

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7001 Poplar Avenue, Takoma Park	Meeting Date:	4/26/2023
Resource:	Non-Contributing Resource Takoma Park Historic District	Report Date:	4/19/2023
Applicant:	Eric Goldstein	Public Notice:	4/12/2023
Review:	HAWP	Tax Credit:	N/A
Permit Number:	1026927	Staff:	John Liebertz

PROPOSAL: Installation of new fence.

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Commission (HPC) **approve with (1) condition** the HAWP application with final approval of all details delegated to staff.

1. Applicant will submit final design specifications for all gates and specify that fence post caps will be constructed of wood or metal.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource within the Takoma Park Historic District
STYLE: Minimal Traditional with Tudor Revival
DATE: 1934



Figure 1: The subject property at 7001 Poplar Avenue (noted with the yellow star). The red outline is the boundary for the Takoma Park Master Plan Historic District.

PROPOSAL

The applicant proposes to: 1) remove the remaining 6’-tall, board-on-board privacy fence (facing Elm Street); 2) install a 4’-tall, wood, colonial gothic picket fence on part of the northern (side) and entire eastern (rear) boundaries of the property; and 3) install a 6’ tall, wood, gothic picket fence on part of the southern (side) boundary of the property fronting Elm Street. The design of the fence would match the existing 3’-tall picket fence in the front of the property. The application includes the installation of two gates. The first gate would access the side yard from the driveway and the second gate would provide access to the property from Elm Street.

APPLICABLE GUIDELINES

The Historic Preservation Office and Historic Preservation Commission (HPC) consult several documents when reviewing alterations and new construction within the Takoma Park Historic District. 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 three documents is outlined below.

Takoma Park Historic District Guidelines

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

- The design review emphasis will be restricted to changes that are 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 historic district.

A majority of the buildings in the Takoma Park Historic District have been assessed as being “Contributing Resources.” While these buildings may not have the same level of architectural or historical significance as Outstanding Resources or may have lost some degree of integrity, collectively, they are the basic building blocks of the Takoma Park district. They are important to the overall character of the district and the streetscape due to their size, scale, and architectural qualities, rather than for their particular architectural features.

The Guidelines contain the following statements pertaining to Non-Contributing/Out-of-Period Resources:

- Non-Contributing/Out-of-Period Resources are either buildings that are of little or no architectural and historical significance to the historic district or are newer buildings that have been constructed outside of the district’s primary periods of historical importance. These types of resources should receive the most lenient level of design review.
- Most alterations and additions to Non-Contributing/Out-of-Period Resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of Non-Contributing/Out-of-Period Resources which affect the surrounding streetscape and/or landscape and could impair the character of the historic district as a whole.

Montgomery County Code, Chapter 24A-8

The following guidance which pertains to this project are as follows:

- (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;
- (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:

- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall 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 subject property is a Non-Contributing Resource to the Takoma Park Historic District and features a one-story, Minimal Traditional house with Tudor Revival influences constructed in 1934. The house is located at the northeast corner of the intersection of Poplar Avenue and Elm Street. Relevant Historic Area Work Permits (HAWP) approved for the property include: 1) the installation of a 4’-tall colonial gothic picket fence and 6’-tall solid board privacy fence (fronting Elm Street) enclosing the side and rear of the property in 1994; and 2) the installation of the existing 3’-tall colonial gothic picket fence enclosing the front of the property in 1998 (*Figure 3*).¹ In 2022, the City of Takoma Park demolished most of the fencing in the rear of the property for a stormwater management project.

¹ For more information on HAWP 37/3-94NN, see https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640006/Box044/37-3-94NN_Takoma%20Park%20Historic%20District_7001%20Poplar%20Avenue_11-18-1994.pdf. For more information on HAWP 37/3-98GG, see https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640002/Box003/37-3-98GG_Takoma%20Park%20Historic%20District_7001%20Poplar%20Avenue_07-22-1998.pdf.



**Figure 2: View of the subject house from Poplar Avenue, ca. 1990 (left).
Source: Montgomery Planning.**



**Figure 3: View of the south elevation from Elm Street showing the extant 3-tall picket fence (to be retained) and the remaining section of the 6'-tall privacy fence (red arrow) to be replaced with a picket fence, 2023.
Source: Montgomery Planning.**

The applicant proposes to install a 4'-tall, wood, colonial gothic picket fence on part of the northern (side) and entire eastern (rear) boundaries of the property and a 6' tall, wood, gothic picket fence on part of the southern (side) boundary of the property fronting Elm Street (*Figure 4*). The design of the fence would match the existing 3'-tall picket fence in the front of the property. The application includes the installation of two gates. The first gate would access the side yard from the driveway and the second gate would provide access to the property from Elm Street.

