

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

<b>Address:</b>	3932 Washington Street, Kensington	<b>Meeting Date:</b>	5/7/2019
<b>Resource:</b>	Primary-One Resource (Kensington Historic District)	<b>Report Date:</b>	4/30/2019
<b>Applicant:</b>	Dejan Bujak	<b>Public Notice:</b>	4/23/2019
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
<b>Case Number:</b>	31/06-19H	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	Fence installation		

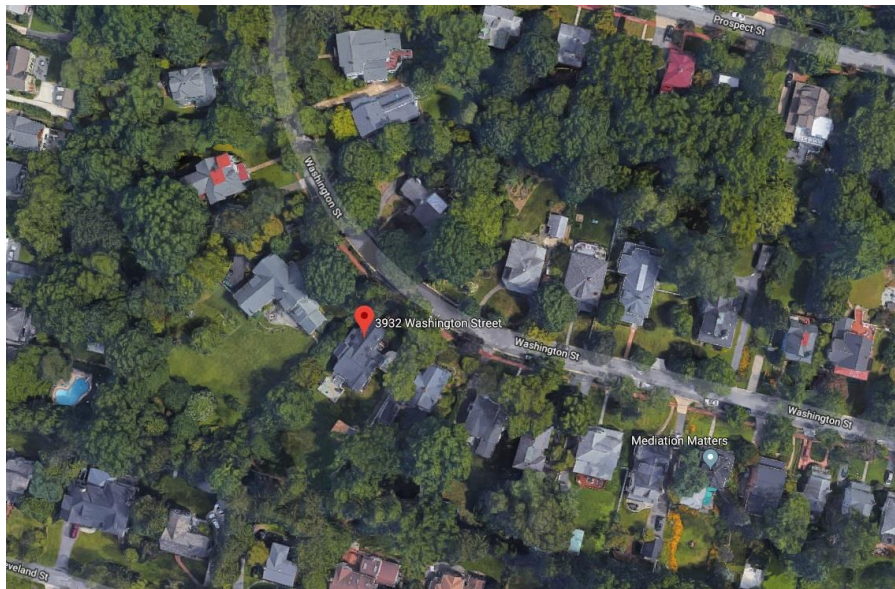
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**STAFF RECOMMENDATION:**

- ☒ Approve  
☐ Approve with conditions

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Primary-One Resource within the Kensington Historic District  
**STYLE:** Colonial Revival-Altered  
**DATE:** 1898

