

Fourth Preliminary Consultation
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	9832 Capitol View Ave., Silver Spring	Meeting Date:	3/11/2026
Resource:	Spatial (undeveloped) Capitol View Park Historic District	Report Date:	3/4/2026
Applicant:	Mark Kaufman (Michael Winfield, Agent)	Public Notice:	2/25/26
Review:	4 th Preliminary Consultation	Staff:	Dan Bruechert
Proposal:	Construction of single-family dwelling, tree clearing, hardscape, and associated sitework		

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 January 24, 2024, the HPC held a third Preliminary Consultation for the construction of a single-family house at 9832 Capitol View Ave.¹ Commissioners were supportive of the changes that had been made to the proposed house location, but still found the house to be too massive for the character of the site and surrounding streetscape. Commissioners found that more comprehensive revisions were necessary to satisfy the requisite guidance; and that how the house presented itself to the road and district were more important than square footage alone. Commissioners recommended revisions to the roof form and eliminating one foot from each of the front rooms, which would result in a 2' (two foot) reduction in the width of the building at the front. Staff provided additional comments and sample design concepts that would satisfy some of the HPC's feedback.

On November 15, 2023,² 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.³ 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.⁴ 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

¹ The recording of the 3rd Preliminary Consultation is available here:

https://mncppc.granicus.com/MediaPlayer.php?publish_id=14fe8191-bbb2-11ee-8fe8-0050569183fa.

² 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.

³ 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 and begins at approximately 1:04:45

⁴ 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 and begins at 44:00.

surrounding district. At the April 12, 2023 hearing, the Board of Appeals concurred with the HPC’s findings and upheld the HPC’s approval.⁵ Construction of the house at 9838 Capitol View Ave. is largely complete.

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.

APPLICABLE GUIDELINES

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.

Capitol View Park Historic District

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:

⁵ 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>

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 located at 9834 Capitol View Ave. (c.1870) from the time of its platting to the present. 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 until now. 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 that would allow cars to access the lot directly. Any development on this lot will need to take advantage of the existing driveway on Lot 12. The boundaries of an expansion to the existing access easement on Lot 12 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 1st Preliminary Consultation, the applicant developed a house plan with the attached, side loading garage at the rear. This allows the house to be placed much closer to the street, however, a portion of the proposed house will be obscured by the existing bus shelter. The front wall plane of the proposed house will be 29' 10" (twenty-nine feet, ten inches) from the property line adjacent to Capitol View Ave. When comparing the adjacent streetscape Staff notes that many of the houses to the north of the subject property along Capitol View Ave. were built 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 generally consistent with its neighbors and reinforces the existing pattern of construction along the streetscape.

The side setbacks of the house have been increased on each side from 7' 9" (seven feet, nine inches) to 8' 3" (eight feet, three inches). While any increase in the side setbacks is positive, Staff finds a 6" (six inch) increase to not be truly substantive change.

Staff recognizes that several trees will need to be removed to accommodate the construction of a house anywhere on the site and a reasonable number of tree removals is appropriate under 24A-8(b)(5). To

ensure the character of the site is preserved, an updated tree survey and landscape plan will need to be included with the final HAWP submission.

House Size, Massing, and Design

The proposed house is two stories tall with an attached side-loading two-car garage at the basement level in the rear. The house design submitted is virtually identical to the design presented at the previous Preliminary Consultation. The main house mass measures 38' 4" × 32' 6" (thirty-eight 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 design presented at the second Preliminary Consultation but is identical to the design at the third Prelim. 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 is the more appropriate measurement and 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.

There are two revisions to the massing of the house. The first revision to the design is the reduction of the size of the right side projecting bay by 1' (one foot). Removing 1' (one foot) from this feature allowed the increase of the side setbacks discussed above. The second revision is the inset from the left bay on the front elevation was moved 4" (four inches) from 10" to 1' 2" (ten inches to one foot, two inches).

The proposed 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, two story front gable projection on the left side of the front elevation and a smaller two story projection to the right of the central front door.

The house has a parged concrete foundation, with fiber cement clapboards, and clad doors and windows throughout. The applicant expanded the fiber cement clapboards on the exterior of the garage at the rear, so that approximately half the wall of the garage is covered in fiber cement clapboards to match the rest of the house. The applicant also added two windows on the left (south) elevation of the garage.

The building footprint is effectively unchanged, and Staff restates that the footprint and street-facing presentation of the proposed house are larger than some of the other recently approved buildings in the district. Staff continues to recommend that the house be revised to limit its visual impact from the right-of-way. 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.⁶ The house constructed at 9905 Capitol View Ave., approved in 2015, has wider has a footprint of 35' 8" × 50' 11" (thirty-five feet, eight inches wide by fifty feet, eleven inches deep), but the design of that house utilizes a double gable that helps to keep the overall house height lower and includes a wrap-around porch which Staff finds aids in breaking up the building massing. 9905 Capitol View Ave. includes an integrated two-bay garage, which is accessed from Menlo Ave. to the rear. The proposed house is virtually identical in size to the house approved at 9838 Capitol View Ave. However, the HPC determined that the house's distance and limited visibility from the public right-of-way due to the change in grade factored into the HPC's justifications

⁶ 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 ft² (two thousand eight hundred and forty-one square feet); and the house at 10201 Menlo Ave. is 2820 ft² (two thousand eight hundred twenty square feet).

for a very lenient review of that HAWP.⁷

In revising the design, commissioners have previously recommended several potential design solutions that would help reduce the apparent mass of the building 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 or a gable-L, 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 size and mass of the 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 have not changed from the previous submission. Building 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; and Staff finds they are appropriate in this instance.

Full specifications for the windows and doors will need to be submitted with the HAWP before they can be fully evaluated.

Streetscape Study

In response to the HPC and Staff’s request, the applicant provided a streetscape study with the materials for the 2nd Preliminary Consultation submission. 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. The house location is now 4’ (four feet) closer to Capitol View Ave., a change made in response to HPC comments. Based on Staff’s evaluation, Staff finds the proposed house will likely be 1’ (one foot) taller when measured from Capitol View Ave., compared to the previous submission.

⁷ 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>.

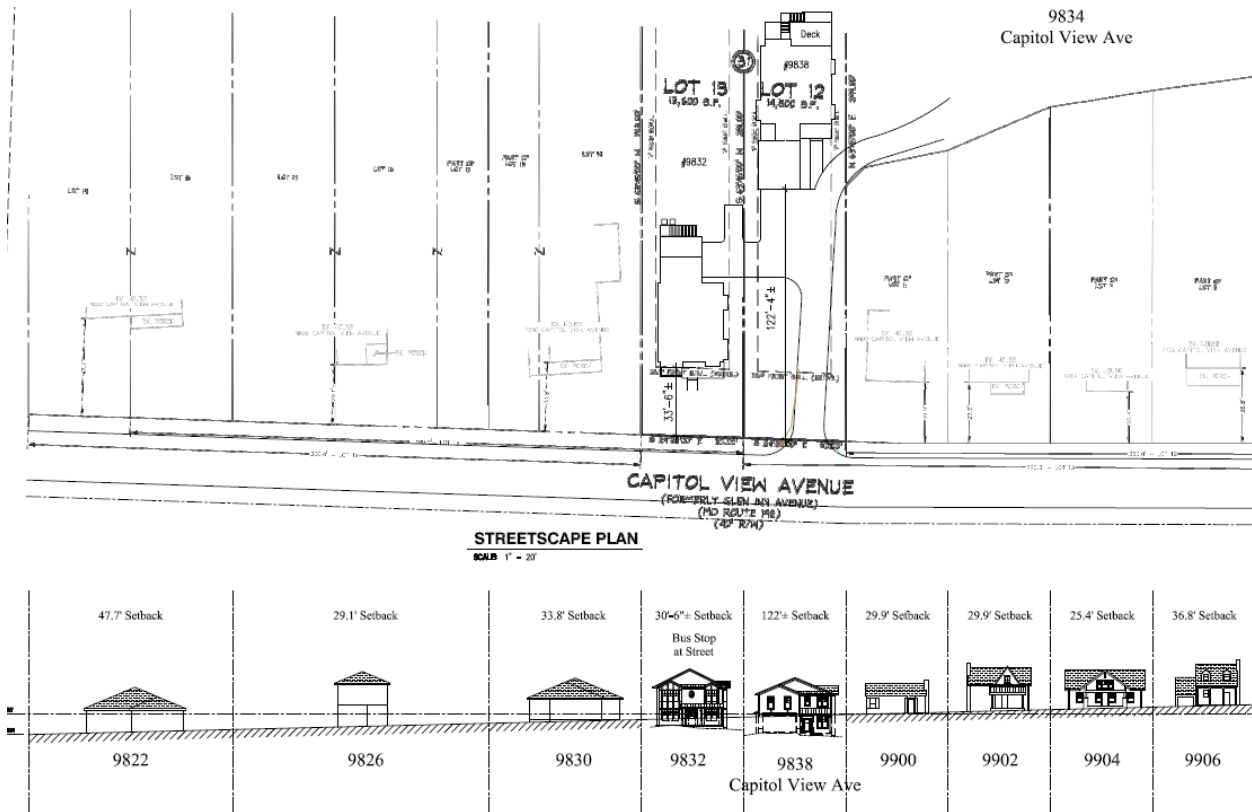


Figure 4: Streetscape study showing the subject property and several adjacent properties along Capitol View Ave. (a larger version of the study is included in the application materials).

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 a 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 (see Figs. 5 and 6, below).



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; and,
- A landscape plan, including tree removal and replanting on site.

STAFF RECOMMENDATION

Staff recommends that the applicant return for another preliminary consultation.

