

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

<b>Address:</b>	10013 Stoneybrook Dr., Silver Spring	<b>Meeting Date:</b>	3/22/2022
<b>Resource:</b>	1870 – 1916 Resource <b>Capitol View Park Historic District</b>	<b>Report Date:</b>	3/15/2022
<b>Applicant:</b>	Melissa Colbert	<b>Public Notice:</b>	3/8/2022
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case No.:</b>	1003027 REVISION	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Revision to previously approved accessory structure.		

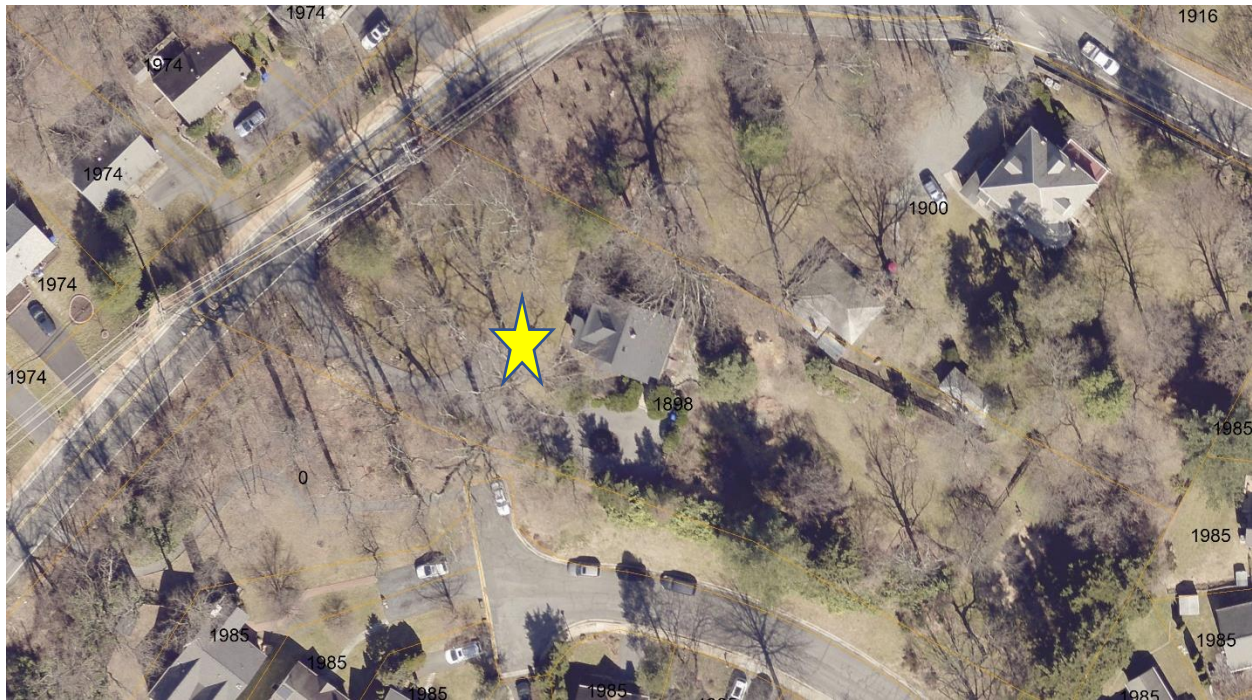
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**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** 1870-1916 - Resource in the Capitol View Historic District  
**STYLE:** Queen Anne  
**DATE:** 1898



*Figure 1: The subject property is located near the edge of the historic district and is identified in the Master Plan Amendment as the Shaw House.*

## **BACKGROUND**

The HPC approved a HAWP for several work items at the August 18, 2022 HPC meeting.<sup>1</sup>

## **PROPOSAL**

The applicant proposes to construct a different gazebo than the one approved at the August 18, 2022 HPC meeting.

## **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.

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<sup>1</sup> The Staff Report for the August 2022 HAWP is available here: <https://montgomeryplanning.org/wp-content/uploads/2022/08/I.E-10013-Stoneybrook-Road-Silver-Spring-1003027.pdf>. The HAWP was approved by consent, so there is no hearing recorded.

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**

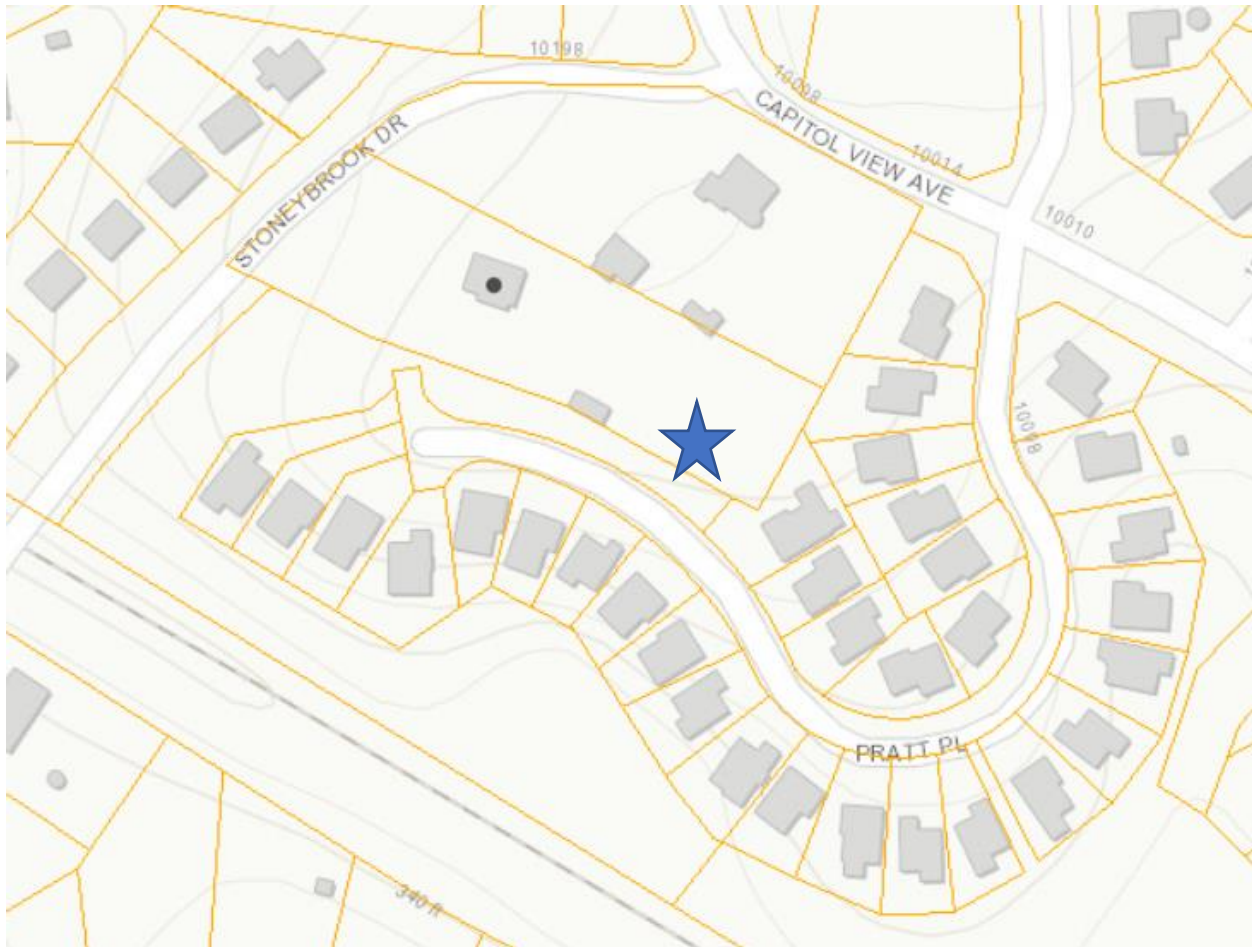
The subject property sits in the middle of a large lot, bordered on the west by Stoneybrook Dr. and to the south by Pratt Place. The approved HAWP included fencing, hardscape alterations, regrading, and constructing a gazebo. The applicant has revised the gazebo design and seeks HPC approval for the revised plan.