Staff finds the new fences to be consistent with the applicable guidelines. The proposal replaces a previously approved 6'-tall board-on-board privacy fence fronting Elm Street (in the rear yard) with a 6'-tall picket fence. As part of that approval in 1994, the Historic Preservation Office staff recommended that the applicant install a picket fence instead of the 6'-tall privacy fence to better compliment the open nature of the streetscape, but did not condition the approval since the property is a Non-Contributing resource to the historic district. This proposal returns the fence to the original staff recommendation. While 6' is tall for a picket fence, it would provide greater privacy than a 4'-tall picket fence, greater openness than a privacy fence, and be consistent with most fences on public rights-of-way. Therefore, the proposal would not alter the character of the historic district.

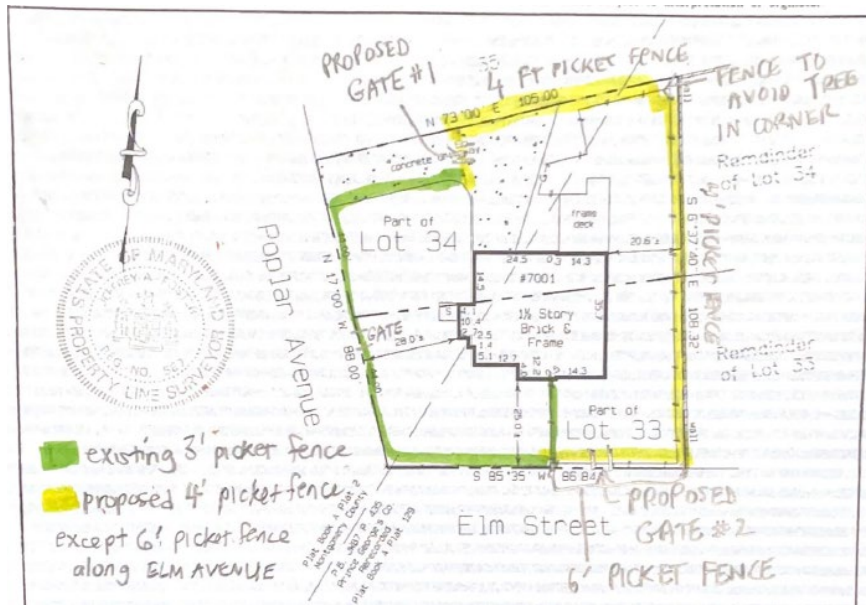


Figure 4: Site plan submitted by applicant.

Staff recommends that the applicant submit additional specifications prior to the approval of permits. The application should include the design of the proposed gates and specifications for any fence post caps. The caps should match be made from wood or metal.

After full and fair consideration of the applicant's submission, staff finds the proposal, as modified by the condition, consistent with the Criteria for Issuance in Chapter 24A-8(b), (1), (2), and (d), having found the proposal is consistent with the *Secretary of the Interior's Standards for Rehabilitation #9*, and #10, and *Takoma Park Historic District Guidelines*.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with one (1) condition** the HAWP application with final approval delegated to staff:

1. Applicant will submit final design specifications for all gates and specify that fence post caps will be constructed of wood or metal.

under the Criteria for Issuance in Chapter 24A-8(b), (1), (2), and (d), having found that the proposal, as modified by the condition, 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 #9* and #10.

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 301-563-3400 or john.liebertz@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# 1026927
DATE ASSIGNED

APPLICANT:

Name: Eric Goldstein
Address: 7001 Poplar Avenue
Daytime Phone: 917 519 4736

E-mail: goldsteinli@yahoo.com
City: Takoma Park Zip: 20912
Tax Account No.: 02383885

AGENT/CONTACT (if applicable):

Name:
Address:
Daytime Phone:

E-mail:
City: Zip:
Contractor Registration No.:

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property

Is the Property Located within an Historic District? X Yes/District Name Takoma Park
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: 7001 Street: Poplar Avenue
Town/City: Takoma Park 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
Addition
Demolition
Grading/Excavation
Deck/Porch
Fence
Hardscape/Landscape
Roof
Shed/Garage/Accessory Structure
Solar
Tree removal/planting
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.

