

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

| | | | |
|---------------------|--|-----------------------|-------------|
| Address: | 7307 Takoma Avenue, Takoma Park | Meeting Date: | 5/11/2011 |
| Resource: | Contributing Resource Takoma Park Historic District | Report Date: | 5/4/2011 |
| Applicant: | Jeffrey Luker | Public Notice: | 4/27/2011 |
| Review: | HAWP | Tax Credit: | Partial |
| Case Number: | 37/03-11T (RETROACTIVE partial) | Staff: | Josh Silver |
| PROPOSAL: | Alterations to front porch, storm window installation and retroactive fence installation | | |

STAFF RECOMMENDATION:

Approve
 Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Takoma Park Historic District
STYLE: Vernacular
DATE: c1915-230

PROPOSAL:

The applicant is proposing to:

1. Install aluminum storm windows on the tower section of the house
2. Install wooden lattice work below the wall of the tower section
3. Remove the left side loading stair from front porch and install wooden (IPE) railing and balusters. The proposed design will be consistent with the right side porch railing and balusters. The front porch was altered by the current owner in 1996 (See photos on Circle 28). The proposed reconfiguration will return the primary entrance of the porch to the front elevation
4. Remove a small section of the existing asphalt driveway to the left of the main driveway.

The proposed work also includes the removal of a 4' high, chain link fence and installation of a 4' high, picket fence and double-gate in the front yard of the property.

The following work is consistent with section Chapter 24A-6(b) of the County Code and section 1.1(f) of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) that defines "Ordinary Maintenance," as such it does **not** require a Historic Area Work Permit:

1. Repair and replace in-kind the torch applied roof and decking on the tower section of the house

2. Repair and replace in-kind the wood siding and trim on the front entry tower
3. Repair front entry tower windows
4. Remove and replace in-kind the front porch floor wooden decking
5. Remove and replace in-kind the existing asphalt shingle garage roof
6. Rebuild masonry chimney and reapply cement parge finish in missing locations
7. Re-mill the existing asphalt driveway and apply a 3” thick asphalt application in the same location.

APPLICABLE GUIDELINES:

Montgomery County Code; Chapter 24A-8

- (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
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (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.)

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve the HAWP application** as being consistent with Chapter 24A-8(b), (1) and (2):

and with the general condition that the applicant shall present the **3 permit sets 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 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 joshua.silver@mncppc-mc.org to schedule a follow-up site visit.



RETURN TO DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE 2ND FLOOR ROCKVILLE MD 20850
241 777-1176

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: _____

Daytime Phone No.: _____

Tax Account No.: _____

Name of Property Owner: Jeffrey Lukas Daytime Phone No.: (202) 298-6700

Address: 7307 Takoma Ave Takoma Park MD 20912
Street Number City State Zip Code

Contractor: TBA Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 7307 Takoma Ave Street: _____

Town/City: Takoma Park Nearest Cross Street: Beltway

Lot: P6 Block: 11 Subdivision: Takoma Park

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: _____

1B. Construction cost estimate: \$ 15,000

1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: N/A

2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 25 feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line
- Entirely on land of owner
- On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

[Signature]
Signature of owner or authorized agent

7/17/2011
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 266279 Date Filed: _____ Date Issued: _____

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19 April, 2011

Montgomery County Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166

Re: Luker Residence
7307 Takoma Avenue
Takoma Park, MD 20912

Subject: Historic Area Permit Application – Fence and Exterior Repairs

Dear Permit Officials:

Attached please find material that requests a Permit for the following work:

1. Replacement of the Front Fence

In 2008 I replaced the existing chain-link fence with new, traditional cedar board fence. I did not pursue a permit, because I assumed the project to be a repair project – replacement of an existing fence in the existing location. The County has requested that I apply for a Permit. Photos and a description of the Work is provided in the attached excerpts from earlier correspondence.

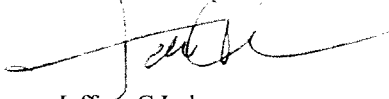
2. Exterior Repairs - including the following work:

- Repair and replacement of the Tower Roofing
- Trim Repair and replacement (new wood) siding at the Front Entry Tower
- Repair of the Front Entry Tower windows and installation of new aluminum storm windows
- Replacement of the Front Porch wood deck and Guardrails
- Roof repair at the Porch and Garage
- Repair of the asphalt drive.

Photos of the Existing Conditions and a description the Proposed Work are provided on the attached Scope of Work Document entitled “Exterior Repairs”. Note that I have reviewed and modified the Scope in response to a preliminary consultation with Joshua Silver, staff member to the Historic Preservation Commission.

Please call or email me if you need additional information, please forward it to the Montgomery County Historic Preservation Commission for review.

Thank you,



Jeffrey C Luker
Owner, 7307 Takoma Ave
Takoma Park, MD 20912

Work Phone: 202 591-2509
Email: jluker@quinnevans.com

Attached: Permit Application Form
Material Relevant to the Fence Permit
Material Relevant to the proposed Exterior Repairs
Additional Material relevant to Historic Review

June 29, 2008

James C. Martin
Montgomery County Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166

Re: Luker Residence
7307 Takoma Avenue
Takoma Park, MD 20912

Subject Appeal of the Notice

Dear Mr. Martin

On June 20, 2008, we picked up a Notice of Violation from the US Post Office regarding installation of a new stained wooden fence in along our front walk. Per our discussion on the telephone on Tuesday 24 June 2008, I am to understand that Montgomery County requires a Building Permit Application because we have replaced and existing and damaged chain link fence with a new wooden fence.

Subsequent to our discussion, I have reviewed the County's Fence Submittal Guidelines and I ask that you reconsider the Notice. The Guidelines state that replacement of an existing fence with the same kind of fence in the same location at the same height does not require a building permit. A copy of the Guidelines is attached.

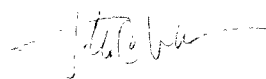
I removed the existing fence and installed the new fence myself. The existing fence ran between the sidewalk and the yard along our front property-line, it was approximately 4 feet tall, it was relatively transparent, and it had two gates, one at the driveway and one at the front walk. A photo of the existing fence is attached.

I installed the new fence in same location between the yard and the front property line; it is approximately 4 feet tall, it is relatively transparent, and it has two gates, one at the driveway and one at the front walk. A photo of the new fence is attached.

While the material has been changed, I submit that new fence is sufficiently similar to the existing fence to be considered "the same kind of fence in the same location".

I respectfully request that the Montgomery County withdraw the subject Notice of Violation. I thank you for the reconsideration and look forward to your response.

