

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	511 New York Ave., Takoma Park	Meeting Date:	8/16/2023
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	8/9/2023
Applicant:	Mark Swartz	Public Notice:	8/2/2023
Review:	HAWP	Tax Credit:	no
Case Number:	1034797	Staff:	Dan Bruechert
Proposal:	Window Replacement (RETROACTIVE)		

RECOMMENDATION

Staff recommends that the Historic Preservation Commission **approve with one (1) condition** the HAWP application:

1. While the HAWP is approved, the HPC directs Staff recommend that the Department of Finance deny the tax credit application at the subject property, as the replacement windows do not match the 'existing' condition.

PROPERTY DESCRIPTION

SIGNIFICANCE: Contributing Resource to the Takoma Park Historic District
STYLE: Colonial Revival
DATE: c.1916



Figure 1: The subject property is located on the north side of New York Avenue, with a non-historic addition at the rear.

PROPOSAL

The applicant proposes to replace two windows in the c.1979 addition. The windows have already been replaced, but the proposal should be reviewed as though no work has been undertaken.

APPLICABLE GUIDELINES

When reviewing alterations and additions for new construction to Contributing Resources within the Takoma Park Historic District, decisions are guided by the Takoma Park Historic District Design Guidelines (*Design Guidelines*) and Montgomery County Code Chapter 24A (*Chapter 24A*) and the Secretary of the Interior's Standards for Rehabilitation (*The Standards*).

Takoma Park Historic District Design Guidelines

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

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

Contributing Resources should receive a more lenient review than those structures that have been classified as Outstanding. This design review should emphasize the importance of the resource to the overall streetscape and its compatibility with existing patterns rather than focusing on a close scrutiny of architectural detailing. In general, however, changes to Contributing Resources should respect the predominant architectural style of the resource. As stated above, the design review emphasis will be restricted to changes that are *at all visible from the public right-of-way*, irrespective of landscaping or vegetation.

All exterior alterations, including those to architectural features and details, should be generally consistent with the predominant architectural style and period of the resource and should preserve the predominant architectural features of the resource; exact replication of existing details and features is, however, not required,

Original size and shape of window and door openings should be maintained, where feasible

Some non-original building materials may be acceptable on a case-by-case basis; artificial siding on areas visible to the public right-of-way is discouraged where such materials would replace or damage original building materials that are in good condition

Alterations to features that are not visible from the public right-of-way should be allowed as a matter of course

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

Montgomery County Code, Chapter 24A Historic Resources Preservation

(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

(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

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 proportions, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will 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 two-story, side gable, Colonial Revival house with clapboard siding and 6/1 sash windows in the house's historic portion. At the rear, there is a c.1975 addition that is not at all visible from the public right-of-way. The addition includes two pairs of rear-facing wood casement windows in a 3/2 configuration. The applicant proposes to remove these windows and replace them with two pairs of vinyl single-light casement windows. While the work has already been completed (see below), the HPC is charged to evaluate the proposal as though no work has been completed.



Figure 2: The existing ('before') condition (left) and the proposed ('after') window (right).

While Staff generally requires applicants to demonstrate that windows have deteriorated beyond repair or there is another justification for their removal, Staff finds that is not the case in this instance. The existing wood casement windows appear to date to the time of the addition's construction, and are neither historic nor do they contribute to the historic character of the house. Additionally, these windows are not at all

visible from the public right-of-way. Staff finds for this reason the windows removal should be approved as a matter of course, per the *Design Guidelines*.

