

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7138 Carroll Avenue, Takoma Park	Meeting Date:	3/25/2020
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	3/18/2020
Applicant:	James & Nadereh Lee	Public Notice:	3/11/2020
Review:	HAWP	Tax Credit:	n/a
Case Number:	37/03-20U	Staff:	Dan Bruechert
PROPOSAL: Stair replacement and fence installation			

STAFF RECOMMENDATION:

Staff recommends the HPC approve with one condition the HAWP application:

1. The proposed 'hogpen' fence is incompatible and needs to be a wood, open picket design, no more than 4' (four feet) tall. Final approval authority for the wood fence design is delegated to Staff.

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource to the Takoma Park Historic District
STYLE: Colonial Revival
DATE: 1928

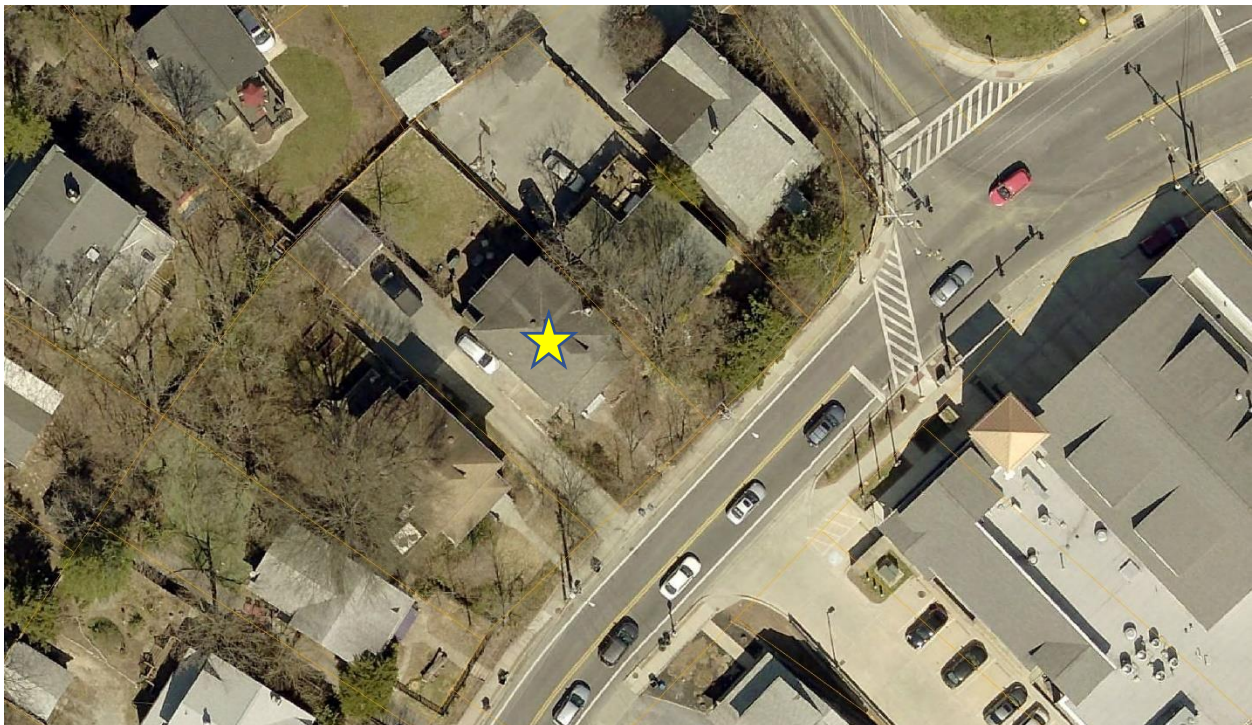


Figure 1: 7138 Carroll Ave., Takoma Park

PROPOSAL

The applicant proposes to install new wood risers and treads on top of the existing, non-code compliant, front stairs; and proposes to install new fencing on the site.

The applicant proposes to undertake additional work to the porch that are repairs in-kind and does not require HPC review include:

- Stucco repair;
- Porch ceiling repair; and
- Porch decking replacement.

