

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

<b>Address:</b>	45 Philadelphia Ave., Takoma Park	<b>Meeting Date:</b>	1/27/2021
<b>Resource:</b>	Contributing Resource <b>Takoma Park Historic District</b>	<b>Report Date:</b>	1/20/2021
<b>Applicant:</b>	Kimberly Cole	<b>Public Notice:</b>	1/13/2021
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Permit No.:</b>	936369	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	New Hardscape and Driveway		

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**STAFF RECOMMENDATION**

☒ **Approve**  
☐ **Approve with conditions**

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource to the Takoma Park Historic District  
**STYLE:** Craftsman  
**DATE:** c.1930

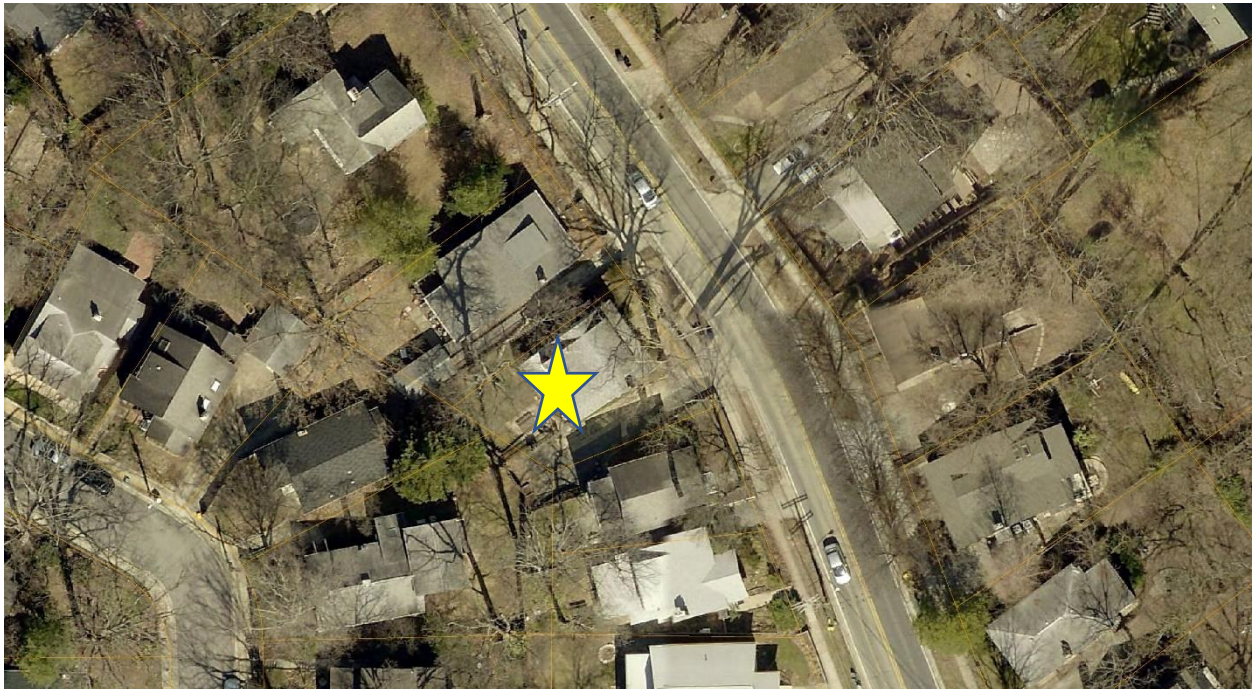


Figure 1: 45 Philadelphia Ave.

## **PROPOSAL**

The applicant proposes to remove and reconstruct the retaining wall in front of the house. Photographs submitted with the application demonstrate that they are failing. The front retaining walls are constructed out of several materials: textured block, plain CMU block, parged brick, poured concrete, and modern modular block. The applicant proposes to excavate and construct new walls using modular Diamond Block.<sup>1</sup> Staff finds this material to be appropriate for the location.

The application additionally proposes to and replace the damaged driveway with an asphalt drive, matching the material of the next door neighbor's adjoining drive.

## **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.
12. Construction or repair of retaining walls where the new walls are compatible in material, location, design and height 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**

<sup>1</sup> Diamond Pro Retaining Wall System: <https://www.anchorwall.com/walls/diamond-pro-retaining-wall-system-straight-face>.

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. visit.



FOR STAFF ONLY:  
HAWP# 936369  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

## APPLICANT:

Name: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Tax Account No.: \_\_\_\_\_

## AGENT/CONTACT (if applicable):

Name: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

**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: \_\_\_\_\_ Street: \_\_\_\_\_

Town/City: \_\_\_\_\_ Nearest Cross Street: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Parcel: \_\_\_\_\_

**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:**

☐ New Construction

☐ Deck/Porch

☐ Shed/Garage/Accessory Structure

☐ Addition

☐ Fence

☐ Solar

☐ Demolition

☐ Hardscape/Landscape

☐ Tree removal/planting

☐ Grading/Excavation

☐ Roof

☐ Window/Door

☐ 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.

