

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

<b>Address:</b>	3806 Baltimore Street, Kensington	<b>Meeting Date:</b>	5/12/2021
<b>Resource:</b>	Primary Resource <b>Kensington Historic District</b>	<b>Report Date:</b>	5/5/2021
<b>Applicant:</b>	Bret & Cathy Gates	<b>Public Notice:</b>	4/28/2021
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Permit No.:</b>	949879	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Hardscape Alteration		

**STAFF RECOMMENDATION**

☒ **Approve**  
☐ **Approve with conditions**

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Primary Resource to the Kensington Historic District  
**STYLE:** Colonial Revival  
**DATE:** c.1908



*Figure 1: 3806 Baltimore St., located just off of Connecticut Ave. (left).*

## **PROPOSAL**

The applicant proposes to repair and replacement of several areas of garden walls. Most of the existing walls were constructed out of railroad ties and they are rotting and need to be replaced. In place of these wood walls, the applicant proposes to install dry-laid stone. All of the proposed walls are inside of the existing white, wood picket fence and will have little visual impact on the surrounding district from the right-of-way. Staff finds the proposed material is appropriate and consistent with a previously approved HAWP.

The applicant further identifies additional work that will be undertaken in association with the proposed stone walls, including a garden walk. Staff notes that this work was approved in a 2000 HAWP and does not require a replacement 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.
12. Construction or repair of retaining walls where the new walls are compatible in material, location, design and height with the visual character of the historic site or district.
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 ensure 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
- (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 relevant *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), and (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 will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made;

and with the general condition that the applicant shall present an electronic set 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 [dan.bruechert@montgomeryplanning.org](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit.  
visit.



# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

FOR STAFF ONLY:

HAWP# 949879

DATE ASSIGNED

## APPLICANT:

Name: Bret and Cathy Gates

E-mail: cathybret@msn.com

Address: 3806 Baltimore Street

City: Kensington Zip: 20895

Daytime Phone: (301) 257-4710

Tax Account No.: 01022310

## AGENT/CONTACT (if applicable):

Name: N / A

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property \_\_\_\_\_

Is the Property Located within an Historic District? X Yes/District Name Kensington Historic District  
\_\_\_\_ 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: N / A Street: \_\_\_\_\_

Town/City: \_\_\_\_\_ Nearest Cross Street: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ 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 type="checkbox"/> Demolition         | <input checked="" 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.

Bret and Cathy Gates  
Signature of owner or authorized agent

4/20/21  
Date



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

**Owner's mailing address**

3806 Baltimore Street  
Kensington, MD 20895

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

**Adjacent and confronting Property Owners mailing addresses**

Ed & Page Castle  
10211 Connecticut Ave  
Kensington, MD 20895

Maureen Conley & James Engle  
10220 Carroll Place  
Kensington, MD 20895

Todd Holtzaple  
3807 Baltimore St  
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:

Our house at 3806 Baltimore Street is a "Sears" house (The Hamilton) built approximately in 1908 (the date is unknown since town building records were destroyed in a fire many years ago), and is in the Kensington Historic District. The 4 bedroom house was built in the four square style with front porch and central hallways upstairs and down. In 2000, we received a HAWP to extend the rear right bedroom and add a bathroom. The house is on the east side of a rectangular lot, with a long side yard along Baltimore Street to closed off Armory Avenue.

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

**FRONT YARD - Left Side (No Change):** Left side of walkway (facing the house) has an existing garden with dry stack flagstone wall and garden (HAWP approved 2000). There will be no change to this area.

**FRONT YARD - Right Side (NEW):** New installation on Right side of walkway (facing the house) based on above previously approved HAWP 2000 Plan to complement existing left side of walkway garden. The NEW installation continues garden along the right side of the front walkway and curves the new garden area to the right so that it continues along the front edge of the sloped lawn area along the sidewalk. New dry stack flagstone wall will be similar to the existing dry stack wall on the left side of the front walkway.

**SIDE YARD (New Replacement Wall - along Baltimore Street fence):** New dry stack flagstone garden wall will replace and extend existing crumbling timber retaining wall along the interior side of the front fence line (approx total size: 68'L x 4-18"H x 8-12"D) The dry stack garden wall will also help to reduce the soil erosion from the elevated and sloped areas surrounding the side yard.

**SIDE YARD (New Replacement Wall - along Armory Avenue extension fence)** New dry stack flagstone garden wall will replace deteriorating landscape timbers from the sloped garden areas along the side yard right fence line. (approx total size: 50'L x 4-18"H x 8-12"D) The wall will be connected to the dry stack wall that will be installed along the white fence lines and will continue straight and end at the back fence line. The dry stack garden wall will also help to reduce the soil erosion from the elevated and sloped areas surrounding the side yard.