Sincerely,



Jeffrey C Luker
Owner, 7307 Takoma Ave
Takoma Park, MD 20912
Home (301) 565-3958; Work (202) 298-6700

Attached: Photos of existing fence & Photo of new fence
Copy of the Survey Plat
Copy of the "Notice of Violation"
Copy of the Montgomery County Fence Submittal Guidelines

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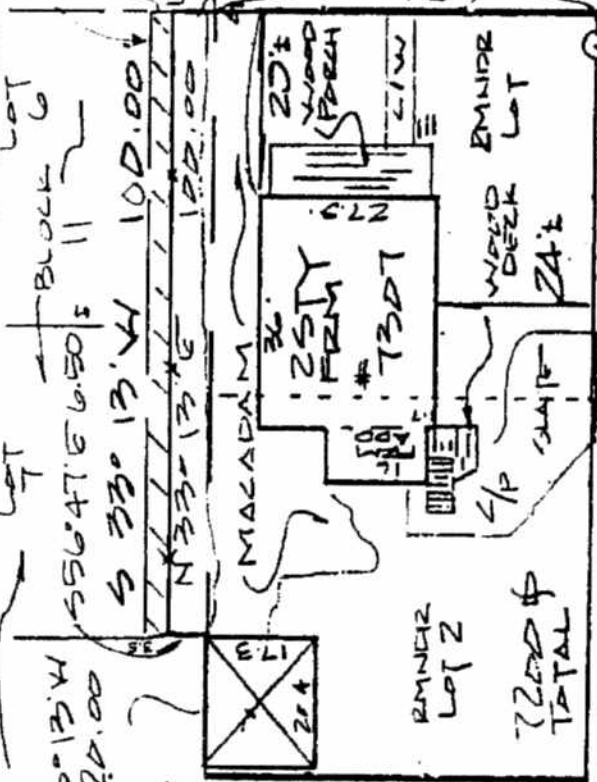
"TAKOMA PARK"
 PLAT BOOK: A
 PLAT: 23

FRM. LARALE

LOT 6
 BLOCK 11
 556.47' W 6.50' S
 33° 13' W 100.00'
 33° 13' E 182.00'

(N 25° 12' E ±)

AKOMA AVENUE
 (560.48' E ±)
 N 56.47' W 6.5'



NOTE:
 LOTS 1 & 2, BLOCK 7B
 RECORDED ON A PLAT
 ENTITLED:
 "T.P. L&T CO'S
 SUBDIVISION
 "TAKOMA PARK"
 PLAT BOOK:
 PLAT
 23

Subject property is shown in zone C on the National Flood Insurance Program Flood Insurance Rate Map of Montgomery County, Maryland. Panel # 200 of 200 Community Panel # 2400430200. Effective Date: AUG 5, 1991

ZZZ:
 DENOTES
 SAVING &
 EXCEPTING
 L: 4826
 F: 795



NOTE:
 LOT 11, BLOCK 7B
 RECORDED IN:
 PLAT BOOK: 7D PLAT: 6624

This is to certify that I have surveyed the property known as ALL of LOTS 1 & 2, BLOCK 7B, LESS LOT 11, BLOCK 7B, TAKOMA PARK, ENTITLED AS STATED ABOVE, and the Land Records of Montgomery County, Maryland for the purpose of locating the improvements thereon.

THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS ARE CONTAINED WITHIN THE OUTLINES OF THE LOT AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES.



LOCATION SURVEY
 7307 TAKOMA AVENUE
 MONTGOMERY CO. MD

NTT ASSOCIATES, INC.
 16205 Old Frederick Road
 Mt. Airy, Maryland 21771
 Phone 442-2031

Scale 1"=30'
 Date 5 SEP 24
 Field By DAN
 Drawn By DAN
 Drawing # 94-4431



MONTGOMERY COUNTY
 DEPARTMENT OF PERMITTING SERVICES
 255 Rockville Pike, 2nd Floor
 Rockville, Maryland 20850-4166

NOTICE OF VIOLATION

FOR MONTGOMERY COUNTY, MARYLAND the undersigned issuer, being duly authorized, states that:

On, June 13, 2008 the recipient of this NOTICE, Jeffrey C. and R.S. Luker
Date Recipient's Name

7307 Takoma Avenue Takoma Park, Maryland 20912
Street Address City, State, Zip

is notified that a violation of Montgomery County Code, Section: 59-A-3.1 Fence without building permit

exists at: 7307 Takoma Avenue Takoma Park, Maryland 20912 245262
Location Case #

The violation is described as: 1.) Construction of a fence without first obtaining a building permit from the Department of Permitting Services. A permit application may be obtained by calling 240-777-6240

The following corrective action(s) must be performed immediately as directed:

1.) Obtain a building permit for the fence or remove it.

NOTE: FENCES MAY NOT BE OVER 6 FEET 6 INCHES IN HEIGHT!

Stained Wooden Fence in the front yard

An inspection fee of \$ _____ is required in addition to any application fee(s).

Compliance Time: **(15) FIFTEEN** Calendar days

Failure to comply with this notice will result in the issuance of one or more \$500.00 civil citations.

This Notice of Violation may be appealed to the Montgomery County Board of Appeals within 30 days of the issue date. The Board of Appeals is located in the Council Office Building, 100 Maryland Avenue, Room 217, Rockville, Maryland 20850, telephone 240-777-6600.

ISSUED BY: James C. Martin June 13, 2008
Printed Name Signature Date

Phone No. 301-370-0042

RECEIVED BY: _____
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: _____

RECIPIENT'S SIGNATURE ACKNOWLEDGES RECEIPT OF A COPY OF THIS NOTICE OF VIOLATION

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Montgomery County Department of Permitting Services
255 Rockville Pike, 2nd Floor, Rockville, MD 20850
240-777-6370 Fax: 240-777- 6262
<http://permittingservices.montgomerycountymd.gov>



FENCE SUBMITTAL GUIDELINES

A building permit is required to install any type of fence in Montgomery County. The application packet must include two (2) copies of a site plan showing where the fence will be located on the property. For information on fences, call zoning information at 240-777-6240.

There are no restrictions about the type of fence that can be installed or which side faces either property. There are restrictions, however, for swimming pool enclosures, with very specific requirements that can be found in Chapter 51 of the Montgomery County Code.

If the height of the fence is not over six and one-half feet (6'-6") high, measured from the lowest level of the ground immediately under the fence, it can be located anywhere on the property. However, on a corner lot, a linear distance of fifteen feet (15') from the intersection of the front and side street right-of-way lines, the fence height cannot exceed three feet (3') above curb level.

Replacement of an existing fence **INSTALLED WITH A BUILDING PERMIT** with the same kind of fence in the same location at the same height does not require a building permit. If an existing fence was not installed with a building permit, the replacement fence must have a building permit.

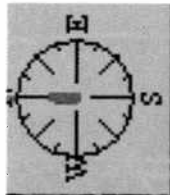
The Department often receives complaints concerning the placement of a fence on a neighbor's property. The fence permit is limited to the applicant's property as indicated on the approved site plan submitted with a building permit application. Any dispute as to whether a fence has extended into a neighbor's property or questions about the location of property lines is a legal matter to be resolved by the property owners.

