

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	3912 Prospect St., Kensington	Meeting Date:	11/15/2017
Resource:	Secondary (Non-Contributing) Resource Kensington Historic District	Report Date:	11/8/2017
Applicant:	Peter and India Berkholtz	Public Notice:	11/1/2017
Review:	HAWP	Tax Credit:	N/A
Case Number:	31/06-17L	Staff:	Michael Kyne
PROPOSAL:	Tree removal		

STAFF RECOMMENDATION:

- Approve
 Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Secondary (Non-Contributing) Resource within the Kensington Historic District
STYLE: Vernacular
DATE: c. 1923

PROPOSAL:

The applicants propose to remove one white pine tree from the front of the subject property. The tree to be removed was planted approximately 25 years ago, which was after the historic district's 1986 designation. The subject property and immediate surrounding area are moderately wooded, and the proposed tree removal will not significantly alter the visual characteristics of the streetscape.

APPLICABLE GUIDELINES:

Policy On Use of Expedited Staff Reports for Simple HAWP Cases

IV. The Expedited Staff Report format may be used on the following type of cases:

15. Landscaping, or the removal or modification of existing planting, that is compatible with the visual character of the historic site or district.

Montgomery County Code; Chapter 24A-8

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement

or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

- (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
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) having found that the proposal is consistent with the Kensington Historic District Guidelines, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation;

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will

contact the staff person assigned to this application at 301-563-3400 or michael.kyne@mncppc-mc.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: berkholi@verizon.net Contact Person: India Berkholtz
 Daytime Phone No.: 301529-6549
 Tax Account No.: 01023154
 Name of Property Owner: Peter + India Berkholtz Daytime Phone No.: 301-933-6947
 Address: 3912 Prospect St Kensington MD 20895
Street Number City State Zip Code
 Contractor: TBD Phone No.: _____
 Contractor Registration No.: _____
 Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 3912 Prospect Street: Prospect St
 Town/City: Kensington Nearest Cross Street: Connecticut Ave
 Lot: 28 Block: 12 Subdivision: Kensington Park 015
 Liber: 2701 Folio: 422 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: Tree Removal

1B. Construction cost estimate: \$ _____
 1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches
 3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 On party line/property line Entirely on land of owner On public right of way/easement

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

India Berkholtz 4/29/15
Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

817100

(4)

**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:

Single family residence located in Historic Kensington. The tree in question is of no historic value as it was planted by the current owners about 25 years ago.

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

The request is to obtain a permit for the removal of a white pine from the front yard. The tree was a living Christmas tree which was planted about 25 years ago by the current owners. The root system is causing damage to side walks and drive way and could start impacting sewage lines.

