

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	10313 Fawcett St., Kensington	<b>Meeting Date:</b>	6/28/17
<b>Resource:</b>	Primary Resource Kensington Historic District	<b>Report Date:</b>	6/21/17
<b>Applicant:</b>	Michael McCurry	<b>Public Notice:</b>	6/14/17
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	31/06-17D	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Fence Replacement		

**RECOMMENDATION**

Staff recommends that the Historic Preservation Commission **approve with one (1) condition** the HAWP application:

1. The replacement fence material must be wood or a substitute material with paintable surface and an appearance consistent with wood, not shiny vinyl, and details of the material must be submitted to Staff for review and approval with final authority delegated to staff.

**PROPERTY DESCRIPTION**

**SIGNIFICANCE:** Primary resource to the Kensington Historic District  
**STYLE:** Italian Renaissance  
**DATE:** c. 1880-1910

The subject property is a two-story, three-bay-wide, hipped-roof, stucco-sided Italian Renaissance house. Most of the windows are eight-over-eight sash windows, with a triple set of four-over-four windows above the central, recessed, entrance. The house has a two-story addition on the right side.

The right property boundary is marked by a failing split rail fence which is largely obscured by landscaping.

**PROPOSAL**

The applicant proposes to remove a 42' (forty-two feet) long section of dilapidated split rail fence along the right property boundary and replace it with a 48" (forty-eight inch) tall cross braced vinyl fence.

## APPLICABLE GUIDELINES

### *Kensington Historic District Design Guidelines*

When reviewing alterations and new construction within the Kensington Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Approved & Adopted Amendment to the Master Plan for Historic Preservation: Kensington Historic District, Atlas #31/6 (Amendment)*, *Vision of Kensington: A Long-Range Preservation Plan (Vision)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

The *Vision* was approved by the Montgomery County Council and was formally adopted by the Historic Preservation Commission. The goal of the *Vision* “was to establish a sound database of information from which to produce a document that would serve the HPC, M-NCPPC, their staff, and the community in wrestling with the protection of historic districts amidst the pressures of life in the 21<sup>st</sup> century.”

In addition, the *Vision* provides a specific physical description of the district as it was at the time of the study, an analysis of character-defining features of the district, a discussion of the challenges facing the district, and a discussion of proposed strategies for maintaining the character of the district, while allowing for appropriate growth and change.

The *Vision* identifies the following, as those features that help define the character of Kensington’s built environment:

- Building Setbacks: Residential and Commercial Patterns
- Rhythm of Spacing between Buildings
- Geographic and Landscape Features
- Scale and Building Height
- Directional Expression of Building
- Roof Forms and Material
- Porches
- Dominant Building Material
- Outbuildings
- Integrity of Form, Building Condition, and Threats
- Architectural Style

The *Amendment* notes that:

*The district is architecturally significant as a collection of late 19<sup>th</sup> and early 20<sup>th</sup> century houses exhibit a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake, and Colonial Revival. The houses share a uniformity of scale, setbacks, and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb.*

***Montgomery County Code, Chapter 24A Historic Resources Preservation***

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

- (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
- (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

***Secretary of the Interior's Standards for Rehabilitation:***

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will be avoided.

5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

**STAFF DISCUSSION**

Staff conducted a site visit and determined that the identified section of fencing in this Historic Area Work Permit (HAWP) has fallen in several locations and needs to be removed. Staff supports its removal.

Staff has reached out to the applicant for additional specifications regarding the material for the proposed fencing. At the time of this staff report, Staff has not received the additional information. However, Staff feels that there is enough information included in the HAWP application to make a recommendation to the HPC. First, fencing in this location has a precedent and constructing a replacement fence in the same location is in keeping with the character of the historic district (per the *Vision*). Second, the dimensions of the proposed fence, 48" (forty-eight inches) tall, is in keeping with the Commission's general fence guidance. The design of the proposed fence is a 'crossbuck' fence that will be constructed of four boards with 5" (five inch) square posts and flat caps above. The fence will look like the image in Figure 1 (below). While staff is unaware of the existence of a fence with a similar design within the district, this design will effectively demark the property boundary providing a mostly transparent appearance and is not out of character for the district. Crossbuck fencing is frequently seen in a more rural or pastoral setting, while a traditional vertical picket fence is more commonly found throughout the Kensington Historic District.