#### **Gazebo Construction**

The applicant proposes to install a prefabricated 16' (sixteen foot) wide octagonal, screened-in, cedar gazebo in the southwest corner of the rear lot (the same location as the previous approval). The gazebo is just under 14' (fourteen feet) tall. The only difference from the approved gazebo is the size; materials and design match the approved gazebo. The previously approved gazebo was 12' wide.

The previous approval found the proposed gazebo's materials and design were compatible with the character of the district. Staff additionally noted the prefabricated gazebo could easily be removed in the future without permanently altering the physical characteristics of the site or surrounding district. The HPC approved the gazebo under 24A-8(b)(2) and (d) and Standards 2 and 10.

The proposed gazebo is 1236 ft<sup>2</sup> (one thousand two hundred thirty-six square feet), which is nearly a 70% increase in total area from the 12' (twelve foot) gazebo. However, its placement in the southwest corner will be minimally visible from the public right-of-way; and the adjacent buildings are all non-contributing infill houses, constructed in 1985. Staff finds larger gazebo will not have a significant impact on the historic character of the surrounding district and recommends the HPC approve it under the same provisions as the previous approval.



*Figure 2: The subject property in relation to the non-historic houses on Pratt Place. The star shows the approximate location of the proposed gazebo.*

### **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 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.





FOR STAFF ONLY:  
HAWP# 1003027 REVISION  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

**APPLICANT:**

Name: MELISSA R COLBERT E-mail: melisse.colbert@wh@gmail.com  
Address: 10012 STONEYBROOK DR City: SILVER SPRING Zip: 20910  
Daytime Phone: 301-221-2520 Tax Account No.: 00996815

**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 CAPITOL VIEW PARK PARCEL 30  
 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 checked="" type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition              | <input checked="" type="checkbox"/> Fence               | <input type="checkbox"/> Solar                                      |
| <input checked="" type="checkbox"/> Demolition | <input checked="" type="checkbox"/> Hardscape/Landscape | <input checked="" 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.

M d Colbert \_\_\_\_\_  
Signature of owner or authorized agent Date

# HAWP APPLICATION

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## Contents

Mailing Address for Notifying ..... 2

Description of Property..... 3

Description of Work Proposed..... 3

Work Item 1: Clean up Dog Pen Area ..... 3

Work Item 2: Fencing..... 3

Work Item 3: Gazebo ..... 4

Work Item 4: Landscaping ..... 4

Other Information..... 4

2002 Survey..... 5

Inset of Proposed Changes to Dog Pen Area ..... 6

Pictures of Dog Pen Area ..... 7

Proposed Shadowbox Fencing ..... 10

Proposed Gazebo ..... 11

Gazebo Specifications ..... 12

Proposed Solar Ceiling Fan and Light..... 20

## Mailing Address for Notifying

(Owner, Owner’s Agent, Adjacent and Confronting Property Owners)

<b>Owner’s Mailing Address:</b>  Melissa R. Colbert 10013 Stoneybrook Dr. Silver Spring, MD 20910	<b>Owner’s Agent’s Mailing Address</b>  _____ _____ _____
<b>Adjacent and confronting Property Owners mailing addresses</b>	
Eric and Cynthia Eicher 10012 Capitol View Ave Silver Spring, MD 20910	Betsy Flagg Head of Pratt Place HOA 10005 Pratt Place Silver Spring, MD 20910

10044 Pratt Place, Silver Spring MD 20910

10110 Stoneybrook Drive, MD Silver Spring MD 20910

10018 Pratt Place, Silver Spring MD 20910

10112 Stoneybrook Drive, Silver Spring MD 20910

10108 Stoneybrook Drive, Silver Spring MD 20910

## Description of Property

The property sits on an elongated, approximately 1-acre lot in the Capitol View Park Historic District (Parcel 30). Built in either 1896 or 1898 (ambiguous), the property consists of a 2-1/2 story clapboard-faced house built in an eclectic style, primarily craftsman, but with singular features such as a curved roof and two semi-circular bays. Access to the property is from Stoneybrook Drive on the northwest. The Pratt Place development parallels the property on the southwest side.

The square footage on the first floor is approximately 1,155 sq. ft. There is also a small 291 sq. ft. stable on the property. The house sits approximately 100 feet back from the frontage on Stoneybrook Drive. The majority of the land is behind the house and is not visible from either Stoneybrook Drive, Pratt Place, or the adjacent property at 10012 Capitol View Avenue.