2. **SITE PLAN** see attached

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** N/A

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** N/A

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** attached

- 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** Attached

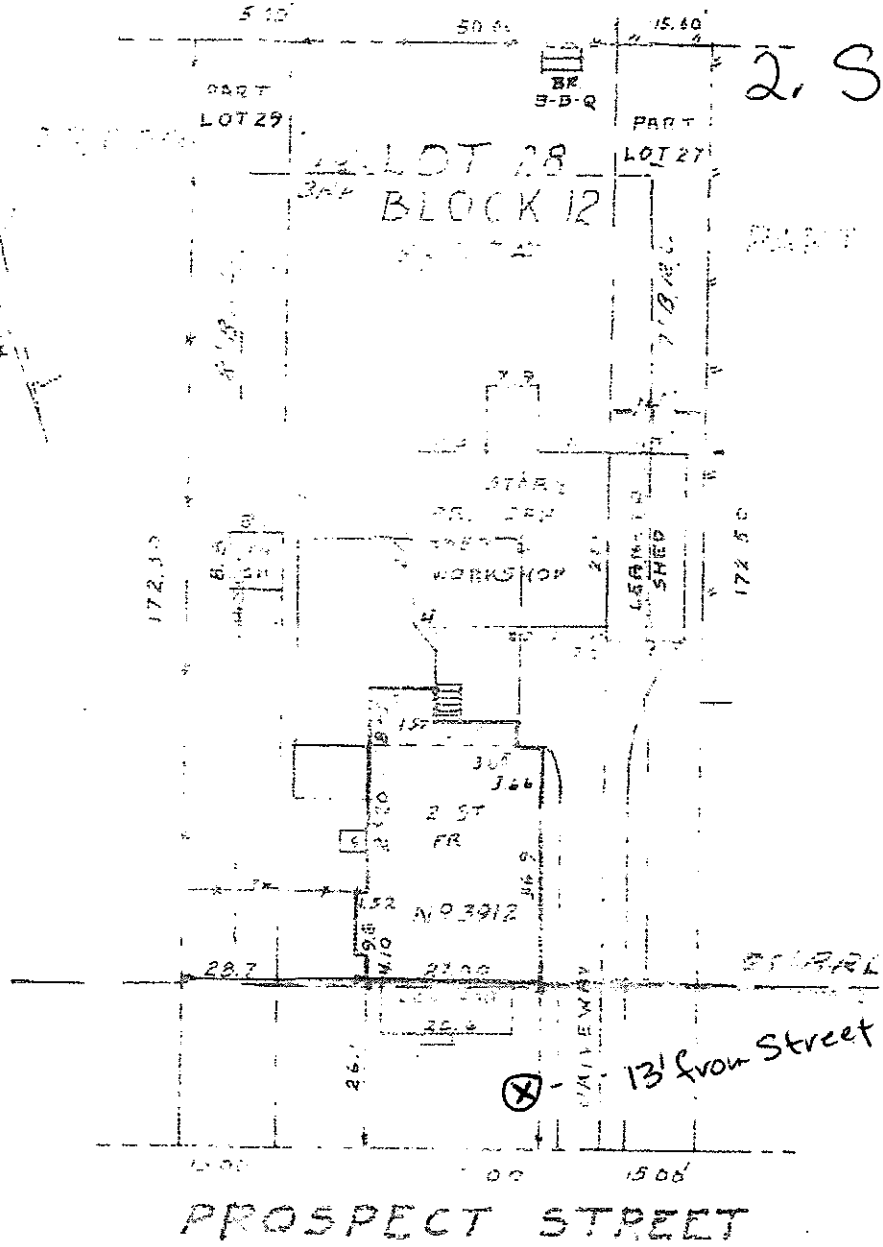
If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

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

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.

2. Site Plan



RE-CERTIFICATION
 JOHN G. McCall
 JUNE 11, 1985

PLAT BOOK NO B
 PLAT NO 14

SURVEYORS CERTIFICATE: I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN ESTABLISHED BY A STANDARD SURVEY AND THAT UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS.

