

10211 CAPITOL VIEW AVENUE, SILVER SPRING
[49C CASE # 3107-13F]
CAPITOL VIEW PARK H.O.



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

William Kirwan
Chairperson

Date: December 19, 2013

MEMORANDUM

TO: Diane R. Schwartz Jones, Director
Department of Permitting Services

FROM: Josh Silver, Senior Planner 
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #655164, construction of rear yard deck

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was approved at the December 4, 2013 meeting.

Applicant: Nestor DiNegro and Jillian Diesner

Address: 10211 Capitol View Avenue, Silver Spring





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**

Contact Person: Jeff Frashure
Daytime Phone No.: (301) 674-3880

Tax Account No.: _____
Name of Property Owner: Nestar DiNigro/Jillian Diesner Daytime Phone No.: (202) 487-5454
Address: 10211 Capitol View Ave, Silver Spring, MD 20910
Street Number City Street Zip Code
Contractor: CHF Deck Co Phone No.: (301) 428-9748
Contractor Registration No.: 37070
Agent for Owner: Jeff Frashure Daytime Phone No.: 301 674-3880

LOCATION OF BUILDING/PREMISE

House Number: 10211 Capitol View Ave Street
Town/City: Silver Spring / MD Nearest Cross Street: _____
Lot: 6 Block: 2 Subdivision: Capitol View Park
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
 Construct Extend Alter/Renovate
 Move Install Wreck/Raze
 Revision Repair Revocable
CHECK ALL APPLICABLE:
 A/C Slab Room Addition Porch Deck Shed
 Solar Fireplace Woodburning Stove Single Family
 Fence/Wall (complete Section 4) Other: _____
1B. Construction cost estimate: \$ 7,060
1C. If this is a revision of a previously approved active permit, see Permit # N/A

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____
2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches N/A
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 On party line/property line Entirely on land of owner On public right of way/easement

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

X [Signature] 11/9/13
Signature of owner or authorized agent Date

Approved: [Signature] Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: 12/19/13
Application/Permit No.: 655164 Date Filed: _____ Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

00000000

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

Small house (1 story) with brick veneer, vinyl windows and vinyl siding on gables. No historical features evident, located in historic district according to Montgomery County permit office. House built in 1934.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

Build a 14' x 17' pressure treated, free-standing sun deck on rear of house, with access from rear of side porch (East side of house).

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

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General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

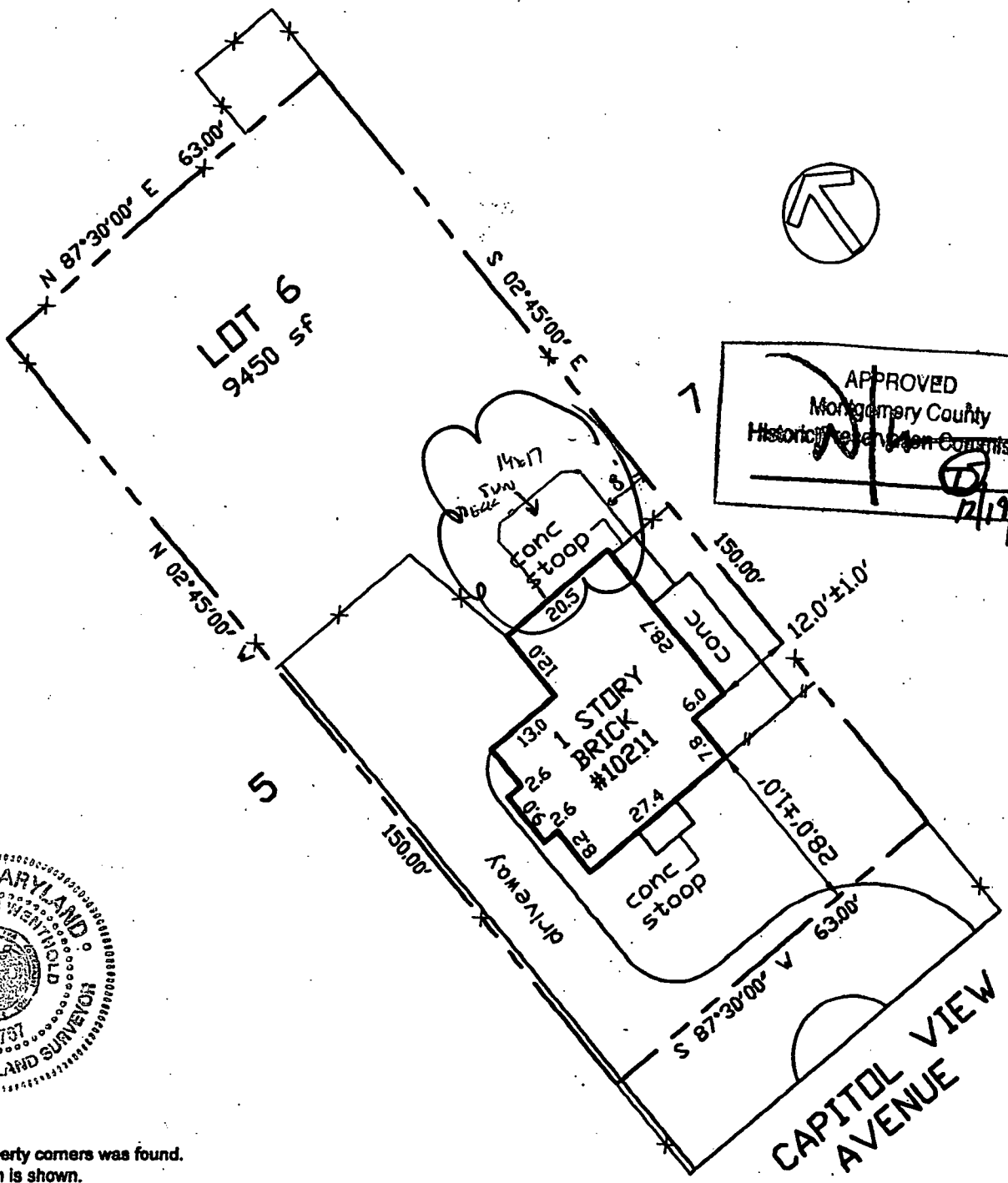
- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
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6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

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APPROVED
 Montgomery County
 Historic Preservation Commission
 11/19/18



No evidence of property corners was found.
 Apparent occupation is shown.

Date: 11-23-10 Scale: 1"=25' Dm: R.C.d.
 Plat Book: 12
 Plat No.: 805 NO TITLE REPORT FURNISHED
 Work Order: 10-2230
 Address: 10211 CAPITOL VIEW AVENUE
 District: 13
 Jurisdiction: MONTGOMERY COUNTY, MD

