

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

<b>Address:</b>	51 Elm Ave., Takoma Park	<b>Meeting Date:</b>	09/5/18
<b>Resource:</b>	Contributing Resource <b>Takoma Park Historic District</b>	<b>Report Date:</b>	08/28/18
<b>Applicant:</b>	Mark Murray & Aleksandra Johnson	<b>Public Notice:</b>	08/22/18
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	37/03-18GGG	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Fence Construction and Hardscape Alteration		

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**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing to the Takoma Park Historic District  
**STYLE:** Craftsman  
**DATE:** c.1916

The subject property is a stucco, side gable, two-story, side-gable, bungalow, three bays wide, with a large front gable dormer.



Figure 1: 51 Elm Ave. is shown at the center of the map (the Historic District boundaries are shaded red).

**PROPOSAL**

The applicant proposes to install new fencing and to construct a hardscaped play area.

**APPLICABLE GUIDELINES**

When reviewing alterations and new construction within the Takoma Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendment for the Takoma Park Historic District (*Guidelines*), 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.

***Takoma Park Historic District Design Guidelines***

There are two very general, broad planning and design concepts which apply to all categories. These are:

The design review emphasis will be restricted to changes that are at all visible from the public right-of-way, irrespective of landscaping or vegetation (it is expected that the majority of new additions will be reviewed for their impact on the overall district), and,

The importance of assuring that additions and other changes to existing structures act to reinforce and continue existing streetscape, landscape, and building patterns rather than to impair the character of the district.

Contributing Resources should receive a more lenient review than those structures that have been classified as Outstanding. This design review should emphasize the importance of the resource to the overall streetscape and its compatibility with existing patterns rather than focusing on a close scrutiny of architectural detailing. In general, however, changes to Contributing Resources should respect the predominant architectural style of the resource. As stated above, the design review emphasis will be restricted to changes that are at all visible from the public right-of-way, irrespective of landscaping or vegetation (it is expected that the majority of new additions will be reviewed for their impact on the overall district).

Some of the factors to be considered in reviewing HAWPs on Contributing Resources include:

All exterior alterations, including those to architectural features and details, should be generally consistent with the predominant architectural style and period of the resource and should preserve the predominant architectural features of the resource; exact replication of existing details and features is, however, not required

Major additions should, where feasible, be placed to the rear of existing structures so that they are less visible from the public right-of-way; additions and alterations to the first floor at the front of a structure are discouraged, but not automatically prohibited

Original size and shape of window and door openings should be maintained, where feasible.

Some non-original building materials may be acceptable on a case-by-case basis; artificial siding on areas visible to the public right-of-way is discouraged where such materials would replace or damage original building materials that are in good condition

Alterations to features that are not visible from the public right-of-way should be allowed as a matter of course

All changes and additions should respect existing environmental settings, landscaping, and patterns of open space.

***Montgomery County Code, Chapter 24A Historic Resources Preservation***

(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 insure 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

**STAFF DISCUSSION**

The applicant proposes to expand the existing 6’ (six foot) stockade fence and to install a hardscaped play area. Staff supports approval of the proposed work.

**Fence Installation**

The applicant proposes to extend an area of existing fencing forward along the east (left) property boundary, then extend it to the left of the house. This section of fencing will include a gate. The proposed fence will match the existing 6’ (six foot) tall, stockade-style fence that partially encloses the rear yard.

The design and materials are in keeping with the fences found throughout the Takoma Park Historic District. Typically, the HPC does not approve residential fences taller than 48” (forty-eight inches) in front of the rear wall plane. In this instance, however, Staff supports approval of the non-conforming fence due to the steep drop-off of the grade from the street level to the rear yard. Staff estimates that the grade drops approximately 4’ (four feet) from the front porch to the front of wall plane of the house. This drop-off is shown in the photo #3 of the attached application materials. Staff finds that the proposed fence will only project approximately 2’ (two feet) above grade at the public right-of-way and will not disrupt the existing pattern of open space found in this section of the Takoma Park Historic District (per the *Design Guidelines*).



Figure 2: House and side yard showing the drop off and significant vegetation.



