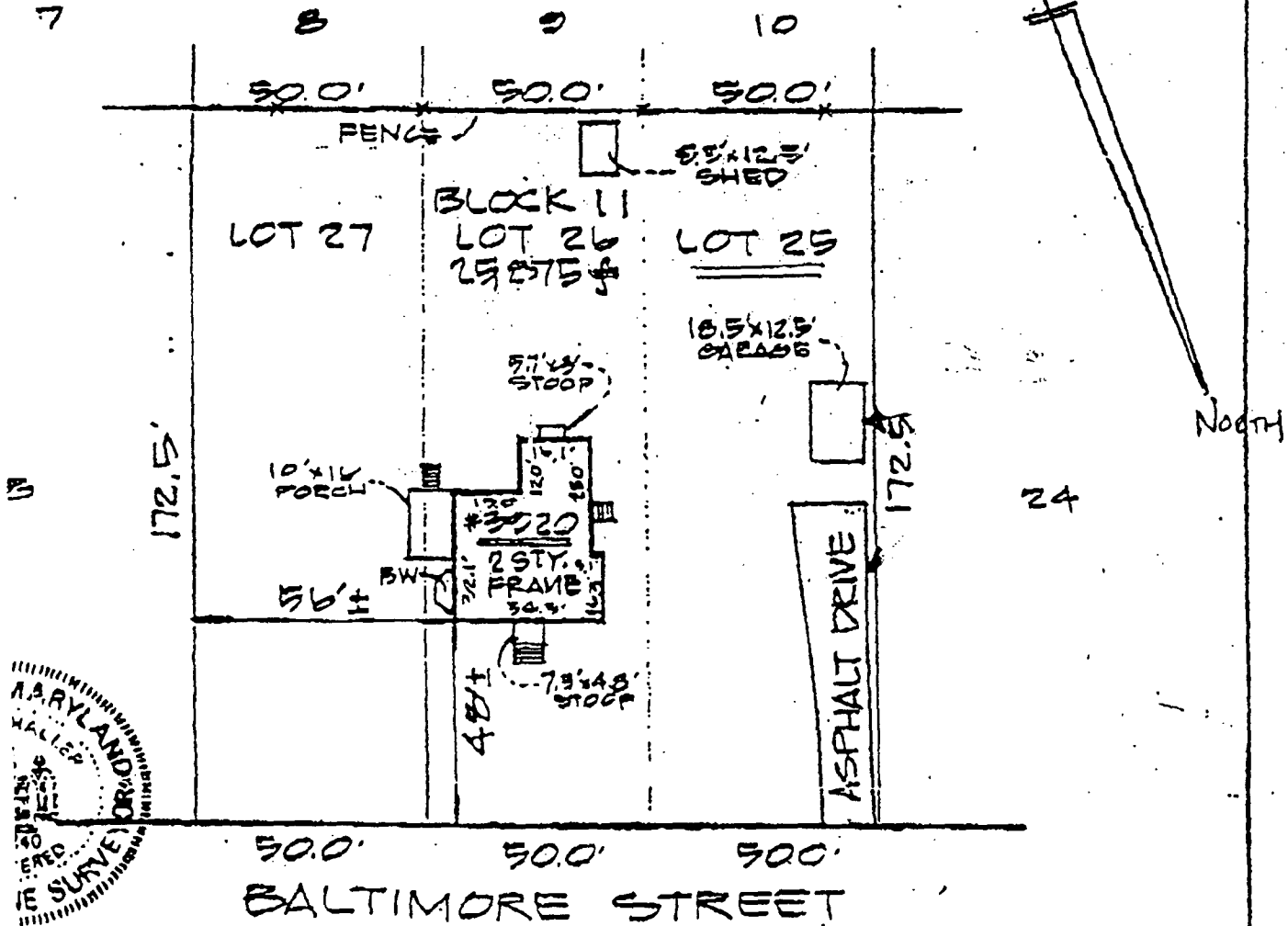
*Mary Jane Fisher*

MARY JANE FISHER

53

Location for title purposes only - not to be used for determining property lines. Property corners marked with markers NOT guaranteed by the location

HOUSE LOCATION  
LOTS 25, 26 & 27 BLOCK 11  
KENSINGTON PARK  
MONTGOMERY COUNTY, MD.



<b>CERTIFICATE</b> BEYOND DOUBT THAT THE POSITION OF ALL THE POINTS ON THE ABOVE DESCRIBED SURVEY HAVE BEEN CAREFULLY ESTABLISHED BY A SURVEY AND UNLESS OTHERWISE NOTED THEREON THERE ARE NO ENCROACHMENTS	<b>REFERENCES</b> PLAT BK B PLAT NO 4	<b>ALLEN ASSOCIATES</b> P.O. BOX 6363 SILVER SPRING, MARYLAND 20906 301.871-2154	
	LIBER. FOLIO	DATE OF SURVEY WALL CHECK NEA LOC. 6-25-85 BOUNDARY	SCALE 1" = 40' DRAWN BY SA JOB NO. 201188

For title purposes only - not to be used for determining property lines. Property corners marked with markers NOT guaranteed by the location  
 This plan is not to be used for determining property lines. Property corners marked with markers NOT guaranteed by the location  
 If shown, was obtained from M.M.C.P. & P.C.

