MO	NTGOMERY COUNTY HISTORIC PRESERV STAFF REPORT	ATION COMMIS	<u>SION</u>
Address:	25 Montgomery Avenue, Takoma Park	Meeting Date:	6/12/2024
Resource:	Non-Contributing Resource Takoma Park Historic District	Report Date:	6/5/2024
Applicant:	Steven Edminster (Bill Gunnulfsen, Agent)	Public Notice:	5/28/2024
Review:	HAWP	Tax Credit:	n/a
Permit Number	: 1070502	Staff:	Dan Bruechert
Proposal:	Fence Installation		

Preliminary Consultation

STAFF RECOMMENDATION

Staff recommends that the applicant make any revisions recommended by the Historic Preservation Commission (HPC) and return for a HAWP.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:	Non-Contributing Resource within the Takoma Park Historic District
STYLE:	Queen Anne
DATE:	1989

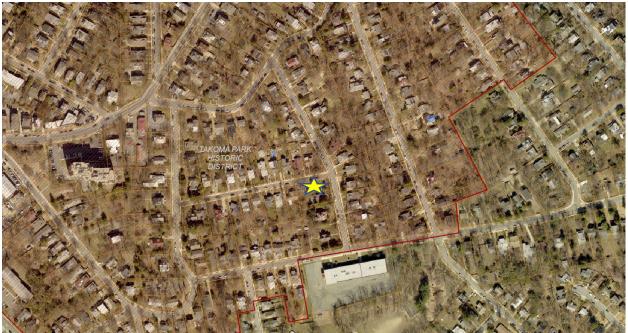


Figure 1: The subject property was constructed on a subdivided lot in 1989.

PROPOSAL

The applicant proposes to install a 6' (six foot) tall fence.

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*). Additionally, as a building located within the Takoma Old Town and Commercial Revitalization Area, Ordinance No. 2592 applies.

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.

Non-Contributing/Out-of-Period 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 character of the district as a whole.

Montgomery County Code, Chapter 24A Historic Resources Preservation

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(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 Queen Anne-inspired house constructed in 1989 that is oriented toward Hickory Ave. The lot was created by subdividing the lot at 32 Hickory Ave., resulting in a relatively deep, narrow lot. The lot is currently enclosed by a 4' (four foot) tall wood picket fence. The applicant proposes to install a 6' (six foot) tall wood board-on-board privacy fence from the area to the rear of the existing sidewalk along Montgomery Ave. to enclose the rear portion of the yard.



Figure 2: Detailed aerial of the property with the proposed fence location shown in red. The property to the west is an Outstanding Resource.

The HPC typically limits fences forward of the rear wall plane to no more than 48" (forty-eight) inches tall forward of the rear wall plane and requires an open picket design. The objective of this requirement is to maintain the open, park-like setting of the historic district. In corner lots, like the subject lot, the

requirement is usually extended so that any fences do not create the appearance of a wall along the streetscape.



Figure 3: Photo showing the existing fence along Montgomery Ave.

The application identified two examples at corner lots where a solid 6' (six foot) tall fence had been installed along the streetscape; one at 7200 Maple Ave., another at 316 Elm Ave. (a house inside the Takoma Park National Register District, but outside of the County-designated Master Plan District). Staff found the 2010 HAWP application for the fence at 7200 Maple Ave., however, it did not provide significant analysis as to why Staff recommended approval aside from the fact that it was replacing an existing 6' (six foot) tall fence; and the HPC subsequently approved it by consent. Staff notes the fence at 7200 Maple was limited to the rear of the historic rear wall plane, along Tulip Ave. Staff's incomplete survey of the historic district did identify two additional locations where a 6' (six foot) tall fence was installed at a corner lot, along the street; one at 7118 Poplar Ave. and another at 49 Elm Ave. Staff was unable to locate a HAWP record for these two properties.

Staff finds the proposed 6' (six foot) fence is incompatible with the open character of the existing streetscape and landscape—one of two planning/design principles identified in the *Design Guidelines* that apply to every category of resource within the historic district. As identified above, Staff finds the character of a board-on-board or alternating board 6' (six foot) tall fences can create the appearance of a solid wall at the sidewalk along the south side of Montgomery Ave. Staff also notes that the proposed fence would obscure a portion of the view of 19 Montgomery Ave., an Outstanding Resource in the historic district (see *Fig. 4.*, below). Staff finds that, as a HAWP, this proposal would satisfy the requirements of 24A-8(a), which requires the HPC to deny a HAWP application where the proposal is inconsistent or incompatible with the character of the resource and is detrimental to the district's preservation.