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:

GENERAL NOTES

- 1. Boundary information and two-foot contour data are based upon surveys performed by CAS Engineering, dated July, 2003.
2. Total lot area: Lots 12 & 13 = 28,100 sq. ft. (0.645 acres)
3. Property is located on Tax Map HP962 and WSSC 2007 Sheet 21N20W3.
4. Property is located on Sub Survey Map Number 24.
5. Flood zone "X" per F.E.M.A. Firm Maps, Community Panel Number 24031033700.
6. Property is located in the Rock Creek Watershed.
7. Water Category - 1, Sewer Category - 1
8. Local utilities include Water / Sewer - Washington Suburban Sanitary Commission
Electric - PEPCO
Telephone - Verizon
Gas - Washington Gas
9. Property is located in the Capitol View Park Historic District.
10. This plan was created without the benefit of a title report.

ZONING DATA

- 1. Zoning: R-40
Minimum Lot Area = 6,000 sq. ft.
Minimum Lot Width at R/W = 25 ft.
Minimum Lot Width at B.R.L. = 60 ft.
Front B.R.L. (Lot 13) = 33.3 ft. (each)
Front B.R.L. (Lot 12) = 32.8 ft. (each)
Rear B.R.L. = 29 ft.
Side B.R.L. = 7 ft. min. each side
[1] For Montgomery County Code Section 4.4.1.A.2, the established building line has been determined by averaging the front setbacks of the 20 or more adjacent houses within 300 feet of the side lot lines measured along the street frontage.

- [2] Per Montgomery County Code Section 7.1.D.2.c, a detached house on a plat, lot, or part of a previously platted lot that has been changed in size or shape since June 1, 1956, exclusive of changes due to public acquisition, may be constructed or reconstructed in a manner that satisfies the maximum building height, lot coverage and established building line in a manner that satisfies the requirements of its zone when the building permit is submitted and the side yard and rear setbacks required by the 1956 zoning in effect when the lot, parcel or part of it was first created.
[3] This property was created prior to January 1, 1954, therefore 7 foot side setbacks are permitted.

Verify lot coverage in accordance with the Zoning Ordinance.

Lot area equal to or greater than 6,000 square feet but less than 16,000 square feet. Lot Coverage: The maximum area that may be covered by any building, including any accessory building and any wellhead/pond floor area above a porch, but not including any driveway measuring 10 feet in width or less and 3 feet in depth or less, chimney, porch, or up to 240 square feet of a detached garage. The garage is less than 300 square feet of floor area and less than 20 feet in height.

Allowable lot coverage: 30% of total lot area, less 0.001 percent for every square foot of lot area exceeding 6,000 square feet.
Lot 12 = 14,500 sq. ft. (per plat)
14,500 / 0.30 = 48,333 sq. ft.
8,500 x 0.001 = 8.5
30% = 8.55 + 21.58
Maximum building lot coverage (including accessory buildings) = 3,117.5 sq. ft.

Total area covered by buildings = 2,004.0 sq. ft.
Lot 13 = 13,600 sq. ft. (per plat)
13,600 / 0.30 = 45,333 sq. ft.
7,600 x 0.001 = 7.6
30% = 7.65 + 22.45
Maximum building lot coverage (including accessory buildings) = 3,046.4 sq. ft.
Total area covered by buildings = 2,004.0 sq. ft.

Verify main building height in accordance with the Zoning Ordinance.

Lot 12
First floor elevation: 342.30 ft.
Height of building from FF to highest point: 25.72 ft. (22'-9" Per Arch)
Elevation at highest point: 368.02 ft.
Average elevation along front of building: 334.23 ft.
Height of building at highest point = 369.05 - 334.23 = 34.82 feet
Allowable height of building = 35 feet
Proposed height of building to highest point = 34.82 feet

Lot 13
First floor elevation: 350.70 ft.
Mean height of building from first floor: 22.92 ft. (22'-11" Per Arch)
Elevation at mean height of building: 345.80 ft.
Average elevation along front of building: 345.80 ft.
Mean height of building = 372.81 - 345.80 = 27.01 feet
Allowable mean height of building = 30 feet
Proposed mean height of building = 27.91 feet

SEQUENCE OF CONSTRUCTION

- 1. Prior to clearing of trees, installing sediment control measures, or grading, a pre-construction meeting must be conducted on-site with the Montgomery County Department of Permitting Services (MCOPS) Sediment Control Inspector (240) 777-2311 (48 hours notice), the owner, representative, and the site engineer.
2. The limits of disturbance (L.O.D.) must be field marked prior to clearing of trees, installation of sediment control measures, construction, or other land disturbing activities.
3. Staging, access, and stockpiling activities may not occur in the public right-of-way or beyond the approved limits of disturbance (L.O.D.) defined by this plan.
4. Clear and grade for installation of sediment control devices.
5. Install sediment control devices.
6. Once the sediment control devices are installed, the permittee must obtain written approval from the MCOPS Sediment Control Inspector before proceeding with any additional clearing, grubbing, or grading.
7. The Stabilized Construction Entrance (SCE) is an erosion and sediment control practice and must remain in place until written permission is granted from the inspector for its removal.
8. Install base courses for driveway and construct house, etc.
9. Install stormwater management devices and associated piping but do not connect to downspouts at this time.
10. Pave driveway, permanently stabilize all remaining areas.
11. Connect downspouts to roof drain piping and stormwater management devices.
12. Provide signed record set of plans to the sediment control inspector.
13. Obtain written approval from Sediment Control Inspector prior to the removal of any sediment control device.

AVERAGE GRADE DETERMINATION (LOT 12)

Table with 5 columns: Section, ELEV @ POINT 1, ELEV @ POINT 2, AVERAGE GRADE, LENGTH, AVERAGE GRADE % LENGTH. Rows for Section A and Section B.

AVERAGE GRADE DETERMINATION (LOT 13)

Table with 4 columns: Section, ELEV @ POINT 1, ELEV @ POINT 2, AVERAGE GRADE. Row for Section A.

RELATED REQUIRED PERMITS

TO BE COMPLETED BY THE CONSULTANT AND PLACED ON THE FIRST SHEET OF THE SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN SET FOR ALL PROJECTS. IT IS THE RESPONSIBILITY OF PERMITTEE/OWNER OF THIS SITE TO OBTAIN ALL REQUIRED PERMITS PRIOR TO ISSUANCE OF THE APPROVED SEDIMENT CONTROL PERMIT.

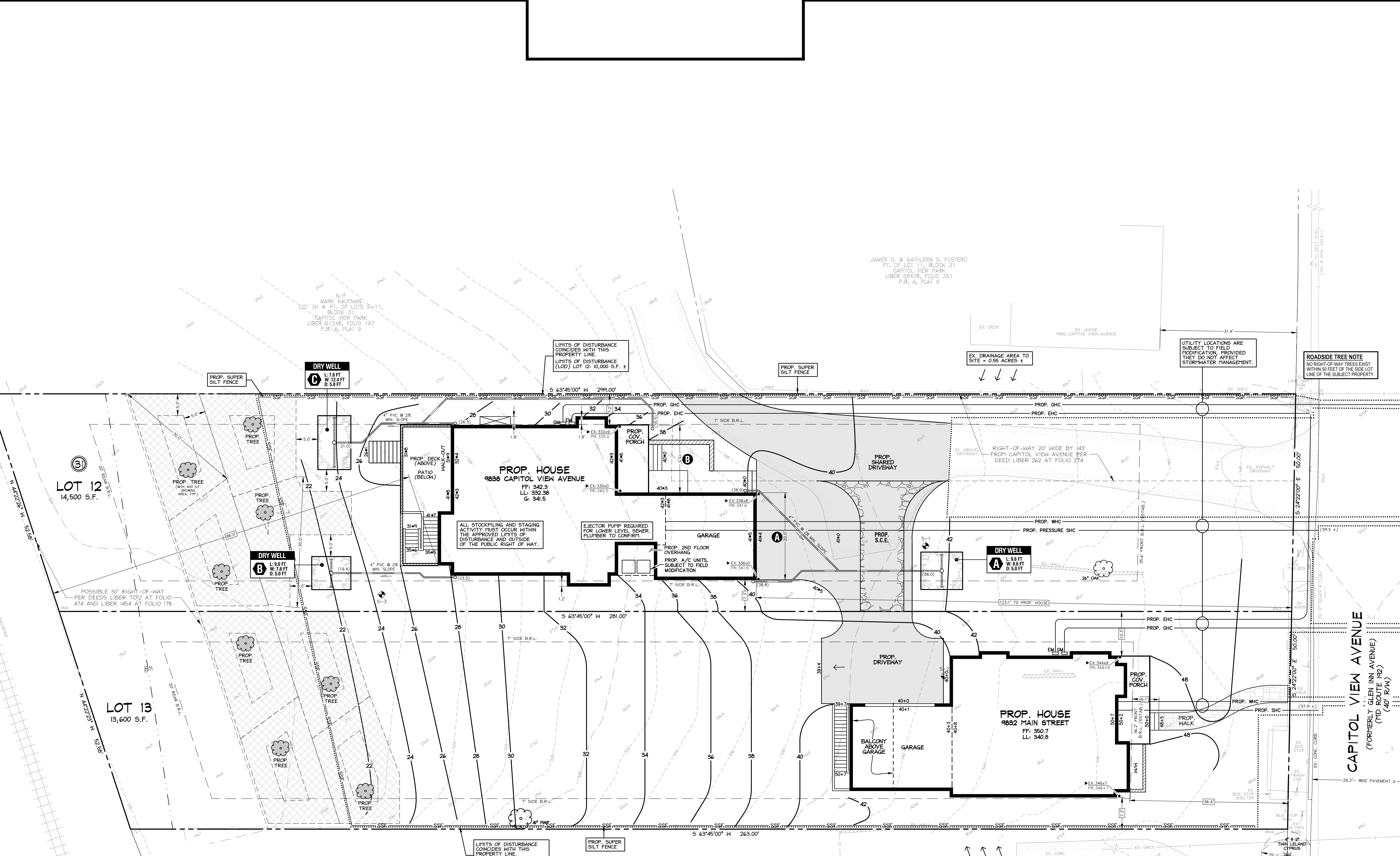
Table with 5 columns: TYPE OF PERMIT, RECD, NOT RECD, PERMIT NUMBER, EXPIRATION DATE, WORK RESTRICTION DATES. Rows for MCOPS Floodplain District, WATERWAYS/WETLANDS, MDE Dam Safety, etc.