Kimberly Cole  
Signature of owner or authorized agent

\_\_\_\_\_  
Date



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

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

Work Item 1: \_\_\_\_\_

Description of Current Condition:

The left side of the retaining wall is restored but not the original style. The right side is original but leaning dangerously and could fall on a child. The sides of the stairs are cracked. There is no drainage system on either side of the stairs.

Proposed Work:

Work Item 2: \_\_\_\_\_

Description of Current Condition:

Right side wall is cracked and leaning and could injure a child or damage a car if it falls. Left side wall is severely cracked due to tree roots and also leaning.

Proposed Work:

Work Item 3: \_\_\_\_\_

Description of Current Condition:

The driveway is shared with a neighbor and each owner has a portion of the driveway large enough for a car to drive up. Driveway includes original cement tracks/wheel strips but they are broken into many small and jagged pieces. Cement was used in between the tracks at some point. The car parking area is asphalt. Tree roots have pushed the cement pieces up so the jagged cement poses a tripping hazard.

Proposed Work:

# HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. 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	*	*		*	*	*	*
Grading/Exc avation/Land scaing	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

# CONSUMER INFORMATION NOTES:

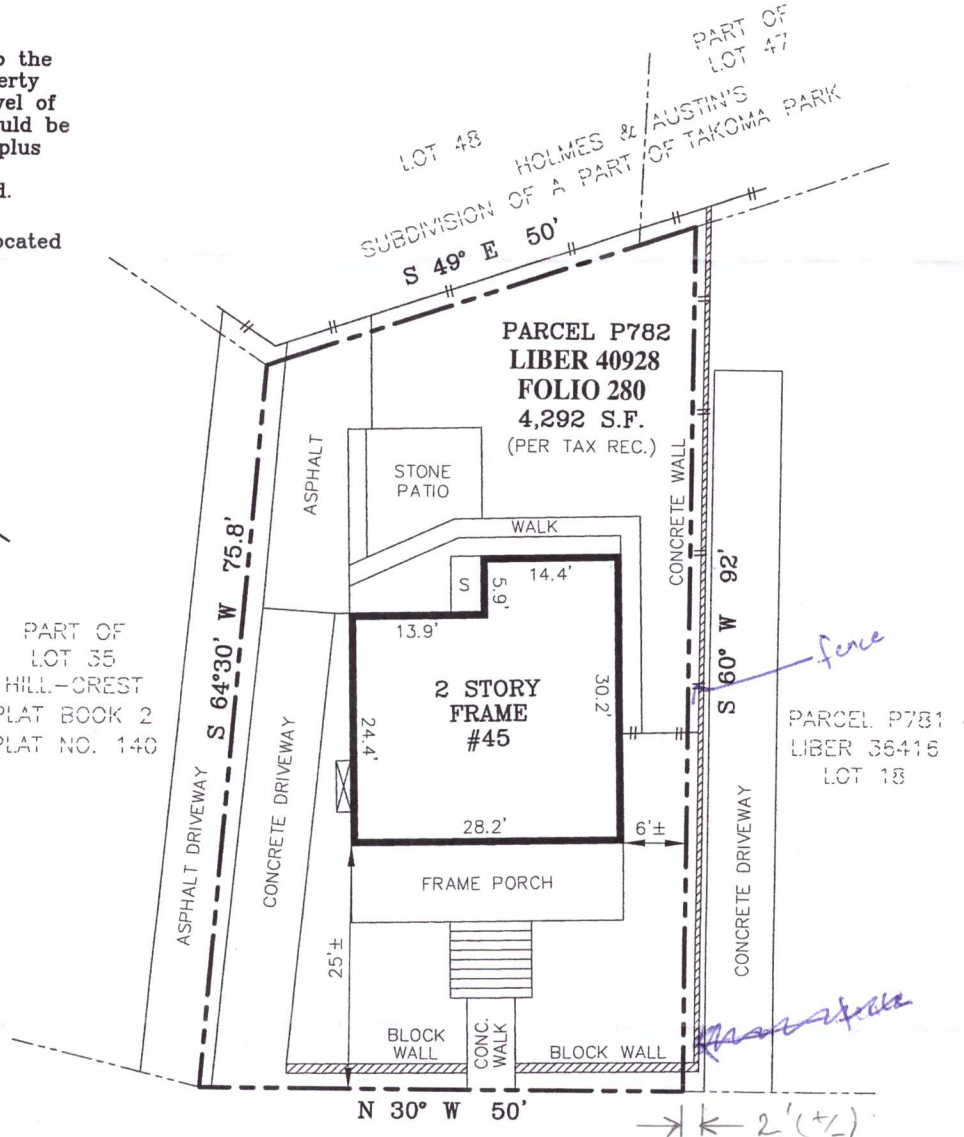
1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan 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 re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

## Notes:

1. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 3 feet.  
No property corners confirmed.
2. Fences, if shown, have been located by approximate methods.