*Figure 1: Crossbuck fence with flat caps.*

The application only indicates that the fence will be ‘white vinyl,’ but does not provide any additional details as to the type of material. Typically, the HPC has determined most vinyl fencing has an appearance that is too reflective to be compatible with the character of the building or the surrounding district (See: Chapter 24A-8(b)(2) and Standard 5. Some vinyl products provide matte finish similar to wood and are paintable, which in this application may be appropriate. The HPC has allowed substitute materials in limited applications where the material’s is consistent with the historic materials. Generally, hollow core vinyl products lack the visual and structural characteristics of wood due to their highly reflective surface and are not an appropriate substitute material; solid core products, which are millable and paintable, have been found to better replicate wood’s character. The National Park Service’s Guidelines for the Rehabilitating Historic Buildings states that it is not recommended to “remov[e] a feature of the building or landscape that is unrepairable and not replacing it; or replacing it with a new feature that does not convey the same visual appearance.”

Because Staff has been unable to examine the material proposed for the fence, it cannot recommend approval of the HAWP application as submitted. Staff has found that the application is otherwise acceptable and supports approval of this HAWP with the condition that the material used for the fencing either be wood or a material that has an appearance consistent with wood. The HPC may, however, determine that substitute materials are not in keeping with either the *Vision* for the Kensington Historic District or Chapter 24A and that the replacement fence must be wood.

### **STAFF RECOMMENDATIONS**

Staff recommends that the Commission **approve with one (1) condition** the HAWP application as being consistent with Chapter 24A-8 and the Secretary of the Interior’s Standards for Rehabilitation;

1. The replacement fence material must be wood or a substitute material with paintable surface and an appearance consistent with wood, not shiny vinyl, and details of the material must be submitted to Staff for review and approval with final authority delegated to staff.

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



HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: mccurry@psw-inc.com Contact Person: Mike McCurry  
 Tax Account No.: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_  
 Name of Property Owner: Michael D. McCurry Daytime Phone No.: 301.949.5955  
 Address: 10313 Fawcett St Kensington, MD 20895  
Street Number City State Zip Code  
 Contractor: Long Fence Phone No.: \_\_\_\_\_  
 Contractor Registration No.: \_\_\_\_\_  
 Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/WORK**

House Number: 10313 Fawcett St Street: Fawcett St  
 Town/City: Kensington Nearest Cross Street: Connecticut + Knowles  
 Lot: 8+9 Block: \_\_\_\_\_ Subdivision: Plot 20 Partition of Knowles Estate  
 Lot: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: Plat Book A Flat No. 5

**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: \_\_\_\_\_

1B. Construction cost estimate: \$ 2,100.00

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

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

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

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

3A. Height 4 feet 0 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.

MMcCurry Signature of owner or authorized agent  
5/25/2017 Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

800774

6

**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:

Wooden rail fence with no historic significance - was installed circa 1980 with no permit by previous owner. Fence has fallen down and needs to be replaced - only involves 42 feet of property with no incursion in public space.

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

Removal of a dilapidated wooden rail fence that is rotted and falling over. Replace with a similar crossing fence approximately 42 feet in length which provides separation with neighboring property.

2. **SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plot. 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.

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.

7

**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**  
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

**Owner's mailing address**

Michael D. McKinny  
10313 Fawcett St  
Kensington, MD 20895

**Owner's Agent's mailing address**

same.

