

37/3-96BB 110 Elm Avenue
(Takoma Park Historic District)



LAW OFFICES
HALEY BADER & POTTS P.L.C.

BENJAMIN J. LAMBIOTTE
ATTORNEY AT LAW

SUITE 900
4350 NORTH FAIRFAX DRIVE
ARLINGTON, VIRGINIA 22203-1633

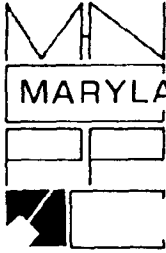
(703) 841-0606
FAX: (703) 841-2345
E-MAIL: blambiotte@haleybp.com
INTERNET: <http://www.haleybp.com>



Rear of lot,
looking toward driveway,
along proposed fence
line



front of ~~the~~ driveway
looking toward rear
of lot zone
proposed fence line



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE: 8/14/96

MEMORANDUM

TO: Robert Hubbard, Chief
Division of Development Services and Regulation
Department of Environmental Protection (DEP)

FROM: Gwen Marcus, Historic Preservation Coordinator
Design, Zoning, and Preservation Division
M-NCPPC

SUBJECT: Historic Area Work Permit

The Montgomery Historic Preservation Commission has reviewed the attached application for a Historic Area Work Permit. The application was:

Approved Denied

Approved with Conditions: _____

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERANCE TO THE APPROVED HISTORIC AREA WORK PERMIT(HAWP).

Applicant: Benjamin J Lambiotte & Marie Ticoles

Address: 110 Elm Avenue Takoma Park

***THE APPLICANT MUST ARRANGE FOR A FIELD INSPECTION BY CALLING DEP/FIELD SERVICES (217-6240) FIVE DAYS PRIOR TO COMMENCEMENT OF WORK AND WITHIN TWO WEEKS FOLLOWING COMPLETION OF WORK.



MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Marcus, Historic Preservation Coordinator
Design, Zoning, and Preservation Division
M-NCPPC

SUBJECT: Historic Area Work Permit Application - Approval of
Application/ Release of Other Required Permits

Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Environmental Protection (DEP), at 250 Hungerford Drive, Second Floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DEP before work can begin.

When you file for your building permit at DEP, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DEP. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DEP at 217-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 495-4570.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DEP/Field Services at 217-6240 of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!



100 Maryland Avenue, Rockville, Maryland 20850
279-1327

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 1077943
 NAME OF PROPERTY OWNER BENJAMIN J. LAMBIOTTE
 (Contract/Purchaser) MARIA TSIOLDS TELEPHONE NO. (301) 270-4226
 ADDRESS 110 Elm Avenue Takoma Park MD 20912
 CITY STATE ZIP
 CONTRACTOR Owner TELEPHONE NO. _____
 CONTRACTOR REGISTRATION NUMBER _____
 PLANS PREPARED BY _____ TELEPHONE NO. _____
 (Include Area Code) _____
 REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE
 House Number 110 Street Elm Avenue
 Town/City Takoma Park Election District _____
 Nearest Cross Street Alleghany
 Lot 19 Block 17 Subdivision B.F. Gilbert's Addition
 Liber _____ Folio _____ Parcel Plot Book A, Plot 2

- 1A. TYPE OF PERMIT ACTION: (circle one)
 Construct Extend/Add Alter/Renovate Repair Circle One: A/C Slab Room Addition
 Wreck/Raze Move Install Revocable Revision Porch Deck Fireplace Shed Solar Woodburning Stove
Fence/Wall (complete Section 4) Other
- 1B. CONSTRUCTION COSTS ESTIMATE \$ 700⁰⁰
 1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # NO
 1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PERCO (Miss utility contacted; approved)
 1E. IS THIS PROPERTY A HISTORICAL SITE? Property lies in Takoma Park Historic District

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

- 2A. TYPE OF SEWAGE DISPOSAL
 01 WSSC 02 () Septic
 03 () Other _____
- 2B. TYPE OF WATER SUPPLY
 01 () WSSC 02 () Well
 03 () Other _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 4A. HEIGHT 6 feet 0 inches, with 2 foot latticework top trim; total: 8 feet
 4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 1. On party line/Property line
 2. Entirely on land of owner Fence is set back 8 inches from property line Affected adjoining property owner approves
 3. On public right of way/easement _____ (Revocable Letter Required).

