

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	103 Tulip Avenue, Takoma Park	Meeting Date:	11/18/2020
Resource:	Non-Contributing Resource (Takoma Park Historic District)	Report Date:	11/11/2020
Applicant:	Zack Neubauer	Public Notice:	11/4/2020
Review:	HAWP	Tax Credit:	No
Case Number:	37/03-200000	Staff:	Michael Kyne
PROPOSAL:	Solar array		

STAFF RECOMMENDATION:

☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Non-Contributing Resource within the Takoma Park Historic District
STYLE: Cottage
DATE: c. 1950s

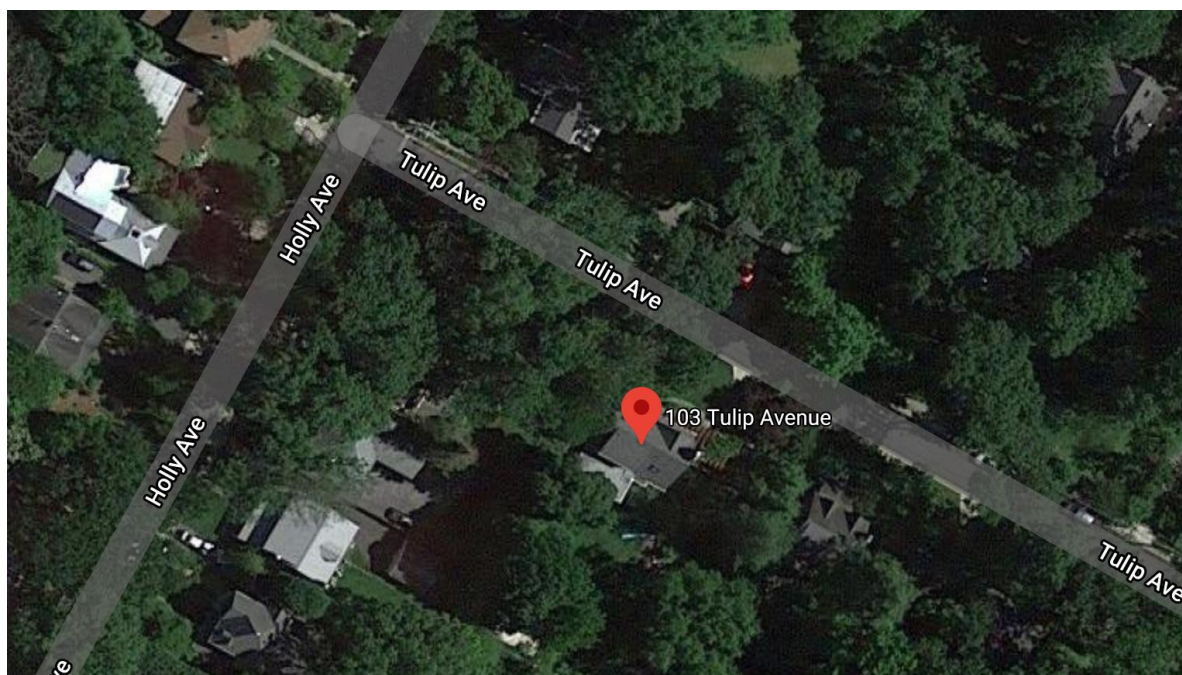


Fig. 1: Subject property.

PROPOSAL:

The applicant proposes to install 20 solar panels on the south/southwest (rear) roof plane of the subject property.

APPLICABLE GUIDELINES:

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.

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; 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.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (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 *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.

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 proportion, and massing to protect the integrity of the property and its environment.

Historic Preservation Commission Policy No. 20-01: ADDRESSING EMERGENCY CLIMATE MOBILIZATION THROUGH THE INSTALLATION OF ROOF-MOUNTED SOLAR PANELS

On December 5, 2017, the Montgomery County Council adopted an Emergency Climate Mobilization resolution (Resolution No.: 18-974) which declared a climate emergency and charged the County Executive, Montgomery County Public Schools, and the Maryland-National Capital Park and Planning Commission to advise the Council on methods to reduce greenhouse gas emissions.

As a body established by the County Executive, it is incumbent on the Historic Preservation Commission (HPC) to undertake steps to achieve the goals of the Emergency Climate Mobilization resolution.