APPLICABLE GUIDELINES:

When reviewing alterations and additions for new construction to Outstanding Resources within the Takoma Park Historic District, decisions are guided by the Takoma Park Historic District Design Guidelines (*Guidelines*) and Montgomery County Code Chapter 24A (*Chapter 24A*), and the Secretary of the Interior's Standards for Rehabilitation (*Standards*). As this project is also in one of the two commercial districts in Takoma Park review of the project shall be guided by the *Design Guidelines for Commercial Buildings in the City of Takoma Park, Maryland*.

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.

Outstanding Resources have the highest level of architectural and/or historical significance. While they will receive the most detailed level of design review, it is permissible to make sympathetic alterations, changes, and additions. The guiding principles to be utilized by the Historic Preservation Commission are the *Secretary of the Interior's Standards for Rehabilitation*

Specifically, some of the factors to be considered in reviewing HAWPs on Outstanding Resources:

Plans for all alterations should be compatible with the resource's original design; additions, specifically, should be sympathetic to existing architectural character, including massing, height, setback, and materials

Emphasize placement of major additions to the rear of existing structures so that they are less visible from the public right-of-way

While additions should be compatible, they are not required to be replicative of earlier architectural styles

Preservation of original and distinctive architectural features, such as porches, dormers, decorative details, shutters, etc. is encouraged

Preservation of original windows and doors, particularly those with specific architectural

importance, and of original size and shape of openings is encouraged

Preservation of original building materials and use of appropriate, compatible new materials is encouraged

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

(d) 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

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.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The applicant proposes work in two areas, repair of the existing stairs and the installation of a new fence.

The existing stairs are poured in place concrete and appear to be historic. They do not meet current code due to the narrowness of the tread and the tall last riser. The applicant proposes retaining the existing stairs in place and installing wood risers and treads on top in dimensions to meet code. The wood stairs will be painted.

Staff finds this proposal will encapsulate the existing, historic, fabric while making the stairs safe for residents and visitors. The *Design Guidelines* encourage the retention of distinctive features including porches. However, Staff finds that this alteration is appropriate. The proposed work will effectively encapsulate the historic stairs under the new risers and treads, which is easily reversible should the current owner or a future owner wish to return the front stairs to their historic appearance.

The applicant also proposes installing a metal railing. A railing is required by code and will be a simple metal railing attached to the bottom tread and to the porch deck at the top. Staff finds the open character of this design will offer maximum transparency and can be removed with no damage to historic fabric,

per 24A-8(b)(2) and Standard 9.

The applicant proposes installing a fence inset from the front wall by 4' (four feet). The proposed fence as shown in the application is a 'hog fence' style with a wood frame and metal mesh insert, 4' (four feet) tall. The proposed fence will have a gate along the front walk and another gate adjacent to the driveway next to the front porch. Staff finds that the majority of houses along Carroll Avenue have open front yards, however, enough of them have been enclosed that this will not appear out of character for the district, per 24A-8(b)(2). Staff finds that the proposed placement, inset from the front retaining wall, is consistent with the fence installed at 7134 Carroll Avenue. While Staff finds the placement of the fence to be appropriate, Staff does not find the proposed fence design to be compatible with the surrounding Takoma Park Historic District. The hog fence design is more closely associated with an agricultural setting than the suburban Takoma Park Historic District and while this style of fence does provide maximum visibility as recommended in the *Design Guidelines*, the design remains out of character. The applicant provided Staff with a precedent image from Columbia Avenue in Takoma Park. Staff has not yet verified the address of this fence or been able to determine if the HPC reviewed and approved a HAWP for this work, however, Staff's still finds that the hogpen fence is an inappropriate design for the setting of the Takoma Park Historic District.