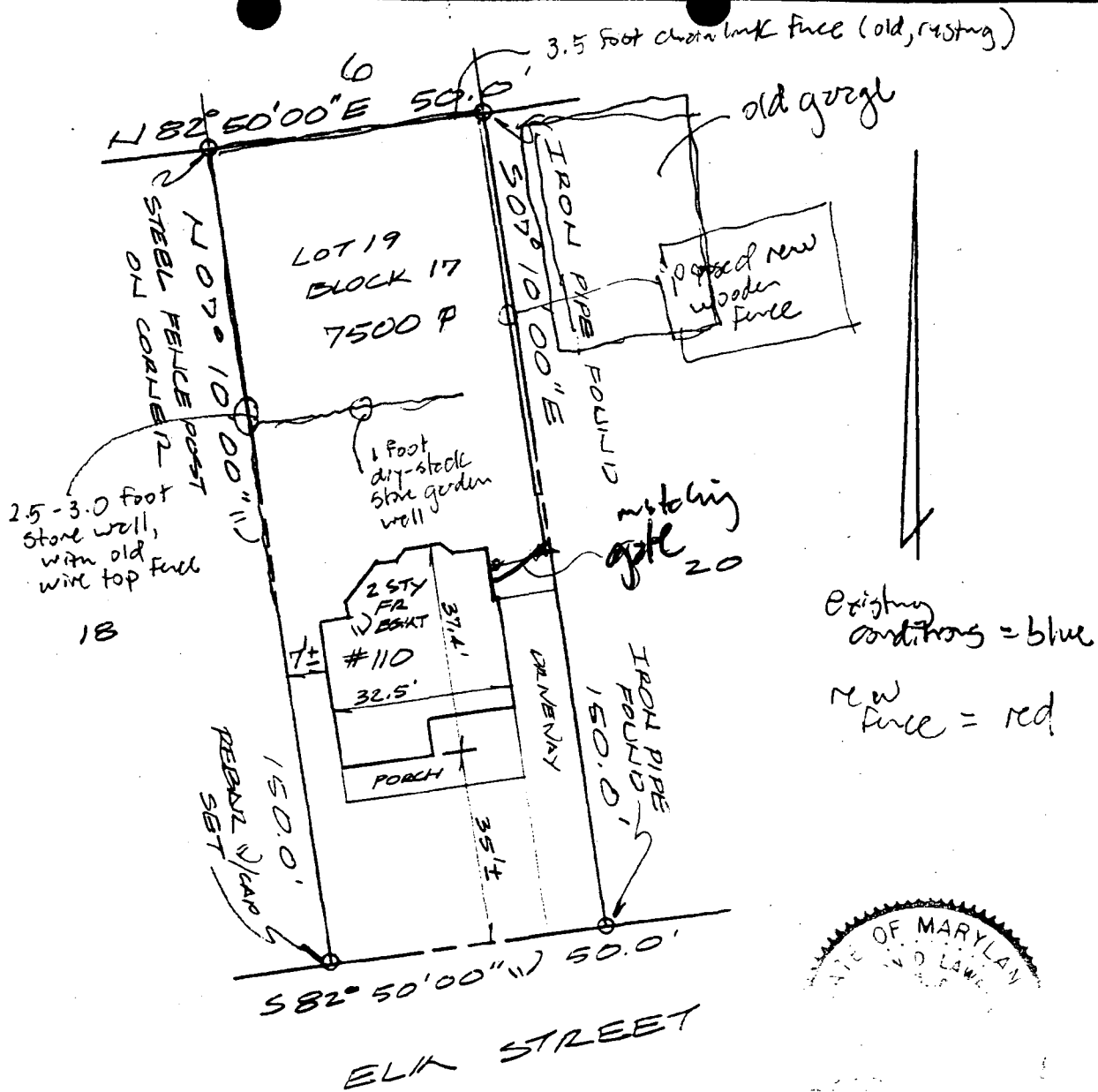
I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Maria Tsiolds 7/2/96
 Signature of owner or authorized agent (agent must have signature notarized on back) Date

