

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	10229 Capitol View Ave., Silver Spring	<b>Meeting Date:</b>	4/6/2022
<b>Resource:</b>	1935+ (Non-Contributing) Capitol View Park Historic District	<b>Report Date:</b>	3/30/2022
<b>Applicant:</b>	John Culver	<b>Public Notice:</b>	3/23/2022
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case No.:</b>	986463	<b>Staff:</b>	Dan Bruechert
<b>PROPOSAL:</b> Deck demolition and new deck construction			

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**STAFF RECOMMENDATION**

Staff recommends the HPC **approve** the HAWP.

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** 1935+ (Non-Contributing) Resource in the Capitol View Historic District  
**STYLE:** Colonial Revival  
**DATE:** 1936



*Figure 1: The subject property is a double lot near the edge of the Capitol View Historic District.*

## **PROPOSAL**

The applicant proposes to demolish the existing rear deck and construct a new deck in its place.

## **APPLICABLE GUIDELINES**

### ***Capitol View Park Historic District***

When reviewing alterations and new construction within the Capitol View Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Approved & Adopted Sector Plan for Capitol View & Vicinity (Sector Plan)*, *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.

### ***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 ensure 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
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

### ***Secretary of the Interior's Standards for Rehabilitation:***

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall 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**

The subject property is a Colonial Revival, Cape Cod with brick siding, and a large rear addition with vinyl siding. At the rear of the house is a large wooden deck. The applicant proposes to demolish the

existing deck and construct a new deck in its place.<sup>1</sup> There will be direct access to the deck from the first floor and the basement. Due to the large side-lot, the deck will be partially visible from the public right-of-way. The proposed deck will be 24' 9" × 19' 6" (twenty-four feet, nine inches by nineteen feet, six inches) at the basement level and 13' × 15' (thirteen feet by fifteen feet) at the first floor. The deck and stairs will be constructed out of wood, and the railing will be painted aluminum. At the basement level, there will be a wood privacy screen constructed out of 1" × 4" (one inch by four inch) planks.

Staff finds the proposed deck will be partially visible due to the large, open side lot and the significant drop in grade. Staff finds the wood deck is simply designed and will not detract from the character of the district. While wood railings are generally preferred, Staff finds that a metal railing is acceptable in this instance, because of the railing's simple design and because the subject property is constructed in 1936, rendering it the equivalent of a non-contributing resource. Finally, the proposed privacy screen will not impact the character of the site, because it will not be visible from the public right-of-way due to the significant drop in grade. Staff finds the proposal is appropriate and recommends the HPC approve the HAWP.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(2) and (d), having found that the proposal 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 Standards for Rehabilitation* #2, 9, and 10

and with the general condition that the applicant shall present an electronic set 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 [dan.bruechert@montgomeryplanning.org](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit.

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<sup>1</sup> The existing deck was approved in a 1992 HAWP. The case file for that HAWP is available here: [https://mcatlas.org/tiles/06\\_HistoricPreservation\\_PhotoArchives/Padlock/HAR60640005/Box035/31-7-92B\\_Capitol%20View%20Historic%20District\\_10229%20Capitol%20View%20Avenue\\_04-08-1992.pdf](https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640005/Box035/31-7-92B_Capitol%20View%20Historic%20District_10229%20Capitol%20View%20Avenue_04-08-1992.pdf).



FOR STAFF ONLY:  
HAWP# 986463  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

## APPLICANT:

Name: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Tax Account No.: \_\_\_\_\_

## AGENT/CONTACT (if applicable):

Name: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property \_\_\_\_\_

Is the Property Located within an Historic District? Yes/District Name \_\_\_\_\_

No/Individual Site Name \_\_\_\_\_

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: \_\_\_\_\_ Street: \_\_\_\_\_

Town/City: \_\_\_\_\_ Nearest Cross Street: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Parcel: \_\_\_\_\_

**TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> New Construction   | <input type="checkbox"/> Deck/Porch          | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition           | <input type="checkbox"/> Fence               | <input type="checkbox"/> Solar                           |
| <input type="checkbox"/> Demolition         | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting           |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof                | <input type="checkbox"/> Window/Door                     |
|   |  | <input type="checkbox"/> Other: _____                    |

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

\_\_\_\_\_  
Signature of owner or authorized agent

\_\_\_\_\_  
Date



**Description of Property:** Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

**Description of Work Proposed:** Please give an overview of the work to be undertaken:

Work Item 1: \_\_\_\_\_

Description of Current Condition:

Proposed Work:

Work Item 2: \_\_\_\_\_

Description of Current Condition:

Proposed Work:

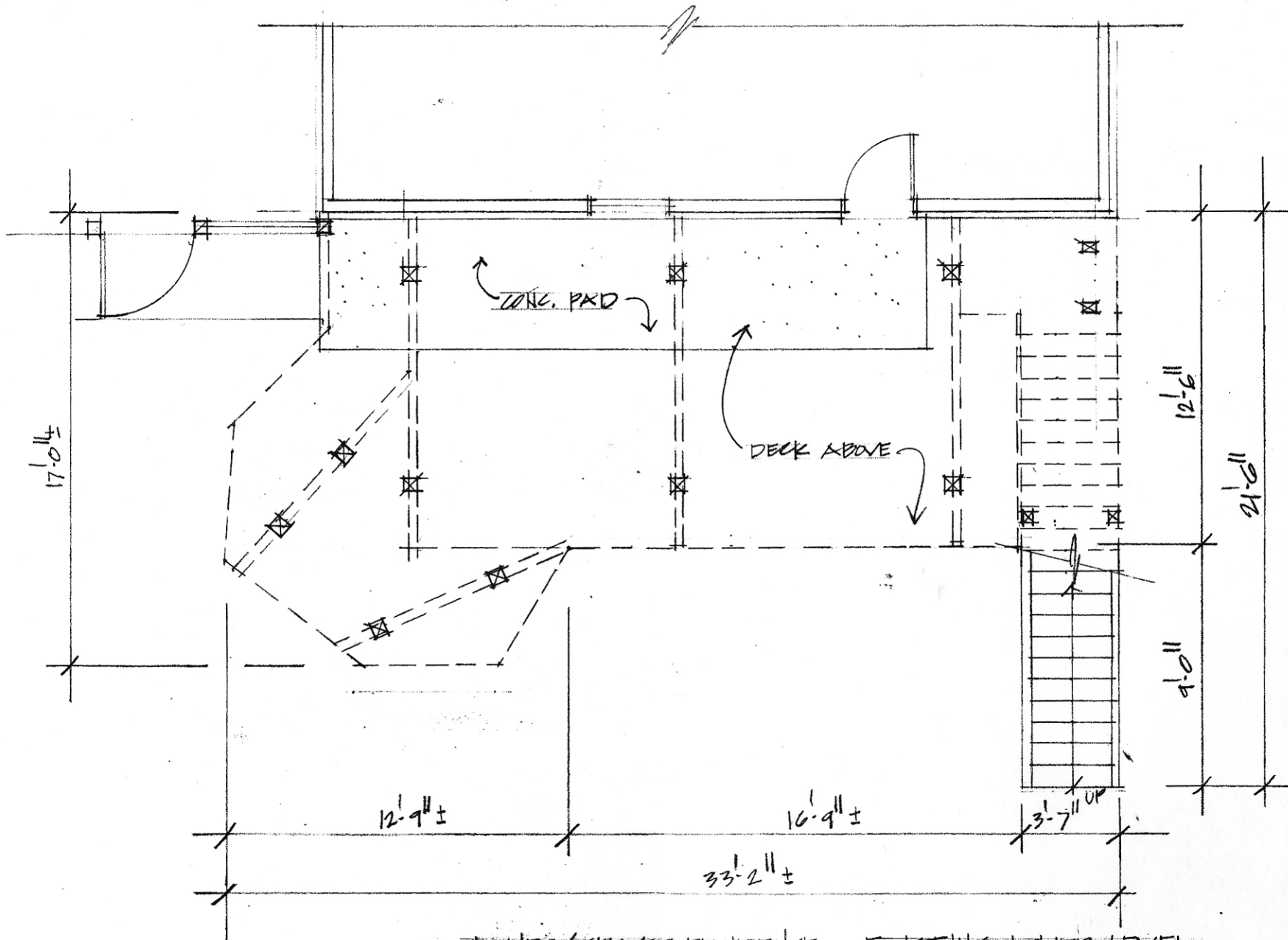
Work Item 3: \_\_\_\_\_

Description of Current Condition:

Proposed Work:

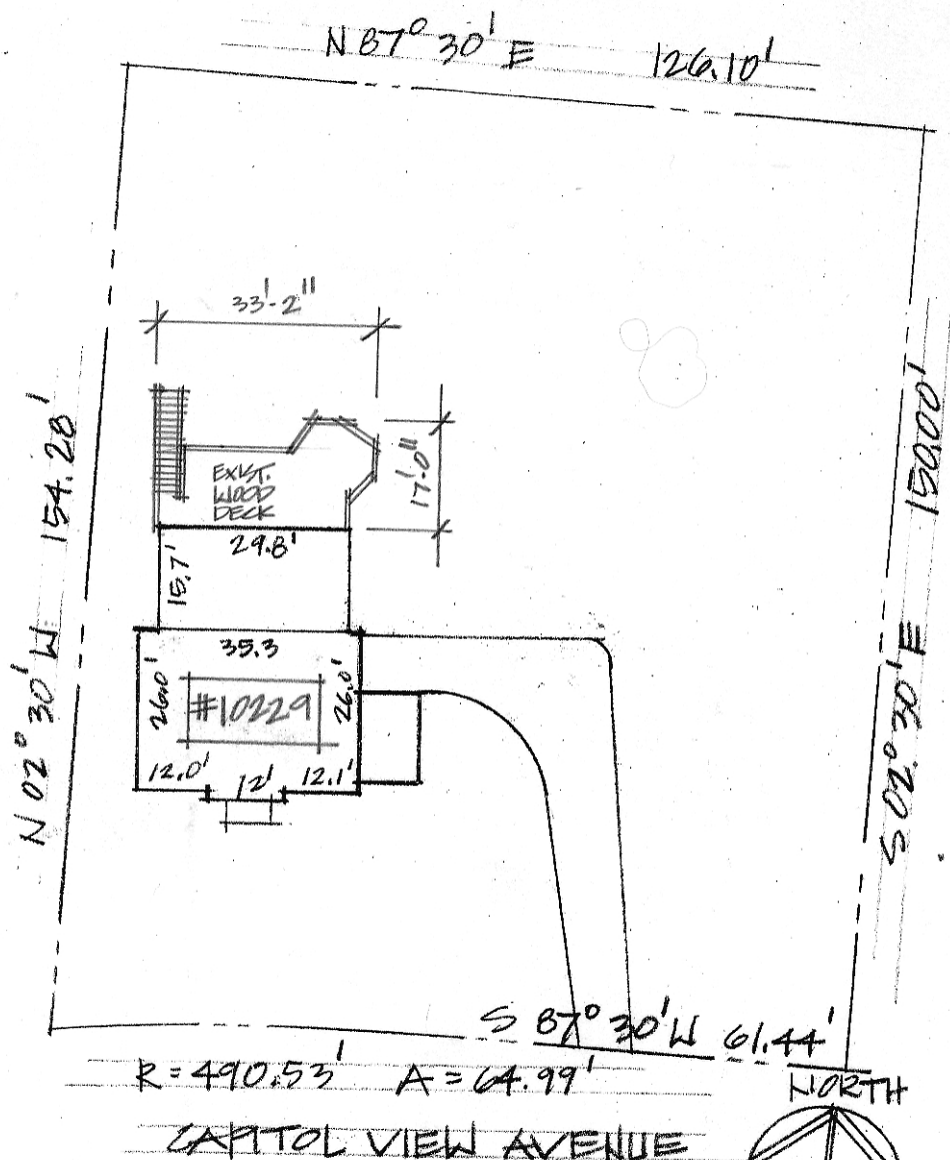
# HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*



JAYNES/CULVER RESIDENCE  
 10224 CAPITAL VIEW AVE.  
 SILVER SPRING, MD 20910

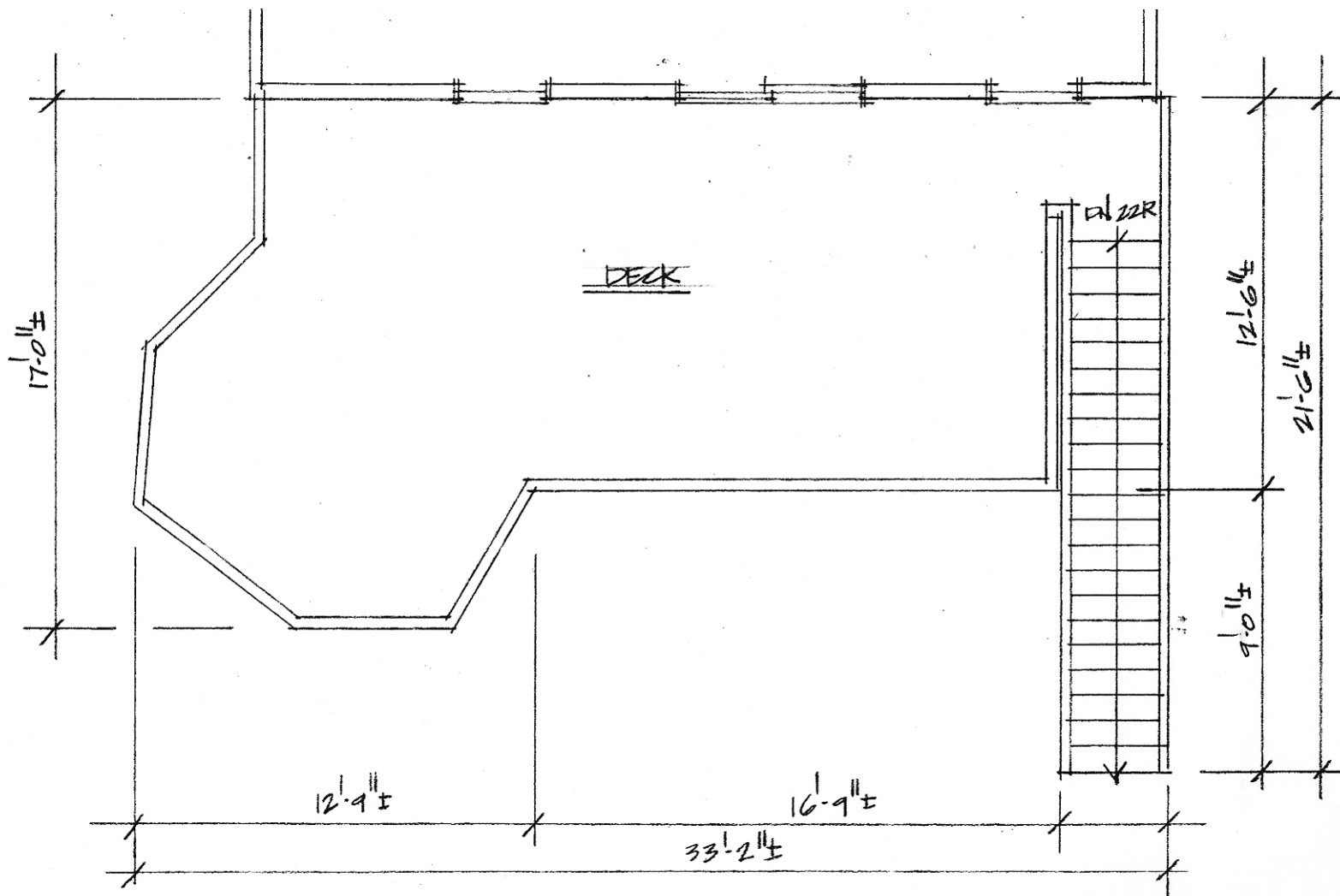
EXISTING LOWER LEVEL  
 $\frac{1}{4}" = 1'-0"$  8



