

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	9905 & 9907 Capitol View Ave., Silver Spring	Meeting Date:	9/19/2018
Resource:	Contributing (1917-35) Resources (Capitol View Park Historic District)	Report Date:	9/12/2018
Applicant:	Heather Thompson and Beth Street	Public Notice:	9/5/2018
Review:	HAWP	Tax Credit:	No
Case Number:	31/07-18D	Staff:	Michael Kyne
PROPOSAL:	New fences		

STAFF RECOMMENDATION:

- Approve
 Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing (1917-35) Resources within the Capitol View Park Historic District
STYLE: Modern
DATE: c. 1935 (9905 Capitol View Ave.) and c. 2015 (9907 Capitol View Ave., formerly undeveloped Contributing lot)

PROPOSAL:

The applicants propose to remove the existing chain link fence at 9907 Capitol View Avenue and install a 4' high cedar picket fence on the adjoining property line between 9907 and 9905 Capitol View Avenue. Additional fencing of the same height and style will be installed at the front of 9907 Capitol View Avenue and at the front and sides of 9905 Capitol View Avenue. A total of six gates of the same height and style will be installed. Four gates will be installed at 9905 Capitol View Avenue, and two gates will be installed at 9907 Capitol View Avenue.

APPLICABLE GUIDELINES:**Policy On Use of Expedited Staff Reports for Simple HAWP Cases**

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

10. Construction of fences that are compatible with historic site or district in terms of material, height, location, and design.

Montgomery County Code; Chapter 24A-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.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
(Ord. No. 9-4, § 1; Ord. No. 11-59.)

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2), having found that the proposal is consistent with the Chevy Chase Village Historic District Guidelines, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standard for Rehabilitation #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 final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans.

Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.

050212



DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: Hwillson42@yahoo.com Contact Person: Heather Thompson
 Tax Account No.: 13-00995491 Daytime Phone No.: 301-919-4767
 Name of Property Owner: Heather Thompson + Beth Street Daytime Phone No.: 240-676-1318
 Address: 9905/9907 Capitol View Ave Silver Spring 20910
Street Number City Street Zip Code
 Contractor: Capital Fence Phone No.: 301-972-8400
 Contractor Registration No.: MHTC # 50609
 Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 9905/9907 Street: Capitol View Ave
 Town/City: Silver Spring Nearest Cross Street: Leafy Ave
 Lot: 12+13 Block: 32 Subdivision: Capitol View Park
 Liber: 41378 Folio: 376 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
- Sider
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: _____

1B. Construction cost estimate: \$ 9905 - \$6540.00 9907 - \$4098

1C. If this is a revision of a previously approved active permit, see Permit # Case # 31/07-160

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

3A. Height 4 feet 0 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.

Heather Thompson 8-27-18
 Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 850272 Date Filed: 8/29/18 Date Issued: KAV

Heather Thompson 9905-9907

3051

**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:

Please See Attached

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

Please See Attached

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, 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 8 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 dripline of any tree 6" 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.

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.

Heather Thompson 9905-9907

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Fence Project

Existing Structures & Environment:

Fence on property line between 9905 & 9907, there is currently no existing fences, there is one mature tree but the fence will shift around it as much as possible.

9905- No existing fences or vegetation will be affected.

9907- Currently there is some remaining chain-link fence that will be removed.

