

EXPEDITED
HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	7400 Baltimore Ave., Takoma Park	Meeting Date:	9/11/2019
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	9/4/2019
Review:	HAWP	Public Notice:	8/28/2019
Case Number:	37/03-19LL	Tax Credit:	n/a
Applicant:	Alison Shelton	Staff:	Dan Bruechert
Proposal:	Tree Removal		

STAFF RECOMMENDATION:

☒ Approve
☐ Approve with conditions

PROJECT DESCRIPTION

SIGNIFICANCE: Contributing Resource to the Takoma Park Historic District
STYLE: Craftsman
DATE: c.1913

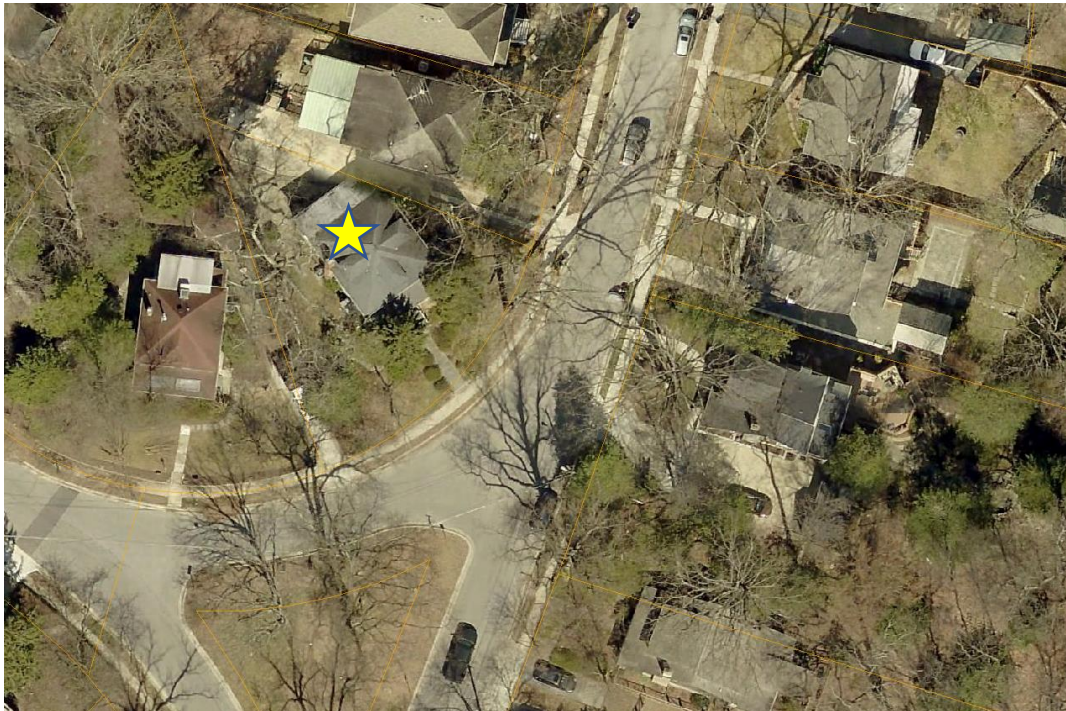


Figure 1: 7400 Baltimore is a wedge-shaped lot at the intersection of Baltimore and Albany Aves.

PROPOSAL

The applicant proposes removing a 15" (fifteen inch) d.b.h. black cherry tree from the rear of the lot, near the northeastern corner. The tree is adjacent to a concrete patio in the rear yard and is leaning over the neighbors' property. The applicant indicates tree roots are causing some damage to the existing patio and adjacent fence. Staff finds that the tree canopy on this lot is well established and the loss of this tree will not adversely impact the character of the property or surrounding district. Additionally, the applicant is required by the City of Takoma Park Arborist to either plant an additional tree or pay a fee in lieu of planting to the city's tree planting fund. The applicant has indicated her desire to plant a tree elsewhere on the property.