There are a number of mature trees and perennial beds located throughout the property as well as an approximately 20'x60' vegetable garden at the rear of the plot. There is an approximately 30'x30' fenced area on the southwest side that was used as a dog pen in the past. This area was until recently overgrown with invasive vines and bamboo. They have now been removed as part of taking down a dead choke cherry tree that was in the center of the area. The fencing around the dog pen area is in very bad shape. The dog pen area is at an elevation of approximately four feet above Pratt Place.

There is three bar split rail fencing with wire mesh around the rear and southwest portion of the property up to but not including the vegetable garden which is protected by deer fencing. There is 6' shadowbox fencing between the rear of the house up to the vegetable garden along the northeast side.

## Description of Work Proposed

- 1) Remove old dog pen fencing and vegetable debris.
- 2) Grade the area to create an adequate slope for erecting a gazebo.
- 3) Install shadowbox fencing topped with lattice along the side of the dog pen area that parallels Pratt Place, with a small dogleg that contains a gate and connects with the deer fencing around the vegetable garden
- 4) Install a prefabricated 12'x12' wooden fully-screened gazebo in the middle of the 30x30 area. It is unfeasible to run electrical power to the area
- 5) It will be unfeasible to run electric power to the area. Any power needed for lights or a ceiling fan will be solar-powered and will not require electrical work. See proposed solution at the end of the application. There will be no plumbing.
- 6) Plant low-maintenance shrubs and perennials around the gazebo.

### Work Item 1: Clean up Dog Pen Area

**Description of Current Condition:** Falling down fence; vegetation debris; dirt slopes at a significant uneven angle towards Pratt Place.

**Proposed Work:** Remove existing debris, old fencing; grade area to create an area for the installation of the gazebo. Install underground metal barricade to prevent bamboo from invading area.

### Work Item 2: Fencing

**Description of Current Condition:** After the existing fence is removed, the area will be open. In addition to adding privacy, I will need to block deer.

**Proposed Work:** Install new 6'6" shadowbox/lattice fence on 1+ sides. Include a gate on the dogleg. There is an area approximately 3.5 feet wide from the fence to the property line and an additional 5 feet where the proposed gate would be, so exiting from the area will not impinge on Pratt Station property.

### **Work Item 3: Gazebo**

**Description of Current Condition:** Area is now cleared and fence installed.

**Proposed Work:** Install a pre-fabricated 16x16 wooden octagonal gazebo kit in the center of the cleared area:

- 1) Create a permeable base of bluestone, gravel, or sand to support it with 4x4 pressure treated sleepers.
- 2) Have professional installers put up the gazebo.

### **Work Item 4: Landscaping**

**Description of Current Condition:** Gazebo and fence are installed, but area is otherwise empty.

**Proposed Work:** Working with a landscape architect, move existing shrubs and perennials from existing gardens to the area, minimizing if not obviating any need for grass. Working with landscape architect, create a path of crushed stone or wood chips through plantings to access gazebo door.

## **Other Information**

**Property Survey from 2002 (the latest)**

**Inset of Proposed Changes to Dog Pen Area**

**Photographs of Existing Site**

**Proposed Shadowbox Fencing**

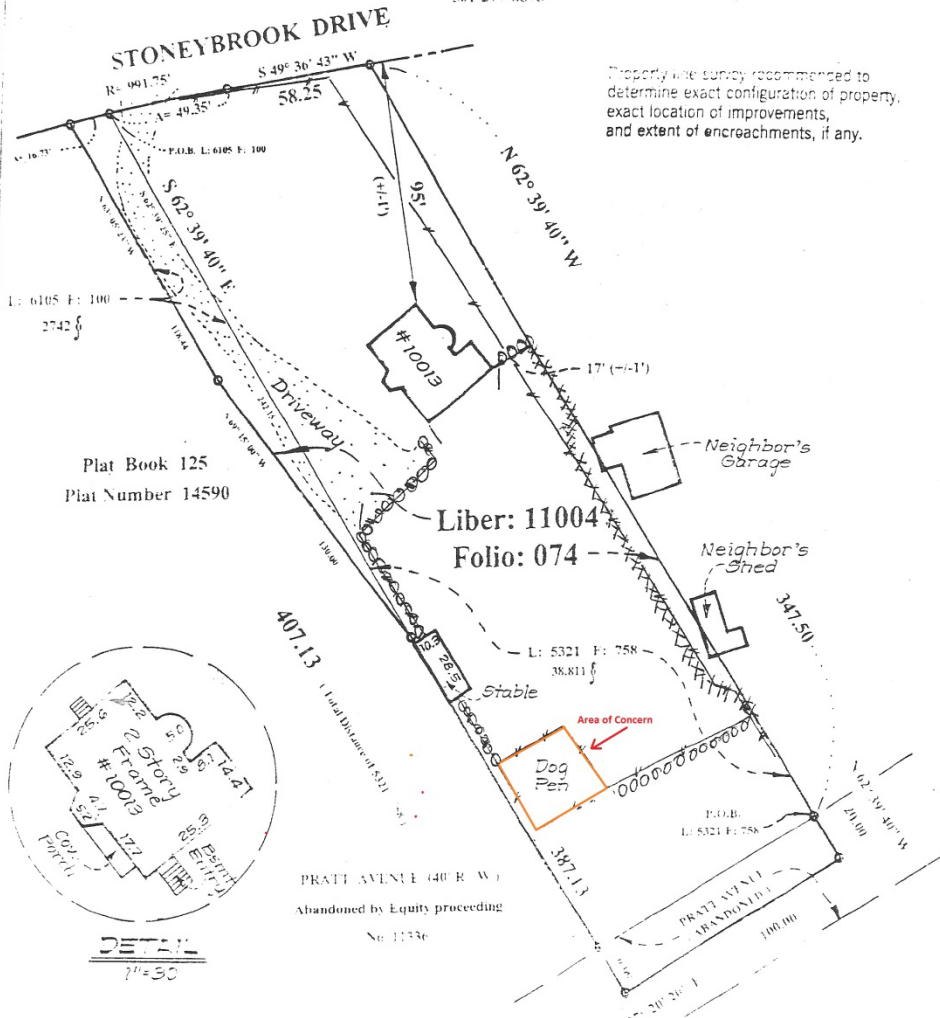
**Proposed Gazebo**

**Proposed Solar Powered Ceiling Fan and Light**



**Landtech Associates, Inc.**

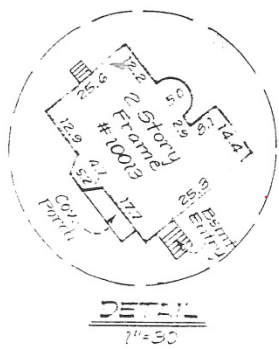
7307 Baltimore Avenue Suite 214  
College Park, MD 20740  
301-277-8878



Property was surveyed recommended to determine exact configuration of property, exact location of improvements, and extent of encroachments, if any.

