

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	3932 Washington Street, Kensington	Meeting Date:	1/8/2025
Resource:	Primary One Resource Kensington Historic District	Report Date:	12/31/2024
Applicant:	Dejan Bujak	Public Notice:	12/25/2024
Review:	HAWP	Tax Credit:	No
Case No.:	1095479	Staff:	Laura DiPasquale
Proposal:	Tree removal		

STAFF RECOMMENDATION

Staff recommends the HPC **approve with one (1) condition** the HAWP application with final approval delegated to staff:

1. The applicants must plant one new tree on the property.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Primary Resource within the Kensington Historic District
STYLE: Colonial Revival (Altered)
DATE: c. 1898



Figure 1: Location of the subject property.

PROPOSAL

The applicant proposes to remove one pine tree in the front yard of the subject property.



Figure 2: The tree proposed for removal.



Figure 3: Streetview image of the subject property from Washington Street showing the pine to be removed and surrounding trees in bloom.

APPLICABLE 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

According to the Guidelines, a Historic District as identified...shall consist of the entire area represented by all of the historic resources with their appurtenances and environmental setting. Non-historic properties within the boundaries of the Historic District are also subject to regulation, as they are considered appurtenances and part of the environmental setting of the historic resources 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 as noted on Page 1 "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." 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.

Kensington is a suburban community, defined by its curvilinear streets, garden settings, and large, nineteenth century, free-standing residences. Its architecture and planned landscapes exhibit Kensington's late nineteenth century development as a summer retreat from the heat and congestion of Washington... The Kensington Historic District presents a well-preserved, turn-of-the-century garden suburb. The district is distinguished by its open development pattern, its rich variety of revival architecture, and its historic relationship to the railroad... The residential areas are dominated by engaging free-standing Queen Anne style residences sited within large garden settings.

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 read 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

Staff supports the proposed tree removal and recommends approval, provided a new tree is planted on the property. Staff finds that, while large, the existing tree does not contribute to the immediate street canopy, and that its removal will not substantially alter the exterior features of the historic resource or its presence as a garden suburb, in keeping with the *Vision*, Chapter 24A-8(b)(1) and *Standard 2*. Staff further finds that the report from the certified tree expert submitted with the application states that the tree is in close proximity to the house and is at risk of failure owing to wind. With this information, staff finds that the proposal is necessary in order to remedy an unsafe condition, pursuant to Chapter 24A-8(d).

STAFF RECOMMENDATION

Staff recommends the HPC **approve with one (1) condition** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1) and Chapter 24A-8(d), having found that the proposal, as modified by the condition, will not substantially alter the exterior features of the historic resource and is compatible in character with the purposes of Chapter 24A:

1. The applicant must plant one new tree on the subject property;

and with the *Vision of Kensington*;

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 301-495-2167 or laura.dipasquale@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# 1095479
DATE ASSIGNED

APPLICANT:

Name: Dejan Bujak
Address: 3932 Washington St
Daytime Phone: 301-675-1682

E-mail: DejanBujak@gmail.com
City: Kensington Zip: 20895
Tax Account No.: 01025858

AGENT/CONTACT (if applicable):

Name:
Address:
Daytime Phone:

E-mail:
City: Zip:
Contractor Registration No.:

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property M: 31-6

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: 3932 Street: Washington St
Town/City: Kensington Nearest Cross Street: Prospect St
Lot: 51 Block: 13 Subdivision: 0015 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: Dejan Bujak
Date: 12/02/2024

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:

The property is "pizza" shaped with a lot of space in the back. The lot is flat. Historic house was built in 1894. We put addition to the house 12 years ago.

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

Remove a pine tree in front of the house that is leaning towards and over the house.

Work Item 1: Remove pine tree

Description of Current Condition:
(please see letter from the arborist)

The pine tree is dangerously leaning toward the house and our daughter's bedroom. It is in danger of imminent failure when it's windy, even falling branches are a hazard, let alone the whole tree.

Proposed Work:
Remove the pine tree.

Work Item 2: n/a

Description of Current Condition:

Proposed Work:

Work Item 3: n/a

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	*	*	*	*	*		*



www.exactland.com | office: 443.819.3994

PROPERTY ADDRESS: 3932 WASHINGTON STREET, KENSINGTON, MARYLAND 20895

2203-5397
LOCATION DRAWING
MONTGOMERY COUNTY

PLEASE NOTE:
THE LEGAL DESCRIPTION PROVIDED FOR THIS
PARCEL IS INADEQUATE. THE COUNTY PLAT IS
ILLEGIBLE. IT IS RECOMMENDED THAT A
BOUNDARY SURVEY AND NEW LEGAL
DESCRIPTION BE PREPARED FOR THE
PROPERTY. THE BOUNDARY LINES SHOWN ON
THIS LOCATION SURVEY REPRESENT A BEST
FIT FROM THE AVAILABLE INFORMATION.
DESCRIPTION HAS A
MISCLOSURE OF 0.66'.