CONSTRUCTION INSPECTION CHECK-OFF LIST FOR DRY WELL/RECHARGE CHAMBER

Table with 4 columns: TYPE OF PERMIT, RECD, NOT RECD, PERMIT NUMBER, EXPIRATION DATE, WORK RESTRICTION DATES. Rows for MCOPS Floodplain District, WATERWAYS/WETLANDS, etc.

RECORD DRAWING CERTIFICATION

A record set of approved Sediment Control/Stormwater Management plans must be maintained on-site at all times. In addition to stormwater management plans, the record drawing set must include all drawings related to the project. The record drawing set must include all drawings related to the project. The record drawing set must include all drawings related to the project.



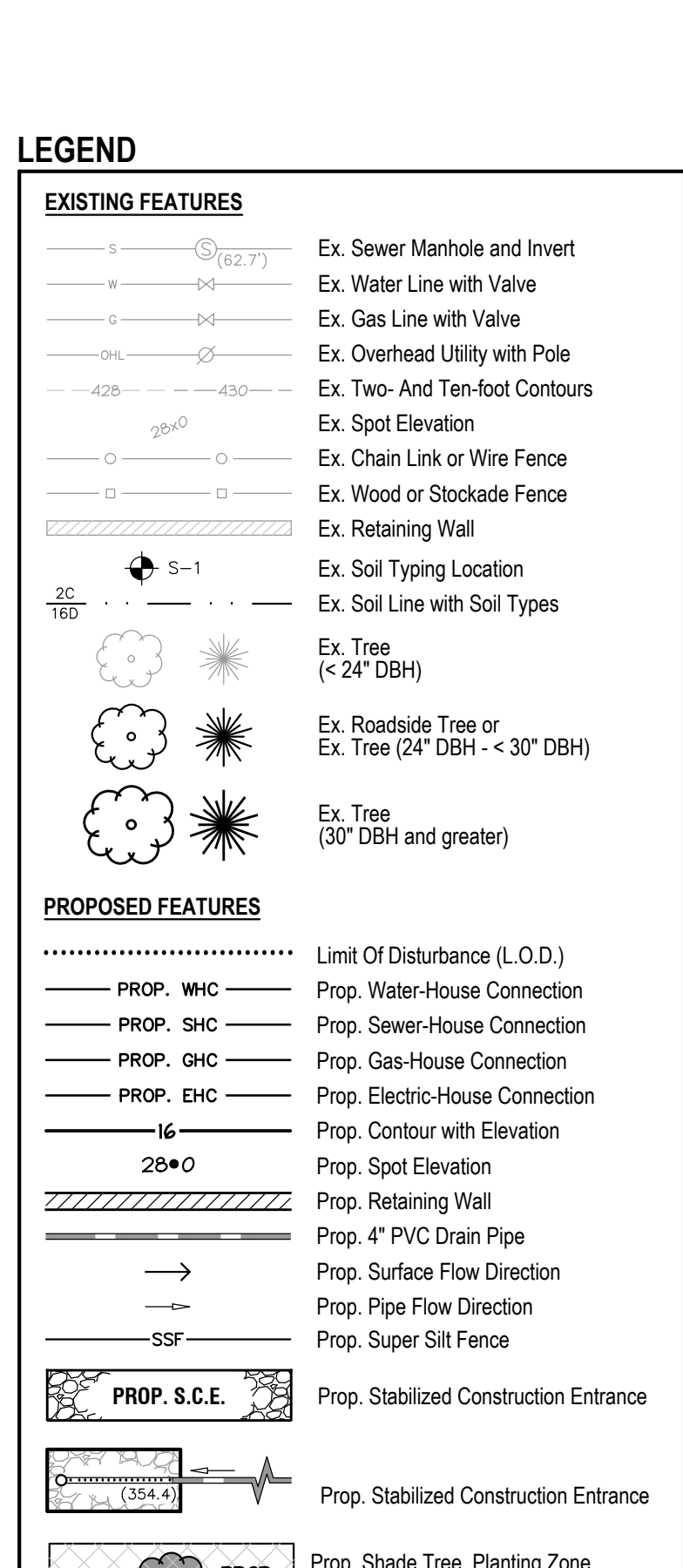
AVERAGE GRADE DETERMINATION (LOT 12)

Table with 5 columns: Section, ELEV @ POINT 1, ELEV @ POINT 2, AVERAGE GRADE, LENGTH, AVERAGE GRADE % LENGTH. Rows for Section A and Section B.

AVERAGE GRADE DETERMINATION (LOT 13)

Table with 4 columns: Section, ELEV @ POINT 1, ELEV @ POINT 2, AVERAGE GRADE. Row for Section A.

LEGEND



TREE CANOPY PLANTING

As per of Chapter 56-6, Tree Canopy Conservation, this plan proposes the planting of eight (8) shade trees. The proposed shade trees must be included in the approved shade tree list, dated February 5, 2014. The following 2-inch caliper trees are to be planted: Four (4) Sugar Maple (one sacchetto) and Four (4) White Oak (one sacchetto).

TREE CANOPY REQUIREMENTS

TO BE COMPLETED BY THE CONSULTANT AND PLACED ON THE FIRST SHEET OF THE SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN SET FOR ALL PROJECTS. REQUIRED NUMBER OF SHADE TREES: AREA OF THE LIMITS OF DISTURBANCE (SQUARE FEET) SHADE TREES REQUIRED.

FRONT YARD PARKING AREA COVERAGE: LOT 12

FRONT YARD PARKING AREA: 344.8 SF
FRONT YARD AREA: 4,888.5 SF
COVERAGE: 41.4% (35%)

FRONT YARD PARKING AREA COVERAGE: LOT 13

FRONT YARD PARKING AREA: 344.8 SF
FRONT YARD AREA: 4,888.5 SF
COVERAGE: 41.4% (35%)

UTILITY INFORMATION

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.

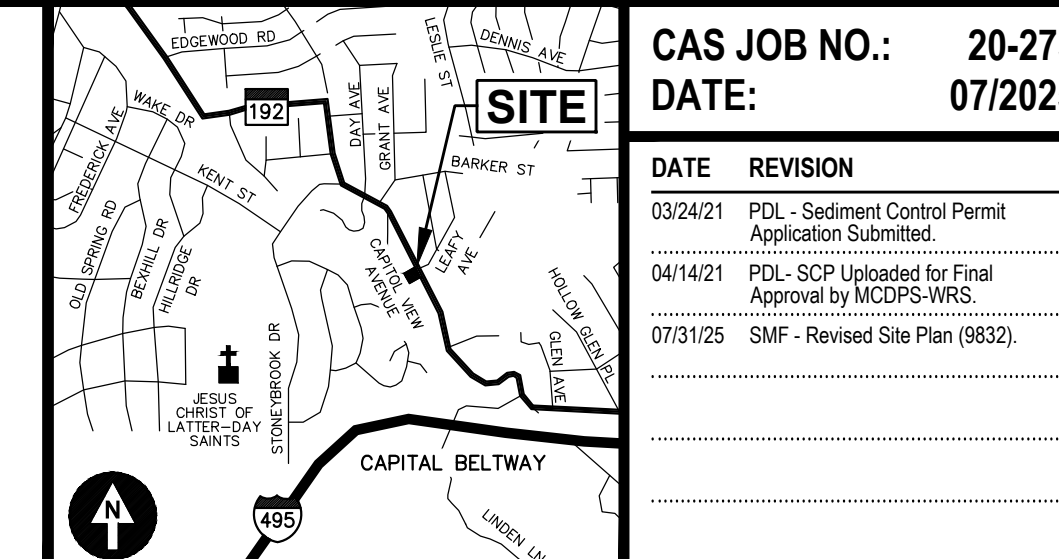
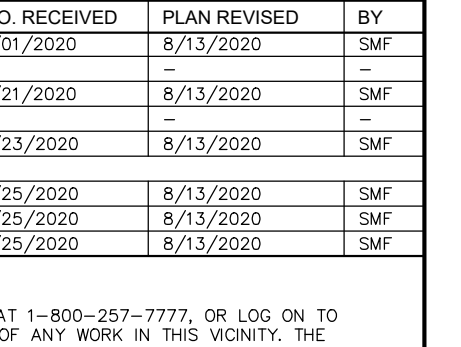
ROADSIDE TREE REQUIREMENTS

TO BE COMPLETED BY THE CONSULTANT AND PLACED ON THE FIRST SHEET OF THE SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN SET FOR ALL PROJECTS. # of Street Trees Removed: 0, # of Street Trees Planted: 0.

DRAINAGE STATEMENT

I understand that DPS approval of this sediment control/stormwater management plan is for informational purposes only and does not constitute a warranty of professional responsibility. I have prepared this plan in accordance with the standards and specifications for soil preparation, topsoiling, and soil amendments.

DRAINAGE AREA MAP



VICINITY MAP

ADC MAP 586, GRID A-R, SCALE: 1" = 200'

Table with 2 columns: DATE, REVISION. Rows for 03/20/21, 04/14/21, 07/31/25.

