

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

<b>Address:</b>	3924 Prospect St., Kensington	<b>Meeting Date:</b>	10/25/2023
<b>Resource:</b>	Primary One Resource <b>Kensington Historic District</b>	<b>Report Date:</b>	10/18/2023
<b>Applicant:</b>	Katie Walsh (Backyard Bounty, Agent)	<b>Public Notice:</b>	10/11/2023
<b>Review:</b>	HAWP	<b>Staff:</b>	Dan Bruechert
<b>Case No:</b>	1045393	<b>Tax Credit:</b>	n/a
<b>PROPOSAL:</b>	Hardscape Alteration		

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**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Primary One Resource within the Kensington Historic District  
**STYLE:** Queen Anne  
**DATE:** 1908



*Figure 1: The subject property is located on the south side of Prospect Street.*

**PROPOSAL**

The applicant proposes to relay the existing brick paths on the subject property and widen the portion from the driveway to the front porch.

**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***

The district is architecturally significant as a collection of late 19th and early 20th century houses that exhibit a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake, and Colonial Revival. The houses share a uniformity of scale, setbacks, and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb.

***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.
- (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 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 two-story, clapboard-sided Primary Resource in the Kensington Historic

District. There are two brick walkways in the front yard, one from the sidewalk to the front porch and the other from the driveway to the front porch. The applicant proposes to remove the existing bricks and lay a new, wider, brick path from the sidewalk to the front porch. The new brick walk will be set in a herringbone pattern. The applicant also proposes to construct a new crushed gravel walk, edged by bricks, on the left (east) side of the house. No trees will be impacted by the proposed work. Staff finds the proposal will not have a significant impact on the character of the site or surrounding district and recommends approval.

The proposed work is relatively straightforward and, were it not for the widening of the front walk, the proposed work would be approved under the Staff-Level authorization. The applicant proposes to reuse as much of the material as possible and use reclaimed bricks where necessary.

Staff finds the proposed material matches the existing condition of the front walk and is also compatible with the character of the surrounding streetscape. Staff additionally finds the enlarged walkway is not out of character with the site or surrounding driveway. Finally, Staff finds the crushed gravel walk around the side of the house will not detract from the character of the house or surrounding streetscape. Staff recommends the HPC approve the HAWP under 24A-8(b)(1), (2), and (d); and Standard 2.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve** the HAWP application; under the Criteria for Issuance in Chapter 24A-8(b)(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, with the *Vision of Kensington*, 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 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.



APPLICATION FOR HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP#
DATE ASSIGNED

APPLICANT:

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
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: 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]

<b>Owner's mailing address</b>	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	

