

*Third Preliminary Consultation*  
**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	9832 Capitol View Ave., Silver Spring	<b>Meeting Date:</b>	1/24/2024
<b>Resource:</b>	Spatial (undeveloped) <b>Capitol View Park Historic District</b>	<b>Report Date:</b>	1/17/2024
<b>Applicant:</b>	Mark Kaufman (Michael Winfield, Agent; Doug Mader, Architect; Phillip Long, Engineer)	<b>Public Notice:</b>	1/10/2024
<b>Review:</b>	3 <sup>rd</sup> Preliminary Consultation	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Construction of single-family dwelling, tree clearing, hardscape, and associated sitework		

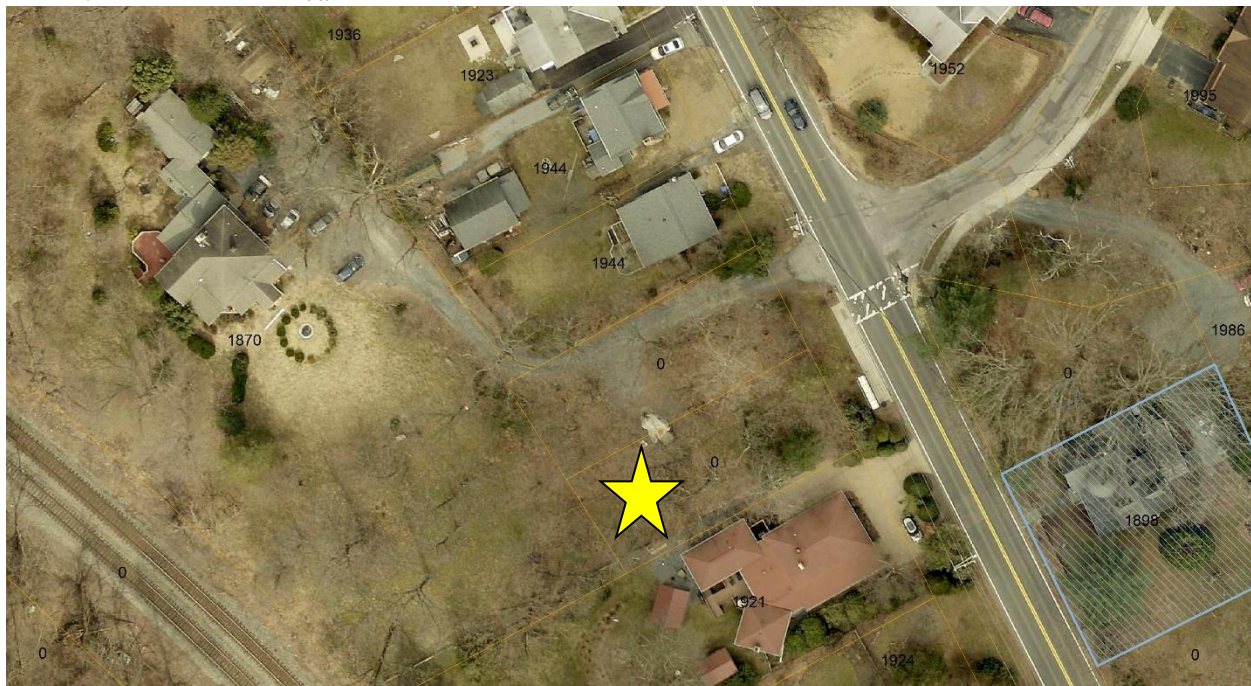
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**STAFF RECOMMENDATION**

Staff recommends the applicant make revisions based on the HPC’s feedback and return for another preliminary consultation.

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Spatial (undeveloped) Resource in the Capitol View Park Historic District  
**STYLE:** n/a  
**DATE:** n/a



*Figure 1: Proposed building site. Note, the property lines are incorrectly rendered and run from the street to the railroad tracks.*

## **BACKGROUND**

On November 15, 2023,<sup>1</sup> the HPC held a second Preliminary Consultation to construct a house on the subject lot. The HPC supported reorienting the house plan so the garage was in the rear and supported locating the house closer to the street. However, a majority found the height, coupled with the narrow side setbacks, had the potential to loom over the neighboring properties and was inconsistent with the surrounding streetscape. The comment that best summed up the HPC's position was the proposed house needed to "go on a diet" to make its perceived size smaller. The HPC also requested the siding be revised so that all four elevations received the same level of finish. Summary reports of the last two preliminary consultations are attached at the end of this staff report.

On February 2, 2022, the HPC heard a Preliminary Consultation to construct houses on the vacant lots at 9832 and 9838 Capitol View Ave., Silver Spring.<sup>2</sup> The HPC provided recommendations for revisions, including locating the house at 9832 Capitol View Ave. closer to the street to reinforce the existing streetscape, narrowing the houses to increase the side setbacks, and relocating the attached garage at 9832 Capitol View Ave. to the rear. The compiled comments from the HPC are attached to the application materials at the end of this report. The Capitol View LAP provided comments on the proposed houses including that the placement of 9838 could intrude on the spatial setting of the existing historic house, that the houses lacked a discernable style cited in the Master Plan amendment, and the compatibility of the size.

On September 7, 2022, the HPC approved a HAWP to construct the house to the north at 9838 Capital View Ave.<sup>3</sup> The approval was appealed to the County Board of Appeals, arguing the HPC erred in finding the house was appropriate for the character of the site and would not detract from the character of the surrounding district. At the April 12, 2023 hearing, the Board of Appeals concurred with the HPC's findings and upheld the HPC's approval.<sup>4</sup>

## **PROPOSAL**

The applicant proposes to construct a single-family house on the vacant lot at 9832 Capitol View Ave. Associated hardscaping, tree removal, and grading are also included in the project scope.

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<sup>1</sup> The Staff Report and application materials for the second Preliminary Consultation are available here: <https://montgomeryplanning.org/wp-content/uploads/2023/11/II.B-9832-Capitol-View-Avenue-Silver-Spring.pdf>. The recording of the hearing is available here: [https://mncppc.granicus.com/MediaPlayer.php?publish\\_id=a75c3ef4-8940-11ee-852f-0050569183fa](https://mncppc.granicus.com/MediaPlayer.php?publish_id=a75c3ef4-8940-11ee-852f-0050569183fa).

<sup>2</sup> The Staff Report and application materials for the Preliminary Consultation are available here: <https://montgomeryplanning.org/wp-content/uploads/2022/01/II.A-9832-and-9838-Capitol-View-Avenue-Silver-Spring.pdf>. The recording of the hearing is available here: [https://mncppc.granicus.com/MediaPlayer.php?publish\\_id=fde307e0-8521-11ec-972b-0050569183fa](https://mncppc.granicus.com/MediaPlayer.php?publish_id=fde307e0-8521-11ec-972b-0050569183fa) and begins at approximately 1:04:45

<sup>3</sup> The Staff Report and HAWP application for the approved HAWP at 9838 Capitol View Ave. is available here: <https://montgomeryplanning.org/wp-content/uploads/2022/08/I.C-9838-Capitol-View-Avenue-Silver-Spring-960660.pdf>. The recording of the hearing is available here: [https://mncppc.granicus.com/MediaPlayer.php?publish\\_id=97f6d8d8-2fa0-11ed-8da8-0050569183fa](https://mncppc.granicus.com/MediaPlayer.php?publish_id=97f6d8d8-2fa0-11ed-8da8-0050569183fa) and begins at 44:00.

<sup>4</sup> The Board of Appeals written decision, issued May 10, 2023, is available here: <https://www.montgomerycountymd.gov/BOA/Resources/Files/pdf/opinions/2023/A-6781.pdf>

## **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.

**Spatial Resources:** 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.

### ***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
  - (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
- (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 proposal under consideration for this Preliminary Consultation involves constructing a house on an undeveloped lot in the Capital View Park Historic District. The subject lot was platted in 1887 and is shown on the original Plat Map of Capitol View Park (Block 31, Lot 13 shown below). The lot is 50' (fifty feet wide) and extends from Capitol View Ave. to the right-of-way for the Metropolitan Branch railroad tracks. The subject lot has been in common ownership with the historic Case House – 9834 Capitol View Ave - (c.1870) from the time of its platting to the present. The property boundaries shown in the county GIS system incorrectly truncates the property (see *Fig. 1*, above). Deed research completed by Staff verifies that the property extends between Capitol View Ave. and the Metropolitan Branch right-of-way.



*Figure 2: Detail of the 1887 Sanborn Map showing the subject Lot 13 and the Case House (Lot 30). Lots 10 and 11 were subsequently subdivided and houses were constructed on both of those lots in 1944.*

The applicant proposes to construct a new single-family house on Lot 13.

### Site Access

Several factors constrain construction on the subject lot, which is likely why it has remained undeveloped. First, there is an existing WMATA bus stop that blocks all access to the subject lot from Capitol View Ave. The second constraint to developing the lot is the existing crosswalk across Capitol View Ave. This existing infrastructure does not provide enough open space along Capitol View Ave. to install a curb cut to allow cars to access the lot directly. Any development on this lot will need to take advantage of the

existing driveway on Lot 12 and record an access easement across the property. The boundaries of that easement can be set once the HPC approves the location of the house and garage and/or parking pad.



*Figure 3: Location of the bus stop that blocks access to the subject property.*

### House Placement and Sitework

Based on feedback at the 1<sup>st</sup> Preliminary Consultation, the applicant has reorganized the plan for the house, so the attached, side loading garage is at the rear. This change allows the house to be located much closer to the street, however, a portion of the proposed house will be obscured by the existing bus shelter. Many of the houses to the north of the subject property along Capitol View Ave. are closer to the street than current zoning allows. At the November 2023 (second) Preliminary Consultation, the HPC concurred with Staff's finding that the revised front setback is consistent with its neighbors and reinforces the existing pattern of construction along the streetscape.

This location will require the removal of several trees and Staff reminds the applicant that an updated site plan that includes tree removal and an updated landscape plan will be required with the HAWP application.

