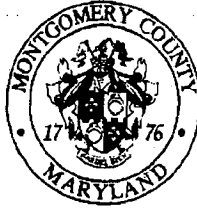


37/03-06L 404 Tulip Ave

Takoma Park Historic District, 37/03



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

Date: 4/12/2006

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Tania Tully, Senior Planner ^{TGT}
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #414985, window replacement

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved with Conditions** at the 4/11/2006 meeting.

- 1. The windows at the front and front sides of the house (clearly visible from the public right-of-way) must be re-replaced with wood windows – no cladding - which match the profile of the original windows.*
- 2. The applicant will work with Staff to notate which windows are approved for replacement.*
- 3. The applicant has 2 years from the date of the decision to complete the conditions of the HAWP.*

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

Applicant: Jennifer Rad & Ramin

Address: 404 Tulip Ave, Takoma Park

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
225 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
210/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

Received

MAR 1 - 2006

APPLICATION FOR HISTORIC AREA WORK PERMIT

Dept. of Permitting Services

Contact Person: _____

Daytime Phone No.: _____

Tax Account No. _____

Name of Property Owner: Jennifer Rad Daytime Phone No.: 301-920-0673

Address: 404 Tulip Ave Takoma Park, MD 20912

Contractor: Hallmark Windows Phone No.: 301-585-2060

Contractor Registration No.: 51729

Agent for Owner: Zeke Hall Daytime Phone No.: 301-585-2060

LOCATION OF BUILDING/PREMISE

House Number: 404 Street: Tulip Avenue

Town/City: Takoma Park Nearest Cross Street: Tulip & Willow

Lot: _____ Block: _____ Subdivision: _____

Lot: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

CHECK ALL APPLICABLE:

- | | | | | | | | | |
|------------------------------------|---|---|--|---|--|---|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend | <input type="checkbox"/> Alter/Renovate | <input type="checkbox"/> AC | <input type="checkbox"/> Stair | <input type="checkbox"/> Room Addition | <input type="checkbox"/> Porch | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move | <input checked="" type="checkbox"/> Install | <input type="checkbox"/> Knock/Remove | <input type="checkbox"/> Solar | <input type="checkbox"/> Fireplace | <input type="checkbox"/> Woodburning Stove | <input checked="" type="checkbox"/> Single Family | | |
| <input type="checkbox"/> Revision | <input type="checkbox"/> Repair | <input type="checkbox"/> Reinforce | <input type="checkbox"/> Fence/Wall (complete Section 4) | <input checked="" type="checkbox"/> Other: <u>Windows</u> | | | | |

1B. Construction cost estimate: \$ 4200.00

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

- 2A. Type of sewage disposal: 01 Sewer 02 Septic 03 Other _____
- 2B. Type of water supply: 01 Mains 02 Well 03 Other _____

PART THREE: COMPLETE ONLY FOR FENCES/RETAINING WALL

- 3A. Height _____ 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.

Jennifer A. Rad
Signature of owner or authorized agent

2/27/06
Date

Approved: 4/11/06 with conditions for the Department of Permitting Services Commission Date: 4/11/06

Disapproved: _____ Signature: Julia O'Malley Date: _____

Application/Permit No.: 419985 Date Filed: _____ Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance.

.....
.....
.....
.....
.....
.....

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district.

This is a retroactive application for replacement of cracked, extremely drafty windows with VVHex, vinyl-clad wood, Argon gas high efficiency windows. The new windows have not altered the architecture of the home. The home owners were not aware that a permit was necessary.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
b. dimensions of all existing and proposed structures; and
c. site features such as walkways, driveways, lawns, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the canopy of any tree 8" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Knoxville, (301/279-1353).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

April 12, 2006

Ms. Susan Scala-Demby
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166

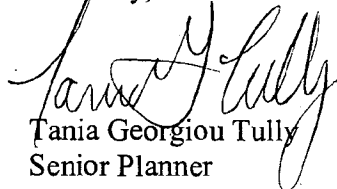
Re: Historic Area Work Permit # 414985 ^{TOT}
404 Tulip Avenue, Takoma Park, MD
Contributing Resource within the *Takoma Park Master Plan Historic District*

Dear Ms. Scala-Demby:

I am writing regarding the Notice of Violation issued December 2, 2004 at the above address. The Montgomery County Historic Preservation Commission (HPC) has conditionally approved the retroactive Historic Area Work Permit. Copies of the Notice of Violation and the approval memo are attached.

Please utilize this letter as formal approval to lift the Stop Work order. Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact staff at 301-563-3400.

Sincerely,



Tania Georgiou Tully
Senior Planner
Historic Preservation Section

Attachments

cc: Jennifer & Ramin Rad





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, 12-2-04 the recipient of this NOTICE, RAD, RAMIN + JENNIFER
Date Recipient's Name

who represents the permittee/defendant, RAD, RAMIN + JENNIFER
Permittee's Name

is notified that a violation of Montgomery County Code, Section: 24A-6(a)(1)
exists at: 406 TULIP AVE TAKOMA PARK, MD 20912
Location Case #

The violation is described as: REPLACING WINDOWS WITHOUT 221281
FIRST OBTAINING A HISTORIC AREA WORK PERMIT

The following corrective action(s) must be performed immediately as directed, OBTAIN APPROVAL
AND A PERMIT FROM THE HISTORIC PRESERVATION
COMMISSION

See attached Inspection Report(s) for additional violations and/or required corrective actions.