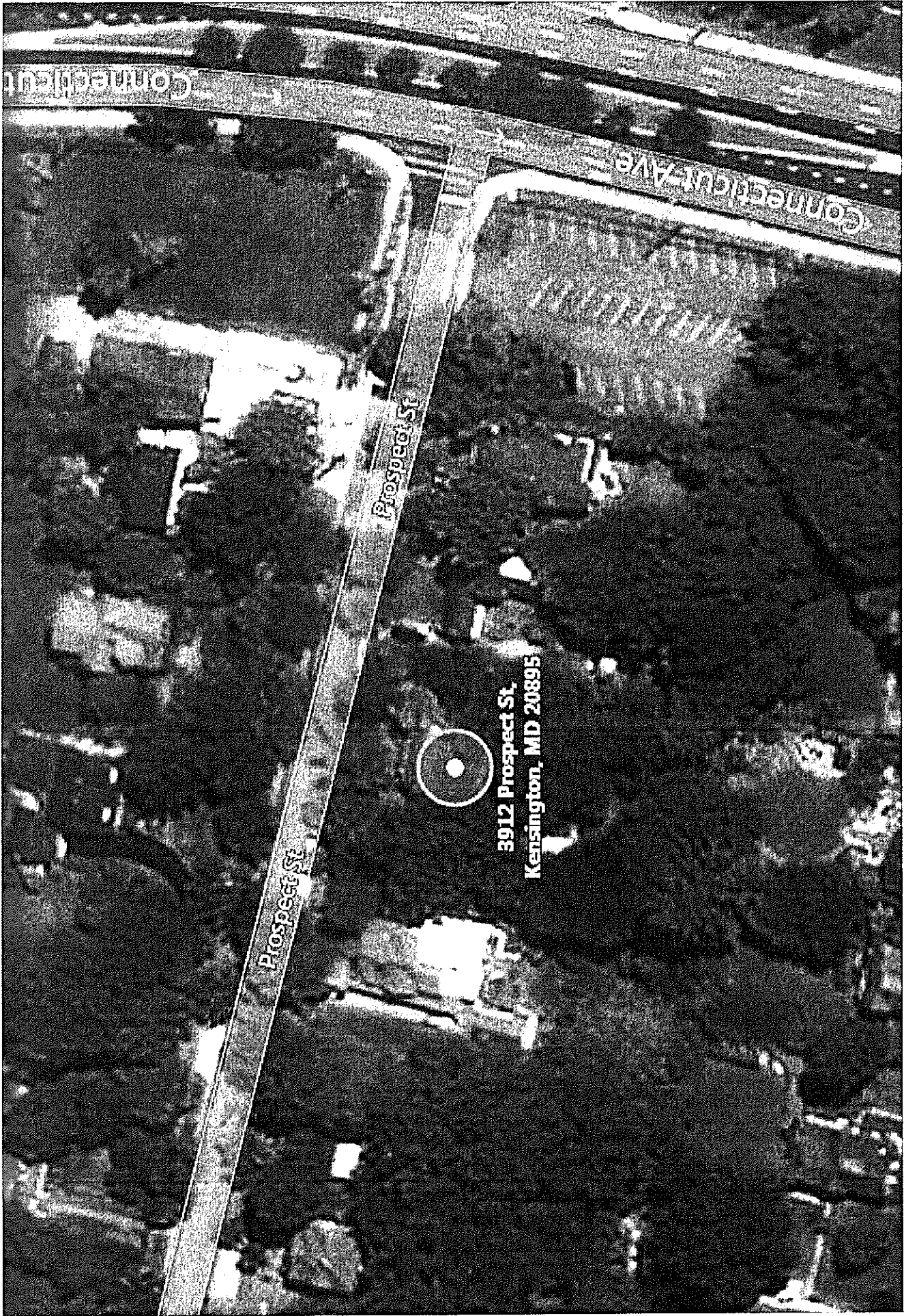
HOUSE LOCATION SURVEY:

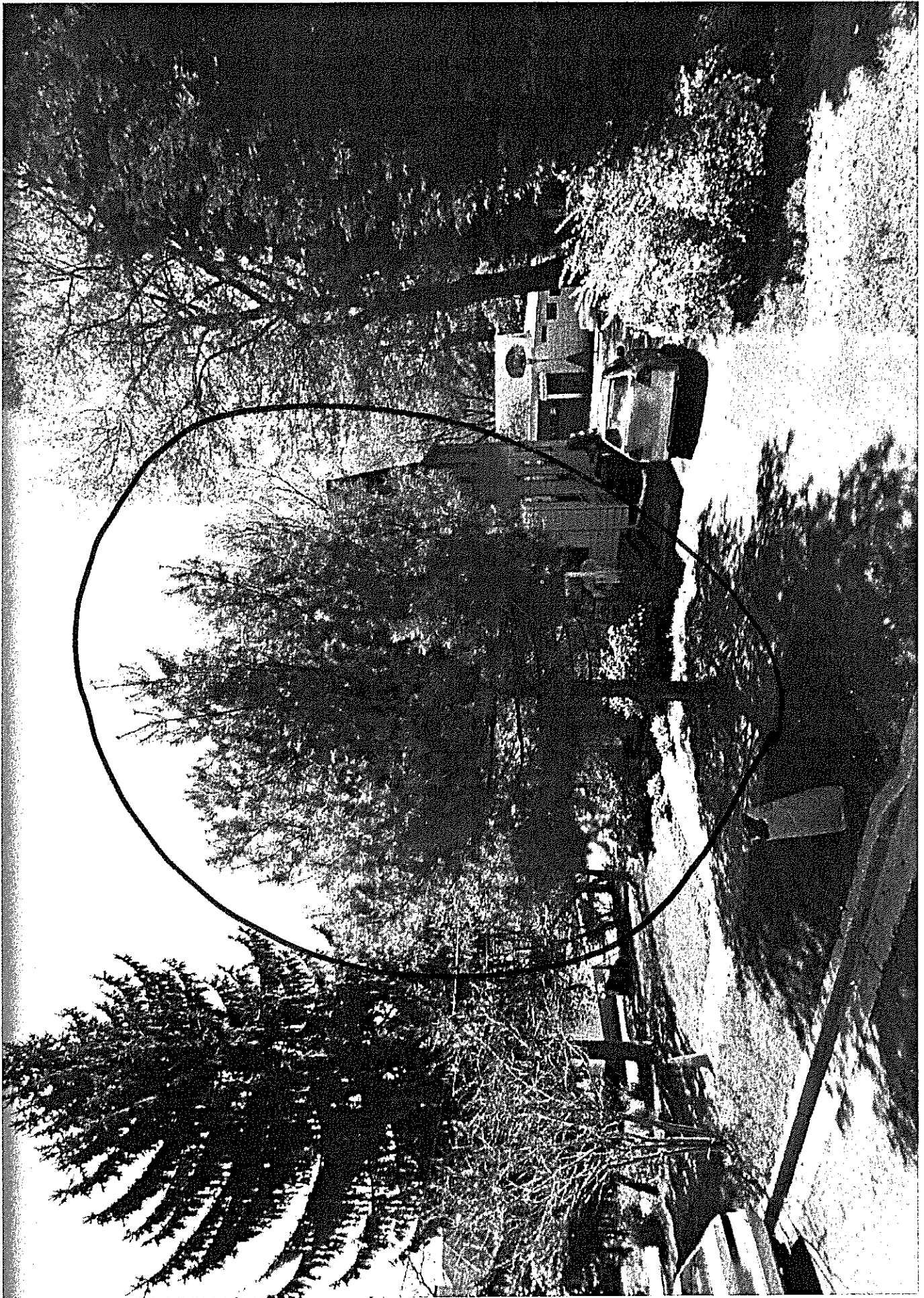
MONTGOMERY COUNTY MARYLAND
 SUBDIVISION

LOT 28	BLOCK 12	SECTION	KENSINGTON PARK
PARTS 27 & 29			
SCALE: 1" = 30'			DATE: FEB 18 1984
15E JORGENSEN & STEFANELLI, P.A.			JOHN G. McCall LAND SURVEYOR, MD REG. 1692282 8601 HEMPSTEAD AVE. BETHESDA, MD 20814
95E NO 3688			
			CERTIFIED LAND SURVEYOR

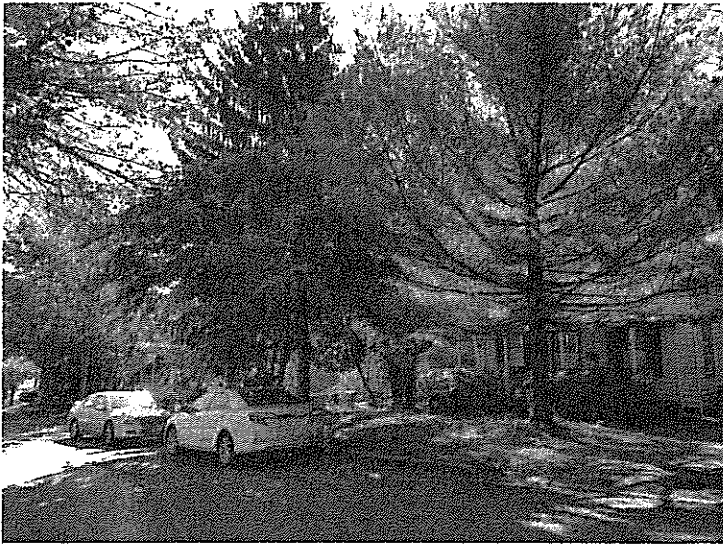
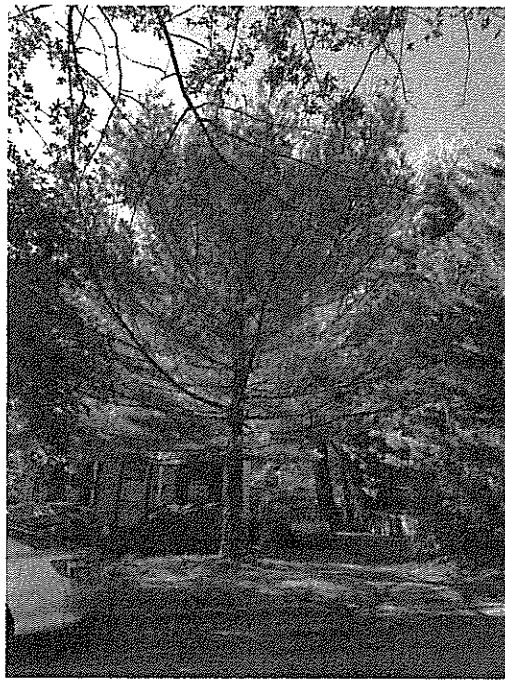
STEVES OR PROPERTY CORNER MARKERS ARE NOT GUARANTEED BY THIS SURVEY