Figure 4: The northwest corner of the subject property with 18 Montgomery Ave. in the background (photo from 2012 showing previous accessory structure).

Staff encourages the applicant to consider planting a vegetative screening along the fence line which, depending on the species of bush/shrub selected, could provide a visual barrier to the applicant's rear yard. No HAWP or additional HPC review would be required. The additional greenery could serve to reinforce the district's overall park-like setting.

In the alternative, the HPC could acknowledge the small yard size due to the lot subdivision and consider other types of fence installation that would help to provide some additional screening while avoiding the appearance of a 6' (six foot) wall along the property line. A 4' (four-foot) tall solid or alternating board fence, with a 2' (two-foot) lattice topper might provide enough of a see-through appearance for the HPC to find the fence's appearance did not detract from the character of the district as a whole and could justify approval under the *Design Guidelines*. The HPC could also identify another fence design that would allow for increased privacy, but include some gaps between the boards (often identified as "semi-privacy" fences). Staff provides several examples of this category of fence to foster a discussion during the hearing and does not take a position as to the design's appropriateness.





Figure 5: Examples of semi-privacy wood fences.

Staff request feedback from the HPC on the following:

- Does the HPC concur with Staff's finding that the proposed fence along Montgomery Ave. and along the western property line is incompatible with the character of the district?
- Does the HPC find a 6' (six foot) tall, semi-private fence could be installed along Montgomery Ave. without detracting from the character of the district as a whole?
- Does the HPC find that vegetative screening is the only method of providing privacy to the western portion of the subject property?

STAFF RECOMMENDATION

Staff recommends the applicant makes any revisions recommended by the HPC and returns for a HAWP.

MERP	For Staff only: HAWP#1070502
APPLICATIO	N FOR DATE ASSIGNED
HISTORIC AREA WO HISTORIC PRESERVATION 301.563.340	ORK PERMIT
APPLICANT:	
Name: Steven Edminster	E-mail:sedminster2002@yahoo.com
Address: 25 Montgomery Avenue	E-mail: sedminster2002@yahoo.com City: Takoma Park _{Zip:} 20912
Daytime Phone: 301-875-9859	Tax Account No.: 02840910
AGENT/CONTACT (if applicable):	
Name: Bill Gunnulfsen, Long Fence	E-mail:
Address: 1910 Betsen Court	city: Odenton Zip: 21113
Daytime Phone: 240-731-4731	Contractor Registration No.:
LOCATION OF BUILDING/PREMISE: MIHP # of Historie	c Property25 Montgomery Avenue
Is the Property Located within an Historic District? \underline{X}	/es/District Name lo/Individual Site Name
Is there an Historic Preservation/Land Trust/Environme map of the easement, and documentation from the Eas	ntal Easement on the Property? If YES, include a
Are other Planning and/or Hearing Examiner Approvals (Conditional Use, Variance, Record Plat, etc.?) If YES, in supplemental information.	
Building Number: Street:	
Town/City: Nearest Cros	s Street:
Lot: Block: Subdivision: _	Parcel:
TYPE OF WORK PROPOSED: See the checklist on Pa for proposed work are submitted with this applica	tion. Incomplete Applications will not
be accepted for review. Check all that apply:	Shed/Garage/Accessory Structure Solar
New ConstructionDeck/PorchAdditionImage: Fence	Tree removal/planting
Demolition Hardscape/Lands	
Grading/Excavation Roof	Other:
I hereby certify that I have the authority to make the fo	
and accurate and that the construction will comply wit agencies and hereby acknowledge and accept this to b	
	$\frac{05-13-2324}{23-2324}$
Signature of owner or authorized agent	Date