EXISTING  
 SITE PLAN

1" = 30'-0"





EXISTING UPPER LEVEL  
 $1/4'' = 1'-0''$







**Laura Jaynes**  
**John Culver**  
10229 Capitol View Avenue  
Silver Spring, MD 20910

## **Adjoining Property Owners**

## **HAWP**

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**Kevin Elliott**  
10233 Capitol View Avenue  
Silver Spring, MD 20910

**Linda Winter**  
10225 Capitol View Avenue  
Silver Spring, MD 20910

**Violetta & Janusz Bazyluk**  
10226 Capitol View Avenue  
Silver Spring, MD 20910

Adjacent and Confronting Properties:

Silver Spring, MD 20910

10232 Capitol View Avenue

10233 Capitol View Avenue

10225 Capitol View Avenue

10226 Capitol View Avenue

3220 Blueford Road

3222 Blueford Road

3224 Blueford Road

DESCRIPTION OF ***EXISTING*** STRUCTURE,  
ENVIRONMENTAL SETTING AND HISTORICAL FEATURES  
AT:

**10229 Capitol View Ave., Silver Spring, MD 20910**

*This is a "Nominal/post-1935 resource" house built in 1936, and it is located in the Capitol View Park Historic District. It is a 2 -story house, square in shape; the original house is approx. 26' x 35.3', with a 15.7' x 29.8' 2 story later rear addition. It has a 1397 S.F. footprint, with a full walk-out basement. There is a wood deck on the rear, 17' x 33.1' accessible from the 1<sup>st</sup> floor, with stairs to the rear yard.*