Plat Book 125  
Plat Number 14590

Liber: 11004  
Folio: 074



PRATT AVENUE (40' R. W.)  
Abandoned by Equity proceeding  
No. 11736

TAX PARCEL: 50  
TAX MAP: HP-5a2  
DATE: 01-19-99 SCALE: 1" = 50'  
CASE NUMBER: 98-8198  
FILE NUMBER: MP-99003

XXXX = 6 FT. HIGH WYNGATE

00000 = 4 FT. HIGH "THREE-RAIL"

Location Drawing of:  
#10013 Stoneybrook Drive  
**COLBERT PROPERTY**  
Montgomery Co., MD

APPROVED  
Montgomery County  
Historic Preservation Commission

*[Signature]*  
206/26/02

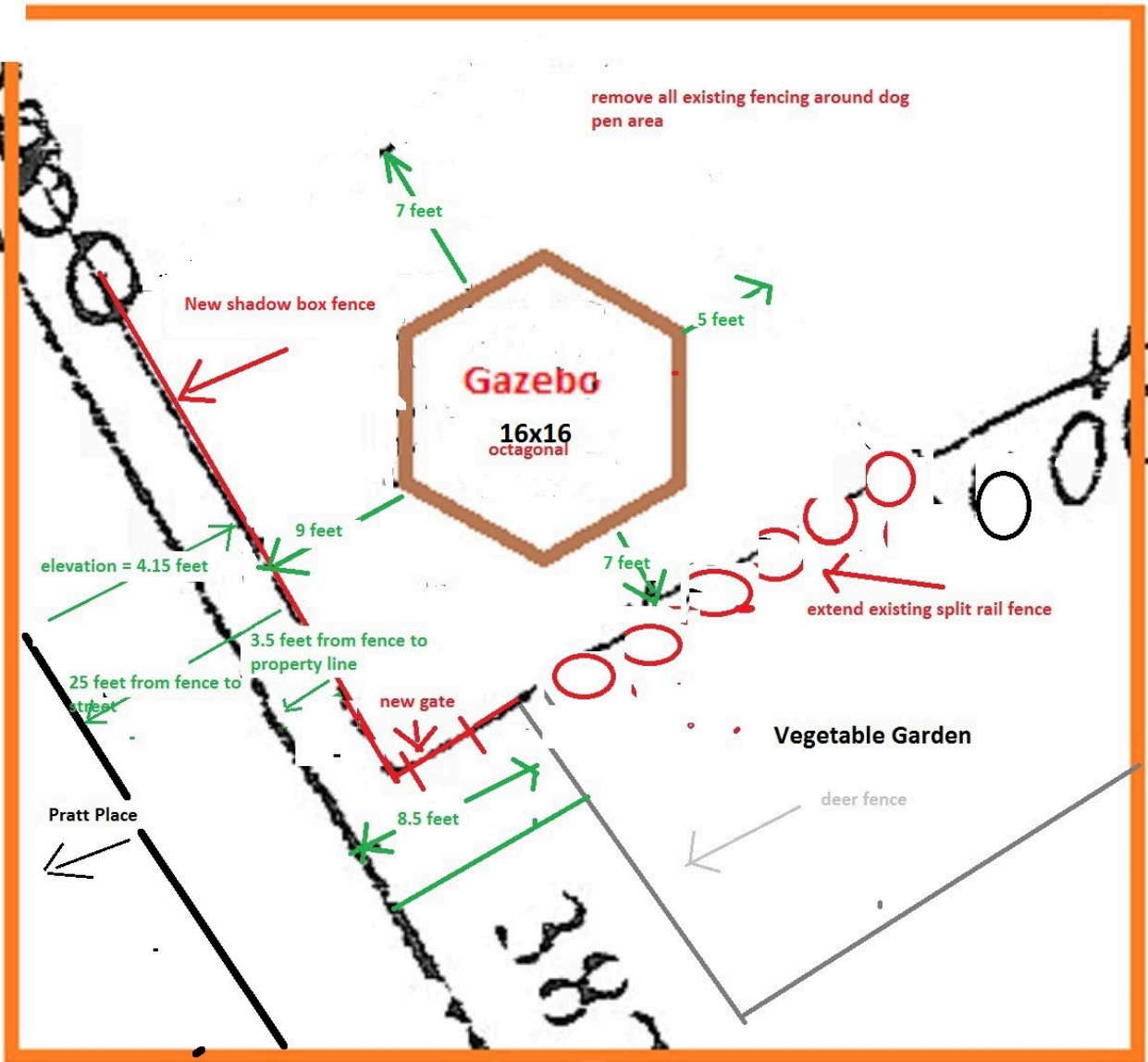
**NOTES:**

- The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
- The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.

**CERTIFICATION:** I hereby certify that the position of the significant visible improvements on the above described property has been carefully established in compliance with the "Minimum Standards of Practice" for the State of Maryland.