APPROVED _____ For Chairperson, Historic Preservation Commission
 DISAPPROVED _____ Signature George Kossovich Date 8/15/96

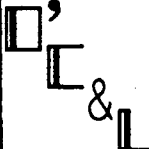
APPLICATION/PERMIT NO: _____ FILING FEE: \$ _____
 DATE FILED: _____ PERMIT FEE: \$ _____
 DATE ISSUED: _____ BALANCE \$ _____
 OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

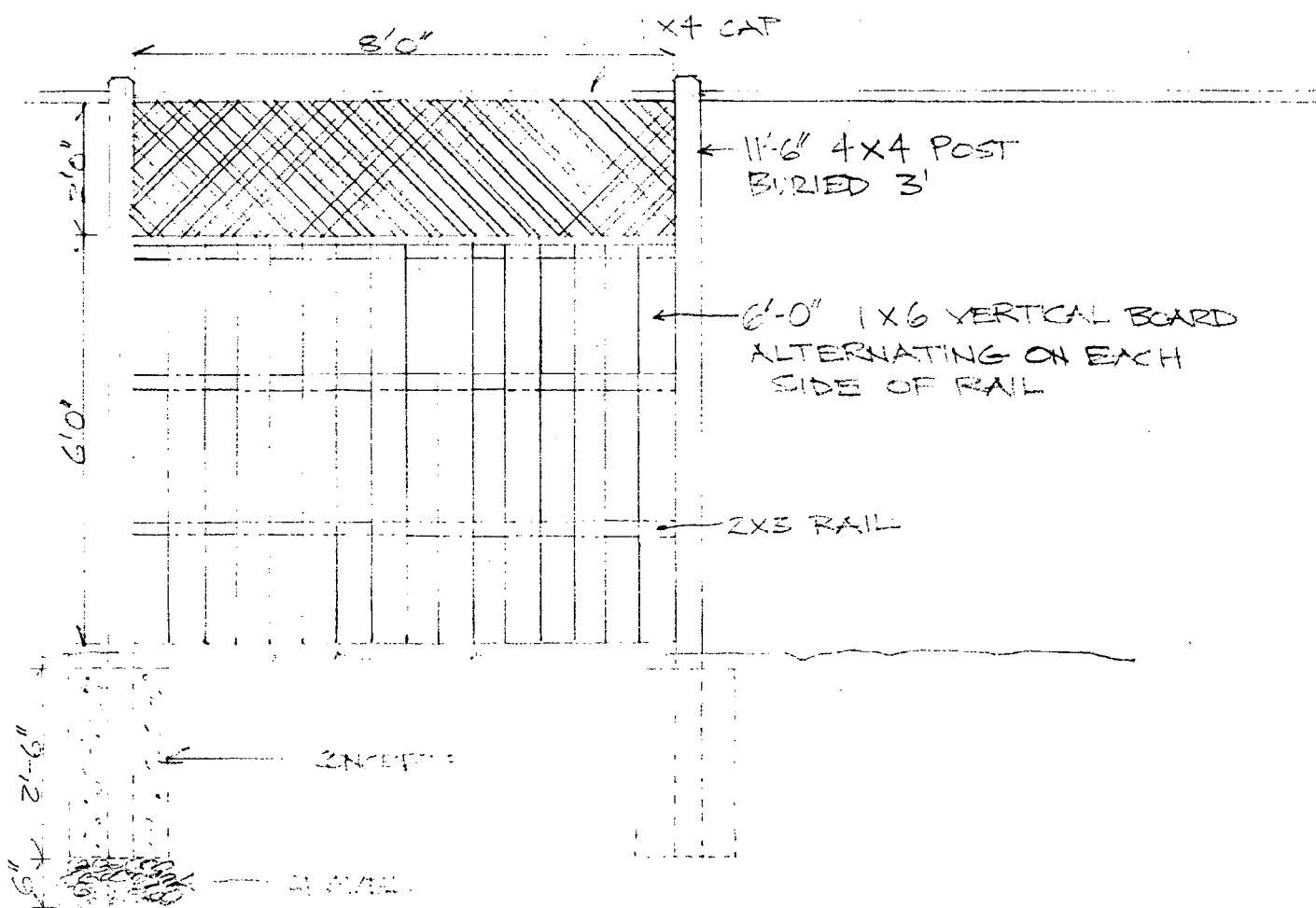


APPROVED
 Montgomery County
 Historic Preservation Commission
Jefferson D. Lawrence 8/15/96

