MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 3948 Washington St., Kensington  
Resource: Outstanding (Primary One) Resource  
Kensington Historic District  
Applicant: James Cooper  
Review: HAWP  
Case Number: 31/06-17H

Meeting Date: 1/10/2018  
Report Date: 1/3/2018  
Public Notice: 12/28/2017  
Tax Credit: N/A  
Staff: Michael Kyne

PROPOSAL: Handrail installation

STAFF RECOMMENDATION:

Staff recommends that the HPC approve the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding (Primary One) Resource within the Kensington Historic District
STYLE: Colonial Revival Eclectic
DATE: 1893

PROPOSAL:

The applicant proposes the following work items at the subject property:

- Wooden handrail installation on each side of the front porch steps.

APPLICABLE 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 Amendment to the Master Plan for Historic Preservation: Kensington Historic District (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.

Vision of Kensington

In accordance with Section 1.5 of the Historic Preservation Rules, Guidelines, and Procedures (Regulation No. 27-97), the Commission in developing its decision when reviewing a Historic Area Work Permit application for an undertaking involving a resource within the Kensington Historic District may use the Vision to determine the appropriateness of a proposal. 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 21st 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 and Spacing between Buildings
- Geographic and Landscape Features
- Scale and Building Height
- Directional Expression of Buildings
- Roof Forms and Materials
- 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 19th and early 20th century houses that 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._

Sec. 24A-8. Same-Criteria for issuance.

(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; [emphasis added] 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, § I; Ord. No. II-59)

Secretary of Interior’s Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The Standards are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
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.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The applicant’s HAWP for a retroactive storm door replacement, storm door repairs, and the installation of handrails at the central front porch steps was previously reviewed at the August 16, 2017 HPC meeting. The Commission approved the storm door replacement and storm door repairs, but, at the applicant’s request, continued consideration of the handrails to a later meeting.

The applicant originally proposed to install wooden handrails on each side of the central front porch steps, matching the design of the original/existing porch railing. The applicant previously indicated that there is no evidence that handrails ever existed at the central front porch steps, and, staff suggested that, due to their location and visual prominence, the central front porch steps without handrails are a character-defining feature of the subject property that should be preserved.

However, because handrails may be required to satisfy safety concerns and/or codes, staff recommended a condition of approval, stipulating that the proposed handrails will be differentiated from the porch railings, with final review and approval delegated to staff. Staff suggested that one appropriate solution would be simple black metal handrails that recede from view when viewing the house from the public right-of-way. This would ensure that the proposed handrails are not misconstrued as being original to the house and that the house’s character-defining features can be clearly discerned.

In their current submission, the applicant has proposed two alternative handrails – Handrail 1, which is similar to the existing/original porch railing, but with different dimensions, and Handrail 2, which is more modern than the existing/original porch railing. The applicant also proposes balusters and a bottom rail with different dimensions than the existing/original porch railing (see Circle _____ for details).

Staff finds that the applicant has attempted to address the previous concerns regarding differentiation, and that the two proposed alternatives are sufficiently differentiated from and compatible with the subject property. Staff recommends approval, with the final selection of Handrail 1 or Handrail 2 at the applicant’s discretion; however, if the Commission finds that another alternative (such as simple black metal handrails) would be more appropriate, they may add a condition of approval, specifying materials and/or design.

After full and fair consideration of the applicant’s submission staff finds the proposal as being consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, having found the proposal is consistent with the Secretary of the Interior’s Standards for Rehabilitation, Amendment to the Master Plan for Historic Preservation: Kensington Historic District, and Vision of Kensington: A Long-Range Preservation Plan outlined above.