CAS JOB NO.:

20-273

DATE:

07/2025

Table with 2 columns: DATE, REVISION. Rows for 03/20/21, 04/14/21, 07/31/25.

OWNER/APPLICANT

Mark H. Kauffman

ARCHITECT

Douglas Mader, AIA

BUILDER

Hastings Development LLC

TECHNICAL REVIEW OF SEDIMENT CONTROL

REVIEWED DATE REVIEWED DATE

TECHNICAL REVIEW OF STORMWATER MANAGEMENT

REVIEWED DATE REVIEWED DATE

ADMINISTRATIVE REVIEW

REVIEWED DATE REVIEWED DATE

SMALL LOT DRAINAGE APPROVAL

MAJOR OR

SEDIMENT CONTROL PERMIT NO.

286967

STORMWATER MANAGEMENT FILE NO.

N/A

PERMIT TITLE:

Building Permit Site Plan, SWM Plan, and Sediment Control Plan

SCALE: 1" = 100 FEET

1 OF 3

OWNER/APPLICANT

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N/A

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Building Permit Site Plan, SWM Plan, and Sediment Control Plan

SCALE: 1" = 100 FEET

1 OF 3

OWNER/APPLICANT

Mark H. Kauffman

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

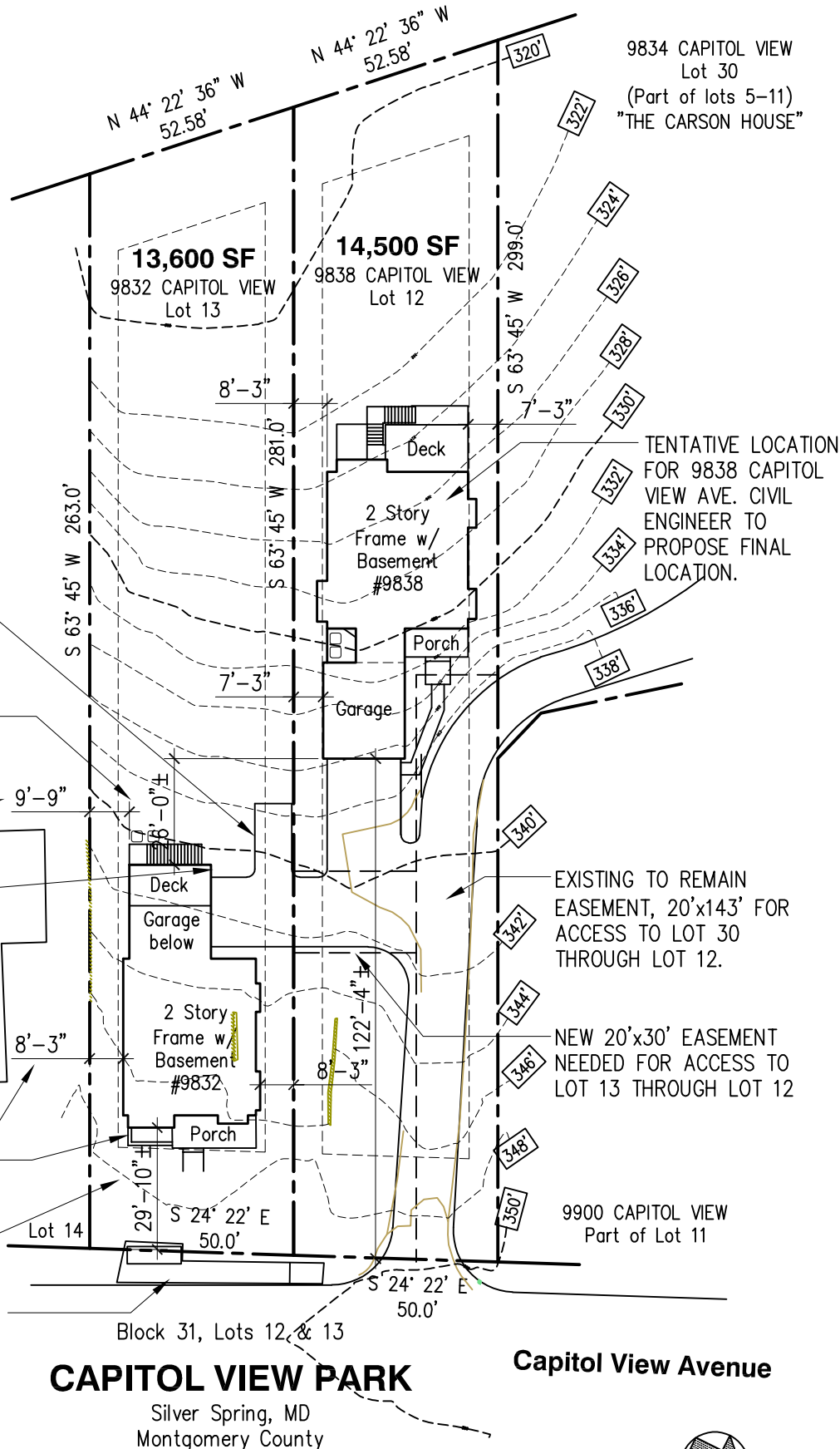
Neighboring
 House
 #9830

PROPOSED HOUSE SIDE YARD
 SETBACK

EGRESS WELL

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

EXISTING BUS STOP TO REMAIN



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

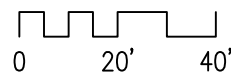
CAPITOL VIEW PARK

Silver Spring, MD
 Montgomery County

Capitol View Avenue

ARCHITECTURAL SITE PLAN

SCALE: 1" = 40'



NORTH

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 Silver Spring, MD 20910
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Design Development
 Architectural
 Site Plan

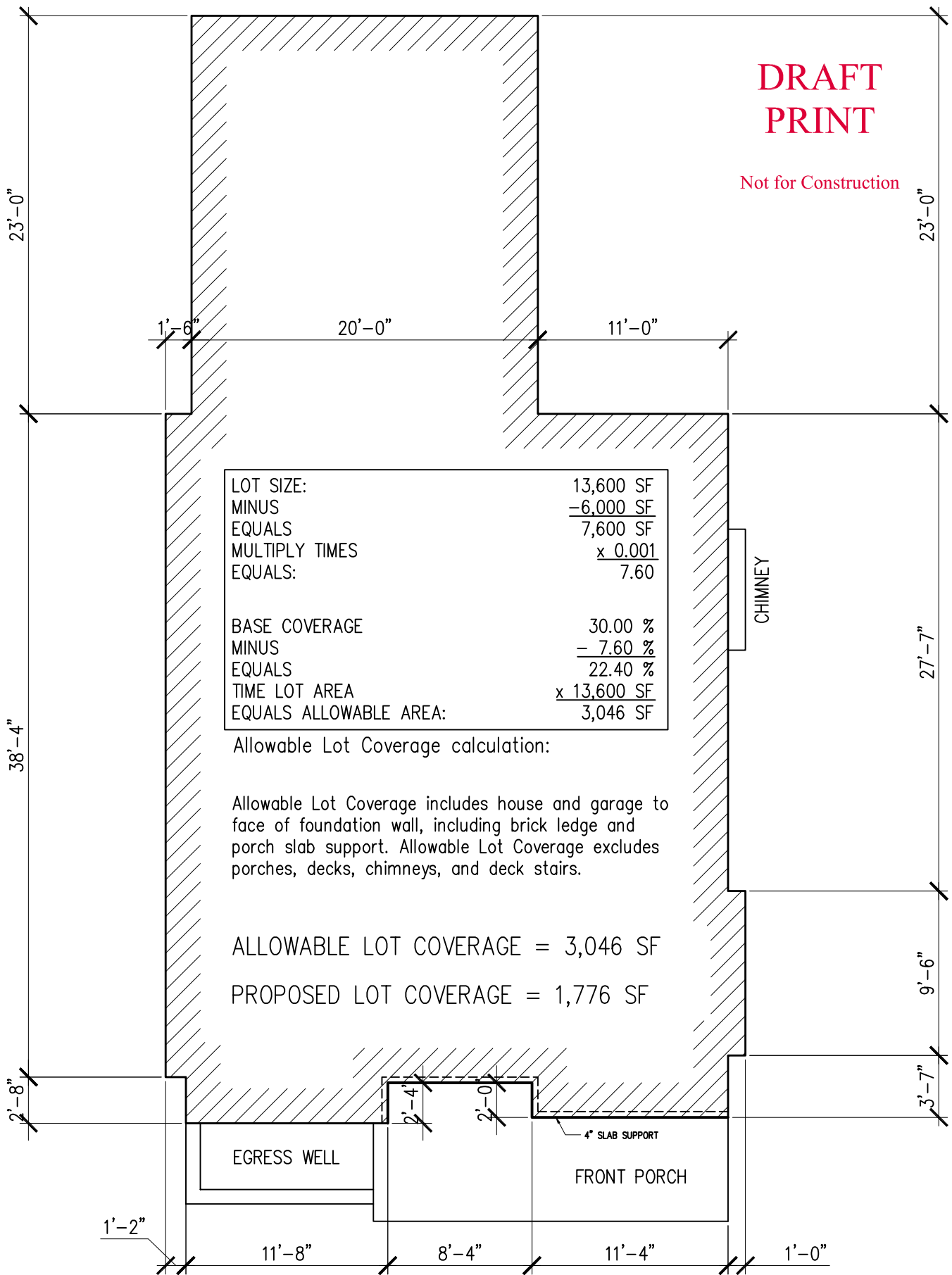
Job #: 20-22
 Drawn by: DDM
 Date: 4/25/24