Staff has discussed the fence compatibility issue with the applicant and provided the applicant with the Standard HPC fence requirement (i.e. traditional materials, open picket design, no more than 4' tall in front of the rear wall plane). As of the date of this report posting (Wednesday, March 18th), the applicant has agreed to substitute a fence that meets these parameters (open, wood picket) instead of the hogpen fence discussed above. However, the applicant has not identified a final design for this wood, open picket fence, no more than 4' tall. Staff recommends the HPC approve this proposal with the added condition that final review and approval authority for a fence meeting these criteria be delegated to Staff.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with one condition** the HAWP application:

2. The proposed 'hogpen' fence is incompatible and needs to be a wood, open picket design, no more than 4' (four feet) tall. Final approval authority for the wood fence design is delegated to Staff;

under the Criteria for Issuance in Chapter 24A-8(b)(1), (2), and (d), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standards for Rehabilitation #2, 9, and 10*;

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.



HISTORIC PRESERVATION COMMISSION

301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: jettawalee@gmail.com Contact Person: JAMES LEE
Daytime Phone No.: 301 640 1615

Tax Account No.: _____

Name of Property Owner: JAMES & NADENEY LEE Daytime Phone No.: _____

Address: 7138 CARROLL
Street Number City Street Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING: _____

House Number: 7138 CARROLL AVE Street _____

Town/City: _____ Nearest Cross Street: _____

Lot: 13 Block: 2 Subdivision: 025

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT/ACT/WORK

1A. CHECK ALL APPLICABLE:

- ☒ Construct ☐ Extend ☒ Alter/Renovate
☐ Move ☐ Install ☐ Wreck/Retire
☐ 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: HANDICAP
ACCESS

1B. Construction cost estimate: \$ 10,000

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITION

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 4 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.

James Lee

Signature of owner or authorized agent

3/2/20

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

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

Owner's mailing address

7138 CARROLL AVENUE
TAKOMA PARK MD 20912

Owner's Agent's mailing address

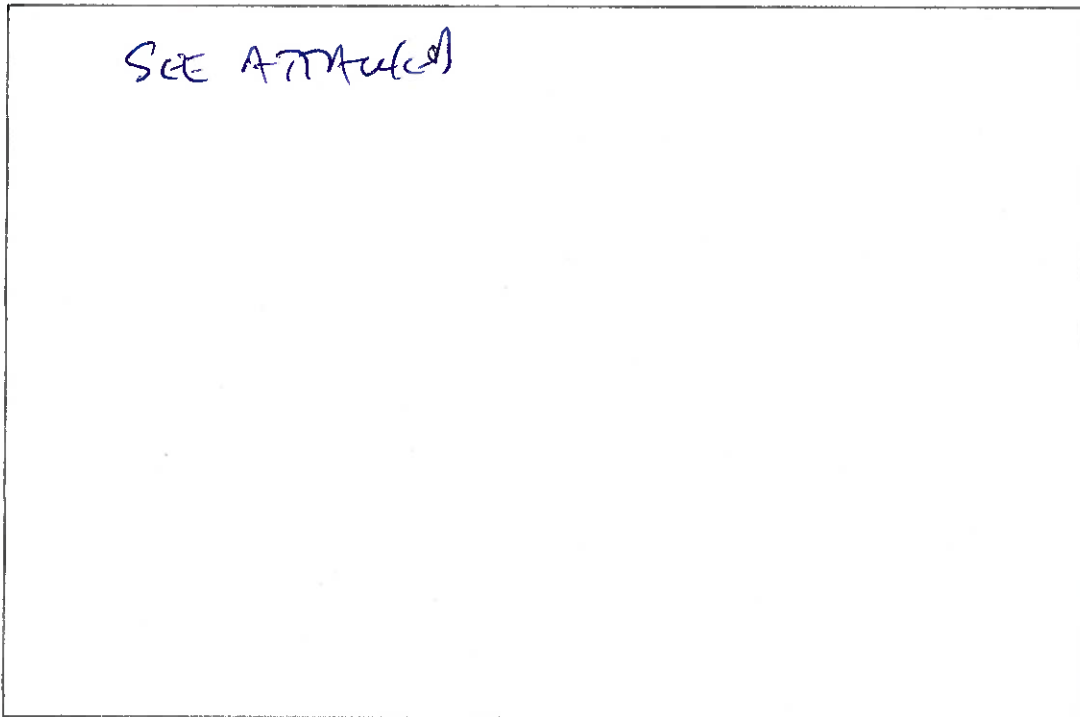
Adjacent and confronting Property Owners mailing addresses