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 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@montgomeryplanning.org to schedule a follow-up site visit.
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Name: James Cooper
Contact Phone: 301 935-3223

Tax Account No.: 3948 WASHINGTON ST
Name of Property Owner: James Cooper
Daytime Phone No.: 301 935-3223
Address: 3948 WASHINGTON ST (KENSINGTON, MD) 20895

Contractor Registration No.: 
Agent for Owner: 
Daytime Phone No.: 

LOCATION OF BUILDING/PREMISES
House Number: 3948
Street: WASHINGTON ST.
Town/City: KENSINGTON
Nearest Cross Street: PROSPECT ST
Lot: 34
Block: 13
Subdivision: KENSINGTON PARK

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE
☐ Construct ☐ Alter/Revive
☐ Move ☐ Install
☐ Revision ☐ Repair
☐ Other:

1B. Construction cost estimate: $ 5000

2A. Type of sewage disposal: ☐ Septic ☐ Other:
2B. Type of water supply: ☐ Septic ☐ Other:

PART THREE: COMMENTARY FOR DESCRIPTION AND EXPLANATIONS

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

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]
[Date]

APPROVED:

Chairperson, Historic Preservation Commission

DECLINED:

Signature:
[Date]

APPLICATION/PERMIT NO.: 
Date Filed: 
Date Issued: 

SEE REVERSE SIDE FOR INSTRUCTIONS
THE FOLLOWING ITEMS MUST BE COMPLETED AND THE REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.

1. WRITTEN DESCRIPTION OF PROJECT
   a. Description of existing structure(s) and environmental setting, including their historical features and significance:
      EXISTING STRUCTURE IS A PRIMARY RESOURCE IN THE KENMORE HISTORIC DISTRICT BUILT IN 1897. SOURCE OF CONSTRUCTION IN ORIGINAL BUT THE WOOD STEPS HAVE BEEN RECONSTRUCTED MANY TIMES.

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

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:
   a. the scale, north arrow, and date;
   b. dimensions of all existing and proposed structures; and
   c. site features such as walkways, driveways, fences, pond, stream, 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.
   a. Sheeted construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
   b. Elevations (façades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and finishes proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each façade affected by the proposed work is required.

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

5. PHOTOGRAPHS
   a. Clearly labeled photographs of each façade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
   b. Clearly labeled photographs of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS
   For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

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.
Addendum 1. b

Description of Project

1.b.1.
For safety reasons, we seek to add handrails on both sides of the stairs to match the existing porch rail in profile and materials. As far as we know, the stairs were built originally without handrails.

b. 2.
We seek retroactive approval for the replacement of a wood and glass storm door at the basement entrance in the addition to the house built in 1987. In 2016, I applied for historic preservation tax credit for a number of different 2015 repair projects, one of which included a replacement of this storm door to the below ground level basement door which is obstructed from street view. The entrance is on the north side of the house and is accessed by concrete stairs down to a concreted-bottomed stairwell, which takes a lot of water during storms. The wood and glass storm door took on rot and eventually eroded due to constant splash and exposure to the rain, and began in 2015 to erode the existing interior wooden door. Thus, I replaced the rotten storm door with a high-quality Anderson metal and glass door [see attached pictures and specs/bill] that is identical in appearance to the storm door that it replaced, both for reasons of weather-tightness and for better security.

In December 2016, I received a call from Michael Kyne telling me that HPC was disallowing these repairs because I hadn't gotten HPC approval prior to purchasing and installing the new storm door. However, he suggested that if I presented this work to the HPC in 2017 and explained that I wasn't aware that the storm door replacement needed prior HPC approval for tax credit consideration, that the HPC might consider the issue for review now and possible approval for a future tax credit.

b. 3.
We now have a wood and interchangeable glass/screen storm door [see attached pictures] on the side entrance to the house on the south side, which has similarly rotted and has broken open this year. We have removed the broken storm door and are seeking HPC approval prior to repair of the existing door including the glass and screen insert frames.
Note: This property does not lie within the limits of a flood hazard area as designated on the maps of the national flood insurance program.

CAPITOL SURVEYS

NOTE: This drawing is not intended to establish property lines. It cannot be used for construction purposes. All information shown herein taken from the land records of the county or city in which the property is located and field work performed.