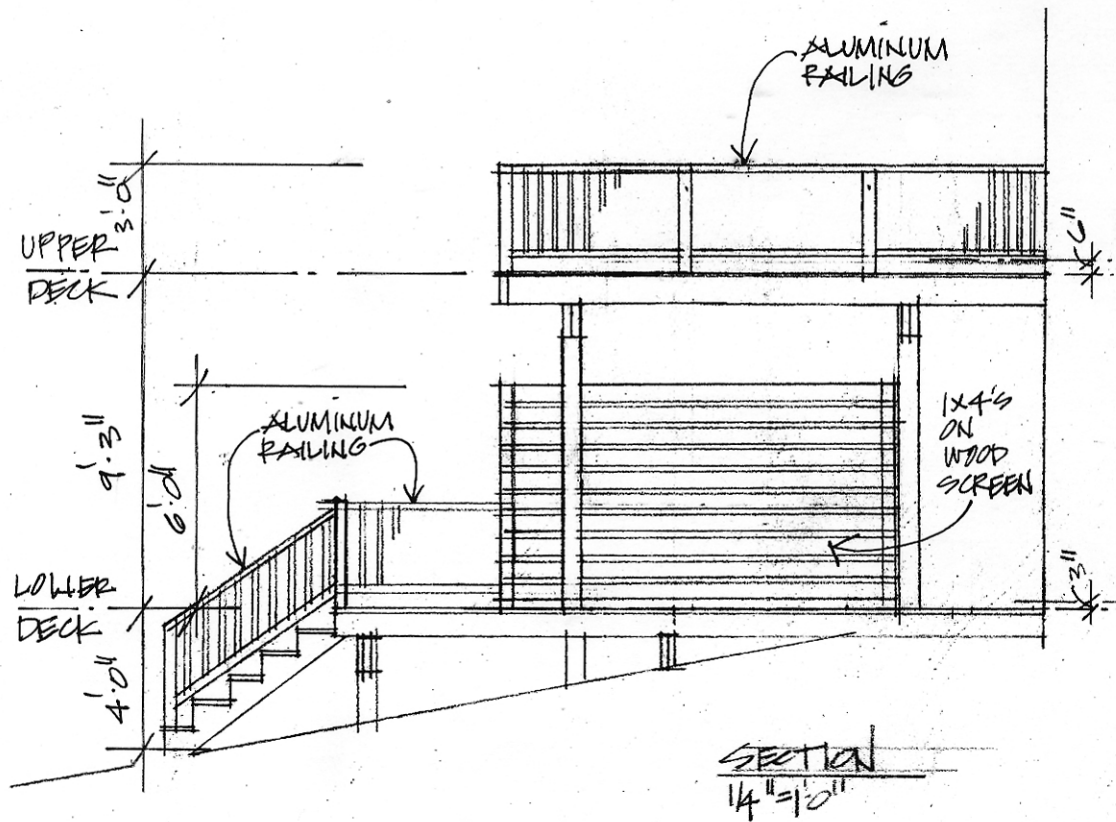
- a. Original House Structure:** *The main house structure is brick and is gabled (9 +/-:12 slope).*
- b. Later Rear Addition:** *The rear addition is a gable roof, set perpendicular to the main roof.  
The exterior finish is 6" exposure vinyl siding.*
- c. Foundation:** *Brick.*
- d. Rear Wood Deck:** *There is a wood deck, accessible from the 1<sup>st</sup> floor, with stairs to grade*

