

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	21 Columbia Avenue, Takoma Park	Meeting Date:	6/14/2023
Resource:	Outstanding Resource Takoma Park Historic District	Report Date:	6/7/2023
Applicant:	Dean Leckie (Builders Fence, Agent)	Public Notice:	5/31/2023
Review:	HAWP	Tax Credit:	N/A
Permit Number:	1025766	Staff:	John Liebertz
PROPOSAL: Installation of new fence and retaining wall.			

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Commission (HPC) **approve with (2) conditions** the HAWP application with final approval of all details delegated to staff:

1. The applicant shall include specifications for the block and cap of the retaining wall.
2. The applicant shall include a specification for the 5'-wide straight-top privacy gate.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding Resource within the Takoma Park Historic District
STYLE: Colonial Revival-styled Four Square
DATE: 1908

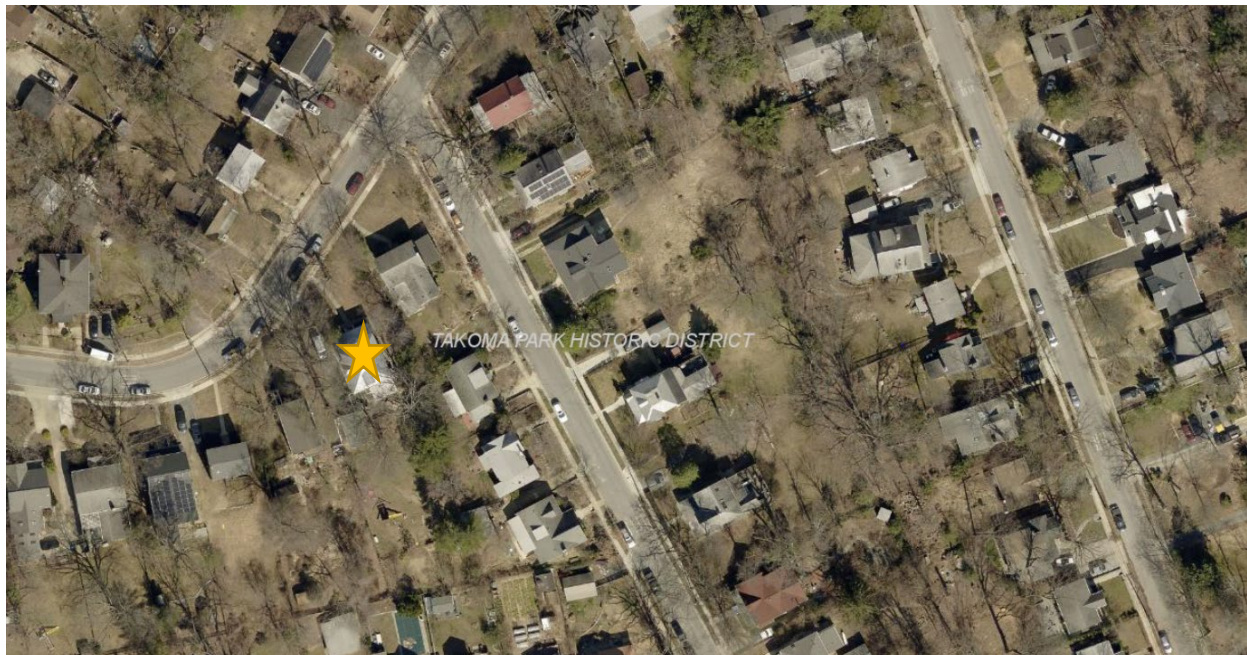


Figure 1: The subject property at 21 Columbia Avenue (noted with the yellow star).

PROPOSAL

The applicant proposes to: 1) remove the existing wood privacy fence, wood picket fence, wire fence, and chain link fence to the rear of the house; 2) install 62 linear feet of 6'-tall vertical board, wood privacy fence with a 5'-wide gate that matches the current design; 3) install a 20'-long, 2'-tall masonry retaining wall supporting a 4-tall wood picket fence on the western extent of the rear yard; 4) install 320 linear feet of 4'-tall wood picket gothic fence with 3'-wide gates on the south and eastern extents of the rear yard; and 5) install the fencing so that all posts will have metal or wood post caps.

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.

Outstanding 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. The guiding principles to be utilized by the Historic Preservation Commission are the Secretary of the Interior's Standards for Rehabilitation.

Specifically, some of the factors to be considered in reviewing HAWPs on Outstanding Resources:

- Plans for all alterations should be compatible with the resource's original design; additions, specifically, should be sympathetic to existing architectural character, including massing, height, setback, and materials,
- Emphasize placement of major additions to the rear of existing structures so that they are less visible from the public right-of-way,
- Preservation of original and distinctive architectural features, such as porches, dormers, decorative details, shutters, etc. is encouraged,
- Preservation of original windows and doors, particularly those with specific architectural importance, and of original size and shape of openings is encouraged,
- Preservation of original building materials and use of appropriate, compatible new materials is encouraged, and
- All changes and additions should respect existing environmental settings, landscaping, and patterns of open space.