HOUSE LOCATION
LOT 57 of Plat BLOCK 13 of LOT 56
KENSINGTON PK
MONTGOMERY COUNTY, MARYLAND

Recorded in Plat Book E, Plat 4
Scale 1" = 30'

I hereby certify that the position of all the existing improvements on the given described property have been established by accepted field practices, and that unless otherwise shown there are no visible errors.

LOUIS COHEN
Resistant I and S.

12
COOPER RESIDENCE
PROPOSED STAIR RAIL

PROPOSED HANDRAILS & POSTS, RAILS & BALUSTRADES TO MATCH EXISTING.

PLAN, PROPOSED
1/4" = 1'-0"

ELEVATION, PROPOSED
1/4" = 1'-0"
SIDES ELEVATION, PROPOSED

1/2" = 1'-0"
B 2

Replaced Anderson Storm door.
B 2

Replaced Anderson Storm door.
THE HOME DEPOT

14000 GEORGIA AVE ASPEN HILL, MD 20906
BRIAN CONWAY - MANAGER  (301) 871-0603

2558 00097 25797 08/08/15 01:20 PM
CASHIER - SPOS01

ORDER ID: 2558-697716
RECALL AMOUNT 669.08

SUBTOTAL 669.08
SALES TAX 40.15
TOTAL $709.23

XXXXXXX XXXX0446 VISA 709.23
AUTH CODE 067392/5873294 TA

P.O./JOB NAME: StoreDoor

2558 97 25797 08/08/2015 4837

THE HOME DEPOT RESERVES THE RIGHT TO LIMIT / DENY RETURNS. PLEASE SEE THE RETURN POLICY SIGN IN STORES FOR DETAILS.

BUY ONLINE PICK-UP IN STORE
AVAILABLE NOW ON HOMEDEPOT.COM.
CONVENIENT, EASY AND MOST ORDERS READY IN LESS THAN 2 HOURS!

**********************
ENTER FOR A CHANCE
TO WIN A $5,000
HOME DEPOT GIFT
CARD!

Share Your Opinion With Us! Complete the brief survey about your store visit and enter for a chance to win at:
www.homedepot.com/opinion

COMPARTA SU OPINION EN UNA BREVE ENCUESTA PARA LA OPORTUNIDAD DE GANAR.

User ID: GVM3 54441 51980
Password: 15408 51883

Entries must be entered by 09/07/2015. Entrants must be 18 or older to enter. See complete rules on website. No purchase necessary.

ANDERSEN STORM DR
25 x 78 1/2

Qty 1
648 3.1:T
3195879-34
51528450 BX:2:1:1:53
29664

SU14 02:53
CUT > TEMPER > SHIP

Questions on installation?
Missing or damaged parts?

Please DO NOT return to the store.

Please call 1-800-933-3626
for consumer/homeowner service.

Before calling, please locate the serial number on the inside hinge of the door.

¿Dudas sobre la instalación?
¿Faltan piezas o están dañadas?

NO devuelva el producto a la tienda.

Comuníquese al 1-800-933-3626 para solicitar el Servicio al consumidor/propietario.

Antes de llamar, ubique el número de serie que se encuentra en el interior de la bisagra de la puerta.
Name: Dr. Copper
Address: 3048 Washington St, Portsmouth, ME 20896
Phone: ____________________________

- Power wash
- Wash exterior windows and storm
- Caulk where needed
- Scrape and sand peeling paint
- Prime bare wood
- Paint —— cost finish paint

1. Prep and repair siding on chimney
   and entire home where needed
2. Prime and repaint North and South
   Siding
3. Repair Chute, prime and repaint
to
4. Repair rotten wood on 4 storm
   windows, prime and repainted

Trim: ____________________________
Siding: ____________________________
Doors: ____________________________
Garage door: ____________________________
Downspouts: ____________________________
Windows: ____________________________
Shutters: ____________________________
Others: ____________________________

