MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 6806 Westmoreland Ave., Takoma Park
Meeting Date: 10/25/17

Resource: Contributing Resource
Report Date: 10/18/17
Takoma Park Historic District

Applicant: David Dixon-Pugh
Public Notice: 10/11/17

Review: HAWP
Tax Credit: n/a

Case Number: 31/06-17-SSS
Staff: Dan Bruechert

Proposal: Tree Removal

RECOMMENDATION
Staff recommends that the Historic Preservation Commission approve the HAWP application.

PROPERTY DESCRIPTION
SIGNIFICANCE: Contributing Resource to the Takoma Park Historic District
STYLE: Bungalow
DATE: c.1910-1920s

The subject property is a one-and-a-half story, front gable bungalow, three bays wide, with a concrete block foundation, and stucco siding.

To the left of the house is a shared driveway that provides access to a single bay garage. The garage has a front gable roof and walls built out of concrete block that match the house foundation.

BACKGROUND
On July 26, 2017, the HPC approved demolition of the garage building.

PROPOSAL
The applicant is proposing to remove one elm tree that abuts the yet-to-be demolished garage.

APPLICABLE GUIDELINES
When reviewing alterations and additions for new construction to Contributing Resources within the Takoma Park Historic District, decisions are guided by the Takoma Park Historic District Design Guidelines (Design Guidelines) and Montgomery County Code Chapter 24A (Chapter 24A).
**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.

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

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

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**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
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

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**STAFF DISCUSSION**

The applicant proposes to remove one elm tree that abuts the rear of the extant garage. In further evaluating the demolition of the garage the applicant determined that the elm tree would not be supported and would could pose a threat to the public and surrounding resources. It is likely that
this tree's roots are partially responsible for the collapse of the rear wall of the garage.

While preservation of the Takoma Park Historic District's park-like setting is important, this lone tree is not visible from the public right-of-way and it will not substantially alter the environmental setting or sense of open space, per the Guidelines and Chapter 24A-8(b)(1). Additionally, the removal of the garage could create a public hazard and the tree removal will mitigate that hazard per Chapter 24A-8(b)(4).

The City of Takoma Park has reviewed this proposal and supports the tree removal.

**STAFF RECOMMENDATIONS**
Staff recommends that the Commission 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.
APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: DIXON.PEUGH@GMAIL.COM  Contact Person: DAVID DIXON-PEUGH

Tax Account No.: 01079576  Daytime Phone No.: (240) 463-0498

Name of Property Owner: DAVID DIXON-PEUGH  Daytime Phone No.: (240) 463-0498

Address: 6806 WESTMORELAND AVE, TAKOMA PARK, MD 20912

Contractor: N/A  Phone No.: _______________________

Contractor Registration No.: _______________________

Agent for Owner: ERIC SAUL  Daytime Phone No.: 714-553-1760

LOCATION OF BUILDING/PLACE

House Number: 6806  Street: WESTMORELAND AVE

Town/City: TAKOMA PARK  Nearest Cross Street: ELM

Lot: 27  Block: 17  Subdivision: 0025

PART ONE: PURPOSE AND USE

1A. CHECK ALL APPLICABLE:
   □ Construct  □ Extend  □ Alter/Revitalize  □ A/C  □ Slab  □ Room Addition  □ Porch  □ Deck  □ Shed
   □ Move  □ Install  □ Rebuild/Restoration  □ Solar  □ Roof  □ Woodburning Stove  □ Single Family
   □ Revision  □ Repair  □ Renovate  □ Fence/Wall (complete Section 4)  □ Other: TIE REMOVAL

1B. Construction cost estimate: $21,000

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

PART TWO: COMPLETE BEFORE NEW CONSTRUCTION AND EXTERIOR ALTERATIONS

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 DETAILED PLANS FOR FENCE OR RetAINING WALL

3A. Height_________ feet_________ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
   □ On property line/property line  □ Entirely on land of owner  □ On public right of way/assessment

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.