### House Size and Massing

The proposed house is two stories tall with an attached side-loading two-car garage at the basement level. The main house mass measures 46' 4" × 32' 6" (forty-six feet, four inches deep by thirty-two feet, six inches wide), with an additional 13' × 20' (thirteen foot deep by twenty foot wide) section above the attached garage in the rear. The footprint of the proposed house did not change from the previous Preliminary Consultation. The house measures 22' 11" (twenty-two feet, eleven inches) from the first floor to the roof mid-point. This is 9" (nine inches) shorter than the previous proposal. The building section showing the floor heights (sheet dd7) shows the basement floor-to-floor measurement has been reduced by 2" (two inches), though the interior height did not change, and the roof slope changed from

12/7 to 12/6. While Staff acknowledges, for zoning purposes, the mean roof height measurement is the required calculation, in order to assess visual impact and compatibility and to evaluate proposed construction in a historic district, the ridge height allows the HPC to better compare the proposal to the surrounding streetscape. Sheet dd8 appears to show the ridge is 27' 7" (twenty-seven feet, seven inches) above the first floor; however, the notation on the sheet is difficult to read and Staff requests confirmation of this measurement.

The house draws largely from a traditional architectural vocabulary and has a front gable roof, with a small front porch with a shed roof. There is a small, front gable projection on the left side of the front elevation and a smaller projection to the left of the central front door.

The house has a parged concrete foundation, with fiber cement clapboards on the first floor, and clad doors and windows throughout. The only design changes from the previous submission are siding the second floor in fiber cement clapboards instead of a mix of clapboard and shingle siding, simplifying the decorative trim in the front and side gables, and changing the rectangular sash window above the front door to a fixed oval window.

In the previous Staff Report, Staff found the front porch to be too narrow to read as a traditional building element. At the 2<sup>nd</sup> Preliminary Consultation hearing, one Commissioner recommended reorienting the house so that the porch was on the side, particularly because that is how the house will be accessed most of the time.

The building footprint is unchanged and Staff restates that it found the footprint of the proposed house to be larger than some of the other recently approved buildings in the district and recommended it be revised to limit its visual impact from the right-of-way. For example, the most recent construction on Capitol View Ave. (9905 Capitol View Ave., approved in 2015) has a footprint of 35' 8" × 50' 11" (thirty-five feet, eight inches wide by fifty feet, eleven inches deep). That construction includes an integrated two-bay garage, which is accessed from Menlo Ave. to the rear. The house at 10201 Menlo Ave. (approved in 2019) measures 31' × 46' (thirty-one feet deep by forty-six feet wide) and includes an attached one-car garage.<sup>5</sup> The proposed house is virtually identical in size to the house approved at 9838 Capitol View Ave.; however, Staff notes that that house's distance and limited visibility from the public right-of-way factored into the HPC's justifications for a very lenient review of that HAWP.<sup>6</sup> A majority of the HPC concurred with this finding and made recommendations including:

- Lowering the roof spring point, which would allow the overall roof height to be lower;
- Putting the house "on a diet" to make its perceived size smaller. This could be accomplished by:
  - Eliminating the smaller of the three front-facing gables to make the front appear 'calmer';
  - or,
  - Revising the front-facing bays so they don't match the pitch of the principal gable.

Staff discussed other potential revisions for the house including utilizing multiple gables, which could help lower the overall height (this was used for the house at 9905 Capitol View Ave.). Another option Staff recommended was utilizing a Craftsman vocabulary which could utilize multiple roof forms and pitches and could use dormers to allow for larger interior spaces with a lower overall height. Staff finds the proposed house has not been substantially revised and more needs to be done to reduce the perceived

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<sup>5</sup> The applicant did not provide a measurement of the occupiable square footage of the proposed house. State Department of Assessments and Taxation (SDAT) information states the house at 9905 Capitol View Ave. is 2,841 ft<sup>2</sup> (two thousand eight hundred and forty-one square feet); and the house at 10201 Menlo Ave. is 2820 ft<sup>2</sup> (two thousand eight hundred twenty square feet).

<sup>6</sup> The Staff Report and application materials for the approved HAWP are available here:

<https://montgomeryplanning.org/wp-content/uploads/2022/08/1.C-9838-Capitol-View-Avenue-Silver-Spring-960660.pdf>.

size and mass of the proposed house. A final recommendation that has been successful in some applications is to design the house so that the form looks like a house with a large addition. This creates the appearance of two smaller masses which helps reduce the overall visual impact.

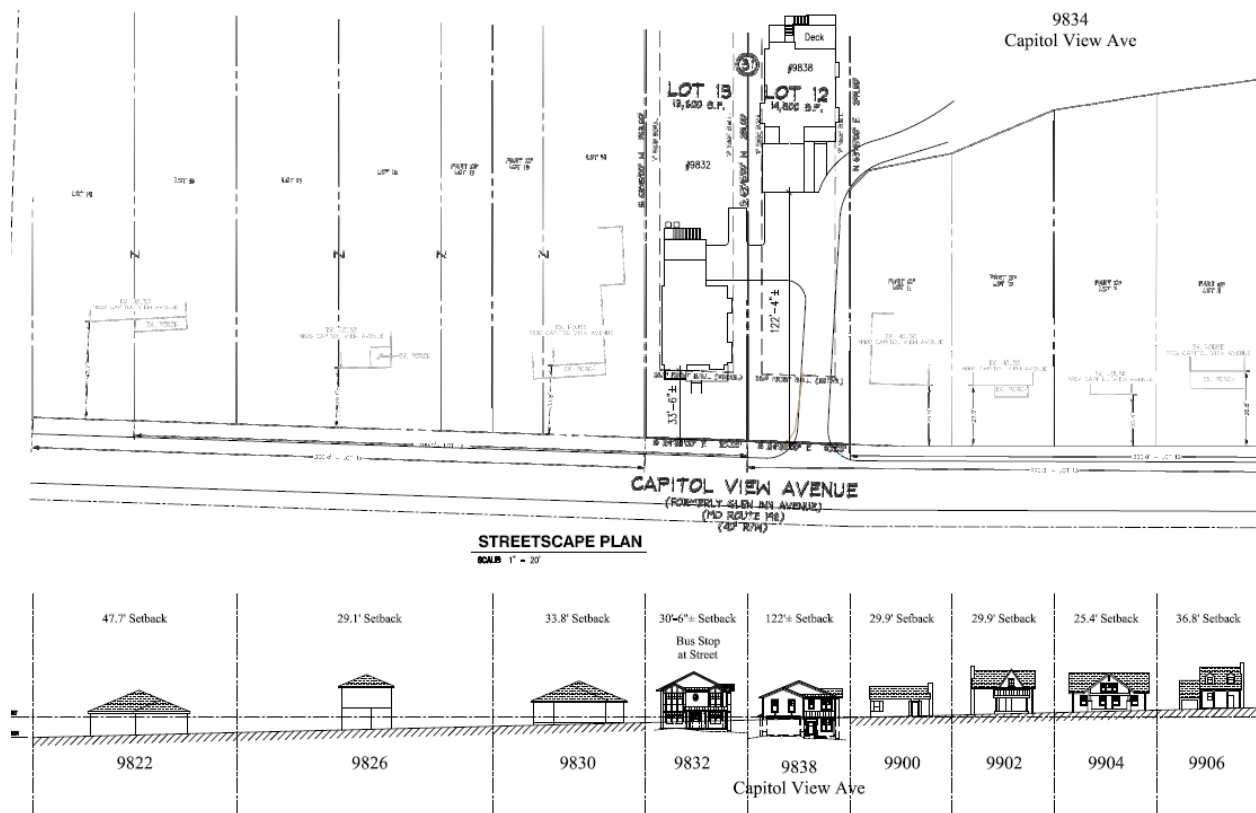
*Materials, Windows, Doors*

Materials for the proposed house are fairly typical of what the HPC has seen for infill construction in historic districts including, fiber cement clapboard and shingle siding, clad wood windows, and architectural shingle roof. These materials were found to be appropriate for the infill construction at the adjacent property (9838 Capitol View Ave.), approved by the HPC on September 7, 2022. Full specifications for the windows and doors will need to be submitted with the HAWP before they can be fully evaluated.

As shown in previous preliminary consultations, windows throughout are a mix of four-over-one sash, one-light casement, and three-over-one hopper windows. Windows on the right elevation are mostly six-over-one sash windows with some fixed windows and three-over-one hopper windows. The information provided in the submitted materials indicates the windows will be clad-wood windows with simulated divided lights, but do not include any additional details.

*Streetscape Study*

In response to the HPC and staff’s request, the applicant provided a streetscape study. The study demonstrated that the subject property’s setback from Capitol View Ave. is generally consistent with the historic and infill construction along the street.



*Figure 4: Streetscape study showing the subject property and several adjacent properties along Capitol View Ave.*

*(a larger version of the study is included in the application materials).*

Staff finds the proposed house still threatens to overwhelm the house at 9830 Capitol View Ave. and that it remains fundamentally incompatible with the prevailing building patterns, massing, and size of houses within the District and on this portion of Capitol View Avenue in particular. Staff recommends the house be lowered so that it presents as two full stories and no more on the façade. Staff also finds that breaking up the house massing, particularly at the front, would help the house appear smaller and more compatible with the character of the district. As stated above, this could be accomplished by creating roof form with two gables, like the infill construction at 9905 Capitol View Ave. or a gable-L form at the approved house at 10201 Menlo Avenue.



*Figure 5: Infill house at 9905 Capitol View Ave. (approved by the HPC in 2015).*





*Figure 6: Infill house at 10201 Menlo Ave. (approved by the HPC in 2019)*

*Requested Feedback and Additional Materials*

Staff requests feedback from the HPC regarding:

- The compatibility of the height and massing of the proposed house;
- Any concerns or issues regarding the tree removal and replacement;
- Recommended revisions in for, size, and/or materials for the driveway house;
- Any other recommended revisions.