- 3. Plans and elevation - N/A
- 4. Materials Specification - N/A

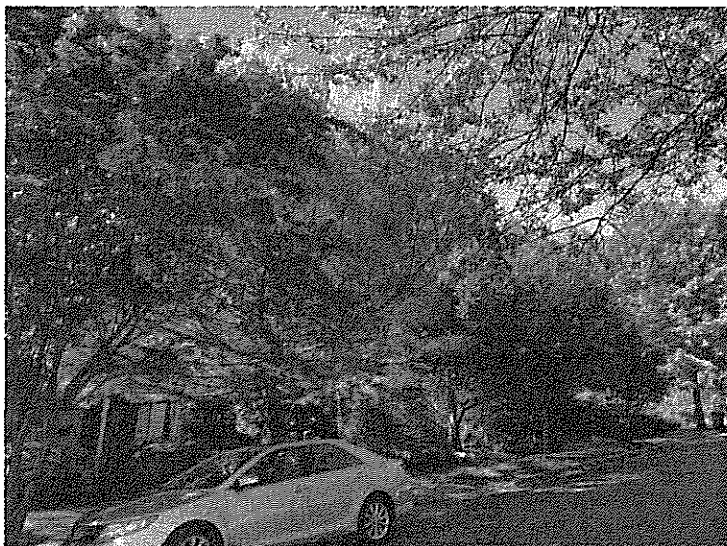
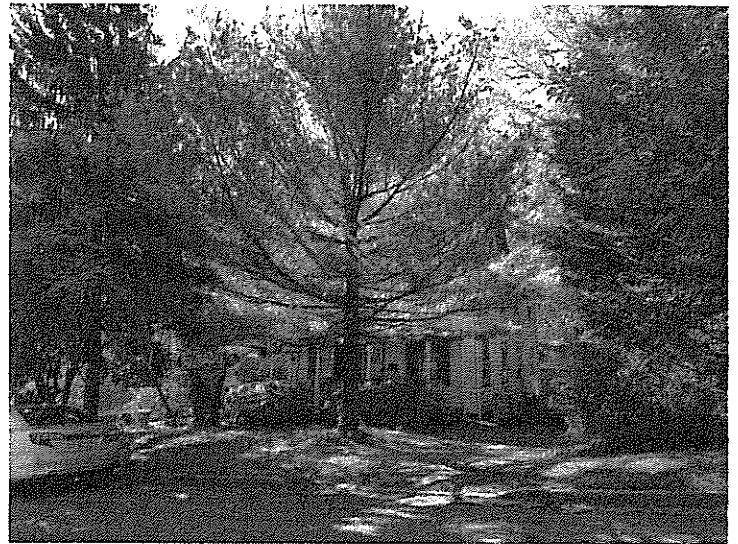




5. Photographs



Looking Southeast, down Prospect St.



Looking Southwest, up Prospect St.



Looking Northwest, up Prospect St.

6. Tree Survey –

The only tree adjacent to the dripline is a crepe myrtle. Other nearby trees include a spruce and a dogwood

7. ADDRESSES OF NEIGHBORS

Property owner to the East:

Betina and South Lynn
3908 Prospect St.
Kensington, MD 20895

Property owner to the West:

John and Christina Blazina
3918 Prospect St.
Kensington, MD 20895

Confronting Property Owner:

Lawrence and Mary Ott
3911 Prospect St.
Kensington, MD 20895