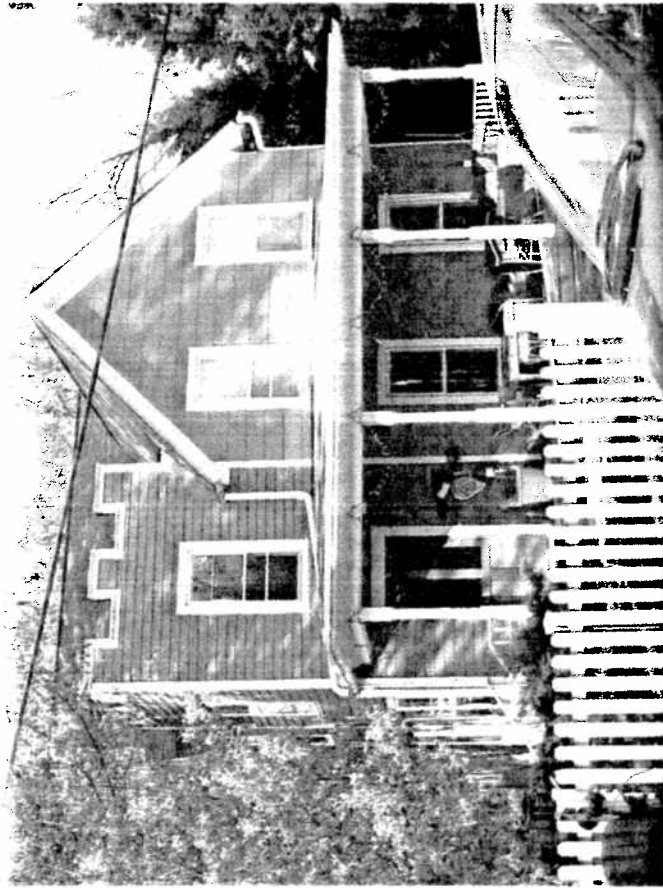


Photo of existing fence installed before we bought the House in 1994.



Photo of the replacement fence installed by me in Fall 2008.





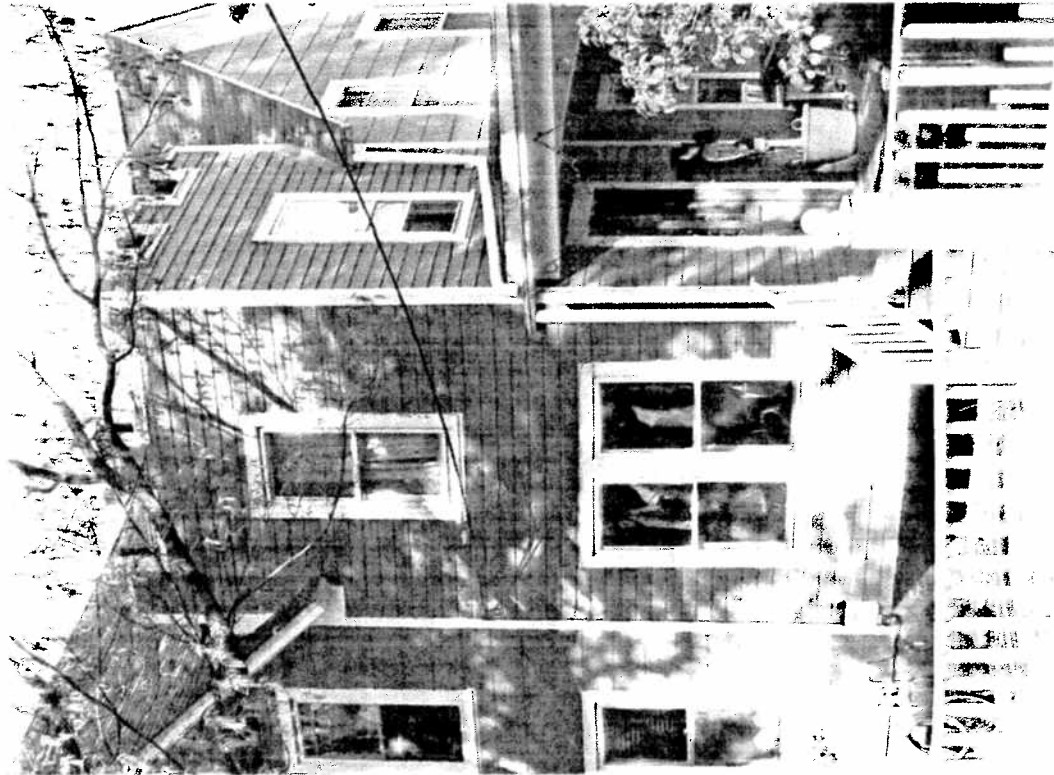
Front View

Scope of Work - Tower

- Remove existing flat built-up asphalt roofing to expose existing roof deck
- Provide new wood framed roof deck behind the Corner Tower Crenellation -- the new deck shall create a valley that slopes to the opposite corner (See attached Details 1, 2 & 3).
- Provide new torch applied asphalt roof over the new roof deck, integrate with the existing shingle roof (See attached Details 1, 2 & 3).
- Provide new white aluminum coping at the Corner Tower Crenellation -- both front and side (See attached Details 1, 2 & 3)
- Provide new aluminum collector box, scupper and 5" diameter downspout at North Façade, conceal new flashing behind siding (See attached Details 1, 2 & 3).
- Remove and discard the upper level gutter, downspout and horizontal pipe
- Replace valley flashing at intersection between the Tower and the Gable Front (See attached Details 2 & 3)
- Remove existing storm windows, 1 unit at the front, 2 units at the side.
- Scrape away loose paint and repair portions of rotted wood siding
- Apply new vapor barrier, new primed clear redwood or cedar siding (profile to match existing original German Lap siding), and replace the vertical trim with new pre-primed clear redwood trim at the Tower (See attached Detail 4)
- Replace existing wood jamb and head trim at the windows with new clear redwood trim; retain existing wood sills (See attached Detail 4)
- Prepare and paint existing wood windows
- Provide new aluminum storm windows
- Prepare and paint the Tower, complete.

Scope of Work - Front Porch Roof

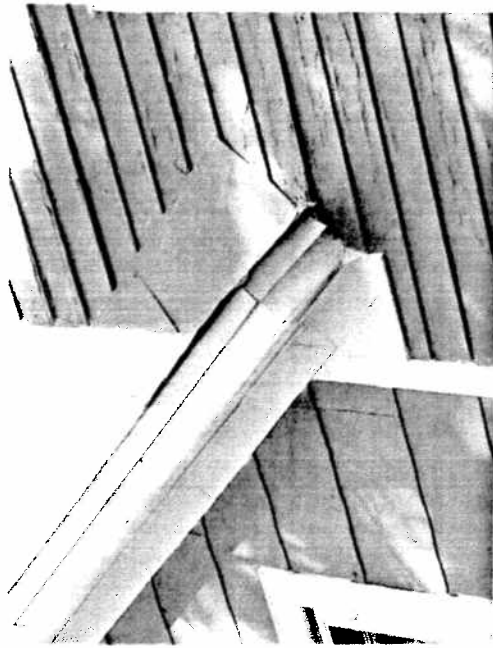
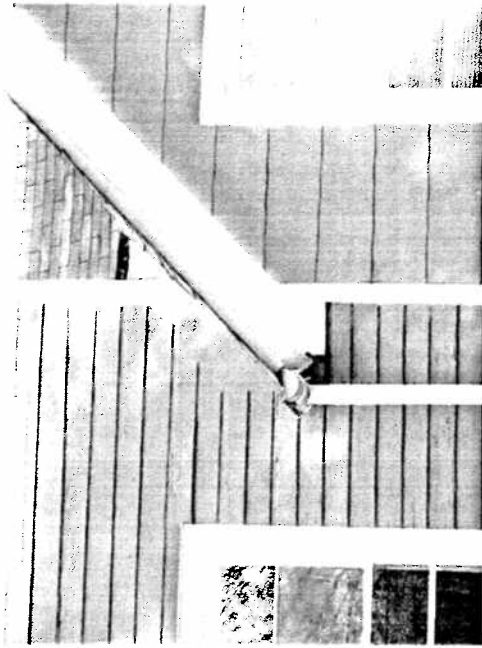
- Provide new redundant aluminum sheet metal flashing @ joint between porch roof and the front façade shingles (See attached Detail 5).
- Repair existing gutter and downspout assembly, replace missing or broken support clips, assume that 10 clips will be replaced
- Provide second layer of asphalt shingles roof over the existing Porch roof.



