

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	3906 Washington St., Kensington	Meeting Date:	8/12/2020
Resource:	Primary One (1880-1910) Resource (Kensington Historic District)	Report Date:	8/5/2020
Applicant:	Joseph Akman	Public Notice:	7/29/2020
Review:	HAWP	Tax Credit:	No
Case Number:	31/06-20K	Staff:	Michael Kyne
PROPOSAL:	Tree removal and hardscape alterations		

STAFF RECOMMENDATION:

☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Primary One (1880-1910) Resource within the Kensington Historic District
STYLE: American Foursquare
DATE: 1908

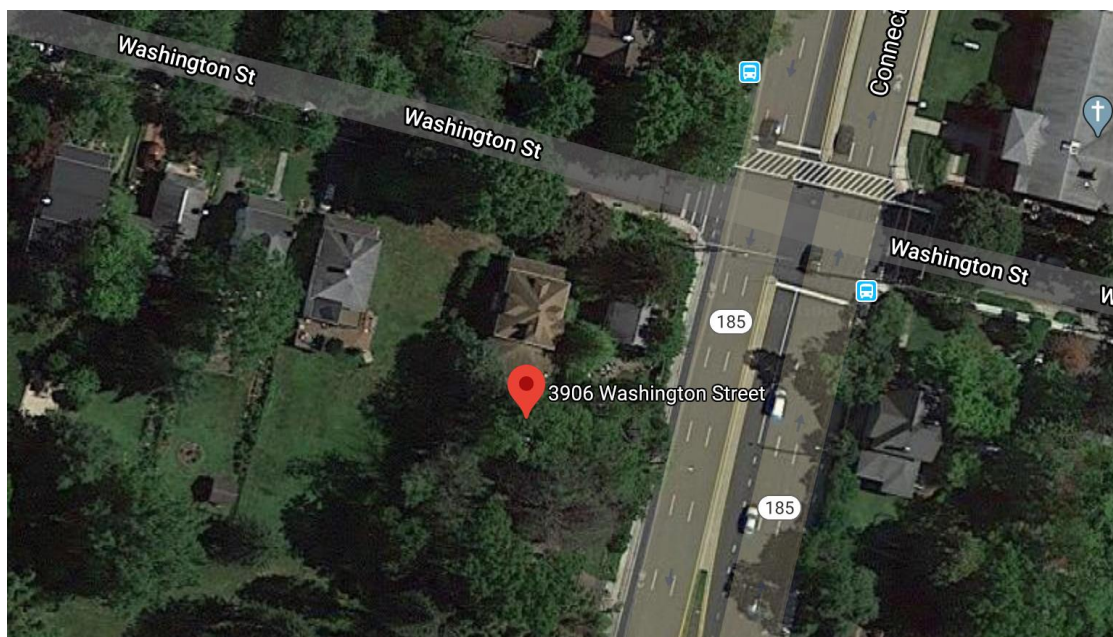


Fig. 1: Subject property.

PROPOSAL:

The applicants propose the following work items at the subject property:

- Rear landscaping alterations, including removal of existing rear yard plantings and replacement with grass, removal of bamboo, and installation of a bamboo barrier along east and south rear yard property lines.
- Removal of an existing non-historic shed at the rear of the property.
- Removal of an existing non-historic deck and poured concrete pond/water feature underneath (the previous owners constructed the deck over the poured concrete pond/water feature) at the rear of the property.
- Removal of one oak tree and tree well and planting of two replacement trees at the rear of the property.
- Minimal grading prior to seeding.

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.
4. Removal of accessory building that are not original to the site or otherwise historically significant.
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.
- 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.

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 9;

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.



FOR STAFF ONLY:
HAWP# 920893
DATE ASSIGNED _____

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Joseph Akman
Address: 3906 Washington St
Daytime Phone: 646-295-4958

E-mail: jakman123@hotmail.com
City: Kensington Zip: 20895
Tax Account No.: 01023438 & 01023440

AGENT/CONTACT (if applicable):

Name: _____
Address: _____
Daytime Phone: _____

E-mail: _____
City: _____ Zip: _____
Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? ☒ Yes/District Name Kensington
_____ No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application. No

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 3906 Street: Washington St
Town/City: Kensington Nearest Cross Street: Connecticut Ave
Lot: 38 & Part of Lot 37 Block: 13 Subdivision: 015 Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|--|--|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input checked="" type="checkbox"/> Tree removal/planting |
| <input checked="" type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input type="checkbox"/> Other: _____ |

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

Joseph Akman
Signature of owner or authorized agent

7/21/20

Date

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

House was constructed in 1908. Wood shingle siding exterior, gabled roof facing east, bay window staircase facing west. Rear addition was added approximately 1988. Located in Kensington Historic District.

Description of Work Proposed: Please give an overview of the work to be undertaken:

Rear landscaping project to be undertaken. Plan to remove existing rear yard plantings and replace with grass. Removal of bamboo installation of bamboo barrier along east and south rear yard property line. Removal of existing shed. Removal of deck poured concrete pond water feature underneath deck. Removal of oak tree along with tree well located near house in rear yard. Fine grading prior to seeding.

Work Item 1: Removal of bamboo\installation of barrier

Description of Current Condition: Bamboo is present on property to east and south. Bamboo has spread throughout the rear yard of the property.

Proposed Work: Remove existing bamboo in rear yard and install plastic bamboo barrier along rear yard eastern and southern property line.

Work Item 2: Removal of existing shed

Description of Current Condition: Existing shed is in state of disrepair and is located in middle of rear yard.

Proposed Work: Demolish existing shed.