Figure 3: Slope at the front of the property rising several feet at the front of the porch.

The applicant additionally proposes to install a section of 36" (thirty-six inch) tall open picket, wood fencing to enclose a vegetable garden in the southwest (rear, right) corner of the lot. All of this proposed fencing is in the rear yard and much of it will be obscured by the existing garage. While not included with the application submission, the applicant has provided this drawing for

the fence to be constructed on site surrounding the vegetable garden:

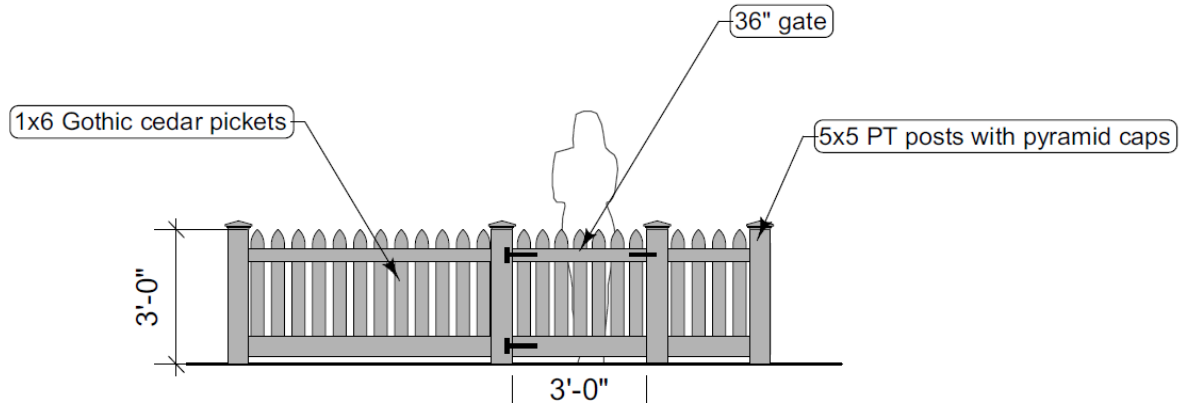


Figure 4: Design of fence to be installed in the rear of the yard surrounding the vegetable garden.

Staff finds that this fence uses an appropriate design, height, and materials for the site and surrounding district and supports its approval.

### Hardscape Play Area

The applicant proposes to install a 20' × 15' (twenty feet by fifteen feet) hardscaped sport court with a basketball hoop. Sport Court is a perforated set of plastic interlocking tiles set on a crushed stone bed (see the attached product literature) to create a flat, durable playing surface for a sports and outdoor activities. The court will be located near the northeast (front, left) corner of the property enclosed by the new area of fencing.

Traditionally, this type of feature would be added in front of or adjacent to a detached garage or to the rear of the house. However, the driveway for the subject property only runs as far back as the side lot of the house and further to the rear has been removed and landscaped. Staff's evaluation of this proposal is most analogous to a proposed tennis court.



Figure 5: A similar sized court shown in associated product literature (note: the tall black fencing is not proposed as part of this HAWP).

Staff finds that the rear yard of the subject property is large enough to accommodate the 300 ft<sup>2</sup> (three hundred square foot) area proposed as part of this HAWP. Staff finds that an area near the perimeter of the yard is the preferred location for this type of feature to lessen the visual impact on the historic house and surrounding district. In this instance, the applicant proposes to install the court in the side yard to the left of the house.

While an area behind the house would be preferable, Staff supports approval of the selected location for several reasons. First, the proposed location sits several feet below the grade from the public right-of-way and one would likely need to be directly in front of the court to see it. This new feature's impact on the historic character of the house, when viewed from the public right-of-way, will not be significantly altered (per 24A(8)(b)(1)), because the court sits below street-level. Second, the chosen placement will not impact any of the mature trees or their roots on the site. The proposal has been reviewed by the Takoma Park Arborists who determined that a tree protection plan is not required for this proposal. This will preserve the mature tree canopy and preserve the park-like setting of the surrounding district. Third, the lot has a significant grade change and the identified location will require the least amount of re-grading. In addition to the steep drop off at the front of the property, the lot continues to slope away from Elm Ave. So much so that at the rear of the house three full floors are expressed [insert photo]. The chosen location is the flattest part of the lot and will not require extensive re-grading or retaining walls construction. This placement will allow for more extensive preservation of the natural topography and the environmental setting of the district (per the *Design Guidelines*) than another location.

