

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

<b>Address:</b>	104 Tulip Avenue, Takoma Park	<b>Meeting Date:</b>	7/29/2020
<b>Resource:</b>	Non-Contributing Resource <b>Takoma Park Historic District</b>	<b>Report Date:</b>	7/22/2020
<b>Applicant:</b>	Gertrude & Wolfgang Mergner	<b>Public Notice:</b>	7/15/2020
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	37/03-20BBB	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Hardscaping alteration		

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**STAFF RECOMMENDATION:**

☒ Approve  
☐ Approve with conditions

**ARCHITECTURAL DESCRIPTION:**

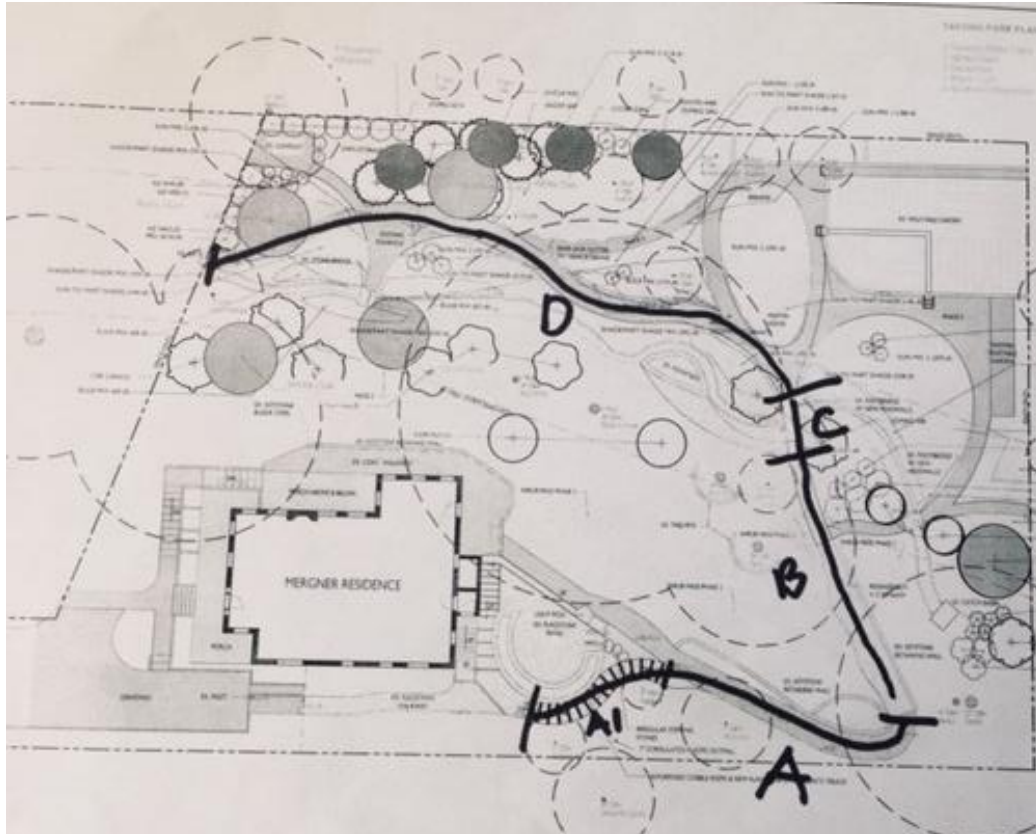
**SIGNIFICANCE:** Non-Contributing Resource to the Takoma Park Historic District  
**STYLE:** Victorian Revival  
**DATE:** 1987



*Fig. 1: 104 Tulip Ave is setback from the street, behind 102 Tulip Ave.*

## **PROPOSAL**

In the side/rear of the property, there is a gravel path that has been damaged by a tree fall and erosion. The applicant proposes to regrade sections A, B, and C and pave with concrete. Section D will be regraded and covered in gravel. All of these sections are not visible from the public right-of-way and will not impact the character of the surrounding building. Staff recommends the HPC approve the HAWP.