Staff additionally requests the following information be submitted for review with the next preliminary consultation or HAWP application:

- An updated HAWP application form with all relevant project information;
- Building height from the first floor to the top of the principal ridge from all elevations;
- An updated tree removal and planting plan;
- An updated site plan that shows the new building and setbacks from each wall plane to all confronting property lines; and,
- A landscape plan, including tree removal and replanting on site.

**STAFF RECOMMENDATION**

Staff recommends that the applicant return for another preliminary consultation.

**Historic Preservation Commission Second Preliminary Consultation Report**

Address: 9832 Capitol View Ave., Silver Spring

Applicant(s): Michael Winfield

Proposal: New Construction

Staff Contact: Dan Bruechert

HPC Commissioners Providing Comments: Robert Sutton (Chair), Karen Burditt (Vice Chair), Jeffrey Hains, Michael Galway, Mark Dominianni, Zara Nasar, and Julie Pelletier

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**Recommendations:**

The applicant provided additional details regarding the project including:

- The Farmer Brown House is larger than the proposed construction;
- The roof height is 10% lower than the maximum allowed under code;
- The development team has worked with an arborist to save as many trees as possible;
- Pushing the house forward on the site has impacted more trees than the originally proposed location; and
- The applicant was agreeable to the siding recommendation in the Staff Report.

The HPC was uniform in finding that pulling the house closer to the street would reinforce the general settlement pattern of Capitol View Ave. and is an improvement.

The HPC was uniform in recommending uniform treatment on all four sides, but did not identify whether it was preferable to wrap the shingles around all four sides or eliminate the shingles and use only clapboards.

- This was successfully accomplished in the revised plan.

Most of the HPC found locating the garage in the rear hides its mass and allows for a more traditional and compatible house form.

Several Commissioners found the height of the proposed house, coupled with the narrow side setback, had the potential to loom over the neighbors and streetscape. Recommendations were generally summed up by Commissioner Pelletier who suggested putting the house “on a diet” to make its perceived size smaller, particularly when viewed from the right-of-way.

- Commissioner Hains recommended lowering the roof spring point which would allow the overall roof height to be lower.
  - Staff notes, were this house a Craftsman, utilizing wall dormers and multiple roof pitches could help mitigate the overall height and mass.
- Commissioner Pelletier also recommended eliminating the smallest gable from the front elevation to simplify its appearance which would make the house front appear calmer.
  - In a similar vein, Commissioner Hains suggested a revision where both of the front-facing bays don’t include gables that match the pitch of the principal gable.
- The roof slope was lowered from 7/12 to 6/12 which lowered the average roof height from the first floor from 14’ 1” to 22’ 11”

A minority view recommended placing the porch on the side of the house, because that’s how the house is going to be accessed once it’s occupied.

Lastly, in preparing for the presentation Staff noticed that the rear porch stairs run toward the property line and not toward the parking pad/garage. From a functional perspective, Staff recommends that run of stairs be reversed, however, that alteration will have no impact on Staff's recommendation at a future Preliminary Consultation or HAWP.

Staff included a list of materials that would be required for a HAWP submission to be complete. Those materials include (but note this is not an exhaustive list):

- An updated HAWP application form;
- Measurements showing building height from the first floor to the top of the principal ridge from all elevations;
- Full finish and material specifications;
- An updated streetscape study that reflects the new house placement;
- And updated tree removal and planting plan;
- An updated site plan that shows the new building and setbacks from each wall plane to all confronting property lines; and,
- A landscape plan including tree replanting on site.

Staff notes the window above the stairs was changed from a rectangular window to an overall. This change will not impact the larger issues, which are related to size and massing, but Staff does not find this change inappropriate.

The revised design also corrected an error on the left side elevation. The previous submitted elevation omitted a second-floor sash window that was shown on the floor plan.

- Return for an additional preliminary consultation
- Return for a HAWP in accordance with the Commission's recommendations

**Historic Preservation Commission Preliminary Consultation Report**

Address: 9832 and 9838 Capitol View Ave. (Spatial Resource, *Capitol View Park Historic District*)

Applicant(s): Michael Winfield and Doug Mader

Proposal: New Construction of two single-family houses

Staff Contact: Dan Bruechert

HPC Commissioners Providing Comments: Robert Sutton (Chair), Karen Burditt (Vice-Chair), Zara Naser, Julie Pelletier, James Doman, Jeff Hains, Marsha Barnes, Mark Clements

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**Recommendations:**

1. Virtually all of the HPC raised questions and/or concerns regarding the removal and re-planting of trees on site.
2. Reforesting the front third of the property would help preserve the “spatial” character of the site.
3. Clearing the front portion of the lots would require the houses to be more compatible with the surrounding streetscape.
4. A full tree survey and landscape plan need to be submitted with the HAWP application.
5. Several Commissioners had questions about the appropriateness of the placement of both houses under the County Zoning Ordinance and requested confirmation that this is compatible with zoning requirements before returning for a HAWP.
6. In questioning, two Commissioners raised the possibility of locating the house on Lot 13 closer to Capitol View Ave. and placing the garage to the rear of the house (in effect, flipping the house plan).
7. A majority of the Commissioners found that architectural details were appropriate for the character of the surrounding district.
8. A minority opinion expressed a desire for more differentiation between the two houses.
9. Many on the HPC found the side setbacks were too small to be compatible with the streetscape and surrounding district and recommended the building design be revised and narrowed before the HAWP submission.
10. A majority of the Commissioners found that while the houses were on the large side they were not out of scale with the surrounding district. However, the overall comments about size and

placement will necessitate the houses be reduced and re-sited on the lots to achieve compatibility with the District.

11. A minority opinion indicated that the houses were too large and encouraged either a single home, a duplex, or smaller cottage-style houses.

- Return for an additional preliminary consultation
- Return for a HAWP in accordance with the Commission's recommendations



**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**  
HISTORIC PRESERVATION COMMISSION  
301.563.3400

FOR STAFF ONLY:  
HAWP# 1054442  
DATE ASSIGNED \_\_\_\_\_

**APPLICANT:**

Name: Mark Kaufman  
Address: 9834 Capitol View Avenue  
Daytime Phone: 202-320-2978

E-mail: kaufmanhastings@aol.com  
City: Silver Spring Zip: 20910  
Tax Account No.: 13-03768204

**AGENT/CONTACT (if applicable):**

Name: Michael Winfield  
Address: 7555 Jenn Drive  
Daytime Phone: 202-669-5380

E-mail: Michael@mawinfieldbuilder  
City: Woodbine Zip: 21797  
Contractor Registration No.: BC228395

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

Is the Property Located within an Historic District?  Yes/District Name Capitol View F  
 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: 9832 Street: Capitol View Avenue  
Town/City: Silver Spring Nearest Cross Street: Leafy  
Lot: 13 Block: 31 Subdivision: 0005 Parcel: 000

**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 checked="" 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 12-28-23

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

<p><b>Owner's mailing address</b>                  Mark Kaufman                  9834 Captol View Avenue                  Silver Spring MD 20910</p>	<p><b>Owner's Agent's mailing address</b>                  Michael Winfield                  7555 Jenn Drive                  Woodbine MD 21797</p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>Mark Faulkner                  9830 Capitol View Avenue                  Silver Spring MD 20910</p>	<p>James Fustero                  9900 Capitol View Avenue                  Silver Spring, MD 20910</p>
<p>Clarence Waldroff                  9901 Capitol View Avenue                  Silver Spring MD 20910</p>	<p>Philip Bonomo                  9829 Capitol View Avenue                  Silver Spring MD 20910</p>
<p>9834 Capitol View Avenue                  Silver Spring, MD 20910</p>	

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

9832 Capitol View Avenue, by right, is a buildable lot that is zoned for residential construction. This lot is currently vacant. The lots access is blocked by a county bus stop, access is gained through an easement with adjoining property.

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

The proposed work is to construct a new single-family home.



Work Item 1: New Home

Description of Current Condition:  
The current lot at 9832 Capitol View Avenue is vacant.

Proposed Work:  
The proposed work is to construct a new single-family home.

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

Description of Current Condition:

Proposed Work:

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

Description of Current Condition:

Proposed Work:

ZONE: R-60  
 MIN. FRONT YARD SETBACK = 25'  
 MIN. SIDE YARD = 7"  
 MIN. REAR YARD = 20'  
 MAX COVERAGE:  
 LOT 13: 22.4% X 13,600 = 3,046 SF  
 LOT 12: 21.5% x 14,500 = 3,117 SF  
 TX STORIES = 2 1/2 STORIES  
 MAX HEIGHT = 30 FT TO MIDPOINT

9832 CAPITOL VIEW AVENUE IS  
 DESIGNED TO NOT HAVE ANY BAY  
 WINDOWS THAT NEED TO MEE  
 MONTGOMERY COUNTY ZONING  
 DEFINITION FOR SETBACK OR LOT  
 COVERAGE EXCEPTIONS.

9'x18' PARKING PAD  
 TENTATIVE LOCATION FOR  
 9832 CAPITOL VIEW AVE.  
 CIVIL ENGINEER TO  
 PROPOSE FINAL LOCATION.