The sport court is made up of arranging perforated plastic tiles on a crushed stone surface. From the public right-of-way, Staff finds that the material will read as solid hardscaping, akin to a small tennis court or patio. This material has the benefit of providing a usable stable surface while still not adding additional impervious surface to the lot. Sport court is available in a wide variety of colors, however, the applicant has not included a proposed color with this HAWP. Regardless, color choice is not subject to HPC approval, only the material appropriateness. Staff finds that had the applicant proposed a stained concrete or asphalt pad, Staff would support approval as an appropriate material. Finding that these are the closest analogies, Staff supports the sport court as an appropriate material.

Finally, as the Sport Court is constructed using interlocking tiles, it can be easily removed in the future and the crushed stone base can be removed or covered with fill. This proposal will not permanently impact the historic property or the surrounding district and is easily reversible (per Standard 9).

Staff supports approval of this HAWP.

### **STAFF RECOMMENDATION**

Staff recommends the HPC **approve** the HAWP application; and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling

the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.

#847150



DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

APPLICATION FOR  
HISTORIC AREA WORK PERMIT

Contact Email: Mark.Murray@nbcuni.com Contact Person: Mark Murray  
Daytime Phone No.: 202-365-8806  
Tax Account No.: 01065045  
Name of Property Owner: Mark Murray / Aleksandra Johnson Daytime Phone No.: 202-365-8806  
Address: 51 Elm Avenue Takoma Park MD 20912  
Street Number City State Zip Code  
Contractor: Expert Fence / Evergro Landscaping Phone No.: 703-751-3008 / 301-464-500  
Contractor Registration No.: 130588 / 97841  
Agent for Owner: ~~Ed Catton~~ Daytime Phone No.: ~~202-255-2585~~

LOCATION OF BUILDING/PREMISE

House Number: 51 Street: Elm Avenue  
Town/City: Takoma Park Nearest Cross Street: Westmoreland / Pine  
Lot: 23 Block: 18 Subdivision: Pinecrest  
Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct  Extend  Alter/Renovate
- Move  Install  Wreck/Raze
- Revision  Repair  Revocable

CHECK ALL APPLICABLE:

- A/C  Stab  Room Addition  Porch  Deck  Shed
- Solar  Fireplace  Woodburning Stove  Single Family
- Fence/Wall (complete Section 4)  Other: Tile sport court

1B. Construction cost estimate: \$ 15,000.00

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_  
2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 6 feet 00 inches  
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:  
 On party line/property line  Entirely on land of owner  On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Mark Murray  
Signature of owner or authorized agent

8/2/2018  
Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: 847150 Date Filed: 8/2/18 Date Issued: \_\_\_\_\_  
*EME*

AUG 02 2018



**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE  
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

**1. WRITTEN DESCRIPTION OF PROJECT**

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

Much of our backyard does not have a fence - and so our project is to put a fence around it. The project includes a proposed fence where there is currently no fence, plus new fence to match the existing fence.

Another part of the project is a tile, permeable "sport court," where we can put a basketball hoop.

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The city arborist already approved of the distance between our fence and the nearest significant tree - a holly tree.

The arborist also approved of our "sport court."  
See attached at end of application

**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

**3. PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

**4. MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

**5. PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

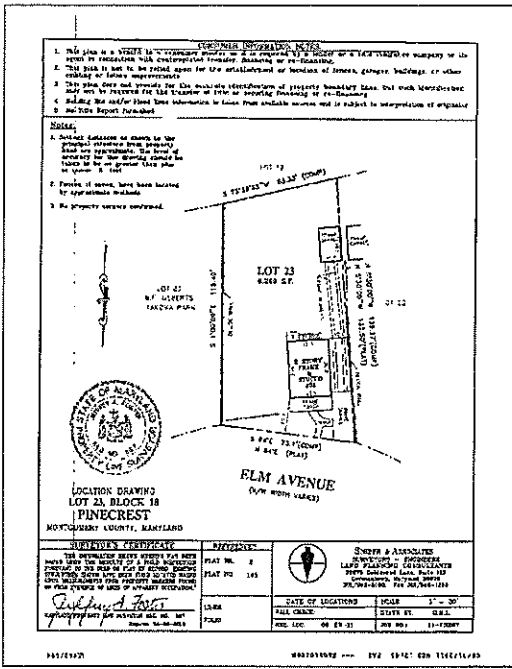
**6. TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