## **APPLICABLE GUIDELINES:**

### **Policy On Use of Expedited Staff Reports for Simple HAWP Cases**

IV. The Expedited Staff Report format may be used on the following type of cases:

2. Modifications to a property, which do not significantly alter its visual character.
11. Construction or replacement of walkways, parking areas, patios, driveways or other paved areas that are not readily visible from a public right-of-way and/or are compatible in material, location, and design 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 ensure 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) In the case of an application for work on an historic resource located within an historic district, 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 Interior's Standards for Rehabilitation***

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The relevant *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

### **STAFF RECOMMENDATION:**

Staff recommends that the Commission **approve** the HAWP application 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*;

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](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit.





Mr. & Mrs. Wolfgang Margue  
104 Tulip Ave  
Takoma Park, MD 20912-4204



HISTORIC PRESERVATION COMMISSION  
301/563-3400

CPB-08

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contractor Email: gertrud.margue@gmail.com Contact Person: Gertrud V. Margue  
Daytime Phone No.: 301-202-7654 H  
Tax Account No.: 52-6002033  
Name of Property Owner: Gertrud/Wolfgang Margue Daytime Phone No.: 301-580-6649 C  
Address: 104 Tulip Ave Takoma Park, MD 20912  
Street Number City State Zip Code  
Contractor: HOW Phone No.:  
Contractor Registration No.: R  
Agent for Owner: R Daytime Phone No.:

## PROPERTY INFORMATION

House Number: 104 Street: Tulip Avenue  
Town/City: Takoma Park Nearest Cross Street: Holly Ave  
Lot: 34 Block: 6 Subdivision: D25  
Lot: 124 Folio: 14528 Parcel: 7N42

## PROPERTY TYPE AND CHARACTERISTICS

### 1A. CHECK ALL APPLICABLE

☒ Construct ☐ Extend ☐ Alter/Remodel  
☐ Move ☐ Install ☐ Window/Rose  
☒ Revision ☐ Repair ☐ Removable

### CHECK ALL APPLICABLE

☐ A/C ☐ Stair ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed  
☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family  
☐ Fence/Wall (complete Section E) ☐ Other: Garden Paths

1B. Construction cost estimate: \$

1C. If this is a revision of a previously approved active permit, see Permit # NO

## PERMIT INFORMATION

2A. Type of sewage disposal: 01 ☐ WSSC 02 ☐ Septic 03 ☐ Other: N/A  
2B. Type of water supply: 01 ☐ WSSC 02 ☐ Well 03 ☐ Other: N/A

## PERMITTING INFORMATION

2A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches N/A

2B. 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/roadway

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 that to be a condition for the issuance of this permit.

Wolfgang I. Margue  
Gertrud V. Margue  
Signature of owner or authorized agent

03-05-2020  
Date

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

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

Applications/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

Oct 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS



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

**1a. Written description of project**

Our garden was destroyed by our neighbor's huge oak tree, which uprooted our huge Tulip tree and took down 8 other trees we had planted about 14 years ago. Now we want to reestablish first the path so we can start planting new trees. The main part of the path will be first a continuation of an existing flagstone path and then continue into the lower part of the garden as crushed stone, leading to the compost, an existing gate and a small existing foot bridge. All the other paths will be mowed grass paths. The short little path from the existing patio behind the house is very steep and needs to be repaired and may be slightly graded or redirected to allow us to bring in everything on wheelbarrows. Our entire garden has no access to streets.

1b. The garden is not visible from the street and should not impact the historical setting. The environmental setting will be greatly enhanced by large and small trees (mostly native) and many flowers for insects.

**2. SITE PLAN** attached

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

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

**3. PLANS AND ELEVATIONS** attached

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.

- Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, windows and door openings, and other fixed features of both the existing resource and the proposed work.
- Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and textures 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** See above description

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** attached

- 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.
- 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.

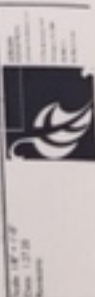
**6. TREE SURVEY** see attached tree impact assessment by Urban Forest Manager in Takoma Park

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 CONVEYING PROPERTY OWNERS** attached

For ALL projects, provide an accurate list of adjacent and conveying 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.