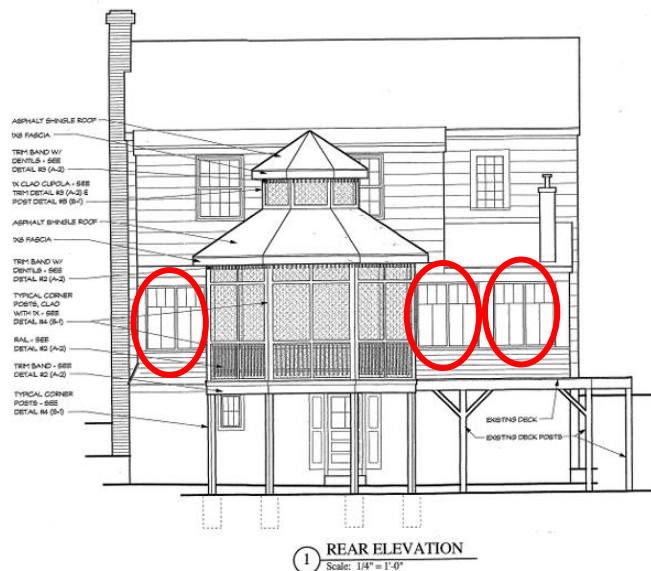


Figure 3: Rear elevation from 2006 HAWP¹ showing rear windows proposed for replacement (circled in red).

Staff would encourage the applicant to use an aluminum-clad wood window in this application for a more compatible appearance with the historic windows. However, Staff does not find that an aluminum-clad window is necessary under the *Design Guidelines* in this instance. First, the proposal will replace windows on the rear elevation of a non-historic rear addition. The *Guidelines* state, “Alterations to features that are not visible from the public right-of-way should be allowed as a matter of course.” Staff additionally, finds the single-light configuration is acceptable on a non-historic addition on a rear-facing elevation as it will not impact the historic character of the house or the surrounding streetscape. Finally, aluminum-clad wood windows are often required because they approximate the depth of a historic wood window, so the hose and/or addition does not present too flat of a profile to be compatible with the historic house. The rear addition was not constructed to replicate the depth of the historic construction and lacks the elements that would provide that additional relief (i.e. trim, shutters, etc.). For this reason, Staff finds the proposed flatter profiled vinyl windows are acceptable and recommends the HPC approve them under the *Design Guidelines* and 24A-8(d).

Tax Credit Consideration

Staff only learned of the window replacement because the applicant applied for a tax credit for the window replacement. Once Staff learned the window replacement occurred without an approved HAWP, the tax credit review was placed on hold pending the HPC’s consideration of this HAWP.

In evaluating tax credit applications concerning windows, Staff has consistently required windows either be repaired or replaced in-kind. In-kind in this context means the replacement window matches the existing in dimensions, configurations, and materials. Staff finds the proposed replacement window under consideration in this HAWP application maintains none of the characteristics; and only retains the overall window opening size. Staff recommends the HPC include a condition to the approval of this

¹ The 2006 HAWP documents are available here:

https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640011/Box097/37-03-06VV_Takoma%20Park%20Historic%20District_511%20New%20York%20Avenue_08-23-2006.pdf.

HAWP that directs Staff to deny the tax credit application at the subject property for its failure to comply with Chapter 52, article IV of County Code.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with one (1) condition** the HAWP application:

1. The HPC directs Staff to recommend that the Department of Finance deny the Montgomery County Historic Preservation Tax Credit application at the subject property for the window replacement;

under the Criteria for Issuance in Chapter 24A-8(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, #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 dan.bruechert@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:

- Checklist of work types: 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

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:

**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	*	*	*	*	*		*

BEFORE



AFTER



Mission Exteriors
 4444 Connecticut Ave NW, Suite 103
 Washington, DC 20008 US
 +1 2024309788
 ralsruhe@missionexteriors.com



INVOICE

BILL TO
 511 New York Avenue
 Takoma Park, MD 20912

INVOICE # 2049
DATE 10/27/2022
DUE DATE 10/27/2022
TERMS Due on receipt

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Window/Door Replacement	Contract Amount	1	7,872.00	7,872.00
	Customer Deposit	Deposit received.	1	-	-2,624.00
	Window/Door Replacement	Commencement of Work Payment	1	-	-2,624.00
PAYMENT					2,624.00
BALANCE DUE					\$0.00

PAID