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 an Outstanding Resource to the Takoma Park Historic District and features a two-story, Colonial Revival-styled Four Square constructed ca. 1908. The house is located mid-block on the south side of Columbia Avenue towards its intersection with Hickory Avenue. There are several Historic Area Work Permits (HAWP) and other in-kind alterations previously approved for the property.¹

¹ For more information, see https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640008/Box066/37-03-08A_Takoma%20Park%20Historic%20District_21%20Columbia%20Avenue_03-28-2008.pdf.

Staff finds the removal and replacement of the existing privacy fence to be consistent with the applicable guidelines and recommends approval. The proposal replaces the existing privacy fence with a similar design but changes its location in relation to the garage. The existing privacy fence extends west from the southwest (rear) corner of the house, connects to the northeast corner of the garage, and then extends towards the rear of the property from the northwest corner of the garage (Figure 2). Similarly, the proposed 6'-tall, wood privacy fence would follow a similar layout; it would extend to the west from the southwest (rear) corner of the house but continue directly to the property line and then extend towards the rear of the property. A 5'-wide gate would provide access to the rear yard, but the garage would be partially obscured behind the new fence (Figure 2). The new fence would have no adverse effect to the character of the outstanding resource or the historic district. Furthermore, it could be removed by a future property owner to directly access the garage.



Figure 2: Detailed view of the existing privacy fence noted by the red arrows. The green dashed line is the proposed location for the new fence which encloses the garage in the rear yard.

Source: Montgomery Planning.

Staff finds the installation of a 2'-tall, 20'-long retaining wall with a 4'-tall, wood picket fence on the western extent of the property to be consistent with the applicable guidelines and recommends approval with a condition (Figure 3). The wall and fence would adjoin the proposed privacy fence. This feature would not be visible from the public rights-of-way and would be compatible with the character of the historic district. Staff recommends that the applicant submit a specification for the proposed block and any cap on the retaining wall.

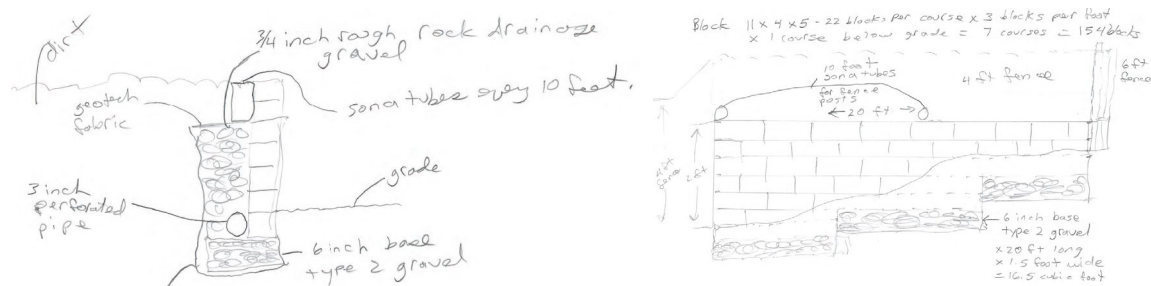


Figure 3: Detailed of the proposed retaining wall. Source: Applicant.

Staff finds the replacement of the existing chain link, picket, and wire fences with a 4'-tall wood picket fence to be consistent with the applicable guidelines and recommends approval (Figure 4). The fence would have three 3'-wide gates: 1) a gate accessing the rear yard from the eastern side of the house; 2) a gate on the eastern extent of the rear yard; and 3) a gate on the southern extent (rear) of the property.

Staff finds that the proposal would not affect the two existing trees in proximity to the fence line and recommends approval. The applicant submitted a Tree Impact Assessment to the City of Takoma Park. The Urban Forest Manager provided the following guidance: 1) no excavation closer than 10 feet from approximately 12" red maple near area of work; and 2) do not pile heavy materials within 10 feet of 12" red maple near area of work, or over rooting areas of other trees on the site. Staff recommends that the applicant complies with all recommendations.