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

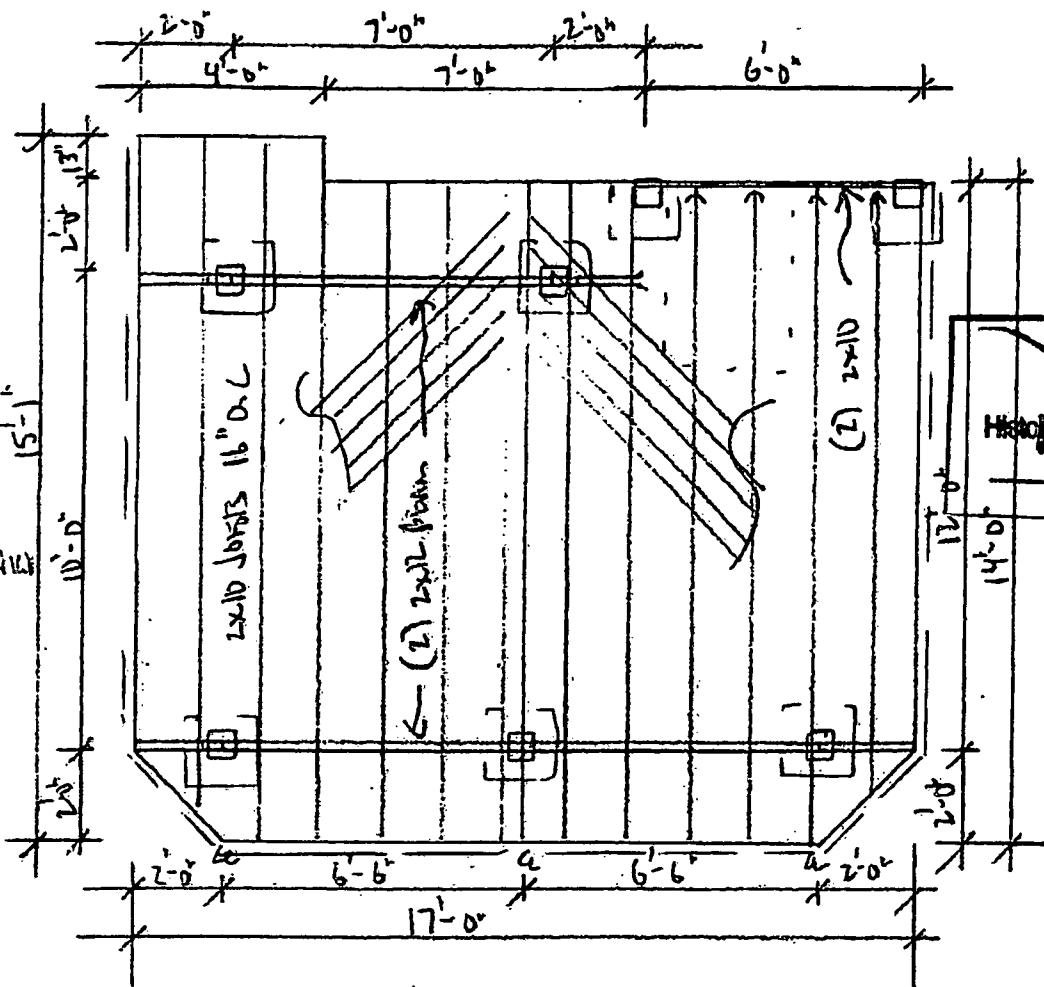
Stephen Wentz

LOCATION DRAWING
 LOT 6
 BLOCK 2
 CAPITOL VIEW PARK



Meridian Surveys, Inc.
 811 Russell Avenue
 Suite #301
 Gaithersburg, MD 20879
 (301) 721-9400

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

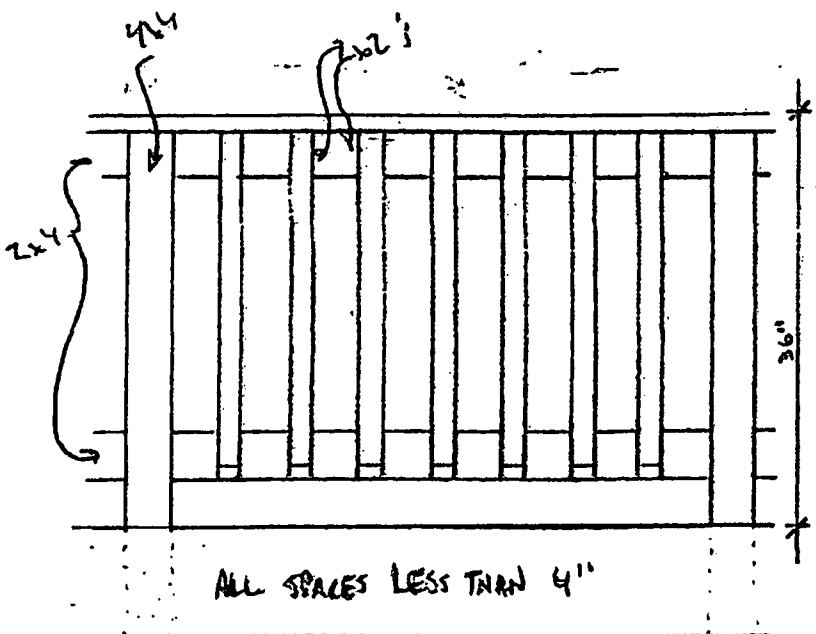


APPROVED
 Montgomery County
 Historic Preservation Commission
 [Signature]
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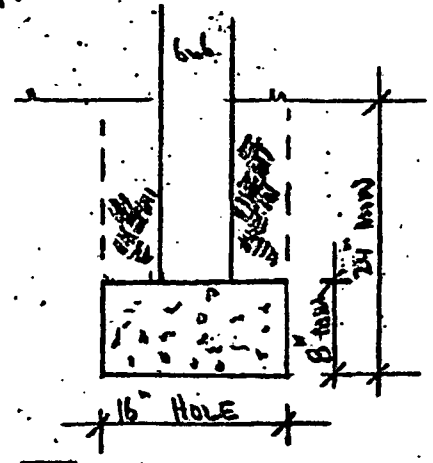
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 SILVER SPRING MD 20910

* ALL LUMBER PRESSURE TREATED PINE

* DECK CAN BE STAINED
 CEDAR TONE AFTER DRY OUT
 PERIOD OF 4 WEEKS *



(2) 2x4 THRU BOLTS
 OPEN BOTTOM
 SCALE 3/4" = 1"
 MAX SPACING BETWEEN POSTS
 5"

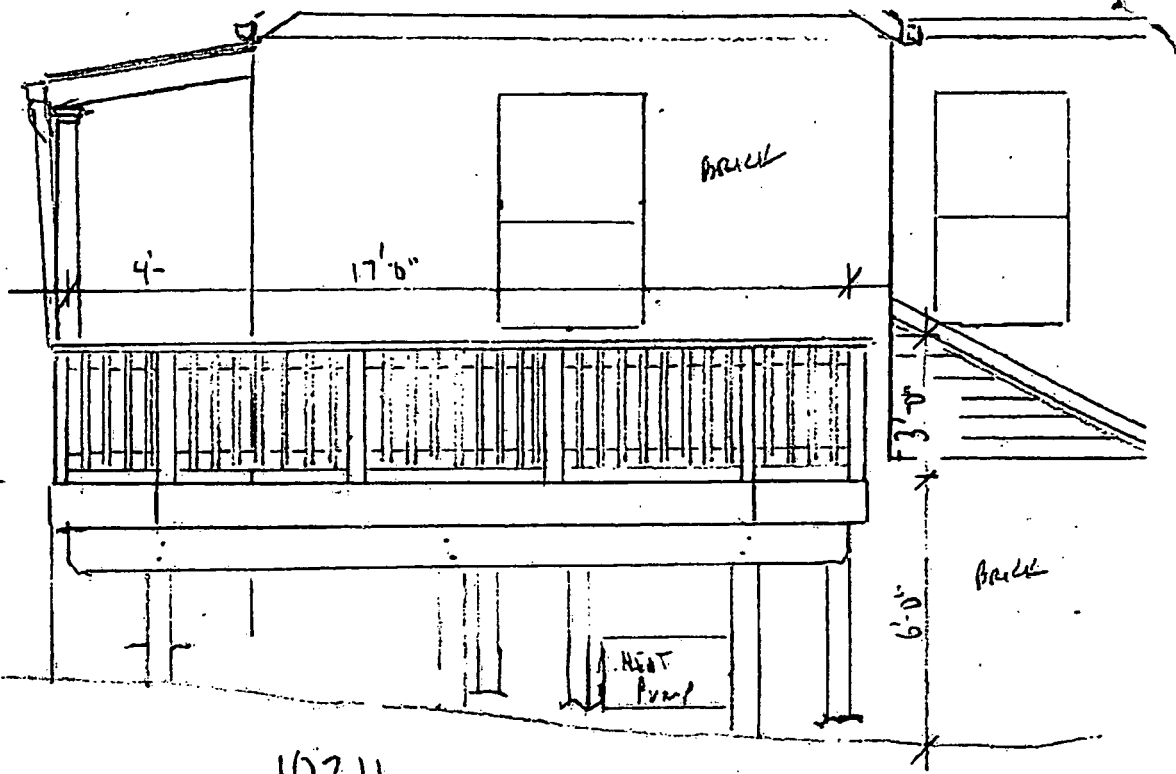


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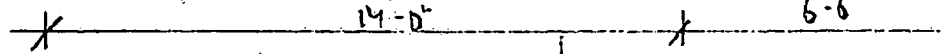
* INSET RAIL POSTS *