Description of Project and Effects

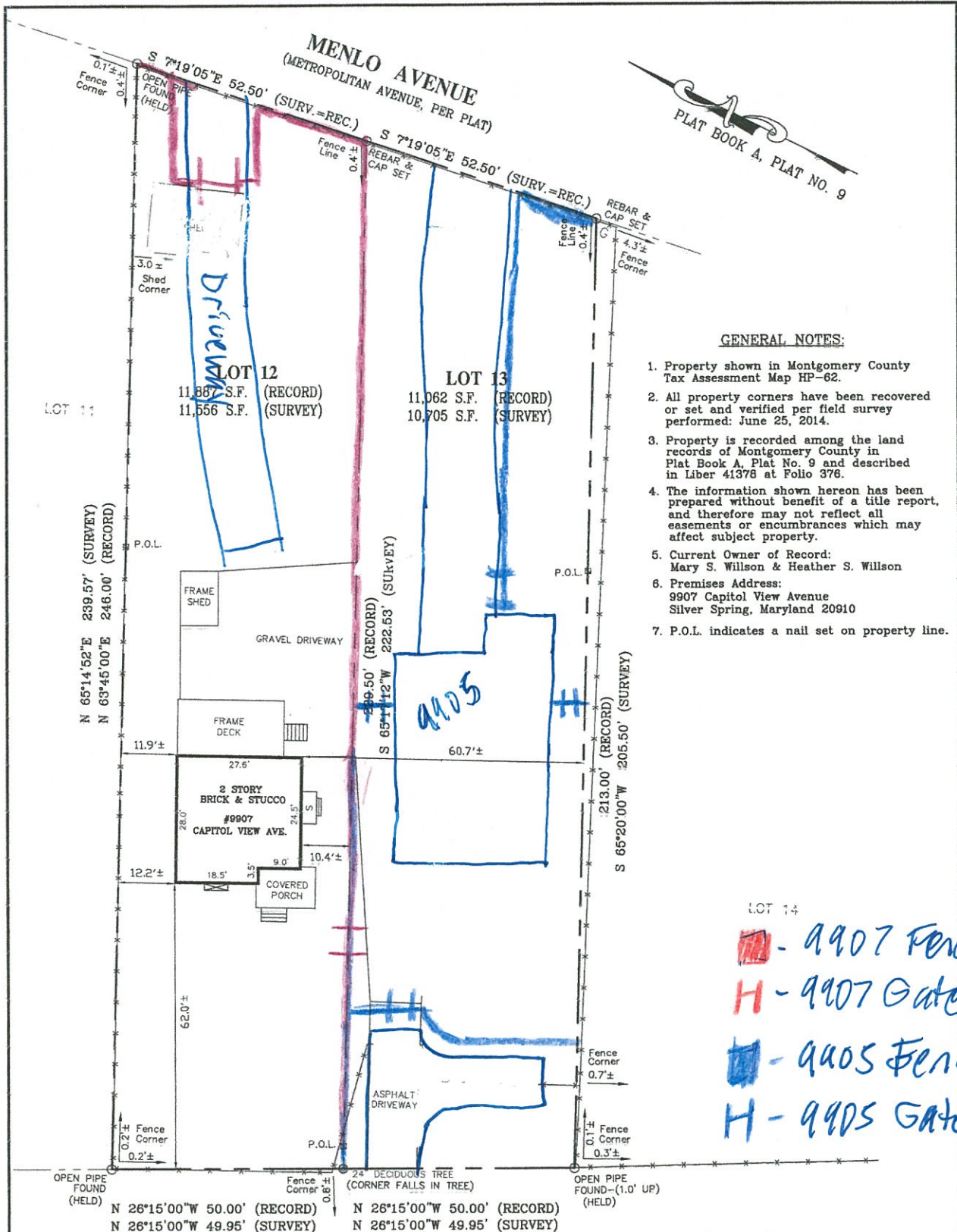
The overall goal of the fence project is to enclose all of 9907, and most of 9905 to ensure the safety of children and Animals, and to provide firm definition to the relatively new property line dividing 9905 & 9907. Please see attached Plat Drawings for placement of fences.

The Fence will be 4' high flat top (no cut) space picket, all boards will be 1X4 Western Red Cedar. Runner will be 2X4 Cedar. Posts will be 4X4 MCA Pressure Treated Pine with Black Vinyl Post Caps Set 30-36" into the ground, with will be dry packed with sand, gravel and cement.

The gates will match the cedar fencing and be installed with 6X6 MCA Pressure Treated Pine

Heather Thompson 9905 + 9907

PG 5



GENERAL NOTES:

1. Property shown in Montgomery County Tax Assessment Map HP-62.
2. All property corners have been recovered or set and verified per field survey performed: June 25, 2014.
3. Property is recorded among the land records of Montgomery County in Plat Book A, Plat No. 9 and described in Liber 41378 at Folio 376.
4. The information shown hereon has been prepared without benefit of a title report, and therefore may not reflect all easements or encumbrances which may affect subject property.
5. Current Owner of Record: Mary S. Willson & Heather S. Willson
6. Premises Address: 9907 Capitol View Avenue Silver Spring, Maryland 20910
7. P.O.L. indicates a nail set on property line.

