

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	6913 Westmoreland Avenue, Takoma Park	Meeting Date:	12/21/2022
Resource:	Outstanding Resource Takoma Park Historic District	Report Date:	12/12/2022
Applicant:	Allison Kodjak	Public Notice:	12/7/2022
Review:	HAWP	Tax Credit:	n/a
Permit No.:	10113633	Staff:	Winnie Cargill
Proposal:	Tree Removal		

STAFF RECOMMENDATION

Staff recommends the HPC **approve** the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding Resource to the Takoma Park Historic District
STYLE: Vernacular
DATE: c.1904

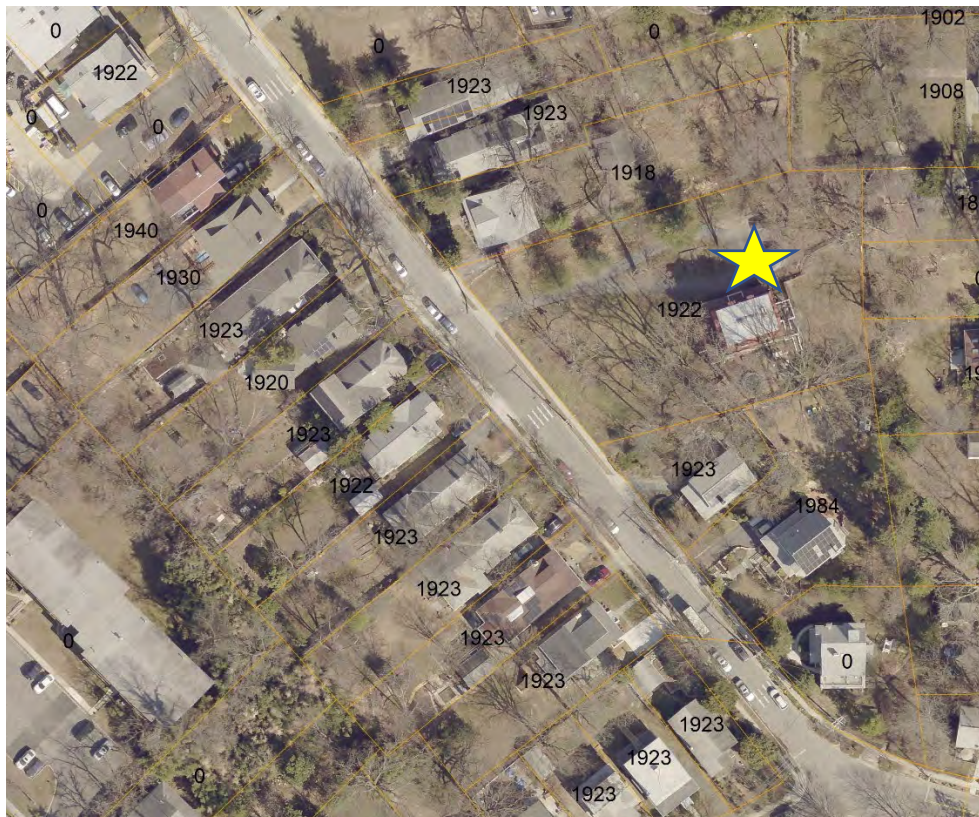


Figure 1: The subject property does not adhere to the consistent setback along Westmoreland.

PROPOSAL

The applicant proposes to remove a 10" trunk diameter Black Walnut tree and a 19" trunk diameter Ailanthus tree from the front of the property.

APPLICABLE GUIDELINES

When reviewing applications within Takoma Park, several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendment for the *Takoma Park Historic District (Guidelines)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and *the Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Takoma Park Historic District Guidelines

There are two very general, broad planning and design concepts which apply to all categories. These are:

- All changes and additions should respect existing environmental settings, landscaping, and patterns of open space
- 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 historic district.

OUTSTANDING RESOURCES - RESIDENTIAL

These 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 to Outstanding Resources.

As a set of guiding principles for design review of Outstanding Resources, the Historic Preservation Commission will utilize the Secretary of the Interior's "Standards for Rehabilitation".

Residential Areas:

In Takoma Park, there are a number of elements which define the streetscape and building patterns. New construction should consider some of these elements, such as:

- Rhythm of houses along the street, including patterns of height, massing, side and front setbacks, and roof pitch
- Patterns of open space/landscaping and building coverage, including ample front and back yards, spacing between houses, preservation of important mature trees, etc.
- Principal building facades oriented to the street, etc.
- Extensive landscaping, including mature trees and flowering plants (e.g. azaleas)

Montgomery County Code; Chapter 24A-8

- (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
- (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
- (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 the 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 applicable *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 DISCUSSION

The subject property is a three-story Vernacular with wood clapboard siding, oriented towards Westmoreland Ave. The trees proposed for removal are in the public right of way and visible. The applicant proposes to remove two trees in their front yard that Staff finds will impact the existing streetscape.