10211

CAPITOL VIEW AVE

SILVER SPRING, MD 20910



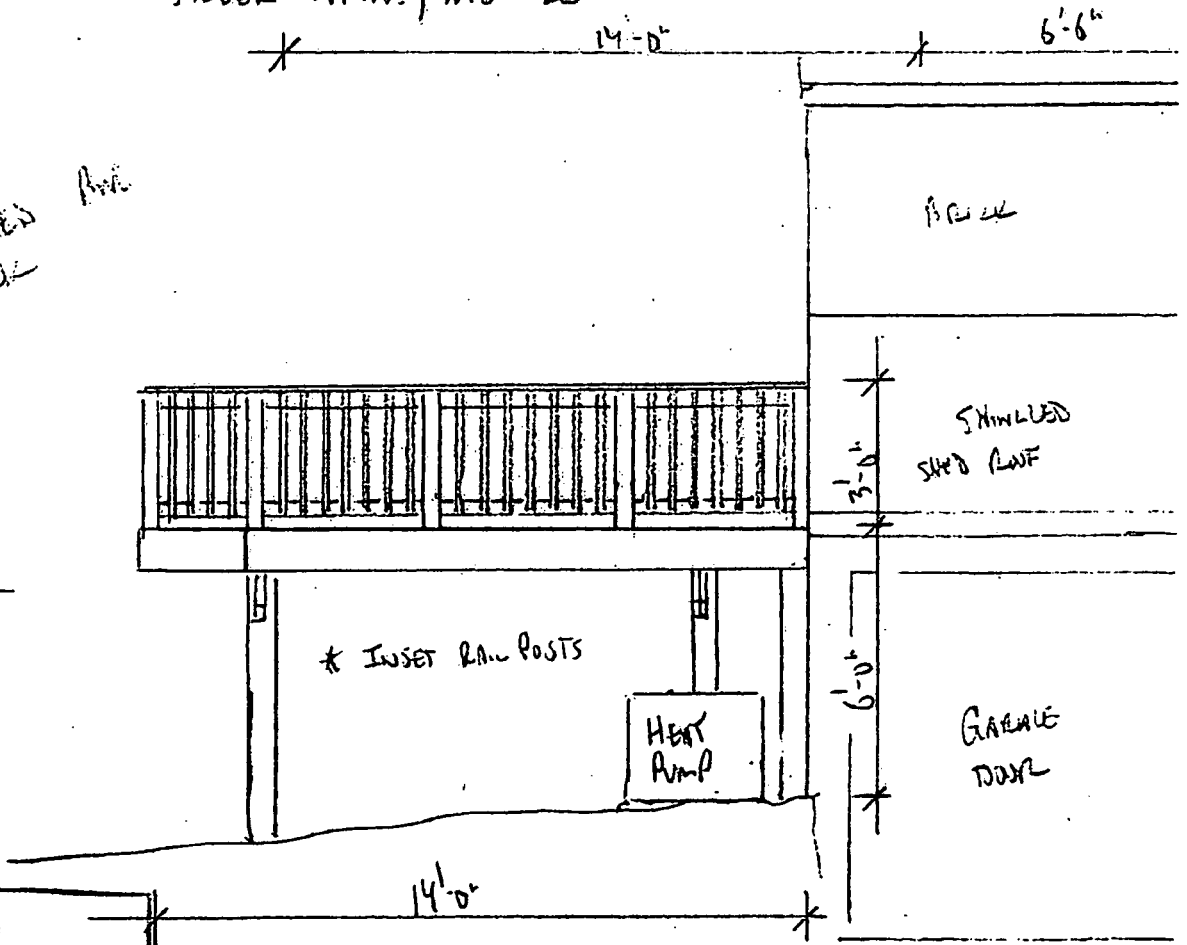
14x17
PRESSURE TREATED
SUN DECK

BRICK

SIDE ELEVATION

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APPROVED
 Montgomery County
 Historic Preservation Commission

[Signature]
 12/19/77



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

William Kirwan
Chairperson

Date: December 19, 2013

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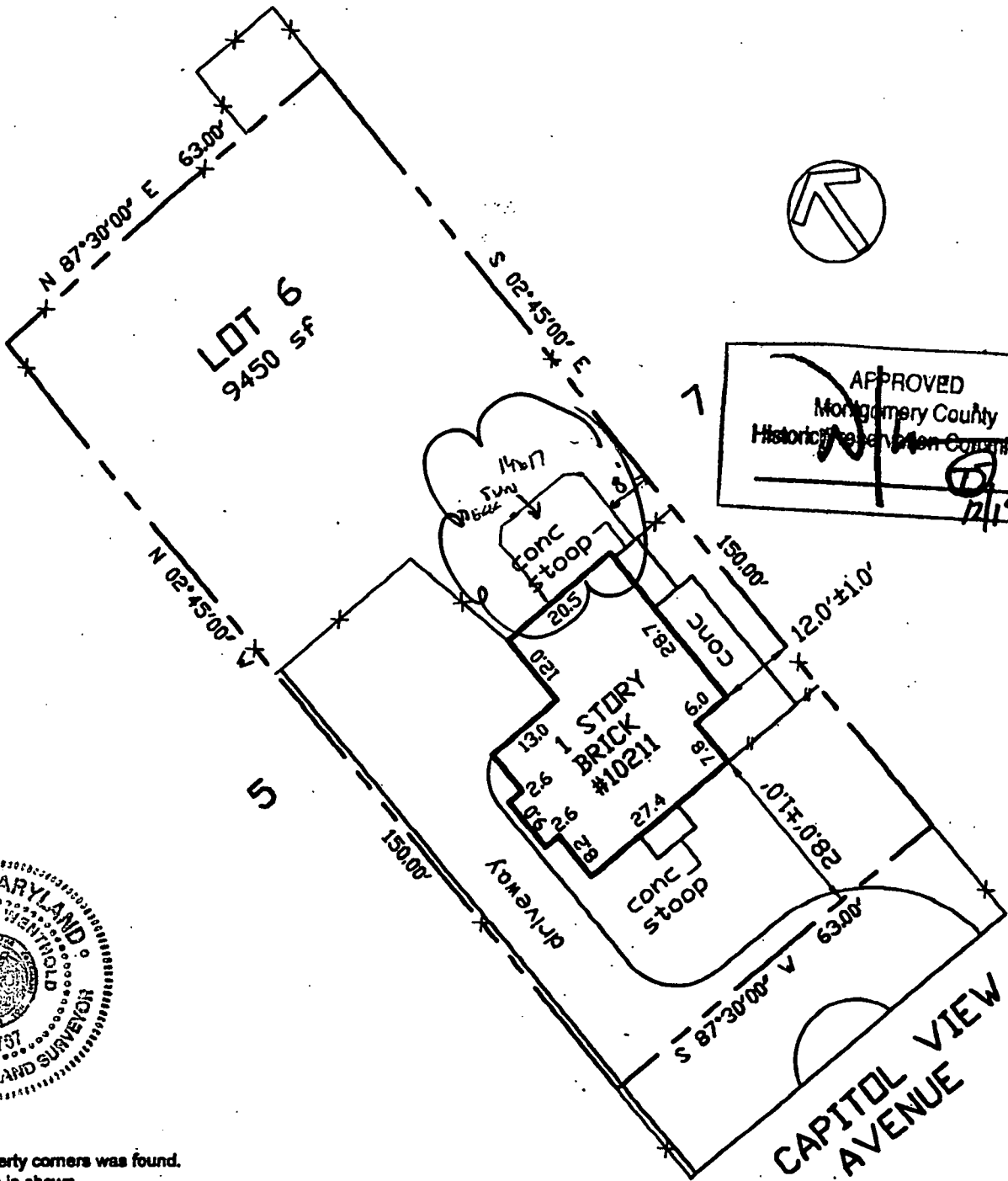
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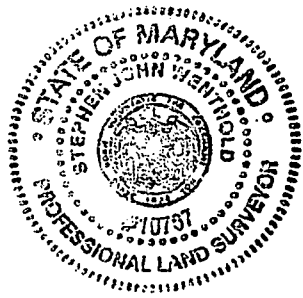
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PLEASE PRINT (IN BLUE OR BLACK INK OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