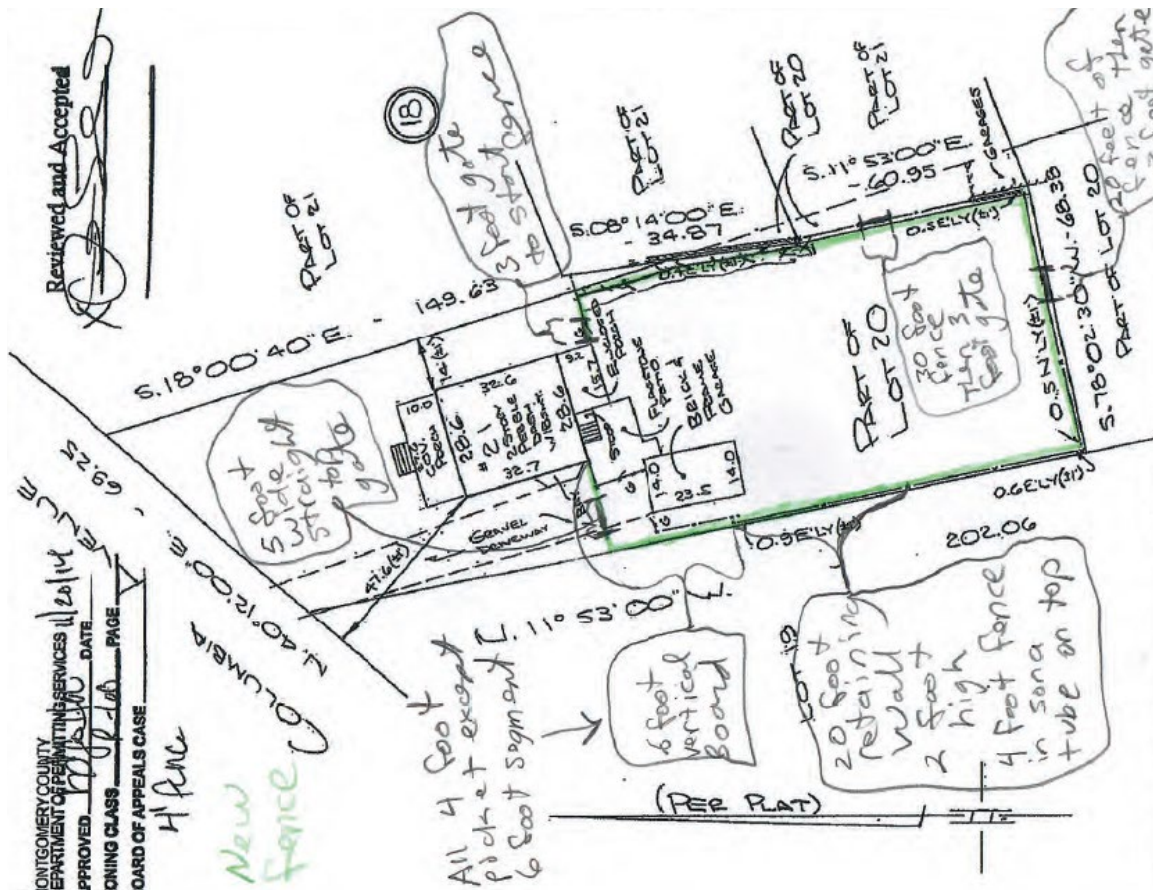


Figure 4: Site plan showing the location of the privacy fence, retaining wall with picket fence, and picket fence. Source: Applicant.

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 two (2) conditions** the HAWP application with final approval delegated to staff:

1. The applicant shall include specifications for the block and cap of the retaining wall.
2. The applicant shall include a specification for the 5'-wide straight-top privacy gate.

under the Criteria for Issuance in Chapter 24A-8(b), (1), (2), and (d), having found that the proposal, as modified by the conditions, 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#
DATE ASSIGNED

APPLICANT:

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
Tax Account No.:

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? 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. No

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. No

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
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.

Signature of owner or authorized agent

Date

**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	*	*	*	*	*		*

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

Owner's mailing address

Owner's Agent's mailing address

Adjacent and confronting Property Owners mailing addresses

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:

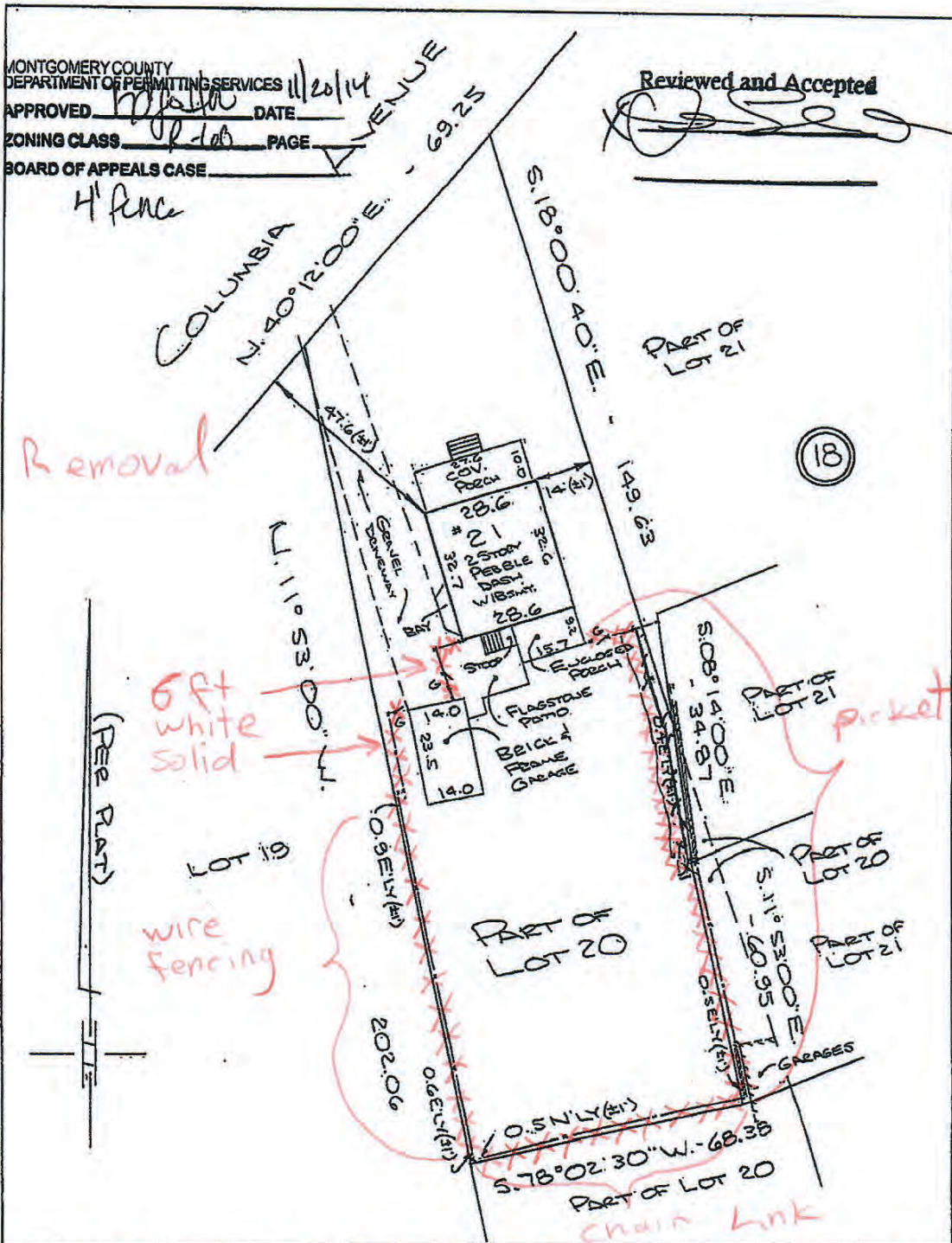
Work Item 1: _____	
Description of Current Condition:	Proposed Work:

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

MONTGOMERY COUNTY
 DEPARTMENT OF PERMITTING SERVICES
 APPROVED *[Signature]* DATE 11/20/14
 ZONING CLASS *R-10b* PAGE
 BOARD OF APPEALS CASE

Reviewed and Accepted
[Signature]



Capitol Surveys, Inc.
 10762 Rhode Island Avenue
 Beltsville, Maryland 20705
 Phone 301-931-1350
 Fax 301-931-1352

NOTES: Plat is of benefit to a consumer only 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; the plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and the plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title and securing financing or refinancing.

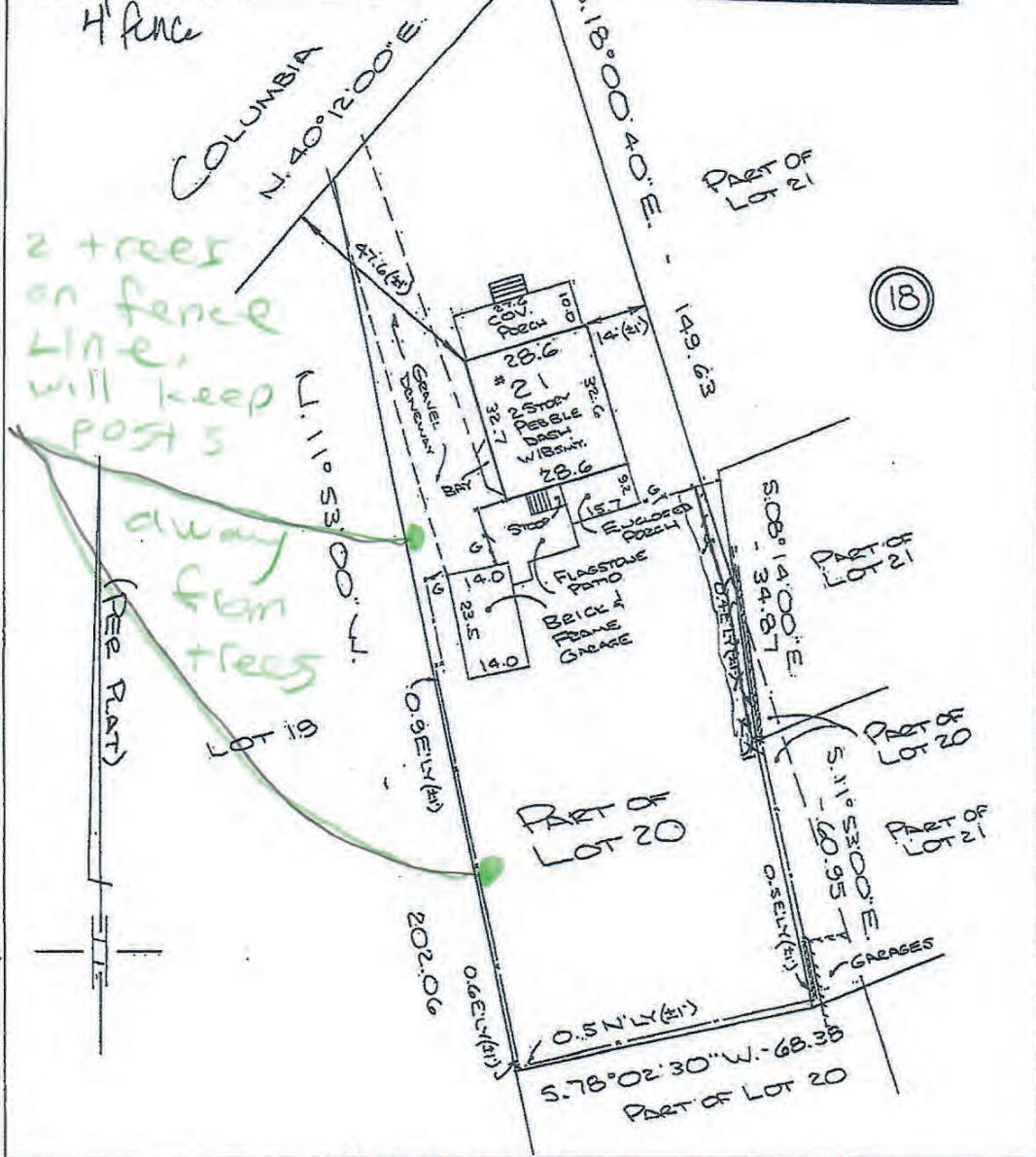
LOCATION DRAWING
 PART OF LOT 20 BLOCK 18
 B.F. GILBERT'S ADDITION TO
 TAKOMA PARK
 MONTGOMERY COUNTY, MARYLAND.
 Recorded in Plat Book, A Plat 2 Scale 1" = 30'
 CASE: BE-14-3670 FILE: 100203
 DATE: SEPTEMBER 30, 2014