[Signature]  10/3/17  Date

Approved: _________________________  For Chairperson, Historic Preservation Commission

Disapproved: _________________________  Signature: _________________________  Date: _________________________

Application/Permit No.: _________________________  Date Filed: _________________________  Date Issued: _________________________

SEE REVERSE SIDE FOR INSTRUCTIONS
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:

   EXISTING ELM TREE ABUTTING GARAGE THAT HAS ALREADY BEEN APPROVED IN PREVIOUS H.A.M.P. APPLICATION. THERE IS NO POSSIBLE WAY TO DEMO THE EXISTING GARAGE WITHOUT IMPACTING THIS ELM. THE CITY OF TACOMA PARK HAS ALREADY APPROVED ITS REMOVAL, BUT A H.A.M.P. IS REQUIRED DUE TO ITS LOCATION IN THE TACOMA PARK HISTORIC DISTRICT.

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

   EXISTING TREE ABUTTING GARAGE TO BE REMOVED. THERE WILL BE NO NEGATIVE EFFECT FROM THIS ACTION ON THE CHARACTER OF THE HISTORIC DISTRICT

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plan. 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 features 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 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.
# HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING

[Owner, Owner’s Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner’s mailing address</th>
<th>Owner’s Agent’s mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAVID DIXON-PEUGH</td>
<td>ERIC SAUL</td>
</tr>
<tr>
<td>6808 WESTMORELAND AVE</td>
<td>8114 CARROW AVE</td>
</tr>
<tr>
<td>TAKOMA PARK, MD 20912</td>
<td>TAKOMA PARK, MD 20912</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
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<tbody>
<tr>
<td>KYLE ADAMS</td>
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<tr>
<td>6808 WESTMORELAND AVE</td>
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<tr>
<td>TAKOMA PARK, MD 20912</td>
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<tr>
<td>THOMAS HARRISON</td>
</tr>
<tr>
<td>6804 WESTMORELAND AVE</td>
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<tr>
<td>TAKOMA PARK, MD 20912</td>
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<tr>
<td>THOMAS ROBERTS</td>
</tr>
<tr>
<td>PATRICIA MALLIN</td>
</tr>
<tr>
<td>6741 EASTERN AVE</td>
</tr>
<tr>
<td>TAKOMA PARK, MD 20912</td>
</tr>
</tbody>
</table>
VIEW OF SUBJECT TREE FROM REAR YARD

VIEW OF TREE BASE ABUTTING GARAGE
August 31, 2017

David Dixon-Peugh
6806 Westmoreland Avenue
Takoma Park, MD 20912

Re: Same

Dear David Dixon-Peugh,

The City of Takoma Park has granted preliminary permit approval for you to remove the 9" d.b.h. Elm tree from the rear of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 08/31/17 and ending 09/14/17 for public comment. You will be granted a permit to remove the tree(s) pending the City's receipt of your signed agreement to adhere to the City's tree replacement requirements. Additionally, since your property is located within the Historic District, you are required to receive a HISTORIC AREA WORK PERMIT. To apply for a HAWP, contact Montgomery County Department of Permitting Services at 240-777-3400 or online at: http://permittingservices.montgomerycountymd.gov/dps/building/HistoricAreaWorkPermit.aspx.

Please submit both the signed replanting agreement and a copy of your HAWP to Takoma Park Public Works, in order to be issued a tree removal permit.

The replacement agreement is enclosed, the terms of which require you to replant ONE 1 ½ inch caliper category 4 deciduous tree(s), or make a contribution of $175.00 to the City’s tree fund.

Please contact me at 301-891-7612 if you have any questions.

Sincerely,

Jan van Zutphen
Urban Forest Manager

Enclosure
September 1, 2017

Mr. David Dixon-Peugh  
6806 Westmoreland Avenue  
Takoma Park, MD 20912

Re: Removal of (2) 9" Black Cherry tree(s) in the Takoma Park Historic District

Dear David Dixon-Peugh,

I have received your arborist's report dated 8/31/2017 regarding the above-referenced tree(s), which documents the assessment that this tree(s) is dead/dying or a hazard and in severe decline.