HAWP APPLICATION: MAI [Owner, Owner's Agent, Adja	LING ADDRESSES FOR NOTIFING cent and Confronting Property Owners]
Owner's mailing address 25 Montgomery Avenue Takoma Park, MD 20912	Owner's Agent's mailing address
Adjacent and confronting	Property Owners mailing addresses
David and Ray Schultz 29 Hickory Avenue Takoma Park, MD 20912	Grace Wallack 19 Montgomery Avenue Takoma Park, MD 20912
Diane Curran and Ferd Hoefner 22 Montgomery Avenue Takoma Park, MD 20912	David and Shari Christy 24 Montgomery Avenue Takoma Park, MD 20912 22 Montgomery Avenue Takoma Park MD 20912 20 Montgomery Avenue Takoma Park MD 20912
24 Hickory Avenue Takoma Park MD 20912 28 Hickory Avenue Takoma Park MD 20912	

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

ARCHITECTURAL DESCRIPTION SIGNIFICANCE: Non-Contributing Resource within the Takoma Park Historic District STYLE: Victorian Revival DATE: Built in1989

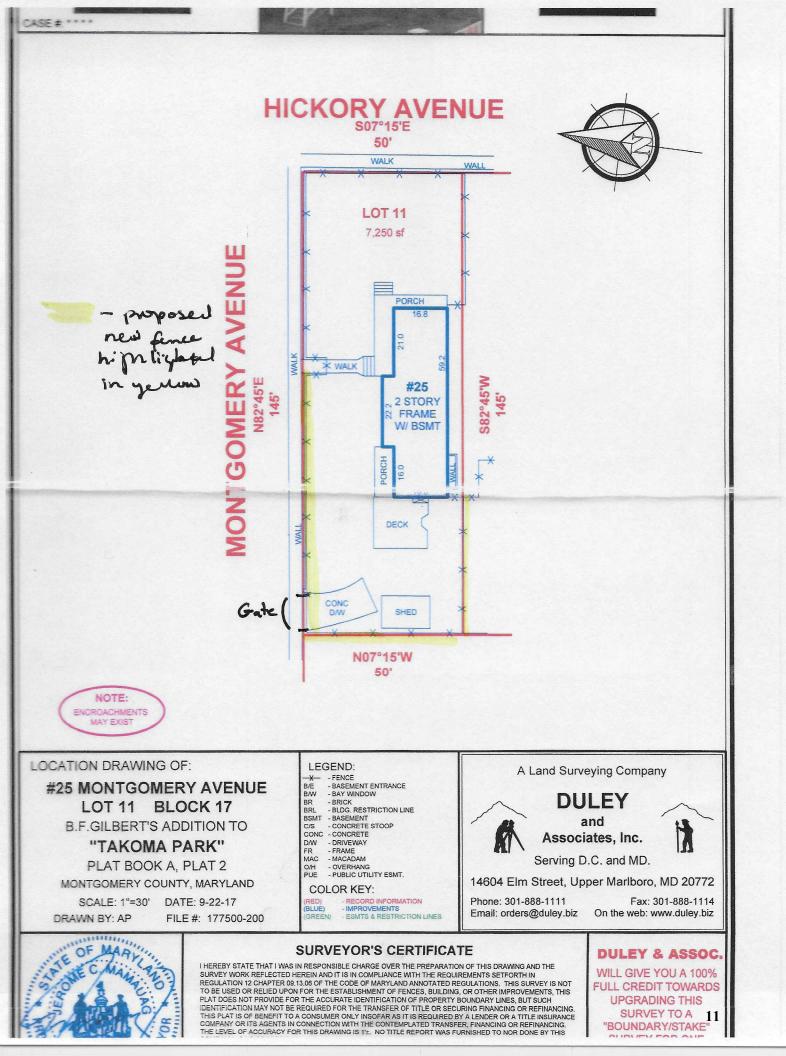
Description of Work Proposed: Please give an overview of the work to be undertaken:

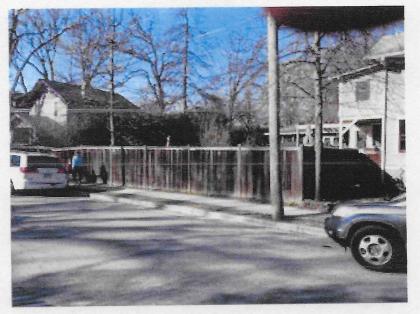
We are proposing to replace a portion of our existing picket fence (42" high) with a taller 72" board-on-board fence. The new, higher fence would follow the exact same foot print of our existing fence. The new fence would start behind our house and run along our property lines with the backyard of 29 Hickory Avenue, and the side yard of 19 Montgomery Avenue, where it would extend to the edge of our property where it meets the sidewalk on Montgomery Avenue (see attached plat drawing). The proposed work also would replace the existing car driveway gate with a new 72" high driveway gate. The new, higher fence would also extend in the same footprint of the existing lower fence along the sidewalk of Montgomery Avenue until the main entrance of our property. In the last 8 feet of fence line, the fence height would be gradually reduced to 42" to match the height of the lower fence at the property's entrance. The rest of the existing picket fence would remain as is.