APPROVED
 Montgomery County
 Historic Preservation Commission
 7/19/18



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Stephen Whittold

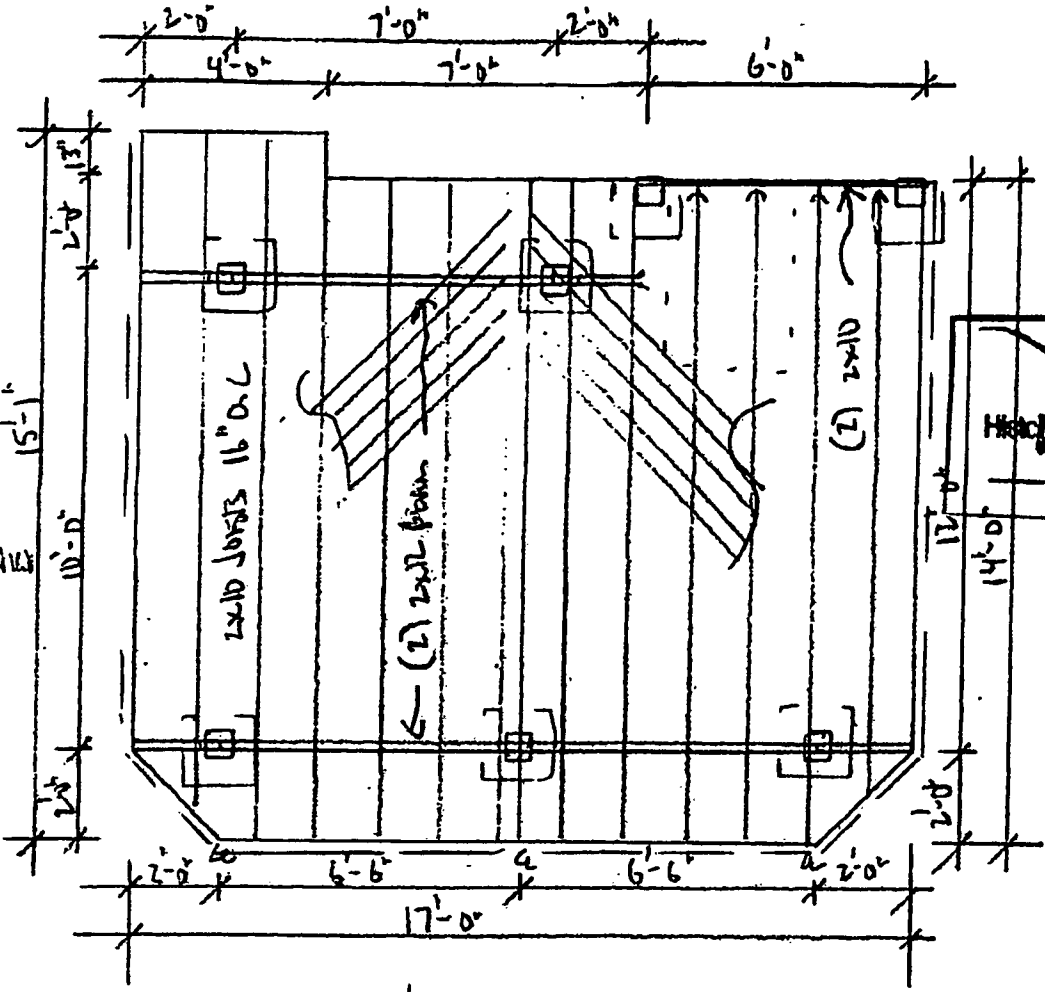
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6

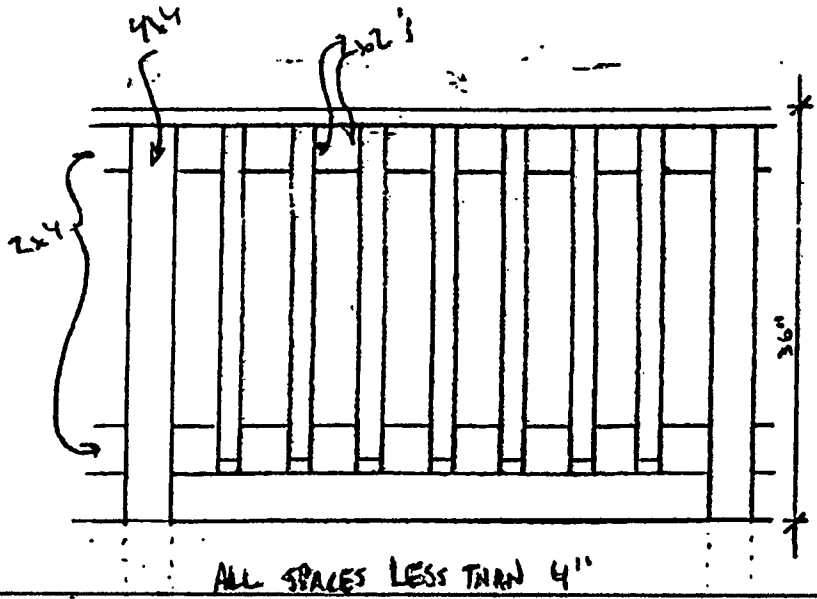


APPROVED
 Montgomery County
 Health Department Commission
 [Signature]
 12/1/18

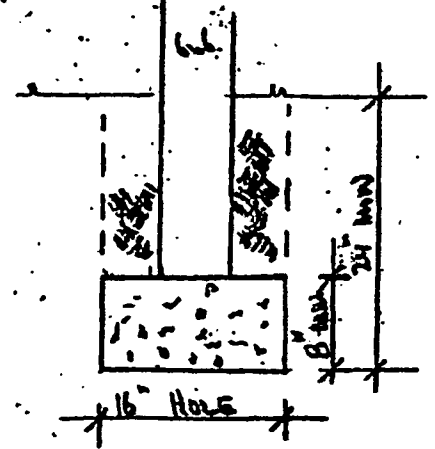
10211
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* DECK CAN BE STAINED CEDAR TONE AFTER DRY OUT PERIOD OF 4 WEEKS *



(2) 1/2" THIN GAPS
 OPEN BOTTOM
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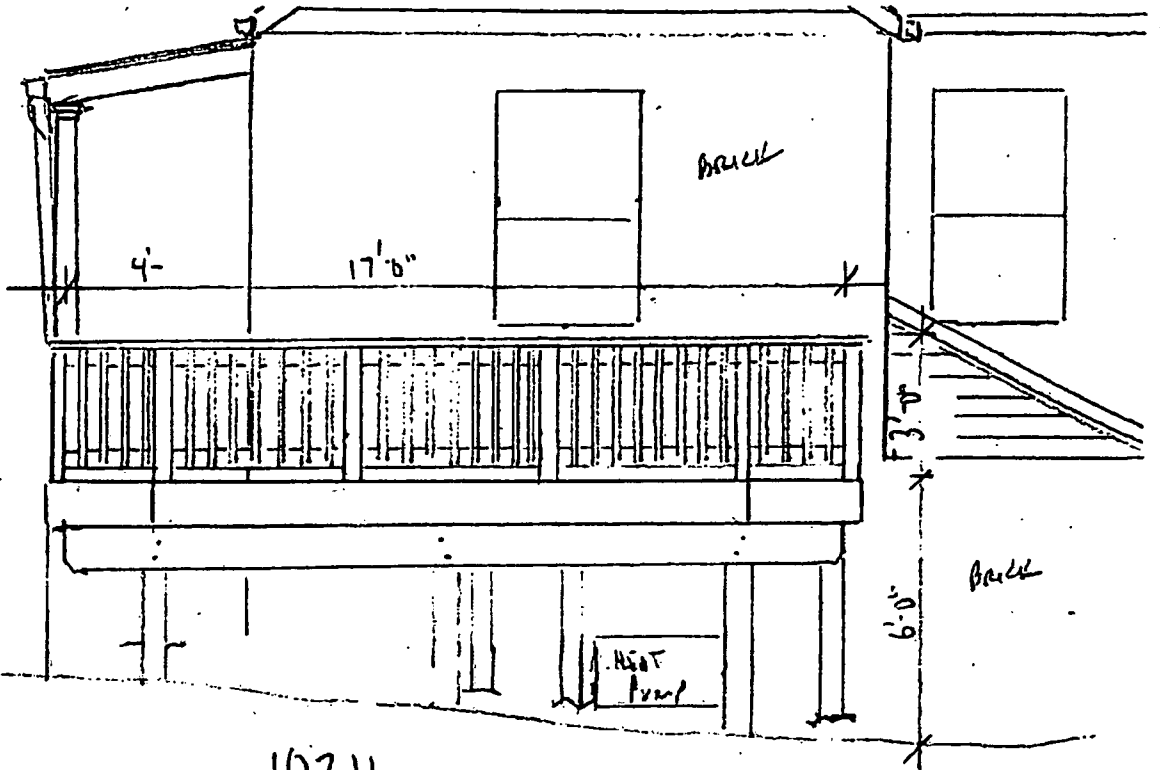


FOOTING DETAIL
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REAR ELEVATION