23

Extra



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

DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: George Myres  
 Daytime Phone No.: 301 947 9062 ext. 13  
 Tax Account No.: 1315 3186925  
 Name of Property Owner: ELLISON CORP. (CONTACT) Daytime Phone No.: \_\_\_\_\_  
 Address: 10907 JABOR AVENUE Silver Spring, Md. 20901  
Street Number City Street Zip Code  
 Contractor: same as above Phone No.: \_\_\_\_\_  
 Contractor Registration No.: 14099-2657  
 Agent for Owner: George Myres Daytime Phone No.: 301 947 9062 x13

**LOCATION OF BUILDING/PREMISE**

House Number: 3422 Street: Brightman St.  
 Town/City: Kensington Nearest Cross Street: Cam. Ave.  
 Lot: 25 Block: 11 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/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: garage

1B. Construction cost estimate: \$ 200,000

1C. If this is a revision of a previously approved active permit, see Permit # 216

**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.

George Myres (George Myres) 3-2-2000  
 Signature of owner or authorized agent Date

Approved: w/conditions For Chairman, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: [Signature] Date: 4/10/00  
 Application/Permit No.: 212943 Date Filed: 3/6/00 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:

3922 is a separate building lot sold by by  
Bill Warner in 1903.  
(see previous H.A.L.P. applications  
on this property.)

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

New construction of "cottage" style dwelling  
restore + relocate existing garage, and  
build an additional single car garage.

**2. SITE PLAN**

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

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

**3. PLANS AND ELEVATIONS**

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

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

**4. MATERIALS SPECIFICATIONS**

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

**5. PHOTOGRAPHS**

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

**6. TREE SURVEY**

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

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

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

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



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

DPS - #8

**HISTORIC PRESERVATION COMMISSION**  
**301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: George Myers  
Daytime Phone No.: 301 947 9062  
Tax Account No.: 1315 3186925  
Name of Property Owner: ELLISON CORP. (CONTACT) Daytime Phone No.: \_\_\_\_\_  
Address: 10907 JABOR AVENUE Silver Spring, Md. 20901  
Street Number City Street Zip Code  
Contractor: Sane & abae Phone No.: \_\_\_\_\_  
Contractor Registration No.: 14099-2657  
Agent for Owner: George Myers Daytime Phone No.: 301 947 9062

**LOCATION OF BUILDING/PREMISE**

House Number: 3922 Street: Baltimore St.  
Town/City: Kensington Nearest Cross Street: Cann. Ave.  
Lot: 25 Block: 11 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/Raze  
 Revision  Repair  Revocable

CHECK ALL APPLICABLE:

- A/C  Slab  Room Addition  Porch  Deck  Shed  
 Solar  Fireplace  Woodburning Stove  Single Family  
 Fence/Wall (complete Section 4)  Other: garage

1B. Construction cost estimate: \$ 200,000

1C. If this is a revision of a previously approved active permit, see Permit # NO

**PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS**

2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_

2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

**PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL**

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.

George Myers (George Myers) 3-2-2000  
Signature of owner or authorized agent Date

Approved: w/conditions For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: [Signature] Date: 4/10/00

Application/Permit No.: 212943 Date Filed: 3/6/00 Date Issued: \_\_\_\_\_



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(see previous H.A.U.P. applications  
on this property.)

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restore + relocate existing garage, and  
build an additional single car garage.

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- a. the scale, north arrow, and date;
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DPS - #8

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301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

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Daytime Phone No.: 301 942 9062 ext. 115  
Tax Account No.: 1315 3186525  
Name of Property Owner: ELLISON CORP. (CONTRACT) Daytime Phone No.:  
Address: 10907 JARBOR AVENUE Silver Spring, Md. 20901  
Street Number City Street Zip Code  
Contractor: same as above Phone No.:  
Contractor Registration No.: 14099-2657  
Agent for Owner: George Myers Daytime Phone No.: 301 942 9062 x115

**LOCATION OF BUILDING/PREMISE**

House Number: 3922 Street: Brightmore St.  
Town/City: Kensington Nearest Cross Street: Cam. Ave.  
Lot: 25 Block: 11 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/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: change

1B. Construction cost estimate: \$ 200,000

1C. If this is a revision of a previously approved active permit, see Permit # 1210

**PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENS/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  
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George Myers (George Myers) 3-2-2000  
Signature of owner or authorized agent Date

Approved: w/conditions For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 4/10/00  
Application/Permit No.: 212943 Date Filed: 3/6/00 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:

3922 is a separate building lot sold by by  
Bill Lucas in 1903.  
(see previous HADP applications  
on this property.)

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

New construction of "cottage" style dwelling,  
restore + relocate existing garage, and  
build an additional single-car garage.

**2. SITE PLAN**

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

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

**3. PLANS AND ELEVATIONS**

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

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

**4. MATERIALS SPECIFICATIONS**

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

**5. PHOTOGRAPHS**

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

**6. TREE SURVEY**

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

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

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

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

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

# 31/4 - 00 C

MEMORANDUM

DATE: April 12, 2000

TO: Local Advisory Panel/Town Government KENSINGTON

FROM: Historic Preservation Section, M-NCPPC  
202 Robin D. Ziek, Historic Preservation Planner  
Perry Kephart, Historic Preservation Planner  
Michele Naru, Historic Preservation Planner

SUBJECT: Historic Area Work Permit Application - HPC Decision

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The Historic Preservation Commission reviewed this project on April 12, 2000.  
A copy of the HPC decision is enclosed for your information.

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

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Date: April 12, 2000

MEMORANDUM

TO: Historic Area Work Permit Applicants

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

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

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

You may now apply for a county building permit from the Department of Permitting Services (DPS) at 255 Rockville Pike, second floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

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

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

c:\hawpapr.wpd

STAFF NEEDS TO STAMP YOUR PERMIT SET. PLEASE CALL FOR AN APPOINTMENT  
PRIOR TO APPLYING TO DPS FOR YOUR BUILDING PERMIT, @ 301-563-3400.