Staff recommends approval of this HAWP.

APPLICABLE GUIDELINES

The use of the expedited review form is supported by the two items on the Policy on Use of Expedited Staff Reports for Simple HAWP Cases:

2. Modifications to a property, which do not significantly alter its visual character
5. Landscaping, or the removal or modification of existing planting, that is compatible with the visual character of the historic site or district.

Montgomery County Code; Chapter 24A-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:
 - (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;

Secretary of the Interior's Standards for Rehabilitation

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will be avoided.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in *Chapter 24A-8(b)(1) and (2)* having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district, the *Takoma Park Historic District Design Guidelines*, 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 the **3 permit sets 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 to schedule a follow-up site visit.

Date Received in DPS
Mail Log # 411038

JUL 16 2019

Assigned To: Ever



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: ashelton400@gmail.com Contact Person: Alison Shelton
Daytime Phone No.: 301 275 2
Tax Account No.: 301 275 2
Name of Property Owner: Alison Shelton Daytime Phone No.: 301 219 5592
Address: 7400 Baltimore Ave Takoma Park 20912
Street Number City State Zip Code
Contractor: Adirondack Tree Experts Phone No.: 301 595 2827
Contractor Registration No.: 010822
Agent for Owner: N/A Daytime Phone No.: 301 595 2827

LOCATION OF BUILDING/PREMISE

House Number: 7400 Street: Baltimore Ave
Town/City: Takoma Park Nearest Cross Street: Albany Ave
Lot: 19 Block: 75 Subdivision: Takoma Park Home Trust Co.
Liber: 20463 Folio: 2494 Parcel: 20463 2494

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
☐ Fence/Wall (complete Section 4) ☒ Other: Tree Removal

1B. Construction cost estimate: \$ 1000

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTERIOR 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.

A. M. Shuler
Signature of owner or authorized agent

06/12/19
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

Edt 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	1. 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	*	*		*	*	*	*
Major Landscaping/Grading	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

PLEASE SEE INSTRUCTIONS ON DPS' HAWP APPLICATION FOR FURTHER DETAILS REGARDING APPLICATION REQUIREMENTS.

NOTE: Historic Area Work Permits are not required for ordinary maintenance projects, such as painting, gutter repair, roof repair with duplicate materials, and window repairs. All replacement materials must match the original exactly and be of the same dimensions.

**ALL HAWPS MUST BE FILED AT DPS:
255 ROCKVILLE PIKE,
ROCKVILLE, MARYLAND, 20850.**

**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:

Application is for removal of a tree. Tahoma Park Urban Forest manager has already given preliminary approval (see attached).

Tree is damaging existing patio and fence.

Tree is leaning precariously over neighbors' garage (neighbors have expressed concern).

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

Tree has no notable environmental or historic features. In fact, it is uprooting a patio that has been on the property since I purchased the house in 2002. Tree is also uprooting a ~~patio~~ large basin with orchids.