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* INSET RAIL POSTS *



10211

CAPITOL VIEW AVE

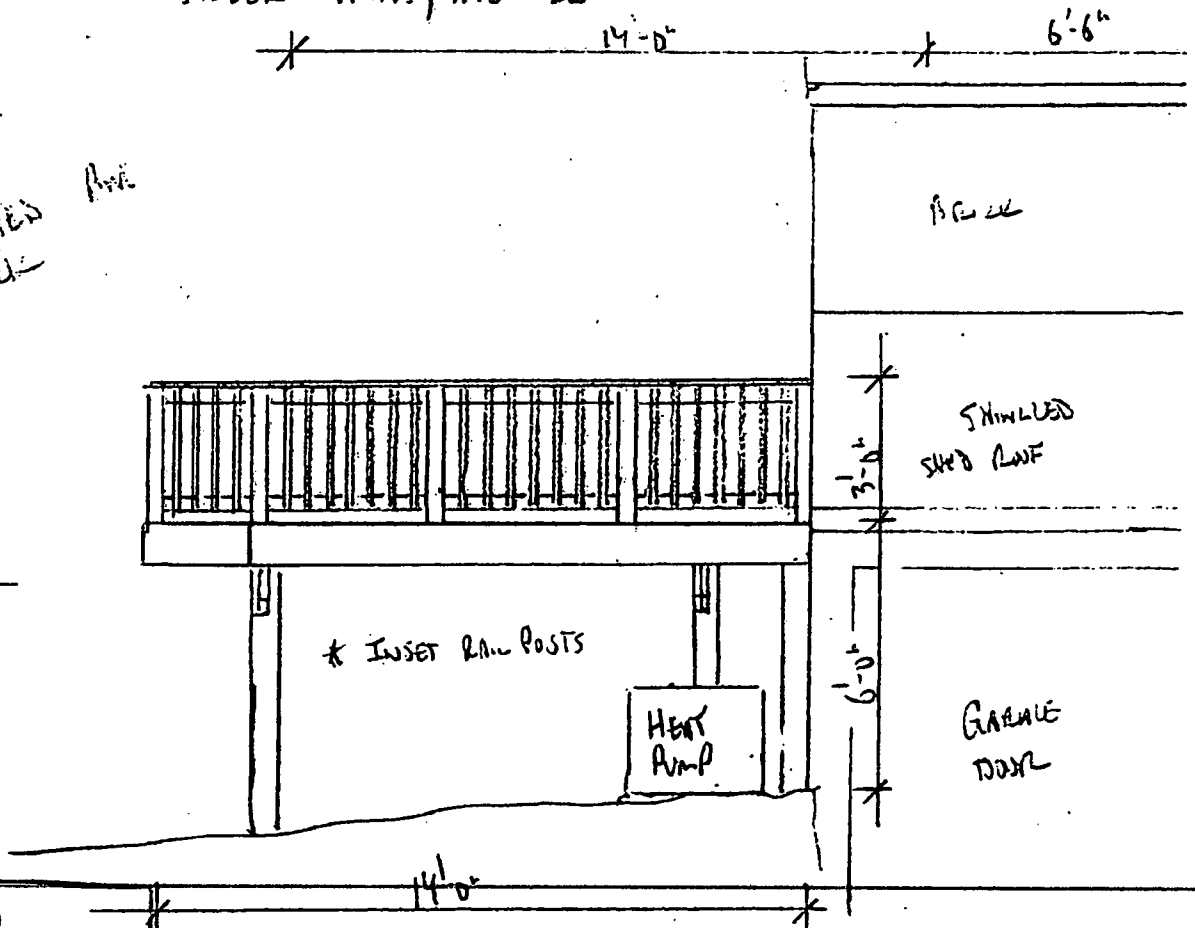
SILVER SPRING, MD 20910



14x17
PRESSURE TREATED
TAN DECK

SIDE ELEVATION

SCALE 1/4" = 1'



APPROVED
 Montgomery County
 Historic Preservation Commission

[Signature]
 12/19/17



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Jeff Frashure

Daytime Phone No.: (301) 674-3880

Tax Account No.:

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Contractor Registration No.: 32070

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House Number: 10211 Capitol View Ave Street:

Town/City: Silver Spring / MD Nearest Cross Street:

Lot: 6 Block: 2 Subdivision: Capitol View Park

Liber: Folio: Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE: Construct, Extend, Alter/Renovate, Move, Install, Wreck/Raze, Revision, Repair, Revocable, A/C, Slab, Room Addition, Porch, Deck, Shed, Solar, Fireplace, Woodburning Stove, Single Family, Fence/Wall, Other.

1B. Construction cost estimate: \$ 7,060

1C. If this is a revision of a previously approved active permit, see Permit # N/A

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC, 02 Septic, 03 Other:

2B. Type of water supply: 01 WSSC, 02 Well, 03 Other:

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3A. Height feet inches N/A

- 3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations: On party line/property line, Entirely on land of owner, On public right of way/easement

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3. PLANS AND ELEVATIONS

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SEE REVERSE SIDE FOR INSTRUCTIONS

Edt 6/21/99

Application/Permit No.: 055164
Date Filed: 12/19/13
Date Issued: 12/19/13
Approved: [Signature]
Disapproved: [Signature]
Signature of owner or authorized agent: [Signature]
Date: 11/9/13

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	10211 Capitol View Avenue, Silver Spring	Meeting Date:	12/4/13
Resource:	Non-Contributing Resource Capitol View Park Historic District	Report Date:	11/27/13
Applicant:	Nestor DiNegro and Jillian Diesner	Public Notice:	11/20/13
Review:	HAWP	Tax Credit:	N/A
Case Number:	31/07-13F	Staff:	Josh Silver

PROPOSAL: Construction of rear yard deck

STAFF RECOMMENDATION

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

PROPERTY DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource within the Capitol View Park Historic District
STYLE: Modern
DATE: 1935-present

PROPOSAL

The applicant is proposing to construct 17'0" x 14'0", pressure-treated wooden deck in the rear yard of the subject property. Access to deck will be from an existing concrete landing on the east elevation of the house. The deck and handrails will be stained after a four week dry-out period.

APPLICABLE GUIDELINES

Montgomery County Code; Chapter 24A-8

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (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 insure 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
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; 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
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (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.)

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b), (1) and (2):

and with the general condition that the applicant shall present the **3 permit sets of drawings to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or anne.fothergill@mncppc-mc.org to schedule a follow-up site visit.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
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DPS - #8

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X [Signature] 11/9/13
Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 655164 Date Filed: _____ Date Issued: _____

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- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. **PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. **MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. **PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. **TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. **ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

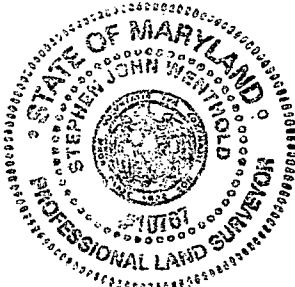
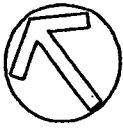
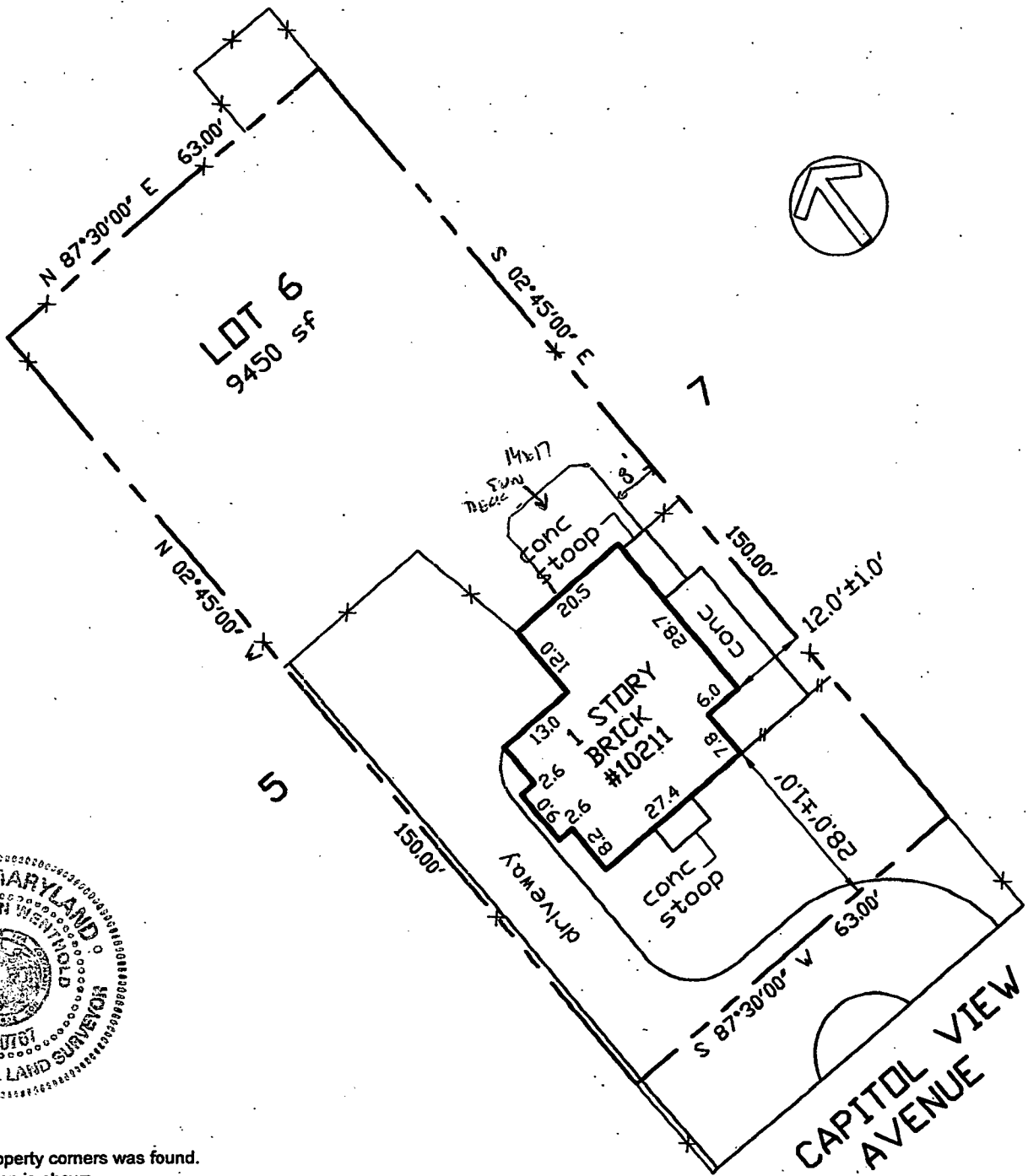
Properties Near 10211 Capitol View Ave, Silver Spring MD 20910-1013