Side View

Scope of Work - Tower Only

- Provide treatments Similar to Front View, see page 1
- Provide new Scupper and 5" Diameter Downspout (See attached Details 1, 2, & 3)
- Fill gap a base of the wall with new lattice work (See attached Detail 6)



Detail Views – Front and Side

Scope of work

- See Page 1
- See attached Detail 2 relevant to this condition.



Detail Views - Front Porch Deck and Railing

Scope of Work

- Replace existing wood deck with new IPE wood decking (approx size is 8' x 28' = 224 SF)
- Reframe side stair so that deck ends at the edge of the House.
- Replace stair treads with new IPE wood decking
- Replace existing cast aluminum bases with new IPE wood bases.
- Replace stair and end balusters with new pre-fabricated IPE wood baluster system complete
- Apply IPE oil to new decking and baluster system.

Materials

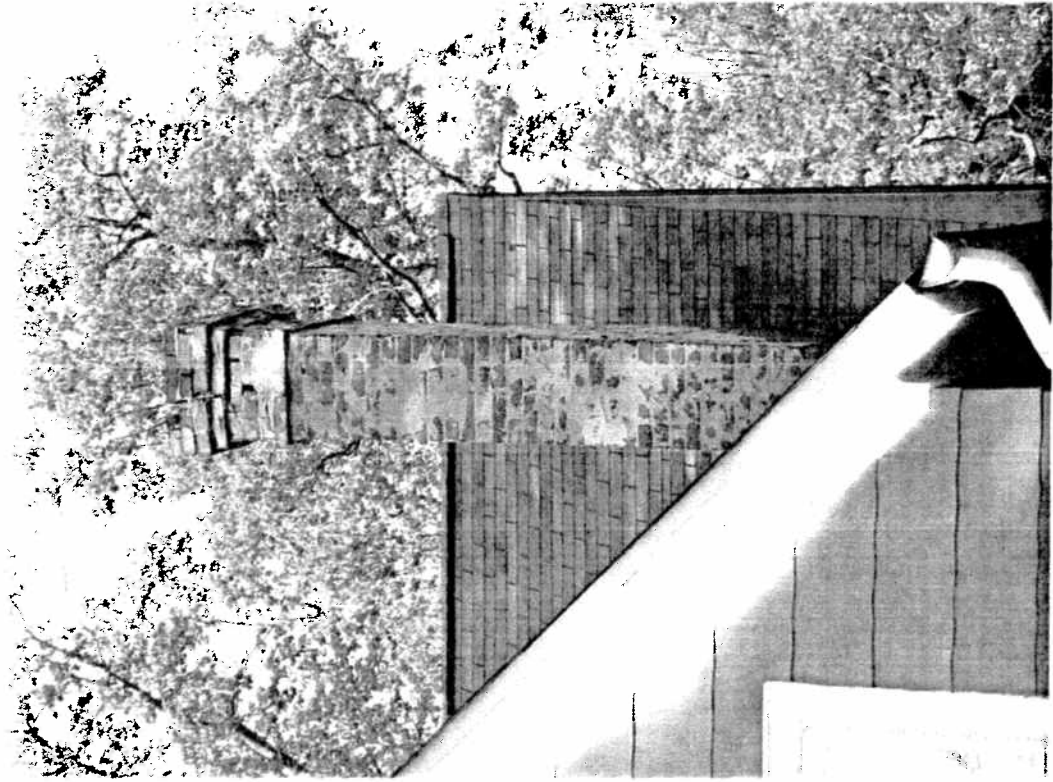
- Substitute pressure treated wood for IPE wood



Garage - Roof View

Scope of Work

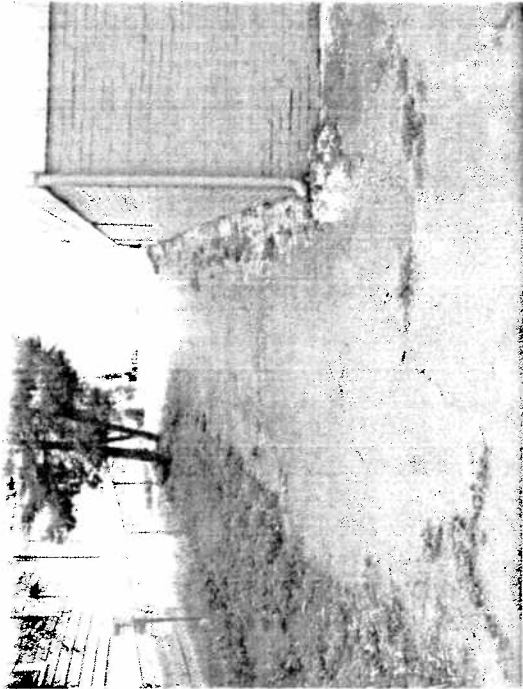
- Remove existing roofing
- Replace damaged framing and rotted underlayment
- Provide new 5/8" thick exterior grade plywood sheathing
- Install new pre-fabricated ridge vent and new aluminum drip edge
- Provide new 15lb felt underlayment and asphalt shingle roofing



Detail View - Chimney

Scope of Work

- Rebuild masonry chimney
- Provide new stainless steel chimney flue
- Retain base brick-work, apply cement parge finish.