PROPOSED LOWER  
 LEVEL GARAGE SIDE  
 YARD SETBACK

COMPRESSORS 7'+ FROM SIDE  
 PROPERTY LINE

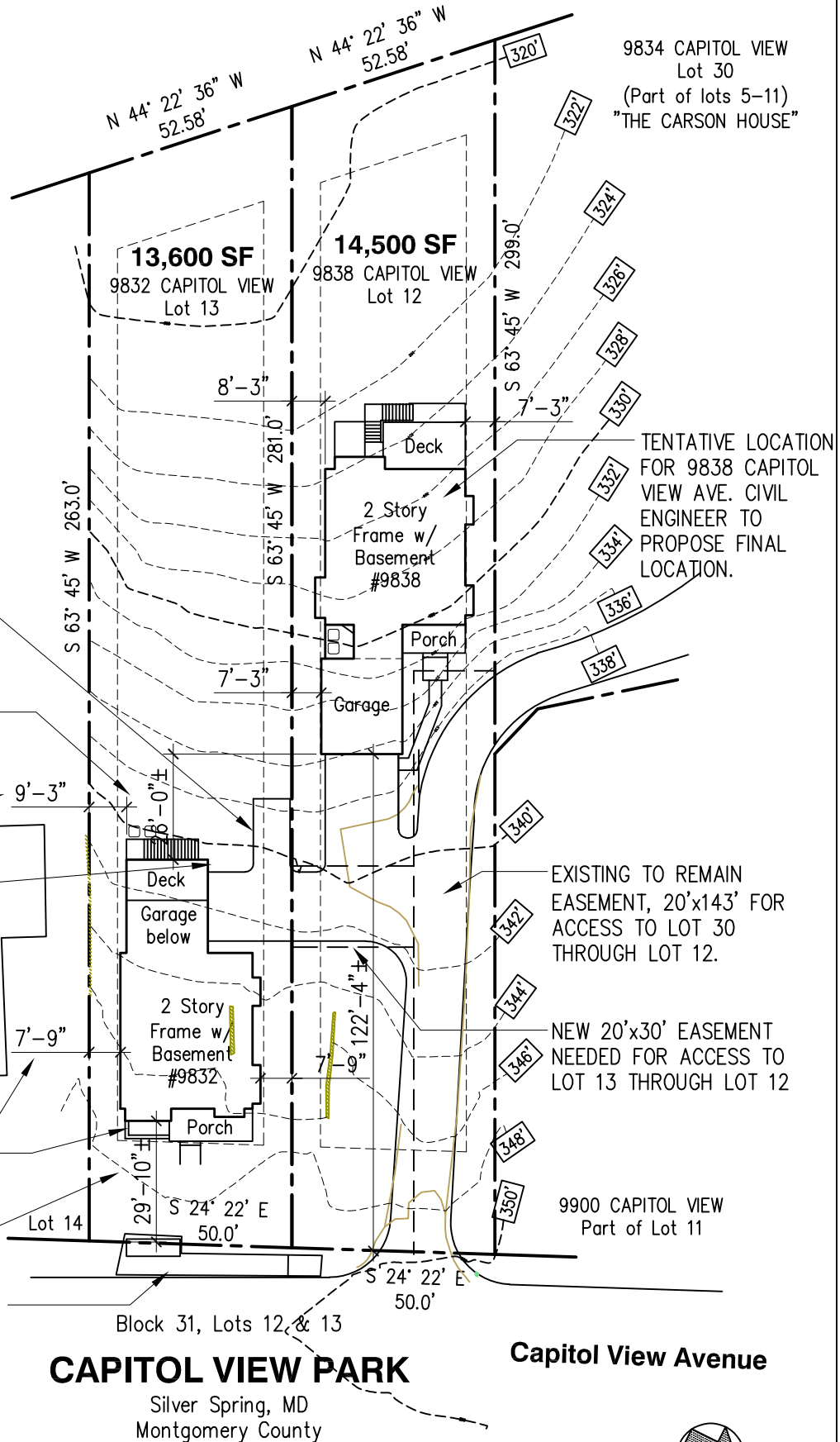
Neighboring  
 House  
 #9830

PROPOSED HOUSE SIDE YARD  
 SETBACK

EGRESS WELL

PROPOSED FRONT YARD  
 SETBACK, VERIFY WITH CIVIL  
 ENGINEER'S SITE PLAN.

EXISTING BUS STOP TO REMAIN



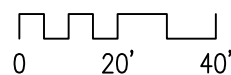
**DRAFT PRINT**

Not for Construction

SITE INFORMATION TAKEN FROM  
 DRAWING BY AAH CONSULTANTS LLC  
 AND TAX DATA.

## ARCHITECTURAL SITE PLAN

SCALE: 1" = 40'



NORTH

**Douglas Mader, AIA**

11307 Rokeby Avenue  
 Garrett Park, MD 20896-0187  
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**9832 Capitol View**

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 Silver Spring, MD 20910  
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Design Development  
 Architectural  
 Site Plan

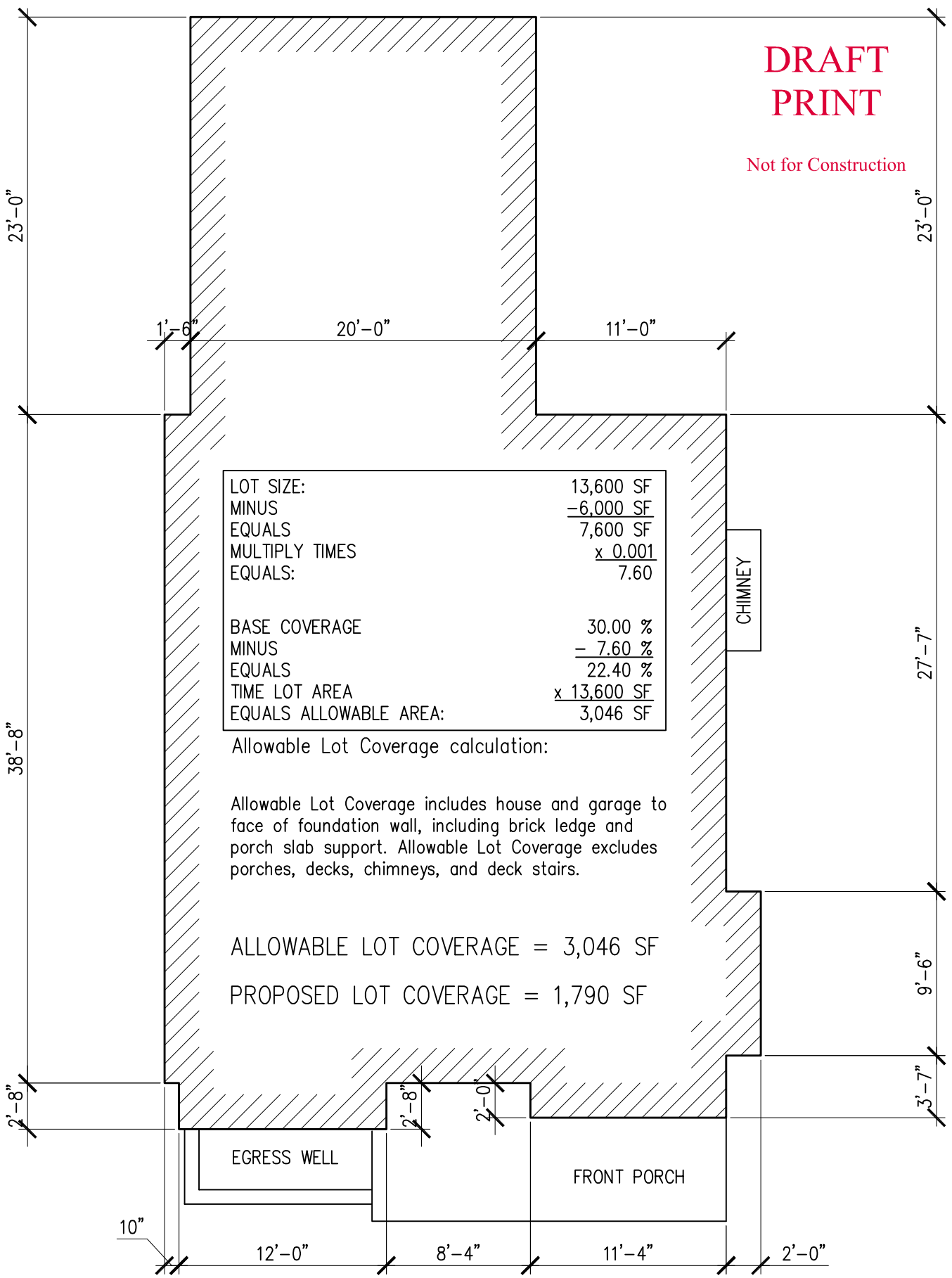
Job #: 20-22  
 Drawn by: DDM  
 Date: 12/30/23

