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

<table>
<thead>
<tr>
<th>Address:</th>
<th>3929 Baltimore St., Kensington</th>
<th>Meeting Date:</th>
<th>11/13/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource:</td>
<td>Primary One (1880-1910) Resource (Kensington Historic District)</td>
<td>Report Date:</td>
<td>11/6/2019</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Nate Engle (Cindy Elmore, Agent)</td>
<td>Public Notice:</td>
<td>10/30/2019</td>
</tr>
<tr>
<td>Review:</td>
<td>HAWP</td>
<td>Tax Credit:</td>
<td>No</td>
</tr>
<tr>
<td>Case Number:</td>
<td>31/06-19L</td>
<td>Staff:</td>
<td>Michael Kyne</td>
</tr>
</tbody>
</table>

**PROPOSAL:** Tree removal

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**STAFF RECOMMENDATION:**

- [x] Approve
- [ ] Approve with conditions

**ARCHITECTURAL DESCRIPTION:**

- **SIGNIFICANCE:** Primary One (1880-1910) Resource within the Kensington Historic District
- **STYLE:** Queen Anne
- **DATE:** 1898

*Fig. 1: Subject property.*
PROPOSAL:

The applicant proposes to remove two sassafras trees from the rear of the subject property. One additional dead sassafras tree will be removed, but, due to its condition, is not subject to a HAWP.

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:

  2. Modifications to a property, which do not significantly alter its visual character.

  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

(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 the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans;

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.

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 Person: Cindy Elmore

Name of Property Owner: Wade Elmore

Address: 3929 Baltimore St, Kensington, MD 20895

Contractor: David Greig

Agent for Owner: Cindy Elmore

LOCATION OF BUILDING/PRECEDE

House Number: 3929 Baltimore St

Town/City: Kensington

LOT: Block: Subdivision:

LOT: Block: Subdivision:

PART I: TYPE OF PERMIT, ACTION AND USE

1A. CHECK ALL APPLICABLE:
- □ Construct
- □ Extend
- □ Alter/Remodel
- □ A/C
- □ Slab
- □ Room Addition
- □ Move
- □ Insual
- □ Whole House
- □ Revision
- □ Repair
- □ Revocable
- □ Fence/Wall (includes Section 4)
- □ Tree Removal
- □ Other:

1B. Construction cost estimate: $________

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

PART II: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS/ADDITIONS

2A. Type of sewage disposal: 01 □ WSSC 02 □ Septic 03 □ Other:

2B. Type of water supply: 01 □ WSSC 02 □ Well 03 □ Other:

PART III: COMPLETE ONLY FOR FENCES/RETAINING WALL

3A. Height: feet

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/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.

Cindy Elmore

Date: 10/22/19

Approved: ___________________ For Chairperson, Historic Preservation Commission

Disapproved: ___________________ Signature: ___________________ Date:

Application/Permit No.: ___________________ Date Filed: ___________________ 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 structures and environmental setting, including their historical features and significance:

   Remove 2 Jossabas trees in backyard, encroaching on Historic Magnolia. No structures—there is a fence. A chain link fence will not be @ removed.

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

   Remove 2 Jossabas to clear Historic Magnolias.

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plat. 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 lots 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.
SURVEYOR'S CERTIFICATE

We hereby certify that we have carefully surveyed the property shown hereon in accordance with the descriptions of record and; have located all of the improvements shown hereon by transit-tape survey and; that there are no encroachments either way across property lines other than shown.

WORTHINGTON & ASSOCIATES, INC.
- Land Surveyors -
Rockville, Maryland

J. P. Worthington, RLS
Maryland Reg. No. 3135

NOTE:

No property corners have been set by this survey unless otherwise noted.

File No 78-946
<table>
<thead>
<tr>
<th>To: Historic Preservation commission</th>
<th>Date 10/18/19</th>
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**Site Location:** 3929 Baltimore Ave.  Kensington MD 20853

**Homeowner:** Nate Engle

We are requesting permits for the removal of 3 Sassafras trees located in the very back of the property by the fence, 1 to the left corner is dead. The other 2 are encroaching on the historic magnolia tree located in front of the sassafras trees. No other structures or trees would be disturbed.
Historic Magnolia that needs more room