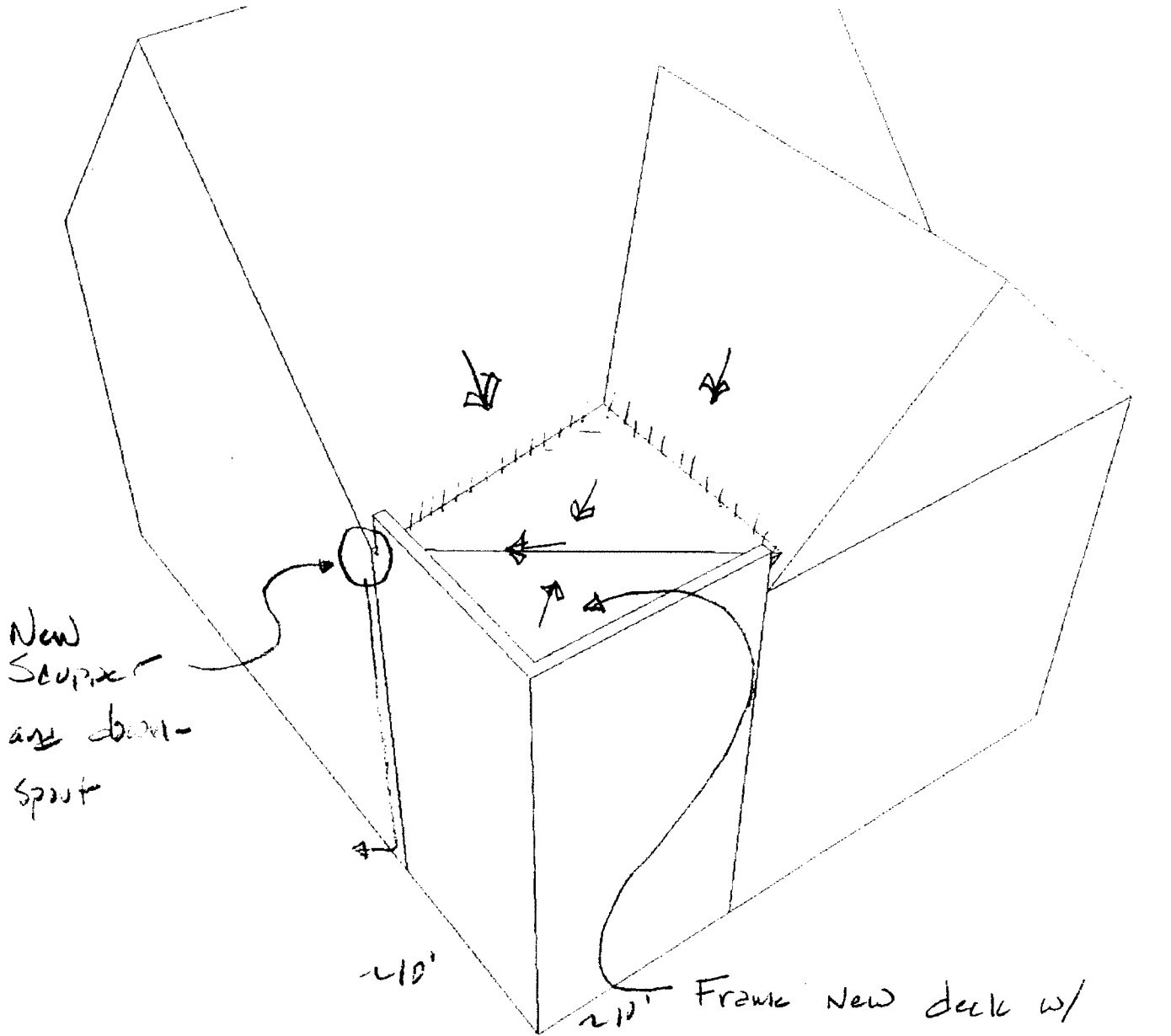
Detail Views - Driveway (Future)

Scope of Work

- Remove small portion of asphalt at rear
- Owner to install new underground PVC pipes that will connect to the rain-leaders
- Re-mill existing asphalt, confirm proper sub base and provide new 3" thick asphalt drive

LUKEIZ RESIDENCE - EXTERIOR REPAIRS

DETAIL # 1

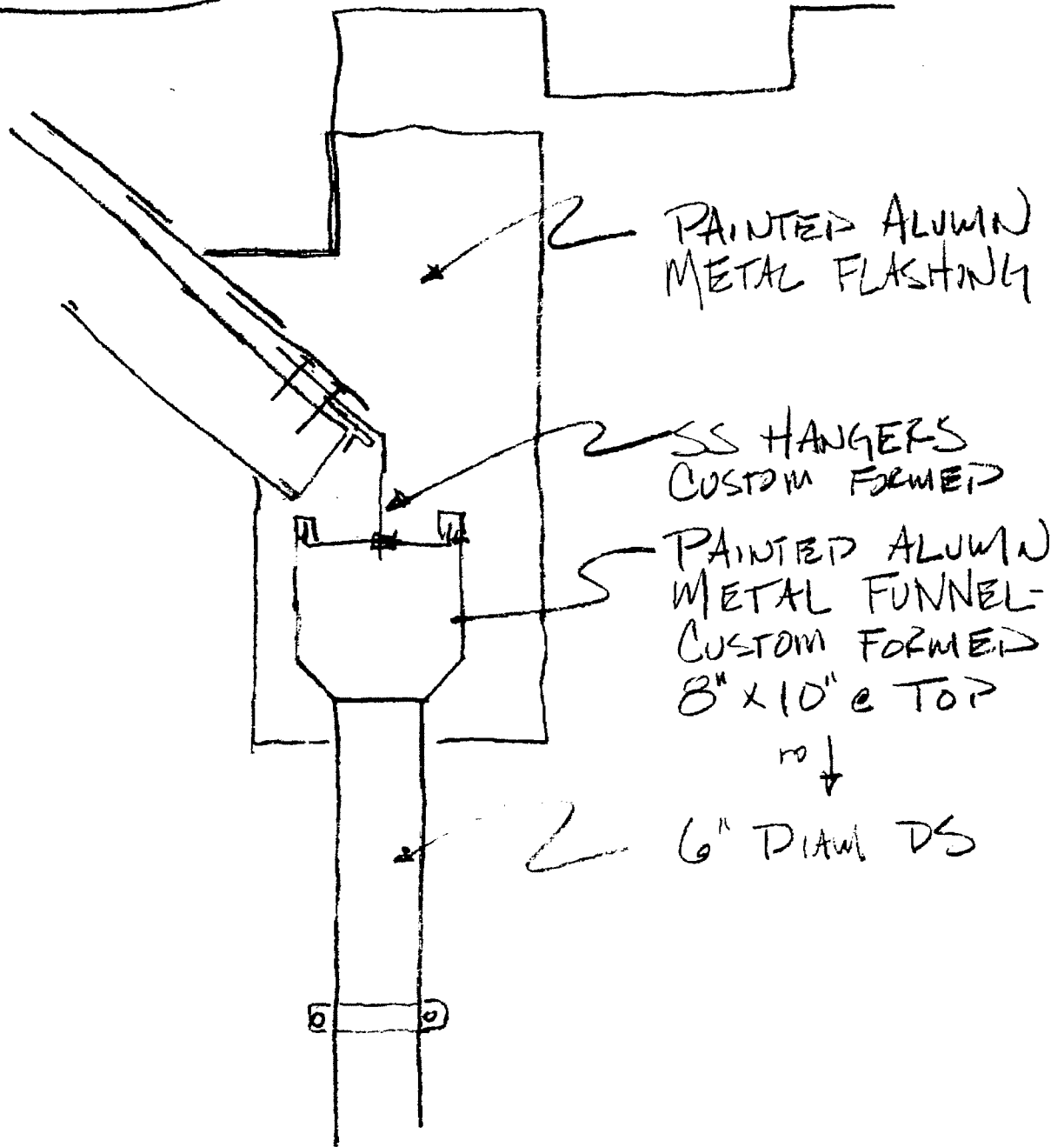


Frame New deck w/
2x6 PT Lumber and
1/2" exterior grade plywood
Slope so all water
flows to new scupper/
downspout