**dd1**

18 1 of 12

**DRAFT  
PRINT**

Not for Construction



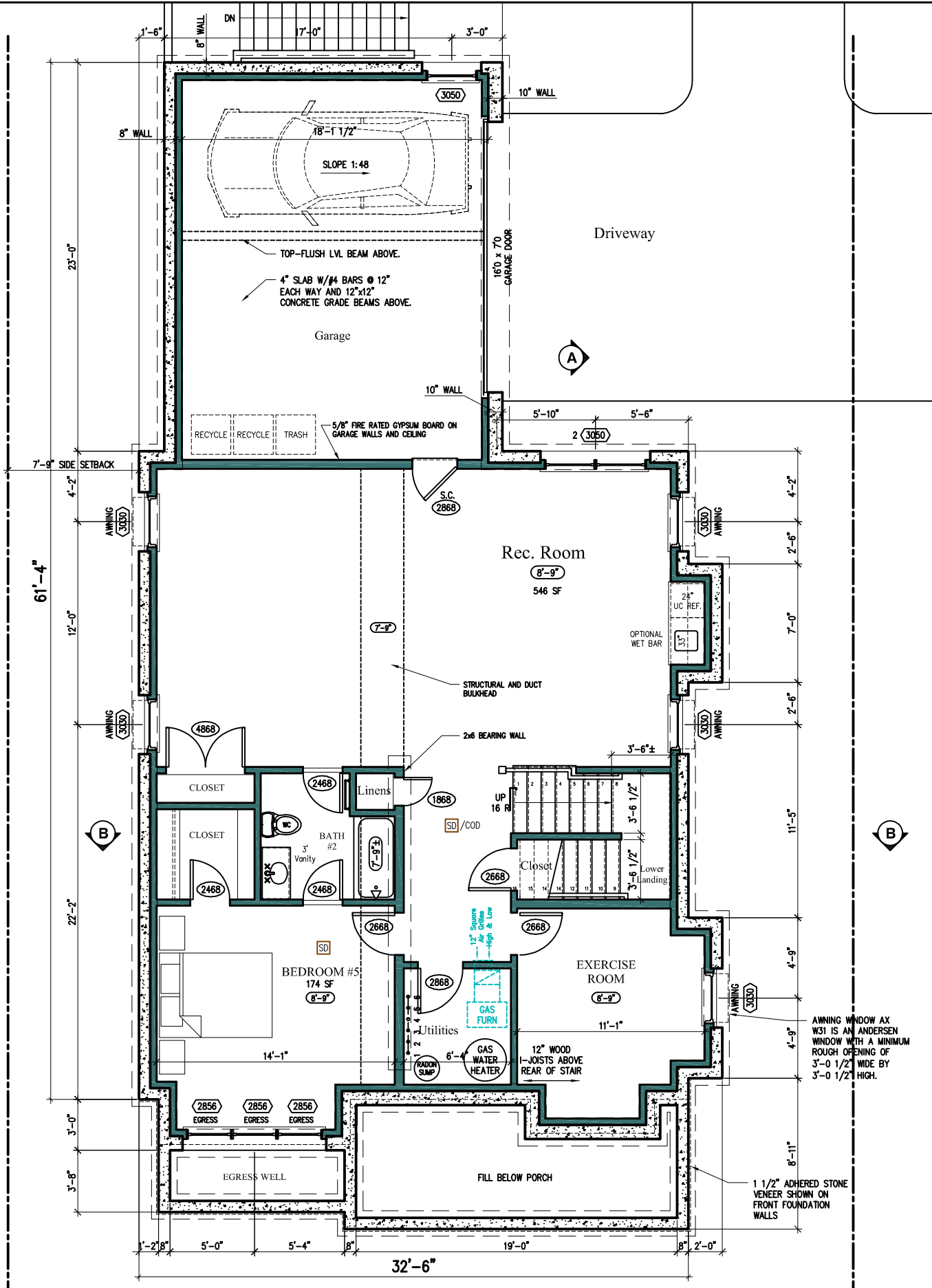
LOT SIZE:	13,600 SF
MINUS	-6,000 SF
EQUALS	7,600 SF
MULTIPLY TIMES	x 0.001
EQUALS:	7.60
BASE COVERAGE	30.00 %
MINUS	- 7.60 %
EQUALS	22.40 %
TIME LOT AREA	x 13,600 SF
EQUALS ALLOWABLE AREA:	3,046 SF

Allowable Lot Coverage calculation:

Allowable Lot Coverage includes house and garage to face of foundation wall, including brick ledge and porch slab support. Allowable Lot Coverage excludes porches, decks, chimneys, and deck stairs.

ALLOWABLE LOT COVERAGE = 3,046 SF

PROPOSED LOT COVERAGE = 1,790 SF



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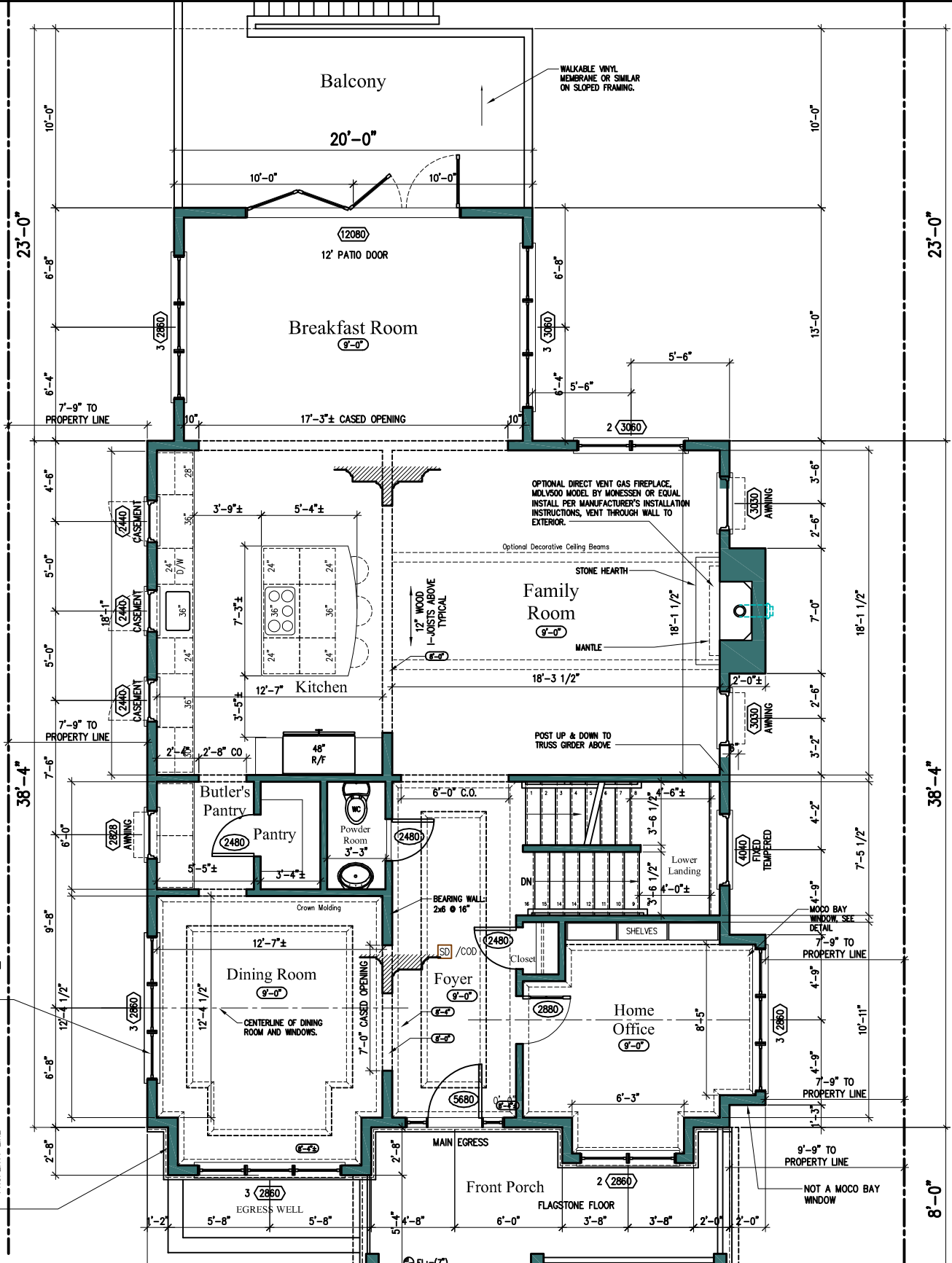
9832 Capitol View Avenue  
 Silver Spring, MD 20910  
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Design Development  
 Lower Level Plan  
 1/8" = 1'-0"

Job #: 20-22  
 Drawn by: DDM  
 Date: 12/20/23

**dd3**

3 of 12



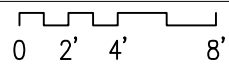
WINDOWS BASED ON ANDERSON 200 SERIES DOUBLE-HUNG UNLESS OTHERWISE NOTED. 2860 = 2'-8" x 6'-0" R.O.

NOT A MOCO BAY WINDOW

# FIRST FLOOR PLAN

1  
A2

SCALE: 1/8" = 1'-0"  
HEATED FLOOR AREA: 1,576 SF



-(1'-9")±

36" GUARD IF REQUIRED

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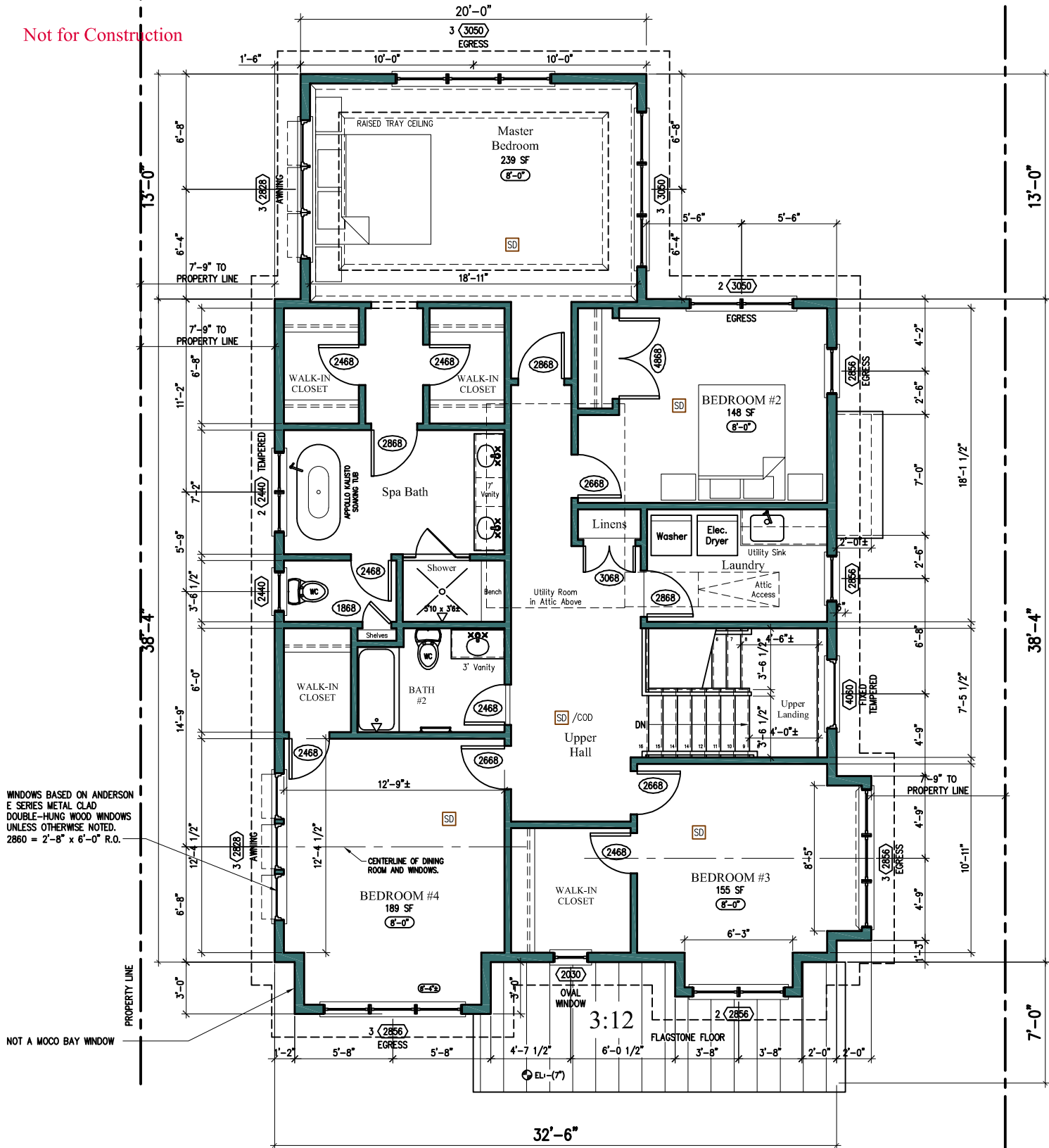
Design Development  
**First Floor Plan**

Job #: 20-22  
Drawn by: DDM  
Date: 12/20/23

**dd4**  
4 of 12

**DRAFT  
PRINT**

Not for Construction



WINDOWS BASED ON ANDERSON E SERIES METAL CLAD DOUBLE-HUNG WOOD WINDOWS UNLESS OTHERWISE NOTED. 2860 = 2'-8" x 6'-0" R.O.