**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:

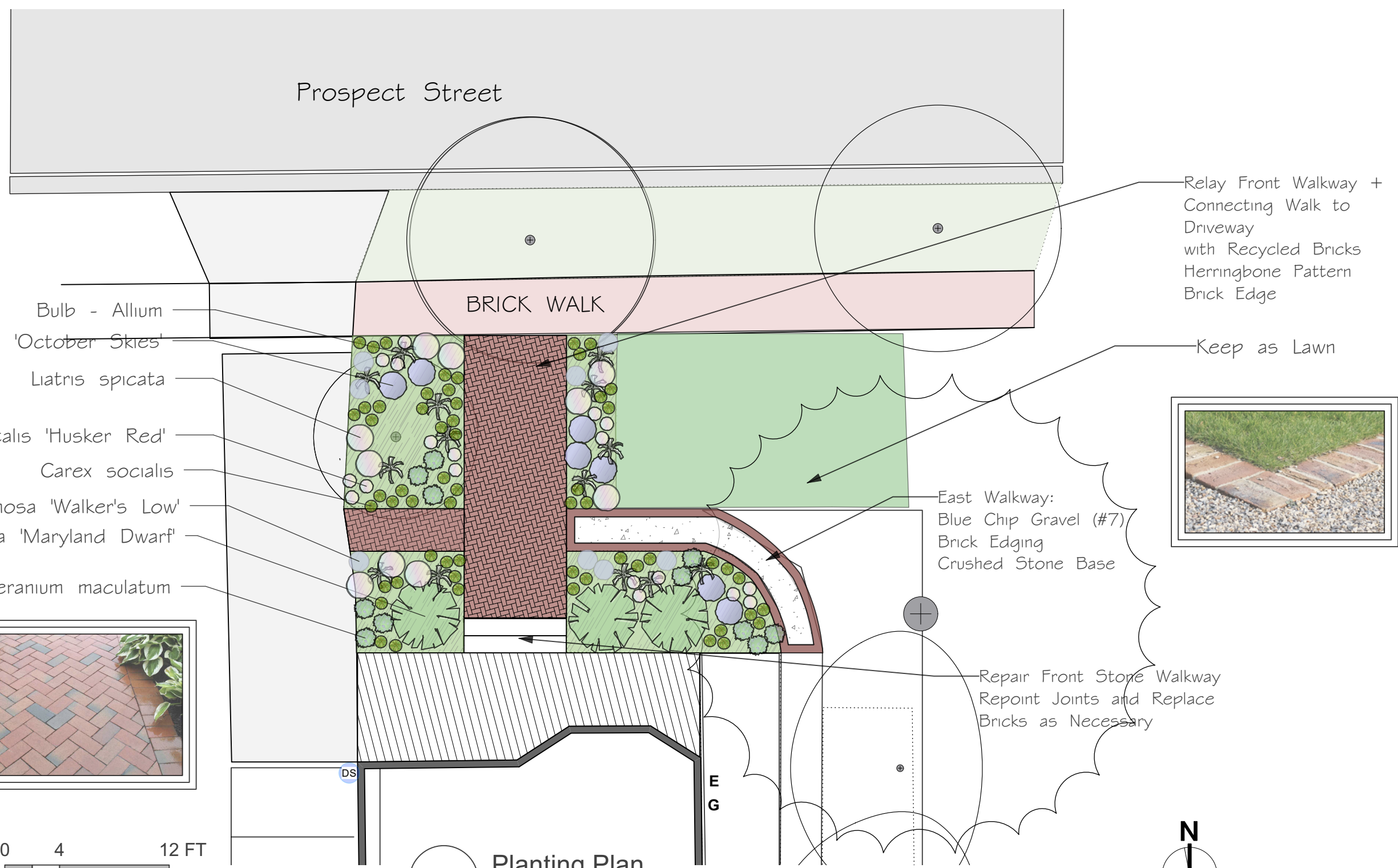
Work Item 1: _____	
Description of Current Condition:	Proposed Work:

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

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



Type	Scientific Name	Common Name	Size	Qty	Spacir	Ecological Benefit
SHRUB	<i>Ilex opaca Maryland Dwarf</i>	American Holly	7G	3	5' o/c	CW,NP,HP,FW
PER.	<i>Allium x Millenium</i>	Ornamental Onion	1G	18	18" o/c	NP
PER.	<i>Amsonia tabernaemontana 'Storm Cloud'</i>	Blue star	1G	6	3' o/c	CW,NP,FW
PER.	<i>Aster oblongifolius 'October Skies'</i>	Aromatic aster	2G	9	18" o/c	CW,NP,HP
PER.	<i>Geranium maculatum Crane Dance</i>	Wild Geranium	1G	12	12" o/c	CW,NP,HP
PER.	<i>Liatris microcephala</i>	Dwarff Blazing Star	1G	12	12" o/c	CW,NP,HP
PER.	<i>Nepeta x Walker's Low</i>	Catmint	2G	9	18" o/c	CW,NP,HP
PER.	<i>Penstemon digitalis Pocahontas</i>	Foxglove Beardtongue	1G	18	18" o/c	CW,NP,HP
GRASS	<i>Carex socialis</i>	Social Sedge	1QT	75	12" o/c	CW



Front Entry Project

Walsh Residence  
 3924 Prospect Street  
 Kensington, MD 20895

Date: 8.11.2023  
 Designer: Kelley M. Heim  
 Mark Dennis  
 Drawn by: K. Heim  
 Scale: As Noted  
 Sheet: 4

**1** Planting Plan  
 Scale: 1/8" = 1'-0"