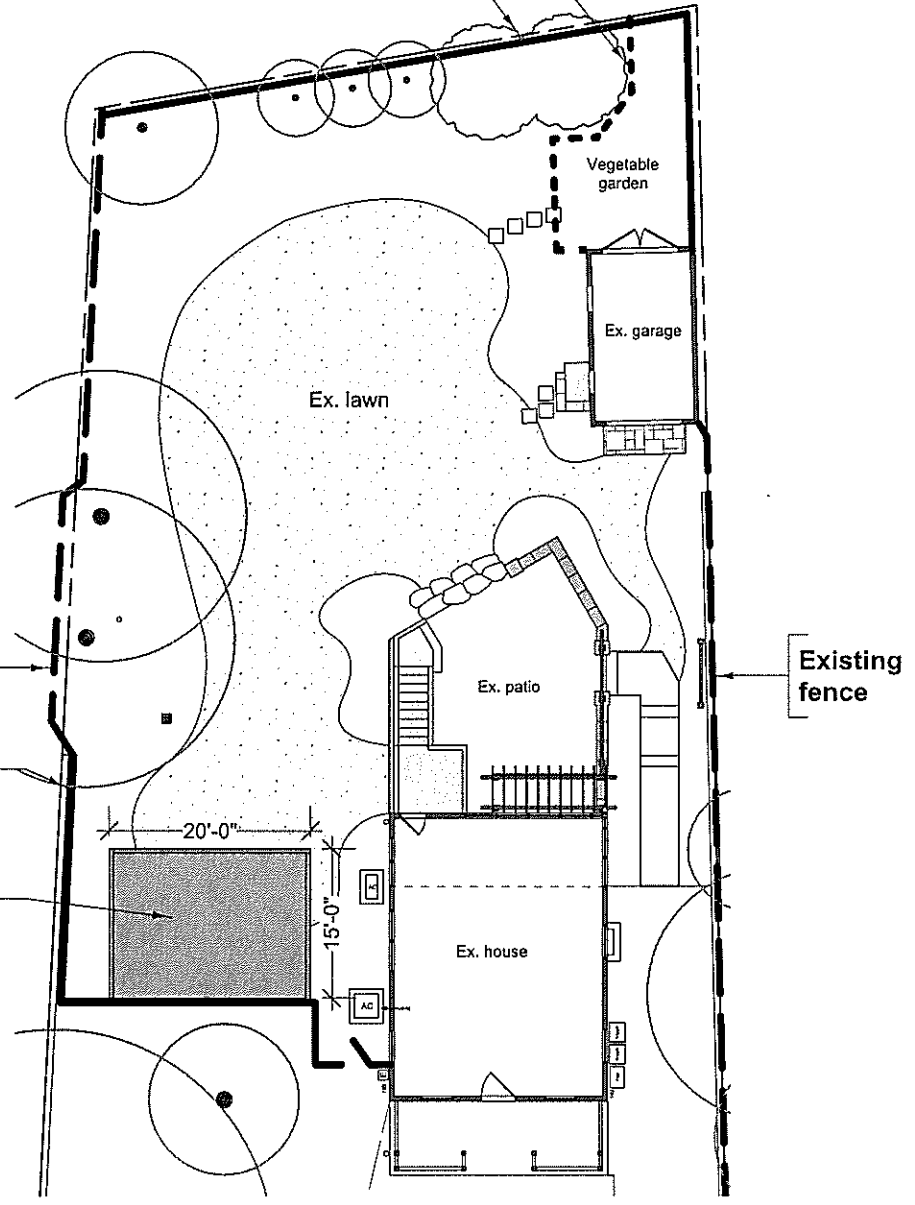
For All projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



Proposed picket fence around vegetable garden

Proposed fence to match existing



1 PLAT  
Scale: 1" = 100 ft

Proposed fence to fill in gaps where there is no fence. New fence to match existing.