dd1

1 of 12

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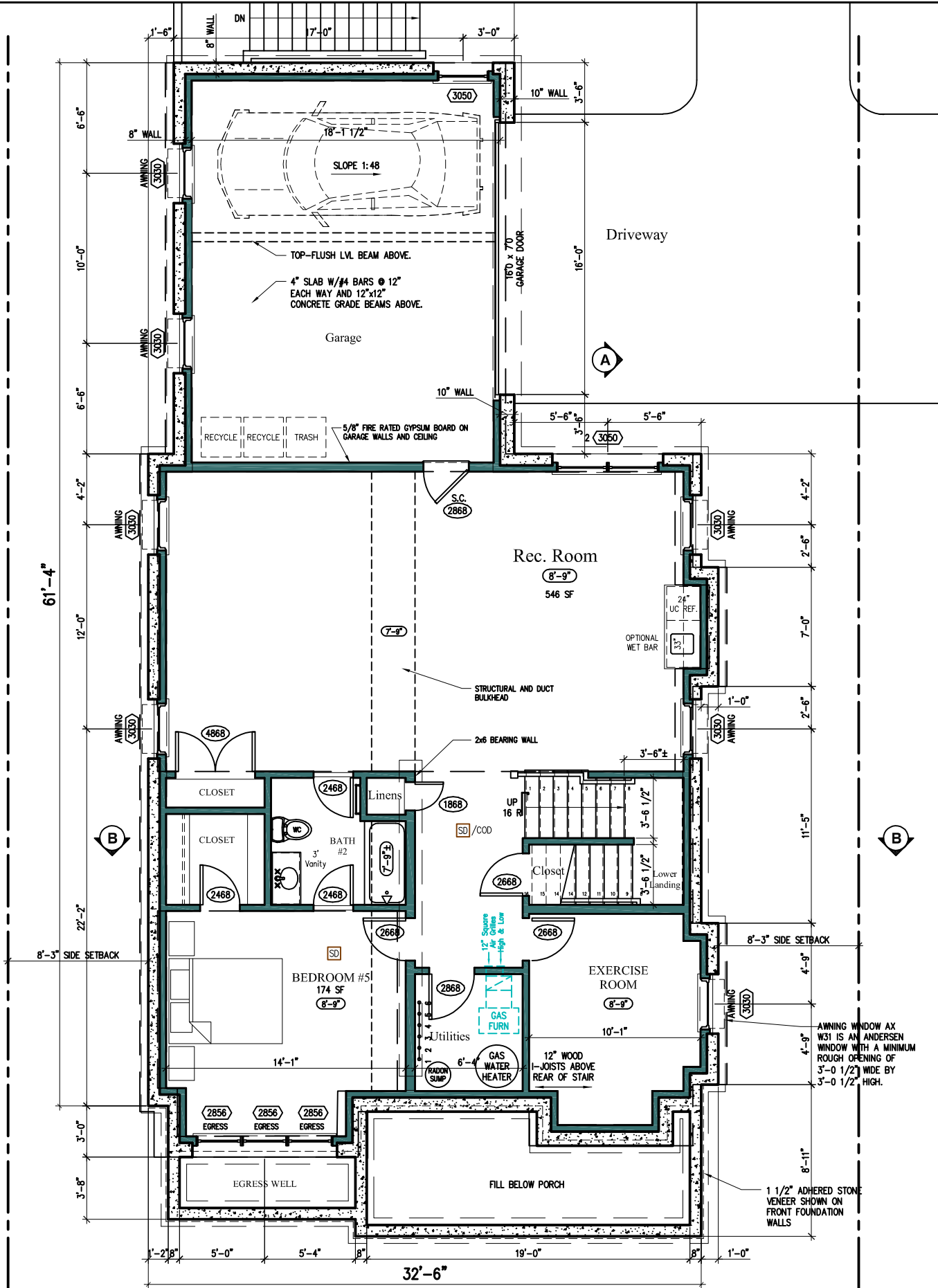
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Design Development
Lot Coverage

Job #: 20-22
Drawn by: DDM
Date: 4/29/24

dd2

15 2 of 12



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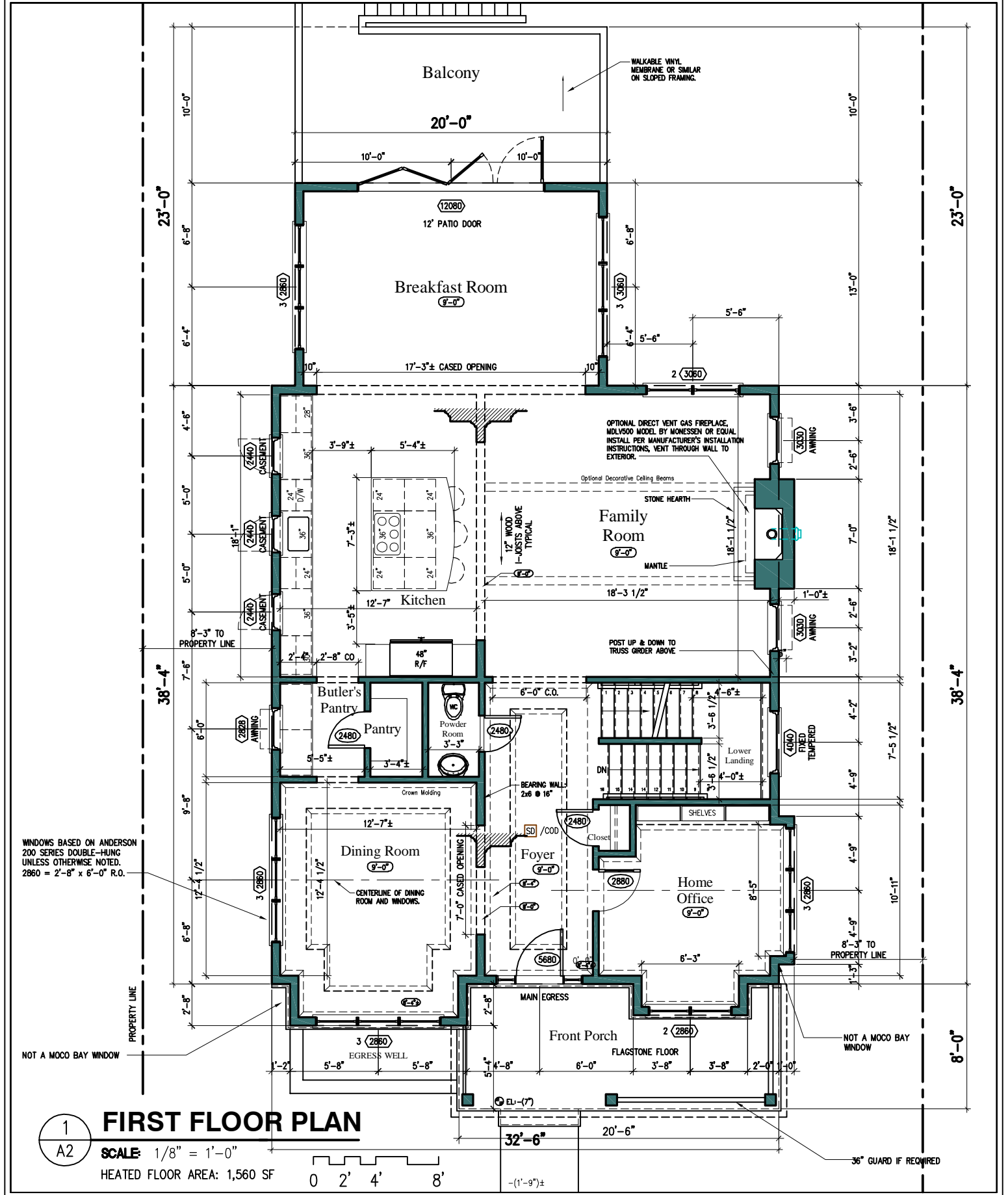
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Design Development
 Lower Level Plan
 1/8" = 1'-0"

Job #: 20-22
 Drawn by: DDM
 Date: 4/25/24

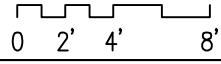
dd3

3 of 12



FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"
 HEATED FLOOR AREA: 1,560 SF



