

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	3927 Prospect St., Kensington	Meeting Date:	6/14/2023
Resource:	Primary One Resource Kensington Historic District	Report Date:	6/7/2023
Applicant:	Marshall Presser & Nancy Sherman	Public Notice:	5/31/2023
Review:	HAWP	Staff:	Dan Bruechert
Case No:	1025925	Tax Credit:	No
Proposal:	RETROACTIVE Porch Decking Replacement		

STAFF RECOMMENDATION

Staff recommends the HPC **deny** the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Primary One Resource within the Kensington Historic District
STYLE: Colonial Revival/Queen Anne
DATE: 1903

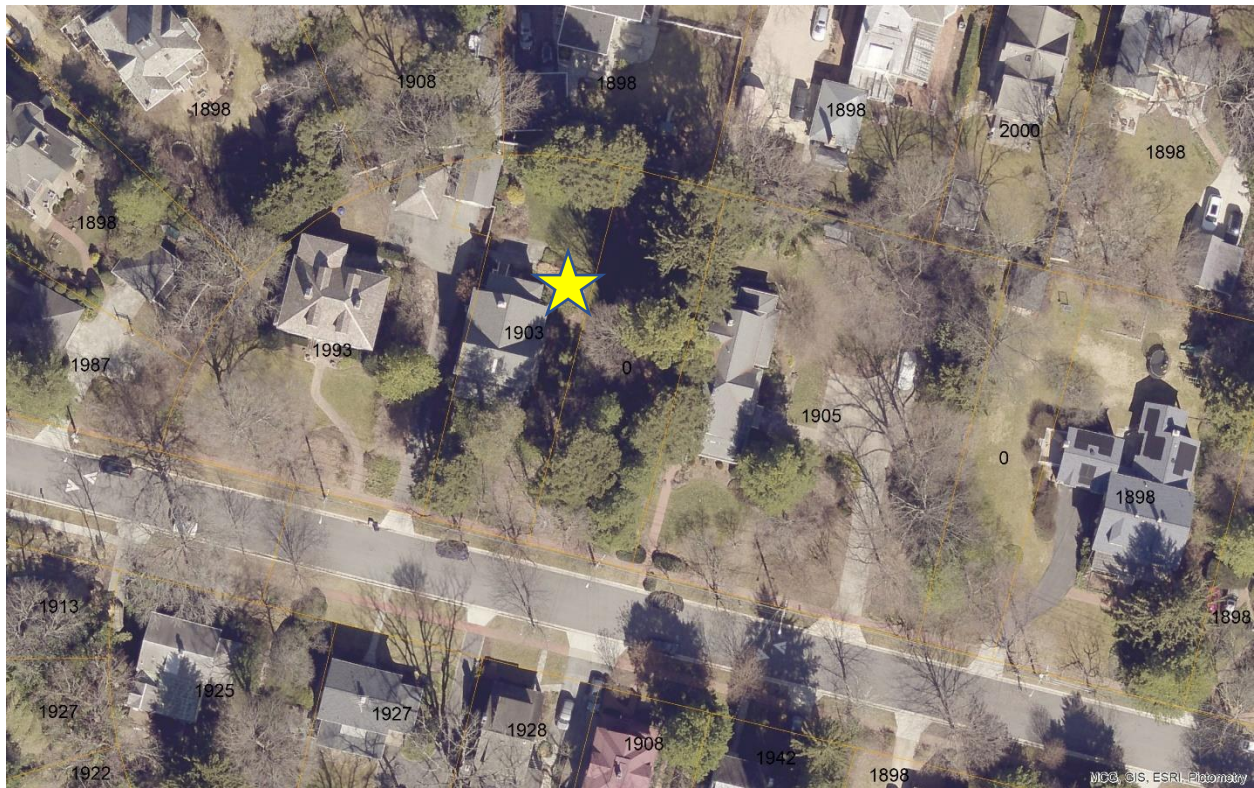


Figure 1: The subject property is constructed on a double lot in the Kensington Historic District.

PROPOSAL

The applicant proposes to replace the wood tongue and groove porch decking with TimberTech by Azek. This work has been completed, but is reviewed as if the work has not been undertaken.

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

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (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
- (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.
- (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.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
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.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The subject property is a side-gable Colonial Revival house with clapboard siding and a pair of front-facing gable dormers. The house has a full-width front porch covered by a low-pitched hipped roof. Within the last year, the applicant removed and replaced the wood tongue and groove front porch decking and replaced with TimberTech by Azek cellular PVC tongue and groove flooring. This alteration was submitted as part of an application for the County’s historical rehabilitation tax credit along with other items. Staff determined that the work was not an in kind replacement and required the Historic Area Work Permit for the material alteration to the porch flooring. The applicant was uncertain of the exact product line installed, but having reviewed the available products on the website, it appears to be the Harvest Collection: https://www.timbertech.com/product/azek-harvest-collection/?attribute_pa_color=slate-gray. The front porch stairs and wood railing have been retained. Though the work has been completed, the HPC is charged to review the HAWP as though no work has been undertaken.