An inspection fee of \$ 0 is required in addition to any application fee(s).

Compliance Time: 15 days Re-inspection Date(s): _____ Permit Number: _____ Code/Edition: _____

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

A STOP WORK ORDER is also issued this date at the above referenced project. All construction activities on these premises must cease immediately. Only those activities required to correct violations may continue. Permission is required to resume construction.

ISSUED BY: PETE HRYCIK Pete Hrycik 12-15-04
Printed Name Signature Date

Phone No. 240-777-5211

RECEIVED BY: Sent certified Mail 12-15-04
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: 12-15-04

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

This Notice 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 Ave., Room 217, Rockville, MD 20850, telephone (240) 777-6600.



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, 12-2-04 the recipient of this NOTICE, RAD, RAMIN + JENNIFER
Date Recipient's Name

who represents the permittee/defendant, RAD, RAMIN + JENNIFER
Permittee's Name

is notified that a violation of Montgomery County Code, Section: 24A-6(a)(1)
exists at: 406 Tulip Ave, Takoma Park, MD 20912
Location Case #

The violation is described as: Replacing windows without first obtaining a historic area work permit 221281

The following corrective action(s) must be performed immediately as directed, Obtain approval and a permit from the Historic Preservation Commission

See attached Inspection Report(s) for additional violations and/or required corrective actions.

An inspection fee of \$ 0 is required in addition to any application fee(s).
Compliance Time: 15 days Re-inspection Date(s): _____ Permit Number: _____ Code/Edition: _____

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ISSUED BY: PETE HRYCIK Pete Hrycik 12-15-04
Printed Name Signature Date

Phone No. 240-777-5211

RECEIVED BY: Sent certified mail 12-15-04
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: 12-15-04

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

This Notice 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 Ave., Room 217, Rockville, MD 20850, telephone (240) 777-6600.

Did not get staff report.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	404 Tulip Ave, Takoma Park	Meeting Date:	4/11/2006
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	4/4/2006
Applicant:	Jennifer Rad & Ramin	Public Notice:	3/28/2006
Review:	HAWP	Tax Credit:	None
Case Number:	37/03-06L RETROACTIVE	Staff:	Tania Tully
PROPOSAL:	window replacement		
RECOMMENDATION:	approve with conditions		

① Jeff
② Tim

STAFF RECOMMENDATION:

Staff is recommending that the HPC approve this HAWP application with the following condition:

1. The windows at the front and front sides of the house must be re-replaced with wood windows – no cladding.
2. The applicant will work with Staff to notate which windows are approved for replacement.
3. Time Frame - 2 years *clearly visible from row*

Match original profile

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the **Takoma Park Historic District**
STYLE: Vernacular gable front house.
DATE: c.1900-10

HISTORIC CONTEXT

The following are excerpts from *Places from the Past: The Tradition of Gardez Bien in Montgomery County, Maryland.*

“Takoma Park is historically significant as both an early railroad suburb and a streetcar community. It was the second railroad suburb of Washington, platted ten years after Linden. The opening of streetcar lines led to the development of new subdivisions, expanding the Takoma Park community in the early 20th century.”

“Takoma Park was platted in 1883. Developer Benjamin Franklin Gilbert promoted the property for its natural environment and healthy setting. The site offered fresh water, trees, and a high elevation to escape the malaria-ridden District of Columbia. In 1883, Gilbert purchased a 90-acre farm and platted a subdivision with picturesque, winding streets named for native trees, including Sycamore, Chestnut, Hickory, and Oak. Equally reflective of Gilbert’s promotion of the natural setting is the use of the Native American “Takoma”, meaning “exalted” or “near heaven.” Later he added the “Park” appellation to draw attention to its healthy environment.

Tom - # of windows replaced = 8 total
none on back -
Jeff -

Takoma Park houses built between 1883 and 1900 were fanciful, turreted, multi-gabled affairs of Queen Anne, Stick Style, and Shingle Style influence. Some of the earliest architect-designed houses in the county are in Takoma Park. Leon Dessez, later the Chevy Chase Land Company architect, designed the Cady-Lee House (1887), 7315 Piney Branch Road. These first houses were substantial residences with spacious settings. The lots were deep, typically 50 feet by 200-300 feet and had 40-foot setback requirements. Extensive numbers of these first houses remain, constructed between 1883 and 1900."

"By 1893, the town's population quadrupled. Four subdivisions had expanded the town, which was incorporated in 1890. Takoma Avenue, Pine Avenue, and Holly Avenue were among the streets to develop during this period. "

"The start of streetcar service along Carroll Avenue in 1897, operated by the Baltimore and Washington Transit Company, made the adjacent areas more attractive for residential development, leading to new subdivisions. This line, supplemented in 1910 by the Washington and Maryland line (1910-27), led to the creation of eight additional subdivisions extending out from the trolley lines. The inexpensive electric streetcar, the availability of low-cost house plans and kit houses in combination with smaller lot sizes made home ownership in Takoma Park possible for individuals of more modest income levels than during the previous period. By 1922, the population soared to 4,144, making Takoma Park the tenth largest incorporated town in Maryland. Among the streets, which developed during the 1910s and 1920s in response to the establishment of streetcar, lines are Willow, Park, Philadelphia, and Carroll Avenues.