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

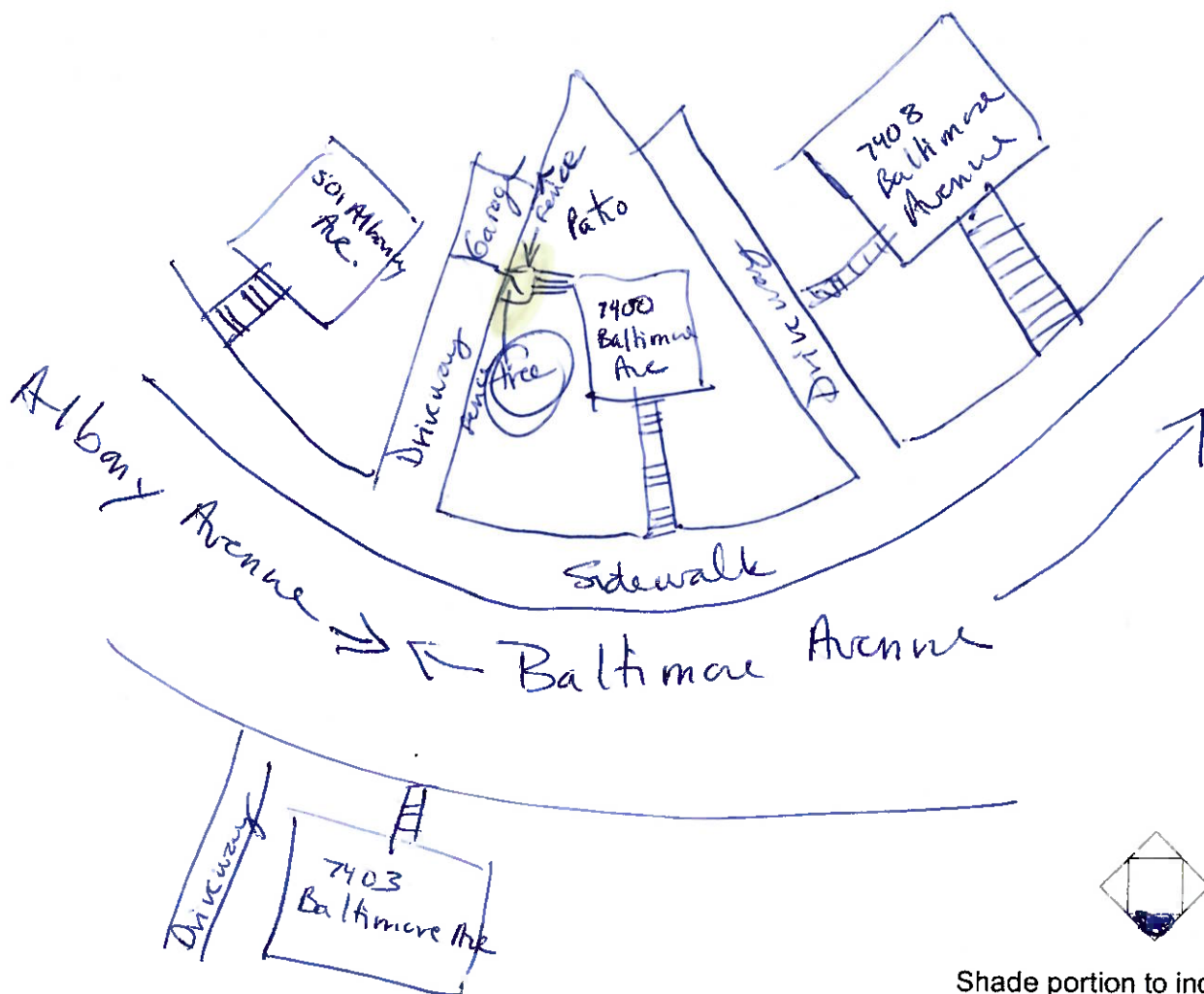
For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly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

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

Owner's mailing address Alison Shelton 7400 Baltimore Avenue Takoma Park, MD 20912	Owner's Agent's mailing address NA
Adjacent and confronting Property Owners mailing addresses	
Julie Kurland & Marsha Diehl 7408 Baltimore Avenue Takoma Park, MD 20912 (adjacent)	
Nick Olcott & Tim Westmoreland 501 Albany Avenue Takoma Park, MD 20912 (adjacent)	
Pam Conkos-Wiley & David Wiley 7403 Baltimore Avenue Takoma Park, MD 20912 (opposite)	

