

EXPEDITED  
HISTORIC PRESERVATION COMMISSION STAFF REPORT

<b>Address:</b>	10 Montgomery Ave., Takoma Park	<b>Meeting Date:</b>	12/06/17
<b>Resource:</b>	Non-Contributing Resource Takoma Park Historic District	<b>Report Date:</b>	11/29/17
<b>Review:</b>	HAWP	<b>Public Notice:</b>	11/22/17
<b>Case Number:</b>	37/03-17CCCC	<b>Tax Credit:</b>	n/a
<b>Applicant:</b>	Philip Schuler & Rachel Schmidt	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Tree Removal		

**STAFF RECOMMENDATION:**

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

**PROJECT DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource to the Takoma Park Historic District  
**STYLE:** Foursquare/Colonial Revival  
**DATE:** c.1905-20

The subject property is an American Foursquare, two bays wide, with a pyramidal roof and a hipped front dormer. The front yard is raised several feet and has a 12” Green Ash tree on the right side of the front yard. The tree shows significant signs of some type of infestation (the applicant indicates that it is infested with Emerald Ash Borer, but that was not accompanied by an arborist report). Staff feels that the removal of this tree along with the remediation required by the City, specifically that the applicant pay into the City Tree Fund or plant a 1 ½” d.b.h. Category 3 tree will not have a significant impact on the character of the surrounding district. Additionally, if this tree is in fact infested with Ash Borer, its removal could be approved administratively to hasten its removal to further prevent the spread of the disease.

**STAFF RECOMMENDATION:**

**Approval**  
 Approval with conditions.

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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:

  x  1. The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; or

x   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.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: pschuler@letterboxes.org Contact Person: PHILIP SCHULER  
 Tax Account No.: 01081227 Daytime Phone No.: 202-473-5883  
 Name of Property Owner: Philip Schuler & Rachel Schmidt Daytime Phone No.: 202-473-5883  
 Address: 10 Montgomery Ave, Takoma Park, MD 20912  
Street Number City State Zip Code  
 Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
 Contractor Registration No.: \_\_\_\_\_  
 Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PRESENCE**

House Number: 10 Street: MONTGOMERY AVE  
 Town/City: TAKOMA PARK Nearest Cross Street: PINE AVE.  
 Lot: 5 Block: 18 Subdivision: B.F. GILBERT'S ADDITION TO TAKOMA PARK (25)  
 Liber: 38227 Folio: 0111 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  Slab  Room Addition  Porch  Deck  Shed  Solar  Fireplace  Woodburning Stove  Single Family  Other: REMOVE ASH TREE

1B. Construction cost estimate: \$ 1,020.00

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 \_\_\_\_\_ feet \_\_\_\_\_ 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.

Philip Schuler Rachel Schmidt November 5, 2017  
Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

619715

(3)

**1. Written description of project**

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

The house at 10 Montgomery Ave. is a two-story, single-family home, built in 1913 in the American Four-Square style. The house is located in the B.F. Gilbert's Addition to the City Takoma Park, which was platted in 1886. Most houses in the neighborhood were constructed in the first half of the 20th century.

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

We propose to remove a 12'' diameter Green Ash tree, which is dying from an infestation of Emerald Ash Borer, despite corrective treatment applied by a licensed arborist. We will replace this tree with one that meets the replacement requirements of the City of Takoma Park. The tree is located on the right side of the front yard of the house.

No structures or construction will be modified. Apart from replacing the tree, we will make no changes to the landscaping. The project will have no effect on historic resources.

**2. Site plan:** See attached

**3. Plans and elevations:** Not applicable (no work in relation to existing construction will be undertaken).


**4. Materials specifications:** Not applicable (no work in relation to existing construction will be undertaken).

**5: Photographs:** See attached

**6: Tree survey:** No construction adjacent to trees will be undertaken. The tree to be removed is indicated on the site plan.