The appearance today of much of the Takoma Park historic district is formed by the large numbers of dwellings constructed from 1900 into the 1920s. The houses built in Takoma Park during this period reveal changing American tastes in house design from the elaborate ornamentation of the late 19th century dwellings to more practical, simplified designs. Many of these early twentieth century houses reflect the aesthetics of the Arts and Crafts Movement, which emphasized the inherent nature of the building materials and structural elements for ornamentation. Similarly, they reflect a social trend towards a more informal, unpretentious style of living. Residences put up in the American Four Square, Craftsman, Bungalow, and Colonial Revival designs continued the pattern of suburban development previously established – detached, wood frame single-family residences with uniform setbacks from the streets, though at a smaller scale. Entire streetscapes of these houses, particularly the Bungalow and Craftsman designs, are found along Willow, Park, Philadelphia, and Westmoreland Avenues.

Scores of Bungalows, and Craftsman-style houses and catalog-order houses were built in this era. Advertisements from 1914 for bungalows on Willow Avenue promoted their accessibility – just "three minutes to car line" – and individuality – "no two are alike in design." At least fifteen models of Sears kit houses have been identified in the proposed historic district, including the turreted 7303 Takoma Avenue."

"Takoma Park continues to thrive today, with a population of 20,000. Though the train no longer stops there, the town's close relationship with mass transportation continues. The Metro enables residents to continue the tradition, started with the railroad and extended with the streetcars, of living in the suburbs and commuting to the District using mass transit. Two sections of the Montgomery County portion of Takoma Park have been listed on the National Register of Historic Places as the Takoma Park Historic District since 1976."

PROPOSAL:

Replace 2nd floor window sashes with Vytex vinyl windows (pocket inserts).

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Takoma Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. 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 documents is outlined below.

Takoma Park Historic District 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.

Some of the factors to be considered in reviewing HAWPs on Contributing Resources include:

Major additions should, where feasible, be placed to the rear of existing structures so that they are less visible from the public right-of-way; additions and alterations to the first floor at the front of a structure are discouraged, but not automatically prohibited

While additions should be compatible, they are not required to be replicative of earlier architectural styles

Second story additions or expansions should be generally consistent with the predominant architectural style and period of the resource (although structures that have been historically single story can be expanded) and should be appropriate to the surrounding streetscape in terms of scale and massing

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

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
 2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

Secretary of the Interior's Standards for Rehabilitation:

- #1 A Property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- #2 The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will 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

It is never optimal to review a Historic Area Work Permit application retroactively, especially when a Citation has been issued (Circle 8). The windows were installed in November 2004. When Staff reviews retroactive applications, the work is initially evaluated as though it has not yet been completed. Would Staff have recommended approval at that point? In this case the answer no. Staff would not have recommended approval for vinyl replacement windows.

Vytex windows are not clad – as stated in the application, but made entirely of vinyl.

Without an opportunity to examine the prior windows, staff cannot make a statement regarding their condition. From a pixilated “before” photograph, it appears that the windows on the front of the house were 1/1 the easiest windows to simulate. There are two questions that need to be answered: 1) Should the windows be replaced; 2) If replaced, what would be the approved replacement window.

Question 2) is easy. The replacements would have to be wood 1/1 double-hung windows that fit into the existing frames. Question 1) is made nearly impossible to determine. Staff typically makes recommendations on window replacements based upon condition, location, and integrity. Staff only knows the location, and as such, must assume that the windows were in repairable condition.

Although Staff does not believe that these applicants deliberately avoided the HAWP process, it is important to remember that windows are one of the primary character defining features of a house. Window sash replacements have been approved in Takoma Park. In those cases the applicants provided documentation of window conditions and an opinion from a carpenter experienced in window

rehabilitation that the windows were beyond repair.

Regarding window locations the Commission, per the Guidelines, allows leniency at the rear of the property and where the windows are not visible from the public-right-of-way. Staff typically works with an applicant to find a compromise that allows for limited replacements, while retaining the windows that are either at the front or visible from the public right-of-way.

Because of this and what is stated above, staff recommends conditional approval of this retroactive application. We recommend allowing the replacements at the rear and rear sides of the house to remain. The windows at the front and front sides of the house must be re-replaced with wood windows – no cladding.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application **with the conditions specified on Circle 1** as being consistent with Chapter 24A-8(b)(1) & (2);

and with the *Secretary of the Interior's Standards for Rehabilitation*;

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.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
 255 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
 301-777-6370

DPS - #6

HISTORIC PRESERVATION COMMISSION
 301-563-3400

Received

MAR 1 - 2006

APPLICATION FOR
 HISTORIC AREA WORK PERMIT

Dept. of Permitting Services

Contact Person: _____

Daytime Phone No.: _____

Fee Account No.: _____

Name of Property Owner: Jennifer Rad Daytime Phone No.: 301-920-0673

Address: 404 Tulip Ave Takoma Park, MD 20912

Contractor: Hallmark Windows Phone No.: 301-585-2060

Contractor Registration No.: 51729

Agent for Owner: Zeke Hall Daytime Phone No.: 301-585-2060

LOCATION OF BUILDING/PREMISE

House Number: 404 Street: Tulip Avenue

Nearest City: Takoma Park Nearest Corner Street: Tulip & Willow

Lot: _____ Block: _____ Subdivision: _____

Label: _____ Plot: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE:
- Construct
 - Extend
 - Alter/Remove
 - Move
 - Repair
 - Replace
 - Re-roof
 - Other: Windows
- 1B. Construction cost estimate: \$ 4200.00
- 1C. If this is a revision of a previously approved action permit, see Permit # _____

- CHECK ALL APPLICABLE:
- AC
 - Sign
 - Room Addition
 - Porch
 - Deck
 - Shed
 - Stair
 - Fireplace
 - Woodburning Stove
 - Single Family
 - Fence/Wall (complete Section 4)

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITIONS

- 2A. Type of sewage disposal: 01 Sewer 02 Septic 03 Other _____
- 2B. Type of water supply: 01 Sewer 02 Well 03 Other _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 3A. Height _____ 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 of owner/authorized agent: Jennifer A. Rad Date: 2/27/06

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application Permit Fee: 419.965 Date Filed: _____ Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

6

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district.