7136 CARROLL AVE
TAKOMA PARK MD 20912

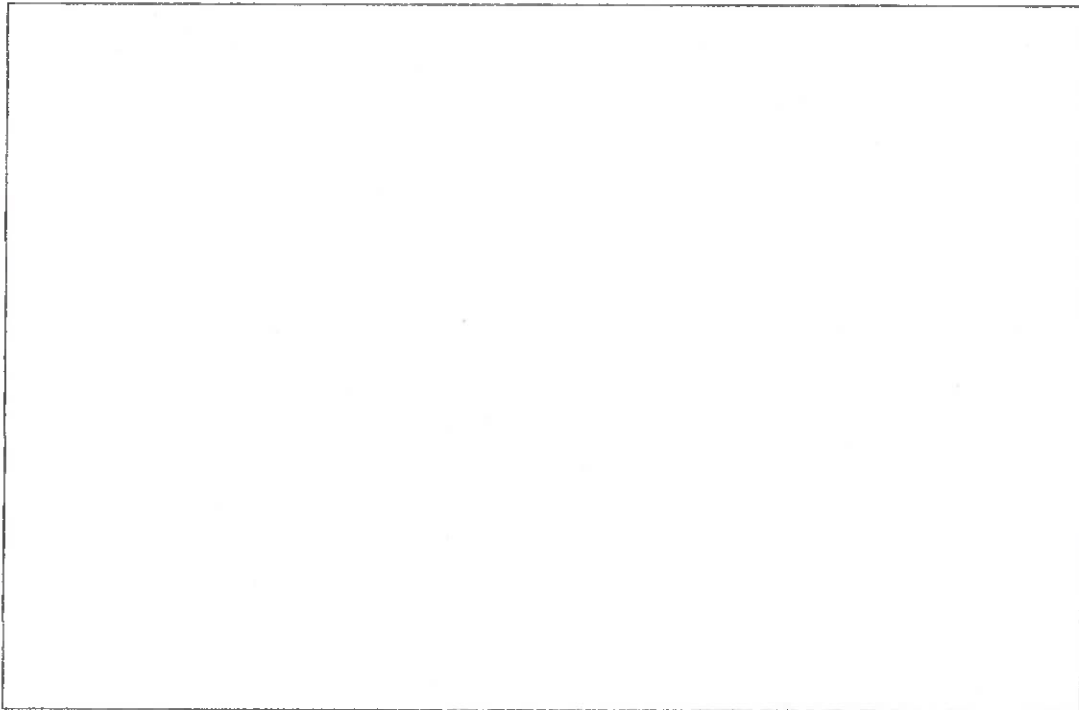
7140 CARROLL AVE
TAKOMA PARK MD 20912

7133 CARROLL AVE
TAKOMA PARK MD 20912

Existing Property Condition Photographs (duplicate as needed)