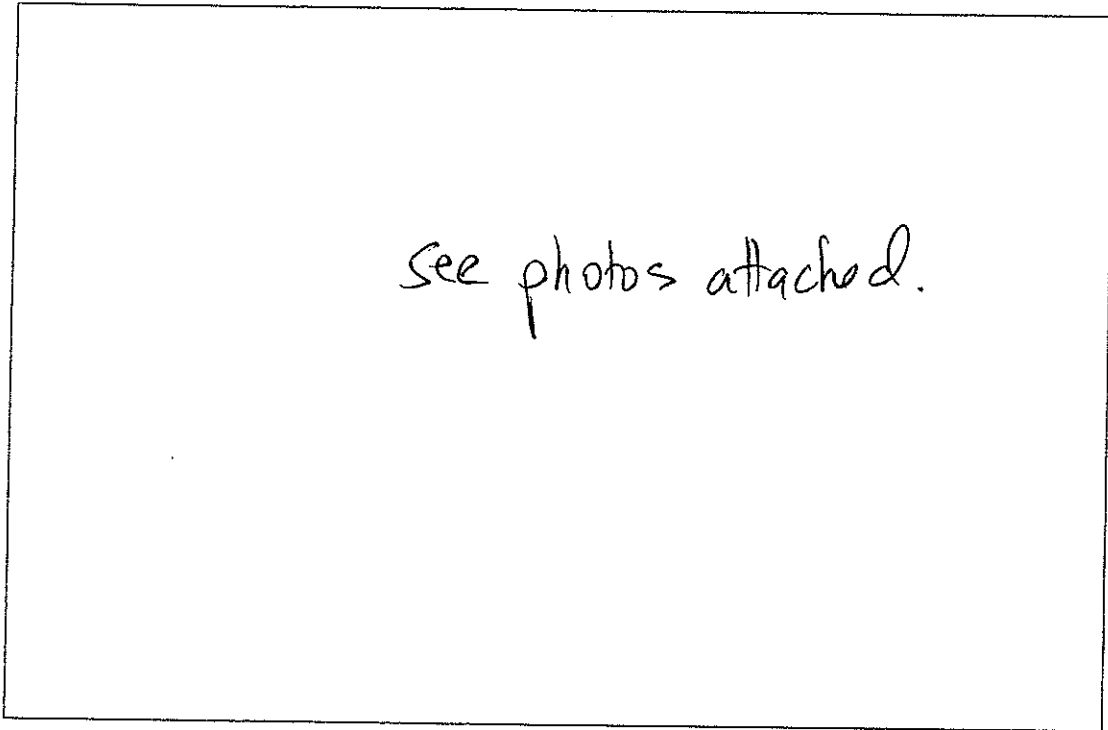
**Adjacent and confronting Property Owners mailing addresses**

James and Carol Sharp  
10226 Carroll Place  
Kensington, MD 20895  
301-942-2189

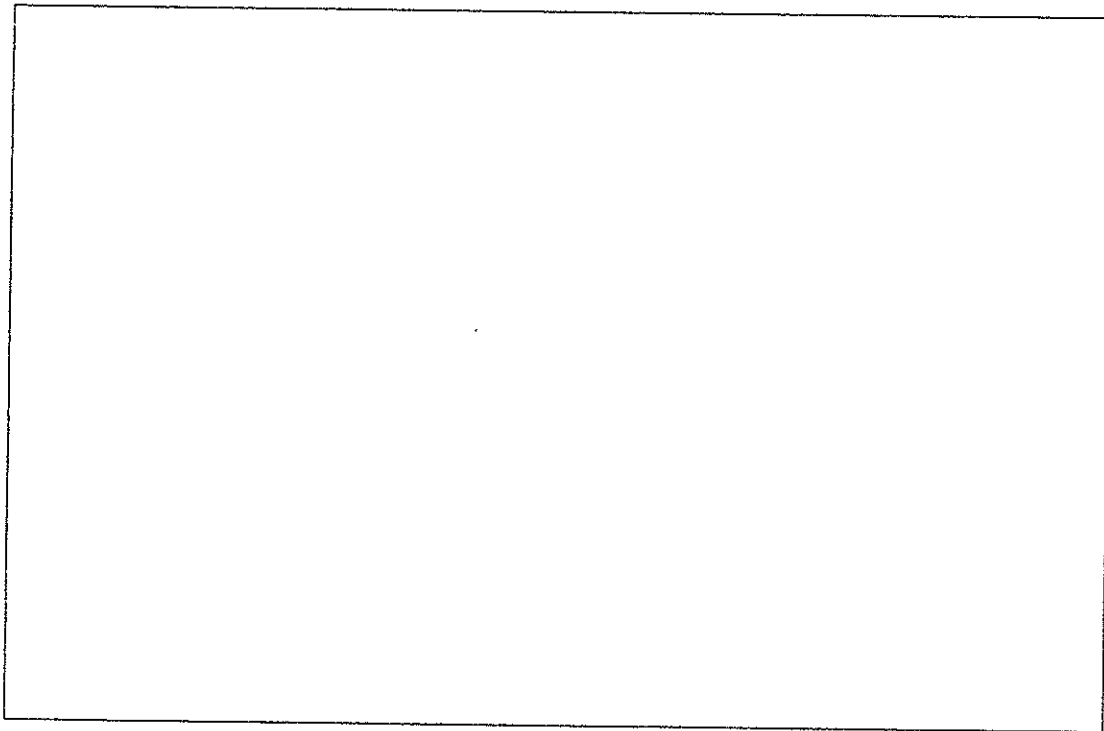
Sharps have been  
contacted and have  
no objection to proposed  
fence replacement.