Situated at the corner of Montgomery and Hickory avenues, 25 Montgomery Avenue has a long narrow lot that offers little privacy from passers by. While the entrance to 25 Montgomery Avenue is located on Montgomery Avenue, the house is nevertheless oriented to Hickory Avenue where the existing lower fence would remain. The proposed higher fence on the Montgomery Avenue side would provide us with some privacy in what we consider to be our back yard. Other corner lot houses located in Takoma Park's historic district, including houses on both Elm and Tulip avenues (see attached photos), have 6-foot fences for portions of their yards, which is what we are proposing for 25 Montgomery Avenue.

Work Item 1: fence	
Description of Current Condition: see prior page	Proposed Work: see prior page
Work Item 2:	_
Description of Current Condition:	Proposed Work:

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





1200 Tulip Avenue corner 1st with high fine for portion of yard.



316 Elm Arenne Cornerlot with high freme for portion of yord.

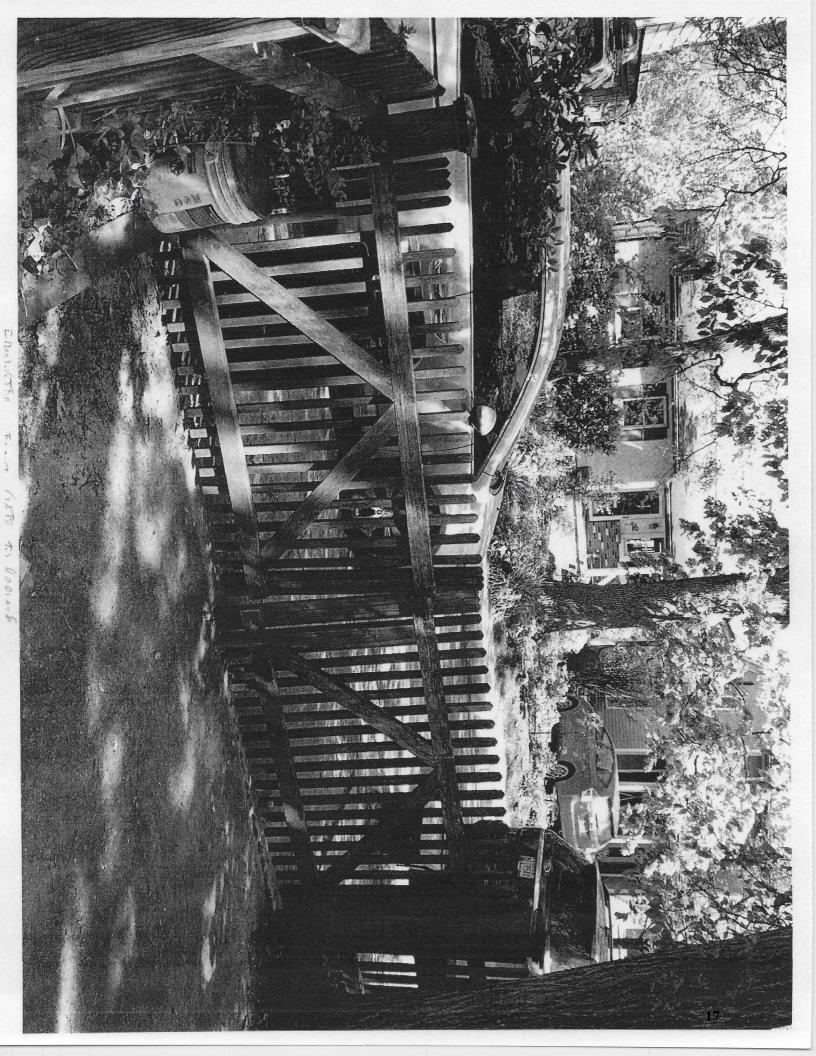
Job No. Order No. 9615, 9615-01, 9615-02 Customer No. DC # 2116 Date 731 Long Fence Company, Inc. 1910 Betson Court • Odenton, Maryland 21113 Ph: (301) 261-3444 • Ph: (410) 793-0600 • Fax: (301) 261-0643 www.longfence.com 1.1 BUYER'S NAME: 41 STEVE -DMIJSTF. STREET. 25 MONTGOMER CITY: TAKOMA MD COUNTY: MAP Page/Grid Mont TAN HM PH: WK PH. MR. MS. CELL: LEAD 44 E-MAIL: Long Fence Company, Inc. (herein called Seller) proposes to furnish materials, labor and equipment to install: bioh RESULE TAGATED PILE Flat Top D Monticello Arched Top D Mt. Vemon Dip Top 12 Approximately. BOARD BOANS DN style fencing. To toe nall O face nall 0_ ____Bd. Spacing Lattice Top D other, The giventical boards \Box pickets of the fence sections are to be: giftat, \Box dog eared \Box colonial gothic \Box gothic \Box other $\Box \times \Box \times D \times D \times D \times D$. Framing to Face \Box in \Box out. Fence to be stepped \Box . Framing to Face I in I out. Fence to be stepped I yes I no O other Posts are $4 \times 4 \times 4 \times 9^{-1}$; The posts are to be capped with $\frac{V_{IN}YL}{V_{IN}YL}$ caps. There are $(3)_{2} \times 4$ horizontal runners per section. The gate posts are $\frac{1}{2} \times \frac{1}{2} \times \frac{1}{2}$. The gate posts are capped with $\frac{V_{IN}YL}{V_{IN}}$ caps. CAPBOARDS All wood to be pressure treated pine, unless otherwise specified. high. The gate is to have a: D Flat Top D Monticello Arched Top There is/are to be single gate(s) wide X DOUBLEGENTE (DOUBLE ARch) O Mt. Vemon 9 double drive gate(s) 132" wide x 72" LI III high. The gate is to have a: D Flat Top There is/are to be _ Monticello Arched Top Mt. Vemon. All gates are to include hardware. Gates to be constructed with 2 × focedar