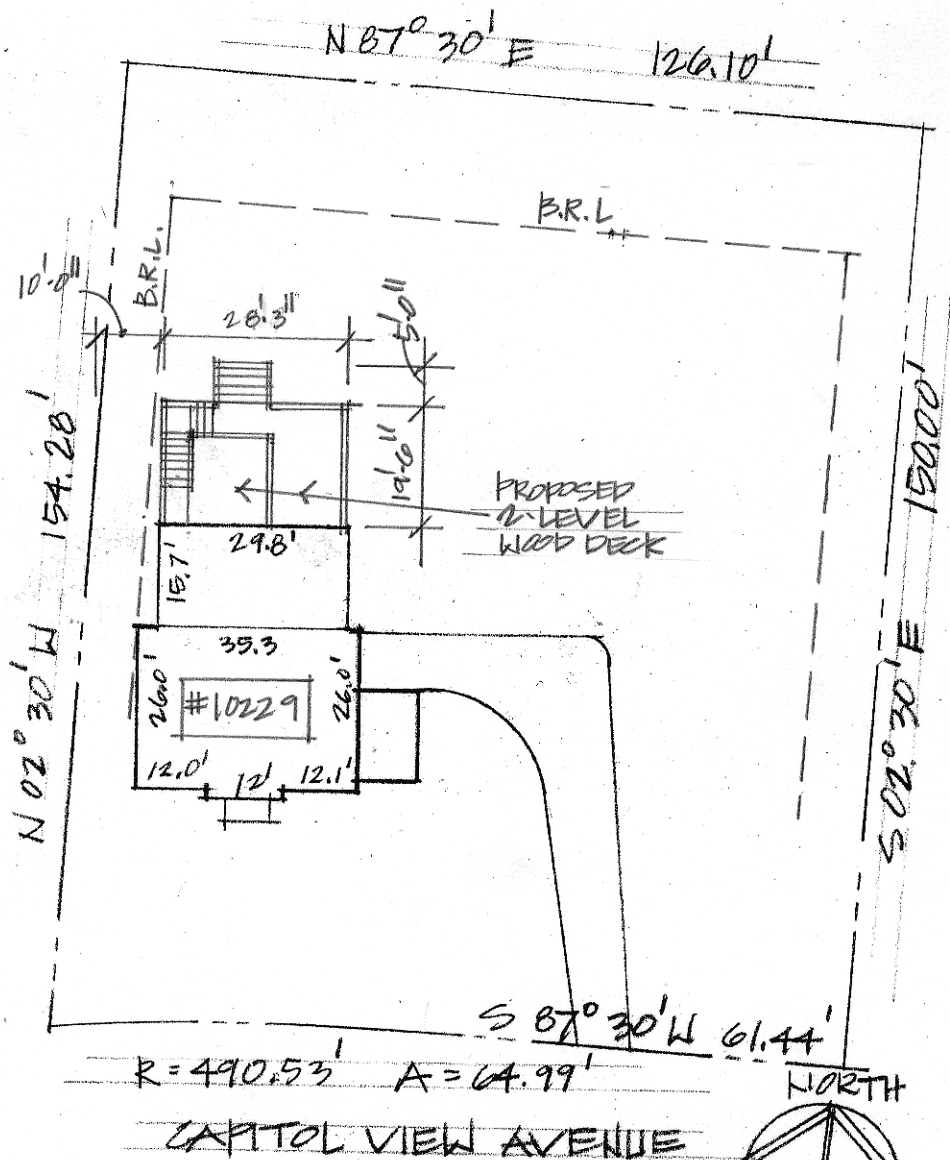


DESCRIPTION OF THE ***PROPOSED*** PROJECT AND ITS  
EFFECT ON THE HISTORIC RESOURCE:  
**10229 Capitol View Ave., Silver Spring, MD 20910**

**Rear Wood Deck Addition:**

- a. **Wood deck:** *At the 1<sup>st</sup> floor level, a new 13'-0" x 15'-0" wood deck will be constructed at the rear with a wood railing around. There will be stairs down to the lower deck level.  
At the basement level, a new 24'-9" x 19'-6" wood deck will be built with stair to the rear yard.*



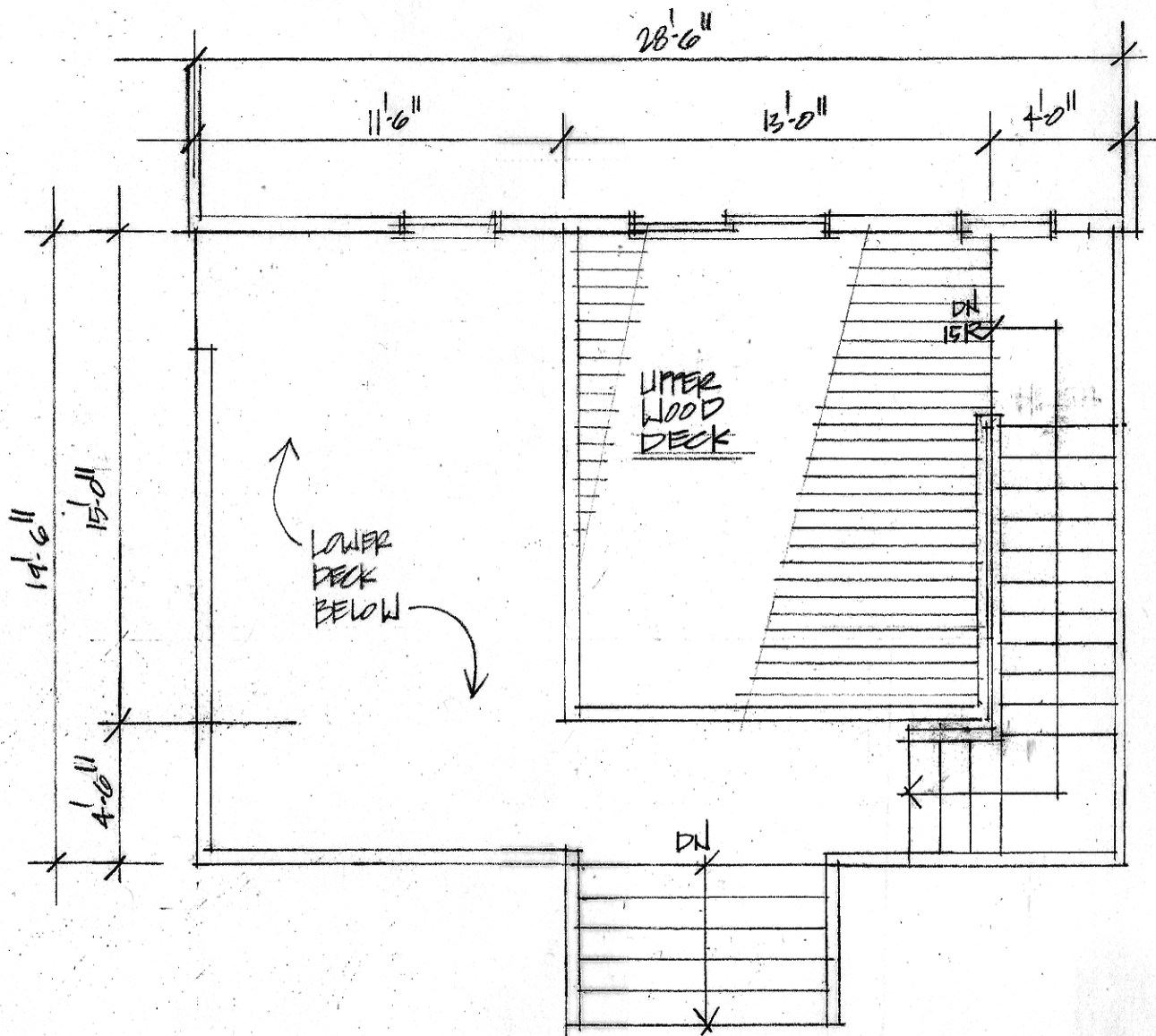


$R = 490.53'$   $A = 64.99'$

CAPITOL VIEW AVENUE

PROPOSED  
SITE PLAN

1" = 30'-0"