I hereby certify this location drawing was prepared in accordance with the minimum standards of practice for the State of Maryland and is correct to the best of my belief of what can be visually and accessibly observed.

[Signature]
 Edward L. Lopez, Jr.
 Maryland Property Line Surveyor No. 522
 License Current Through February 13, 2015

MONTGOMERY COUNTY
 DEPARTMENT OF PERMITTING SERVICES
 APPROVED *[Signature]* DATE 11/20/14
 ZONING CLASS *[Handwritten]* PAGE
 BOARD OF APPEALS CASE

Reviewed and Accepted
[Signature]



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 Beltsville, Maryland 20705
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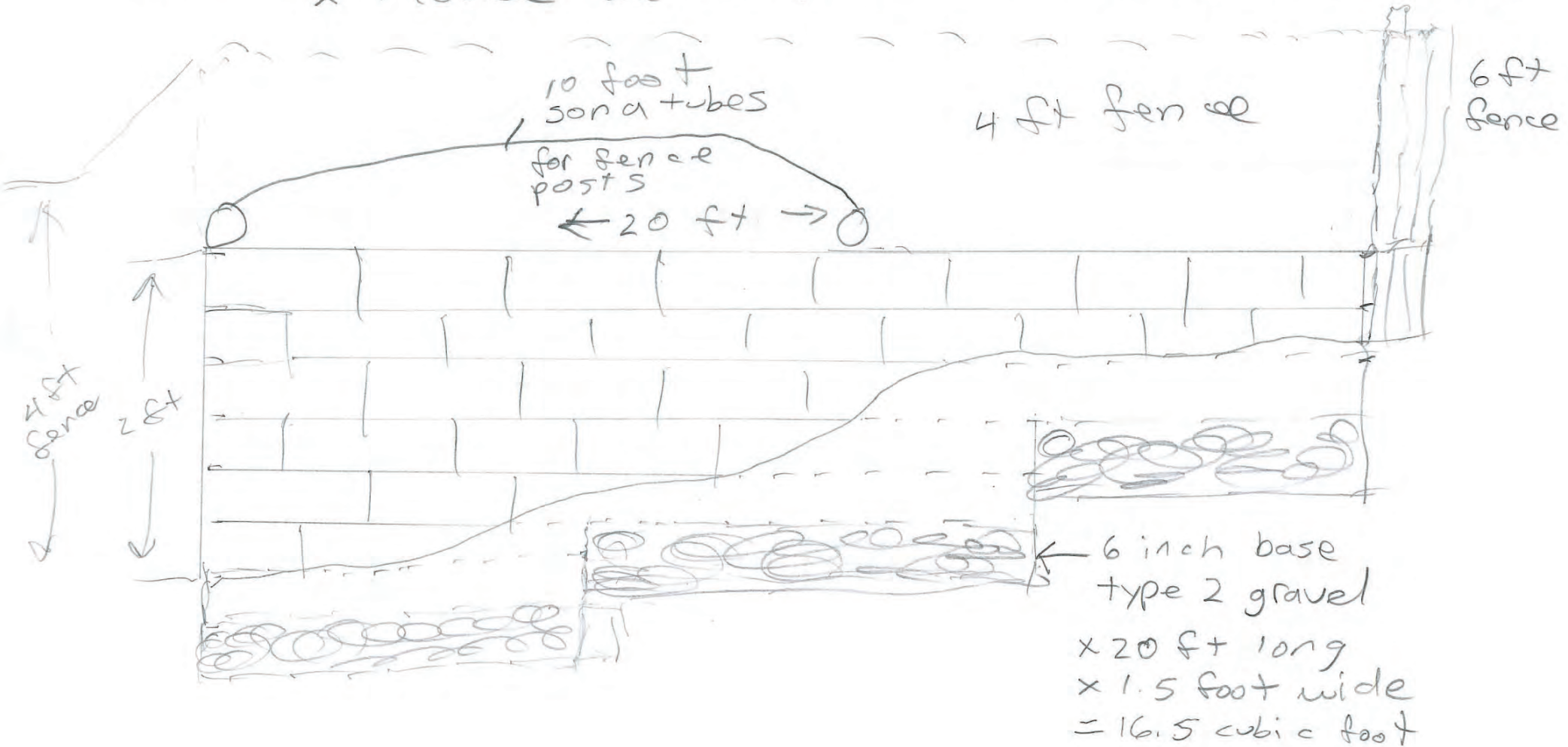
LOCATION DRAWING
 PART OF LOT 20 BLOCK 18
 B.F. GILBERT'S ADDITION TO
 TAKOMA PARK
 MONTGOMERY COUNTY, MARYLAND