Therefore, due to the health and hazard of the subject tree(s), the Historic Preservation Commission authorizes the removal of the tree(s).

This letter serves as your permission to remove the tree(s) without further review by the HPC. If you have any additional questions, please do not hesitate to contact me at 301-563-3400.

Sincerely,

Kevin Manarolla,  
Senior Administrative Specialist  
Historic Preservation Section, M-NCPPC
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

Date: 8/31/17

Property Owner(s): David Dixon-Peugh
6606 Westmoreland Avenue
Takoma Park, Maryland 20912

Dear David Dixon-Peugh:

A permit waiver has been granted to remove or alter the following tree(s) from your property.

<table>
<thead>
<tr>
<th>Tree Type</th>
<th>DBH</th>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Cherry</td>
<td>9&quot;</td>
<td>left, rear</td>
<td>hazardous, dead</td>
</tr>
<tr>
<td>Black Cherry</td>
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<td>hazardous, dead</td>
</tr>
</tbody>
</table>

The above tree(s) are considered hazardous and represent a threat to the health, safety and well-being of the community. The tree(s) should therefore be removed/altered immediately.

PLEASE NOTE: Since your property is located within the Historic District you are required to receive a waiver from the Historic Preservation Commission (HPC) in order to remove the tree(s) listed above. The Arborist has notified HPC of the condition of your tree(s). HPC will mail their waiver directly to you. To inquire about the status of your HPC waiver you can call (301) 563-3400.

TREES WORK DONE FOR HIRE IN THE CITY OF TAKOMA PARK MUST BE CARRIED OUT BY A MARYLAND STATE LICENSED TREE EXPERT, OR "LTE". HIRING SOMEONE WHO IS NOT LICENSED IS A VIOLATION OF CITY AND STATE LAW. MAKE SURE YOUR CONTRACTOR HAS A LTE NUMBER BEFORE YOU HIRE THEM.

Approved by: Jan van Zutphen, Urban Forest Manager

TWO COPIES OF THE WAIVER ARE ENCLOSED. KEEP ONE AND PROVIDE THE OTHER TO THE CONTRACTOR PERFORMING THE TREE WORK. THIS WAIVER MUST BE ON HAND WHEN THE WORK IS DONE AND MUST BE SHOWN UPON THE REQUEST OF ANY TAKOMA PARK OFFICIAL.
August 31, 2017

David Dixon-Peugh
6806 Westmoreland Avenue
Takoma Park, MD 20912

Re: Same

Dear David Dixon-Peugh,

In order to receive a permit to remove an urban forest tree within the City of Takoma Park you must agree to replant or contribute an equivalent amount to the City’s Tree Fund as per Section 12.12.100 of the City Code. Replacement trees shall be nursery stock trees with a minimum size of 1 1/2 inches in caliper for deciduous trees, or 10 feet in height for evergreen trees and guaranteed for one (1) year. You are required to provide the City with the species and location(s) where you wish to plant the tree(s), as approval is necessary prior to planting. Tree(s) must be planted within six (6) months of the date this agreement is signed. The City will conduct a site visit to confirm the planting.

Where it is not feasible or desirable to replace trees on site, the replacement requirement may be satisfied by planting trees at another location within the City or by a contribution equivalent to the installed market value of the required replacement trees to the City's tree planting fund.

The tree replacement requirements based on the City of Takoma Park Tree Ordinance are stated below:

ONE of 1 1/2 inch caliper trees:
Category 3 Evergreen

OR

Tree Fund Payment of: $175.00
(Make check payable to City of Takoma Park and return with this letter.)

If no appeals are filed in opposition to your permit request, the permit will be issued after completion of the 15-day posting period and receipt of this signed tree planting agreement or payment of replacement tree cost. Payment must be made by check to the City of Takoma Park, and submitted to the Public Works Department, 31 Oswego Avenue, Silver Spring, MD 20910.

Sincerely,

Jan van Zutphen
Urban Forest Manager