PROPOSED UPPER LEVEL

1/4" = 1'-0"















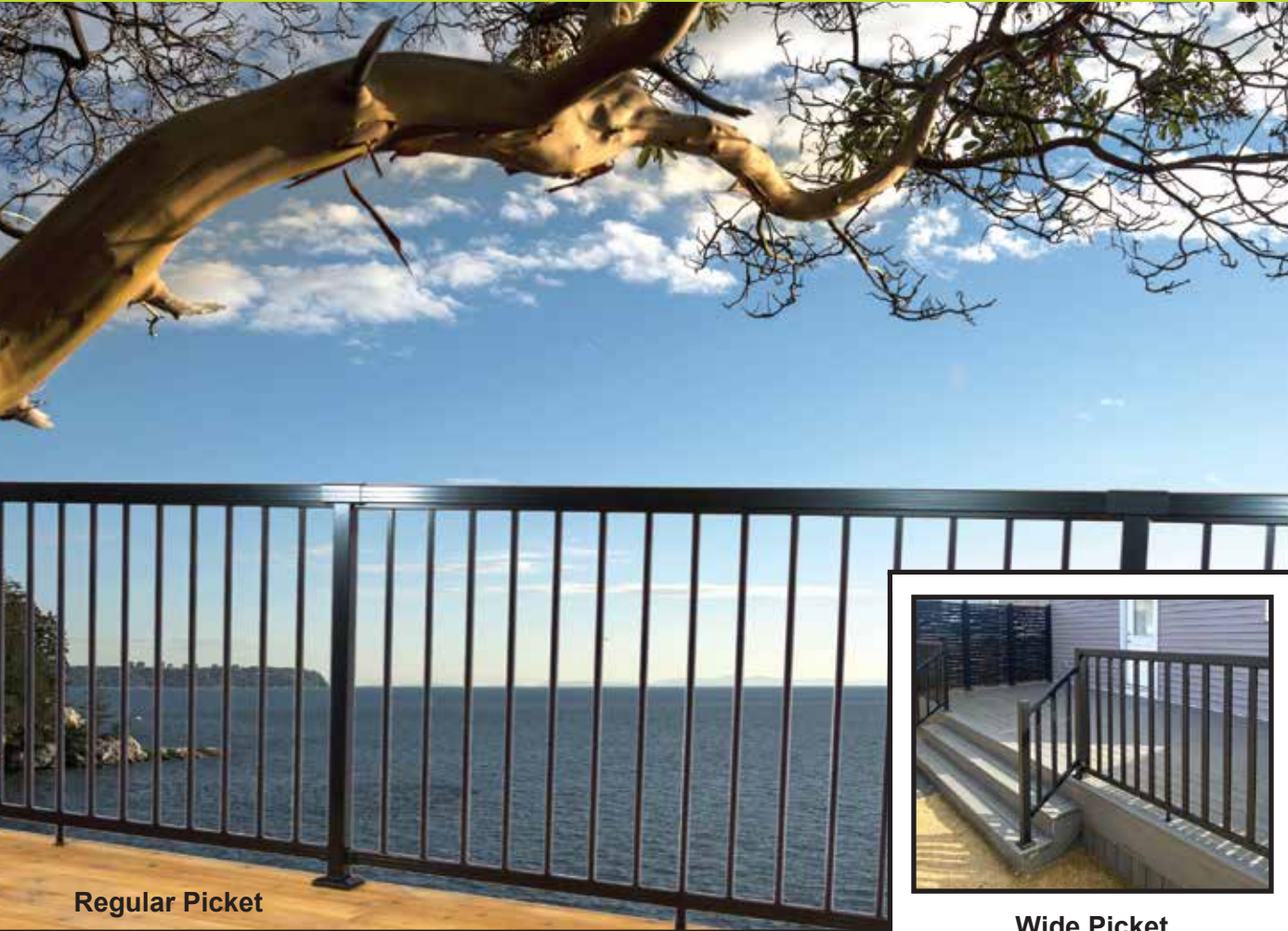
# vista



style &  
simplicity

## Aluminum Picket Railing System

## Aluminum Picket Railing System



Regular Picket

Wide Picket

- ✔ **Ease of Installation and Quoting**  
Factory attached sleeved brackets mean a quick and simple assembly.
- ✔ **Stair Connection is Simple and Clean**  
Simply insert stair rail into post cut out and fasten in place.
- ✔ **Picture Frame**  
The same rails and post design creates a consistent frame around your infill of choice.  
(regular picket, wide picket, framed glass, cable)
- ✔ **Vista Online Project Planner Software**  
Simplifies estimating and installation process.
- ✔ **Safety Assured**  
Tested in accordance with national building codes.