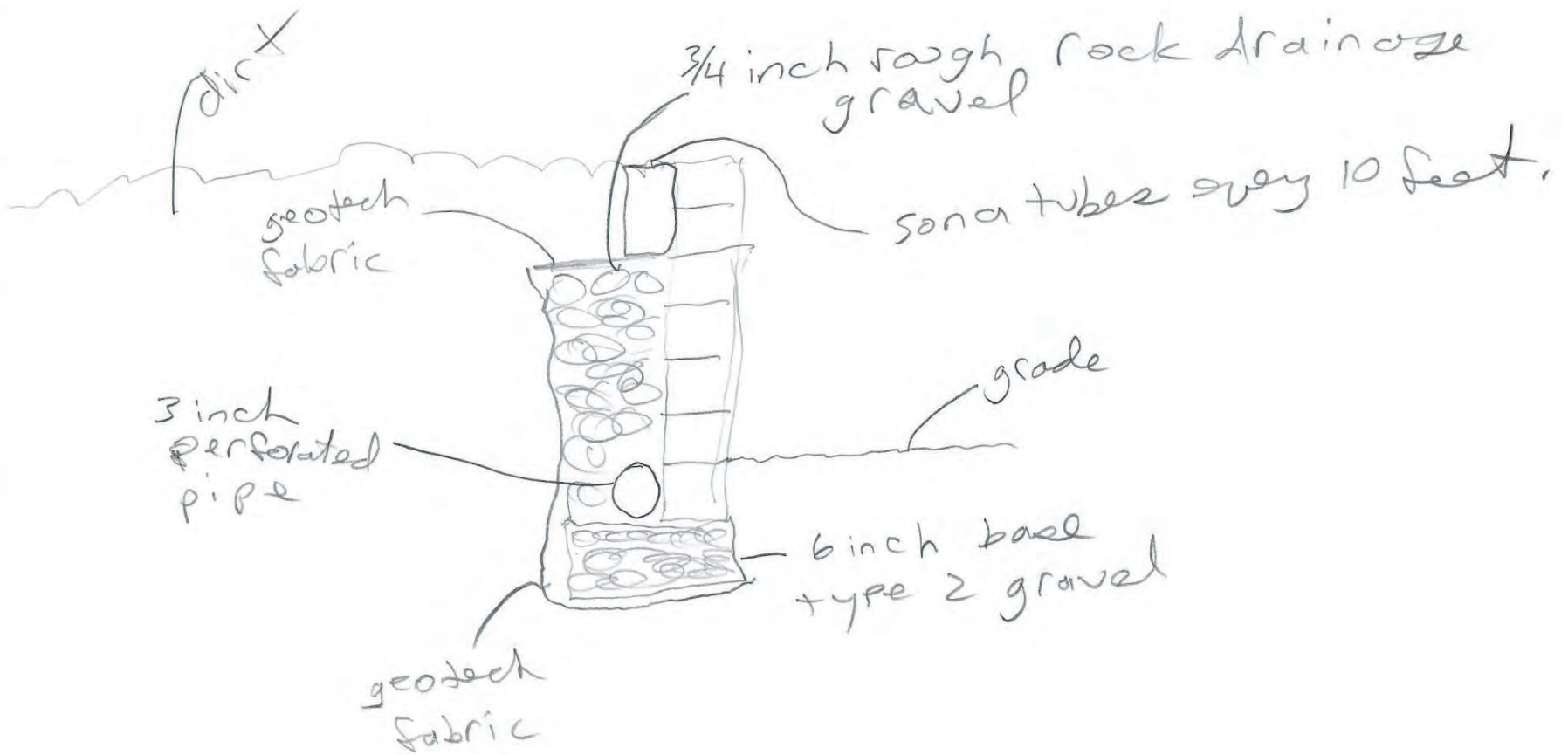
I hereby certify this location drawing was prepared in accordance with the minimum standards of practice for the State of Maryland and is correct to the best of my belief of what can be visually and accessibly observed.