* Cover side walks and bushes
* Cleanup work area

Additional work will be discussed and priced
Deposit required prior to starting work. ____________________________
Remainder due upon completion
Labor and materials $ 47,255.00

Signed: ____________________________
Date: 12/21/15
B.3: Broken Storm door - South Side
HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner’s Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner’s mailing address</th>
<th>Owner’s Agent’s mailing address</th>
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<tbody>
<tr>
<td>James Cooper</td>
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<tr>
<td>3947 Washington St.</td>
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<tr>
<td>Kensington, MD 20895</td>
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<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
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<tbody>
<tr>
<td>Hal &amp; Annie Frazier</td>
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<tr>
<td>3942 Washington St.</td>
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<tr>
<td>Kensington, MD 20895</td>
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<td>Patricia Metzger</td>
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<td>3947 Washington St.</td>
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<td>Kensington, MD</td>
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<td>Wm &amp; Yusimedi Keefe</td>
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<td>4010 Prospect St.</td>
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<td>Kensington, MD 20895</td>
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Supplemental Information Provided for the January 10, 2018 HPC Meeting
Addendum to HAWP application for addition of handrails to the front porch stair at 3948 Washington Street, Kensington

This addendum to the original application is (a) to acknowledge staff’s comments regarding the original proposal to replicate the existing porch rail in adding a handrail where, as far as we know, none has existed before; and (b) to propose an alternative to the solution which was suggested by staff.

- We understand that the viewer ought to be able to clearly distinguish between the old and the new. The Secretary of the Interior’s Standards do not, however, dictate that there ought to be a change of materials, construction type, or even style, to distinguish what is non-historic. Yet, personal safety is increasingly a concern in the use of these stairs and we seek a solution that balances historic preservation requirements with compatibility.

- The Secretary of the Interior’s Standard #9 expresses that “The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.” In our view, the addition of an iron or other minimal rail is not compatible with the characteristic architectural features of this house. We also question whether original wood porch stairs that were built without handrails is a character-defining feature of Kensington’s primary resources, since it is not clear that porch stairs were consistently built without handrails. We cannot discern a clear pattern relative to architectural styles that would indicate, one way or another, that the lack of a rail was a characteristic feature of a particular style or of the time period.

- We have walked much of the historic district in Kensington and have been confounded by the variety of new-rail solutions we’ve viewed. It is hard to know whether rails that are clearly not original to several of the primary resources we observed were rebuilt “in kind”; or added where there was no rail before (because there is no clear pattern of handrails being original to houses, or a lack thereof, to demonstrate a consistent, characteristic aspect of Kensington’s historic houses); or indeed, whether they were constructed with benefit of required permitting, or not.

- In our case, the existing original porch handrail, bottom rail, and balusters are relatively substantial in profile as compared with typical stock wood porch rails today. We propose a solution for the porch stair that balances differentiation with compatibility, using stock wood rail components and baluster spacing that are dimensionally different enough to be readily distinguishable from the original porch rail such that there can be no confusion as to whether the new rail was of a different period. This rail would be “compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment”. We believe that none of the minimalist rails we’ve viewed would be a worthy addition in terms of compatibility and believe further that such an addition as we’ve seen on several other primary resources’ porch stairs would detract from the architectural integrity of the existing house. Accordingly, we ask the HPC to approve the balanced solution we seek.
Existing porch rail assembly component dimensions in section:

Handrail: 3 3/4" wide x 3 1/4" high
Balusters: 1" w x 1 3/8" deep
Bottom rail: 3" wide x 3 1/2" high

Proposed porch rail assembly component dimensions:

Handrail: 3" wide x 1 7/8" high
Balusters: 1" wide x 1" deep
Bottom rail: 1 3/4" deep x 3 5/8" high

Proposed Possible Handrail Profiles:

1. Handrail: More curvilinear and in our opinion more compatible with existing porch handrail, but clearly differentiated in dimension
2. Handrail: More contemporary and more differentiated from the original
3. Bottom rail: More vertical in profile than existing porch bottom rail