NOT A MOCO BAY WINDOW

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Design Development  
Second Floor Plan  
1/8" = 1'-0"

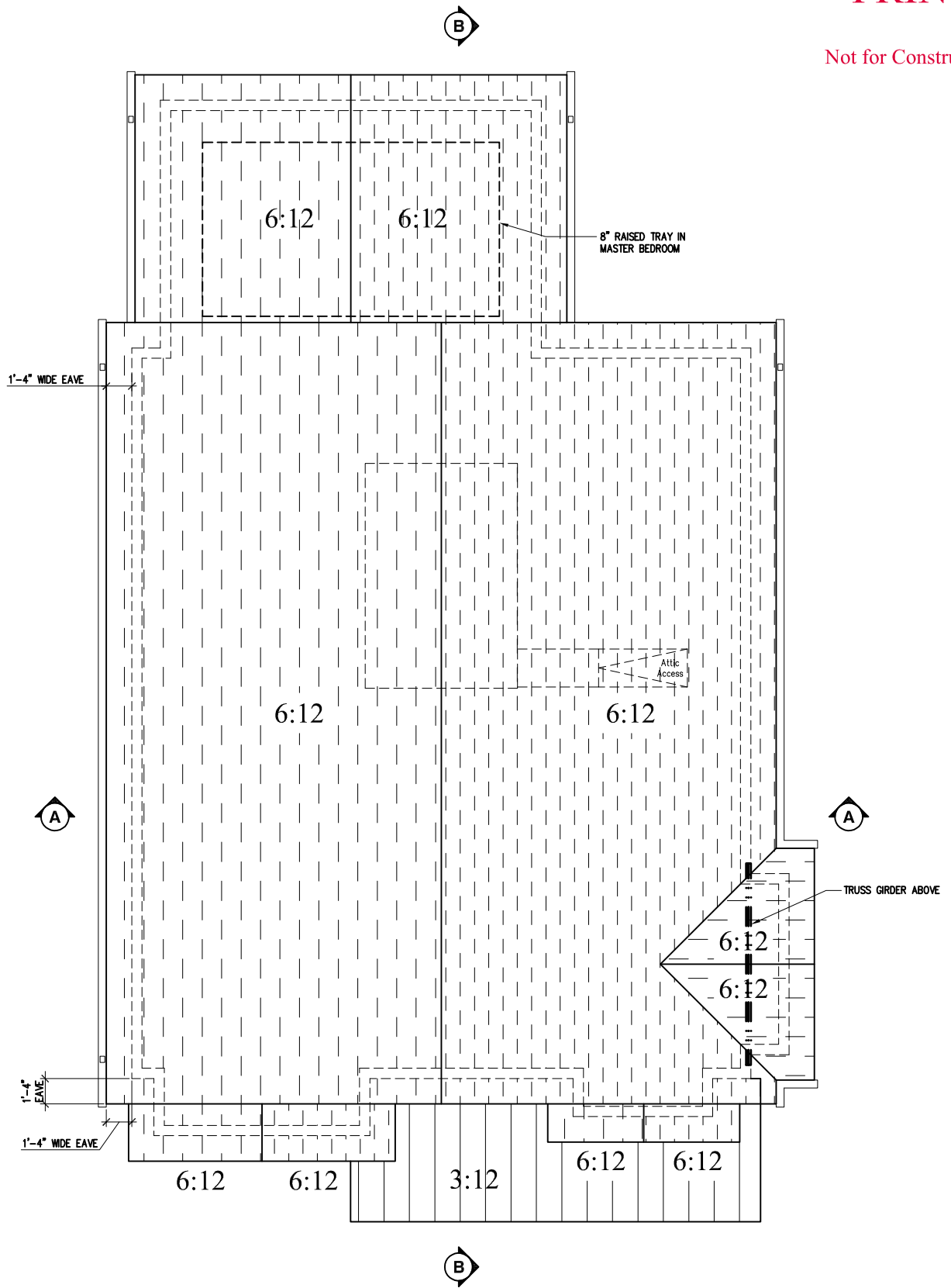
Job #: 20-22  
Drawn by: DDM  
Date: 11/27/23

**dd5**

5 of 12

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Design Development  
Roof Plan  
1/8" = 1'

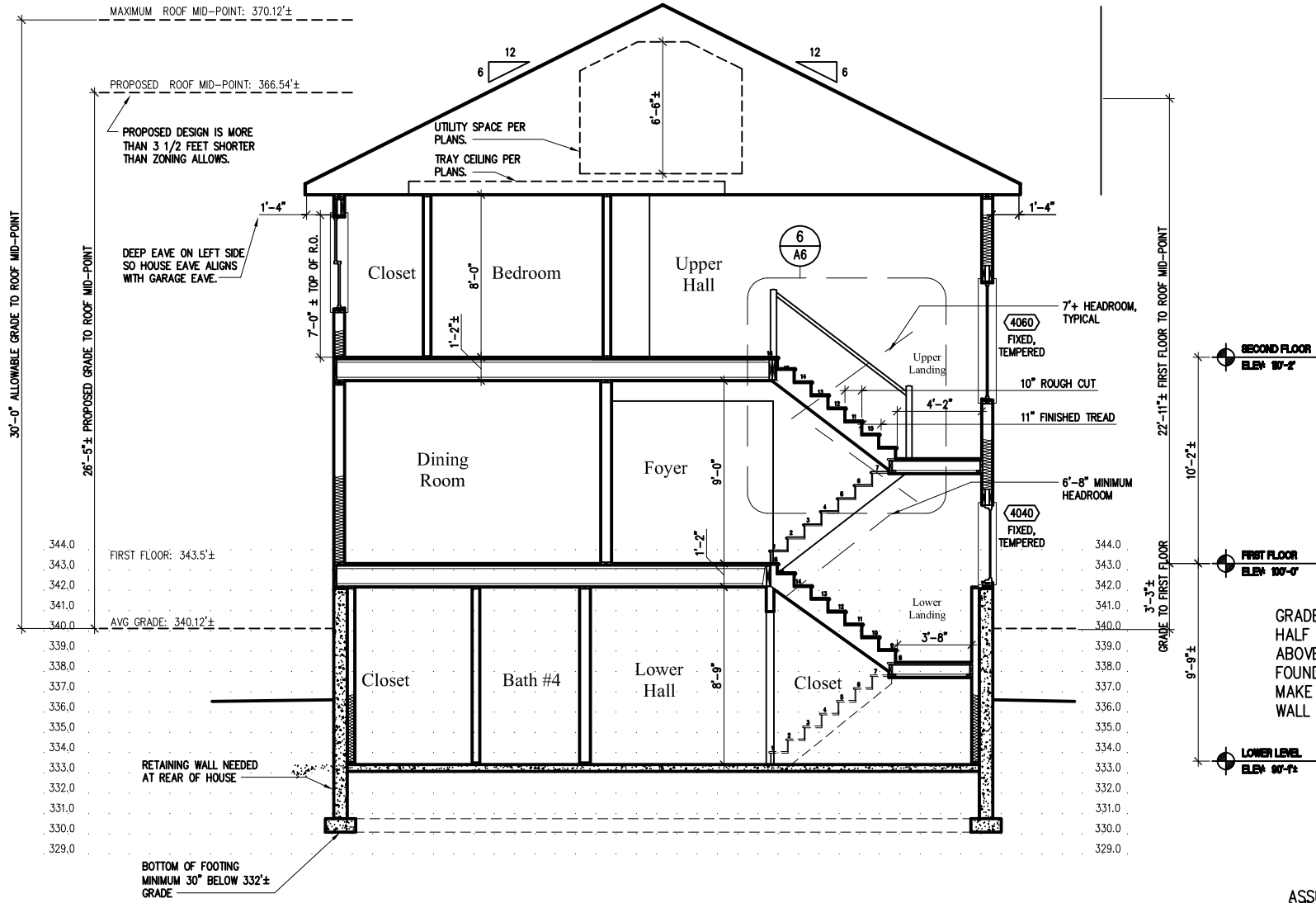
Job #: 20-22  
Drawn by: DDM  
Date: 11/27/23

dd6

6 of 12

**DRAFT  
PRINT**

Not for Construction



GRADE IS SUCH THAT THE BACK HALF OF THE LOWER LEVEL IS ABOVE GROUND AND WILL NEED FOUNDATION WALLS BELOW. IT MAY MAKE SENSE TO FRAME THE BACK WALL OF THE LOWER LEVEL.