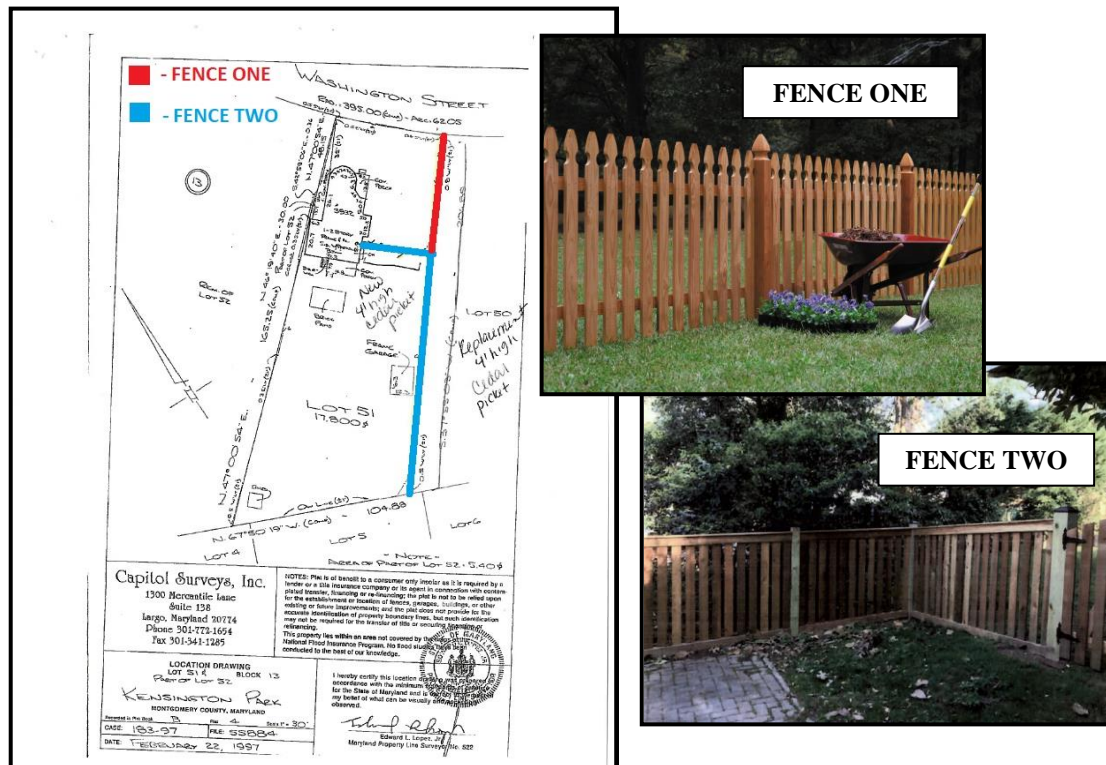


***Fig. 1: Subject property.***

**PROPOSAL:**

The applicant proposes to replace the existing wood picket fence at the east (left, as viewed from the front) side of the subject property. The proposed new fence will have the following specifications:

- 4' high traditional-style cedar picket fence from the front of the property to the approximate rear of the historic massing.
- 4' high cedar picket fence with top and bottom rails from the approximate rear of the historic massing to the rear of the property.
- 4' high cedar picket fence with top and bottom rails and gates returning from the east property line to the approximate rear of the historic massing on the east (left) side.



**Fig. 2: Proposed fence plan.**

**APPLICABLE GUIDELINES:**

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

10. Construction of fences that are compatible with historic site or district in terms of material, height, location, and design. Requests for fences higher than 48" to be located in the front yard of a property will not be reviewed using an Expedited Staff Report.

**Montgomery County Code; Chapter 24A-8**

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

- (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.*)

### ***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:

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.

### **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* #2;

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.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

DPS - #8

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: DejanBujak@gmail.com Contact Person: Dejan Bujak  
Daytime Phone No.: 301-675-1682  
Tax Account No.: 01025858  
Name of Property Owner: Bujak, Dejan Daytime Phone No.: 301-675-1682  
Address: 3932 Washington Street Kensington, MD 20895  
Street Number City State Zip Code  
Contractor: Tri County Fence & Decks Phone No.: 301-916-2205  
Contractor Registration No.: 102633  
Agent for Owner: Bruce Riley Daytime Phone No.: 301-916-2205

## LOCATION OF BUILDING/PREMISE

House Number: 3932 Street: Washington St  
Town/City: Kensington Nearest Cross Street: Prospect Street  
Lot: 51 Block: 13 Subdivision: 0015  
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: \_\_\_\_\_

1B. Construction cost estimate: \$ 4596

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 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.

Signature of owner or authorized agent

Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

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

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

Edt 6/21/99

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 fence along 1 side of property is  
approximately 2208 linear feet of 4' high  
flat top picket fence.

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

Remove existing fence (listed above) and replace  
in kind. Install an additional approximately  
20 linear feet of 4' high flat top picket including  
(1) 4' high x 10' wide double picket gate.

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, 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.