Staff's impression upon visiting the site was that the trees are too small to date to the period of significance. This site is an outlier, setback a substantial distance from the street, compared to the rest of the houses along Westmoreland, which is dominated by Craftsman bungalows with narrow front setbacks. Westmoreland also features a variety of large canopy trees and small ornamental trees along the streetscape.

The applicant proposes to remove a 10” (ten inch) d.b.h. Black Walnut tree and a 19” (nineteen inch) d.b.h. Ailanthus tree from the property's front yard (see Fig 2. Below). Both tree species are deemed to be undesirable by the Takoma Park tree ordinance. The applicant states these trees are inhibiting the growth of trees that Takoma Park deems more desirable. The black Walnut and Ailanthus trees are deemed undesirable by Takoma Park.

Staff finds removing these trees will not have a significant impact to the site as the surrounding trees will fill in the tree canopy as they continue to grow. Additionally, Staff finds the removal of these trees will not have a substantial impact on the historical character of the site or surrounding streetscape.

Staff recommends the HPC approve the removal of trees.



Figure 2: Current photo of the Black Walnut (left) and Ailanthus tree (far right)

STAFF RECOMMENDATION

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

Final approval authority is verifying this condition has been satisfied is delegated to Staff; under the Criteria for Issuance in Chapter 24A-8(b)(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 an electronic set 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 301-495-2108 or winnie.cargill@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: _____

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.

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:

Proposed Work:

Work Item 2: _____

Description of Current Condition:

Proposed Work:

Work Item 3: _____

Description of Current Condition:

Proposed Work:



Alison Kodjak <aliodjak@gmail.com>

Tree Removal Request :: W009720-091722

1 message

Online Customer Service Center <TakomaParkMD@mycusthelp.com>

Mon, Sep 26, 2022 at 1:08 PM

To: "aliodjak@gmail.com" <aliodjak@gmail.com>

09/26/2022

APPLICATION NUMBER **W009720-091722**

Alison and Andrei Kodjak
[6913 Westmoreland Ave.](#)
[Takoma Park, MD 20912](#)

Re: Tree Removal Application at:
[6913 Westmoreland Ave](#)
Takoma Park MD 20912

Dear Alison Kodjak:

The City of Takoma Park has assessed this tree identified in your Tree Removal Permit Application. Below are the notes from the assessment:

Tree Type: **BLACK WALNUT**
Trunk Diameter: **10 inches**
Tree Location Relative to House: **FRONT CENTER**

Tree Condition Rating (1-5):
Crown/Branches: **2**
Root & Root Collar: **3**
Tree Health & Species Profile: **2**
Trunk: **2**
Criterion Total (4-20): **9**

Assessment Notes:

The trees crown is in fair condition, notably reduced in size and with some tip die back and Deadwood throughout. One of two trunks was removed some years ago. It is growing at a notable lean, over topped by nearby Post oak and smothered by vigorous sweetgum. The tree is not outstanding in any particular quality. Removal of the tree will not constitute a notable reduction in tree canopy

Actually likely blackwalnut at front left.

Based on this assessment, your application has received **Preliminary Approval**.

You have not yet received a permit to remove this tree.

Preliminary approval means that the City will post your property for a 15 day period beginning 09/26/2022 and ending 10/11/2022 3:07:54 PM for public comment. A permit to remove the tree will be granted after the comment period is completed and the City receives the signed agreement to adhere to the City's tree replacement requirement. If public comments are received that request an appeal of the removal, a hearing before the Tree Commission will be scheduled to determine if removal can proceed.

Historic Area Work Permit (HAWP)

Additionally, since your property is located within the Historic District, you are required to receive a HISTORIC AREA WORK PERMIT (HAWP). To apply for a HAWP, contact Montgomery County Department of Permitting Services by phone 301-563-3400, by email MCP-Historic@mncppc-mc.org or online at:

<https://montgomeryplanning.org/planning/historic/historic-area-work-permits/>

Note that this preliminary permit letter may serve as the Tree Survey required for your HAWP application.