One method for reducing greenhouse gas emissions is to replace carbon-heavy methods of energy production, like coal and natural gas power plants, with renewable sources like wind and solar power. Current historic preservation best practice is to limit the locations solar panels may be installed to preserve the character of the building above all other considerations. Chapter 24A-8(b)(6) of County Code establishes a balancing test for approval of a HAWP where there is an apparent conflict between the desired impact on the historic resource compared to the public benefit of the proposal. Because the widespread use of solar panels, both for hot water and for electricity production, will reduce greenhouse gases in the county, it is the position of the HPC that solar panels may be installed on all roof elevations of historic sites or historic resources located within a historic district provided:

1. The identified preferred location (on the rear of the property, building additions, accessory structures, or ground-mounted arrays) is not feasible due to resource orientation or other site limitations and;
2. The roof is not either architecturally significant or a slate or tile roof unless it can be demonstrated that the solar array will be installed without damaging the historic character of the resource or historic fabric; and
3. A Historic Area Work Permit (HAWP) is required for all work referenced in this policy.

Now, THEREFORE:

WHEREAS, Historic Area Work Permit decisions are guided by the criteria in Section 24A, The Secretary of the Interior's Standards for Rehabilitation, and pertinent guidance from applicable master plan amendments and/or site or district-specific studies;

WHEREAS, The Secretary of the Interior's Standards for Rehabilitation as interpreted by the National Park Service limit the placement of rooftop solar panels under Standards 2, 9, and 10 to less conspicuous locations;

WHEREAS, the County Council has established a Climate Emergency;

WHEREAS, the Historic Preservation is a body established by the County Executive and County Council;

WHEREAS, Section 24-8(b)(6) states, “In balancing the interest 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;”

WHEREAS, the widespread use of solar panels, both for hot water and for electricity production, will reduce greenhouse gases in the county, in accordance with the aims of the Emergency Climate Mobilization resolution (Resolution No.: 18-974), it shall be the policy of the Historic Preservation Commission that:

1. The preferred locations for solar panel installation(s) on a designated historic site or an historic resource located within an historic district is a) on the rear of the property, b) on non-historic building additions, c) on accessory structures, or d) in ground-mounted arrays;
2. If it is not feasible to install solar panels in one of the identified preferred locations due to resource orientation or other site limitations; and,
3. The roof is determined to be neither architecturally significant, nor a character-defining feature of the resource, nor is it a slate or tile roof, that unless it can be demonstrated that the solar array will be installed without damaging the historic character of the resource or historic fabric; then
4. The public welfare is better served by approving a Historic Area Work Permit for solar panels on all visible side or front roof slopes under Section 24A-8(b)(6).

A Historic Area Work Permit (HAWP) is required for all work referenced in this policy.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) having found that the proposal is consistent with the *Takoma Park Historic District Guidelines*, and therefore 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 #9;

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 michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



APPLICATION FOR
HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:

HAWP# _____

DATE ASSIGNED _____

APPLICANT:

Name: Zach Neubauer

E-mail: Zneubauer@Solarenergyworld.com

Address: 103 Tulip Avenue

City: Takoma Park Zip: 20912

Daytime Phone: 410 579 5172

Tax Account No.: 01062097

AGENT/CONTACT (if applicable):

Name: Zach Neubauer

E-mail: Zneubauer@Solarenergyworld.com

Address: 5681 Main Street

City: Elkridge Zip: 21075

Daytime Phone: 410 579 5172

Contractor Registration No.: MHIC 127353

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? ☒ Yes/District Name _____
☐ No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 103 Street: Tulip Avenue

Town/City: Takoma Park Nearest Cross Street: Holly Avenue

Lot: 26 Block: 7 Subdivision: 0025 Parcel: N/A

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|---|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Fence | <input checked="" type="checkbox"/> Solar |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input type="checkbox"/> Other: _____ |

I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.

[Signature]
Signature of owner or authorized agent

10/22/2020

Date

5

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

Owner's mailing address Margo Kabel 103 Tulip Avenue Takoma Park, MD 20912	Owner's Agent's mailing address Zach Neubauer 5681 Main Street Elkridge, MD 21075
Adjacent and confronting Property Owners mailing addresses	
Jon Faust + Margaret Little 105 Tulip Avenue Takoma Park, MD 20912 Adjacent	Lewis Morris 7201 Holly Avenue Takoma Park, MD 20912 Adjacent
Gregory Bordynowski 7113 Holly Avenue Takoma Park, MD 20912 Backyard Confronting	Kevin Guard 7111 Holly Avenue Takoma Park, MD 20912 Backyard Confronting