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

NOT A MOCO BAY WINDOW

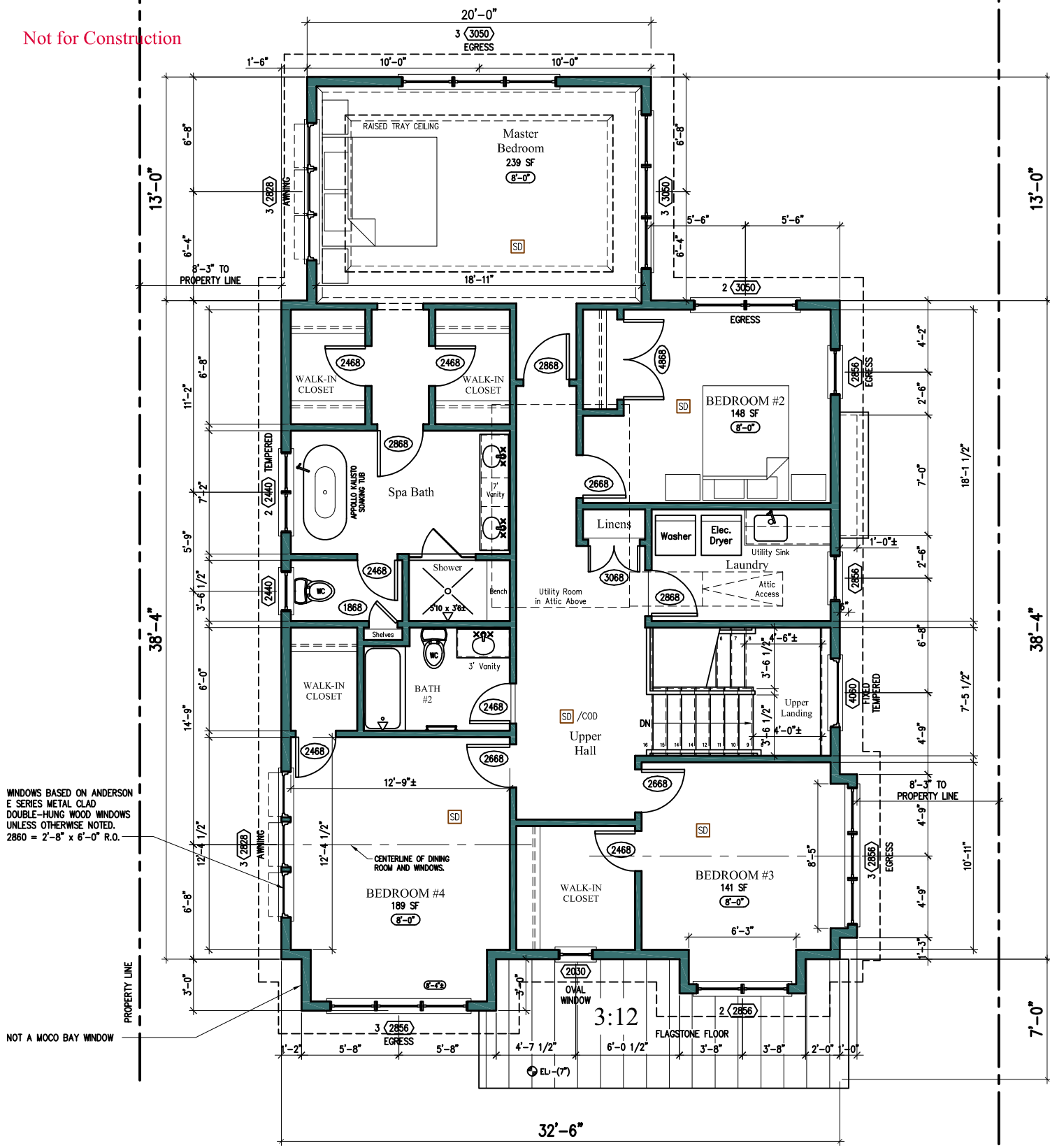
NOT A MOCO BAY WINDOW

36" GUARD IF REQUIRED

Douglas Mader, AIA 11307 Rokeby Avenue Garrett Park, MD 20896-0187 (301) 466-1378, DMaderAIA@aol.com	9832 Capitol View 9832 Capitol View Avenue Silver Spring, MD 20910 Copyright 2024, © Douglas Mader, AIA	Design Development First Floor Plan	Job #: 20-22	
			Drawn by: DDM	
			Date: 4/25/24	

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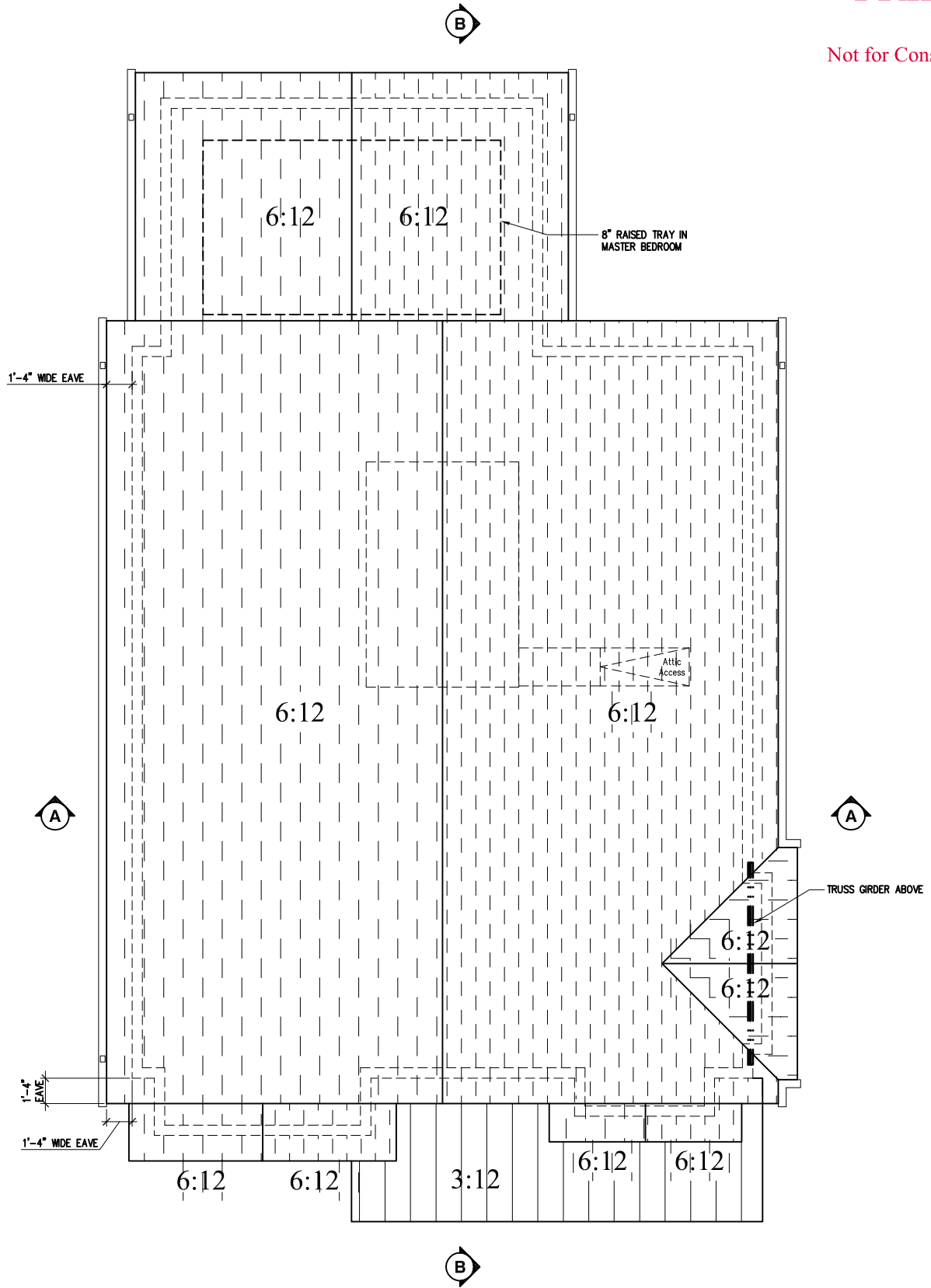
Design Development
Second Floor Plan
1/8" = 1'-0"

Job #: 20-22
Drawn by: DDM
Date: 4/25/24

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18 5 of 12

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Design Development
Roof Plan
1/8" = 1'

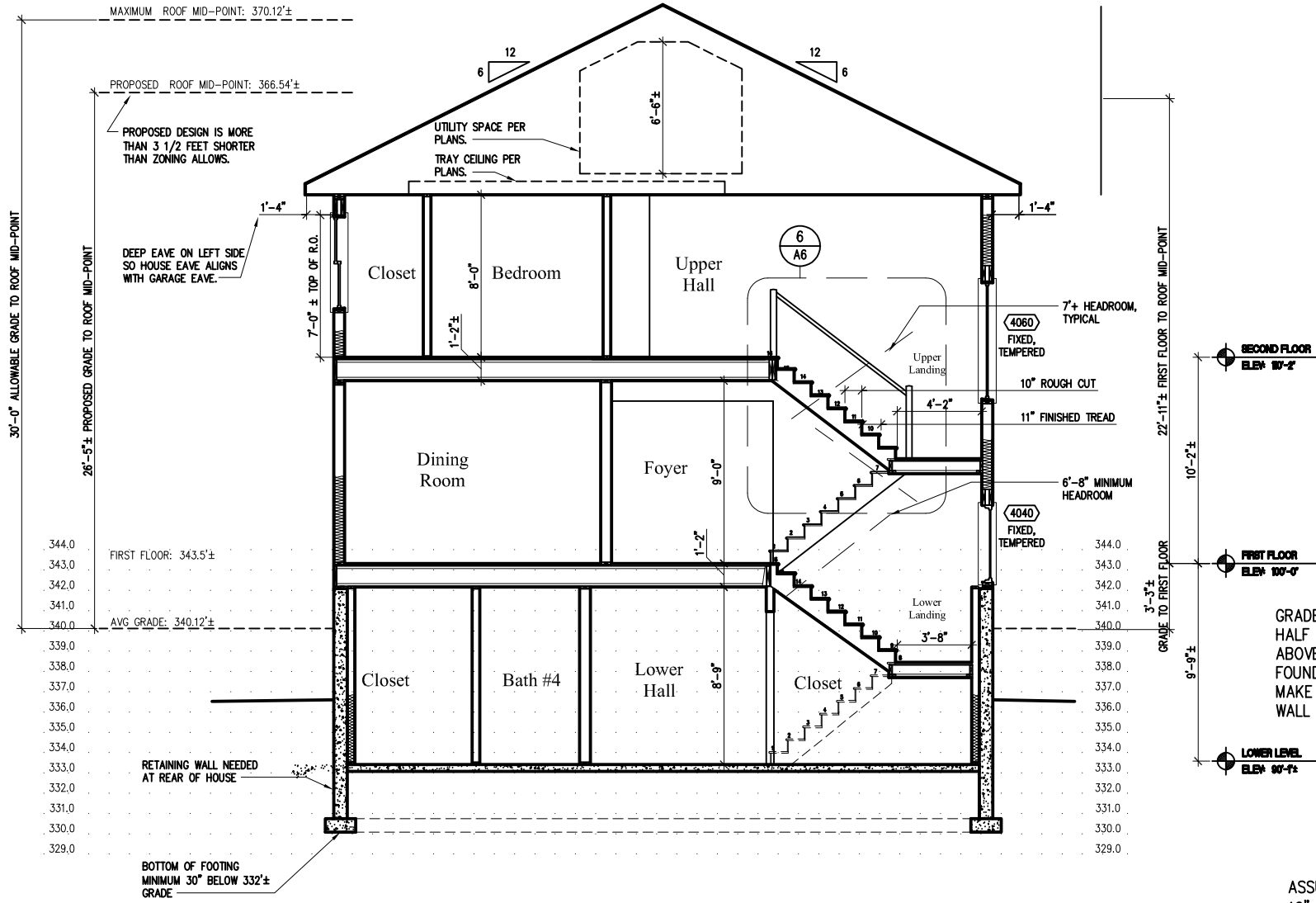
Job #: 20-22
Drawn by: DDM
Date: 11/5/25