Replacement Planting Agreement

As a condition for receiving your permit City Code requires you to plant replacement trees of the same size category to compensate for the loss of the tree or to pay a fee-in-lieu of \$312 per replacement tree. The Code defines a formula to be used in calculating the number of replacement trees required using the trunk diameter and the Urban Forest Manager's condition assessment of the tree. The following is the number of trees required to be planted or accounted for with a fee-in-lieu payment in order to receive a permit.

Number of Replacement Trees Required: **(1)**

If you choose to cover the entire replacement obligation by paying the fee-in-lieu instead of planting, that will equal the following amount:

Total if only fee-in-lieu: **(\$312)**

For trees that you choose to plant, you must select species from the City's Approved Tree Species List that are of the same mature size category as the removed tree, which for this tree is the **(LARGE)** category. Trees must also be a minimum of 1.5" trunk caliper. See below link for the City's Approved Tree Species List:

<https://documents.takomaparkmd.gov/government/public-works/Trees/Takoma-Park-Approved-Tree-Species-List.pdf>

With this information, you must now choose whether you will fulfill your replacement planting by planting trees, by paying the fee-in-lieu, or by a combination of both.

HOW TO COMPLETE THE REPLACEMENT PLANTING AGREEMENT ONLINE:

1. Click this link to view your Tree Removal Application request in MyTKPK: [W009720-091722](https://montgomeryplanning.org/planning/historic/historic-area-work-permits/)
2. Enter the email address you used to apply for the permit initially if prompted for it.
3. Scroll down to "Replanting Agreement". For "How do you plan to replace this tree?" select "Pay Fee in Lieu", "Replant On-site", or "Combination of Both" and fill in the subsequent information you are asked for.

With this complete, Public Works staff will be prompted to review your selection and generate an invoice to pay the fee-in-lieu if needed. Please be on the lookout for further communications.

TREE WORK DONE FOR HIRE IN THE CITY OF TAKOMA PARK MUST BE CARRIED OUT BY A MARYLAND STATE LICENSED TREE EXPERT, OR LTE. HIRING SOMEONE WHO IS NOT LICENSED IS A VIOLATION OF CITY AND STATE LAW. MAKE SURE YOUR CONTRACTOR HAS A LTE NUMBER BEFORE YOU HIRE THEM.

If you have any questions, please contact the Urban Forest Manager by replying to this email.



Alison Kodjak <alikodjak@gmail.com>

Tree Removal Request :: W009721-091722

1 message

Online Customer Service Center <TakomaParkMD@mycusthelp.com>
To: "alikodjak@gmail.com" <alikodjak@gmail.com>

Wed, Sep 21, 2022 at 11:06 AM

09/21/2022

APPLICATION NUMBER **W009721-091722**

Alison and Andrei Kodjak
[6913 Westmoreland Ave.](#)
[Takoma Park, MD 20912](#)

Re: Tree Removal Application at:
[6913 Westmoreland Ave](#)
Takoma Park MD 20912

Dear Alison Kodjak:

The City of Takoma Park has assessed this tree identified in your Tree Removal Permit Application. Below are the notes from the assessment:

Tree Type: **AILANTHUS**
Trunk Diameter: **19**
Tree Location Relative to House: **FRONT RIGHT**

Tree Condition Rating (1-5):
Crown/Branches: **3**
Root & Root Collar: **4**
Tree Health & Species Profile: **3**
Trunk: **4**
Criterion Total (4-20): **14**

Assessment Notes:

The tree is moderately vigorous with some dieback.

Based on this assessment, your application has received **Preliminary Approval**.

You have not yet received a permit to remove this tree.

As your tree is of a species considered 'Undesirable' by City code it does not require the typical 15-day comment period. A permit to remove the tree will be granted after you complete the replacement planting agreement steps.

Historic Area Work Permit (HAWP)

Since your property is located within the Historic District, you are required to receive a Historic Area Work Permit (HAWP). To apply for a HAWP, contact Montgomery County Department of Permitting Services by phone 301-563-3400, by email MCP-Historic@mncppc-mc.org or online at: <https://montgomeryplanning.org/planning/historic/historic-area-work-permits/>

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Number of Replacement Trees Required: **(2)**

If you choose to cover the entire replacement obligation by paying the fee-in-lieu instead of planting, that will equal the following amount:

Total if only fee-in-lieu: **(\$624)**

For trees that you choose to plant, you must select species from the City's Approved Tree Species List that are of the same mature size category as the removed tree, which for this tree is the **(LARGE)** category. Trees must also be a minimum of 1.5" trunk caliper. See below link for the City's Approved Tree Species List:

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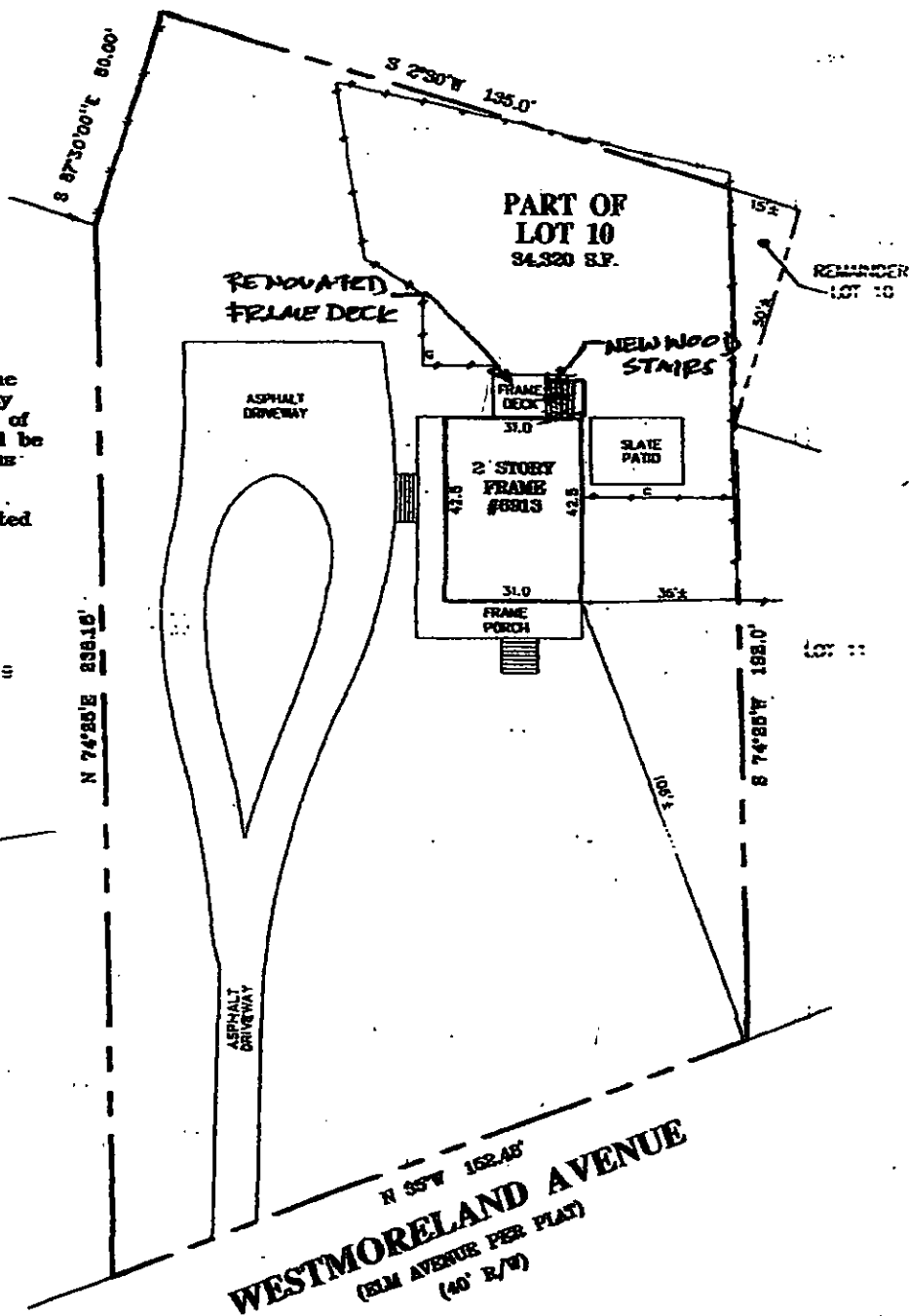
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If you have any questions, please contact the Urban Forest Manager by replying to this email.

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.
2. Fences, if shown, have been located by approximate methods.
3. No property corners confirmed.



LOCATION DRAWING
PART OF LOT 10, BLOCK F
B.F. GILBERT'S ADDITION TO
TAKOMA PARK
MONTGOMERY COUNTY, MARYLAND

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 THEREON.

REFERENCES

PLAT BK	A
DEED NO.	40



SNIDER & ASSOCIATES
LAND SURVEYORS
20270 Goldenrod Lane, Suite 110
Crumpton, Maryland 20856

SITE PLAN

Scale: 1"=40'