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Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- a. the scale, north arrow, and date;
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General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
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PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



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, 12-2-04 the recipient of this NOTICE, RAD, Ramin + JENNIFER
Date Recipient's Name

who represents the permittee/defendant, RAD, Ramin + JENNIFER
Permittee's Name

is notified that a violation of Montgomery County Code, Section: 24A-6(a)(1)
exists at: 406 Tulip Ave Takoma Park MD 20912
Location Case #

The violation is described as: Replacing windows without first obtaining a Historic Area Work Permit 221281

The following corrective action(s) must be performed immediately as directed, Obtain approval and a permit from the Historic Preservation Commission

See attached Inspection Report(s) for additional violations and/or required corrective actions.

An inspection fee of \$ 8 is required in addition to any application fee(s).

Compliance Time: 15 days Re-inspection Date(s): _____ Permit Number: _____ Code/Edition: _____

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

A STOP WORK ORDER is also issued this date at the above referenced project. All construction activities on these premises must cease immediately. Only those activities required to correct violations may continue. Permission is required to resume construction.

ISSUED BY: PETE HRYGAL Pete Hrygal 12-15-04
Printed Name Signature Date

Phone No. 240-777-5211

RECEIVED BY: Sent certified Mail 12-15-04
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: 12-15-04

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

This Notice 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 Ave., Room 217, Rockville, MD 20850, telephone (240) 777-6600.

8

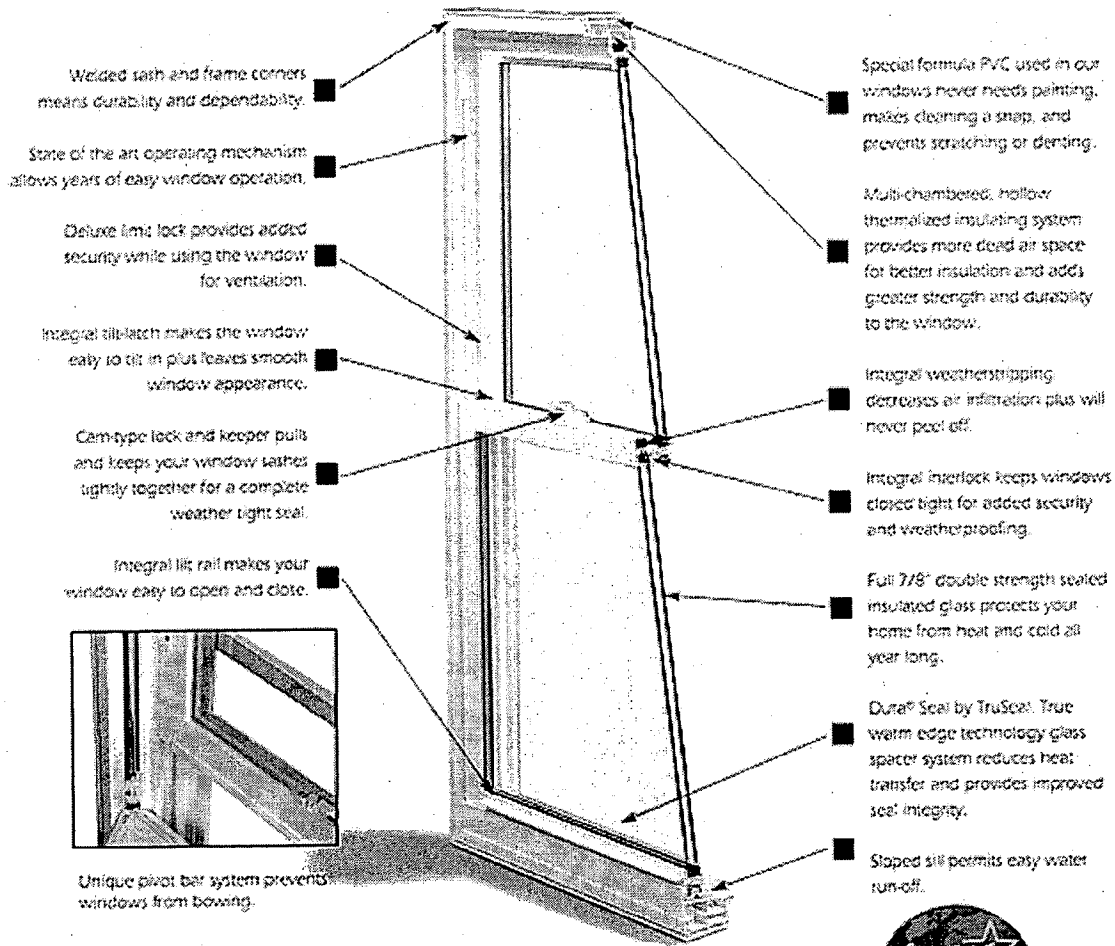
BEFORE



← AFTER

2ND floor windows replaced.