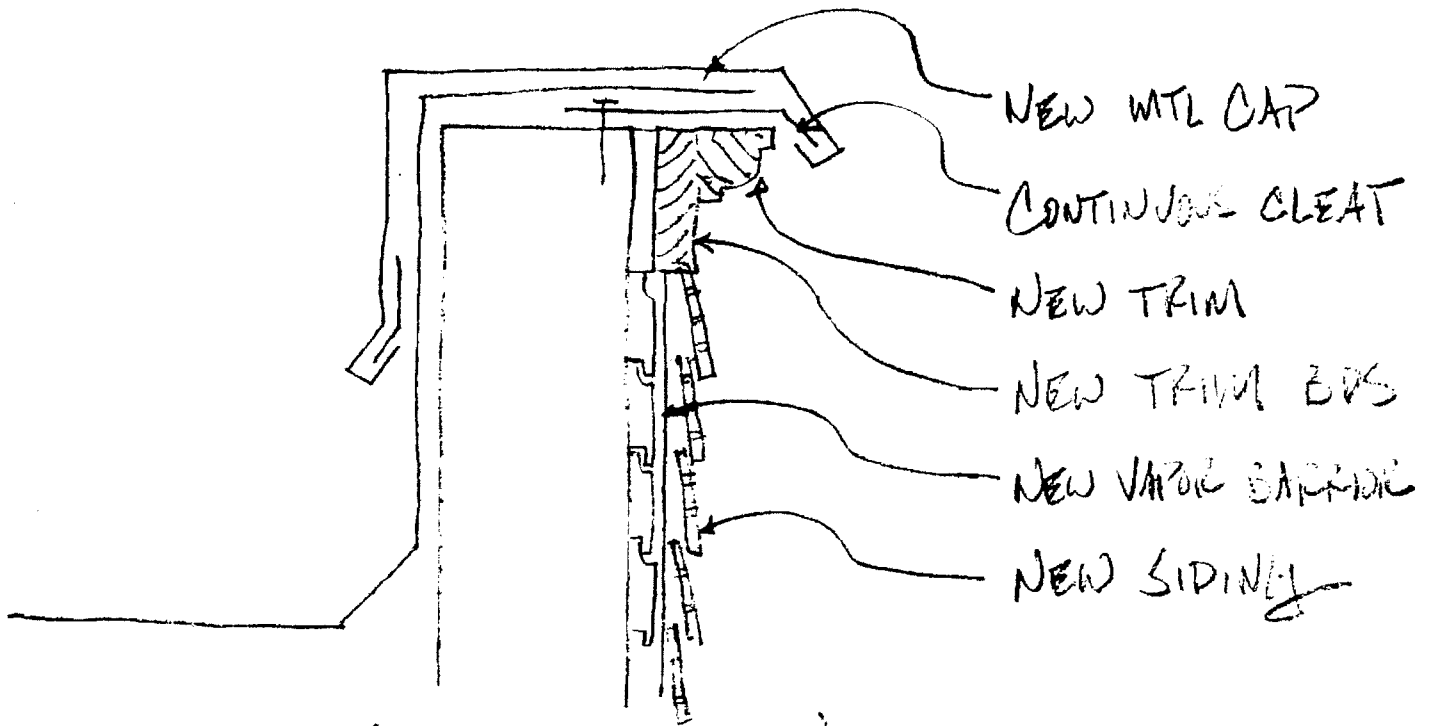
Alternate: work with
sloped insulation (poly iso)
in lieu of framing