Existing Property Condition Photographs (duplicate as needed)



Detail: \_\_\_\_\_



Detail: \_\_\_\_\_

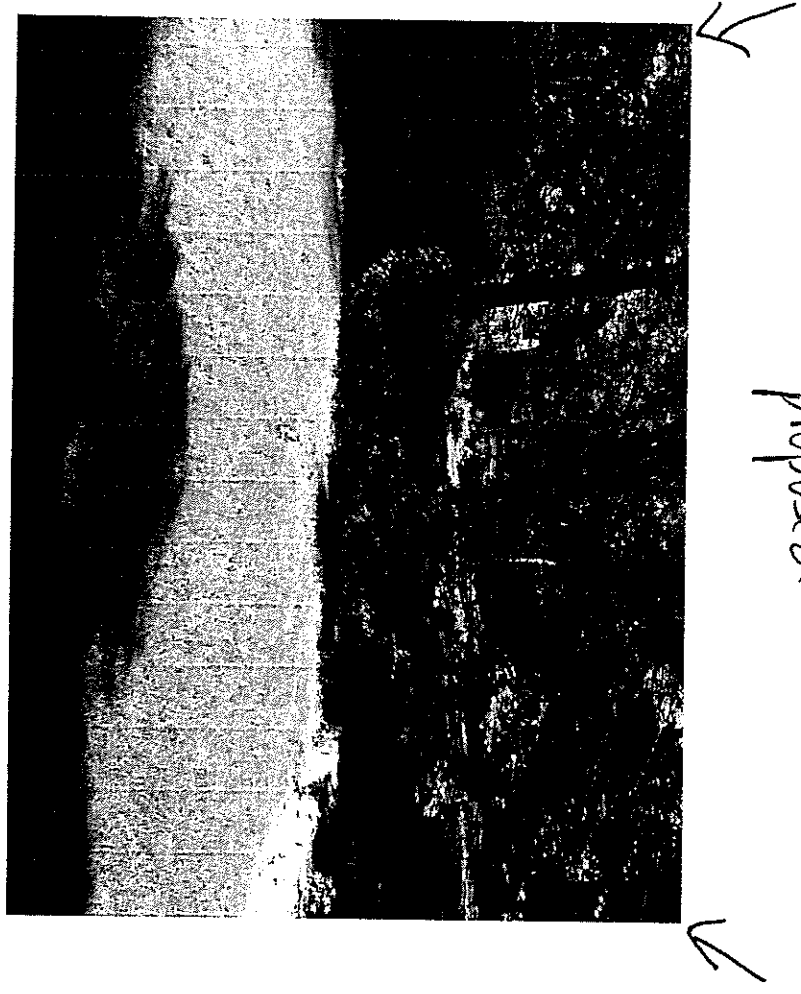
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Applicant: Michael D. McCurry