*[Signature]*  
GRADEN A. ROGERS — PROP. L.S. MD. LIC. NO. 119

**Inset of Proposed Changes to Dog Pen Area**





**Pictures of Dog Pen Area**  
***From Inside Property***

Figures 1-2: From Inside Property





Figures 3-5: From Pratt Place

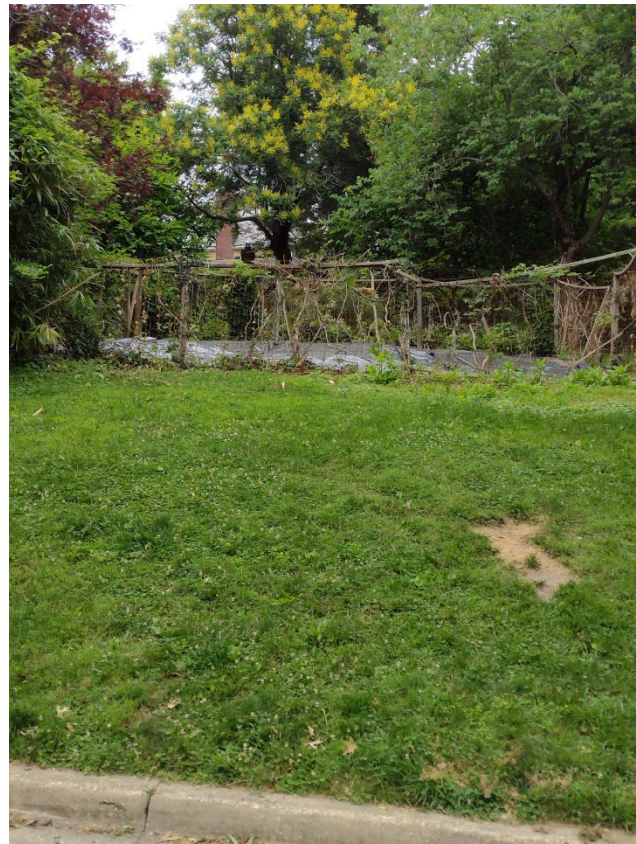






Figure 6: from 10012 Capitol View (Eicher Property)



Proposed Shadowbox Fencing



**Proposed Gazebo**

from [www.americanlandscapestructures.com](http://www.americanlandscapestructures.com)





# 16' Octagon Wood Gazebo

**GENERAL NOTES**  
 All notes do not necessarily apply due to different requirements on each project. This plan is intended to reflect only the structural design of this building. The contractor shall review all applicable local, state, and federal building codes prior to the start of construction to ensure building conformance. Timber Tech Engineering, Inc. is not responsible for information pertaining to this project if not shown on drawings or listed below. Revisions to the plans shall be approved by engineer of record.

**DESIGN REQUIREMENTS**

1. Governing Code  
 Including, not limited to IBC 2009
2. Dead Loads
  - A. Roof 5 psf
  - B. Floor 10 psf
  - C. Other n/a psf
3. Live Loads
  - A. Roof (See also note #4) 50.4 psf
  - B. Floor 100 psf
  - C. Other n/a psf
4. Snow Loads
  - A. Ground Snow (Pg) 60 psf
  - B. Flat Roof Snow (Pf) 50.4 psf
  - C. Snow Exposure Factor (Ce) 1.0
  - D. Snow Load Importance Factor (I) 1.0
  - E. Unbalanced Snow
    - I. Windward Roof 0 psf
    - II. Leeward Roof 25 psf to 101 psf
5. Wind Load
  - A. Basic Wind Speed (V) 140 mph
  - B. Wind Load Importance Factor (I) 1.0
  - C. Wind Exposure Category C
  - D. Enclosure Category Open
  - E. Components and Cladding +72.4 psf/-95.4 psf
6. Earthquake Design Data:  
 (Analysis based on equivalent lateral force procedure)
  - A. Spectral Response Acceleration at 1 sec, S 0.32
  - B. Spectral Response Acceleration at short periods, S 0.63
  - C. Occupancy Importance Factor, I 1.0
  - D. Site Class D
  - E. Seismic Design Category D
  - F. Basic Structural System Cantilevered Column Timber Frame
  - G. Response Modification Factor (R) 1.5
  - H. Deflection Amplification Factor (Cd) 1.5

**WOOD**

1. General Requirements
  - A. Structural wood members and connections shall be of sufficient size or capacity to carry all design loads without exceeding the allowable design values specified in The National Design specification for Wood Construction (NDS), 2005 edition, and its 'Supplement' by the American Forest and Paper Association (AF+PA).
  - B. Wood members used for load supporting purposes shall have the grade mark of a lumber grading agency certified by the American Lumber Standards Committee.
2. Dimension Lumber
  - A. All lumber species, graded visually or mechanically, shall comply with the NDS by AF+PA, and the 'American Softwood Lumber Standard' (PS 20-94) by the U.S. Department of Commerce.
  - B. The minimum grade and species for posts, beams, headers, and other primary structural members shall be Dense Select Structural Southern Pine, unless specified otherwise.
  - C. Lumber used for secondary framing shall be #1 Southern Yellow Pine (SYP) or better.
  - D. Structural glued laminated timber shall conform with the 'American National Standard Specification for Structural Glued Laminated Timber ANSI/AITC 117-2004.
  - E. Mechanically laminated columns shall conform with ANSI/ASAE EP 559.
3. Pressure Preservative Treatment (PPT)
  - A. Pressure treatment to be performed according to the American Wood Protection Association (AWPA) standards for use category 3B (above ground exposed).
  - B. Pressure treated members shall have the inspection mark of an agency accredited by the American Lumber Standards Committee.
  - C. Preservative: Ammonia Copper Quaternary ammonia (ACO) or Copper Boron Azole (CBA)
  - D. Treat indicated items and the following:
    1. Wood members exposed to weather or insect infestation.
    2. Wood members in direct contact with earth or concrete.
    3. Wood members exposed to high moisture content (18% for dimension lumber, 16% for glued laminated timber).
    4. Wood members less than 12 inches above grade.
  - E. Field treat newly exposed wood where cutting, drilling or notching pressure treated lumber.
  - F. All bolts used in double rafters shall be stainless steel or hot-dipped galvanized as per ASTM A153-01a. All other metal fasteners used in treated wood shall be stainless steel, hot-dip galvanized as per ASTM A153-01a, or other coating approved by fastener manufacturer for use in treated wood.
4. Connections shall be designed and constructed according to the NDS by AF+PA and shall conform to the following:
  - A. The minimum connection shall be two 12 penny nails, or as detailed on the drawings.
  - B. Other connections as per standard construction practice.
  - C. Angles, plates, and other miscellaneous connection material to be ASTM A-36 with a minimum yield strength of 36,000 psi, unless noted otherwise.

