

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

<b>Address:</b>	3906 Washington St., Kensington	<b>Meeting Date:</b>	10/14/2020
<b>Resource:</b>	Primary One (1880-1910) Resource (Kensington Historic District)	<b>Report Date:</b>	10/7/2020
<b>Applicant:</b>	Joseph Akman	<b>Public Notice:</b>	9/30/2020
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Number:</b>	31/06-20M	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	New fence and tree removal		

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

- Installation of a 6' high flat board fence at the south (rear) and southwest (rear/right, as viewed from the public right-of-way of Washington Street) property lines.
- Installation of a 6' high flat board fence with shared gate at the southeast (rear/left) corner of the property.
- Installation of a 4' high wooden picket fence at the east (left) property line.
- Installation of a 4' high wooden picket fence with gate at the east (left) side of the property (returning to house/perpendicular to Washington Street).

The case was originally advertised to include consideration of a tree removal; however, this portion has been withdrawn at the request of the applicant.

**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:

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.
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# 927742  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

## APPLICANT:

Name: Joseph Akman

E-mail: jakman123@hotmail.com

Address: 3906 Washington Street

City: Kensington Zip: 20895

Daytime Phone: 646-295-4958

Tax Account No.: 01023438 & 01023440

## AGENT/CONTACT (if applicable):

Name: Potomac Fence

E-mail: potomacfence@aol.com

Address: 12411 Washington Avenue

City: Rockville Zip: 20852

Daytime Phone: 301-468-1228

Contractor Registration No.: HIC 9989

**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.

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 Street

Town/City: Kensington Nearest Cross Street: Connecticut Avenue

Lot: 38 & P/O 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 checked="" type="checkbox"/> Fence    | <input type="checkbox"/> Solar                           |
| <input type="checkbox"/> Demolition         | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting           |
| <input 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

9/23/20

Signature of owner or authorized agent

Date

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

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

**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:

Fence to be installed along rear yard to replace existing rough fence, along with gate to enclose shared driveway.

Work Item 1: <u>Fence</u>	
Description of Current Condition: <div>At present, yard is fenced as shown on plat.</div>	Proposed Work: <div>           196' feet, 6' high flat board fence, western red cedar, with pressure treated pine posts, along west property line, south property line CT Avenue, to shared 12" double driveway gate in 6' flat board, western red cedar             135 feet, 4" high, monument 2x2 picket, along west property line to beginning of bamboo on neighbor's property, along east property line between lots 37/38, and gate to replace existing             See attached pictures.         </div>