Page: \_\_\_\_\_

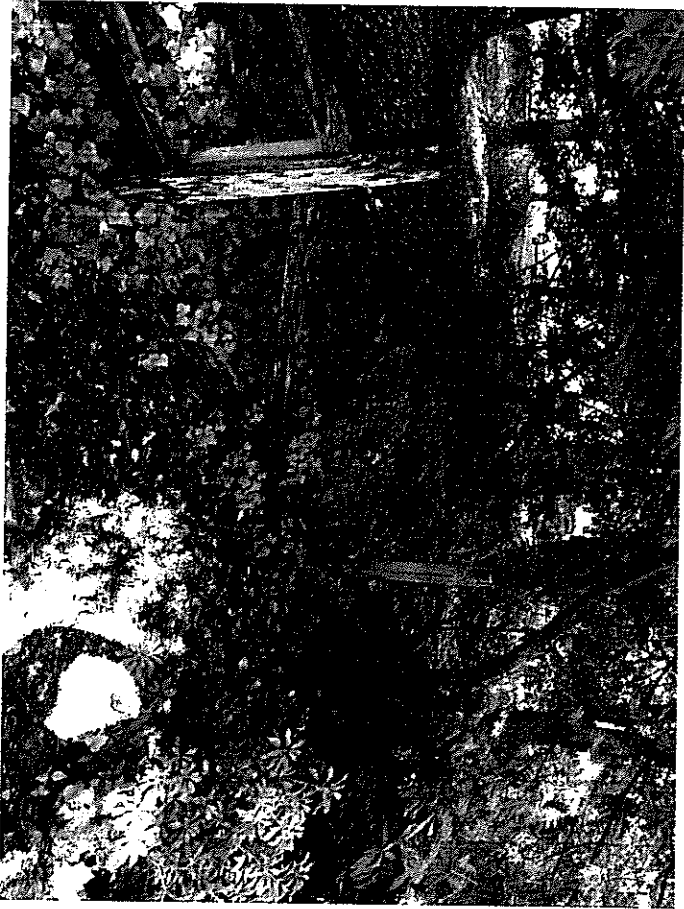
9

Replacement fence, 40'  
proposed



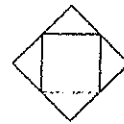
Existing fence - No historical significance  
and seriously deteriorated.