Eric Goldstein

April 5, 2023

Signature of owner or authorized agent

Date

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

Owner's mailing address
7001 Poplar Avenue

Owner's Agent's mailing address

Adjacent and confronting Property Owners mailing addresses

Brian Bean
302 Elm Avenue
Takoma Park, MD 20912

Len Clay
7003 Poplar Avenue
Takoma Park, MD 20912

301 Elm Avenue, Takoma Park

7002 Poplar Avenue, Takoma Park

303 Elm Avenue, Takoma Park

7000 Poplar Avenue, Takoma Park

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

Detached single-family red-brick brick home, built in 1940s, with addition built in the early 1990s with aluminum siding. Survey attached as part of this application.

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

The yard has been surrounded for more than 20 years by wooden fence. In 2022, the City of Takoma Park undertook Stormwater Management work in our back yard, in an area where they have an easement for an underground water culvert. To access and re-grade the yard, they removed most of the fence surrounding the back half of our property. They left the front half -- 3-foot tall picket fence -- intact. They removed a six-foot tall privacy fence on the Elm Avenue side of the house and inside our property line in the back, separating our property from 302 Elm Avenue. They removed also the picket fencing near our boundary with 7003 Poplar Avenue. We propose to replace the fence in the back half of our property. We would use wood picket fence throughout -- no more privacy fence. On the Elm Avenue side it would be 6 feet tall. On the back of the property it would be 4 feet tall. On the Poplar Avenue side, it would be 4 feet tall. It would now extend a little further between our property and 7003 Poplar up our driveway, half of which we turned into garden. We would install a wooden gate on the Elm Avenue side of the property and a second gate on the gate at the end of our driveway.

Work Item 1: _____

Description of Current Condition:
The existing fence already been removed by the City of Takoma Park (see above), except for a single stretch of privacy fence that stands along Elm Avenue.

Proposed Work:
We'd remove that remaining stretch of privacy fence and replace it as per the work description above.

Work Item 2: _____

Description of Current Condition:

Proposed Work:

Work Item 3: _____

Description of Current Condition:

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/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*







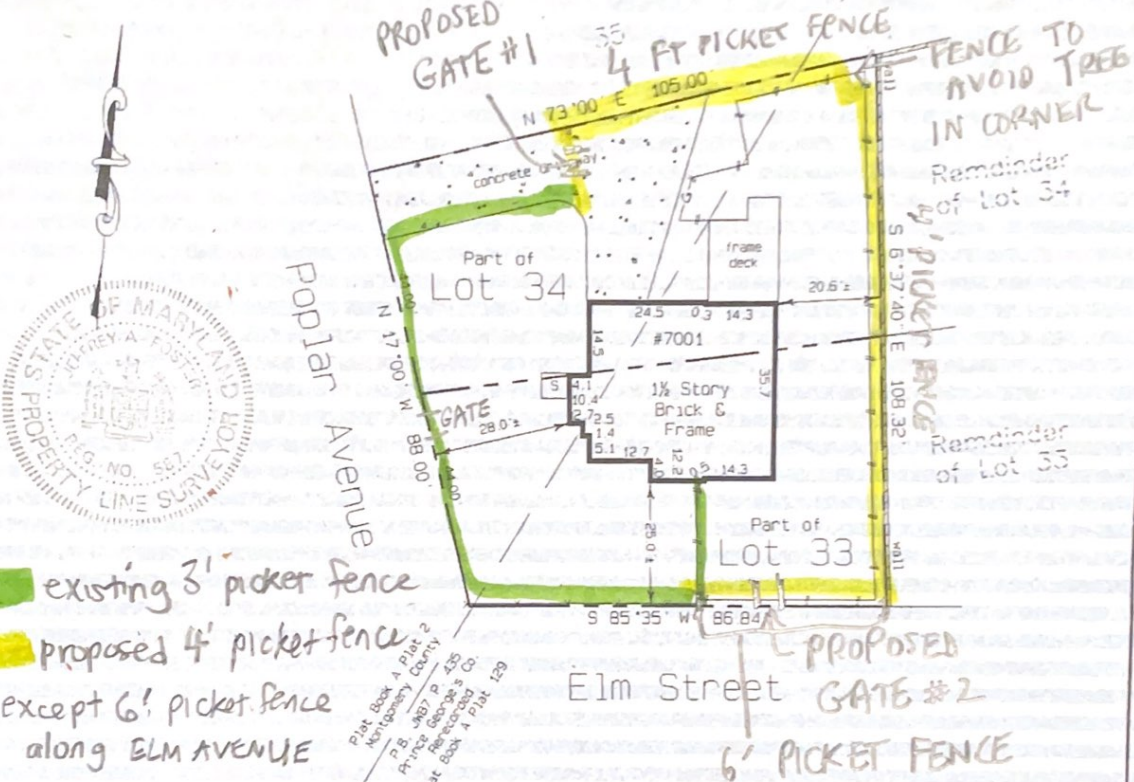


700



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.