dd6

6 of 12

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

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

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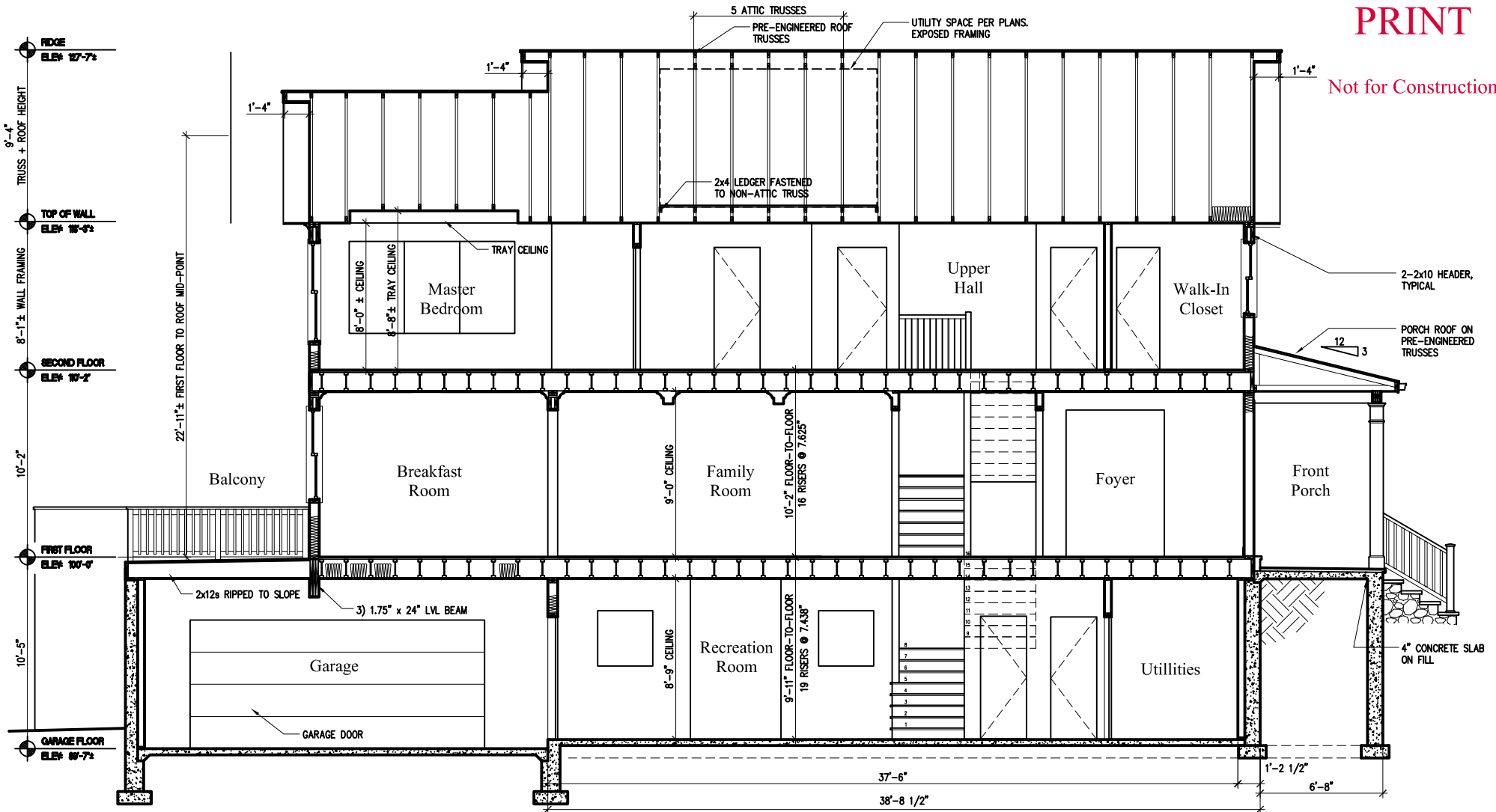
**Desing Develoement
 Building Section A-A**

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

dd7
 7 of 12

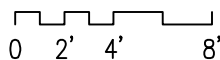
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3 BUILDING SECTION B-B
A3

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
Drawn by:	DDM
Date:	12/7/23

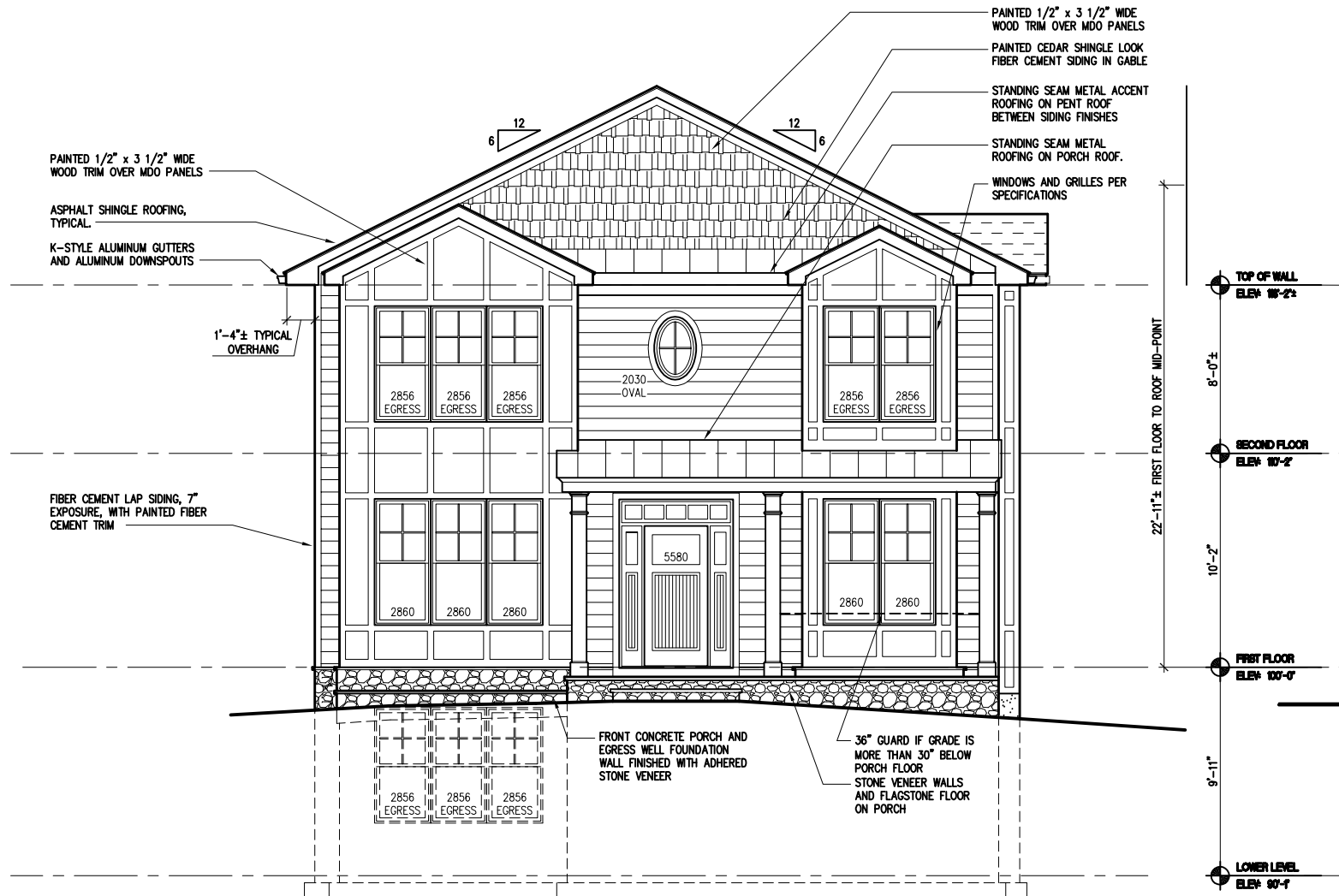
Revisions:	

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
Drawn by:	DDM
Date:	11/5/25