LOT 14
■ - 9907 Fence
H - 9907 Gate
■ - 9905 Fence
H - 9905 Gate

CAPITOL VIEW AVENUE
 (GLEN INN AVENUE, PER PLAT)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN. THIS PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REGULATIONS GOVERNING LAND SURVEYING IN THE STATE OF MARYLAND.

Handwritten signature of Heather Thompson

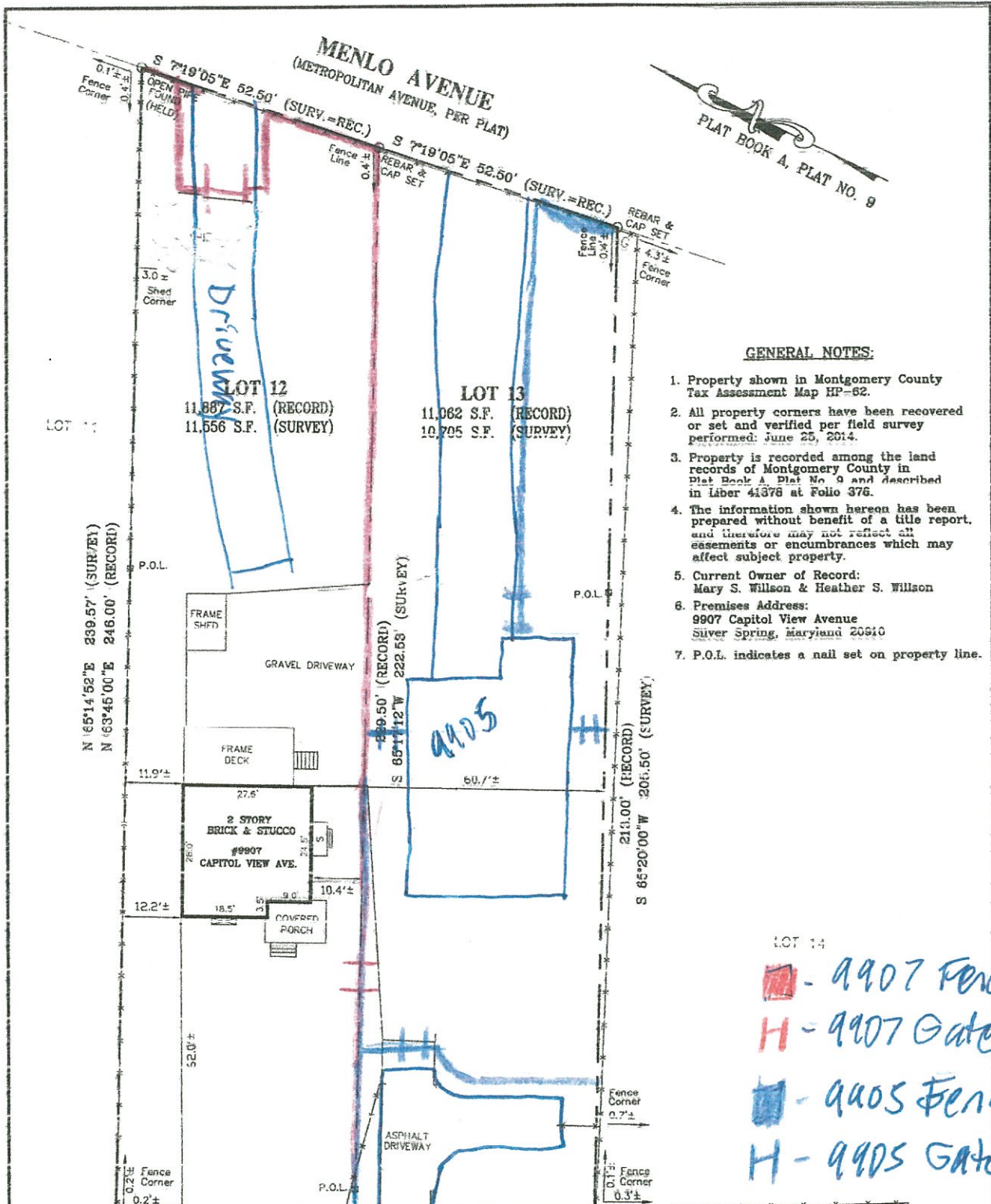
MARYLAND PROFESSIONAL LAND SURVEYOR REG. NO. 21330
 EXPIRES: 01-07-2016



BOUNDARY SURVEY
LOTS 12 & 13
BLOCK 32
CAPITOL VIEW PARK
 MONTGOMERY COUNTY, MARYLAND

REFERENCES		SNIDER & ASSOCIATES LAND SURVEYORS	
PLAT BOOK: A		20270 Goldenrod Lane, Suite 110 Germantown, Maryland 20876 301/948-5100, Fax 301/948-1286	
PLAT: 9			
LIBER 41376	DATE OF LOCATIONS		SCALE: 1" = 20'
FOLIO 376	HSE. LOC.: N/A		DRAWN BY: K.D.S.
		PROPERTY CORNERS SET: 06-25-14	JOB NO.: 14-015107

Heather Thompson 9905-9907 *Dr 4*



- GENERAL NOTES:**
1. Property shown in Montgomery County Tax Assessment Map HP-82.
 2. All property corners have been recovered or set and verified per field survey performed: June 25, 2014.
 3. Property is recorded among the land records of Montgomery County in Plat Book A, Plat No. 9 and described in Liber 41376 at Folio 376.
 4. The information shown hereon has been prepared without benefit of a title report, and therefore may not reflect all easements or encumbrances which may affect subject property.
 5. Current Owner of Record: Mary S. Willson & Heather S. Willson
 6. Premises Address: 9907 Capitol View Avenue Silver Spring, Maryland 20910
 7. P.O.L. indicates a nail set on property line.

LOT 14

■ - 9907 Fence
H - 9907 Gate
■ - 9905 Fence
H - 9905 Gate

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN. THIS PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REGULATIONS GOVERNING LAND SURVEYING IN THE STATE OF MARYLAND.

[Signature]