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

4. **MATERIALS SPECIFICATIONS**

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

5. **PHOTOGRAPHS**

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

6. **TREE SURVEY**

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

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

**Owner's mailing address**

Dejan Bujak  
 3932 Washington St  
 Kensington, MD 20895

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

Tri County Fence & Decks  
 24520 Frederick Rd  
 Clarksburg, MD 20871

**Adjacent and confronting Property Owners mailing addresses**

**Back left:**

TWEEDIE, M SARA  
 4005 CLEVELAND ST  
 KENSINGTON MD 20895

**Back right:**

ALBRIGHT, DAVID R & LISA K  
 4009 CLEVELAND ST  
 KENSINGTON MD 20895-3806

**Left:**

SCHWABE, JOHN  
 3930 WASHINGTON ST  
 KENSINGTON MD 20895

**Right:**

JOHNSON TIMOTHY & GOODMAN MADELEINE  
 3936 WASHINGTON ST  
 KENSINGTON MD 20895



**Existing Property Condition Photographs** (duplicate as needed)



Detail: Front part of the fence



Detail: Middle and back part of the fence

Applicant: Dejan Bujak

Page: 8













# Building Permit Application

Revised: November 2017



**Town of Kensington**  
3710 Mitchell Street  
Kensington, MD 20895

301-949-2424 (Office)  
301-949-4925 (Fax)  
**Town@tok.md.gov**

**Town Permit No.:** \_\_\_\_\_

**Attention Department of Permitting Services (DPS):** Please be advised that the following applicant has applied for a Building Permit with the Town of Kensington, and they must return this form to Town Hall, along with all approved County Permits to complete the Permitting process.

Town Release: M. Hoffman Fee Paid: \$ 35.00 Date: March 13, 2019  
Bond, if applicable: \$ N/A Bond Paid: \_\_\_\_\_ Bond Released: \_\_\_\_\_

*The Staff signature only releases the permit for DPS review and does not represent an approval of the permit application by the Town. All County permits must be submitted before Town review and approval.*

Please ensure that you submit a complete application, as incomplete applications will not be reviewed. If you have any questions about the permitting process, please contact the Town Office.

## **Location of Proposed Work:**

Owner: Jodi Longo Phone or Email: \_\_\_\_\_

Property Address: 3932 Washington Street

Historic Area Work Permit Required: ☒ Yes ☐ No

Contractor (If Applicable): Tri County Fence and Decks

Phone and Email: Jennifer@tricountyfence.com

## **Proposed Work (Please check all that apply):**

☐ Addition ☐ Alteration/Repair ☐ Demolition/Raze ☒ Fence ☐ Shed  
☐ Other (Please Specify): \_\_\_\_\_

## **Filing Requirements (Building Permit)**

1. Full set of construction drawings/building plans.
2. Building Site Plan.
3. Building location survey or plat showing location of fence, if applicable.
4. Application Fee and Performance Bond, if applicable.
5. Guards or Barriers 5 feet out from the drip line of all trees located within the public right-of-way.
6. Signs advertising the contractor/project may not exceed a total of ten (10) square feet in area and must be placed at least five (5) feet behind the property line. Signs may not be placed within the public right-of-way or illuminated.

*I hereby certify that I have completed the aforesaid application to the best of my knowledge with correct information, and that I understand all of the requirements outlined within, and will conform to the regulation of the Town of Kensington Code, and the Montgomery County Zoning Code.*

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Building Permit Application

Revised: November 2017

## General Information

1. The Town will review this application within ten (10) business days. Upon completion of the review, the applicant may be notified of additional requirements such as deposits, bonds, fees, insurance, limitations on work, additional plans, etc.
2. This permit shall become invalid if the authorized work is not started within twelve (12) months from the date issued, or if the authorized work is suspended for a period of six months after work has commenced; once issued, the permit fee is not refundable.
3. Any false or misleading information in this application may result in the rejection of this application and/or revocation of the building permit.
4. Town building permits are revocable at anytime for violations of law or any special condition of the permit.
5. The permittee is required to notify and receive proper clearance from all utilities before commencing any underground construction.
6. The permittee is required to abide by all local noise ordinances.
7. No dirt or construction debris will be permitted on public streets or sidewalks at any time.
8. It is prohibited to block sidewalks during construction, unless a corresponding right-of-way permit has been approved.
9. To commence work prior to issuance of a permit is a violation of the law and subject to a fine.
10. **Parking Compliance:** Is adequate on-site parking available for the construction crews? If no, please provide a plan for parking which minimizes inconvenience to neighboring residents and/or businesses. If any road closures will be required due to deliveries, equipment or other reasons, the contractor is responsible for directing vehicular and pedestrian traffic.

## Construction/Project Details:

Estimated Start Date: \_\_\_\_\_ Estimated End Date: \_\_\_\_\_

Estimated Cost of Project: \$ 4,596 Mont. Co. Permit: # \_\_\_\_\_

**Approved (Conditions, if necessary):** \_\_\_\_\_

**Denied for the following reasons:** \_\_\_\_\_

Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Town Manager: \_\_\_\_\_ Date: \_\_\_\_\_