Property shown hereon is not in a flood plain per existing records unless otherwise noted

| | |
|---|---|
|  <p>O'CONNELL & LAWRENCE, INC. Surveyors, Engineers & Land Planners 17904 Georgia Avenue, Suite 302 Olney, Maryland 20832-2239 (301) 924-4570 Fax (301) 924-5872</p> | <p align="center">BOUNDARY SURVEY DRAWING</p> <p align="center">LOT 19 BLOCK 17 B.F. GILBERT'S ADDITION TO TAKOMA PARK (MONTGOMERY) CO, MARYLAND</p> <p>Plat Book: A Plat: 2 Liber: Folio:</p> |
|---|---|

| | |
|--|--|
| <p align="center">SURVEYOR'S CERTIFICATION</p> <p>I hereby certify to the best of my knowledge and belief that the property delineated hereon is in accordance with the Plat of Subdivision and/or deed of record, that the improvements were located by accepted field practices and include permanent visible structures and encroachments, if any. This drawing is prepared for the exclusive use of present owners of the property and also those who purchase, mortgage or guarantee the title thereto, within six months from the field date hereof, and as to them I warrant the accuracy of this drawing. No title report furnished.</p> <p>Note: Do not attempt to scale measurements from this drawing.</p> <p align="right"><i>Jefferson D. Lawrence</i> 11/2/95 MD Reg. Professional Surveyor #5216 Jefferson D. Lawrence Date</p> | <p>Job No. 752-24 Scale 1" = 30' Field Dates Boundary 11-2-95 Recert</p> |
|--|--|



SHADOW BOX FENCE WITH LATTICE

APPROVED
 Montgomery County
 Historic Preservation Commission
[Signature]

The work consists of a back side yard privacy/dog
face. It will run about 80 feet from the rear northeast
corner of our lot to the ^{driveway} rear of the house. It will
be of Victorian-style shadow box, to allow light and air,
with a two-foot top trim made of latticework, to be
in keeping with the Victorian-era house. The face will be
made of wood, which we propose to keep natural, and
plant flowering vines ~~over~~ on it. The face will provide privacy,
and contain a dog. It will conceal from our view an old
garage on the adjoining lot, which is in disrepair, and the owner's
of the adjoining lot approve. The face is to be set back

(If more space is needed, attach additional sheets on plain or lined paper to this application)

The face is ^{6 to 8 inches from} far more in keeping with the historic character of the property line.

ATTACH TO THIS APPLICATION (2) COPIES OF: SUCH SITE PLANS (lot dimensions, building location with dimensions, drives, walks, fences, patios, etc. proposed or existing) and/or ARCHITECTURAL DRAWINGS (floor plans, elevations, etc.), PHOTOGRAPHS OF THE AREA AFFECTED, as are necessary to fully describe the proposed work.

MAIL OR DELIVER THE APPLICATION AND ALL REQUIRED DOCUMENTS TO THE:
HISTORIC PRESERVATION COMMISSION
100 MARYLAND AVENUE
ROCKVILLE, MARYLAND 20850

the neighbor hood has
the low chain-link
and pipe fences on
neighboring lots to
the rear and east
of our lot.

We have noted that several nearby houses have similar
wooden fences, which have aged beautifully. The closest
example is the Victorian house at the corner of
Allegheny and Elm, which has a backyard shadowbox
fence (almost identical to the proposed fence) facing
Allegheny Avenue. Our fence, however, will not
front or face the street, and will only affect our
neighbors. We would also like the permit to
authorize installation of a matching gate,
at the end of the fence, connecting
to our house.