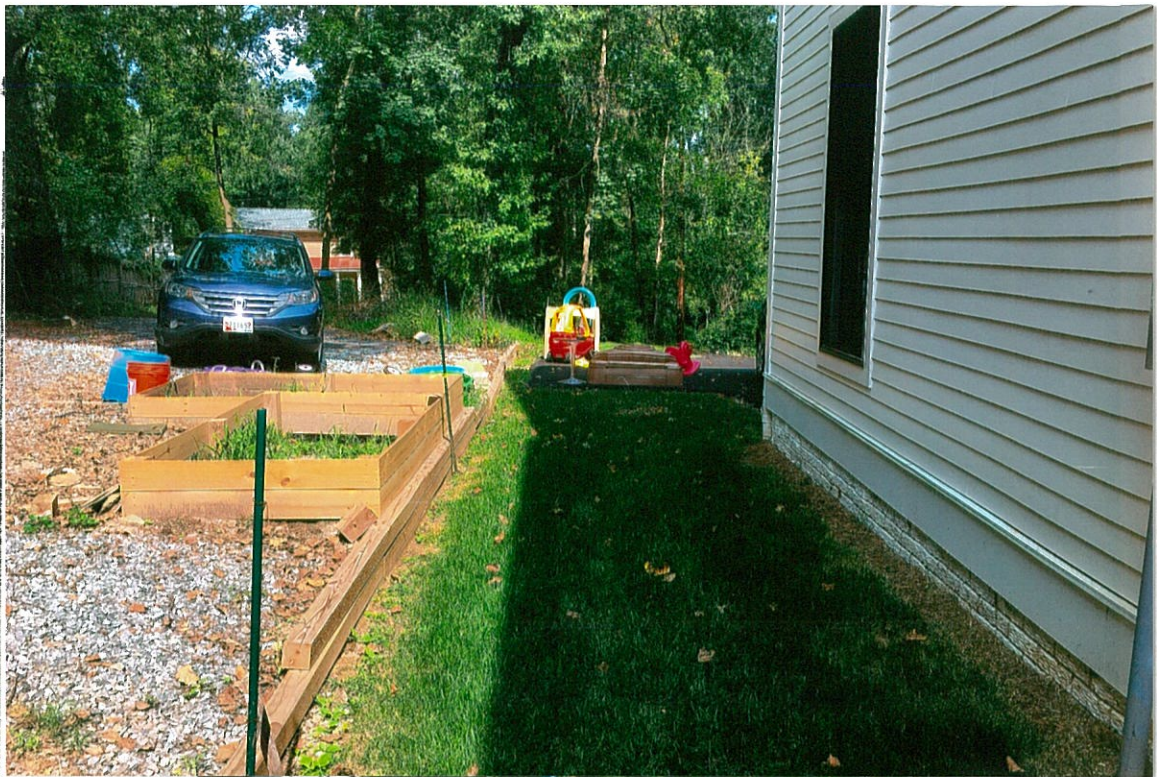
MARYLAND PROFESSIONAL LAND SURVEYOR REG. NO. 21330
EXPIRES: 01-07-2015

REFERENCES		SNIDER & ASSOCIATES LAND SURVEYORS	
PLAT BOOK: A		20270 Goldenrod Lane, Suite 110 Germantown, Maryland 20876 301/948-5100, Fax 301/948-1286	