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

# HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*



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

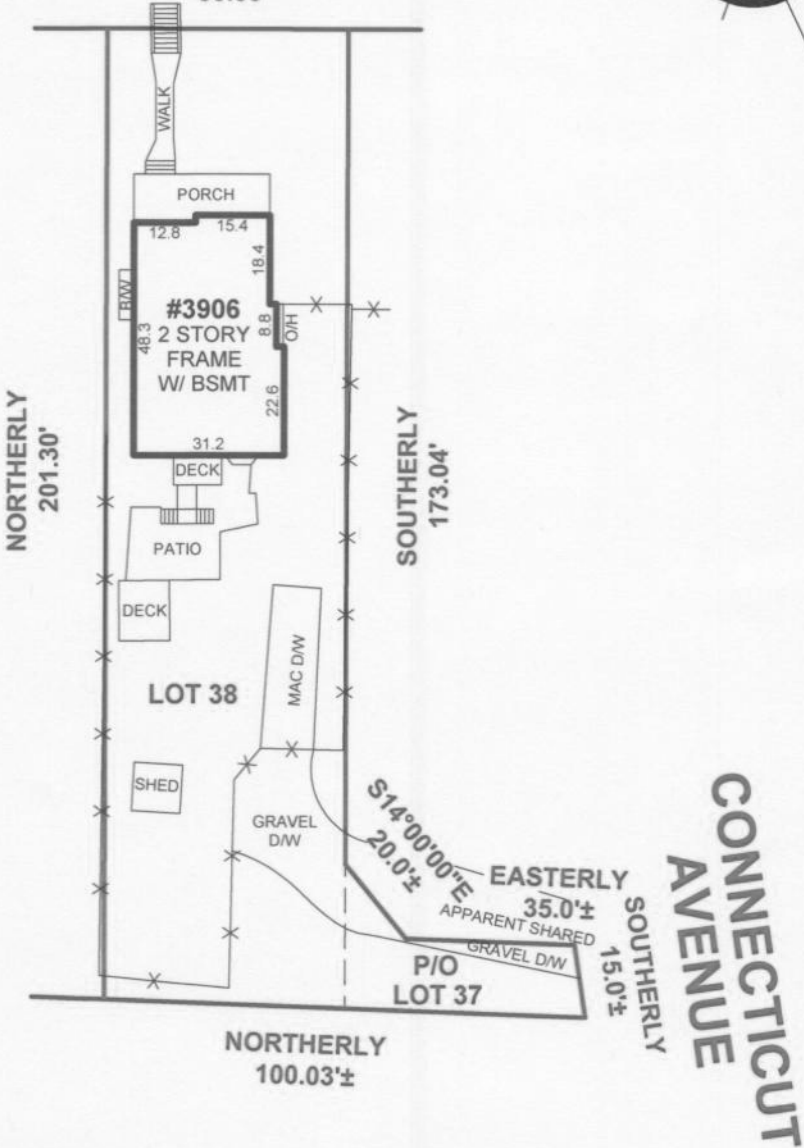


**Alana Aschenbach**  
**Flaherty Group, Inc.**  
10410 Kensington Pkwy  
North Suite 101  
Kensington, MD 20895  
Office: 301-881-9800  
Mobile: 240-401-4720



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

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SURVEYOR'S CERTIFICATE

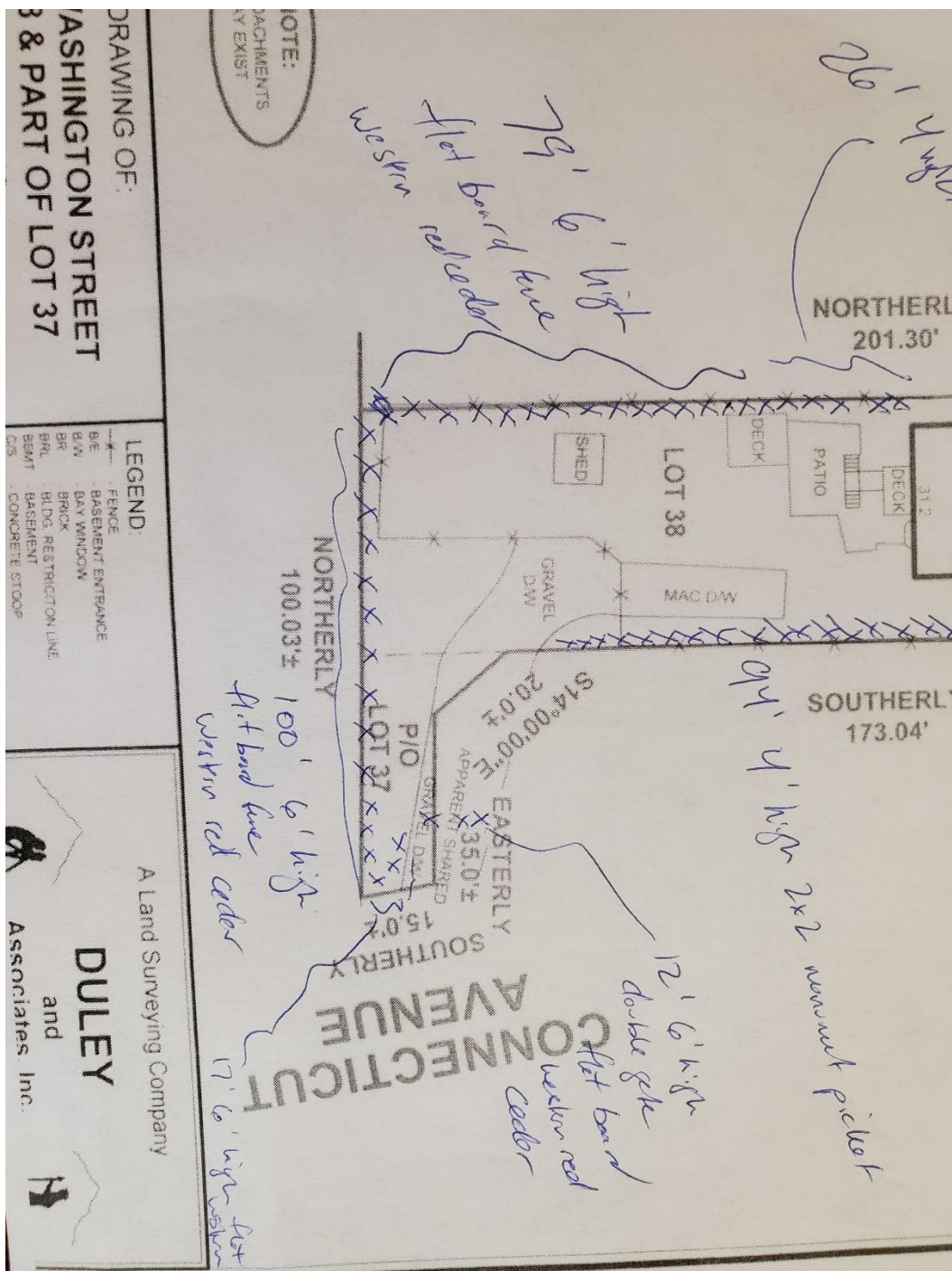
I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON 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.**