Mergner Residence  
104 Tulip Ave.  
Takoma Park, MD 20912

## Planting Plan

L400





Public Works Department

## Tree Impact Assessment Response

**February 28, 2020**

Gertrude & Wolfgang Mergner  
104 Tulip Avenue  
Takoma Park, MD 20912

Re: same  
Takoma Park, MD 20912

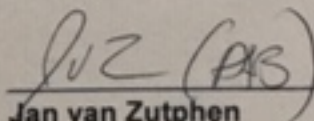
Dear Wolfgang & Gertrude Mergner,

The City received your request for a Tree Impact Assessment on February 19, 2020. The work described in your submission does not require a Tree Protection Permit. Please adhere to the guidance provided by the City's Urban Forest Manager on your site meeting February 27, 2020, which included not changing the grade in the critical root zones of any tree with installation of the new path or repairs to the existing path and storing materials for the project as far away from the tree root zones as possible.

Additionally, I encourage you to plant large canopy trees, such as sycamore, willow oak or swamp white oak. Information about the City's bulk buy program will be posted in the March Newsletter and is also available on the City's website.

If you have any questions, please contact the Urban Forest Manager at:  
[JanvZ@TakomaParkMD.gov](mailto:JanvZ@TakomaParkMD.gov)

DATE: 2/28/2020

  
Jan van Zutphen  
Urban Forest Manager

NOTE: This survey for title purposes only - not to be used for placing of fencing or determining property lines

Building Location Plat  
Lot 34 Block 6  
D. F. Gilbert's Addition to  
TAKOMA PARK  
Montgomery County, Maryland

Scale: 1"=30'

Surveyor's Certificate

We hereby certify that we have carefully examined the property shown herein in accordance with record description; that all of the existing buildings have been located by a transit-tape survey; that lot corners have not been set by this survey unless otherwise shown:

Date: AUGUST 12, 1986

Plat Book 124  
Plat No. 14528

Recertified Sept. 18, 1987  
New driveway shown as of  
10/2/87



Frey, Sheehan, Stoker & Assoc., Inc.  
Land Planning Consultants  
Phone 568-3110

By James T. Sheehan  
James T. Sheehan  
Professional Land Surveyor  
Md. No. 3984

Original:

Please return to  
Curtis and Wolfgang  
MERBNER  
104 Tulip Ave  
Takoma Park,  
MD 20912







<http://www.humanities.mcgill.ca>

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1997

Mergner Residence  
104 Tulip Ave.  
Takoma Park, MD 20912

### Planting Plan

L400



Mr. & Mrs. Wolfgang Margner  
104 Tulip Ave  
Takoma Park, MD 20912-4204

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

**Owner's mailing address**

Gertraud and Wolfgang  
Margner  
104 Tulip Avenue  
Takoma Park, MD 20912

**Owner's Agent's mailing address**

N/A

**Adjacent and confronting Property Owners mailing addresses**

4) Jeff Mac Millan  
Lucinda Leach  
7203 HOLLY AVE  
Takoma Park, MD 20912

7) Nancy and Martin Collins Knight  
7211 HOLLY AVE  
Takoma Park, MD 20912

5) Brigitte + Tim Seichinger  
7207 HOLLY AVE  
Takoma Park, MD 20912

8) Adam & Leach not  
4 Boicoy Ave adjacent  
Takoma Park, MD 20912

6) Sarah and Jamie Roskin  
7209 HOLLY AVE  
Takoma Park, MD 20912

2) Verna Kelly  
7212 Cedar Ave  
Takoma Park, MD 20912

10) Louise Klee / Peter Kung  
106 Tulip Ave  
Takoma Park, MD 20912

11) Diane McEachern  
102 Tulip Ave  
Takoma Park, MD 20912





DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

# HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 7/8/2020

Application No: 919245  
AP Type: HISTORIC  
Customer No: 1377999

## Comments

The garden is not visible from any street and does not impact the historical setting. Repair of the path and the steep steps is the first step to redo our garden

## Affidavit Acknowledgement

The Homeowner is the Primary applicant  
This application does not violate any covenants and deed restrictions

## Primary Applicant Information

Address 104 TULIP AVE  
TAKOMA PARK, MD 20912  
Homeowner Mergner  
Homeowner Mergner  
Homeowner Mergner (Primary)

## Historic Area Work Permit Details

Work Type RESREP  
Scope The path in our garden was destroyed by several large trees. The path and some steps to the garden were destroyed. We want to repair the path. The of garden is in a deep creek valley and we have no access to any of the surrounding streets. Therefore we need a path to move a wheelbarrow to plant trees and bushes again.