Resolution No. 9-1911

Introduced: July 6, 1982
Adopted: July 6, 1982

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council

SUBJECT: Final Draft Sector Plan for Capitol View and Vicinity

WHEREAS, on March 12, 1982, the Maryland-National Capital Park and Planning Commission transmitted the Final Draft Sector Plan for Capitol View and Vicinity to the Montgomery County Council; and

WHEREAS, the Montgomery County Council held a public hearing on June 3, 1982, wherein oral and written testimony was received concerning the Final Draft Sector Plan; and

WHEREAS, the Montgomery County Council conducted a worksession on June 23, 1982, at which time detailed consideration was given to the public hearing testimony and the comments and concerns of interested parties attending the worksessions discussions.

NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County, Maryland, sitting as a District Council for that portion of the Maryland-Washington Regional District within Montgomery County, that -

The Final Draft Sector Plan for Capitol View and Vicinity is hereby approved as amended:

1. Revise Capitol View Historic District Boundary, as shown on Page 63 of the Final Draft Sector Plan, to include the area south of Beechbank Road, other than the Milton Property, as delineated on the 1887

subdivision plan of Capitol View park. The text of the Final Draft Sector Plan should be revised, as necessary, to reflect this action of the County.

2. Amend Paragraph 7, Page 46, as follows:

Montgomery County maintenance of Barker Avenue should be extended between Meno and Warner Avenues, to the access driveway of the Sylvan Manor Nursing Home. The public maintenance of this segment of Barker Avenue is desirable to insure access by emergency vehicles for the safety of residents of the nursing home. ~~If this action can only be accomplished by an amendment to the County road Code, then the Sector Plan recommends that such an amendment be enacted by the County Council.~~

A True Copy.

ATTEST:

Anna P. Spates, Secretary
of the County Council for
Montgomery County, Maryland

MCPB 82-43
M-NCPPC 82-21

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commisison, by virute of Article 66D, #7-108, of the Annotated Code of Maryland, 1981 Cumulative Supplement, is authorized and empowered to make and adopt, and from time to time, amend, extend, or add to a General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, pursuant to said laws, held a duly advertised public hearing on November 17, 1981, on a Preliminary Draft Sector Plan for Capitol View and Vicinity, and

WHEREAS, the Montgomery County Planning Board after said public hearing and upon due deliberation and consideration at its regularly scheduled meeting of February 18, 1982, prepared a Final Draft Sector Plan for Capitol View and Vicinity for submittal to the Montgomery County Council, with the recommendation that Council approve said Final Draft Sector Plan; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on June 3, 1982, conducted a public hearing on the Final Draft Sector Plan; and

WHEREAS, the Montgomery County Council, sitting as the District Council on July 6, 1982, after the close of the public hearing and upon due deliberation and consideration, at a worksession on June 23, 1982, approved said Sector Plan for Capitol View and Vicinity subject to the modifications and revisions set forth in Resolution Number 9-1911.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission and The Maryland-National Capital Park and Planning Commission, do hereby adopt said Sector Plan for Capitol View and Vicinity, together with the modifications and revisions enumerated in said County Council Resolution Number 9-1911, said Sector Plan consisting of maps and descriptive matter and being an amendment to the Master Plan, Kensington-Wheaton Planning Area VII, 1959, as amended; the Functional Master Plan for Conservation and

Management in the Rock Creek Basin, Montgomery County, Maryland, 1980; the Master Plan of Bikeways, 1978, as amended; the Master Plan for Historic Preservation, 1979, as amended; the General Plan for the Physical Development of the Maryland-Washington Regional District; and the Master Plan of Highways within Montgomery County, Maryland; and

BE IT FURTHER RESOLVED, that these amendments and appropriate certificate of adoption shall be recorded on the maps, Plan, and descriptive matter; said certificate shall contain the signature of the Chariman, Vice-Chairman, and Secretary-Treasurer of this Commission; and

BE IT FURTHER RESOLVED, that the Sector Plan for Capitol View and Vicinity, as herein adopted, is applicable to the area within the boundaries delineated on the Plan maps, together with descriptive and explanatory matter which is a part thereof; and

BE IT FURTHER RESOLVED, that an attested copy of the Plan and all parts thereof shall be certified by the Commission and filed with the Clerks of the Circuit Court of each of Montgomery and Prince George's Counties, Maryland, as required by law.