Site Plan



Shade portion to indicate North

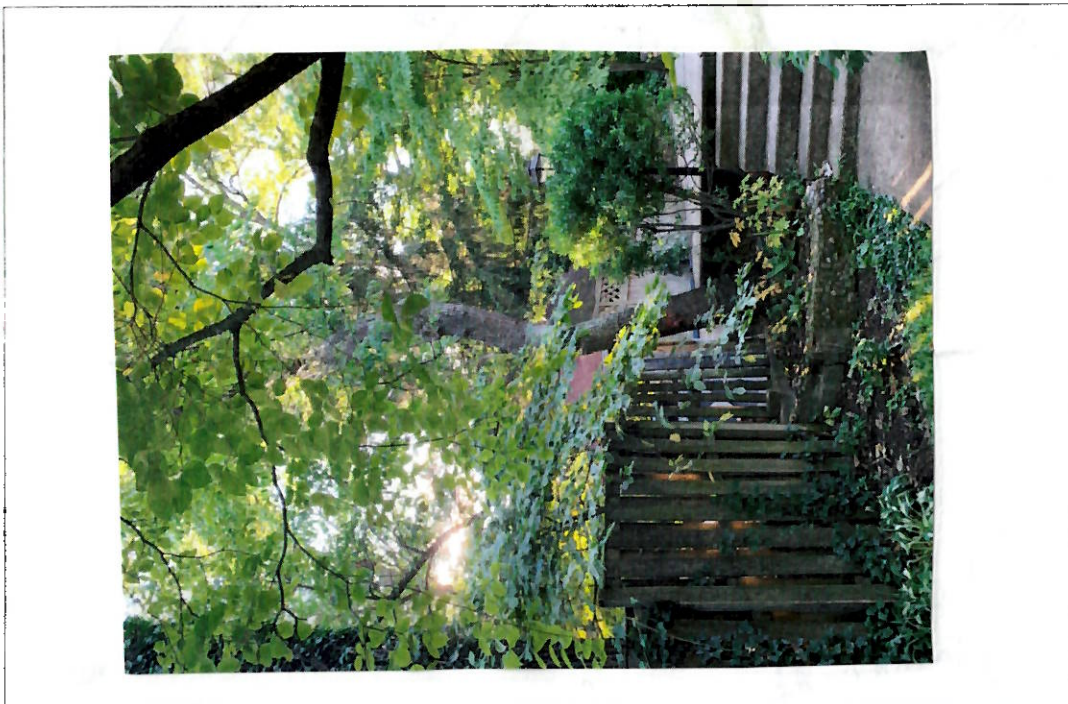
Applicant: Anson M. Shelton

Page: 5

Existing Property Condition Photographs (duplicate as needed)



Detail: Close-up of tree



Detail: _____

Applicant: Alison M. Shelton

Page: _____

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I hereby certify that the property delineated hereon is in accordance with the plat of subdivision and/or deed of record, that the improvements were located by accepted field practices and include permanent visible structures, if any. This plat is NOT FOR DETERMINING PROPERTY LINES OR FOR CONSTRUCTION OF IMPROVEMENTS, but prepared for exclusive use of present owners of property and also those who purchase mortgage, or guarantee the title to the property.

**City Of Takoma Park
Public Works Department**



31 Oswego Avenue, Silver Spring, Maryland 20910
Office: 301-891-7633 Fax: 301-585-2405

June 26, 2019

Alison M Shelton
7400 Baltimore Avenue
Takoma Park, MD 20912

Re: same

Dear Alison M Shelton,

The City of Takoma Park has granted preliminary permit approval for you to remove the 15" d.b.h. Black Cherry tree (1 replant) from the left side of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 06/24/19 and ending 07/09/19 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

**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

June 26, 2019

Alison M Shelton
7400 Baltimore Avenue
Takoma Park, MD 20912

Re: same

Dear Alison M Shelton,

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 1 1/2 inch caliper trees:
Category 4 Deciduous
OR

Alison M. Shelton 7/27/2019
Signature Date

Tree Fund Payment of: \$175.00

(Make check payable to City of Takoma Park
and return with this letter.)

Signature Date

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

*I plan to replace a tree between
the sidewalk and the street,
working with the city contractors
who planted the original trees.*