existing 3' picket fence
 proposed 4' picket fence
 except 6' picket fence
 along ELM AVENUE

7001 Poplar Avenue
 Total Area = 9,360 SF

Location Drawing
 Part of Lot 33 & 34
 Block 21
**B.F. Gilbert's Addition to
 Takoma Park**
 Montgomery & Prince George's
 Counties, Maryland

- Notes:
1. Flood zone 'C' per H.U.D. panel No. 0200C.
 2. 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 2 feet.

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 507 MARYLAND PROPERTY LINE SURVEYOR REG. NO. 507	REFERENCES M.C. P.G. PLAT BK A JWB PLAT NO 2 7 435	SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS 2 Professional Drive, Suite 218 Gaithersburg, Maryland 20879 301/948-5100, Fax 301/948-1288
	LIBER POLIO	

Potomac fences inc

From: Dale Buckner (dale.buckner5@gmail.com)

To: goldsteinli@yahoo.com

Date: Wednesday, April 5, 2023 at 05:01 PM EDT

Ricky,

I would like to thank you for your continued patience.

The 6' high the 4' high Colonial Gothic style spaced picket fence with two gates. One gate 6' high. Also, 4' high.

The materials are all pressure treated yellow pine. All fence boards are 1x4 with Colonial Gothic top.

All stringers are 2x4.

All line posts are 4x4 pressure treated yellow pine.

All posts caps are black vinyl caps.

The total will be approximately

\$ 7,532 installed with professional results.

Should you have any further questions concerns or comments please feel free to reach out to me for further discussion and details.

Very best,

Dale Buckner

Estimates Planning

Potomac fences inc 202.909.6026



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163.1kB



20230324_160556.jpg

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414.7kB



**DESCRIPTION OF A
15' WIDE PERMANENT PUBLIC STORMDRAIN EASEMENT
ACROSS THE PROPERTY OF
ERIC D. GOLDSTEIN AND XIAORONG LI**

BEING a strip or parcel of land running in, through, over and across the property as acquired by Eric D. Goldstein and Xiaorong Li from Robin M. Gerber and John A. Records by a deed dated September 27, 1995 and recorded among the Land Records of Montgomery County, Maryland in Liber 13656 at Folio 564 and being further known as a part of Lots 33 and 34 as shown on a plat entitled "B.F. Gilbert's Addition to Takoma Park" as recorded among said Land Records in Plat Book A, Plat 2.


COMMENCING at a ¾" iron pipe found on the northern right of way line of Elm Avenue formerly known as Elem Avenue as shown on the aforementioned plat entitled "B.F. Gilbert's Addition to Takoma Park" and at the end of the first or North 85 degree 35 minute East 86.84 foot line of a deed to Robin M. Gerber dated March 23, 1987 as recorded among the aforesaid Land Records in Liber 7620, Folio 440, thence binding on said right of way and first line as now surveyed by Whitman, Requardt & Associates on November 4, 2021 and referred to the Maryland State Reference System NAD' 83/91, South 81 degrees 27 minutes 54 seconds West a distance of 2.17 feet to the **POINT OF BEGINNING** so fixed, thence;

- 1) South 81 degrees 27 minutes 54 seconds West a distance of 15.08 feet, thence leaving said right of way and first line
- 2) North 14 degrees 20 minutes 41 seconds West a distance of 103.08 feet to the third or South 73 degree West 105 foot of the aforementioned deed to Robin M. Gerber and the common line of Lots 34 and 35 as shown on the aforementioned plat, thence binding on a portion of said line
- 3) North 69 degrees 00 minutes 04 seconds East a distance of 15.10 feet, thence leaving said line
- 4) South 14 degrees 20 minutes 41 seconds East a distance of 106.36 feet to the **POINT OF BEGINNING**.