(9)



Welded sash and frame corners means durability and dependability.

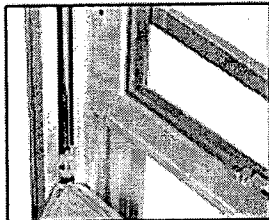
State of the art operating mechanism allows years of easy window operation.

Deluxe limit lock provides added security while using the window for ventilation.

Integral sill-leech makes the window easy to tilt in plus leaves smooth window appearance.

Cam-type lock and keeper pulls and keeps your window sashes tightly together for a complete weather tight seal.

Integral lift rail makes your window easy to open and close.



Unique pivot bar system prevents windows from bowing.

Special formula PVC used in our windows never needs painting, makes cleaning a snap, and prevents scratching or denting.

Multi-chambered, hollow thermalized insulating system provides more dead air space for better insulation and adds greater strength and durability to the window.

Integral weatherstripping decreases air infiltration plus will never peel off.

Integral interlock keeps windows closed tight for added security and weatherproofing.

Full 7/8" double strength sealed insulated glass protects your home from heat and cold all year long.

Dura® Seal by TruSeal. True warm edge technology glass spacer system reduces heat transfer and provides improved seal integrity.

Sloped sill permits easy water run-off.

Windows Available in White, Beige, Brown, Wood Grain



10



Casual User Application

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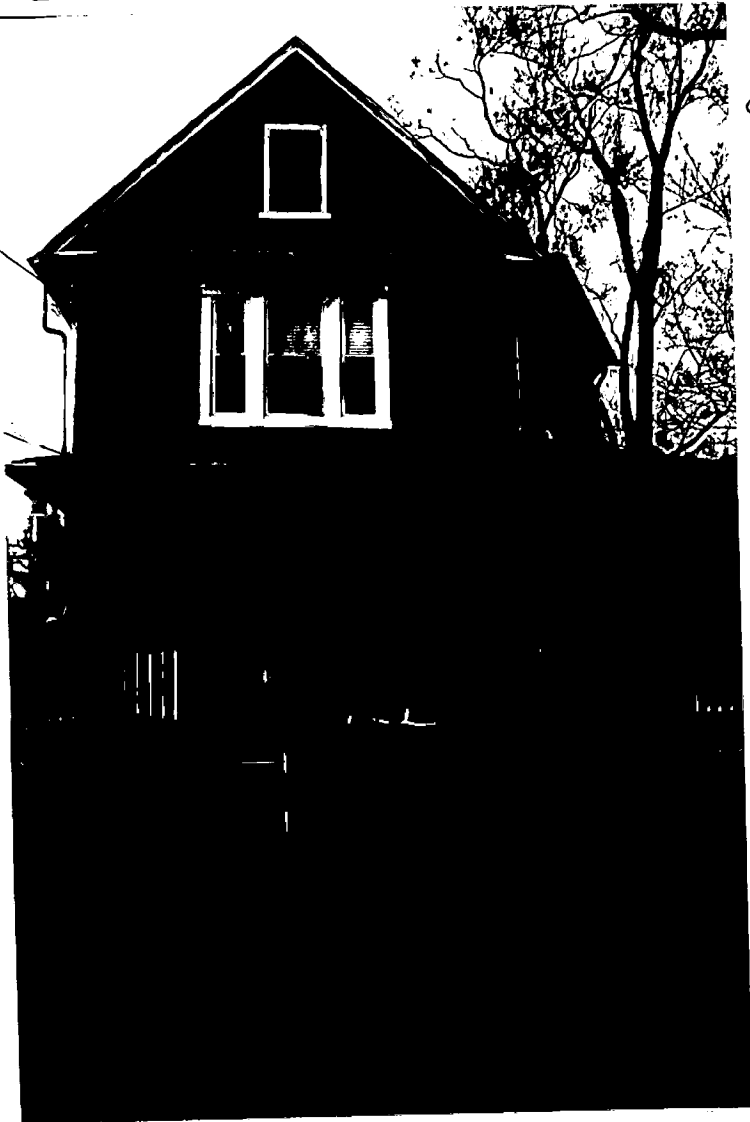
M-NCPPC

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



11

BEFORE



← AFTER

2ND floor windows replaced.

BEFORE



← AFTER

2ND floor windows
replaced.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	404 Tulip Ave, Takoma Park	Meeting Date:	4/11/2006
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	4/4/2006
Applicant:	Jennifer Rad & Ramin	Public Notice:	3/28/2006
Review:	HAWP	Tax Credit:	None
Case Number:	37/03-06L RETROACTIVE	Staff:	Tania Tully
PROPOSAL:	window replacement		
RECOMMENDATION:	approve with conditions		

STAFF RECOMMENDATION:

Staff is recommending that the HPC approve this HAWP application with the following condition:

1. The windows at the front and front sides of the house must be re-replaced with wood windows – no cladding.
2. The applicant will work with Staff to notate which windows are approved for replacement.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the **Takoma Park Historic District**
STYLE: Vernacular gable front house.
DATE: c.1900-10

HISTORIC CONTEXT

The following are excerpts from *Places from the Past: The Tradition of Gardez Bien in Montgomery County, Maryland*.