Work Item 3: Removal of deck\concrete pond\water feature

Description of Current Condition: Previous owners constructed deck to cover existing poured concrete pond\water feature.

Proposed Work: Remove deck and poured concrete pond\water feature.

Work Item 4: Oak tree removal

Description of Current Condition:

Oak tree is situated in tree well, close to rear addition, and has multiple trunks, which may pose risk to house.

Proposed Work:

Remove oak tree and tree well. Plan to plant at least two replacement trees along rear yard west property line, more compatible with proposed landscaping.

Work Item 2: _____

Description of Current Condition:

Proposed Work:

Work Item 3: _____

Description of Current Condition:

Proposed Work:

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

Owner's mailing address 3906 Washington Street Kensington, MD 20895	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Uhlman Family (North) 3905 Washington Street Kensington, MD 20895	
Evelyn Ullman (West) 3910 Washington Street Kensington, MD 20895	Carr Family (East) 3904 Washington Street Kensington, MD 20895
Kensington Baptist Church (South) 10100 Connecticut Ave Kensington, MD 20895	

THIS DOCUMENT IS CERTIFIED TO:

SETTLEMENT *Ink*

4719 Chestnut Street, Bethesda, MD 20814
Settlements for Maryland- District of Columbia - Virginia
Main Line: 301-907-8800 - Fax Line: 301-907-8200

CASE #: PJS150709

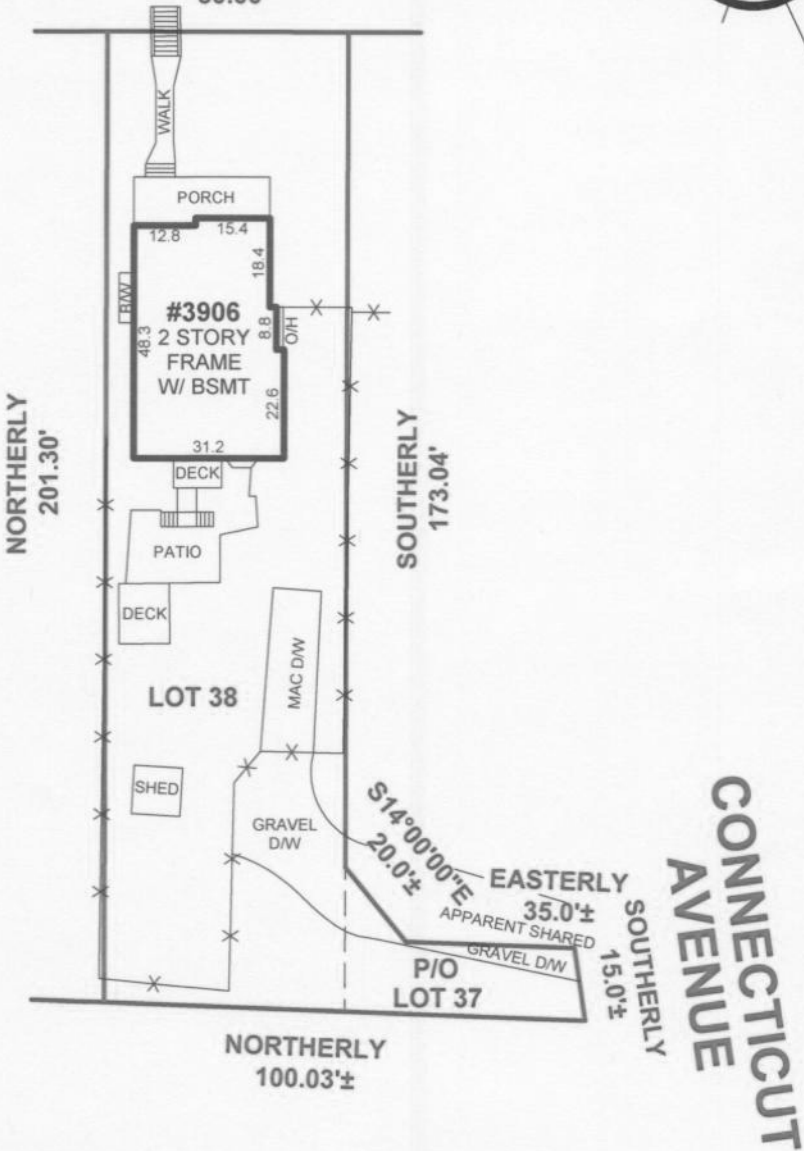


Alana Aschenbach
Flaherty Group, Inc.
10410 Kensington Pkwy
North Suite 101
Kensington, MD 20895
Office: 301-881-9800
Mobile: 240-401-4720



WASHINGTON STREET

SOUTHERLY
50.00'



NOTE:
ENCROACHMENTS
MAY EXIST

LOCATION DRAWING OF:

**#3906 WASHINGTON STREET
LOT 38 & PART OF LOT 37**

BLOCK 13

KENSINGTON PARK

PLAT BOOK B, PLAT 4

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=40' DATE: 8-4-15

DRAWN BY: CP FILE #: 154825-667

LEGEND:

- FENCE
- B/E - BASEMENT ENTRANCE
- B/W - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- D/W - DRIVEWAY
- FR - FRAME
- MAC - MACADAM
- O/H - OVERHANG
- PUE - PUBLIC UTILITY ESMT.

COLOR KEY:

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company



DULEY

and

Associates, Inc.

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. 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 OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)





Rear Yard



Oak tree to be removed



Shed to be removed



Oak tree to be removed



Bamboo along southern property line



Deck\pond underneath to be removed