Containing 1571 square feet or 0.0361 acres, more or less. As shown on Exhibit "B" attached hereto and intended to be recorded herein.

SURVEYORS CERTIFICATION:

I hereby certify that these documents were prepared by me or under my responsible charge and that the surveying work reflected herein is in compliance with requirements set forth in 09.13.06.12 of the COMAR Regulations.

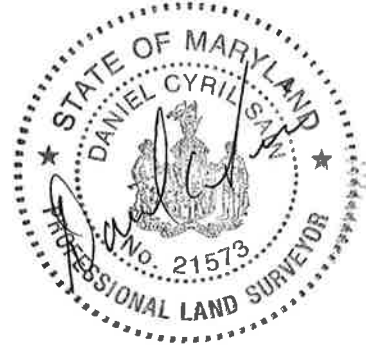
 11/18/2021

Prepared by: Daniel Cyril Sain, L.S.

Maryland Registered Professional Land Surveyor No. 21573

Expiration Date: June 27, 2022

WHITMAN, REQUARDT AND ASSOCIATES, LLP



MARYLAND STATE COORDINATE SYSTEM NAD, 83/91



LEONARD JOSEPH CLAY
L.47750 .16

35

S 73° W 105' (7620/440)
N 69°00'04" E 103.94'
78.87'

34

BRIAN W. BEAN
AND LINDSEY C. BEAN
L.36084 F.28

POPLAR AVENUE
ALONG POPLAR AVENUE TO POB (1719120/440)

ERIC D. GOLDSTEIN
AND XIAORONG LI
L.13656 F.564

33

15 PUBLIC STORMDRAIN EASEMENT
OR 0.0361 AC.F.
1571 SQ. FT.
N 6°31'40" W 108.32' (7620/440)
N 101°3'52" W 108.01'

LEGEND

- # PLAT LOT NUMBER
- PLAT LOT LINES

LINE TABLE

L1	S 81°27'54" W	15.08'
L2	N 14°20'41" W	103.08'
L3	N 69°00'04" E	15.10'
L4	S 14°20'41" E	106.36'

ELM AVENUE
(FORMERLY ELEM AVE PER PLAT BOOK A, PLAT 2)



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AND THAT THE SURVEYING WORK REFLECTED HEREIN IS IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN 09.13.06.12 OF THE COMAR REGULATIONS.

Daniel Cyril Sain 11/18/2021

DANIEL CYRIL SAIN, L.S. DATE
MARYLAND REGISTERED PROFESSIONAL LAND SURVEYOR NO. 21573
EXPIRATION DATE: JUNE 27, 2022
WHITMAN, REQUARDT AND ASSOCIATES, LLP

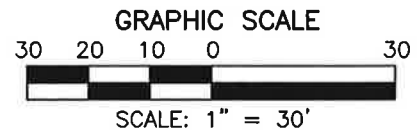



EXHIBIT "B"
PUBLIC STORMDRAIN EASEMENT
ACROSS THE PROPERTY OF
ERIC D. GOLDSTEIN AND XIAORONG LI
LIBER 13656 FOLIO 564
PART OF LOTS 33 & 34, BLOCK 21
"B.F. GILBERT'S ADDITION TO TAKOMA PARK"
PLAT BOOK A, PLAT 2
ELECTION DISTRICT NO. 13
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=30' DATE: 11/16/2021



Whitman, Requardt & Associates, LLP
801 South Caroline Street, Baltimore, Maryland 21231



DEPARTMENT OF PERMITTING SERVICES

Marc Ehrlich Rabbiyah Sabhakhun
County Executive *Director*

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 4/5/2023

Application No: 1026927
 AP Type: HISTORIC
 Customer No: 1461639

Comments
 Fence fence was mix of 6-ft privacy fence + 4-ft picket fence. New fence follows same path except extends to include bottom 1/2 of driveway, which we converted into garden. New fence: 6-ft picket fence along Elm Ave and 4-ft picket fence elsewhere, w/ 1 gate on Elm Ave and 1 gate at end of driveway

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

Primary Applicant Information
 Location 7001 Poplar Avenue AVE Takoma Park, MD 20912-4675
 Homeowner Goldstein (Primary)

Historic Area Work Permit Details
 Work Type RESREP
 Scope of Work Replace wood fence around back half of property that City removed to perform storm water work.

2425 Reedie Drive, 7th Floor, Wheaton, MD 20902, (240)777-0311, (240)777-6256 TTY
www.montgomerycountymd.gov/dps