“Takoma Park is historically significant as both an early railroad suburb and a streetcar community. It was the second railroad suburb of Washington, platted ten years after Linden. The opening of streetcar lines led to the development of new subdivisions, expanding the Takoma Park community in the early 20th century.”

“Takoma Park was platted in 1883. Developer Benjamin Franklin Gilbert promoted the property for its natural environment and healthy setting. The site offered fresh water, trees, and a high elevation to escape the malaria-ridden District of Columbia. In 1883, Gilbert purchased a 90-acre farm and platted a subdivision with picturesque, winding streets named for native trees, including Sycamore, Chestnut, Hickory, and Oak. Equally reflective of Gilbert’s promotion of the natural setting is the use of the Native American "Takoma", meaning "exalted" or "near heaven." Later he added the "Park" appellation to draw attention to its healthy environment.

Takoma Park houses built between 1883 and 1900 were fanciful, turreted, multi-gabled affairs of Queen Anne, Stick Style, and Shingle Style influence. Some of the earliest architect-designed houses in the county are in Takoma Park. Leon Dessez, later the Chevy Chase Land Company architect, designed the Cady-Lee House (1887), 7315 Piney Branch Road. These first houses were substantial residences with spacious settings. The lots were deep, typically 50 feet by 200-300 feet and had 40-foot setback requirements. Extensive numbers of these first houses remain, constructed between 1883 and 1900.”

“By 1893, the town's population quadrupled. Four subdivisions had expanded the town, which was incorporated in 1890. Takoma Avenue, Pine Avenue, and Holly Avenue were among the streets to develop during this period. “

“The start of streetcar service along Carroll Avenue in 1897, operated by the Baltimore and Washington Transit Company, made the adjacent areas more attractive for residential development, leading to new subdivisions. This line, supplemented in 1910 by the Washington and Maryland line (1910-27), led to the creation of eight additional subdivisions extending out from the trolley lines. The inexpensive electric streetcar, the availability of low-cost house plans and kit houses in combination with smaller lot sizes made home ownership in Takoma Park possible for individuals of more modest income levels than during the previous period. By 1922, the population soared to 4,144, making Takoma Park the tenth largest incorporated town in Maryland. Among the streets, which developed during the 1910s and 1920s in response to the establishment of streetcar, lines are Willow, Park, Philadelphia, and Carroll Avenues.

The appearance today of much of the Takoma Park historic district is formed by the large numbers of dwellings constructed from 1900 into the 1920s. The houses built in Takoma Park during this period reveal changing American tastes in house design from the elaborate ornamentation of the late 19th century dwellings to more practical, simplified designs. Many of these early twentieth century houses reflect the aesthetics of the Arts and Crafts Movement, which emphasized the inherent nature of the building materials and structural elements for ornamentation. Similarly, they reflect a social trend towards a more informal, unpretentious style of living. Residences put up in the American Four Square, Craftsman, Bungalow, and Colonial Revival designs continued the pattern of suburban development previously established – detached, wood frame single-family residences with uniform setbacks from the streets, though at a smaller scale. Entire streetscapes of these houses, particularly the Bungalow and Craftsman designs, are found along Willow, Park, Philadelphia, and Westmoreland Avenues.

Scores of Bungalows, and Craftsman-style houses and catalog-order houses were built in this era. Advertisements from 1914 for bungalows on Willow Avenue promoted their accessibility – just “three minutes to car line” – and individuality – “no two are alike in design.” At least fifteen models of Sears kit houses have been identified in the proposed historic district, including the turreted 7303 Takoma Avenue.”

“Takoma Park continues to thrive today, with a population of 20,000. Though the train no longer stops there, the town's close relationship with mass transportation continues. The Metro enables residents to continue the tradition, started with the railroad and extended with the streetcars, of living in the suburbs and commuting to the District using mass transit. Two sections of the Montgomery County portion of Takoma Park have been listed on the National Register of Historic Places as the Takoma Park Historic District since 1976.”

PROPOSAL:

Replace 2nd floor window sashes with Vytex vinyl windows (pocket inserts).

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Takoma Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. 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 documents is outlined below.

Takoma Park Historic District 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.

Some of the factors to be considered in reviewing HAWPs on Contributing Resources include:

Major additions should, where feasible, be placed to the rear of existing structures so that they are less visible from the public right-of-way; additions and alterations to the first floor at the front of a structure are discouraged, but not automatically prohibited

While additions should be compatible, they are not required to be replicative of earlier architectural styles

Second story additions or expansions should be generally consistent with the predominant architectural style and period of the resource (although structures that have been historically single story can be expanded) and should be appropriate to the surrounding streetscape in terms of scale and massing

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

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
 2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter.

Secretary of the Interior's Standards for Rehabilitation:

- #1 A Property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- #2 The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will 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

It is never optimal to review a Historic Area Work Permit application retroactively, especially when a Citation has been issued (Circle 8). The windows were installed in November 2004. When Staff reviews retroactive applications, the work is initially evaluated as though it has not yet been completed. Would Staff have recommended approval at that point? In this case the answer no. Staff would not have recommended approval for vinyl replacement windows.

Vytex windows are not clad – as stated in the application, but made entirely of vinyl.

Without an opportunity to examine the prior windows, staff cannot make a statement regarding their condition. From a pixilated “before” photograph, it appears that the windows on the front of the house were 1/1 the easiest windows to simulate. There are two questions that need to be answered: 1) Should the windows be replaced; 2) If replaced, what would be the approved replacement window.