Revisions:	

dd9



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RIGHT SIDE ELEVATION

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

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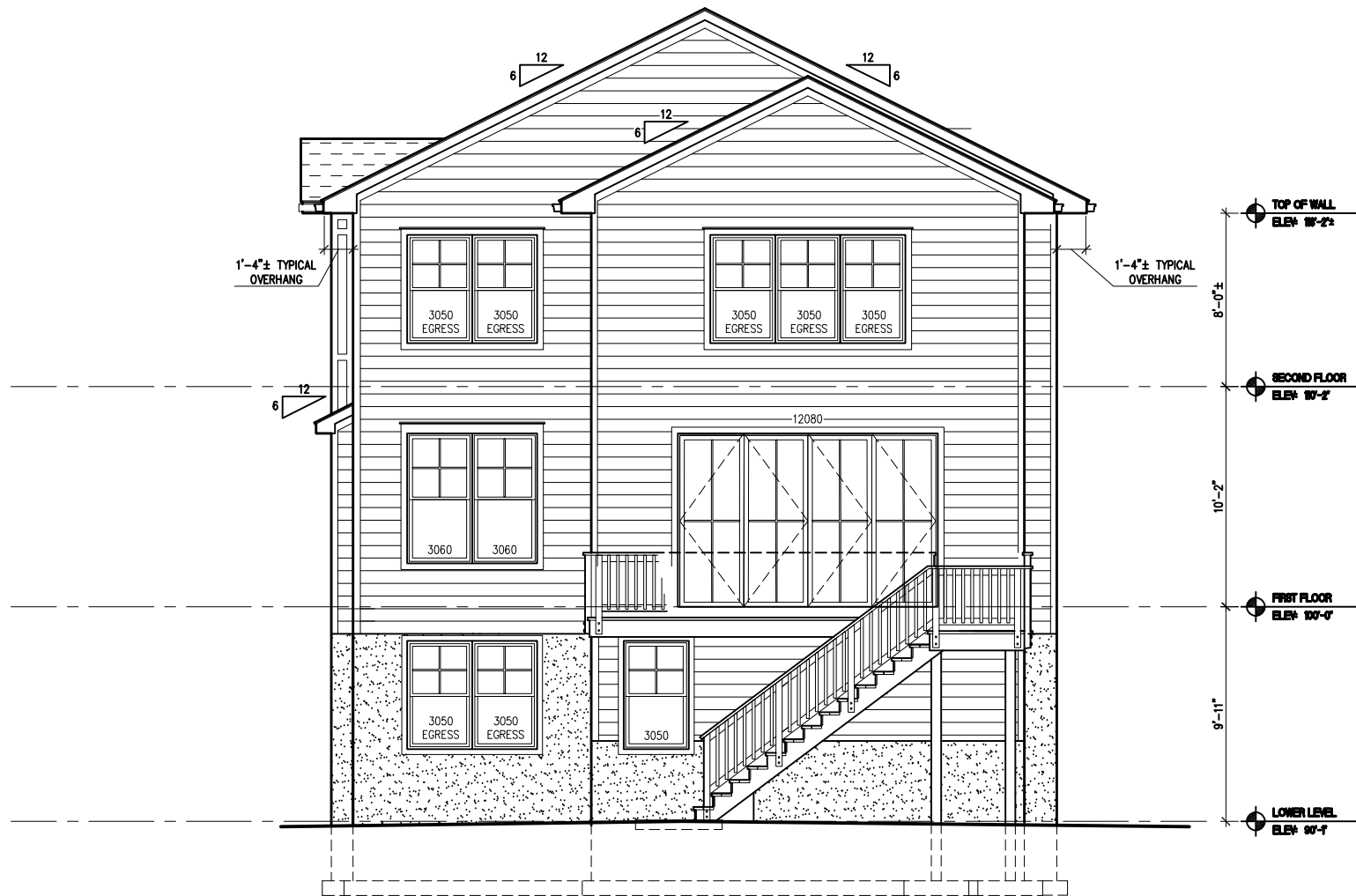
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Desing Deveopment
Right Elevation, 1/8"=1'

Job #:	20-22	Revisions:	dd10
Drawn by:	DDM		
Date:	11/5/25	23 10 of 12	

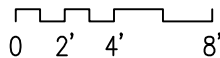
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REAR ELEVATION

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



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

Job #:	20-22	Revisions:	dd11
Drawn by:	DDM		
Date:	4/25/24	24 11 of 12	



LEFT SIDE ELEVATION

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

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

Job #:	20-22	Revisions:	dd12
Drawn by:	DDM		
Date:	11/5/25	25	
		12 of 12	

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: Karen Burditt (Acting Chair), Jeffrey Hains (Acting Vice Chair), Michael Galway, Mark Dominianni, Zara Nasar, Julie Pelletier, James Doman, and Cristina Radu

Recommendations:

The HPC generally found the house was still too massive for the character of the site and surrounding streetscape and the ‘tweaks’ undertaken were not sufficient to present a proposal that would satisfy the requirements of [24A-8](#) and the [Secretary of the Interior’s Standards for Rehabilitation](#) and that more comprehensive and fundamental revisions were necessary.

Initial questions focused on considering ways to reduce the mass (or apparent mass) including:

- Have you considered a hipped roof?
- Removing a foot of width from the foyer and a foot from the office would help to narrow the overall width, have you considered those changes?

Members of the public raised concerns about the trees.

- I think this is because they haven’t seen a landscape plan, so including a conceptual (or actual) plan or identifying the number and species of new trees could go a long way to alleviate those concerns.

In deliberations, the commissioners reiterated that the issue with the house design isn’t only the square footage, it’s how the house presents itself to the road and district.

Commissioner Galway also noted that there were 3 different dimensions for the front setback provided in the drawings; and that ensuring the information presented in accurate is a paramount concern for the HPC in providing any feedback than can be relied on.

Staff Comments (these are the additional comments I told you I would provide when we spoke on the morning of January 25, 2024)

All of the easy-to-develop lots in a neighborhood this close to the Beltway have been developed, so everything that’s left has some issue that adds one or more challenges to development. This lot has to deal with its access from 9838, the bus stop placement, its narrow size, the change in grade, and the narrow setback to the property to the south.

Staff found several designs that might serve as a jumping-off point for further discussions, however to be clear, Staff thinks the existing scheme will not receive the votes for approval or a positive recommendation from staff. I’m sure this is disappointing to hear, but nibbling around the edges isn’t

going to get the HPC to yes. The first set of the drawings we looked at in the fall of 2021 already had structurals and were dated February 2, 2021. So this scheme has been baked in since the first time it was presented to staff and the HPC. Usually for Preliminary Consultations we have elevations, a site plan, a roof plan, and maybe floor plans. Now the Civic Association has come out against the project in addition to other neighbors.

Regardless, Staff wants to run some of these by you to get a sense of what we think would be appropriate and why. Again, these are just concepts and aren't meant to be finished products, though some of them probably could be.

Craftsman Bungalow

<https://www.architecturaldesigns.com/house-plans/comfortable-craftsman-for-a-narrow-lot-50123ph>

- This house is only 27' wide.
- It is in a historical style and form.
- It reads almost like a one-and-a-half story house with a side gable roof and large front-facing gable.
 - Because of the side gable roof, the front edge is softer and it doesn't create a 30-something-foot front wall plane.
- Staff found another craftsman that has a front gable roof with really deep shed dormers on the side: <https://www.architecturaldesigns.com/house-plans/4-bed-southern-beach-home-with-side-entry-double-garage-31569gf>. Staff suspects the measurement is in the 25-27' range.

Modern Farmhouse

<https://www.houseplans.com/plan/2668-square-feet-4-bedroom-4-bathroom-0-garage-farmhouse-bungalow-classical-sp295482>

- It's 32' feet wide, but because of the roof form and use of dormers, it's only 27' tall.
- Its style draws from a more vernacular architectural vocabulary, but it is still traditional.
- The steeper roof pitch accentuates the verticality of the house, so it feels smaller.

American Foursquare

<https://www.houseplans.com/plan/2477-square-feet-4-bedroom-3-bathroom-0-garage-craftsman-classical-farmhouse-traditional-sp295486>

- Some of the critiques about your proposal was that the house was presented as just a 'box.' While this house is also a box, it is a traditional American form, and the hipped roof shape and front dormer help to soften the presence.
- It is a very traditional house form.
- Staff notes the rendering is a much better presentation of the house than the elevation drawings.
- The roof ridge is 30' 3"
- Staff found another version of a foursquare with a wrap-around porch: <https://www.architecturaldesigns.com/house-plans/4-bed-southern-beach-home-with-side-entry-double-garage-31569gf>.

Modern Farmhouse II

<https://www.architecturaldesigns.com/house-plans/contemporary-coastal-farmhouse-with-5-beds-and-a-detached-2-car-garage-970117vc>

- It draws from a traditional architectural vocabulary

- It is only 26' 5" wide.
- As with the modern farmhouse (discussed above) it utilizes a steeply pitched roof which makes the house *feel* smaller.
- The fewer architectural embellishments make the house design quieter, which would help it better blend in with the surrounding streetscape.

Cottage

<https://www.architecturaldesigns.com/house-plans/30-wide-exclusive-4-bed-country-house-plan-130048lls>

- This house seems really small from the front and just keeps going to the rear.
- The side gable roof helps soften the front.
- The craftsman details are consistent with the architecture in the district.
- Something like this could take advantage of the grade and include some levels that stepped down as you go back, which could hide more of the house mass at the rear.

Contemporary Designs

The last two are both contemporary designs that are narrow, but use an asymmetric roof which both accentuates the vertical dimension, but also could push the mass away from the neighbor to the south. These would be the most difficult houses to get through, but staff wanted to use them as examples for what other considerations factor into infill houses.

- This is the tallest house staff would consider recommending at 33' 7", but because it's so narrow (28') and the roof pitch is so steep, with the side gable roof, it doesn't feel huge. <https://www.architecturaldesigns.com/house-plans/exclusive-contemporary-tudor-with-3rd-floor-game-room-93163el>.
- This last example also shifts the mass to the one side and the roofline emphasizes the verticality of the house. <https://www.architecturaldesigns.com/house-plans/1512-square-foot-modern-cottage-with-side-covered-entry-22576dr>

More Information

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.

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