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

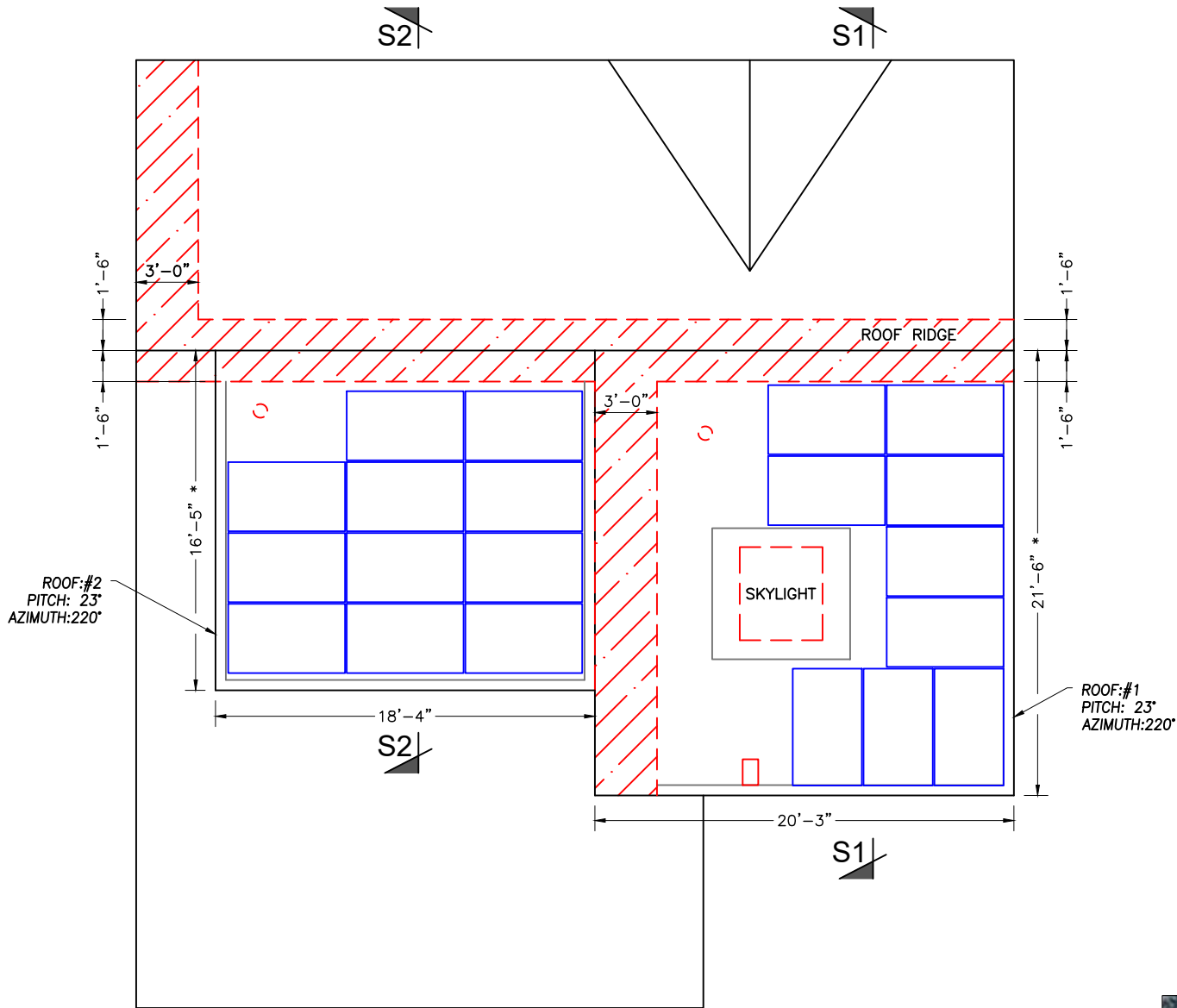
Single family home built in 1957

Description of Work Proposed: Please give an overview of the work to be undertaken:

- Install 20 roof mounted solar panels on S-SW facing roof
- Micro-Inverters to be installed under each panel
- Utility disconnect to be installed next to utility meter along with electrical combiner box for micro-inverters
- Panels on S-SW backyard facing roof for maximum efficiency
- Galvanized steel conduits to run from equipment along and tucked into chimney line to attic