**2** **BUILDING SECTION A-A**  
**A3** **SCALE** 1/4" = 1'-0"  
 0 2' 4' 8'

- ASSUMPTIONS:  
 14" WOOD I-JOISTS  
 1/2" DRYWALL  
 3/4" FLOOR SHEATHING  
 3/4" FINISH FLOORING

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 Silver Spring, MD 20910  
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**Desing Develoement  
 Building Section A-A**

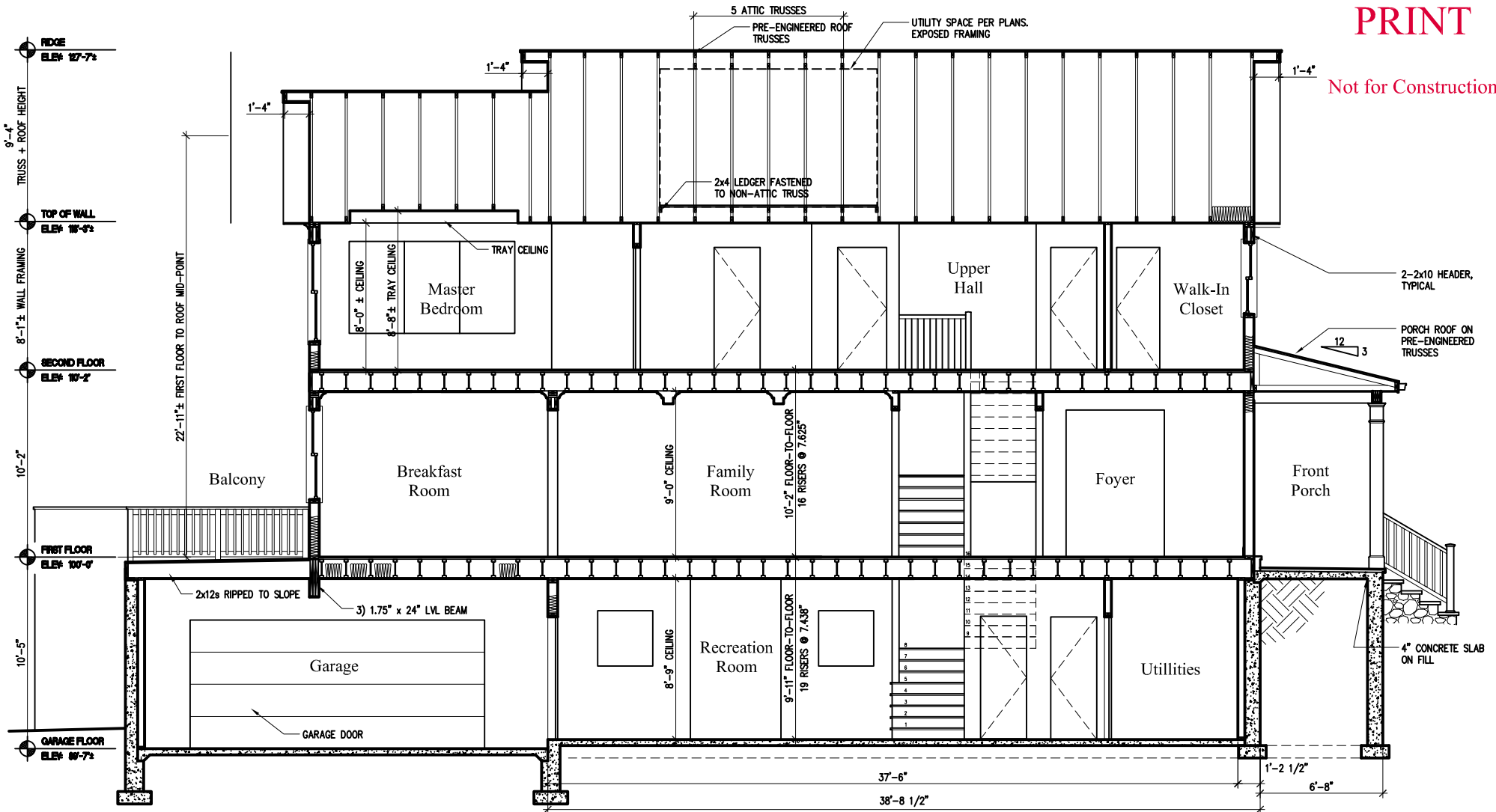
Job #:	20-22	Revisions:
Drawn by:	DDM	
Date:	11/27/23	

**dd7**  
 7 of 12



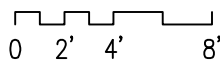
**DRAFT  
PRINT**

Not for Construction



**3 BUILDING SECTION B-B**  
A3

SCALE 1/8" = 1'-0"



ASSUMPTIONS:  
12" (ACTUAL) WOOD I-JOISTS  
1/2" DRYWALL  
3/4" FLOOR SHEATHING  
3/4" FINISH FLOORING

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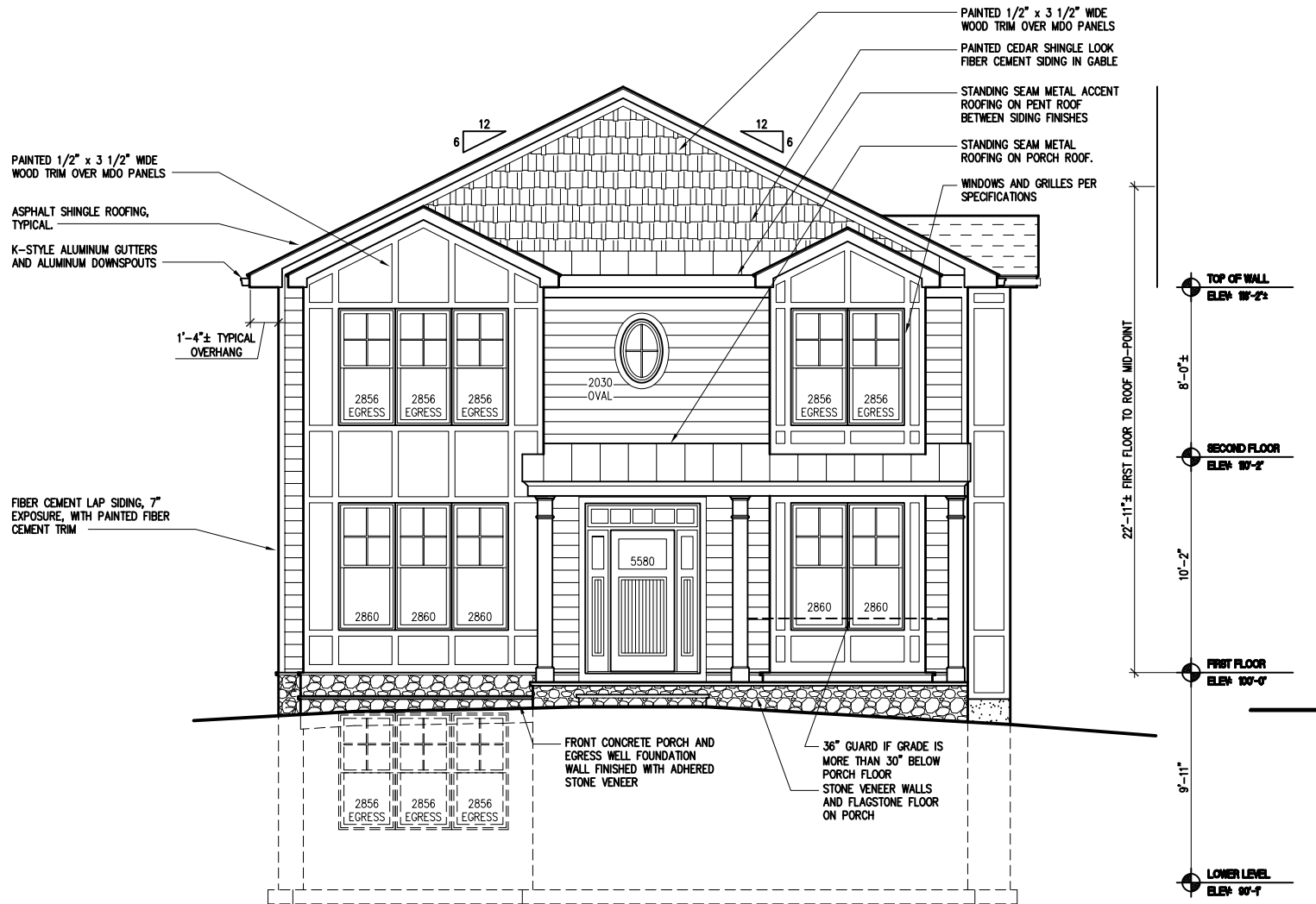
Desing Deveopment  
Building Section B-B

Job #:	20-22	Revisions:
Drawn by:	DDM	
Date:	12/7/23	

**dd8**

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**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"

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Desing Deveopment  
Front Elevation, 1/8"=1'

Job #:	20-22	Revisions:
Drawn by:	DDM	
Date:	12/20/23	

**dd9**



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**RIGHT SIDE ELEVATION**

SCALE: 1/8" = 1'-0"