PART OF  
LOT 35  
HILL-CREST  
PLAT BOOK 2  
PLAT NO. 140



LOCATION DRAWING  
S.A. JINNAH & D.M. BUSHEY PROPERTY  
**LIBER 40928, FOLIO 280**  
#45 PHILADELPHIA AVENUE  
MONTGOMERY COUNTY, MARYLAND

**PHILADELPHIA AVENUE**  
(PUBLIC R/W)

## SURVEYOR'S CERTIFICATE

"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."

*Jeffrey A. Foster*  
MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587  
EXPIRES: 04-02-2015

## REFERENCES

PLAT BK.  
PLAT NO.  
  
LIBER 40928  
FOLIO 280



## SNIDER & ASSOCIATES LAND SURVEYORS

20270 Goldenrod Lane, Suite 110  
Germantown, Maryland 20876  
301/948-5100 Fax 301/948-1286

DATE OF LOCATIONS

SCALE: 1" = 20'

WALL CHECK:

DRAWN BY: E.H.

HSE. LOC.: 02-04-2014

JOB NO.: 14-00206



Right side retaining wall (we do not own the driveway). The wall is leaning and cracked.











Front of the House (including historic photo)













Close up of cracked front right retaining wall.





Stairs (sides are cracked)





Newer retaining wall (left side), year unknown.





Driveway and left side retaining wall









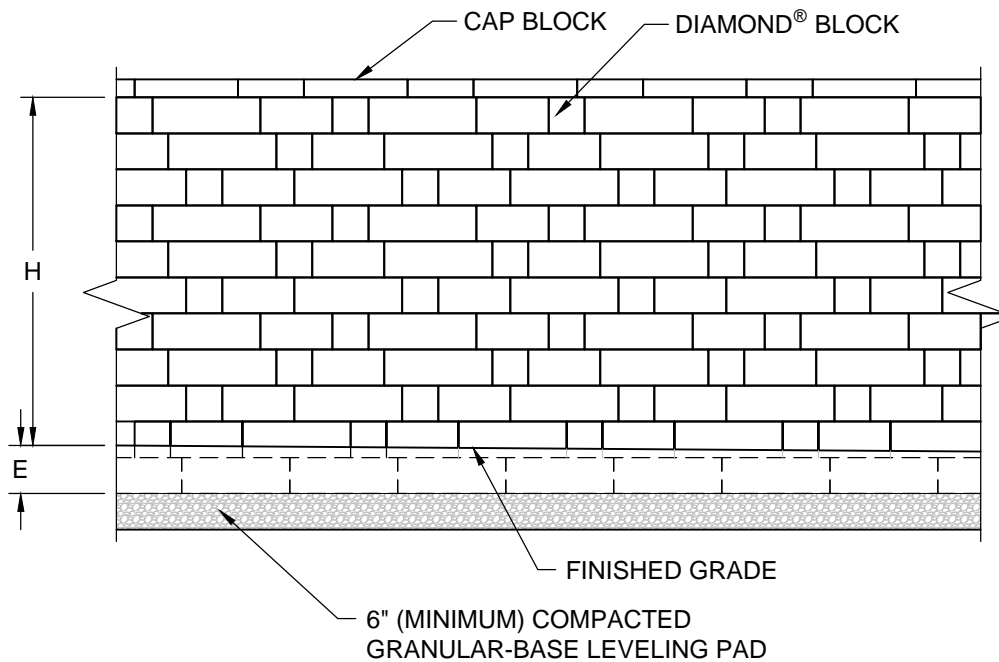




Driveway detail (broken pieces of concrete and pavement)







H = EXPOSED WALL HEIGHT (VARIES)  
E = EMBEDMENT DEPTH (6" MINIMUM)

ADJUST BLOCKS AS NEEDED TO  
MAINTAIN RUNNING BOND



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[www.anchorwall.com](http://www.anchorwall.com)

This drawing is for illustrative  
purposes only and should not be  
used for construction without the  
signature of a registered  
professional engineer.

Highland Stone® Retaining Wall System

Typical Elevation View

Scale:  
3/8" = 1'-0"

Drawn by:  
SB

Date:  
----

Drawing number:  
HIRE34