BE IT FURTHER RESOLVED, that these amendments and appropriate certificate of adoption shall be recorded on the maps, Plan, and descriptive material; said certificate shall contain the signature of the Chairman, Vice Chairman, and Secretary-Treasurer of this Commission; and

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Granke, seconded by Commissioner Krahnke, with Commissioners Christeller, Granke, Heimann, Krahnke, and Brennan, voting in favor of the motion at its regular meeting held on Thursday, July 8, 1982, in Silver Spring, Maryland.

Thomas H. Countee, Jr.
Executive Director

THC:WRB:nlw

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This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Maryland-National Capital Park and Planning Commisison on motion of Commissioner Christeller, seconded by Commissioner Heimann, with Commissioners

Christeller, Granke, Heimann, Brennan, Dukes, Keller, Cumberland, and Shoch voting in favor of the motion, and with Commissioners Krahnke and Brown being absent, at its regular meeting held on Wednesday, July 14, 1982, in Silver Spring, Maryland.

Thomas H. Countee, Jr.
Executive Director

THC:WRB:nlw

consistent with their protection, an historic area work permit is required. This permit system is administered by the Historic Preservation Commission. An applicant for an historic area work permit must demonstrate that the permit should be issued. In granting the permit, the Commission may include provisions to ensure that the work done is consistent with the historic or cultural value of the historic resource. Historic area work permits may be required for new construction, alternation or repairs, and would not be limited to any one period or architectural style. Historic area work permits are required for public as well as private development, using design review guidelines prepared by the Planning Board. If there is a conflict between the Building Code and the work permit, the latter would prevail, so long as basic health and safety requirements of the building codes are met.

Before an historic resource which is not on the Master Plan for Historic Preservation can be demolished or substantially altered, the resource must be reviewed by the Planning Board after receiving the recommendation of the Commission. If the Planning Board finds that the resource should be placed on the Master Plan, then it will initiate a Master Plan Amendment. The demolition permit would then be withheld for 6 months, or until the Council acts on the Amendment. If the Council does not adopt the Amendment, the demolition permit would be issued. If it is adopted, a work permit would be required.

When the Commission finds that the exterior architectural features of an Historic Site, or an historic resource within an Historic District listed on the Master Plan become deteriorated to a point which imperils their preservation as the result of "willful neglect, purpose or design," the Director of Environmental Protection may be directed to issue a written notice to the property owner about the conditions of deterioration. The owner may request a public appearance before the Commission on the necessity of repair of the structure. If, after the hearing, the Commission finds that the improvements are necessary, a Final Notice is issued, and if corrective action is not undertaken within a prescribed time, the Director of the Department of Environmental Protection may have the necessary remedial work completed and hold the expenses incurred as a lien on the property.

PROPOSED HISTORIC DISTRICT

#3017

The proposed Capitol View Park Historic District in its entirety meets the following criteria:

1, a: has character, interest, or value as part of the development, heritage, or cultural characteristics of the County, State or Nation;

1, d: exemplifies the cultural, economic, social, political or historic heritage of the County and its communities;

2, d: represents a significant and distinguishable entity whose components may lack individual distinction;

2, e: represents an established and familiar visual feature of the County due to its singular physical characteristic or landscape.

The district also meets the following conditions set forth in Section V-B of the Guidelines for Historic Districts:

1. Associative (Railroad community)
2. Location (Contiguous grouping)
3. Design (Architecturally representative)

The significance of Capitol View Park to the County's heritage is as an example of a railroad community which developed gradually over the past 100 years. The community's origin is representative of a number of railroad suburbs which developed following the opening of the Metropolitan Branch of the B & O. After its genesis, Capitol View Park developed so as to exhibit most building styles "typical" in the development of suburban Montgomery County. Most Capitol View Park structures possess little distinction as architectural entities. When grouped, however, these resources meet the criteria for district designation as a visual example of suburban development styles. This emphasis on the contiguous visual architectural contribution of the district is the basis for the boundary as delineated on Map 21. The geographic contiguity and architectural cohesiveness of the resources as provided by the recommended boundary presents a sound basis for the regulation and preservation of properties significant to the districts contribution to the County.

Within the district, the resources can be grouped into four categories, each of which contributes to the district:

1. 1870-1916: Characterized by large lots and variety of setbacks, and architecturally encompassing the "Victorian" residential and revival styles and the early bungalow style popular during this period, these twenty-two houses are of a higher degree of architectural and historical significance than the other structures within the district.

2. 1917-1935: Characterized by small lots, regularity of set backs, and predominantly of the bungalow style, these twenty-three houses are of a lesser architectural significance, but taken as a whole do contribute to the historic character of the district.

