# EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

<table>
<thead>
<tr>
<th>Address:</th>
<th>Meeting Date: 9/19/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource:</td>
<td>Contributing (1917-35) Resources (Capitol View Park Historic District)</td>
</tr>
<tr>
<td>Review:</td>
<td>HAWP</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Heather Thompson and Beth Street</td>
</tr>
<tr>
<td>Case Number:</td>
<td>31/07-18D</td>
</tr>
<tr>
<td>PROPOSAL:</td>
<td>New fences</td>
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**STAFF RECOMMENDATION:**

- [x] 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.
HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: Hwilson42@yahoo.com
Contact Person: Heather Thompson
Daytime Phone No.: 301-972-8400

Tax Account No.: 13-00445441

Name of Property Owner: Heather Thompson
Daytime Phone No.: 246-876-1318

Address: 9905/9907 Capitol View Ave Silver Spring 20910

Street Number: 9905/9907 City: Silver Spring Zip Code: 20910

Contractor: Capital Fence Phone No.: 301-972-8400

Contractor Registration No.: MHIC # 50609

Agent for Owner: __________________________________________
Daytime Phone No.: ________________________________________

LOCATION OF BUILDING PREMISES

House Number: 9905/9907 Street: Capitol View Ave

Town/City: Silver Spring Nearest Cross Street: Leary Ave

Lt: 12+13 Block: 32 Subdivision: Capitol View Park

Lot: 41378 Folio: 376 Parcel: ________________________________

PART ONE: TYPE OF PERMIT REQUESTED

1A. CHECK ALL APPLICABLE:

☐ Construct ☐ Extend ☐ Alter/Revitalize ☐ A/C ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed

☐ Move ☐ Install ☐ Window/Roof ☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family

☐ Revision ☐ Repair ☐ Revocable ☐ Fence/Wall (complete Section 4) ☐ Other: 9905-$6540.00 9907-$4048

1B. Construction cost estimate: ________________________________

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS

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 FENCES/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/assessment

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 or authorized agent: __________________________

Date: 8-27-18

Approved: ____________________ For Chairperson, Historic Preservation Commission

Disapproved: ____________________ Signature: ____________________ Date: ____________________

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

SEE REVERSE SIDE FOR INSTRUCTIONS

Heather Thompson 9905-9907
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 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 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, where 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 drip line 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.
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
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 41778 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. Wilson & Heather S. Wilson
6. Premises Address: 9907 Capitol View Avenue
Silver Spring, Maryland 20904
7. P.O.L. indicates a nail set on property line.

SURVEYOR'S CERTIFICATE
I hereby certify that the information shown hereon has been based upon the results of a field survey performed to the best of my knowledge and belief. The property lines have been recovered or placed in accordance with the information shown on the 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.

Heather Thompson 9/24/14

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

REFERENCES
LIBER 41778
FILED 376
PROPERTY CORNER SET: 06-25-14
DRAWN BY: K.D.S.
JOIN NO#: 14-01016
GENERAL NOTES:
1. Property shown in Montgomery County Tax Assessment Map HR-82.
2. All property corners have been recovered or set and verified per field survey performed June 26, 2014.
3. Property is recorded among the land records of Montgomery County in Book A Plat No 9 and described in Liber 41937 at Folio 376.
4. The information shown herein has been prepared without benefit of a title report and therefore may not reflect all assessments or encumbrances which may affect subject property.
5. Current Owner of Record: Mary S. Wilson & Heather S Wilson
6. Premises Address: 9907 Capitol View Avenue, Silver Spring, Maryland 20910
7. P.O.L. indicates a nail set on property line.

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

REFERENCES
PLAT BOOK: A
PLAT: 9

DATE OF LOCATIONS
LIBER: 41937
FOLIO: 376

SCALE: 1" = 20'

SNYDER & ASSOCIATES
28070 Goldfarb Lane, Suite 110
Germantown, Maryland 20876
301/945-5016, Fax 301/945-1296

MARYLAND PROFESSIONAL LAND SURVEYOR REG. NO. 249200
EXP 01-01-2015

WEATHER THOMPSON 9907-9905
PG 2
Existing

Detail: Dividing line between 9905 + 9907

Applicant: Heather Thompson 9905 + 9907
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
SAMPLE FENCE

04/02/2008

Heather Thompson  PG:9
**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner's mailing address</th>
<th>Owner's Agent's mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Heather Thompson</strong></td>
<td></td>
</tr>
<tr>
<td>9907 Capitol View Ave</td>
<td></td>
</tr>
<tr>
<td>Silver Spring MD 20910</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Beth Street</strong></td>
</tr>
<tr>
<td>9905 Capitol View Ave</td>
</tr>
<tr>
<td>Silver Spring MD 20910</td>
</tr>
<tr>
<td><strong>Cheryl Reynolds</strong></td>
</tr>
<tr>
<td>9909 Capitol View Ave</td>
</tr>
<tr>
<td>Silver Spring MD 20910</td>
</tr>
<tr>
<td><strong>The Woodfords</strong></td>
</tr>
<tr>
<td>9901 Capitol View Ave</td>
</tr>
<tr>
<td>Silver Spring MD 20910</td>
</tr>
</tbody>
</table>

Signed: Heather Thompson  9905-9907