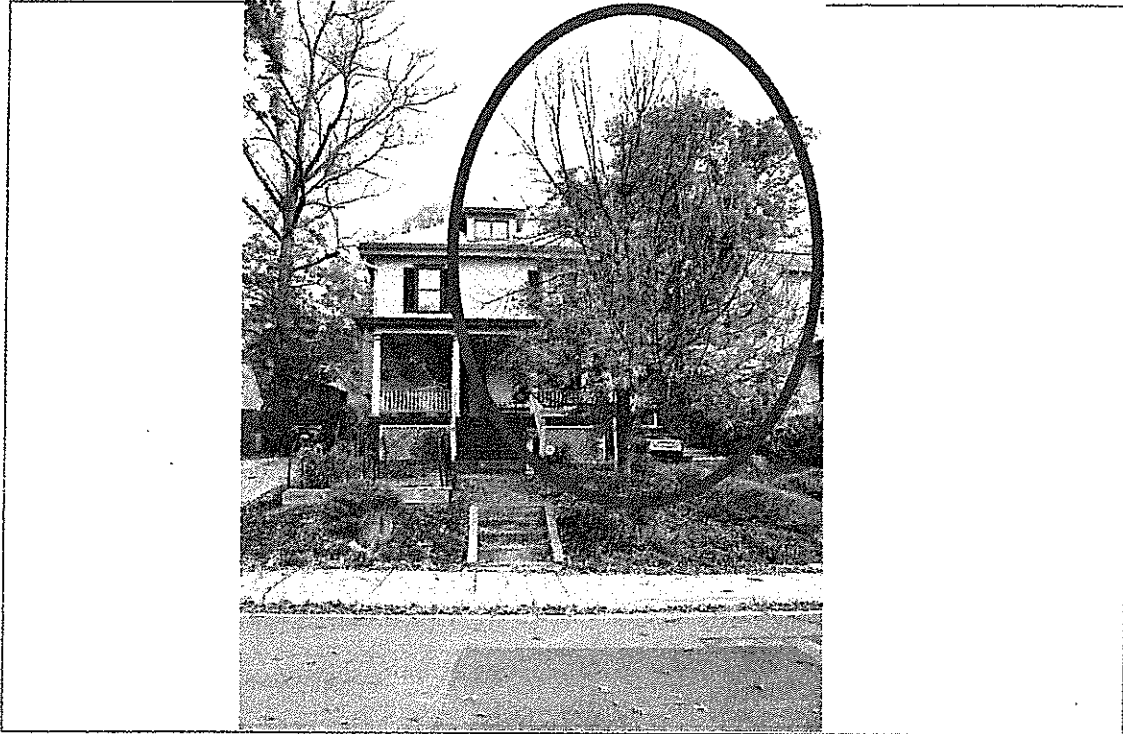
**7: Addresses of adjacent and confronting property owners:** See attached

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

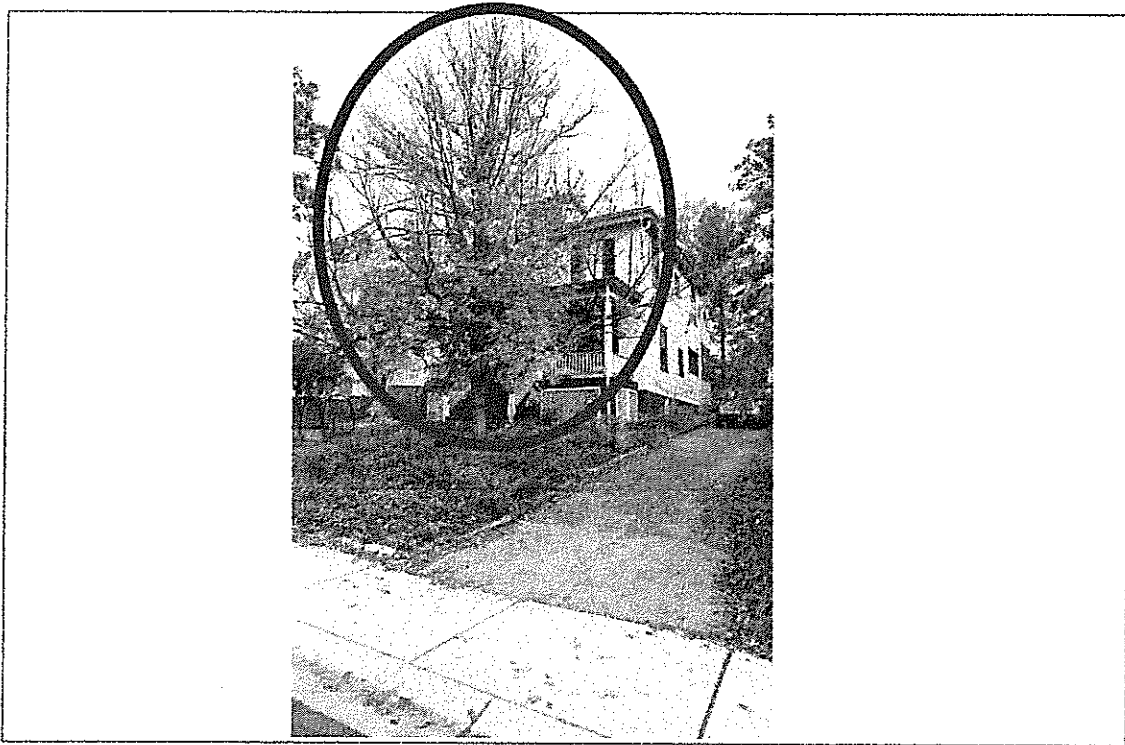
<p><b>Owner's mailing address</b>                  PHILIP SCHULER                  &amp; RACHEL SCHMIDT                  10 MONTGOMERY AVE                  TAKOMA PARK, MD 20912</p>	<p><b>Owner's Agent's mailing address</b></p> 
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>SUSAN KATZ-MILLER                  PAUL MILLER                  12 MONTGOMERY AVE                  TAKOMA PARK, MD 20912</p>	<p>POLLY DUNFORD-ZAHER                  MOHAMED ZAHER                  UNIT 8166, Box P                  APO, AP 96546</p>
<p>LEAH CURRY-ROOD                  CHIP ROOD                  5 MONTGOMERY AVE                  TAKOMA PARK, MD 20912</p>	<p>SUSAN HUFFMAN                  DENNIS HUFFMAN                  9 MONTGOMERY AVE                  TAKOMA PARK, MD 20912</p>
<p>MARIANA DIGGS                  EDWARD DIGGS                  11 MONTGOMERY AVE                  TAKOMA PARK, MD 20912</p>	