IQ7+
Critter Guard

PLAN VIEW TOTAL ROOF AREA: 1766.85 SQFT
SOLAR ARRAY AREA: 377.39
THE SOLAR ARRAY IS 21.36% OF THE PLAN
VIEW TOTAL ROOF AREA



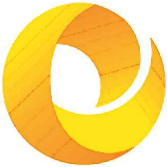
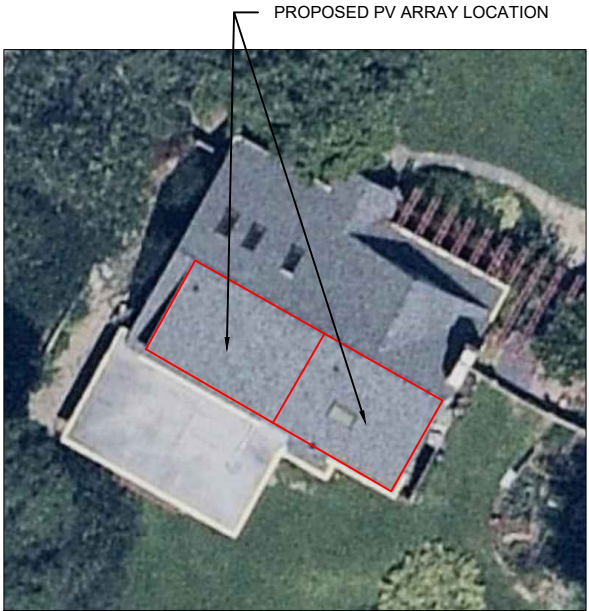
KEY

 FIRE SAFETY ZONE



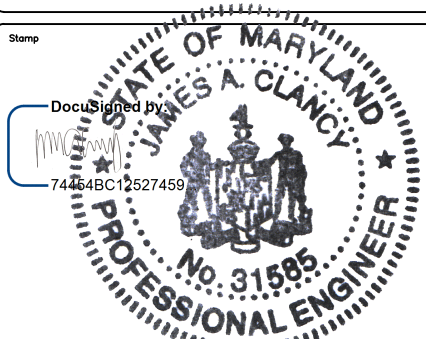
SOLAR PANEL LAYOUT
Scale: 1/8" =1'-0"

- NOTES:
1. THE SYSTEM SHALL INCLUDE [20] REC360AA BLK MODULES.
 2. SNAPNRACK SOLARMOUNT RAIL WILL BE INSTALLED IN ACCORDANCE WITH SNAPNRACK INSTALLATION MANUAL
 3. DIMENSIONS MARKED (*) ARE ALONG ROOF SLOPE.
 4. REFER TO STRUCTURAL DRAWING FOR SECTIONS MARKED AND ADDITIONAL NOTES.



SolarEnergyWorld
Because Tomorrow Matters
Solar Energy World LLC.
5681 Main Street
Elkridge, MD 21075
(888) 497-3233

Disclaimer:
This drawing is the property of Solar Energy World Inc. The information herein contained shall be used for the sole benefit of Solar Energy World. It shall not be disclosed to others outside the recipient's organization, in whole or in part, without the written permission of Solar Energy World, except in connection with the sale and use of the respective Solar Energy equipment.



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 31585, EXPIRATION DATE: JULY 18, 2021.
*STAMPED AND SIGNED FOR STRUCTURES ONLY

Revisions			
REV	DESCRIPTIONS	BY	DATE
01	-----	--	--

Plotted By: Hunter Smith on 10/16/2020 2:15 PM

Project Name and Address
Margo Kabel
103 Tulip Ave.
Takoma Park, MD 20912
7.20 kW
MD8200

Drawn by JN	A001
Date 5-OCT-2020	
Scale AS NOTED	

Historical Area Work Permit Application for Roof Mounted Solar
Margo Kabel, 103 Tulip Avenue, Takoma Park, MD 20912

Existing Property Condition Photographs



Front View



East View



West View



Utility Side Before Installation



Utility Side Example After Installation

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

October 22, 2020

To: Margo Kabel / margokabel10@gmail.com
103 Tulip Avenue,
Takoma Park MD, 20912

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: Zachary Neubauer / zneubauer@solarenergyworld.com

Location of Project: 103 Tulip Avenue, Takoma Park, MD 20912

Proposed Scope of Work: Proposing to install 20 roof mounted solar panels (7.20 kW)

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.