The photos of the previously installed porch decking show areas of rot and warping. Some photos are close-ups with little context, but Staff finds the wood tongue and groove porch decking had deteriorated.

Staff finds the appropriate material to replace deteriorated wood porch decking is wood. Wood flooring is still widely available, can be milled to match the dimensions and appearance of the historic material, and if the porch roof is maintained, is partially protected from the elements. Replacing the wood porch decking with wood is eligible for the County's historic preservation tax credit and would be an in-kind replacement that does not require a HAWP.

Staff finds porches are a character-defining feature of the Kensington Historic District and the subject property. Porches are also a typical architectural feature of Victorian and early revival styles. The *Vision of Kensington* documented that 84% of residences had porches when the survey was completed in 1992. Staff finds maintaining the porches in design and material is integral to maintaining the historic character of the Kensington Historic District.

The deficiencies in the quality of contemporary lumber are well known. Its growth rate is valued above its strength, so the wood available today is much less durable than the lumber available even a few decades ago. In several applications engineered lumber products have replaced milled lumber and are widely available to provide the strength needed for structural applications (like ceiling joists or roof trusses), so the strength of the milled lumber is not a concern in these uses.

Staff finds the HPC has allowed substitute materials on decks in limited applications. The typical requirements are that the proposed decking material will be installed adjacent to new (or non-historic construction) that does not abut historic fabric. This means that it has been approved on non-contributing resources and on building additions. These substitute materials have not been approved on any Master Plan Sites or on outstanding or contributing resources within Historic Districts. The HPC's second consideration is the quality and characteristics of the proposed replacement materials. Some materials are better at mimicking the visual and physical characteristics of wood, while other substitute materials wind up looking plastic-y and/or feeling hollow. Specifically, the HPC has approved Aeratis decks and porches on new construction at the rear of different resource types, and in more visible locations on non-contributing resources only in the Takoma Park and Chevy Chase Historical Districts. On May 24, 2023, the HPC approved a TimberTech deck at the rear of a house (constructed in 2003) in the Brookfield Historic District. This was the first instance of the HPC approving the proposed material. Based on observations at a site visit for the subject property, Staff finds the proposed material looks and feels more like wood than Trex, but has a deeply stamped faux grain pattern and reflective sheen that is not consistent with painted or stained wood decking.

Staff finds the proposed front porch replacement with a material that is not consistent with the visual characteristics of wood, should be denied under Standard 6 and 24A-8(a). Staff does not find the proposal is compatible in character with wood (24A-8(b)(2)), or that allowing the porch replacement would enhance the preservation of the historic house (24A-8(b)(3)), or that the proposal is necessary to remedy an unsafe or hazardous condition (24A-8(b)(4)), or that the owner will suffer and undue hardship (24A-8(b)(5)), or that the general public is better served by approving the HAWP (24A-8(b)(6)).

In applying the Standards, Staff finds the porch replacement would be detrimental to the character of the property (per Standard 2) and that the work runs counter to Standard 6 which requires the repair or replacement in-kind of significant deteriorated features. Staff recommends a durable wood species be selected to replace the porch decking.

STAFF RECOMMENDATION

Staff recommends that the Commission **deny** the HAWP application under the Criteria for Issuance in Chapter 24A-8(a), having found that the proposal would be inappropriate, inconsistent with, and detrimental to the preservation, enhancement, and ultimate protection of the historic resource and is incompatible in character with the historic resource and the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standards for Rehabilitation* #2, #6, and #9.



APPLICATION FOR HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP#
DATE ASSIGNED

APPLICANT:

Name: E-mail:
Address: City: Zip:
Daytime Phone: Tax Account No.:

AGENT/CONTACT (if applicable):

Name: 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? 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: 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:

- New Construction, Addition, Demolition, Grading/Excavation, Deck/Porch, Fence, Hardscape/Landscape, Roof, Shed/Garage/Accessory Structure, Solar, Tree removal/planting, Window/Door, 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.

Signature of owner or authorized agent

Date

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

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

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

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

Work Item 1: _____	
Description of Current Condition:	Proposed Work:

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

Rabbiah Sabbakhan
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 3/27/2023

Application No: 1025925
AP Type: HISTORIC
Customer No: 1460931

Comments

In order to preserve the porch and hence maintain one of the older houses in the Kensington Historic District, we have used a synthetic material that has the appearance of wood and will not rot out over time.

Affidavit Acknowledgement

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

Primary Applicant Information

Address 3927 PROSPECT ST
KENSINGTON, MD 20895

Homeowner Presser (Primary)

Historic Area Work Permit Details

Work Type RESREP

Scope of Work The front porch of the property has been repaired many times over the more than 30 years we have lived in the house. Not only do the floor boards rot out due to water damage, but the underlying support structure is in need of repair.

Adjacent and Confronting Properties:

Kensington, MD 20895

3927 Prospect Street

3929 Prospect Street

3926 Prospect Street

3928 Prospect Street

3928 Baltimore Street

3934 Baltimore Street