Neighbors

Groce Katz
108 Elm
TP 20912

John Schwarz
112 Elm
TP 20912

APPROVED
Montgomery County
Historic Preservation Commission

[Signature] 9/15/96

**Expedited
Historic Preservation Commission Staff Report**

Address: 110 Elm Avenue, Takoma Park

Meeting Date: 08/14/96

Resource: Takoma Park Historic District

Public Notice: 07/31/96

Case Number: 37/3-96BB

Report Date: 08/07/96

Review: HAWP

Tax Credit: None

Applicant: Benjamin J. Lambiotte
& Maria Tsiolis

Staff: Perry Kephart

DATE OF CONSTRUCTION: ca. 1890-1920

SIGNIFICANCE:

- Individual Master Plan Site
- Within a Master Plan Historic District
- Outstanding Resource
- Contributing Resource
- Non-Contributing/Out-of-Period Resource

ARCHITECTURAL DESCRIPTION: Two-story wood frame Craftsman.

PROPOSAL:

Add 8 foot Wyngate privacy fence along the right side of the backyard of the lot, 6-8 inches in from the property line. The matching gate to be set perpendicular to right rear corner of house. Fence will complete enclosure of backyard for pet control.

RECOMMENDATION: Approval
 Approval with conditions:

1. _____
2. _____

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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.

Policy on use of Expedited Staff Reports for simple HAWP cases

This policy is developed with the understanding that:

I. the HPC's policy regarding in-kind replacements has not changed, that is - all replacement of exterior features with **exactly matching** materials may be done without a HAWP;

II. staff will continue to notify Local Advisory Panels (LAPs), and adjacent and confronting owners of all HAWP requests and, if a neighbor or the LAP is known to object to a proposal, then the Expedited Staff Report format will not be used;

III. if, because of the specifics of a case, staff is uncertain whether the Expedited Staff Report format is appropriate, or if an applicant requests it, then the standard report format shall be used;

IV. the Expedited Staff Report format may be used on the following type of cases:

1. Alterations to properties on which the Maryland Historical Trust (MHT) holds an easement and which have been reviewed and approved by the MHT Easement Committee.

2. Modifications to a property which do not significantly alter its visual character. These include, but are not limited to:

a. repair or replacement of masonry foundations with new materials that match the original closely,

b. installation of vents, venting pipes, and exterior grills,

c. new installation of gutters.

4. Removal of asbestos, asphalt, or other artificial siding when the original siding is to be repaired, and (where necessary) replaced in kind.

5. Removal of accessory buildings which are not original to the site nor otherwise historically significant.

6. Replacement of missing architectural details, provided that at least one example of the detail to be replaced exists on the house, and/or physical or documentary evidence exists which illustrates or describes the missing detail or details.

7. Signs which are in conformance with all other County sign regulations.

8. Construction of wooden decks which are at the rear of a structure and are not readily visible from a public right-of-way - this applies to all categories of resources: outstanding, contributing, individually designated sites, etc.

9. Replacement of roofs on non-contributing/out-of-period buildings, as well as new installation of historic, appropriate roofing materials on outstanding and contributing buildings.

10. Installation of exterior storm windows and/or doors which are compatible with the historic site or district in terms of material, design, etc.

11. Construction of fences which are compatible with historic site or district in terms of material, height, location and design. Requests for fences higher than 48" to be located in the front yard of a property will not be reviewed through the Expedited Staff Report format.

12. Construction or replacement of walkways, parking areas, patios, driveways or other paved areas which are not readily visible from a public right-of-way and/or are compatible in material, location and design with the visual character of the historic site or district.

13. Construction or repair of retaining walls where the new walls are compatible in material, location, design and height with the visual character of the historic site or district.

14. Construction or replacement of storage and small accessory buildings which are not readily visible from a public right-of-way.

15. Landscaping, or the removal or modification of existing planting, which is compatible with the visual character of the historic site or district.



Historic Preservation Commission

100 Maryland Avenue, Rockville, Maryland 20850
279-1327

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 1077943

NAME OF PROPERTY OWNER BENJAMIN J. LAMBERT & MARIA TSIOLIS TELEPHONE NO. (301) 270-4226
(Contract/Purchaser) (Include Area Code)

ADDRESS 110 Elm Avenue Takoma Park MD 20912
CITY STATE ZIP

CONTRACTOR OWNER TELEPHONE NO. _____
CONTRACTOR REGISTRATION NUMBER _____

PLANS PREPARED BY _____ TELEPHONE NO. _____
(Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 110 Street Elm Avenue