3. Nominal (1936-1981): These houses of themselves are of no architectural of historical significance, but through their contiguity to the significant resources have some interest to the historic district.

4. Spatial: Spatial resources are unimproved parcels of land which visually and aesthetically contribute to the setting of the historic district, and which can be regarded as extensions of the environmental settings of the significant historic resources.

Resources: Premise Addresses and Environmental Settings

I 1870 - 1916

1. 10245 Capitol View Avenue (Dwyer House) 1.484 acres
2. 10233 Capitol View Avenue (Cooley House) Block 2, Lot 11, 28,901 sq. ft.
3. 10232 Capitol View Avenue (Scott House) 21,776 sq. ft.
4. 10203 Meredith Avenue (Vivian/Clark House) Block 19, part Lots 6-8
5. 10201 Meredith Avenue (Wolf/Kell House) Block 19, part Lots 6-8, 14,424 sq. ft.
6. 3120 Lee St. (Mullett/Thompson House) Block 23, Lots 1-2, 12,623 sq. ft.
7. 10213 Capitol View Avenue (Wolfe/Magruder House) Block 2, Lot 5, 16,000 sq. ft.
8. 10011 Capitol View Avenue (Trimble Estate) Block 21, Lots 9, 14-16, 2.61 acres.
9. 10012 Capitol View Avenue (Pratt House) Part Block 28, 44,545.9 sq. ft.
10. 10013 Stoneybrook Avenue (Shaw House) Part Block 28, 0.84 acres
11. 10109 Grant Avenue (Phillips House) Block 25, Lot 7, .58 acres
12. 2901 Barker St. (Hahn House) Block 27, Lots 1-4, Block 18, Lots 10-11, Block 34, Lots 1-3, part 4, 4 acres
13. 10221 Menlo Avenue (Lange House) Block 18, Lot 1
14. 10209 Menlo Avenue (Weiss House) Block 18, Lots 7-8, 25,600 sq. ft.
15. 10023 Menlo Avenue (Ireland House) Block 33, Lots 1-2, 1/2 acre
16. 10019 Menlo Avenue (Willson House) Block 33, Lots 3-4, 1/2 acre
17. 9834 Capitol View Avenue (Case House) Block 31, Lots 30, part 5-11, 1.5 acres

18. 9829 Capitol View Avenue (Schooley House) Block 35, Lots 1-4, 23-26, 2 acres
19. 9819 Capitol View Avenue (Cohen House) Block 35, Lots 5-8, part 9, 17-22, 2-1/2 acres
20. 9811 Capitol View Avenue (Jones/Reynolds House) Block 35, Lots 10, part 9, 13,280 sq. ft.
21. 9808 Capitol View Avenue (Barbee House) Block 31, Lots 24-27, 16,500 sq. ft.

II. 1917 - 1935

1. 10220 Capitol View Avenue, .926 acres
2. 10216 Capitol View Avenue
3. 10212 Capitol View Avenue, Block 20, Lot 23
4. 10210 Capitol View Avenue, Block 20, Lot 22
5. 10200 Capitol View Avenue
6. 10122 Capitol View Avenue
7. 10120 Capitol View Avenue
8. 10110 Capitol View Avenue
9. 3108 Lee Street
10. 10211 Menlo Avenue, Block 18, Lot 6
11. 2914 Barker Street, Block 32, Lots 21-22
12. 2910 Barker Street, Block 32, Lots 19-20
13. 9927 Capitol View Avenue, Block 32, Lot 2
14. 9925 Capitol View Avenue, Block 32, Lot 3
15. 9921 Capitol View Avenue, Block 32, Lots 4-6
16. 9913 Capitol View Avenue, Block 32, Lots 8-9
17. 9911 Capitol View Avenue, Block 32, Lot 10
18. 9907 Capitol View Avenue, Block 32, Lots 12-13
19. 9906 Capitol View Avenue, Block 31, Lot 8
20. 9904 Capitol View Avenue, Block 31, Lot 9
21. 9826 Capitol View Avenue, Block 31, Lots 16-17
22. 9816 Capitol View Avenue, Block 31, Lots 20-21
23. 2801 Beechbank Road, Block 35, Lot 15

## PROPOSED HISTORIC DISTRICT

— · — · Historic District Boundary

RESOURCES

- 1870 - 1916
- 1917 - 1935
- Nominal (1935- )
- Spatial

21

0 400 800 FEET 1200 1600

0 500 METERS 1000

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

# Capitol View Special Study Area

KENSINGTON-WHEATON PLANNING AREA