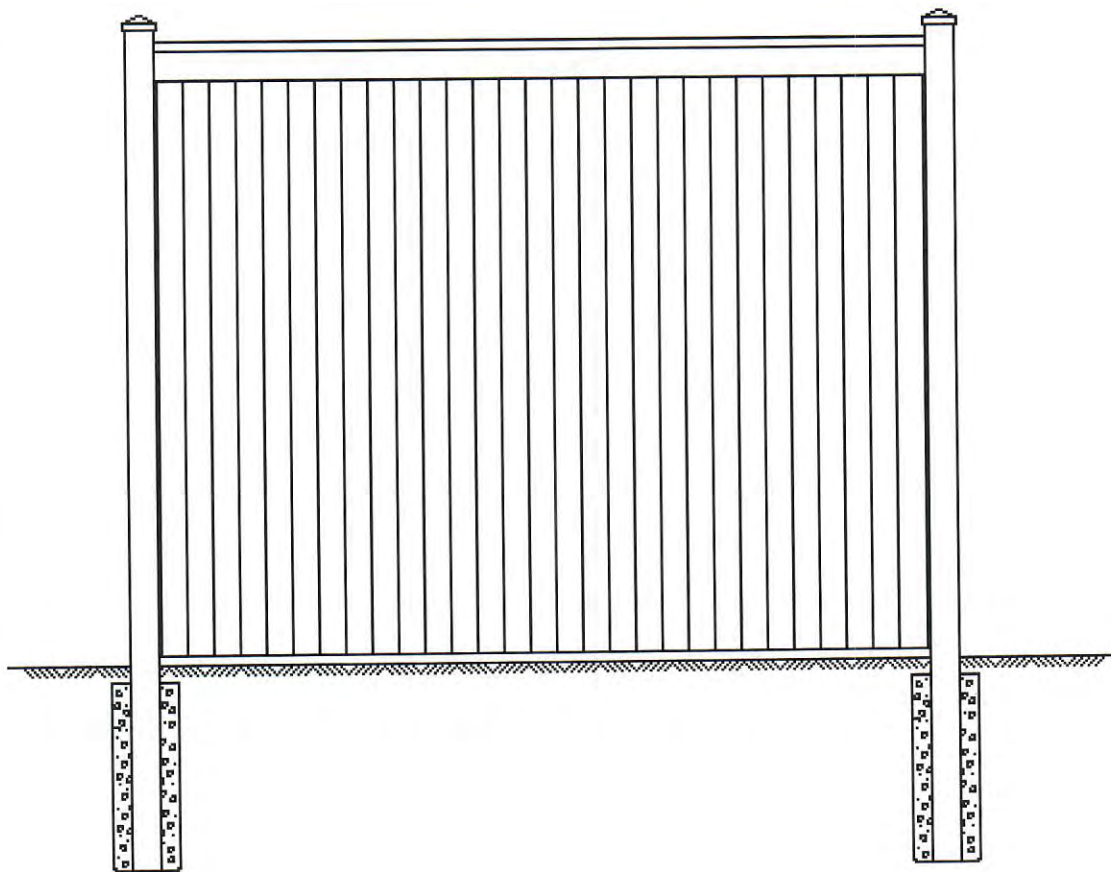
Recorded in Plat Book *A* Plat *2* Scale 1" = 30'
 CASE: BE-14-3670 FILE: 100203
 DATE: SEPTEMBER 30, 2014

[Signature]
 Edward L. Lopez, Jr.
 Maryland Property Line Surveyor No. 522
 License Current Through February 13, 2015

Block 11 x 4 x 5 - 22 blocks per course x 3 blocks per foot
x 1 course below grade = 7 courses = 154 blocks







BUILDERS | FENCE
COMPANY

Builders Fence Company
44330 Mercure Circle, Suite 140
Dulles, VA 20166
703-820-0967

6' WRC 1X4 VERTICAL BOARD - CAP & FASCIA

DRAWN BY: 05/05/23

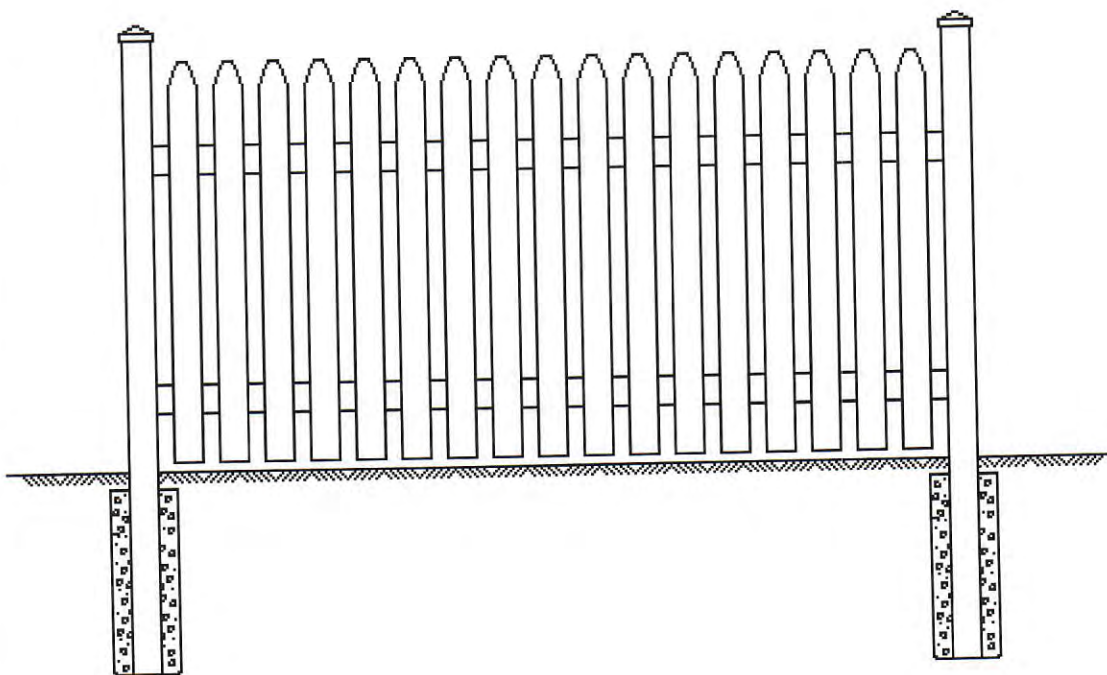
SCALE:

PAGE:

REVISED: 05/05/23

FILE:

1 of 1



BUILDERS | FENCE |
COMPANY

Builders Fence Company
44330 Mercure Circle, Suite 140
Dulles, VA 20166
703-820-0967

4' WRC 1X4 PICKET - STRAIGHT TOP

DRAWN BY: 05/05/23

SCALE:

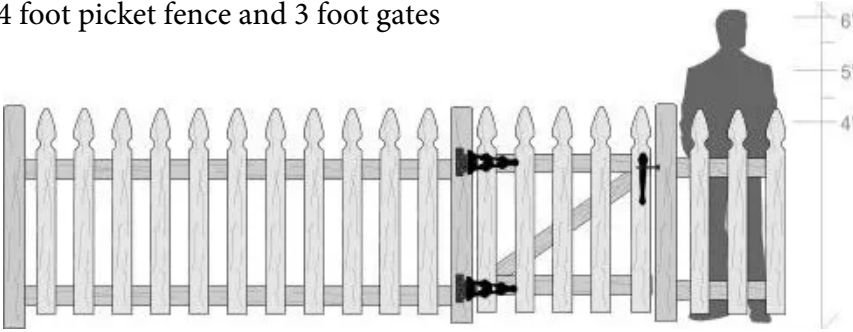
PAGE:

REVISED: 05/05/23

FILE:

1 of 1

4 foot picket fence and 3 foot gates



Six foot fence will be an in kind replacement.



Tree Impact Assessment :: W010479-032323

From: Takoma Park Online Request Manager (takomaparkmd@mycusthelp.com)

To: dean_w_leckie@yahoo.com

Date: Wednesday, March 29, 2023 at 12:29 PM EDT



03/29/2023

APPLICATION NUMBER [W010479-032323](#)

Dean Leckie
21 Columbia Ave.
Takoma Park, MD 20912

RE: Tree Impact Assessment Request
Reference Number: W010479-032323
21 Columbia Ave
Takoma Park MD 20912

Dear Dean Leckie:

This letter is in response to the Request for Tree Impact Assessment received on 3/23/2023. After my inspection I have determined that the work described in your submission does not require a full Tree Protection Plan Permit. However, there is some risk of impact to protected urban forest trees and you are therefore required to comply with the following guidance:

- No excavation closer than 10 feet from approximately 12" red maple near area of work.
- Do not pile heavy materials within 10 feet of 12" red maple near area of work, or over rooting areas of other trees on the site.

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

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

To: Dean Leckie
21 Columbia Ave, Takoma Park, MD 20912
deanwleckie@gmail.com 2028701852

To: Department of Permitting Services
2425 Reedie Drive, 7th floor
Wheaton, Maryland 20902

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 Name: Builders Fence Co., Scott Ruete scott@buildersfenceco.com 7038200967
Location of Project: 21 Columbia Ave., Takoma Park, MD 20912
Proposed Scope of Work: Replace backyard fence.

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 and 5/8" in trunk diameter or greater), located on the project property or on an adjacent property, may require a Tree Impact Assessment and possibly a Tree Protection Plan Permit. Make sure to submit a request for a Tree Impact Assessment and schedule a site visit with the City's Urban Forest Manager if any urban forest tree is in the vicinity of proposed construction activities. See the Tree Permits section of the City website for the specific conditions in which a Tree Impact Assessment is required. Depending on the Urban Forest Manager's conclusion following the Tree Impact Assessment, you may need to prepare a full Tree Protection Plan and apply for a Tree Protection Plan Permit as well. Separately, the removal of any urban forest tree will require a Tree Removal Permit 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 urbanforestmanager@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 a 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 on visit: <https://takomaparkmd.gov/government/public-works/stormwater-management-program/>. The City Engineer should be contacted to determine if a City permit is required. The City Engineer can be reached 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 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.

eSigned via SeamlessDocs.com
Dean Leckie
Key: 38bf2056622713c0b979ea7ee94779a

Dean Leckie

03-23-2023



West Fence where retaining wall is needed



West Fence looking South



West Fence looking South



West Fence and South Chain Link Fence

A photograph of a wooden picket fence in a yard. The fence is made of light-colored wooden pickets and runs diagonally across the frame. To the right of the fence, there is a large tree with many brown, fallen leaves on the ground. In the background, there is a blue house and another fence. The scene is set in a residential yard during autumn.

East Fence looking South



←--- These two trees
have been
removed

East Fence looking North



South Fence looking West



Five Foot Fence Around Garage -- West Side



Front Fence East Side of Garage



Fence Around Garage -- to enclose front of garage