Question 2) is easy. The replacements would have to be wood 1/1 double-hung windows that fit into the existing frames. Question 1) is made nearly impossible to determine. Staff typically makes recommendations on window replacements based upon condition, location, and integrity. Staff only knows the location, and as such, must assume that the windows were in repairable condition.

Although Staff does not believe that these applicants deliberately avoided the HAWP process, it is important to remember that windows are one of the primary character defining features of a house. Window sash replacements have been approved in Takoma Park. In those cases the applicants provided documentation of window conditions and an opinion from a carpenter experienced in window

rehabilitation that the windows were beyond repair.

Regarding window locations the Commission, per the Guidelines, allows leniency at the rear of the property and where the windows are not visible from the public-right-of-way. Staff typically works with an applicant to find a compromise that allows for limited replacements, while retaining the windows that are either at the front or visible from the public right-of-way.

Because of this and what is stated above, staff recommends conditional approval of this retroactive application. We recommend allowing the replacements at the rear and rear sides of the house to remain. The windows at the front and front sides of the house must be re-replaced with wood windows – no cladding.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application **with the conditions specified on Circle 1** as being consistent with Chapter 24A-8(b)(1) & (2);

and with the *Secretary of the Interior's Standards for Rehabilitation*;

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.



HISTORIC PRESERVATION COMMISSION
301/563-3400

Received

MAR 1 - 2006

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Dept. of Permitting Services

Contact Person: _____

Daytime Phone No.: _____

See Account No. _____

Name of Property Owner: Jennifer Rad Daytime Phone No.: 301-920-0673
Address: 404 Tulip Ave Takoma Park, MD 20912
Street Number City State Zip Code
Contractor: Hallmark Windows Phone No.: 301-585-2060
Contractor Registration No.: 51729
Agent for Owner: Zeke Hall Daytime Phone No.: 301-585-2060

LOCATION OF BUILDING PREMISE

House Number: 404 Street: Tulip Avenue
Nearest City: Takoma Park Nearest Cross Street: Tulip & Willow
Lot: _____ Block: _____ Subdivision: _____
Elev: _____ Plot: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Restore
- Move
- Demol
- Wreck/Dismantle
- Re-roof
- Repair
- Re-surface

CHECK ALL APPLICABLE:

- Add
- Deck
- Porch
- Shed
- Stair
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Retaining Wall (complete Section 4)
- Other: Windows

1B. Contribution cost estimate: \$ 4200.00

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIVE ADDITIONS

2A. Type of sewage disposal: 01 Septic 02 Septic 03 Other _____
2B. Type of water supply: 01 Public 02 Well 03 Other _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ 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 estimate/estimate and except this to be a condition for the issuance of this permit.

Jennifer A. Rad
Signature of applicant/contractor agent

2/27/06
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 414995 Date Filed: _____ Date Issued: _____

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**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance.

.....
.....
.....
.....
.....
.....

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district.

This is a retroactive application for replacement of cracked, extremely drafty windows with Vytex, vinyl-clad wood, Argon gas high efficiency windows. The new windows have not altered the architecture of the home. The homeowners were not aware that a permit was necessary.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing structure(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the canopy of any tree 5" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the source in question, as well as the owners of lots or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301) 779-1358.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



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

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Printed Name Signature Date

Phone No. 240-777-5211

RECEIVED BY: Sent certified Mail 12-15-04
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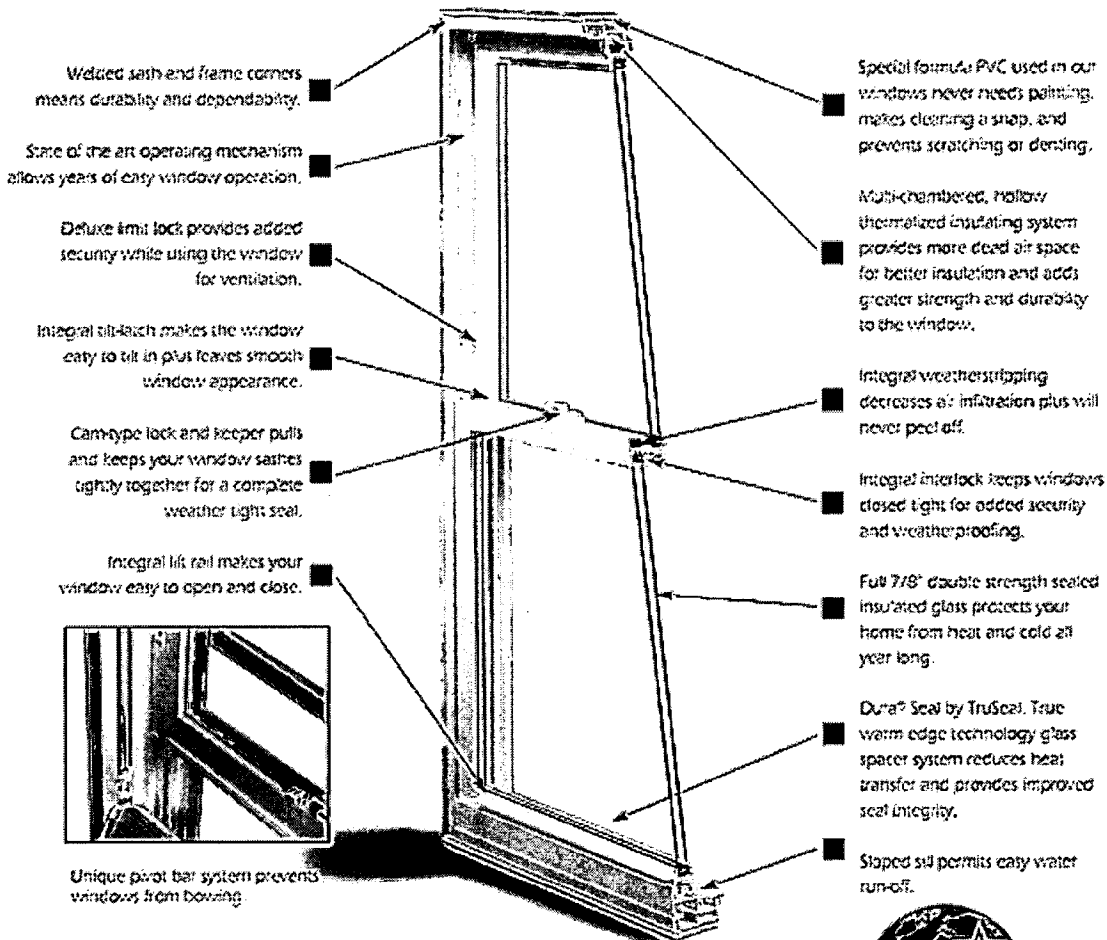
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2ND floor windows replaced.