Adjacent

- 10209 Capitol View, HIRSH, REBECCA
 - 10213 Capitol View, ENDERLIN WILLIAM O
-

Confronting

- 10210 Capitol View, FLAVIN THOMAS H & E S
- 10212 Capitol View, WHITT GORDON A JR & WHITT CATHERINE M



No evidence of property corners was found.
 Apparent occupation is shown.

Date: 11-23-10 Scale: 1"=25' Dm: R.C.d.
 Plat Book: 12
 Plat No.: 805 NO TITLE REPORT FURNISHED
 Work Order: 10-2230
 Address: 10211 CAPITOL VIEW AVENUE
 District: 13
 Jurisdiction: MONTGOMERY COUNTY, MD

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

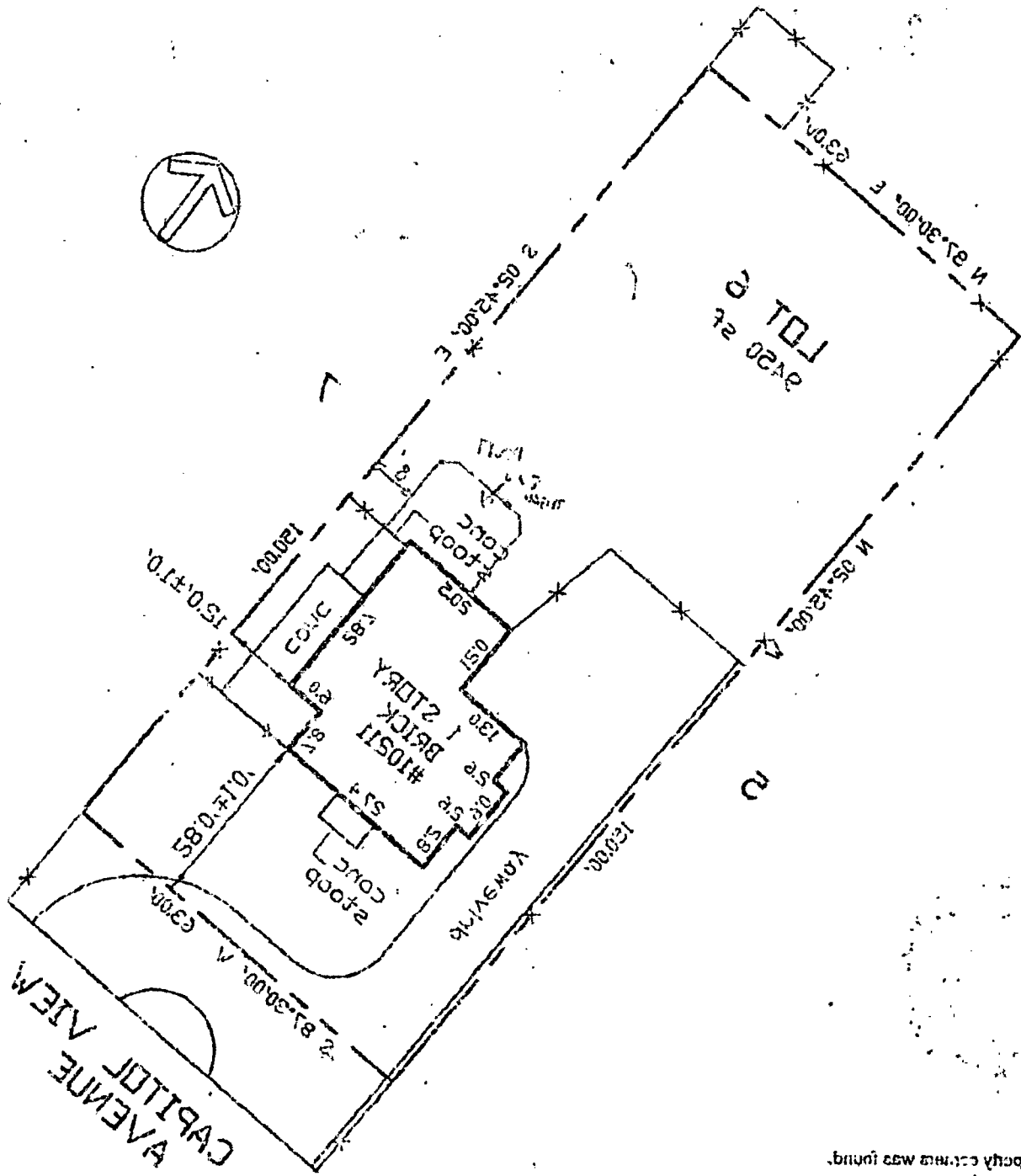
Stephen J. Wenthold



Meridian Surveys, Inc.
 811 Russell Avenue
 Suite #301
 Gaithersburg, MD 20879
 (301) 721-9400

LOCATION DRAWING
 LOT 6
 BLOCK 2
 CAPITOL VIEW PARK

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



No change of property corners was found.
Adjacent location is shown.

Surveyor's Certification

I hereby certify that the survey shown herein is done to the best of my knowledge and that unless noted otherwise, it has been prepared utilizing description of records. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor warranted. Fence lines, if shown, are approximate in location. Building location lines shown are as per available information and are subject to the interpretation of the originator.

Location: MONTGOMERY COUNTY, MD
 District: 13
 Address: 10211 CAPITOL VIEW AVENUE
 Work Order: 10-2330
 Plat No.: 802
 Plat Book: 13
 Date: 11-23-10
 Scale: 1" = 50' Dwg. R.C.D.

