

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	4011 Prospect St., Kensington	Meeting Date:	11/17/2021
Resource:	Primary One Resource Kensington Historic District	Report Date:	11/10/2021
Applicant:	James Purse	Public Notice:	11/3/2021
Review:	HAWP	Tax Credit:	No
Case No.:	970598	Staff:	Dan Bruechert
PROPOSAL:	Fence Installation		

STAFF RECOMMENDATION

Staff recommends the HPC **approve** the HAWP.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Primary One Resource within the Kensington Historic District
STYLE: Vernacular
DATE: 1909

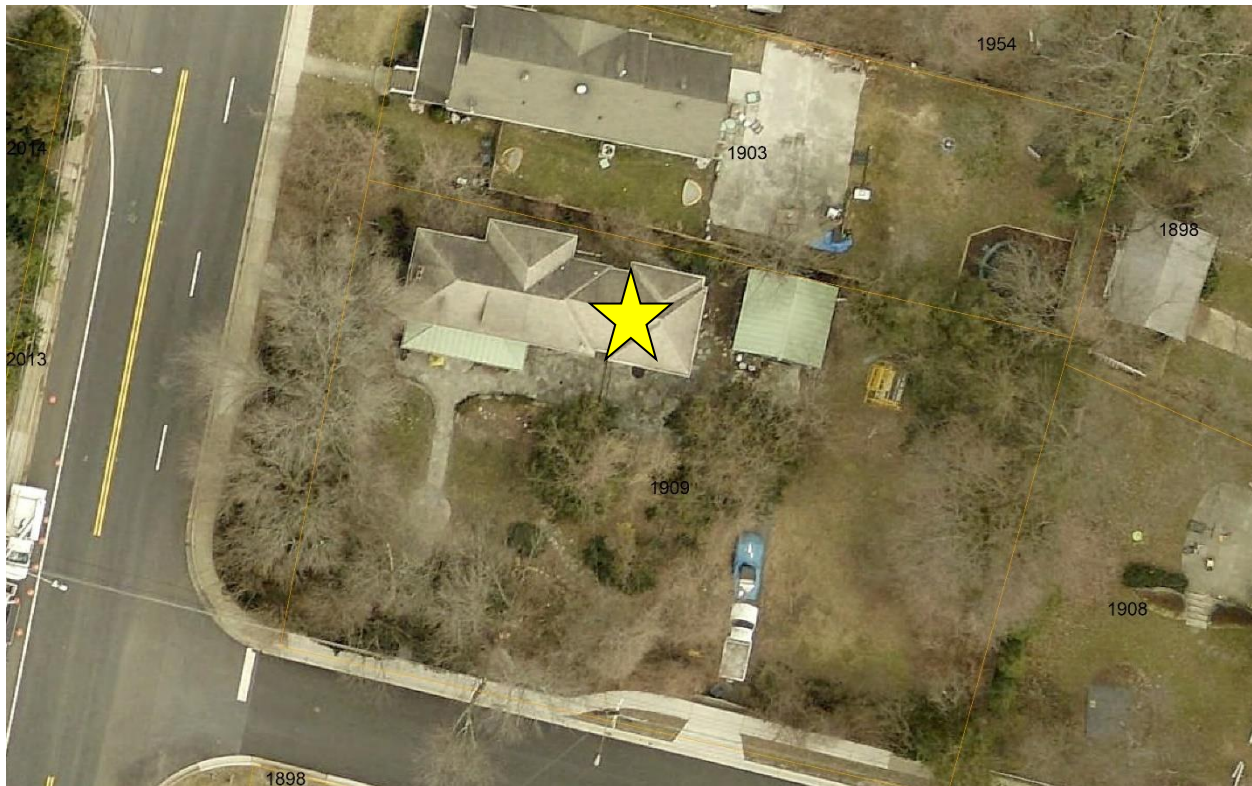


Figure 1: The subject property is at the intersection of Prospect St. and Summit Ave. at the edge of the Kensington Historic District.