Proposed 300 SF "sport court". Crushed stone base with interlocking perforated tile surface.

**Fence Key:**

- Existing 6' stockade fence
- Proposed 6' stockade fence
- Proposed 36" picket fence

2 SITE PLAN WITH PROPOSED ELEMENTS  
Scale: 1" = 20 ft

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

<p><b>Owner's mailing address</b>                  Aleksandra Johnson                  Mark Murray                  51 Elm Ave                  Takoma Park MD 20912</p>	<p><b>Owner's Agent's mailing address</b></p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>Jack and Susan Lipschultz                  55 Elm Ave                  Takoma Park MD 20912</p>	<p>Eric and Kate Lind Bloom                  49 Elm Ave                  Takoma Park, MD 20912</p>
<p>Kyle Herring                  6811 Westmoreland Ave                  Takoma Park MD 20912</p>	<p>Heidi Richards                  50 Elm Ave                  Takoma Park MD 20912</p>

Existing Property Condition Photographs (duplicate as needed)



Detail: Front of yard - facing North toward Holley tree



Detail: Back of yard - where chain fence currently exists

Applicant: Mark Murray 51 Elm Ave

Page:

Site Plan

East side of yard - fence to be applied to retaining wall



Front of house



North

Applicant: Mark Murray 51 Elm

Page: \_\_

Letter from City Arborist

**City Of Takoma Park  
Public Works Department**



31 Oswego Avenue, Silver Spring, Maryland 20910  
Office: 301-891-7633 Fax: 301-585-2405  
[www.takomaparkmd.gov](http://www.takomaparkmd.gov)

May 31, 2018

Sasha Johnson and Mark Murray  
51 Elm Avenue  
Takoma Park, MD 20912

Dear Sasha Johnson and Mark Murray:

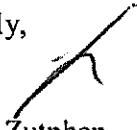
If work is performed in accordance with your application submitted on March 26, 2018 and additionally complying with the following requirement (if noted), no tree protection permit is required.

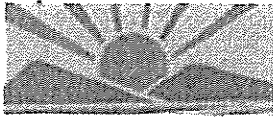
**REQUIREMENT :**

- See attached email.

If you have any questions, please contact me at 301-891-7612 or [JanVZ@takomaparkmd.gov](mailto:JanVZ@takomaparkmd.gov)

Sincerely,

  
Jan van Zutphen  
Urban Forest Manager



Jan Van Zutphen <janvz@takomaparkmd.gov>

## Meeting today at 230

Jan Van Zutphen <janvz@takomaparkmd.gov>  
To: Sasha Johnson <johnson.sasha@gmail.com>  
Cc: Ed Colahan <edward.colahan@gmail.com>

Tue, May 29, 2018 at 2:12 PM

Sasha and Ed,

Thank you for meeting on site last week.

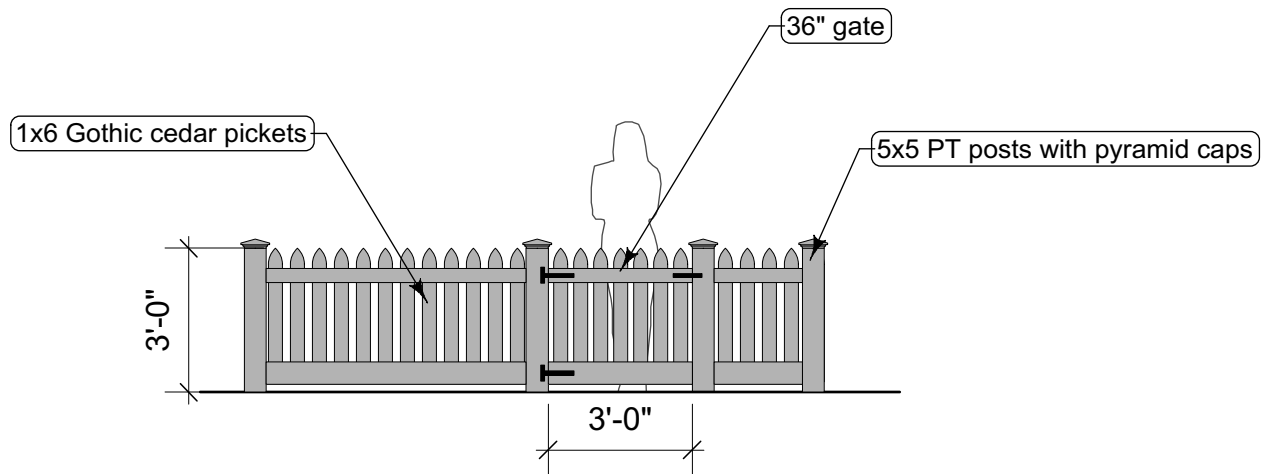
Here are the key points that were discussed:

1. A revised plan will be e-mailed to me, fence and timber wall will be moved 2' away from holly.
2. Regarding fence: move posts if contractor hits bigger roots (2" or bigger), notch fence panel if needed (near a tree)
3. While doing the work: stay away from the trees/tree roots as much as possible, store materials away from trees/tree roots

Let me know if i missed anything.

Regards,

[Quoted text hidden]



1

**Picket Fence around Vegetable Garden**

Scale: 1/4" = 1'-0"



**EDWARD COLAHAN**  
LANDSCAPE DESIGN

Edward Colahan  
Landscape Design  
3276 Valley Dr.  
Alexandria, VA 22302

202.255.2585  
ed@edwardcolahan.com

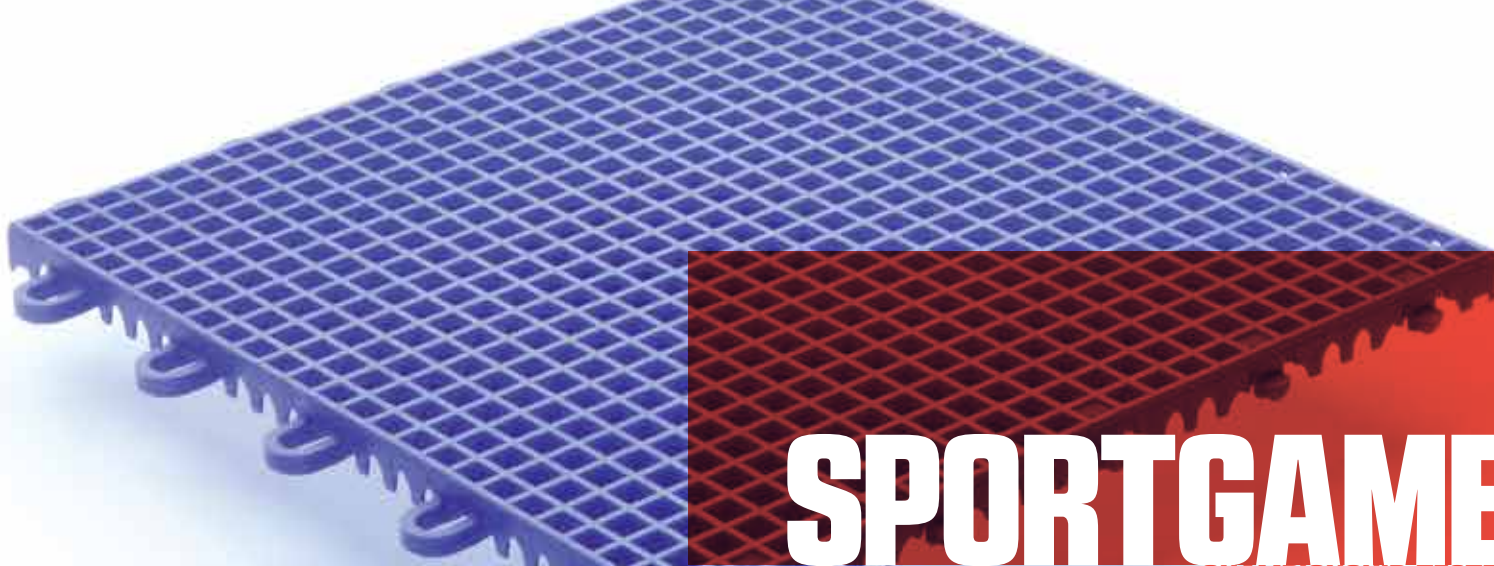
**Johnson-Murray Residence**  
51 Elm Ave.  
Takoma Park, MD 20912