This drawing is the property of Country Lane Woodworking, LLC, provided by Timber Tech Engineering, Inc. and reproduction, alteration or use of this drawing without the written consent of Country Lane Woodworking, LLC is prohibited. Drawings shall not be scaled to obtain dimensions. The contractors and builders involved on this project shall verify all dimensions and conditions before starting work and any discrepancy shall be reported to the engineer in writing before starting work.

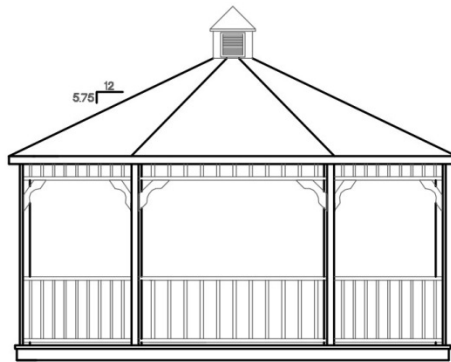
## Drawing Index

- Page 1 - Elevation
- Page 2 - Post Layout Plan, Floor Plan
- Page 3 - Roof Framing
- Page 4 - Cross Section
- Page 5 - 8 - Details

**ALTERNATIVE ROOFING:**

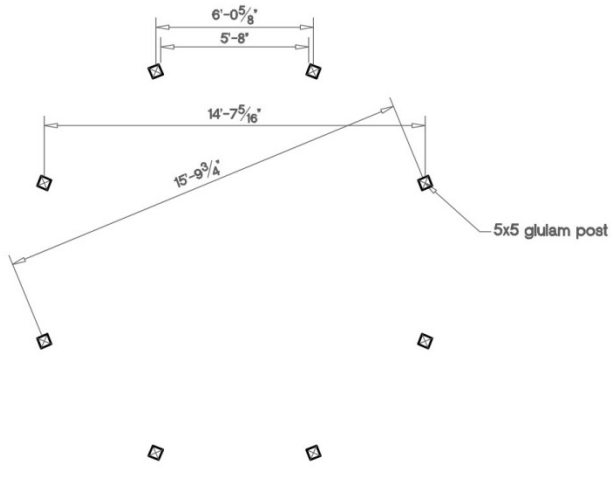
The 1x6 T and G #1 SYP decking and asphalt shingles may be replaced by 1x4 purlins @ 8" o/c and 24" long cedar shakes in areas of up to 60 psf ground snow load and 120 mph wind (wind speed subject to local jurisdiction approval).

Design Reaction Chart	
Max. uplift at column base	650 lbs
Max. downward force at column base	1675 lbs *
Max. shear at column base	250 lbs
* Reactions from floor loading not included. Floor framing members are assumed to be continuously supported by a concrete or gravel pad or other support structure.	