Town/City Takoma Park Election District _____

Nearest Cross Street Allegheny

Lot 19 Block 17 Subdivision B.F. Gilbert's Addition

Liber _____ Folio _____ Parcel Plot Book A, Plot 2

1A. TYPE OF PERMIT ACTION: (circle one)

| | | | | | | |
|------------|------------|----------------|-----------|---------------------------------|------|-------------------|
| Construct | Extend/Add | Alter/Renovate | Repair | Circle One: A/C | Slab | Room Addition |
| Wreck/Raze | Move | Install | Revocable | Porch | Deck | Fireplace |
| | | | Revision | Fence/Wall (complete Section 4) | | Shed |
| | | | | | | Solar |
| | | | | | | Woodburning Stove |
| | | | | | | Other |

1B. CONSTRUCTION COSTS ESTIMATE \$ 700⁰⁰

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # NO

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO (miss utility contacted; approved)

1E. IS THIS PROPERTY A HISTORICAL SITE? Property lies in Takoma Park Historic District

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

| | | |
|---|---------------|--------------------------|
| 01 <input checked="" type="checkbox"/> WSSC | 02 () Septic | 2B. TYPE OF WATER SUPPLY |
| 03 () Other _____ | | 01 () WSSC |
| | | 02 () Well |
| | | 03 () Other _____ |

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

4A. HEIGHT 6 feet 0 inches, with 2 foot latticework top trim; total: 8 feet

4B. 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 Fence is set back 8 inches from property line Affected adjoining property owner approves
- On public right of way/easement _____ (Revocable Letter Required).

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.

Benjamin J. Lambert & Maria Tsiolis 7/2/96 **(5)**
Signature of owner or authorized agent (agent must have signature notarized on back) Date

DESCRIPTION OF PROPOSED WORK: (including composition, color and texture of materials to be used:)

The work consists of a back side yard privacy/dog fence. It will run about 80 feet from the rear northeast corner of our lot to the ^{driveway} rear of the house. It will be of Victorian-style shadow box, to allow light and air, with a two-foot top trim made of latticework, to be in keeping with the Victorian-era house. The fence will be made of wood, which we propose to keep natural, and plant flowering vines ~~over~~ on it. The fence will provide privacy, and contain a dog. It will conceal from our view an old garage on the adjoining lot, which is in disrepair, and the owner's of the adjoining lot approve. The fence is to be set back

(If more space is needed, attach additional sheets on plain or lined paper to this application)

6 to 8 inches from the property line.