*Another view of deteriorating fence.*

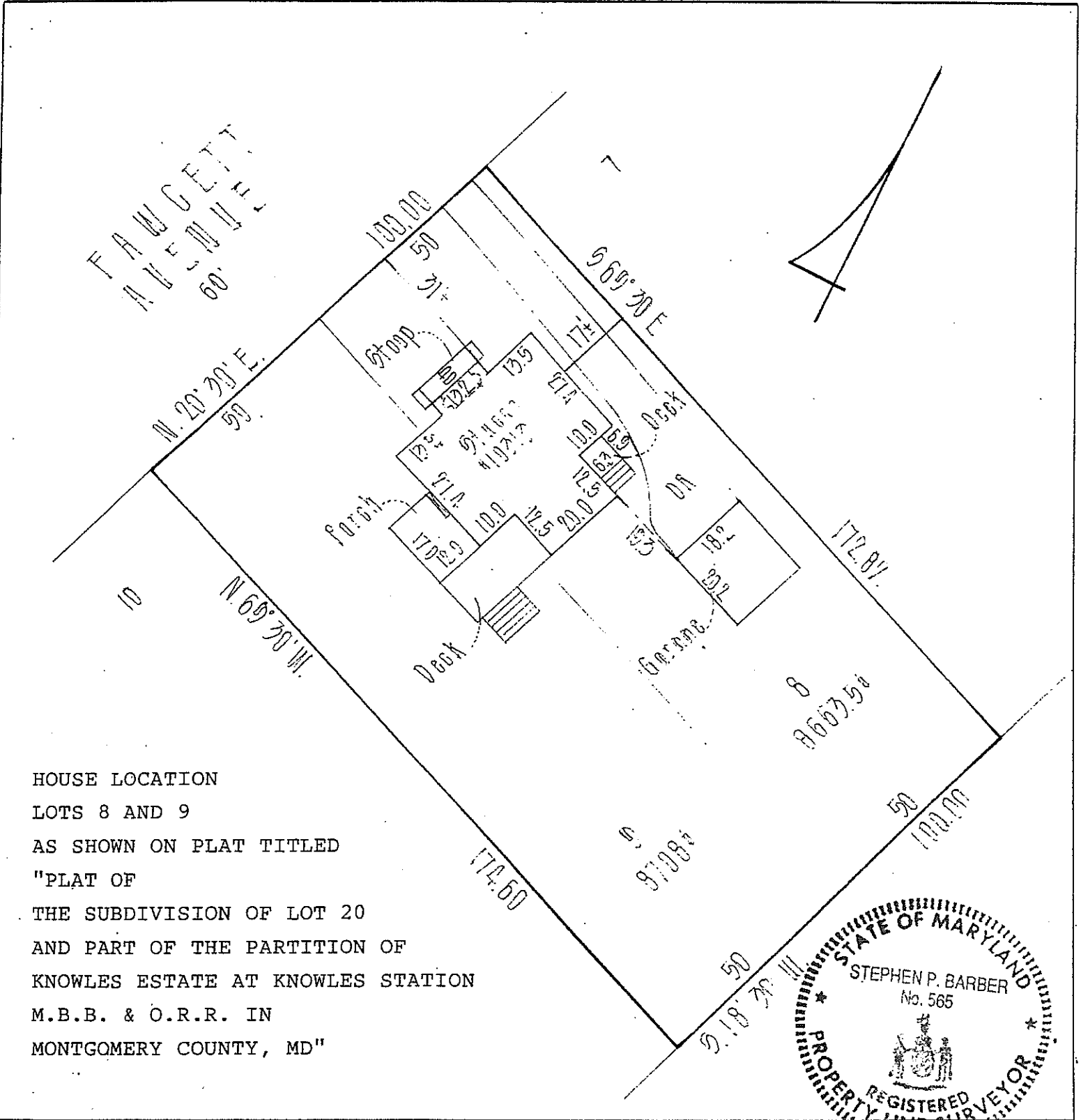
Site plan and  
proposed fence replacement  
attached



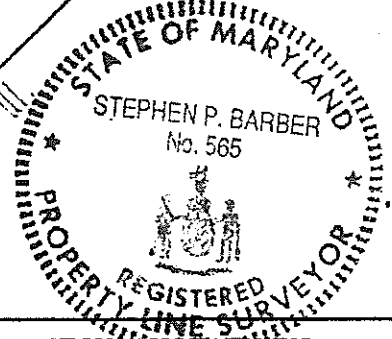
Shade portion to indicate North

Applicant: Michael D. McCorny

This plat is of benefit to a consumer only insofar as it is required by a lender, a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and this plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title, securing financing or refinancing. The property shown hereon is not in a flood plain per existing records unless otherwise indicated. Accuracy = 1/4"



HOUSE LOCATION  
 LOTS 8 AND 9  
 AS SHOWN ON PLAT TITLED  
 "PLAT OF  
 THE SUBDIVISION OF LOT 20  
 AND PART OF THE PARTITION OF  
 KNOWLES ESTATE AT KNOWLES STATION  
 M.B.B. & O.R.R. IN  
 MONTGOMERY COUNTY, MD"



SURVEYOR'S CERTIFICATE	REFERENCES	ANDJON ASSOCIATES, INC. 7 BROOKES AVENUE GAITHERSBURG, MD 20877 (301) 840-9010
I HEREBY CERTIFY THAT THE POSITION OF THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ACCEPTED FIELD PRACTICES TO THE BEST OF MY KNOWLEDGE AND BELIEF.  <i>Stephen P. Barber</i> STEPHEN P. BARBER PROPERTY LINE SURVEYOR, MARYLAND # 565	PLAT BK.          A PLAT NO.          5	DATE:            6-23-00 SCALE:           1"=30' JOB NO:          13900
	LIBER: FOLIO:	(14)