⑤

Existing Property Condition Photographs (duplicate as needed)



Detail: 10 Montgomery Ave. from south. Ash tree is to the right of the walkway.



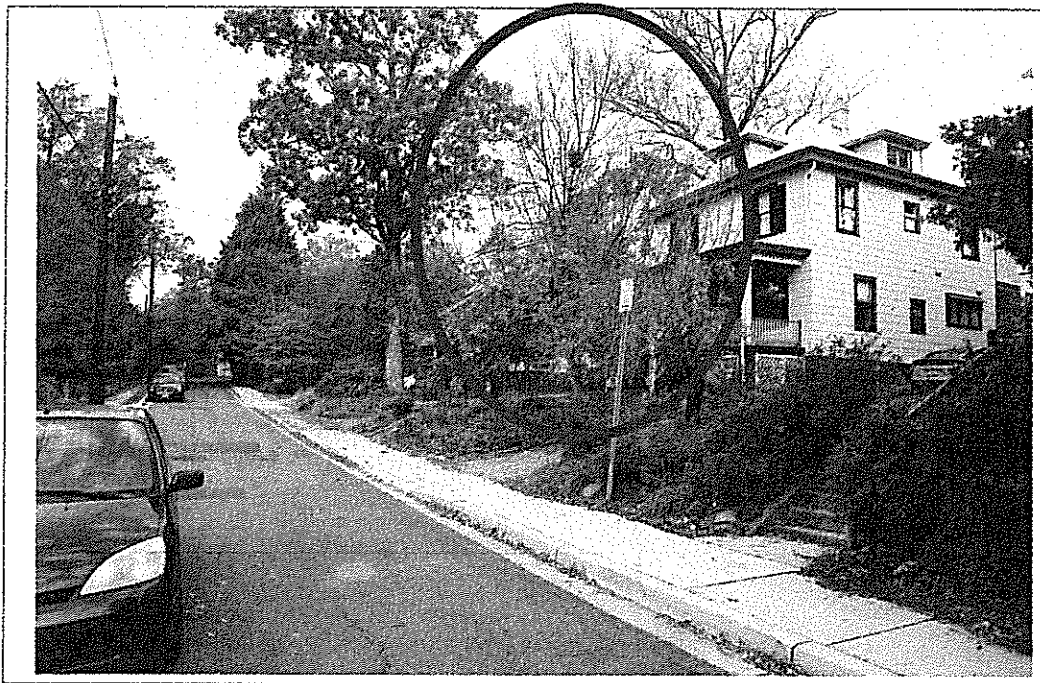
Detail: 10 Montgomery Ave. from south-southeast.

5

Existing Property Condition Photographs (duplicate as needed)



Detail: 10 Montgomery Ave. from southwest.



Detail: 10 Montgomery Ave. from southeast.