horizontal supports. All posts are to be set 30" - 36" in the ground and DRY PAUC Permits: X County City Permit(s) will be obtained by Seller D Buyer (48' (wood) Buyer to supply Seller with copy of house plat. (For permit use only) Estimated Monthly Investment Seller (Sr will) (D will not) take down and haul old fence of approximately Per Month Property pins exposed? I yes gano Buyer to stake? I yes gano Order Survey? I yes gano. With Approved Credit Buyer responsible for property lines if no survey pins are in place. Obi Buyer D has / D has not provided Seller with a copy of applicable H.O.A. regulations related to fences and decks. Additional options: RUVER RESponsible for PROPERTY LINES. BUYER TO CLEAR THE FENCE LINES (WERHANGING BRANCHES VEGETATION () THIS BAUBLEGATE WILL HAVE GALDANIZED STEEL GATE POSTS, AND STEEL FRAME, OVE TO 136" WINTH (SALAK TALWGH COMBUT FOR GOTE BST. (S) ONT A FEW BOARD AROUND TUBE REPTS. QGATE IS SOLD VELTICAL BOARDIGARD GATE USAF WAS AN FATTI-SAGE CABLE. 10,660 25 lo Additional Intornation or Remarks ALL DISCOUNTS Applied Total Contract Price 3554 Deposit With Order OTHIS 24 OF NOW FENGAG TO ALIGN WITH EXISTING FENGAG 3553 Due on Day Materials are Delivered NOTE: NO H.O. A. 3553 Due on Day of Substantial Completion BUYER STATES NO LOCAL PERMIT REDUIRED And/or Balance Financed PLEASE PAY OUR FOREMAN 5 tab week ... Work to be completed approximately. chart Work to begin approximately) This projection is contingent upon obtaining approved financing permits HO.A., and other conditions beyond Seller's control Estimate valid for 30 days for purpose of acceptance by the buyer. Buyer agrees to pay for the goods, services and installation referred to above in accordance with the terms of this Agreement. Buyer acknowledges that before Buyer signed this Agreement, Seller submitted the Agreement to Buyer with all blank spaces filled in and that buyer had a reasonable opportunity to examine it anythigh thereafter a legible executed and completed copy thereof was delivered to Buyer. Buyer has read and understands both the front and reverse index of this Agreement, and agrees to the terms and conditions as set forth herein. Buyer(s) Sence Co fipany, Inc Long 102/21 Date (Signature) JUINU Dey 24 Date License No. (Signature) 's Printed' Name Sales Repre BUYER'S RIGHT TO CANCEL: You the buyer may cancel this transaction at any time prior to midnight of the 5th business day after the date of this transaction, or midnight of the 7th business day after the date of this transaction if you are 65 years of age or older. If you cancel within the time period noted above, the seller may not keep any of your cash down payment. DISTHIBUTION: WHITE: Original/Office Copy + YELLOW: Customer's Copy + WHITE: Dept. Copy + PINK: Estimator's Copy Form #525 (Play, 4/2018)