Vista Railing Systems Inc.  
[www.vistarailings.com](http://www.vistarailings.com) or 800-667-8247

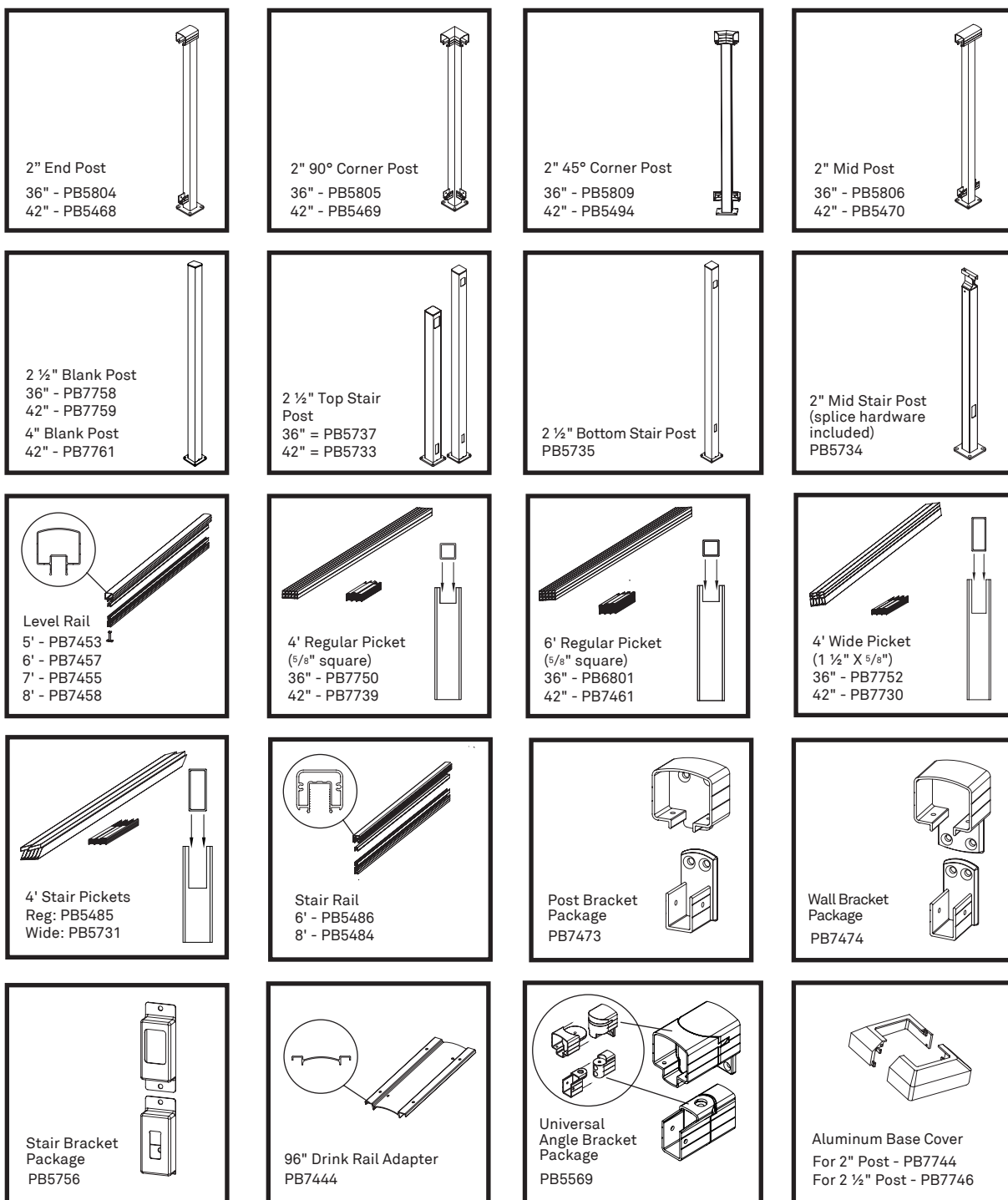


# vista

style &  
simplicity

## Aluminum Picket Railing System

### Aluminum Picket Railing System



**Note:** Contact your local building department prior to installation.

Available Colors:



Textured Black  
(XB)



Gloss White  
(WT)



Textured Bronze  
(YB)



Textured Grey  
(TG)