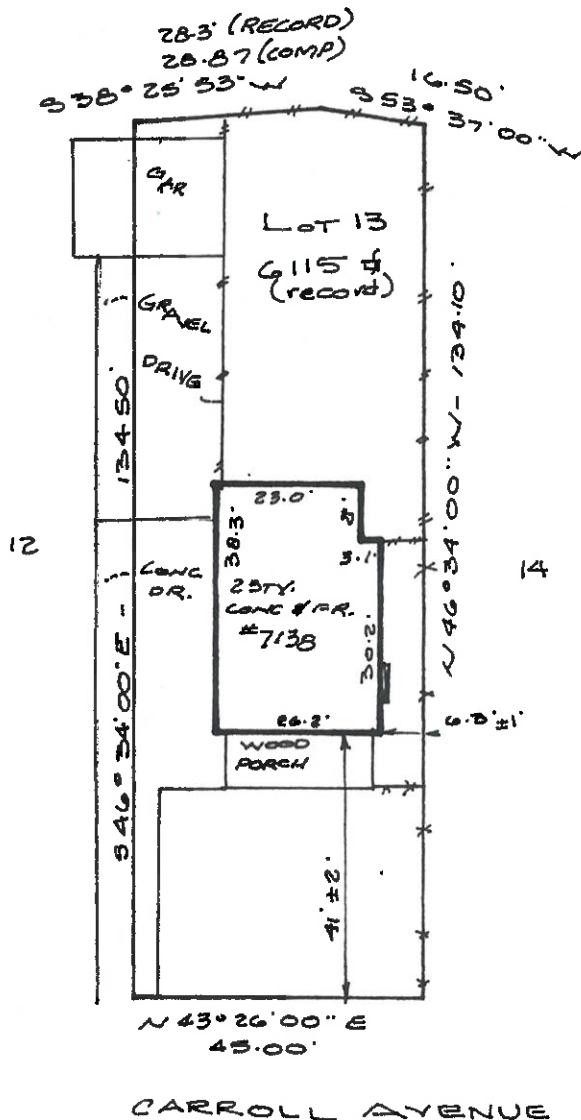
Detail: _____



Detail: _____

Applicant: James Lee

Page: _____



Property predates modern day zoning.
 PROPERTY IS SNOW COVERED.
 IMPROVEMENTS/ENCUMBRANCES
 MAY EXIST WHICH ARE NOT SHOWN HEREON.
 No evidence of property corners was found. Apparent occupation is shown.

Date: 2-24-03 Scale: 1"=50' Dm: SJW
 Plat Book: 2
 Plat No.: 140 NO TITLE REPORT FURNISHED
 Work Order: 03-1362
 Address: 7138 CARROLL AVENUE
 District: 13
 Jurisdiction: MONTGOMERY COUNTY, MD

LOCATION DRAWING
 LOT 13
 BLOCK 2
 HILL-CREST

Surveyor's Certification

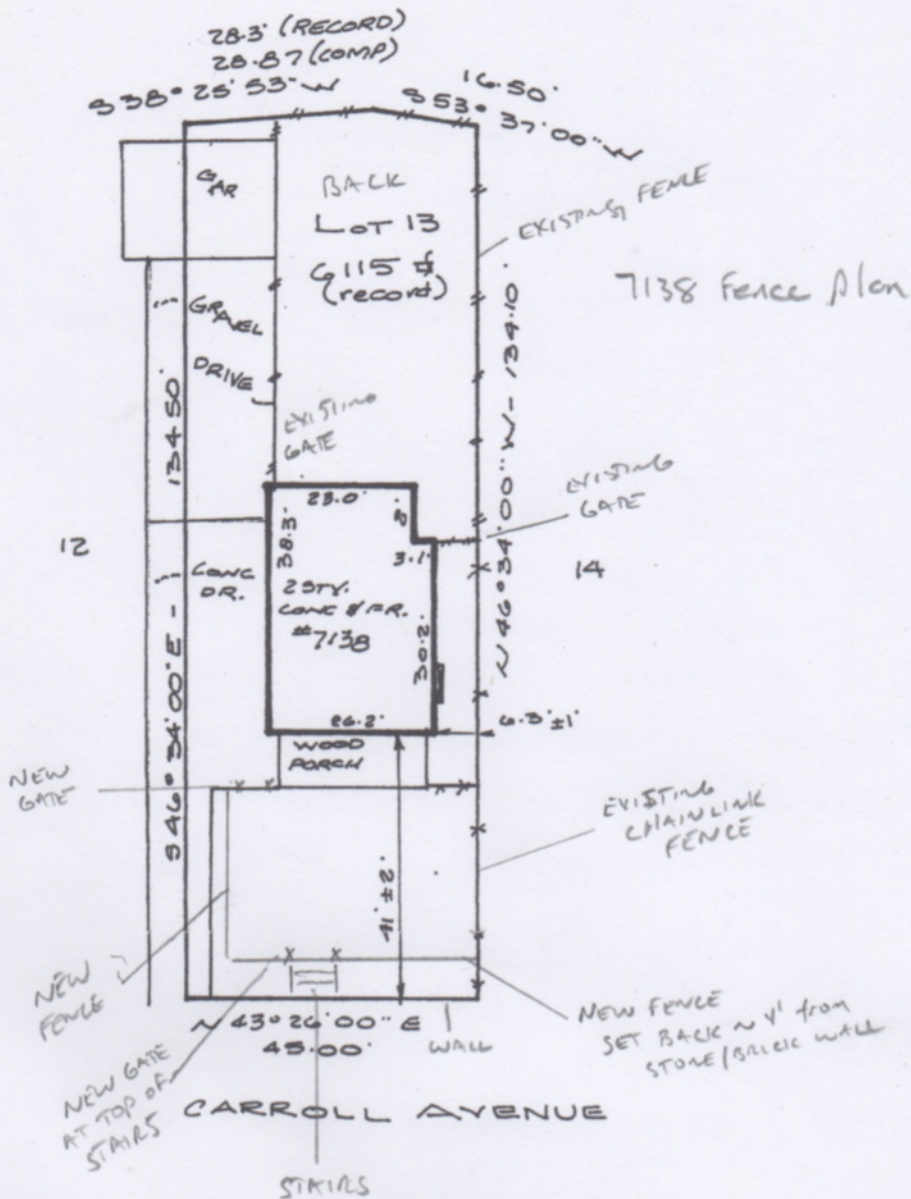
I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location of existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100 year flood plain according to FEMA insurance maps as interpreted by the originator unless otherwise shown hereon. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