PLAT: 9			
LIBER 41376 FOLIO 376	DATE OF LOCATIONS		SCALE: 1" = 20'
	HSE. LOC.: N/A		DRAWN BY: K.D.S.
	PROPERTY CORNERS SET: 08 25 14		JOB NO.: 14-015108

Heather Thompson 9905-9907 *PG 5*

Existing

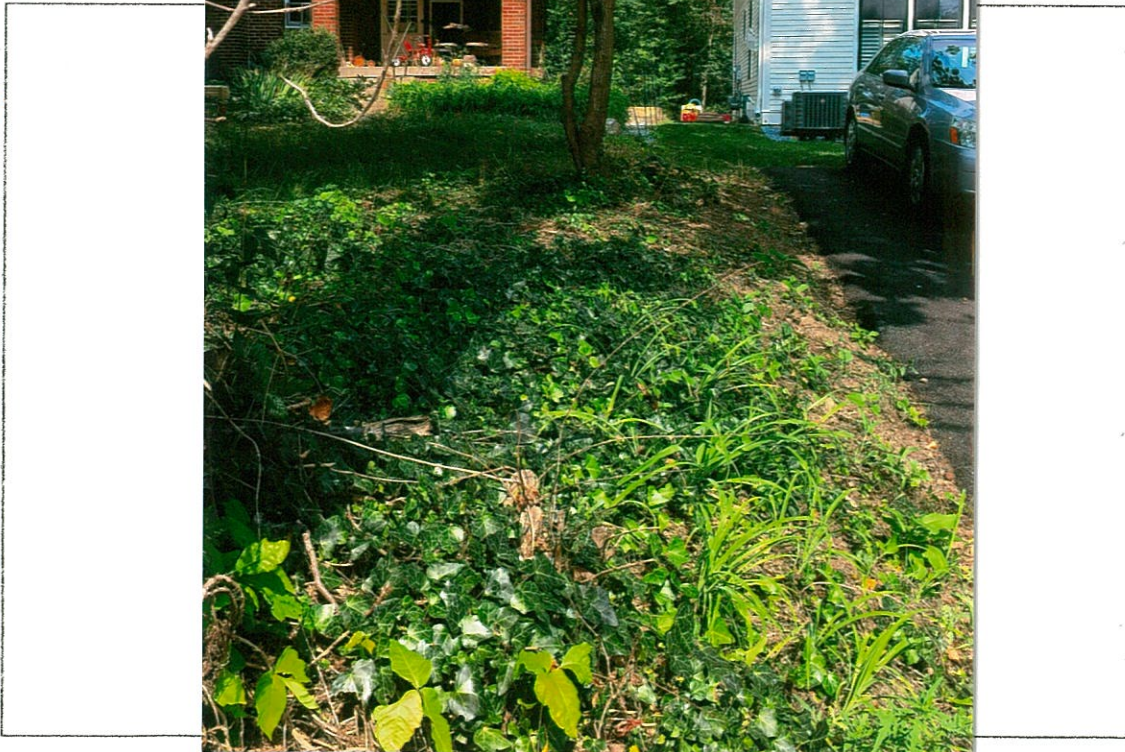
9907



9905

Detail:

9907



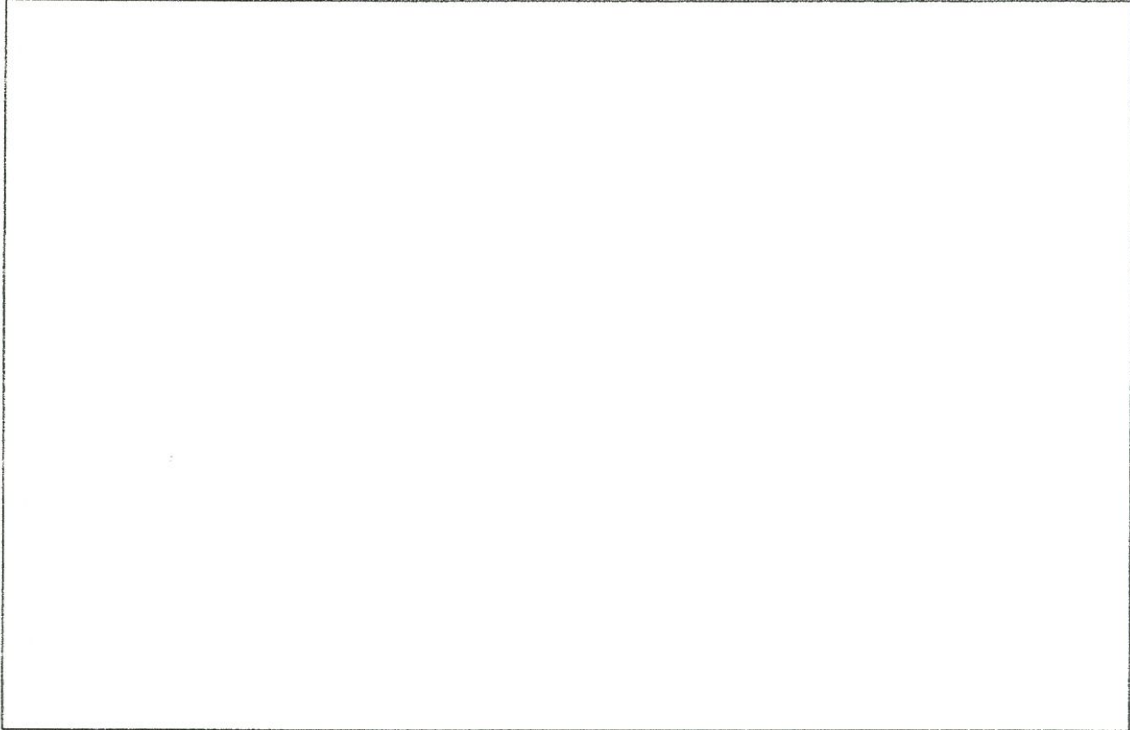
9905

Detail: Dividing line between 9905 + 9907

Applicant: Heather Thompson 9905 + 9907

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Existing Property Condition Photographs (duplicate as needed)



Detail: Back of 9907 -> location of fence + gate



Detail: Back of 9907 location of fence + gate

Applicant: Heather Thompson 9905 + 9907

Existing Property Condition Photographs (duplicate as needed)



Detail: Front of 9905



Detail: Back of 9905

Applicant: Heather Thompson 9905-9907

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SAMPLE FENCE



Heather Thompson

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HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Heather Thompson 9907 Capitol View Ave Silver Spring MD 20910	
Adjacent and confronting Property Owners mailing addresses	
Beth Street 9905 Capitol View Ave Silver Spring MD 20910	
Cheryl Reynolds 9909 Capitol View Ave Silver Spring MD 20910	
The Woodfits 9901 Capitol View Ave Silver Spring MD 20910	