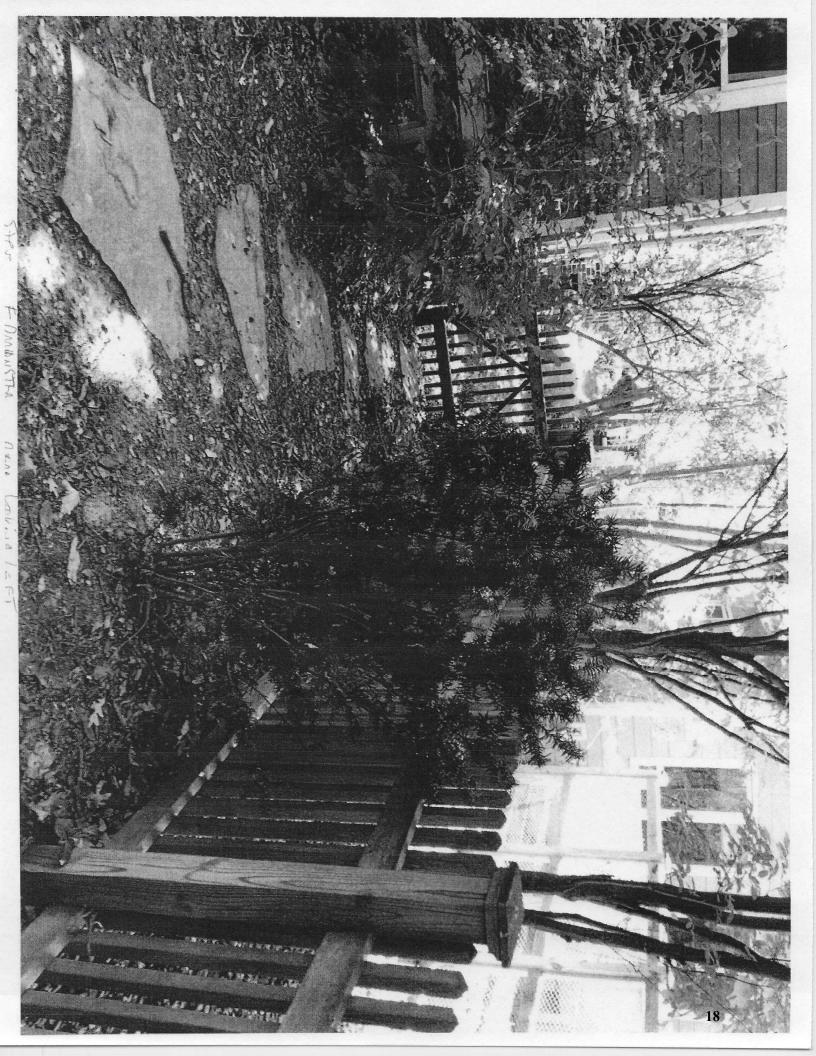
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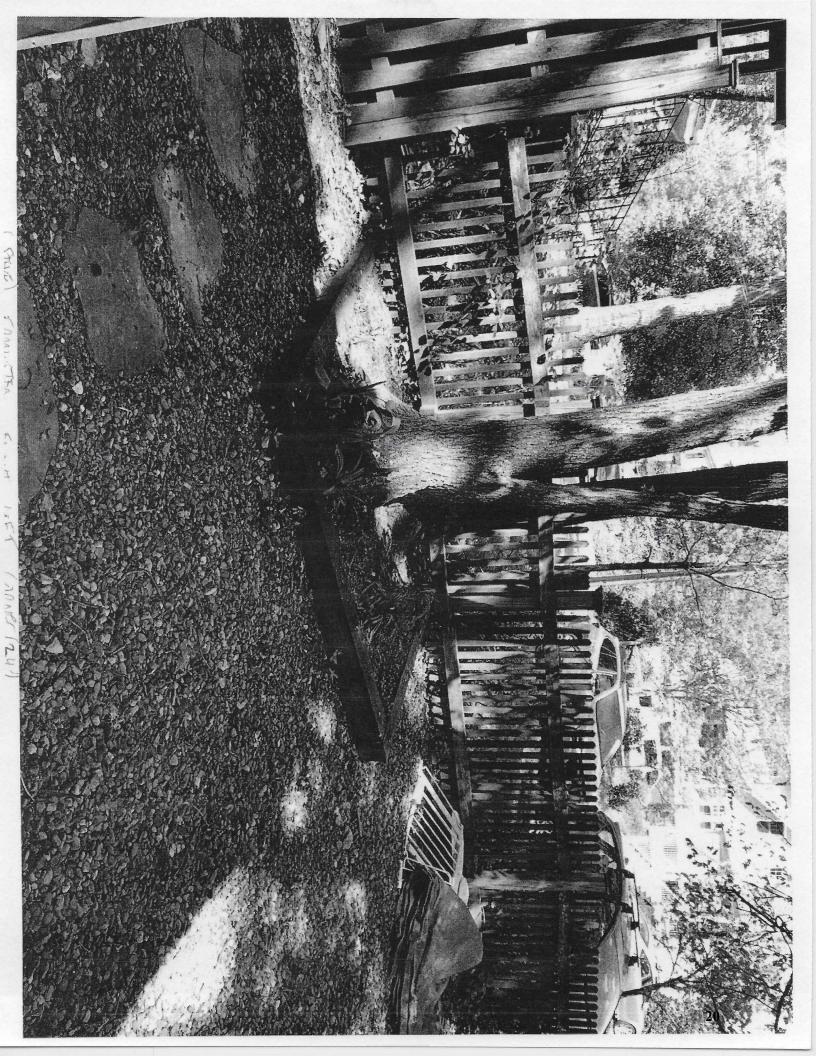
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48'	FGUP 104460CT BAULHINGE 7 MOBIL ADMIN GASALUOW REMFAICH HAULDUMP 4 CONBASECHG CONHOLECHG LABADO Gate(s) Type - Circle th Cross Out All N	CALV STREE LATCH PIST 9 4 4 ×10'S T" BALL BEARWE HINGE PAR DUER 48" U CLEAR OLD FEMUNE HAVE OLD FEMUNE BASE CHARGE FOR HOLES IN COMENT 5/3 COPITS COMENT 5/3 COPITS COMENT 5/3 COPITS COMENT Stelected Show Hinge Left or Right MARCHARCE FOR HOLES IN COMENT Structure Show Hinge Left or Right Structure	TEEL FIZAME GATE TEEL FIZAME GATE S.A.F VUL / REAM s) Selected	T STUFF TO AMUELA