Stephen J. Wenthold

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.



Meridian Surveys, Inc.
 811 Russell Avenue
 Suite #303
 Gaithersburg, MD 20879
 (301) 721-9400



7138 Carroll Avenue HAWP

Porch repair, stair repair, fence install

7138 Carroll Avenue HAWP, facing SE



- Rotted tongue and groove porch floor will be replaced with same style wood
- Cracked stucco on porch apron will be patched
- Vinyl from porch ceiling will be removed to reveal wood
- Stairs are not up to code, difficult for handicapped resident, risers will be improved with adding treated wood steps atop existing concrete with minimal additional footprint
- Repair stone wall, install within property boundary fence for handicapped resident security

7138 Carroll Avenue HAWP, detail porch floor



Rotted porch floor, SE corner



Rotted porch floor



7138 Carroll Avenue HAWP, porch apron repair



SW corner, SE corner, SE face to right of steps

7138 Carroll Avenue HAWP, stair repair



Stair risers are too narrow and top step too steep. Difficult for handicapped resident to mount. Difficult for all residents.

Propose leaving existing cement steps in place and mounting treated wood risers on top that are up to code ,with a simple metal handrail on the left side





7138 Carroll Avenue HAWP, porch ceiling repair



- Remove vinyl cladding from porch ceiling,
- Restore and repair wood underneath as needed to original.