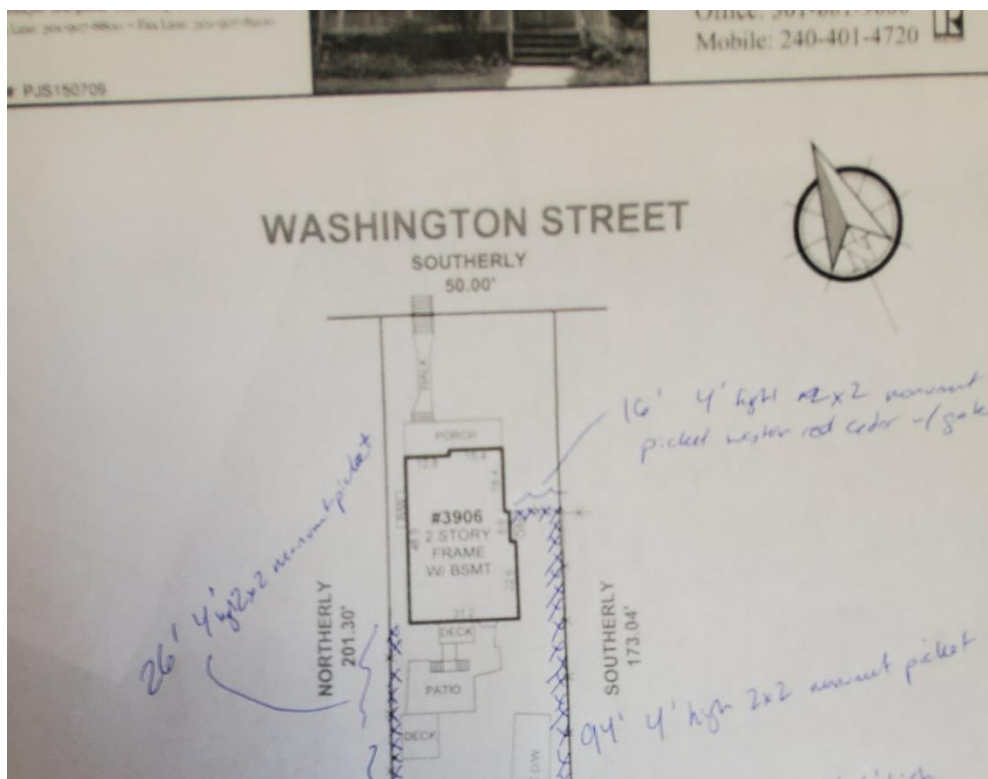
WILL GIVE YOU A 100%  
FULL CREDIT TOWARDS  
UPGRADING THIS  
SURVEY TO A  
"BOUNDARY/STAKE"  
SURVEY FOR ONE  
YEAR FROM THE DATE  
OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)





Fence Location – Southern Portion of Property



Fence Location – Middle Portion of Property



Site Conditions – Facing East – Shared Drive Looking Towards Connecticut Avenue/South Property Line



East Property Line Facing South







Southwest Property Corner



West Property Line





Western Property Line – picket fence to run between bamboo and tree/flat board fence to begin along bamboo



East Property Line Facing North (Near House)





Example of Flat Board Fence



Example of Picket Fence – to be 4' height

Example of Gate – Next Page