LUKER RESIDENCE - EXTERIOR REPAIRS

DETAIL # 2

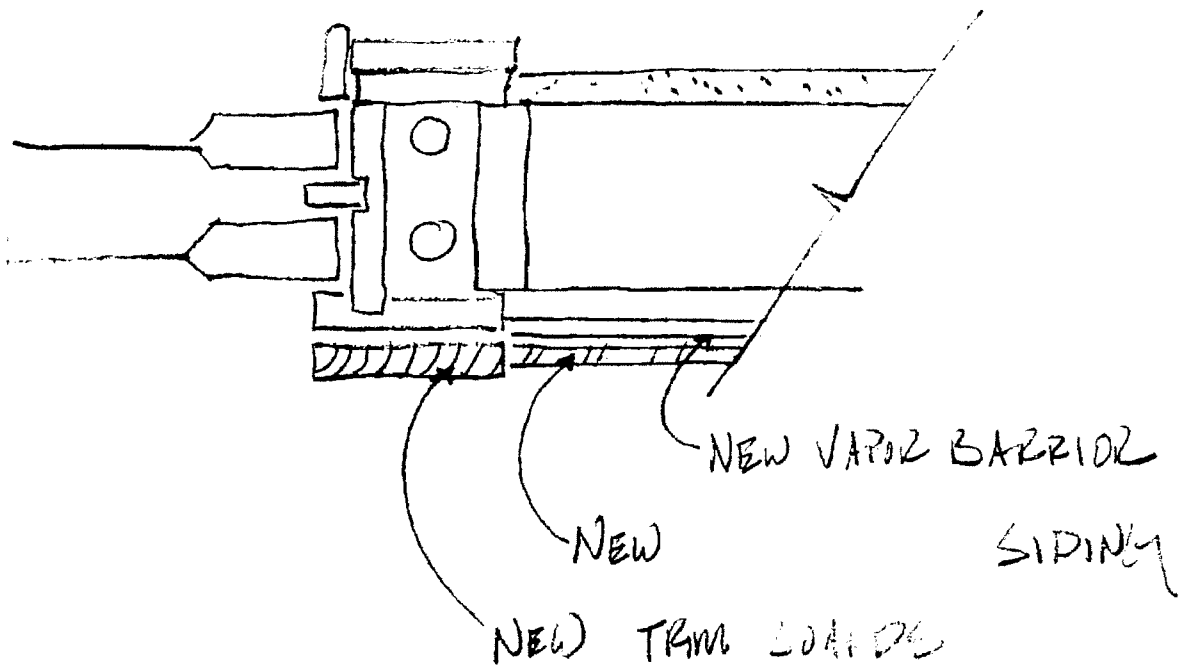


LUCER RESIDENCE - EXTERIOR REPAIRS



DETAIL C CRENELATION

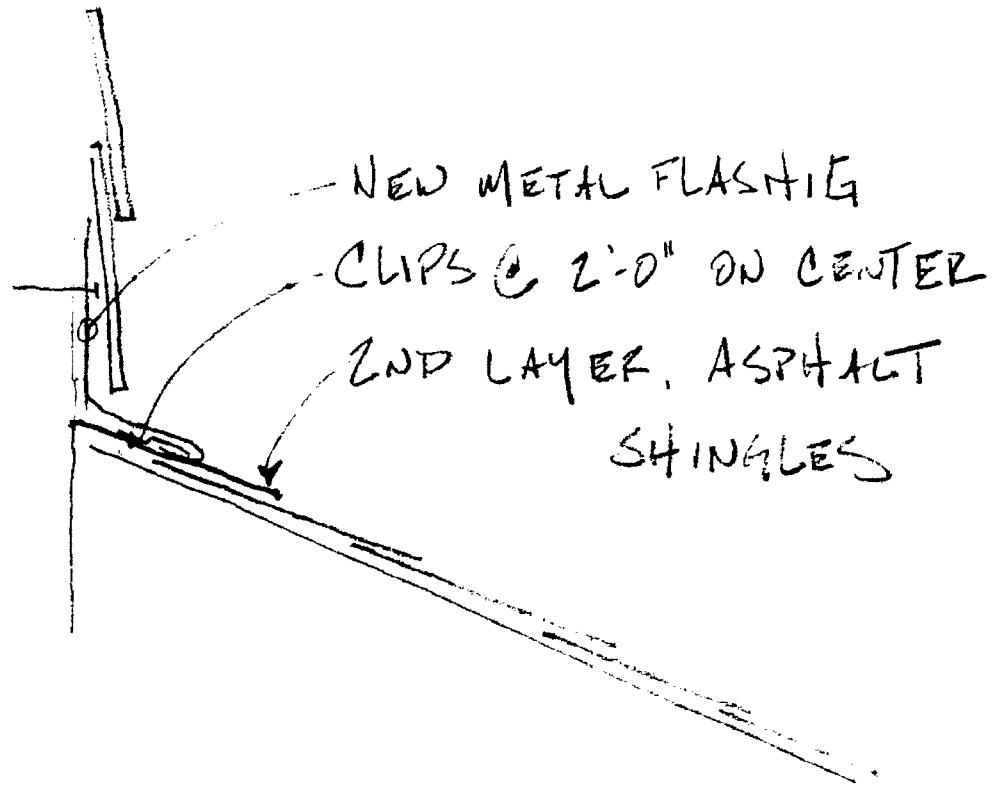
PETALS



DETAIL C WINDOW JAMBS + HEADS

DETAIL #4

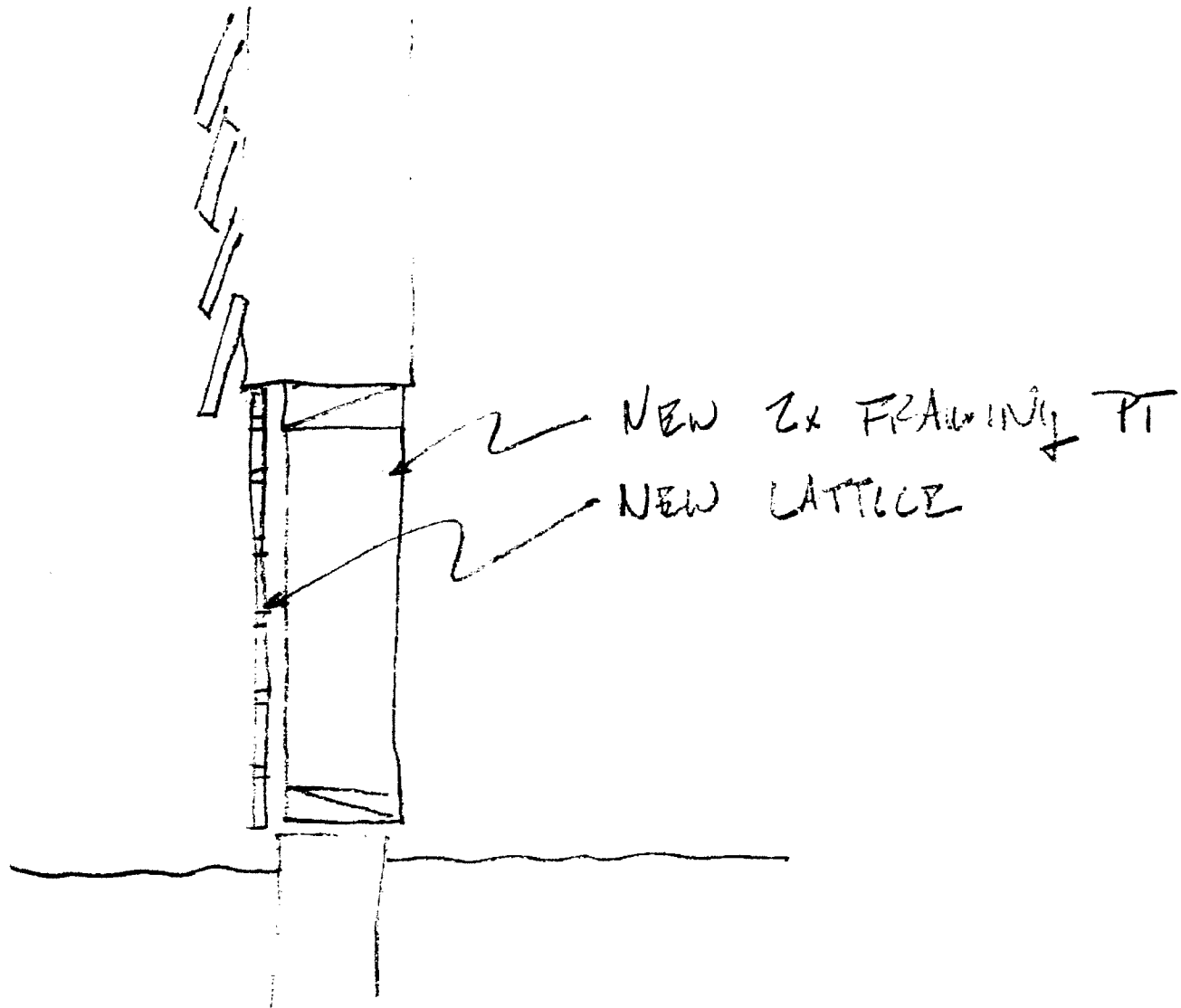
LUKER RESIDENCE - EXTERIOR REPAIRS