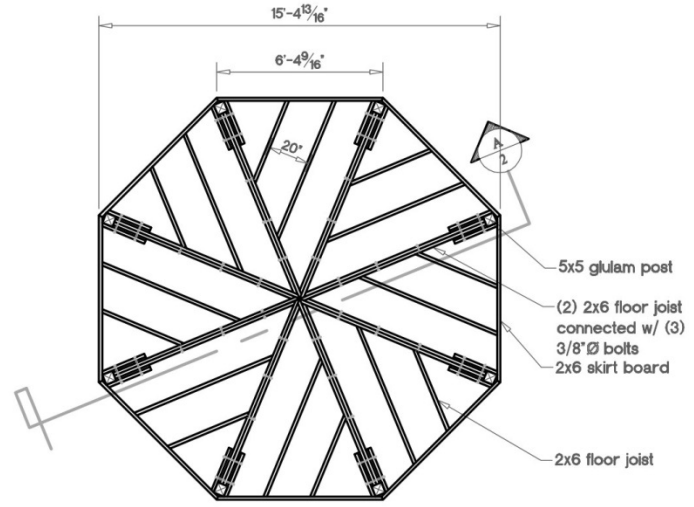


Elevation

NTS

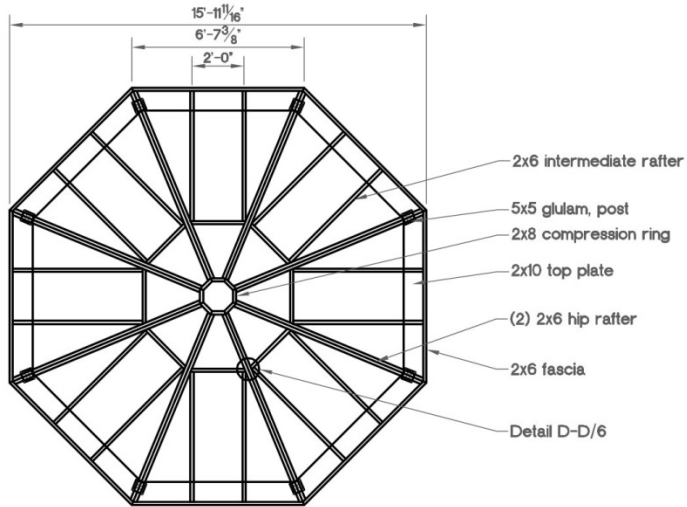


Post Layout Plan NTS



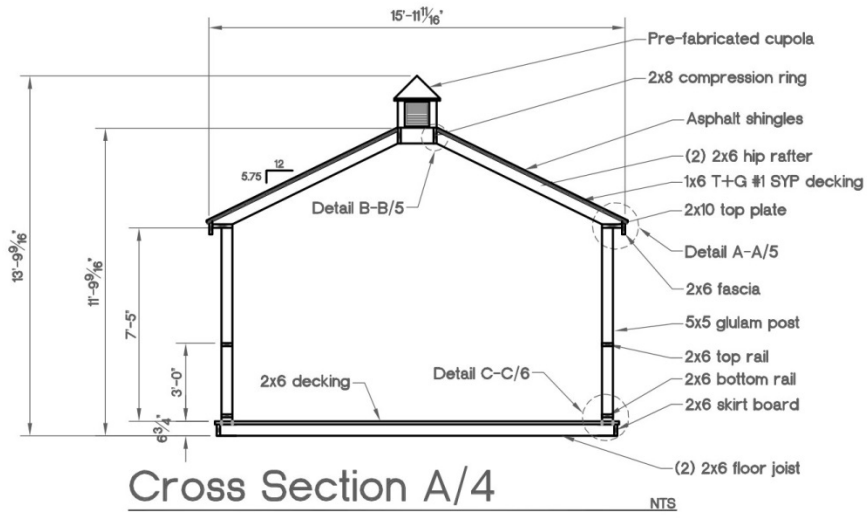
Floor Framing Plan NTS





# Roof Framing Plan

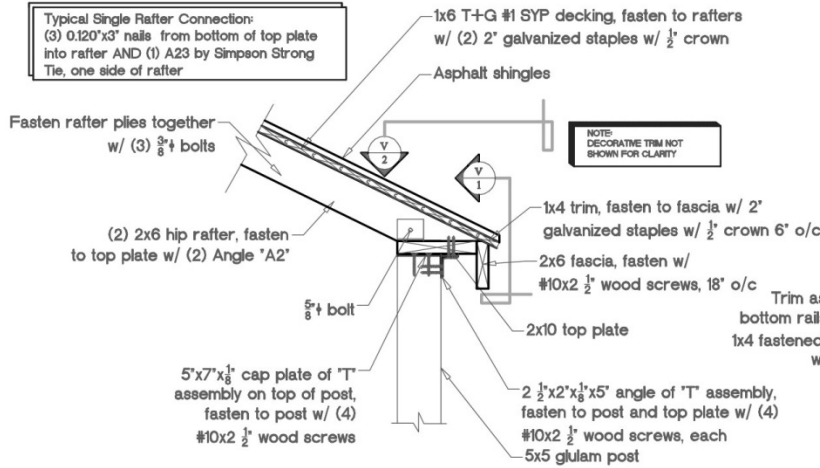
NTS



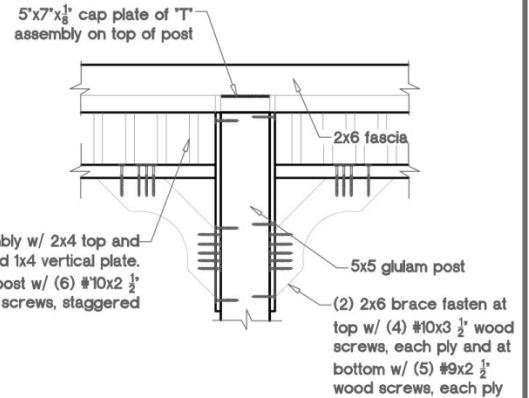
**Cross Section A/4**

NTS

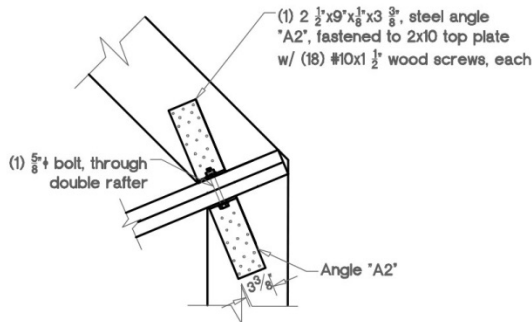
Typical Single Rafter Connection:  
(3) 0.120"x3" nails from bottom of top plate into rafter AND (1) A23 by Simpson Strong Tie, one side of rafter