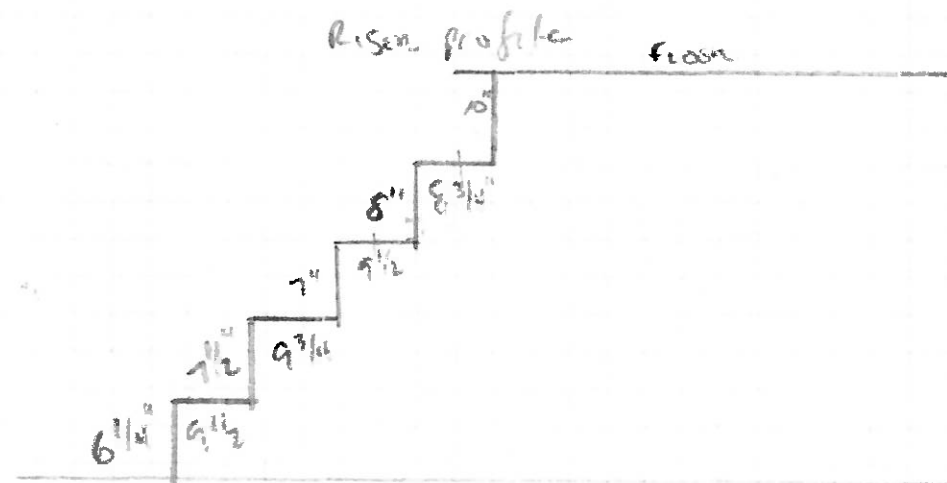
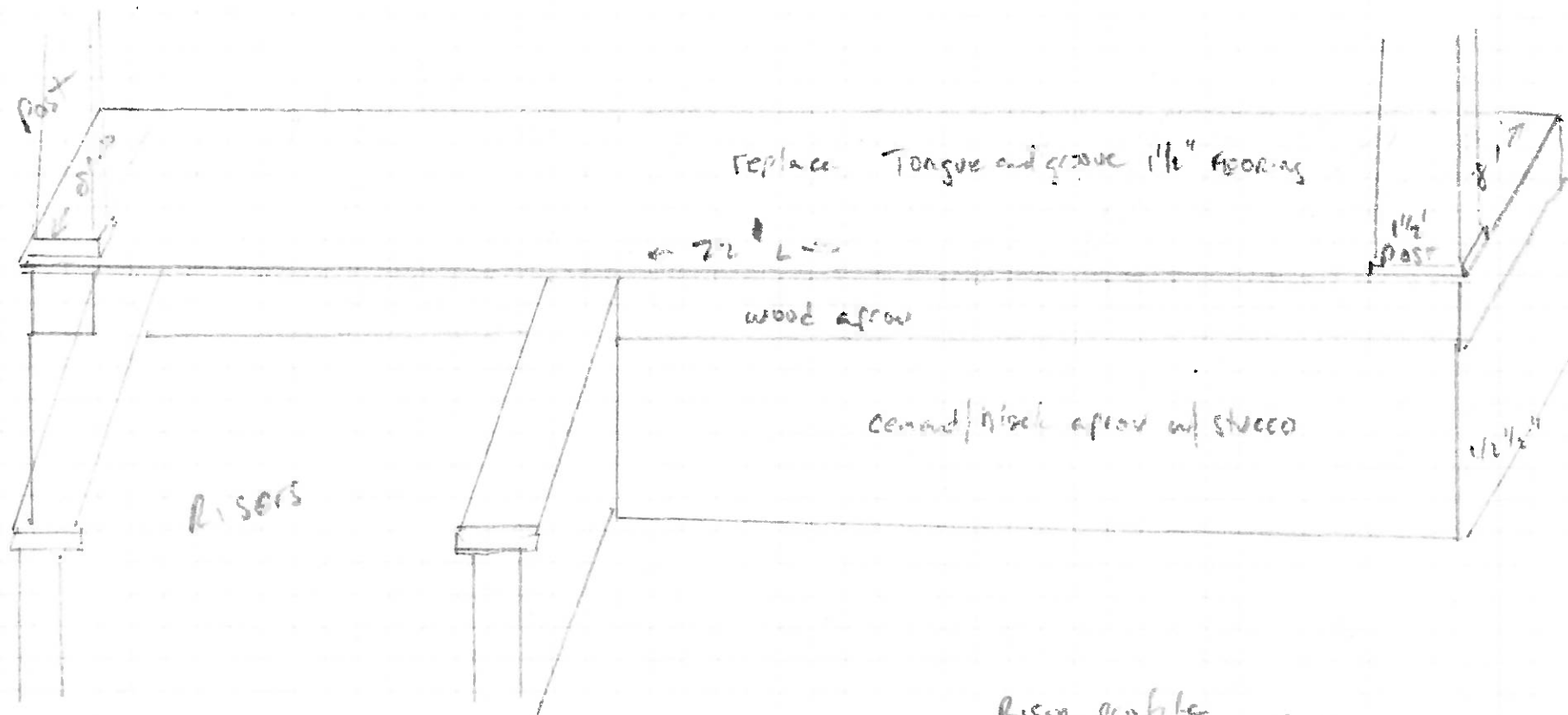
7138 Carroll Avenue HAWP, fence install, repairs to stone wall



Example of 'hog fence' style

Repair of stone wall w/brick capstones; install along perimeter of front lawn within property boundary (~4' offset from wall line, 'hog fence' style fence) for security of handicapped resident.