Job No. Order No. 15, 9615-01, 9615-02 Customer No. 40/31/4 Date Long Fence Company, Inc. 1910 Betson Court - Odenton, Maryland 21113 Ph: (301) 261-3444 · Ph: (410) 793-0600 · Fax: (301) 261-0643 www.longfence.com BUYER'S NAME: 42 STEVB EDMINSTER STREET: MONTGOMED CITY. MD COUNTY: MAP Page/Grid Mont TADE HM PH: WK PH. MR CELL-MS. LEAD HRM1398 E-MAD : Long Fence Company, Inc. (herein called Seller) proposes to furnish materials, labor and equipment to install: bioh Ressure TAGASTED PIJE Flat Top D Monticello Arched Top D Mt. Vernon Dip Top 72' Approximately BRANS ON BOARD , style fencing. A toe nall O face nall O Lattice Top O other 0 Bd. Spacing Dipickets of the fence sections are to be: Ø flat, O dog eared O colonial gothic O gothic 4 X 72 T TNE. Framing to Face D in D out. Fence to be stepped I The vertical boards X O other Framing to Face D in D out. Fence to be stepped D yes D no Posts are $4 \times 4 \times \frac{1}{2} \frac{9}{2}$. The posts are to be capped with $\frac{V_{IM}YL}{2}$ caps. There are $\frac{1}{2} \times 4$ horizontal runners per section. . The gate posts are capped with Mi JY'L caps. The gate posts are x 6 X CAPBOARDS All wood to be pressure treated pine, unless otherwise specified. single gate(s) high. The gate is to have a: C Flat Top C Monticello Arched Top There is/are to be D Mt. Vemon DOUBLEGETE (DOUBLE ARch double drive gate(s) 132" wide x 72 There is/are to be _high. The gate is to have a: C Flat Top O Monticello Arched Top O Mt. Vernon. All gates are to include hardware. Gates to be constructed with 2 × 6 cedar horizontal supports. All posts are to be set 30" - 36" in the ground and _Day faces Permits: X County City Permit(s) will be obtained by X Seller C Buyer (48' (wood) Buyer to supply Seller with copy of house plat. (For permit use only) Estimated Monthly investment Seller (Sr will) (D will not) take down and haul old fence of approximately Por Month Property pins exposed? I yes gano Buyer to stake? I yes gano Order Survey? I yes gano. With Approved Credit Buyer responsible for property lines if no survey pins are in place. Buyer D has / D has not provided Seller with a copy of applicable H.O.A. regulations related to fences and decks. Additional options: RUVER KREIDINSILLE FOR PROPERTY LINES, BUYER TO CLEAR THE FENCE UNES (MERHANGING BRANCHES VEGETATION () THIS JAUELEGATE WILL HAVE GALDANIZED STEEL GATE POSTS, AND STEEL FRAME, AVE TO 136" WINTH WARAGK TALWAR CHANGUT FOL GOTE BST. (HWAT A FEW BORND ARIVAND TASK ROOTS. WGATE IS SOLD VELTICE BOARDIEARU GATE USAF LIVES AN ANTI-SAB CABLE. 25% Additional Information or Remarks/ALL DISCOUNTS Applied Total Contract Price OTHIS 24 of NEW FENCISE TO ALIGN WITH EXISTING FENCING Deposit With Order Due on Day Materials are Delivered NOTE: NO H.O. A. Due on Day of Substantial Completio BUYER STATES NO LOTAL PERMIT REDUIRED And/or Balance Financed PLEASE PAY OU 5tab weeks ... Work to be completed approximately. Work to begin approximately) This projection is contingent upon obtaining approved financing/permits.)#O.A., and other conditions beyond Se Estimate valid for 30 days for purpose of acceptance by the buyer. Buyer agrees to pay for the goods, services and installation referred to above in accordance with the terms of this Buyer acknowledges that before Buyer signed this Agreement, Selier submitted the Agreement to Buyer with all bank spaces med in and mat buyer had a reasonable opportunity to examine it and hold thereafter a legible executed and completed copy thereof was delivered to Buyer. Buyer has read and understands don't the front and matching thereafter a legible executed and completed copy thereof was delivered to Buyer. Buyer de of this Agreement, and agrees to the terms and conditions as set forth herein. has read and under Both the troat and reve Date (Signature) Date License No (Signature) Sales Rep BUYER'S RIGHT TO CANCEL: You the buyer may cancel this transaction at any time prior to midnight of the 5th business day after the date of this transaction, or midnight of the 7th business day after the date of this transaction if you are 65 years of age or older. If you cancel within the time period noted above, the seller may not keep any of your cash down payment. DISTRIBUTION: WHITE Original/Office Copy + YELLOW: Customer's Copy + WHITE: Dept. Copy - PINK: Estimator's Copy Over 60 years of Excellence











DEPARTMENT OF PERMITTING SERVICES

Rabbiah Sabbakhan Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 5/14/2024

Application No: 1070502 AP Type: HISTORIC Customer No: 1379911

Comments

Marc Elrich

County Executive

Located at the corner of Montgomery and Hickory Avenues, 25 Montgomery Ave is situated on a long and narrow lot that affords us little privacy, particularly along the back side of our house on the Montgomery Ave side. A higher fence would help and is in keeping with the neighborhood streetscape.

Affidavit Acknowledgement

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

Primary Applicant Information

Address 25 Montgomery AVE Takoma Park, MD 20912

Homeowner Edminster (Primary)

Historic Area Work Permit Details

Work Type ALTER

Scope of Replace a portion of our existing fence with a taller fence on the back and side yard property lines with our neighbors. The higher fence would also work extend along a portion of our property line with Montgomery Ave to our home's entrance.