**NOTE:** No trees will be added or removed in this landscaping project.



## Work Item 1: Front Yard – Right Side (facing house)

### Description of Current Condition:

FRONT YARD - Right Side (facing the house): Current condition is a grass yard bounded by the front sidewalk, flagstone walkway to front steps of house and existing landscaped area around the right side of the front porch. NOTE: While we received approval for this HAWP landscaping plan in 2000 for both the left and right side of the front yard, we only had funding to complete the left side of the front yard and gardens around the front porch - leaving the grass area until now.

Proposed Work: Front Yard Right side: New installation on Right side of walkway (facing the house) based on above previously approved HAWP 2000 Plan to complement existing left side of walkway garden. The NEW installation continues the garden along the right side of the front walkway and curves the new garden area to the right so that it continues along the front edge of the sloped lawn area along the sidewalk. New dry stack flagstone garden wall will be similar to the existing dry stack garden wall on the left side of the front walkway. Extend the existing garden area in the front right (facing the house) so it continues along the right side of the front walkway and curve the new garden area to the right so that it continues along the front edge of the sloped lawn area along the sidewalk. The new garden area will flare out at the fence where it will end. (approx total size: 33'L x 3-4'W). Furnish and construct a dry stack flagstone garden wall similar to the dry stack garden wall on the left side of the front walkway (approx size: 18'L x 4-16"H x 6-10"D). Furnish and spread organic soil and top soil as needed in the new garden areas in the front. Furnish and install five (5) Boxwood 'Wintergem' (size 3gal), three (3) Spiraea 'Candy Corn' (size 3gal), four (4) Dwarf Barberry 'Mini Salsa' (size 3gal), twenty (20) Liriope 'Variegated' (size 1gal), four (4) Nandina 'Blush Pink' (size 3gal), eight (8) Dianthus 'Pink Cheddar' (size 1gal) and plant everything in the new garden area in the front yard. Shovel edge and furnish and spread shredded hardwood mulch in the new garden area

## Work Item 2: SIDE YARD (New Replacement flagstone wall - along Baltimore Street fence):

### Description of Current Condition:

Inside the side yard 4 feet high white wooden fence (along Baltimore Ave) there is an elevated landscaped garden bed that runs parallel to the fence and it is approx. 5 feet wide and 2 feet high held back by garden wall of crumbling creosote timber RR ties. The dry stack garden wall will also help to reduce the soil erosion from the elevated and sloped areas surrounding the side yard.

Proposed Work: SIDE YARD (New Replacement flagstone garden wall - along Baltimore Street fence):

Remove the crumbling timber garden wall along the interior side of the front fence line in the side yard area (approx size 24'L x 16-18"H). Furnish and construct a dry stack flagstone garden wall along this fence line. (approx total size: 68'L x 4-18"H x 8-12"D) The garden wall will begin near the small Alberta Spruce along the front fence line (4-6 feet from the right end of the existing timber garden wall) and will be stepped as it proceeds down the sloped garden areas and will continue along the path where the existing timber wall is located and



<hr/>	<p>will follow the curves of the garden area including along the sloped garden areas along the right fence line in the side yard and will end where the white fence stops (approx 68 linear feet total). Furnish and install a screened ADS drainage pipe along the base of the garden wall and back fill above the pipe with <math>\frac{3}{4}</math> drainage gravel. Back fill the areas behind the walls with top soil as needed and furnish and spread shredded hardwood mulch in the garden areas behind this wall. Remove and dispose of related debris upon completion.</p>
-------	---

<b>Work Item 3: <u>SIDE YARD (New Replacement flagstone Garden wall - along closed off Armory Avenue):</u></b>	
<p>Description of Current Condition: SIDE YARD (along closed off Armory Avenue). Inside the length of the existing 6 feet wooden fence, there is an existing deteriorating landscape timber garden wall holding a very sloped garden area. The dry stack garden wall will also help to reduce the soil erosion from the elevated and sloped areas surrounding the side yard.</p> <hr/>	<p>Proposed Work: SIDE YARD (New Replacement flagstone garden wall - along closed off Armory Avenue extension fence) Inside the length of the existing 6 feet wooden fence. The replacement New dry stack flagstone garden wall will replace the existing deteriorating landscape timber garden wall. (approx total size: 50'L x 4-18"H x 8-12"D) The wall will be connected to the replacement dry stack flagstone garden wall that will be installed (per work item #2) along the white fence lines and will continue straight and end at the back fence line. Remove the old landscape timbers from the sloped garden areas along the side yard right fence line. Furnish and install a screened ADS drainage pipe along the base of the wall and back fill above the pipe with <math>\frac{3}{4}</math> drainage gravel. Back fill the areas behind the walls with topsoil as needed and replant the Ivy in the new garden areas behind the wall. furnish and spread shredded hardwood mulch in the garden areas behind this wall.</p>





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

HISTORIC AREA WORK  
PERMIT

IssueDate: 6/22/2000

Permit No: 219788  
Expires:  
X Ref:  
Rev. No:

THIS IS TO CERTIFY THAT:

CATHY AND BRET GATES  
3806 BALTIMORE STREET  
KENSINGTON MD 20895

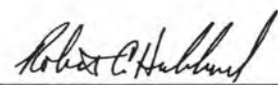
HAS PERMISSION TO: ADD

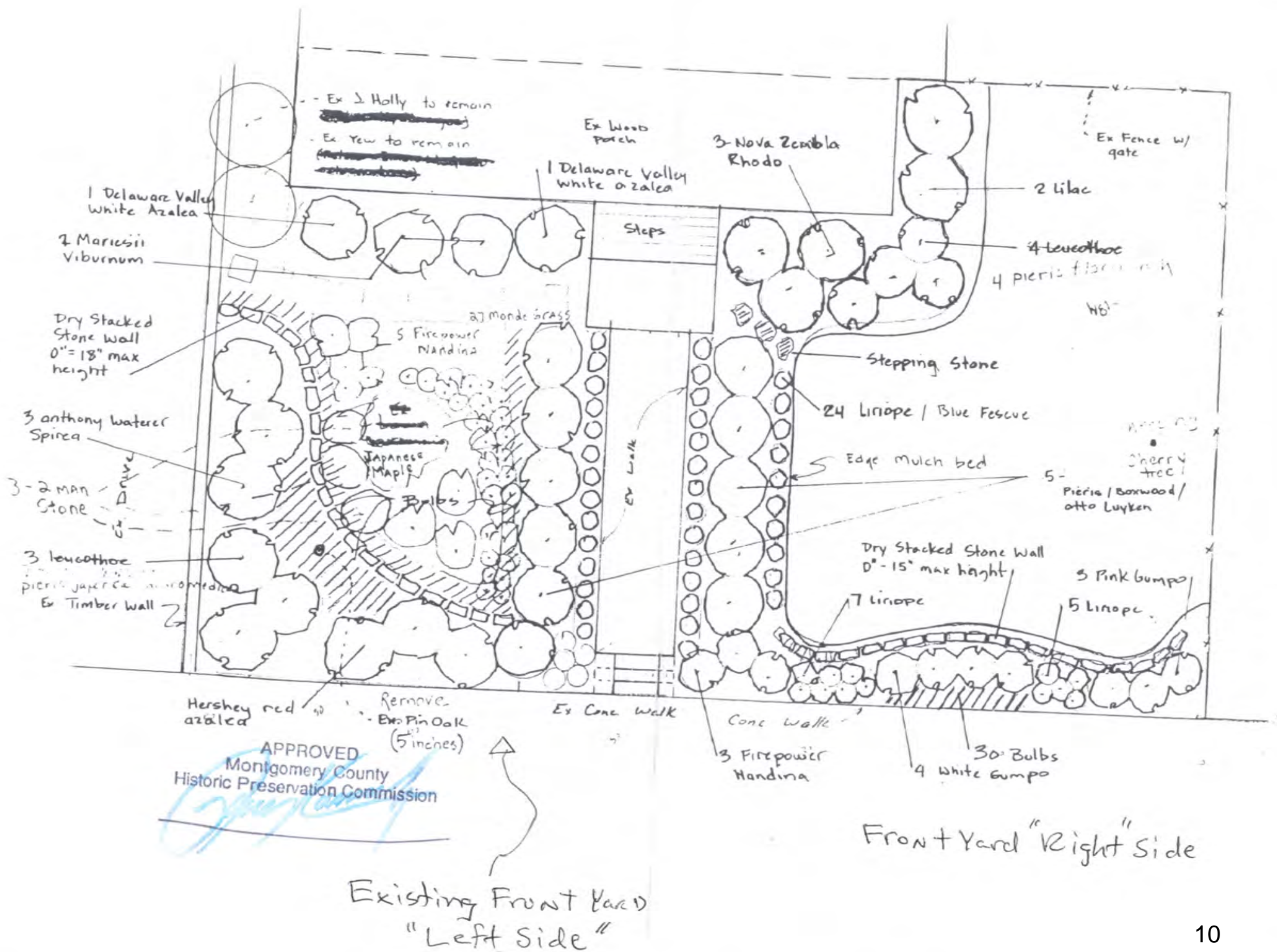
PERMIT CONDITIONS: LANDSCAPE FRONT YARD (SHOWN ON ATTACHMENT)

PREMISE ADDRESS 3806 BALTIMORE ST  
KENSINGTON MD 20895-0000


LOT 21	BLOCK 8	PARCEL	ZONE R-60
LIBER	ELECTION DISTRICT 13	PLATE	GRID
FOLIO	SUBDIVISION		
PERMIT FEE: \$0.00	TAX ACCOUNT NO.:		

HISTORIC MASTER:  
HISTORIC ATLAS: Y


  
Director, Department of Permitting Services





LOCATION DRAWING  
LOT 22 & PART OF LOT 21, BLOCK 3  
**KENSINGTON PARK**  
MONTGOMERY COUNTY, MARYLAND  
Existing Garden Wall 

"New" Garden Wall Approved in 2000 

New Garden Wall Requesting Approval 

BALTIMORE STREET