Applicant: Philip Schuler and Rachel Schmidt

(7)

# Montgomery Avenue

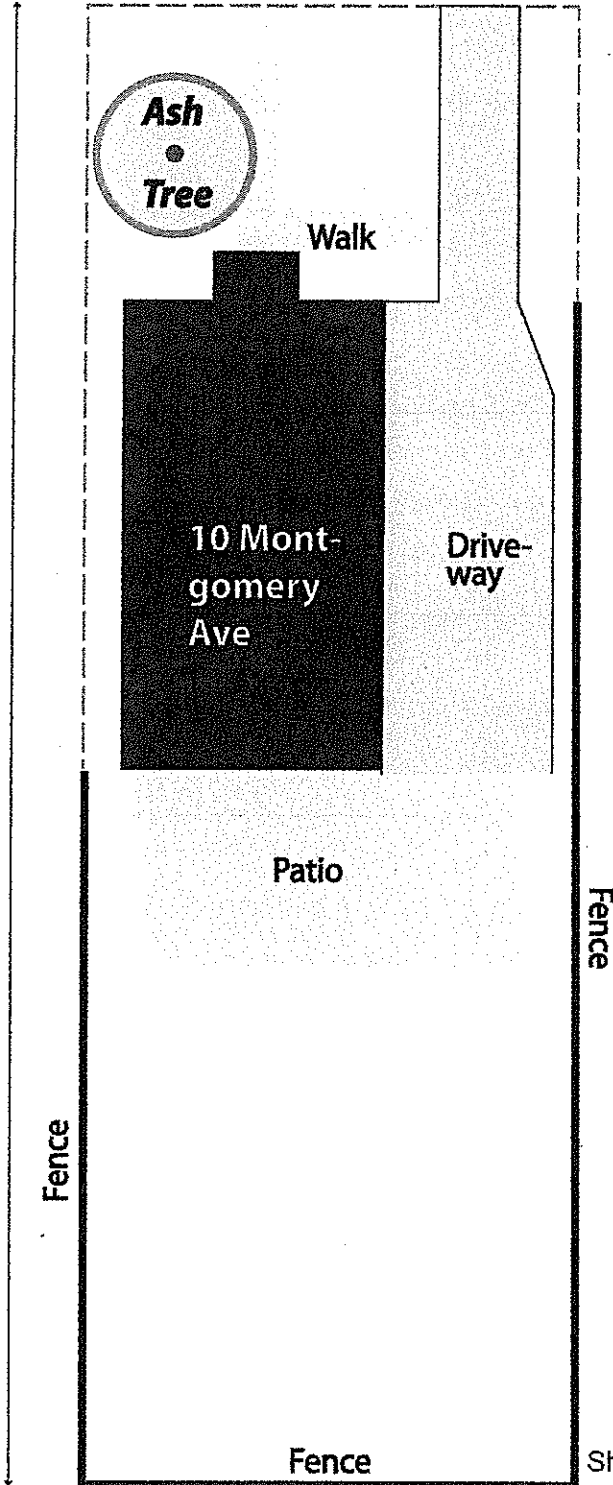
Site Plan

Property is 50 feet wide

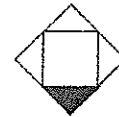
1 inch = 20 feet

12 Mont-  
gomery  
Ave

Property is 150 feet deep



8 Mont-  
gomery  
Ave



Shade portion to indicate North

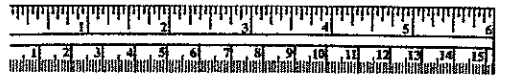
Applicant: PHILIP SCHULER & RACHEL SCHMIDT