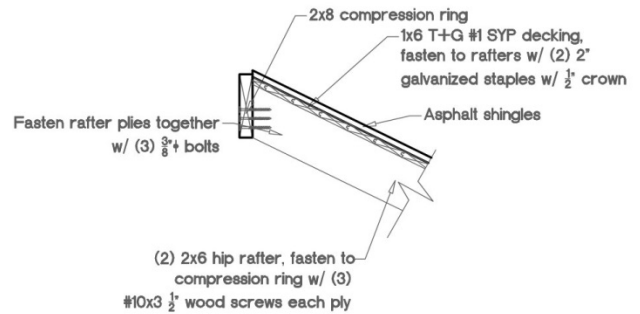
**Detail A-A/5** NTS



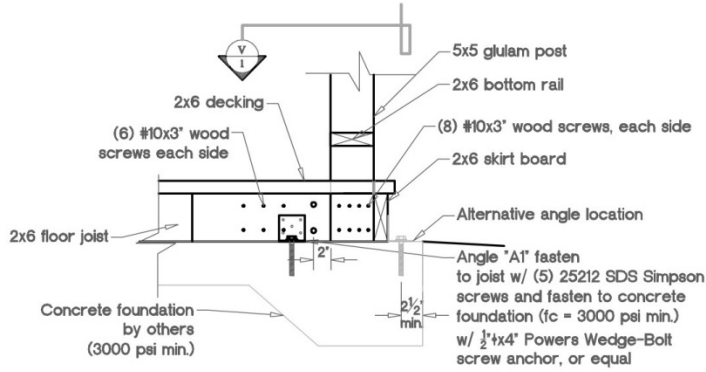
**View 1 Detail A-A/5** NTS



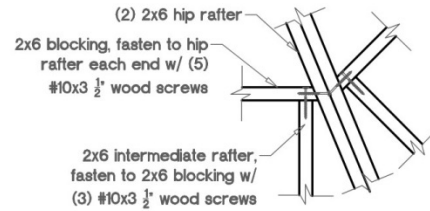
**View 2 Detail A-A/5** NTS



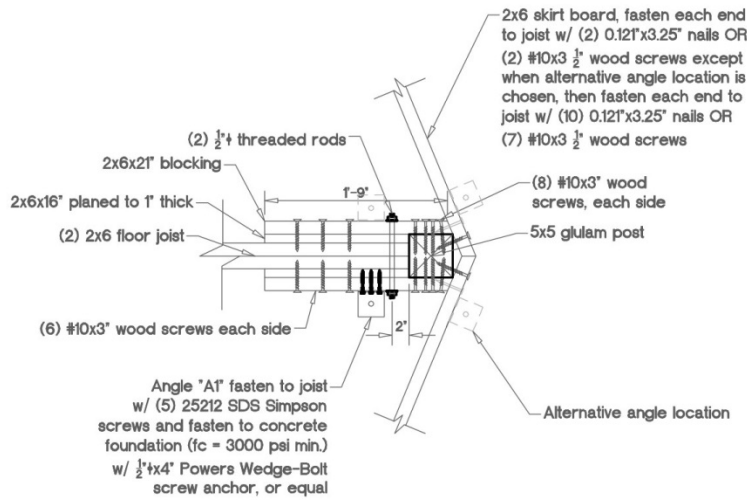
**Detail B-B/5** NTS



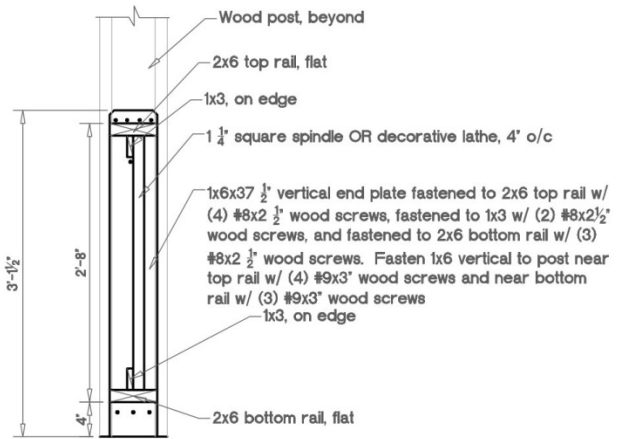
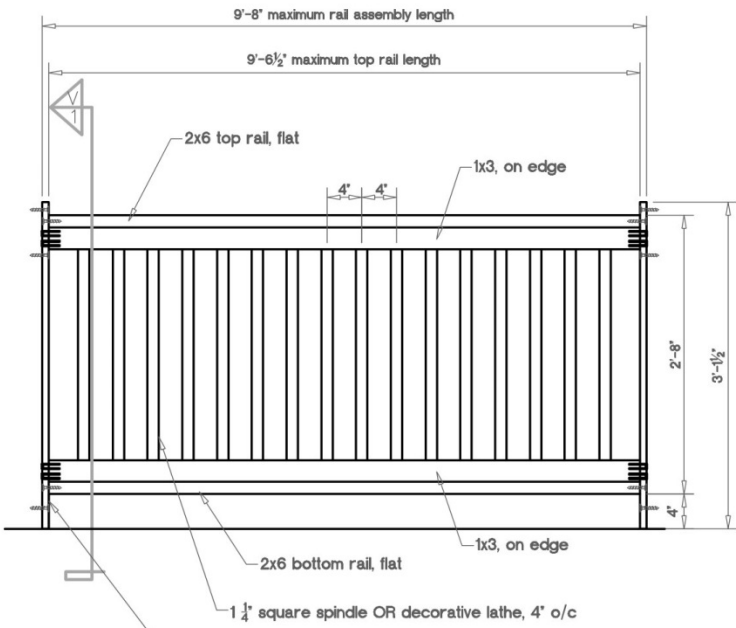
**Detail C-C/6** NTS



**Detail D-D/6** NTS



**View 1 Detail C-C/6** NTS



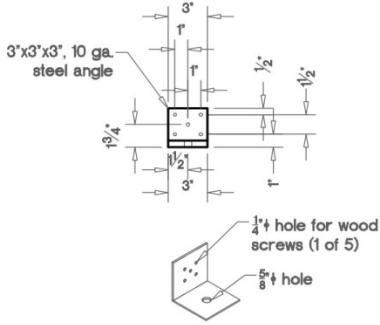
1x6x37 1/2 vertical end plate fastened to 2x6 top rail w/ (4) #8x2 1/2 wood screws, fastened to 1x3 w/ (2) #8x2 1/2 wood screws, and fastened to 2x6 bottom rail w/ (3) #8x2 1/2 wood screws. Fasten 1x6 vertical to post near top rail w/ (4) #9x3 wood screws and near bottom rail w/ (3) #9x3 wood screws

**Handrail Material Note:**  
Use #2 SYP for the top rail and bottom rail

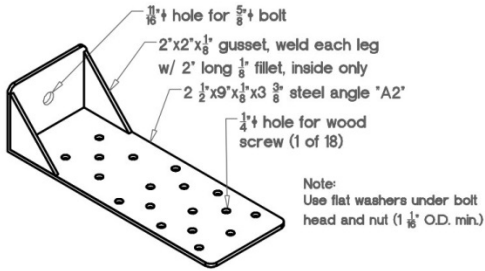
**Hand Rail Elevation** NTS

**View 1 Hand Rail Elevation** NTS

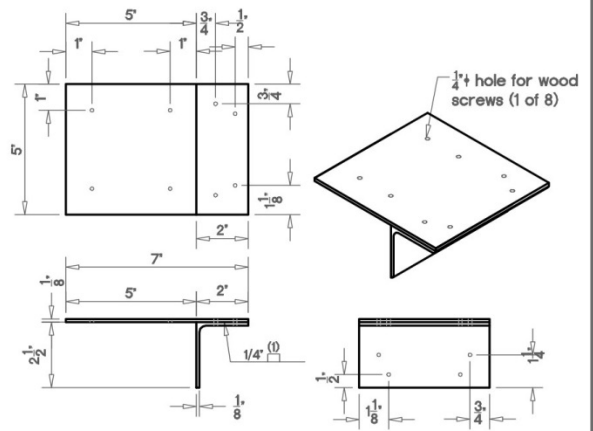




Angle "A1" NTS



Angle "A2" NTS



"T" Assembly NTS

Proposed Solar Ceiling Fan and Light



[https://www.amazon.com/Aqonsie-Adjustable-Security-Lighting-Backyard/dp/B08SW3Y495/ref=sr\\_1\\_1\\_sspa?crd=4TEYK0E5GXZT&keywords=solar+pendant+lights+outdoor&qid=1660655738&sprefix=solar+pendant+%2Caps%2C3070&sr=8-1-spons&psc=1](https://www.amazon.com/Aqonsie-Adjustable-Security-Lighting-Backyard/dp/B08SW3Y495/ref=sr_1_1_sspa?crd=4TEYK0E5GXZT&keywords=solar+pendant+lights+outdoor&qid=1660655738&sprefix=solar+pendant+%2Caps%2C3070&sr=8-1-spons&psc=1)