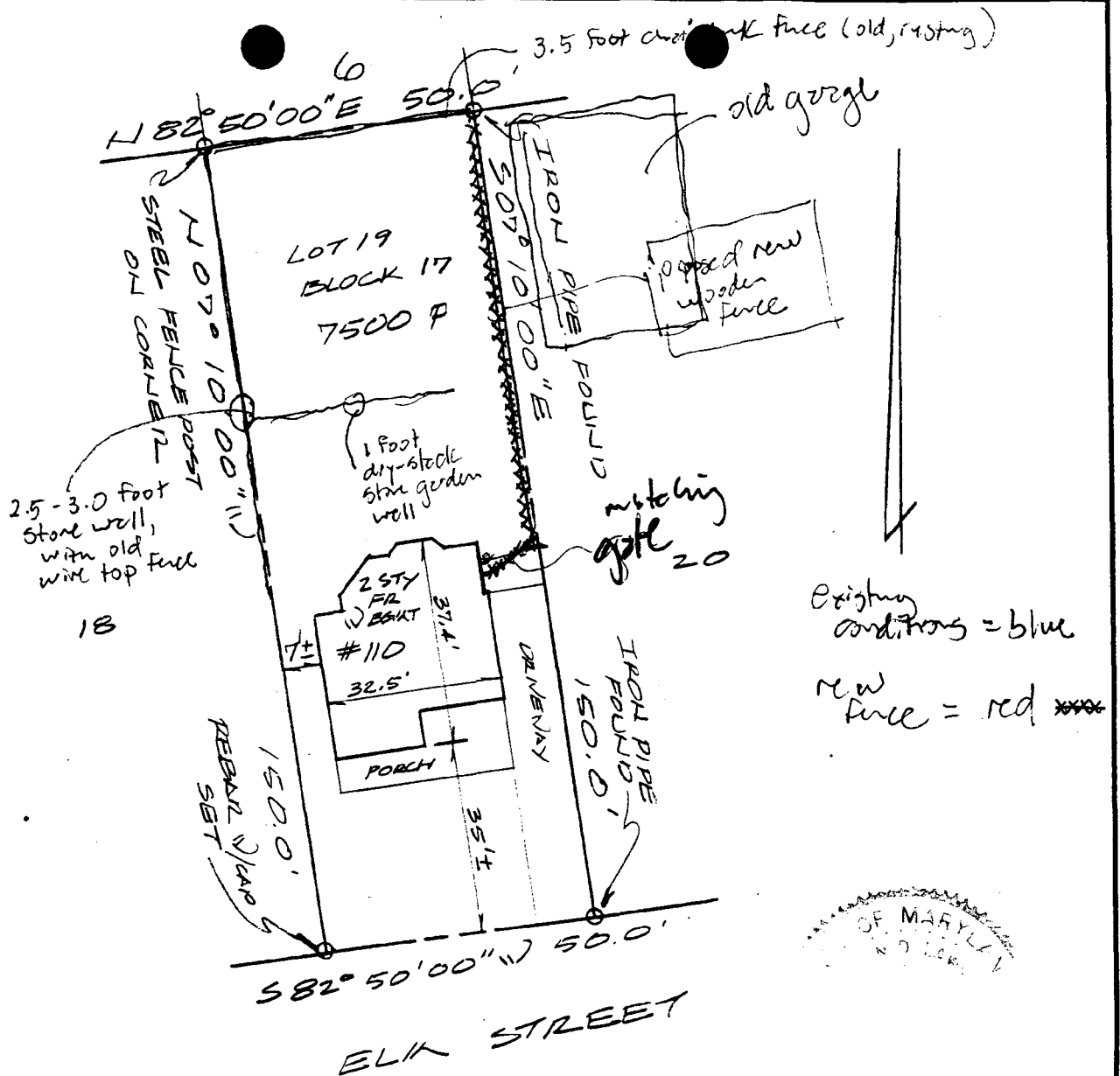
The fence is far more in keeping with the historic character of

ATTACH TO THIS APPLICATION (2) COPIES OF: SUCH SITE PLANS (lot dimensions, building location with dimensions, drives, walks, fences, patios, etc. proposed or existing) and/or ARCHITECTURAL DRAWINGS (floor plans, elevations, etc.), PHOTOGRAPHS OF THE AREA AFFECTED, as are necessary to fully describe the proposed work.

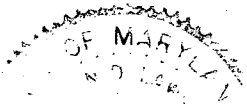
MAIL OR DELIVER THE APPLICATION AND ALL REQUIRED DOCUMENTS TO THE:
HISTORIC PRESERVATION COMMISSION
100 MARYLAND AVENUE
ROCKVILLE, MARYLAND 20850

the neighborhood than the low chain-link and pipe fences on neighboring lots to the rear and east of our lot.

We have noted that several nearby houses have similar wooden fences, which have aged beautifully. The closest example is the Victorian house at the corner of Allegheny and Elm, which has a backyard shadowbox fence (almost identical to the proposed fence) facing Allegheny Avenue. Our fence, however, will not front or face the street, and will only affect our neighbors. We would also like the permit to authorize installation of a matching gate, at the end of the fence, connecting to our house.



Existing conditions = blue
 new fence = red



Property shown hereon is not in a flood plain per existing records unless otherwise noted

O'CONNELL & LAWRENCE, INC.
 Surveyors, Engineers & Land Planners
 17904 Georgia Avenue, Suite 302
 Olney, Maryland 20832-2239
 (301) 924-4570 Fax (301) 924-5872