18'X36' INGROUND
CONCRETE WITH STONE
COPING

POOL EQUIPMENT

PART
LOT 52
S 42° 59'06" E
0.36' (D)

N 47° 00' 54" E 165.25' (C)

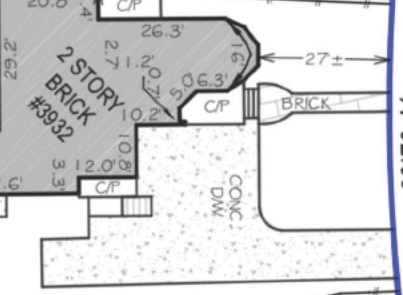
N 46° 19' 40" E
30.00' (D)

N 47° 00' 54" E
48.15' (D)

N 67° 30' 19" W 104.88' (D)
CHEVY CHASE VIEW
PLAT 12138

BLOCK 13
17,805 S.F.

LOT 51



R=395.00'
A=62.05'

WASHINGTON STREET

S 37° 55' 03" W 206.89' (D)

EXISTING FENCE TO POOL
CODE

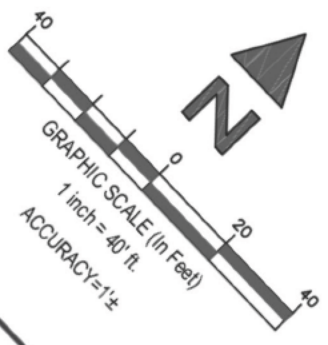
LOT 50



Krobath
Land Surveyor
28-2022

SURVEYORS CERTIFICATION:
A LICENSEE EITHER PERSONALLY PREPARED
THIS DRAWING OR WAS IN RESPONSIBLE
CHARGE OVER ITS PREPARATION AND THE
SURVEYING WORK REFLECTED IN IT, ALL IN
COMPLIANCE WITH REQUIREMENTS SET
FORTH IN REGULATION 12 OF CHAPTER
09.13.06 OF THE CODE OF MARYLAND
ANNOTATED REGULATIONS.

POINTS OF INTEREST:
NONE VISIBLE



1220 E. Churchville Rd, Suite 100



Exacta Land Surveyors, LLC
office: 443.819.3994
18421535
Bel Air, MD 21014

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

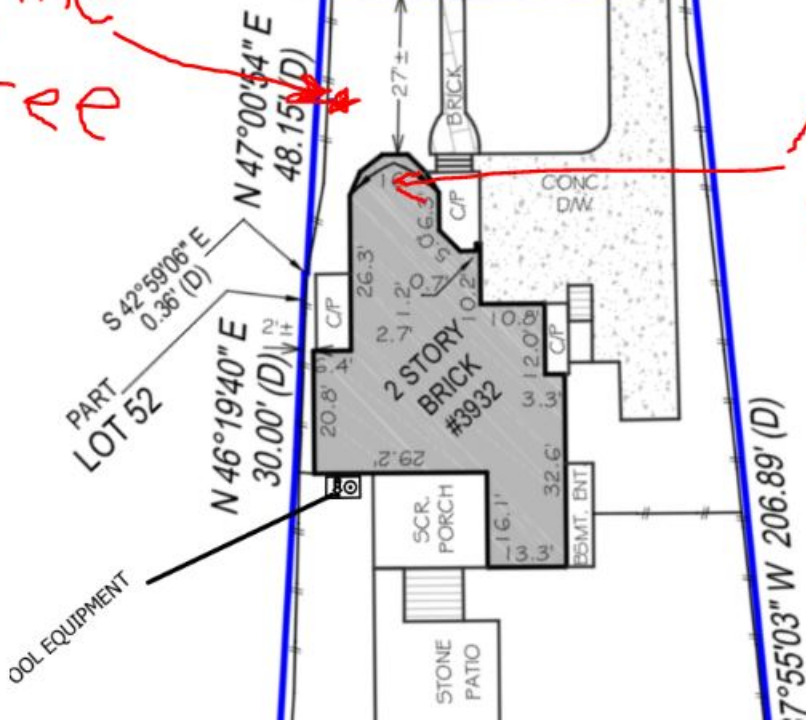
This Ho...
information...
Maryland Stat...
relied upon to det...
boundaries and may...
for building permits or co...

WASHINGTON STREET

$R=395.00'$
 $A=62.05'$

Pine Tree

Mia's Bedroom





Romeo's Tree Service Inc
8060 Springfield Road
Glenn Dale MD 20769
240-602-2705 - Office
240-455-8474 - Romeo
romeostreeservice.com
romeo.pineda@yahoo.com

November 21st, 2024

To Whom it May Concern:

I provided an estimate for Removing a pine tree for Jodi and Dejan Bujak at the property address of 3932 Washington St, Kensington, MD 20895. It is in danger of imminent failure when it's windy and is in very close proximity to the house and power lines, even falling branches are a hazard, let alone the whole tree.

If you have any questions or concerns please contact me at (240)455-8474.

Romeo Pineda
License Tree Expert
LTE No. 002003

MIA's
bedroom







DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 12/2/2024

Application No: 1095479
AP Type: HISTORIC
Customer No: 1508673

Affidavit Acknowledgement

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

Primary Applicant Information

Address 3932 WASHINGTON ST
KENSINGTON, MD 20895

Homeowner Bujak (Primary)

Historic Area Work Permit Details

Work Type DEMO

Scope of Work Remove a pine tree in front of the house.