PROPOSAL

The applicant proposes to remove the existing chain link and wire fence and to install two types of wood fencing.

APPLICABLE GUIDELINES

Kensington Historic District Guidelines

When reviewing alterations and new construction within the Kensington Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Approved & Adopted Amendment to the Master Plan for Historic Preservation: Kensington Historic District, Atlas #31/6 (Amendment)*, *Vision of Kensington: A Long-Range Preservation Plan (Vision)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Approved & Adopted Amendment to the Master Plan for Historic Preservation: Kensington Historic District, Atlas #31/6

"In regard to the properties identified as secondary resources--that is visually contributing, but non-historic structures or vacant land within the Kensington District--the Ordinance requires the Preservation Commission to be lenient in its judgment of plans for contemporary structures or for plans involving new construction unless such plans would seriously impair the historic or architectural value of surrounding resources or impair the character of the district."

Vision of Kensington: A Long-Range Preservation Plan

The HPC formally adopted the planning study, *Vision of Kensington: A Long-Range Preservation Plan*, and is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. The goal of this preservation plan "was to establish a sound database of information from, which to produce a document that would serve the HPC, M-NCPPC, their staff and the community in wrestling with the protection of historic districts amidst the pressures of life in the 21st century." (page 1). The plan provides a specific physical description of the district as it is; an analysis of character-defining features of the district; a discussion of the challenges facing the district; and a discussion of proposed strategies for maintaining the character of the district while allowing for appropriate growth and change.

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 the 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 DISCUSSION

The subject property is at the intersection of Prospect St. and Summit Ave. at the edge of the Kensington Historic District. The existing yard is surrounded by a combination of chain link and wire fencing with wooden gates for the driveway and pedestrian entrances. The applicant proposes to remove the chain link and wire fences and install new wood fencing.



Figure 2: Looking to the northwest through the subject property.

On the north, east, and south sides of the subject property, the applicants propose to install a 4' (four foot) tall open wood picket fence with 1" × 4" (one inch by four inch) pickets. On the west side of the property, the applicants propose to install a 4' (four foot) tall solid board fence.

The proposed picket fence complies with typical HPC requirements in height, material, and design. Staff finds the picket fence is compatible with the house and surrounding district and should be approved as a matter of course.

The solid fence, however, does not conform to those typical requirements. The applicants indicate their desire for the solid fence is to provide some measure of privacy and potentially reduce some of the traffic noise along Summit Ave. Additionally, there is a bus stop on Summit Ave. directly outside of their yard.



Figure 3: The subject property looking east across Summit Ave.

Staff finds that the fence will help to mitigate the identified impacts without disrupting the sense of openness found throughout the district. First, the applicants' proposed fence is only 4' (four feet) tall, so it will still be possible to look over the fence through the yard. Second, the applicants are only requesting the fence along the Summit Ave. side of the property. Staff can attest that it is a highly traveled road that runs parallel to Connecticut Ave. through Kensington.



Figure 4: The subject property is at the edge of the Kensington Historic District.

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), and the *Vision of Kensington*, and the *Kensington Historic District Designation*, 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, 9, and 10

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 to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# _____
DATE ASSIGNED _____

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

APPLICANT:

Name: James Purse
Address: 4011 Prospect St.
Daytime Phone: 202-489-2471

E-mail: jnpurse@gmail.com
City: Kensington Zip: 20895
Tax Account No.: _____

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 _____
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: 4011 Street: Prospect St
Town/City: Kensington Nearest Cross Street: Summit Ave
Lot: 22 & 23 Block: 10 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 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.