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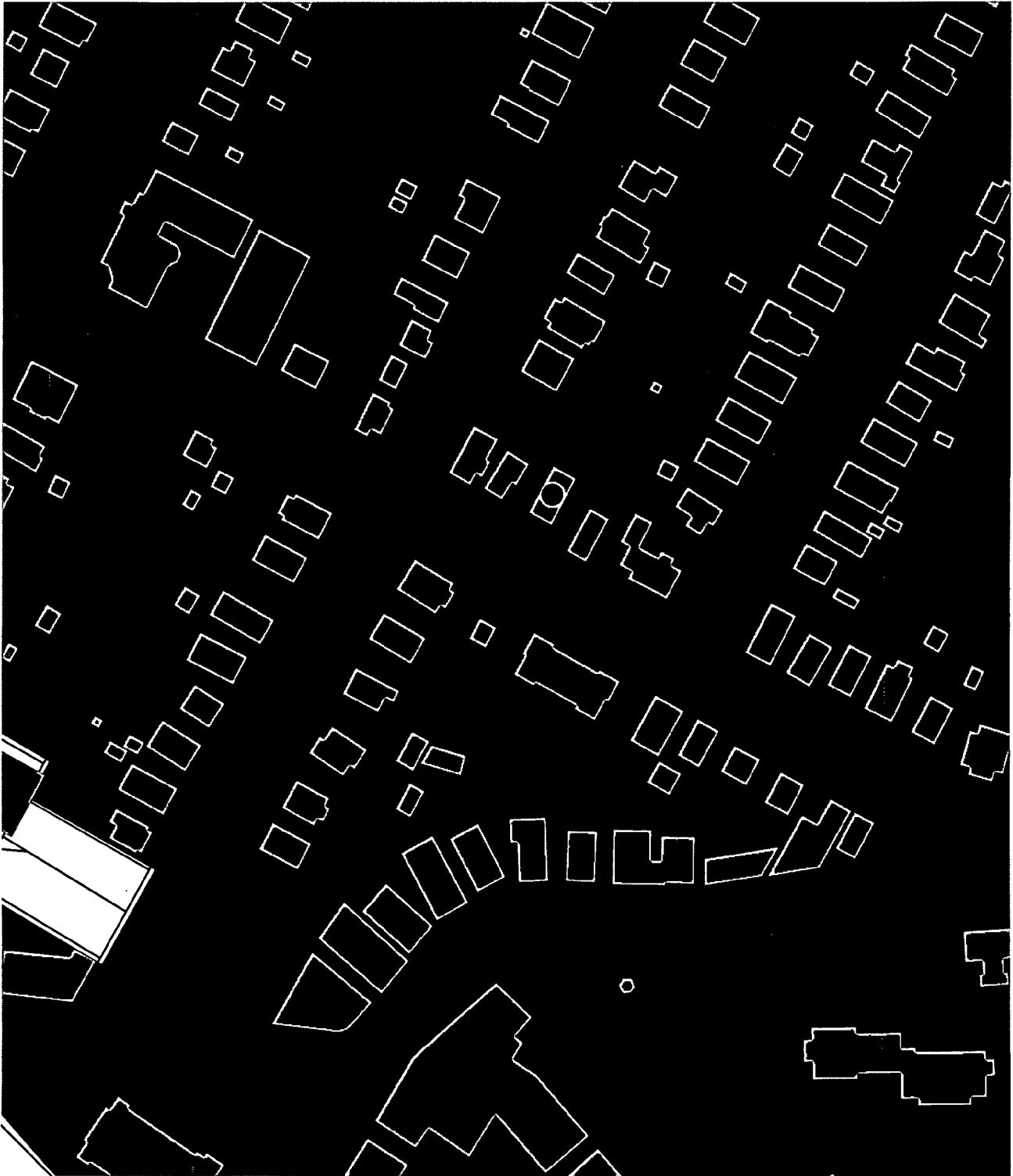
Full 7/8" double strength sealed insulated glass protects your home from heat and cold all year long.

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Sloped sill permits easy water run-off.

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Casual User Application



Scale: 1" = 150'



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

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