**Vegetable Garden**  
**Fence Details**

Date: June 10, 2017

Scale: 1/4" = 1'-0"  
as noted





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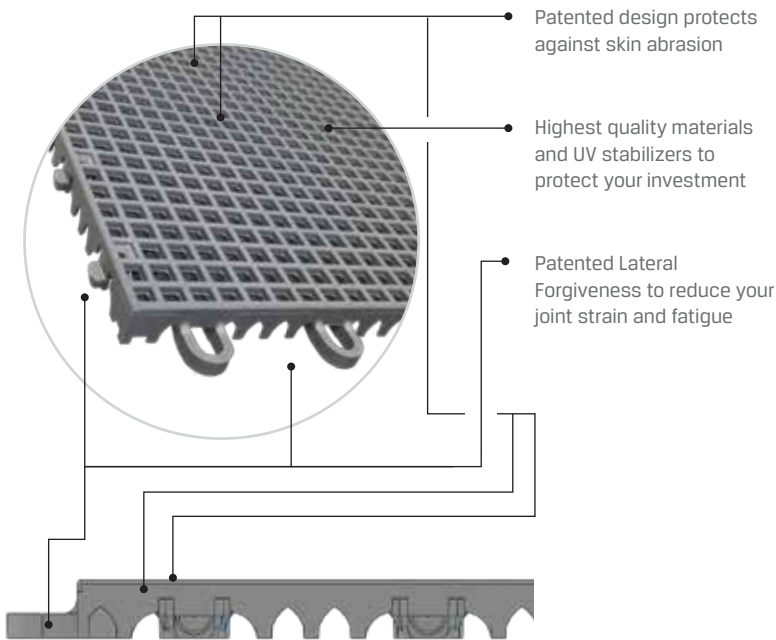
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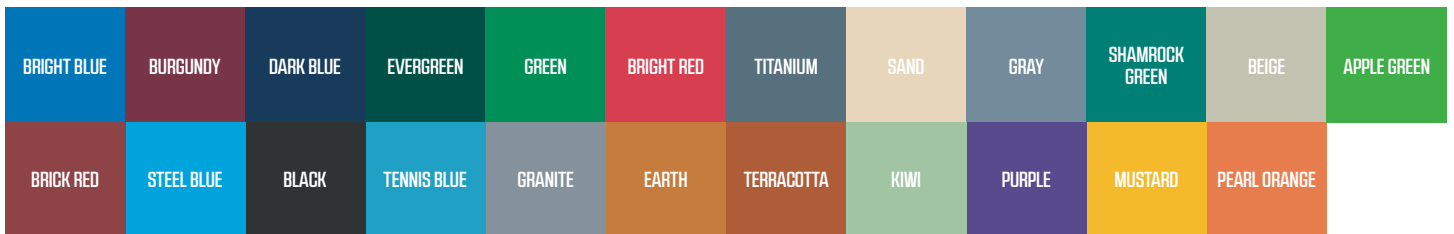
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**QUICK INSTALLATION.** SportGame outdoor courts can be installed by a certified CourtBuilder™ in as few as 5 days.



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<b>Weight</b>	.50 lbs.	☑
<b>Head Impact ASTM 1292</b>	13" drop height pass	☑
<b>Traction ASTM E303</b>	.62 coefficient of friction	☑
<b>Ball Rebound DIN 18032</b>	93% ball bounce	☑
<b>Material</b>	High Impact Polypropylene Copolymer	☑
<b>Quality</b>	ISO 9001 / ISO 14001	☑
<b>Recycling</b>	100% recyclable	☑
<b>Country</b>	USA made	☑

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