James Purse
Signature of owner or authorized agent

October 14, 2021

Date

Adjacent and Confronting Properties:

Kensington, MD 20895

10306 Summit Avenue

10311 Summit Avenue

4010 Prospect Street

3951 Baltimore Street

4200 Matthews Lane

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

This is a two-story single-family home built on two lots joined together. The home is made of wood and stone, with a mixed steel and shingle roof. There is a detached garage which is one of the original structures on the lot, and that garage is made of wood with a steel roof. The yard is a mix of trees, shrubs, and grass. There is a patchwork hedge around the edge of the property. As part of that hedge there is a wire and metal fence around the entire property, covered with vines and ivy. There are two wooden gates along the fence. One gate is for the stone walkway to the front of the house. The other gate is for access to the asphalt driveway. There is a parking pad made of concrete on the asphalt driveway that extends as a stone patio to the front of the home and connects to the walkway from the other gate.

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

We would like to replace the wire fence around the property with wooden fencing. Fencing had previously been approved in the historical permit approved in August 2000. We would like to put 4 foot tall wooden fence along the front of the property - the side facing Prospect street. We would like to put 4 foot tall wooden fencing along the side of the property that faces Summit Ave. The Summit Ave side of the property is loud and busy and a 4 foot tall privacy fence would reduce the noise and view of the constant cars and traffic. We would like to put a 4 foot tall wooden fence along the rear of the property which faces north, and a 4 foot tall wooden fence along east side of the property as well.

Work Item 1: Replace Fence

Description of Current Condition:

Current
fencing around
the entire
property is a 4
foot tall wire
fence. It is
rusty and
falling apart.

Proposed Work:

We propose putting a 4 foot tall
wooden picket fence along three
sides of the property - the south, east,
and north sides. We would like to also
put a 4 foot tall privacy fence along
the west side of the property facing
Summit Ave.

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	*	*	*	*	*		*



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 10/14/2021

Application No: 970589
AP Type: HISTORIC
Customer No: 1419303

Affidavit Acknowledgement

The Homeowner is the Primary applicant
This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 4011 PROSPECT ST
KENSINGTON, MD 20895

Homeowner Purse (Primary)

Historic Area Work Permit Details

Work Type ADD

Scope of Work Replace existing 4 foot tall wire fencing with 4 foot tall wooden fencing around the property.

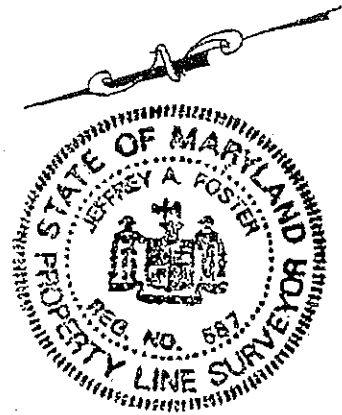
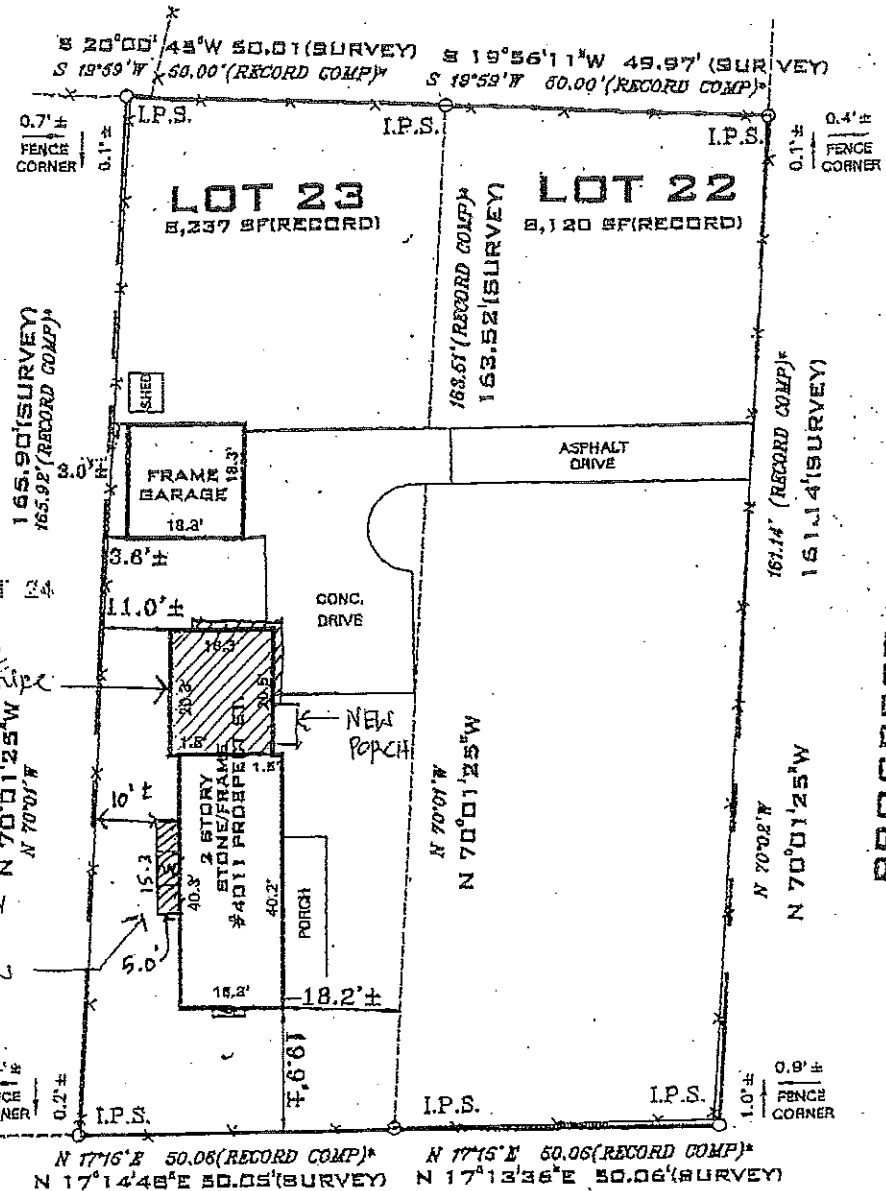
showing the benefit of a Title Report, which may not reflect all easements or encumbrances which may affect subject property.