5 NOVEMBER, 2017

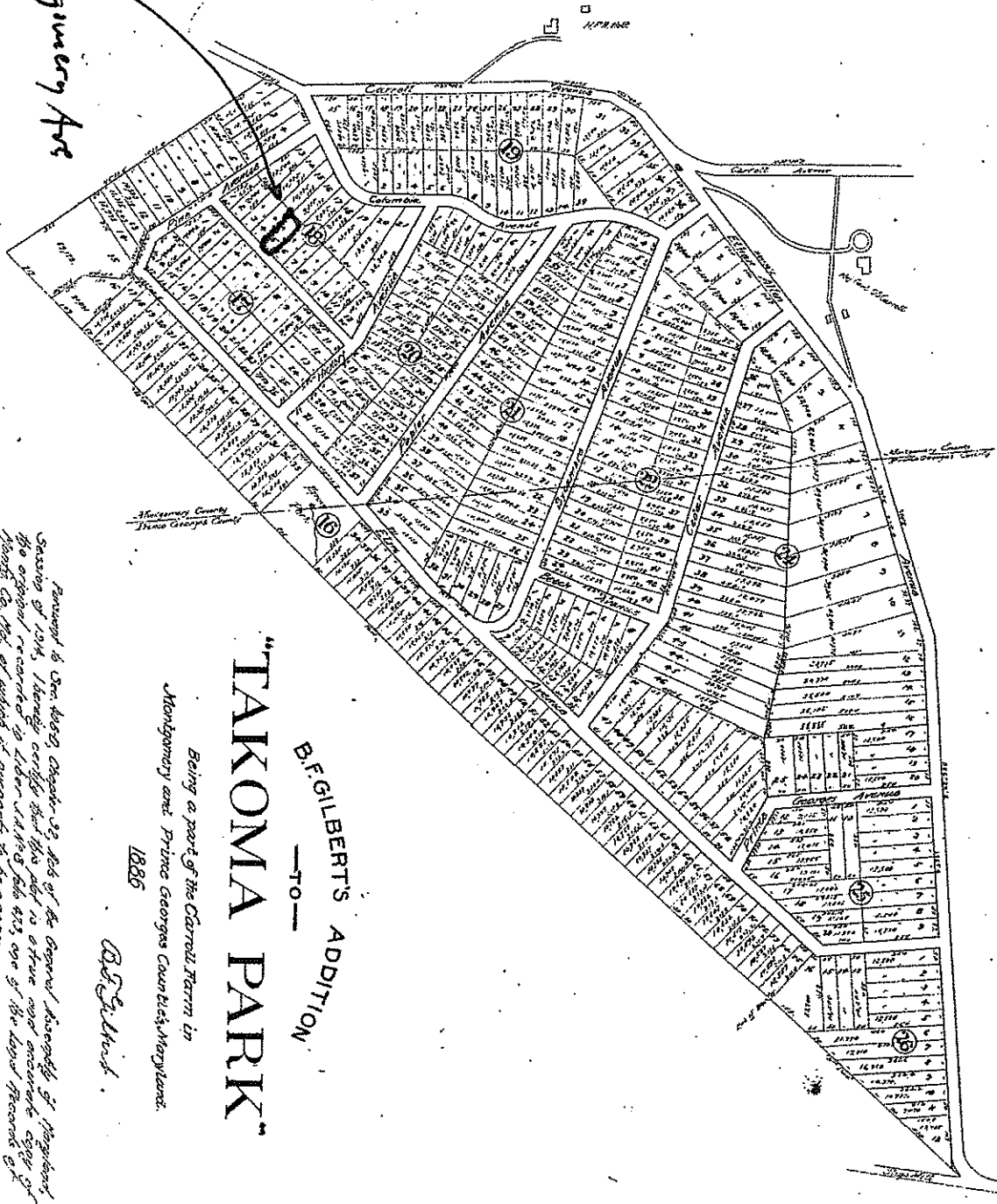
8

Page: 6





10 Montgomery Ave  
Lot 5



Copied from Map 284 M & J 1886 4022

# "TAKOMA PARK" B.F. GILBERT'S ADDITION —TO—

Being a part of the Carnell Farm in  
Montgomery and Prince Georges Counties, Maryland.

1886

B.F. Gilbert

Approved & Certified Correct by Act of the General Assembly of Maryland,  
Session of 1886, whereby it is provided that this plat is a true and accurate copy of  
the original recorded in Liber 444 of folio 412, one of the land records of  
Montgomery Co., Md., of which it purports to be a copy.

Wm. Sumner Offutt  
County Surveyor, etc.  
Montgomery County.

(9)

Applicant: Philip Schuler } Rachel Schmitt

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)

October 25, 2017

Rachel Schmidt / Philip Schuler  
10 Montgomery Avenue  
Takoma Park, MD 20912

Re: Same

Dear Rachel Schmidt / Philip Schuler,

The City of Takoma Park has granted preliminary permit approval for you to remove the 12" d.b.h. Ash tree from the front of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 10/25/17 and ending 11/09/17 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 3 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

Applicant: Philip Schuler & Rachel Schmidt

Page 8

Department of Permitting Services  
Montgomery County  
255 Rockville Pike,  
Rockville, MD 20850

Attention: Montgomery County Historic Preservation Commission


November 5, 2017

Dear Members of the Historic Preservation Commission:

Please find attached an application for a Historic Area Work Permit to remove a 12" diameter Green Ash tree from the front yard of our home at 10 Montgomery Avenue in Takoma Park. The tree is dying from an infestation of Emerald Ash borer. We intend to replace it with a tree that meets the tree replacement requirements of the City of Takoma Park. Replacing the tree will involve no changes to any structures or construction.

We look forward to hearing from you about the status of the application.

With best regards,

  
Rachel Schmidt

Philip Schuler and Rachel Schmidt  
10 Montgomery Ave.  
Takoma Park, MD 20912

pschuler@letterboxes.org

8/19/15

Received in DPS  
UL# 39494  
NOV 09 2017  
Initials: LUCES

11