NEW FLASHING & SHINGLES @
PORCH ROOF

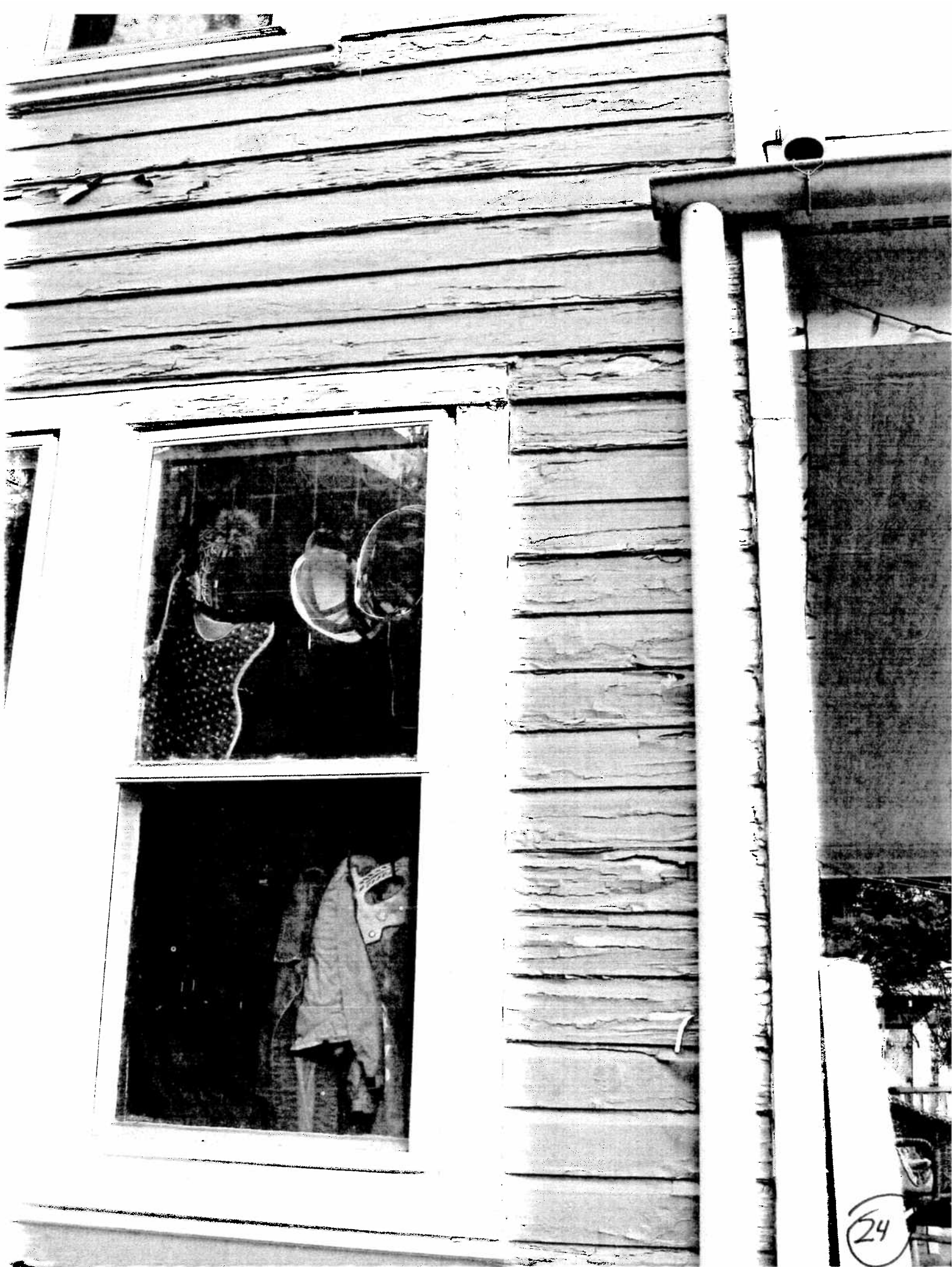
DETAIL # 5

LUKEK RESIDENCE - EXTERIOR REPAIRS

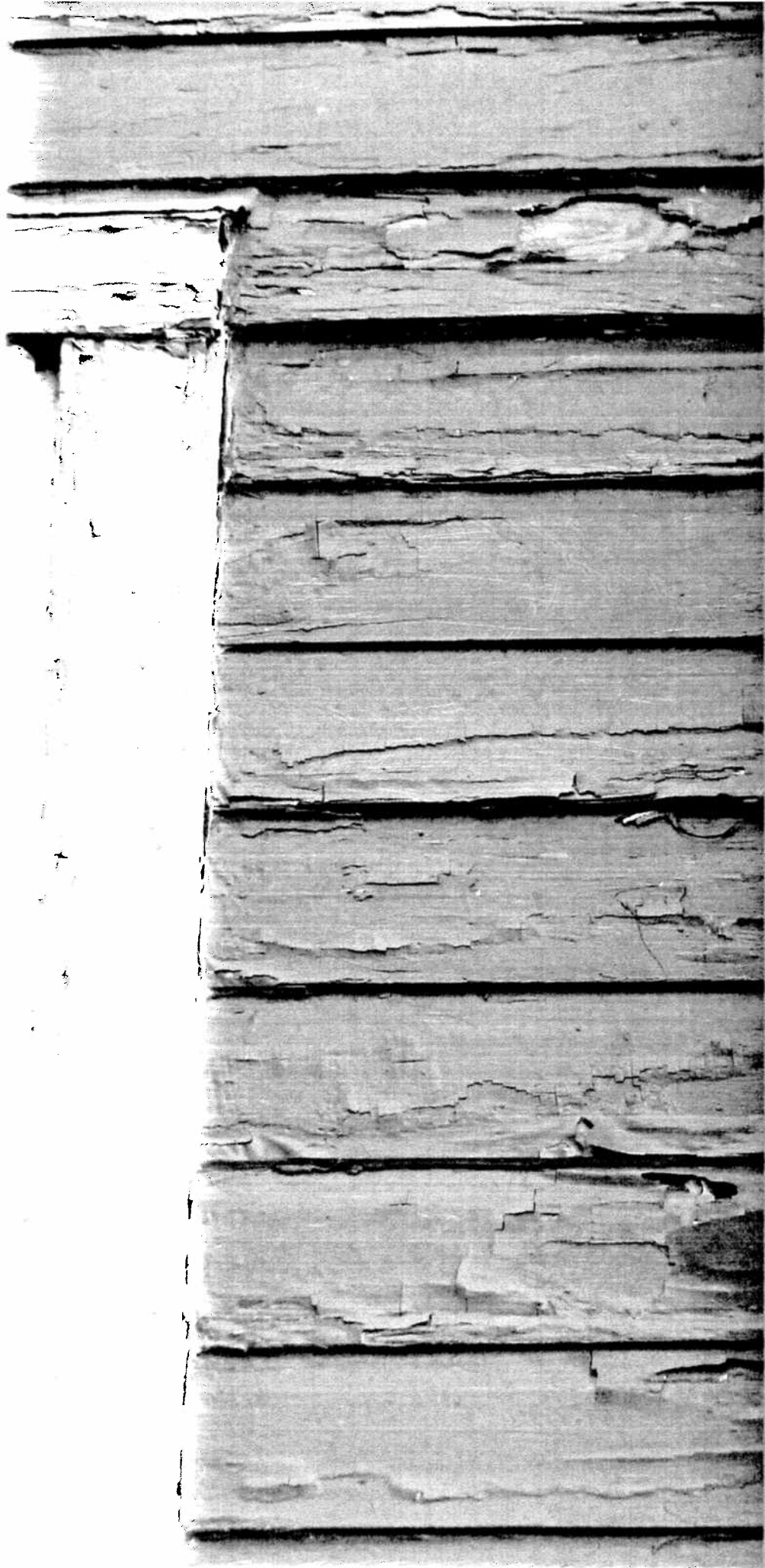


DETAIL C CRAWL SPACE LATTICE

DETAIL # 6



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27



c. 1996
PHOTOS TAKEN

28