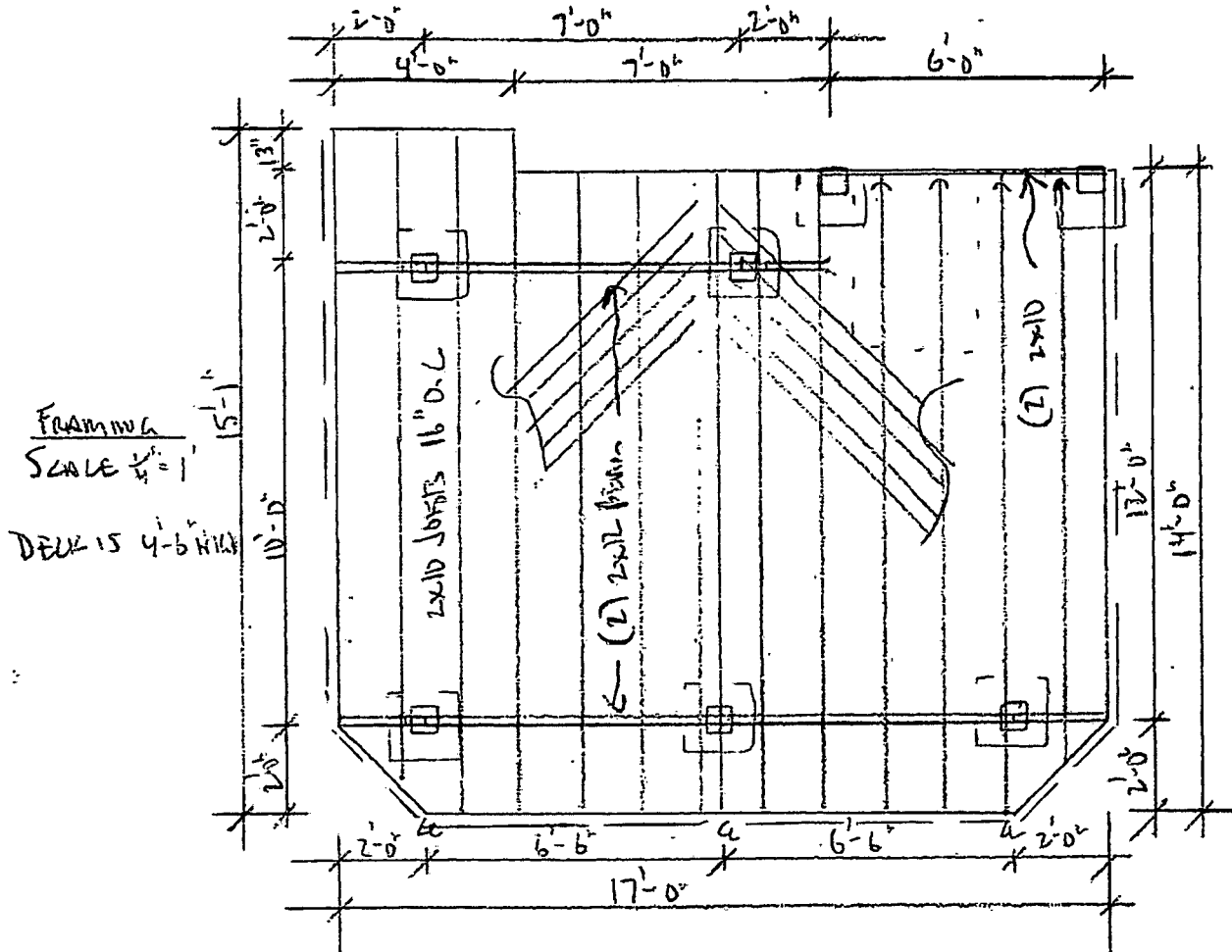
NO TITLE REPORT FURNISHED

LOCATION DRAWING
 LOT 8
 BLOCK 2
 CAPITOL VIEW PARK

Mehlan Surveys, Inc.
 811 Russell Avenue
 Suite #301
 Gaithersburg, MD 20878
 (301) 751-8400



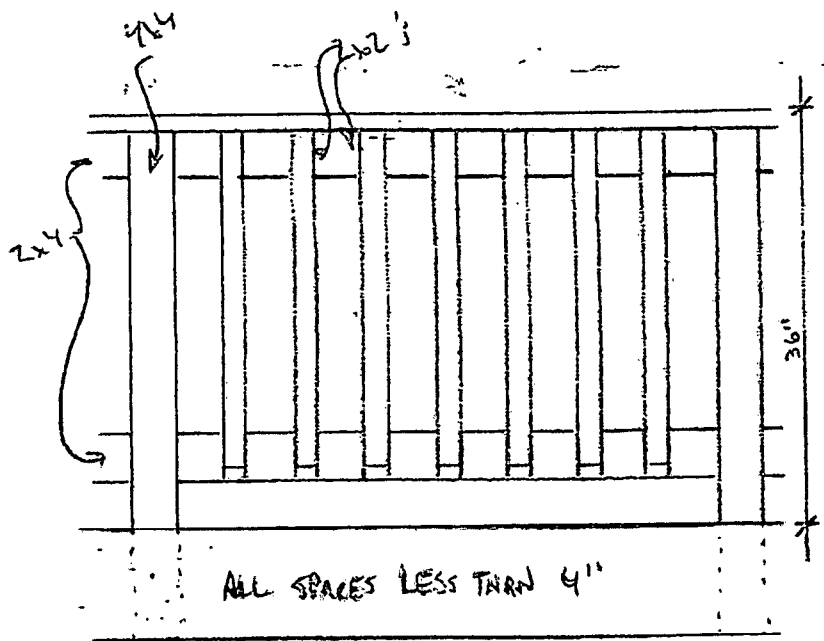
NOTE: This plat is for a consumer only. It is not to be used for financing or for the insurance company or the agent in connection with a completed loan. The plat is not to be relied upon for the location of easements, covenants, or other existing or future encumbrances. This plat does not provide for the correction of errors. The plat is not to be used for financing or for the insurance company or the agent in connection with a completed loan. The plat is not to be relied upon for the location of easements, covenants, or other existing or future encumbrances. This plat does not provide for the correction of errors.



10211
 CAPITAL VIEW AVE
 SILVER SPRING MD 20910

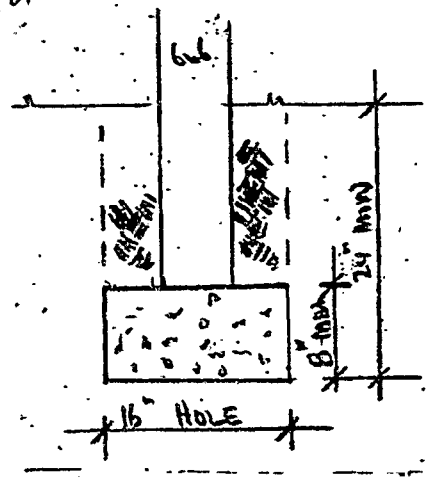
* ALL LUMBER PRESSURE TREATED PINE

* DECK CAN BE STAINED
 CEDAR TONE AFTER DRY OUT
 PERIOD OF 4 WEEKS *



(2) 1/2" THICK BOLTS
 OPEN BOTTOM
 SCALE 3/4" = 1"
 MAX SPACING BETWEEN POSTS
 5'

INSERT
 RAIL
 POSTS

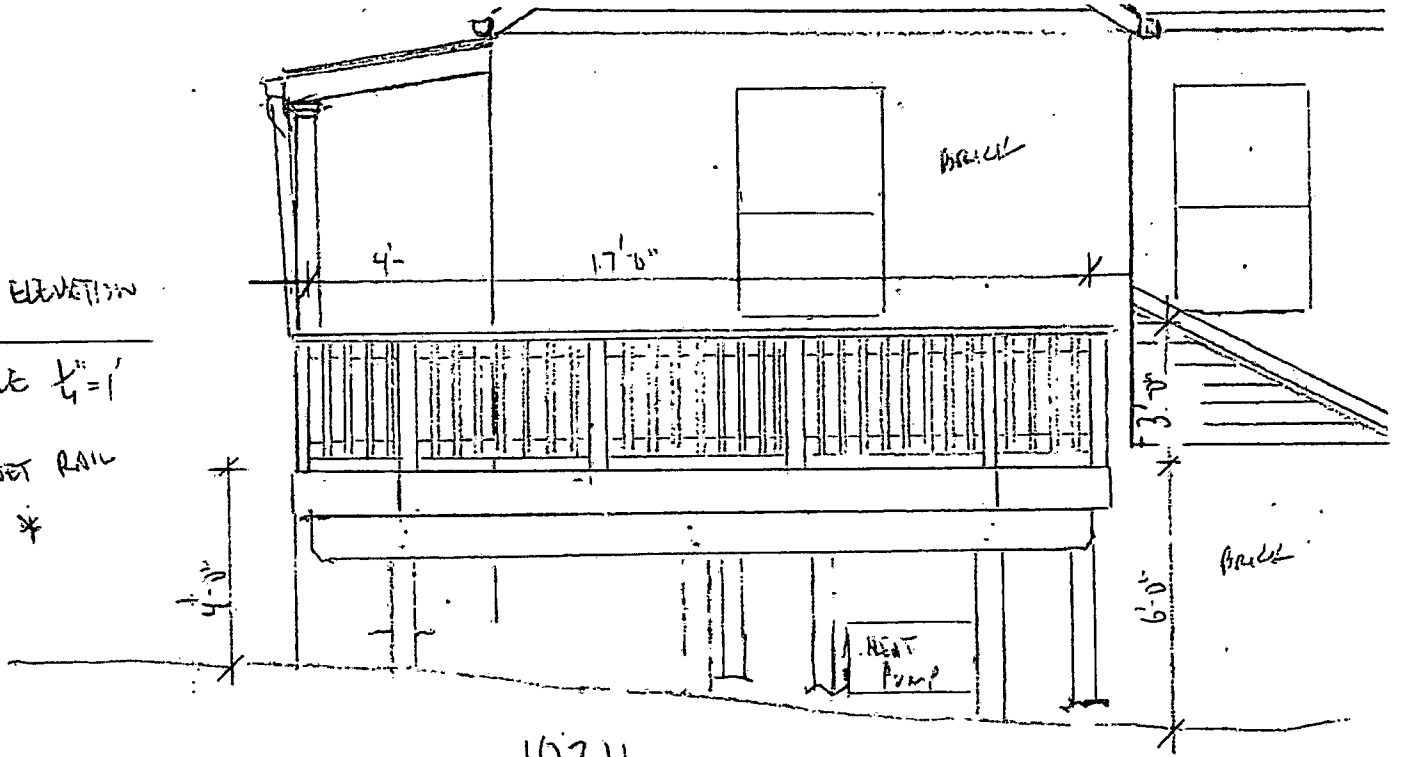


FOOTING DETAIL
 SCALE 3/4" = 1"