Bill Gunnite  
(800) 486-2283

MHIC # 9615 #9615-01 #9615-02  
D.C. # 2116

# LONG FENCE

Job No. \_\_\_\_\_  
Order No. \_\_\_\_\_  
Customer No. \_\_\_\_\_  
Date 05/4/17



0240/731/4731

Long Fence Company, Inc.  
1910 Betson Court • Odenton, Maryland 21113  
Ph: (301) 261-3444 • Ph: (410) 793-0600 • Fax: (301) 261-0643  
www.longfence.com



BUYER'S NAME: DEBRA MCCULLY

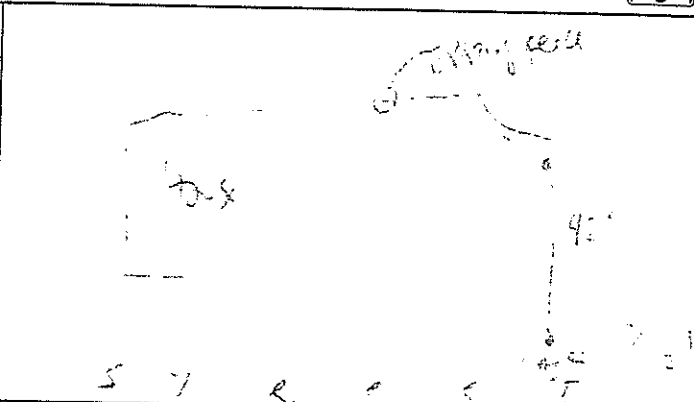
STREET: 10312 FAUCETT STREET

CITY: KENNESAW MD ST: MD ZIP: 20894

COUNTY: MONTGOMERY MAP Page/Grid \_\_\_\_\_

HM PH: \_\_\_\_\_ WK PH. MR. \_\_\_\_\_  
CELL: 301/949/5955 MS. \_\_\_\_\_

E-MAIL: \_\_\_\_\_ LEAD # 178901107



Long Fence Company, Inc. (herein called Seller) proposes to furnish materials, labor and equipment to install a

APPROXIMATELY 42' OF 48" HIGH WHITE VINYL (CROSSBUCK)  
FENCING STYLE: HALIFAX  
FOUR (4) BARK  
POSTS: FLAT CAPS, 5" X 5" SET 30"-36" INTO GROUND

REMOVE AND HAV 42' OF OLD SAME STYLE LARD FENCING  
LONG FENCE WARRANTED AGAINST ANY DEFECTS IN MATERIALS/WORKMANSHIP  
FOR ONE (1) FULL YEAR

Estimated Monthly Investment
Per Month
With Approved Credit

**PLEASE PAY OUR FOREMAN**

Additional Information or Remarks:	Total Contract Price	\$ 2107
<u>RESA 2625</u>	Deposit With Order	13 701
<u>CBS 200 (525)</u>	Due on Day Materials are Delivered	13 701
<u>JA 2107</u>	Due on Day of Substantial Completion	13 700
	And/or Balance Financed	

Work to begin approximately 4-6 weeks. Work to be completed approximately 1 day. This projection is contingent upon obtaining approved financing, permits, H.O.A., and other conditions beyond Seller's control.

Estimate valid for 30 days for purpose of acceptance by the buyer.  
Buyer agrees to pay for the goods, services and installation referred to above in accordance with the terms of this Agreement.  
Buyer acknowledges that before Buyer signed this Agreement, Seller submitted the Agreement to Buyer with all blank spaces filled in and that buyer had a reasonable opportunity to examine it and that thereafter a legible executed and completed copy thereof was delivered to Buyer. Buyer has read and understands both the front and reverse side of this Agreement, and agrees to the terms and conditions as set forth herein.

Long Fence Company, Inc.  
Bill Gunnite (Sales Representative's Signature)  
Sales Representative's Printed Name License No. 71792

Buyer(s)  
Michael McCully (Signature)  
Date 5-4-2017

**BUYER'S RIGHT TO CANCEL:** You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the accompanying notice of cancellation for an explanation of this right. If you cancel within the time period noted above, the seller may not keep any of your cash down payment.