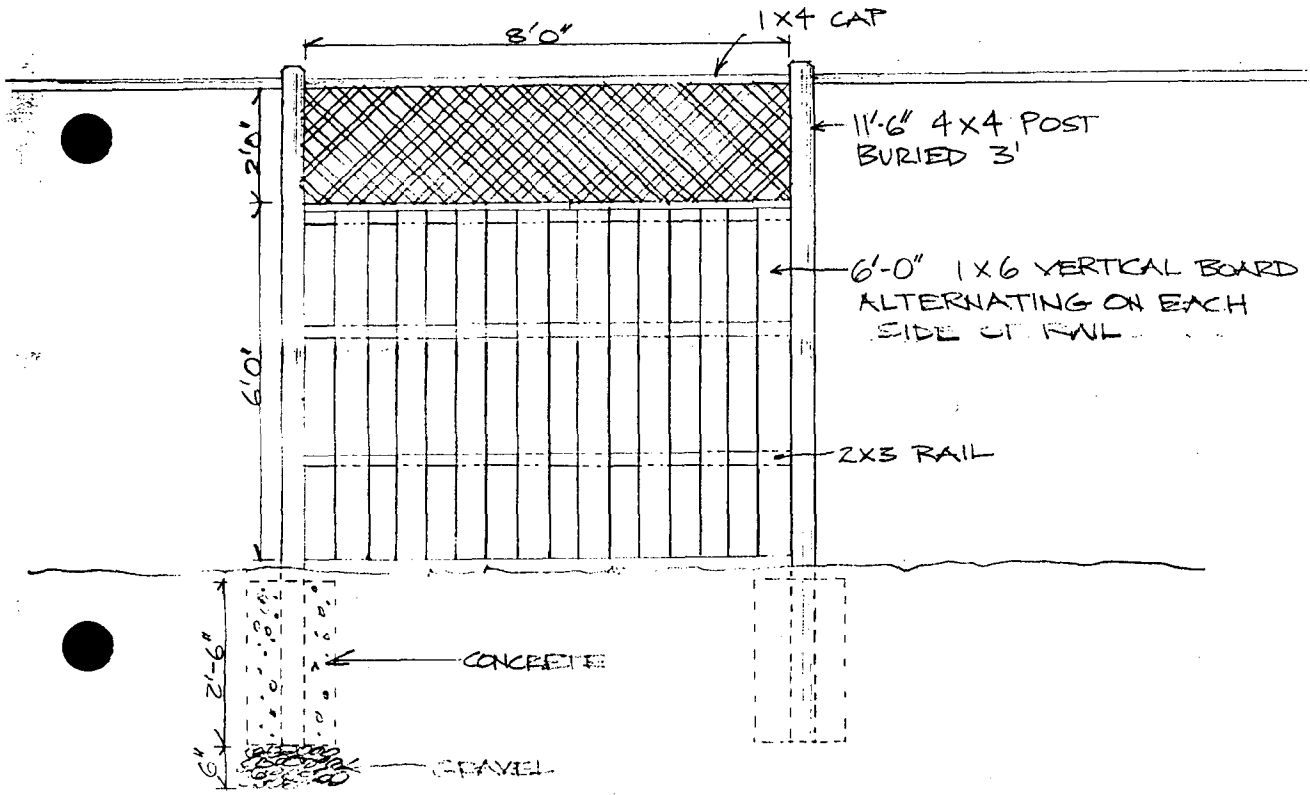
BOUNDARY SURVEY DRAWING
 LOT 19 BLOCK 17 B.F. GILBERT'S ADDITION
 TO TAKOMA PARK
 (MONTGOMERY) CO., MARYLAND
 Plat Book: A Plat: 2 Liber: Folio:

SURVEYOR'S CERTIFICATION
 I hereby certify to the best of my knowledge and belief that the property delineated hereon is in accordance with the Plat of Subdivision and/or deed of record, that the improvements were located by accepted field practices and include permanent visible structures and encroachments, if any. This drawing is prepared for the exclusive use of present owners of the property and also those who purchase, mortgage or guarantee the title thereto, within six months from the field date hereof, and as to them I warrant the accuracy of this drawing. No title report furnished.

Note: Do not attempt to scale measurements from this drawing.

Jefferson D. Lawrence 11/2/95
 MD Reg. Professional Surveyor #5216 Jefferson D. Lawrence Date

| |
|------------------|
| Job No. 752-24 |
| Scale 1" = 30' |
| Field Dates |
| Boundary 11-2-95 |
| Recert |



SHADOW BOX FENCE WITH LATTICE



Front of ~~the~~ driveway
looking toward side
of lot
proposed fence line



Rear of lot,
looking toward driveway
along proposed fence
line