Notes:

- 1) Flood zone "C" per H.U.D. panel No. 0175C
- 2) All property corners have been recovered or set and verified per field survey performed: AUGUST 21, 23, 24 & 28, 2000
- 3) I.P.F. Indicates iron pipe found. I.P.S. Indicates iron pipe set. P.O.L. Indicates hub set along property line.
- 4) Total area = 16,351 SF(SURVEY)
- 5) Total area = 16,357 SF(RECORD)
- 6) * Bearings (Comp)-protracted based on plat's north arrow.

LOT 20

LOT 21



SECOND STORY ADDITION ABOVE EXISTING STRUCTURE

2 STORY FRAME ADDITION

PLAT OF SURVEY
LOTS 22 & 23, BLOCK 10
KENSINGTON PARK
MONTGOMERY COUNTY, MARYLAND

SUMMIT AVENUE

COUNTY ROAD (PER PLAT)

APPROVED
Montgomery County
Historic Preservation Commission

Building Line and/or Flood Zone Information is taken from Available Sources and is Subject to Interpretation of Originator.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN.

REFERENCES

PLAT BK. B
PLAT NO. 4

LIBER 933
FOLIO 331



SNIDER ASSOCIATES
SURVEYORS - ENGINEERS
LAND PLANNING CONSULTANTS
2 Professional Drive, Suite 218
Gaithersburg, Maryland 20879
301/948-5100, Fax 301/948-1286

DATE OF LOCATIONS
WALL CHECK
ESE. LOC.: 08-21-2000
PROP. CORS.: 08-28-2000

SCALE: 1"=30'
DRAWN BY: F.A.
JOB NO.: 2000-3547b

Jeffrey A. Foster
MARYLAND PROPERTY LINE SURVEYOR REG. NO. 687

4 ft x 8 ft Pre-assembled Wood Picket Sections from Mid Atlantic Deck & Fence Co

https://www.midatlanticdeckandfence.com/wp-content/uploads/2017/03/Wood_Fence_Catalog_2017.pdf