Not for Construction

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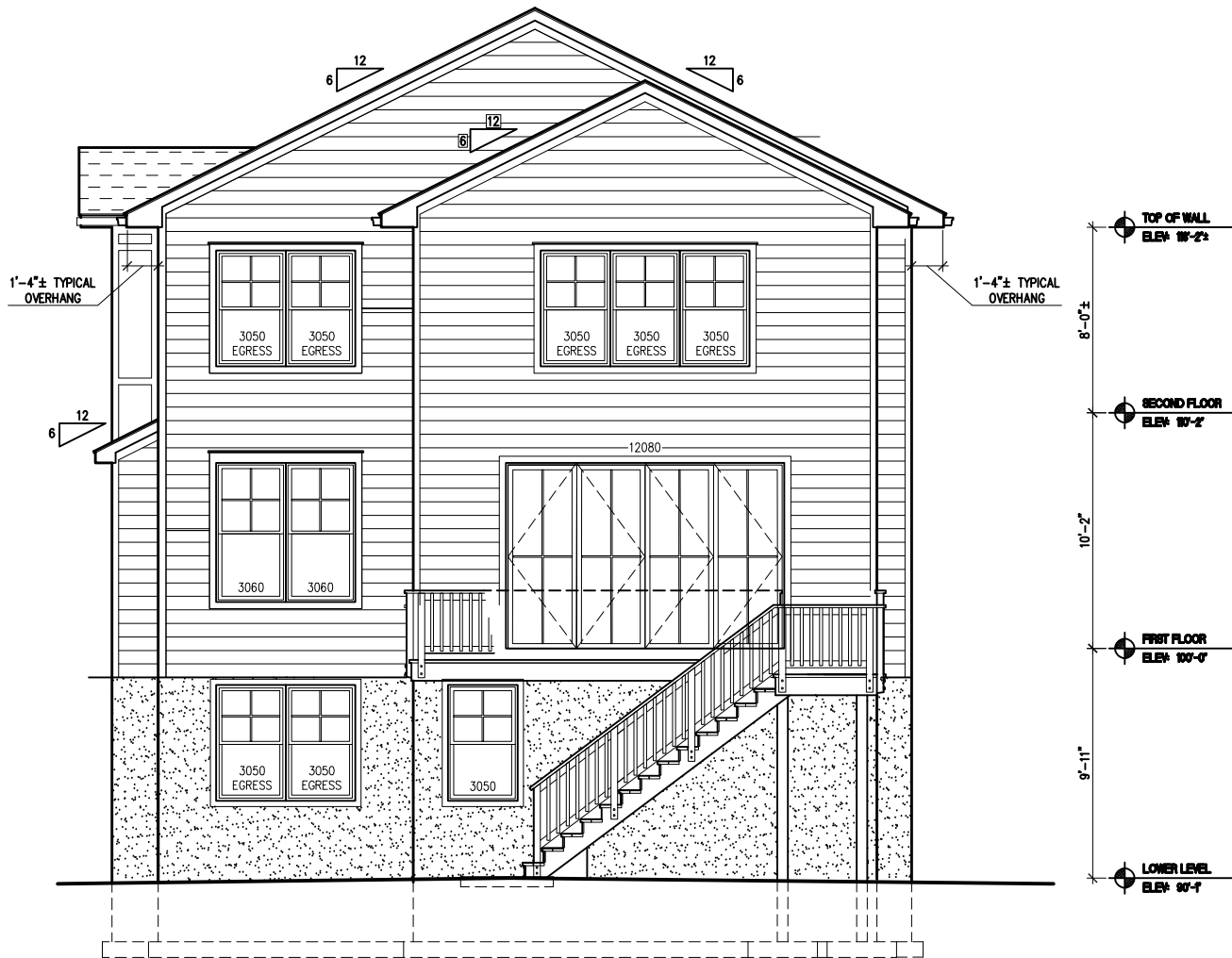
Desing Deveopment  
Right Elevation, 1/8"=1'

Job #:	20-22	Revisions:	
Drawn by:	DDM		
Date:	12/20/23		
		27	10 of 12

**dd10**

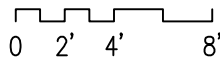
**DRAFT  
PRINT**

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**REAR ELEVATION**

SCALE: 1/8" = 1'-0"



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Desing Deveopment  
Rear Elevation, 1/8"=1'

Job #:	20-22
Drawn by:	DDM
Date:	12/20/23

Revisions:

**dd11**



**LEFT SIDE ELEVATION**

SCALE: 1/8" = 1'-0"

**DRAFT  
PRINT**

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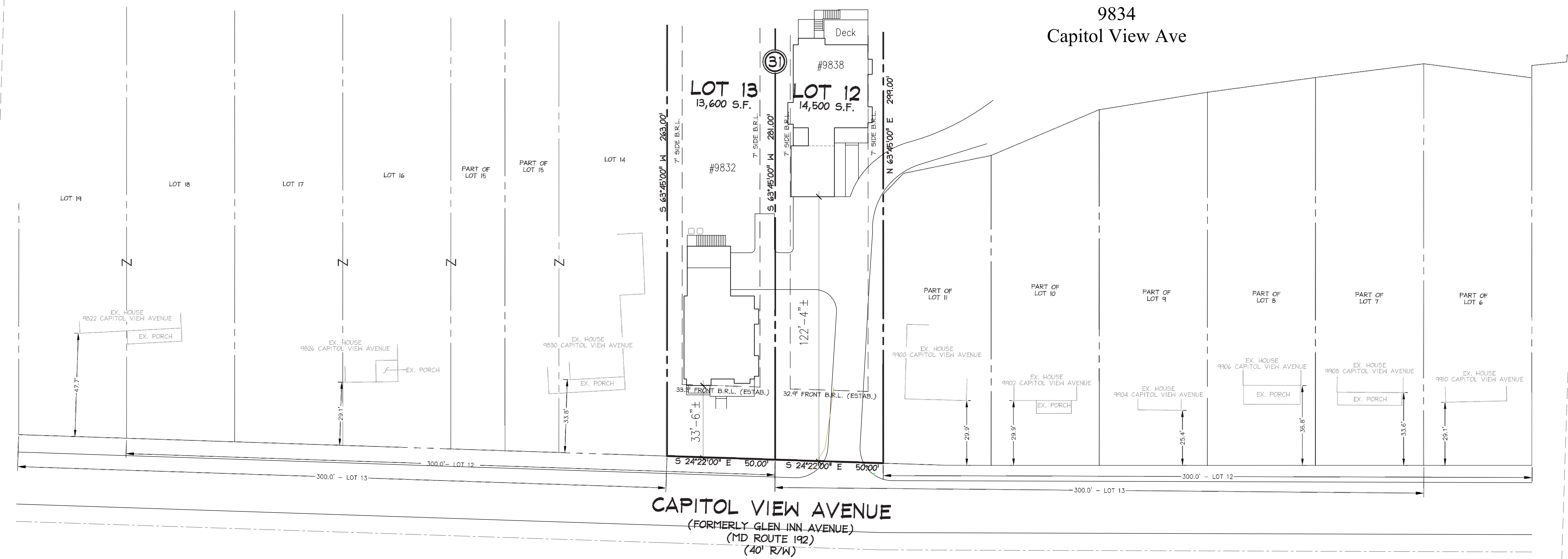
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Desing Deveopment  
 Left Elevation, 1/8"=1'

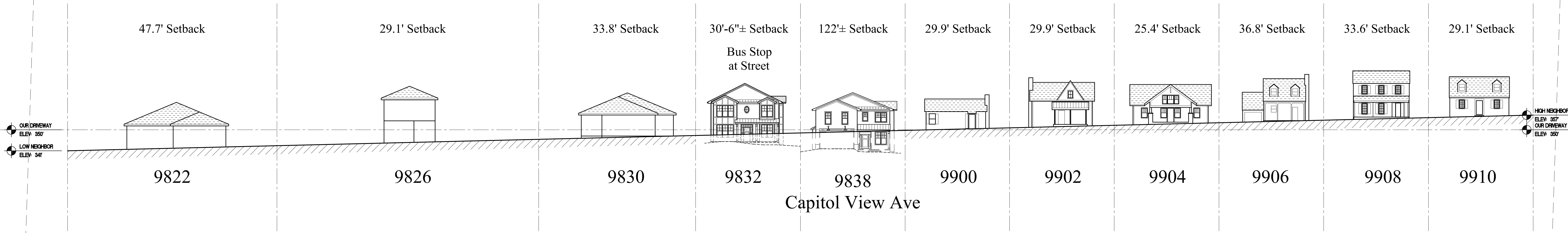
Job #:	20-22	Revisions:
Drawn by:	DDM	
Date:	11/20/23	

**dd12**  
 29 12 of 12



**STREETSCAPE PLAN**

SCALE: 1" = 20'



**STREETSCAPE ELEVATION**

SCALE: 1" = 20'

9834  
Capitol View Ave

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**STREETSCAPE PLAN AND ELEVATION**

Job #: 20-29  
Drawn by: DDM  
Date: 12/20/23  
Revisions:

**H1**  
1 of 1

This drawing has been prepared as part of the Historic Area Work Permit application to show how character of proposed houses will relate to existing neighbors.



APPLICATION FOR HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP#
DATE ASSIGNED

APPLICANT:

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
Tax Account No.:

AGENT/CONTACT (if applicable):

Name:
Address:
Daytime Phone:
E-mail:
City:
Zip:
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:

- New Construction
Addition
Demolition
Grading/Excavation
Deck/Porch
Fence
Hardscape/Landscape
Roof
Shed/Garage/Accessory Structure
Solar
Tree removal/planting
Window/Door
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

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

<b>Owner's mailing address</b>	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	



**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:

Montgomery County  
Historic Preservation Committee

We present to the commissioners our plan to build a new home at 9832 Capitol View Avenue, Silver Spring, MD 20910.

- One of the major challenges with this project is the county bus stop that is on our property. This bus stop is now preventing proper access, we were able to work around this using an easement from the adjacent property.
- The original design had a side entry to the house to avoid the bus stop, however it was recommended by the County that we maintain a street side entry as we have in the current design, these changes are reflected in the drawings presented for your approval.
- This lot is excluded from the requirement of having a Forrester with Park and Planning reviewing the site, however we independently will and have been working with a Forrester to maintain all trees.
- This house was originally proposed to be further back on the property, at the request of the Commissioners, we pulled the house forward to match the set-back line of the neighboring houses,
- The low pitch roof design is intended to maintain a street presence consistent with the adjacent houses on Capitol View Avenue.
- The windows and siding are details that were used on homes that have recently been approved, and built in this neighborhood.
- To minimize the width of this house we did not use zoning regulations to have “bump outs” or “fireplaces” go beyond the Building Restriction Line.
- We shortened the depth of this house significantly to be more consistent with the footprint of the houses in this District.
- We have taken in to consideration, and included many details from 9905 Capitol View Avenue, and 10200 Menlo Ave.
- We feel the feedback and comments from the County as well as the Commissioners has made this design one that will be consistent with the district as well as a comfortable home for the neighborhood.