7138 CARROLL AVE HAWP schematic



City of Takoma Park

Housing and Community Development Department

Main Office 301-891-7119
Fax 301-270-4568
www.takomaparkmd.gov



7500 Maple Avenue
Takoma Park, MD 20912

MUNICIPALITY LETTER

March 13, 2019

To: Property Owner: **James Lee**

To: Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850-4166 Fax 240-777-6398; 240-777-6262; 240-777-6223

From: Planning and Development Services Division

THIS IS NOT A PERMIT – For Informational Purposes Only

VALID FOR ONE YEAR FROM DATE OF ISSUE

The property owner is responsible for obtaining all required permits from Montgomery County and the City of Takoma Park. If this property is in the **Takoma Park Historic District**, it is subject to Montgomery County Historic Preservation requirements.

Representative/email: James Lee, jottawalee@gmail.com
Location of Project: 7138 Carroll Avenue, Takoma Park MD 20912
Proposed Scope of Work: Front Porch Replacement & Fence Installation

The purpose of this municipality letter is to inform you that the City of Takoma Park has regulations and city permit requirements that may apply to your project. This municipality letter serves as notification that, in addition to all Montgomery County requirements, you are required to comply with all City permitting requirements, including:

- Tree Impact Assessment/Tree Protection Plan
- Stormwater management
- City Right of Way

Failure to comply with these requirements could result in the issuance of a Stop Work Order and other administrative actions within the provisions of the law. Details of Takoma Park's permit requirements are attached on page 2.

The issuance of this letter does not indicate approval of the project nor does it authorize the property owner to proceed with the project. The City retains the right to review and comment on project plans during the Montgomery County review process.

City Of Takoma Park



The City of Takoma Park permits for the following issues:

Tree Impact Assessment/Tree Protection Plan/Tree Removal Application:

Construction activities that occur within 50 feet of any urban forest tree (7 5/8" in diameter or greater), located on the property or on an adjacent property, may require a Tree Impact Assessment and Tree Protection Plan. Make sure to submit a Tree Impact Assessment and schedule a site visit with the City's Urban Forest Manager if any urban forest tree will be impacted by the proposed construction. The removal of any urban forest tree will require a tree removal application. The tree ordinance is detailed in the City Code, section 12.12. For permit information check: <https://takomaparkmd.gov/services/permits/tree-permits/> The City's Urban Forest Manager can be reached at 301-891-7612 or janvz@takomaparkmd.gov

Stormwater Management:

If you plan to develop or redevelop property, you may be required to provide appropriate stormwater management measures to control or manage runoff, as detailed in City Code section 16.04. All commercial or institutional development in the city must apply for Stormwater Management Permit regardless of the size of the land disturbance. Additions or modifications to existing detached single-family residential properties do not require a Stormwater Management permit if the project does not disturb more than 5,000 square feet of land area. For more information: <https://takomaparkmd.gov/government/public-works/stormwater-management-program/>. The City Engineer should be contacted to determine if a City permit is required at 301-891-7620.

City Right of Way:

- To place a **construction dumpster or storage container** temporarily on a City right of way (usually an adjacent road), you will need to obtain a permit. A permit is not required if the dumpster is placed in a privately-owned driveway or parking lot.
- If you plan to install a new **driveway apron**, or enlarge or replace an existing driveway apron, you need a Driveway Apron Permit.
- If you plan to construct a **fence** in the City right of way, you need to request a Fence Agreement. If approved, the Agreement will be recorded in the Land Records of Montgomery County.

For more information and applications for City permits, see <https://takomaparkmd.gov/services/permits/> or contact the Takoma Park Department of Public Works at 301-891-7633.

Failure to comply with the City's permitting requirements could result in the issuance of a Stop Work Order and other administrative actions within the provisions of the law.