REAR ELEVATION

SCALE $\frac{1}{4}'' = 1'$

* INSET RAIL
POSTS *



10211

CAPITOL VIEW AVE

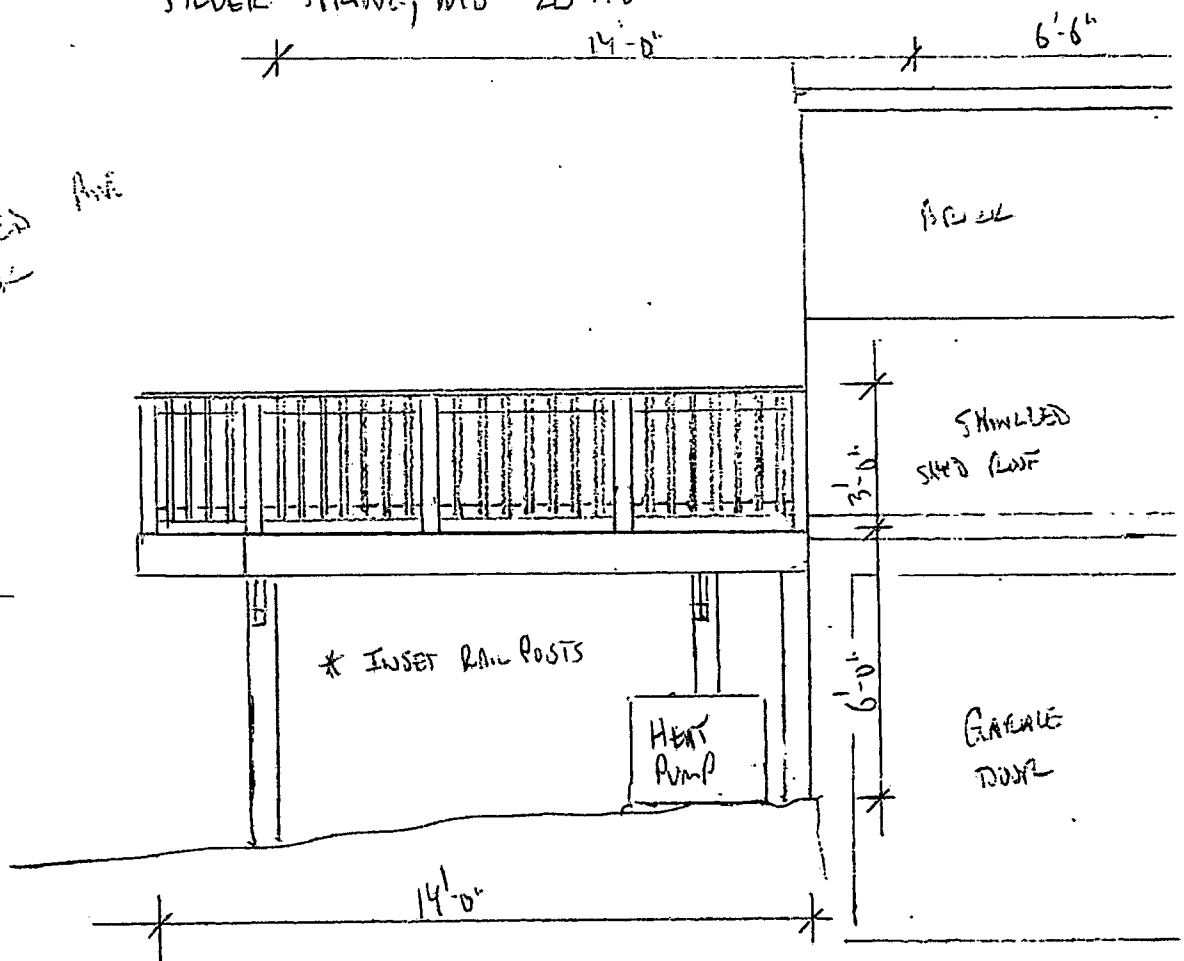
SILVER SPRING, MD 20910



14x17
PRESSURE TREATED
SUN DECK
AVE

SIDE ELEVATION

SCALE $\frac{1}{4}'' = 1'$





10211
CAR. VIEW AVE.

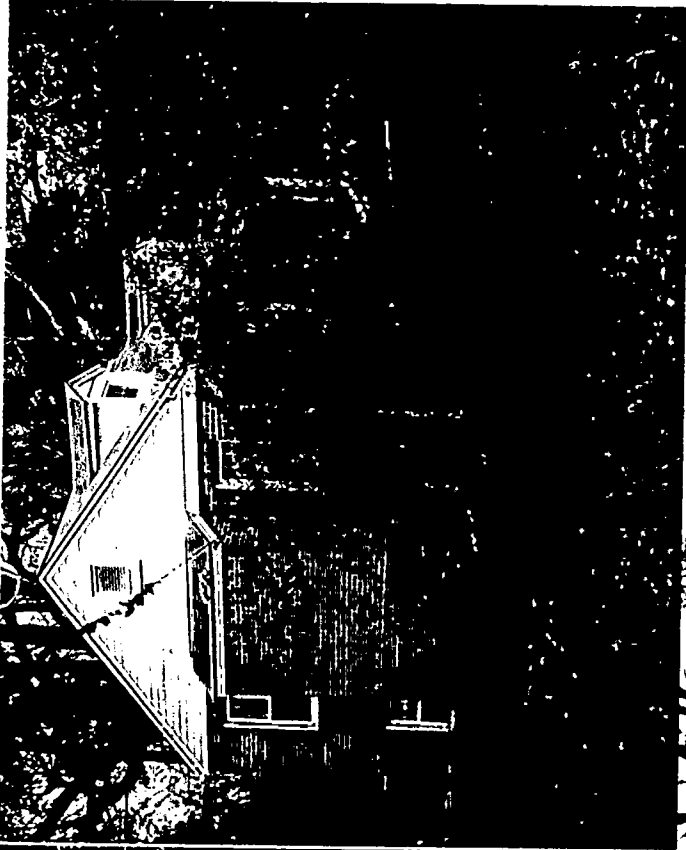
10211 Capitol View Ave, Silver Spring MD
20910-1613

41

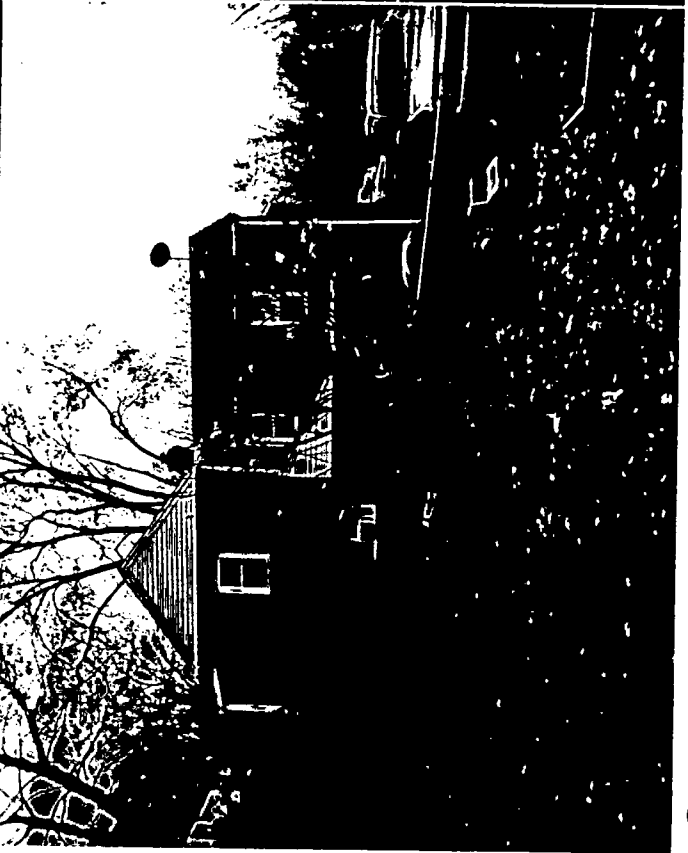
STREET VIEW



WEST-SIDE VIEW



REAR VIEW



EAST-SIDE VIEW



FAX COVER SHEET

CAROL IRELAND
10023 Menlo Avenue
Silver Spring, MD 20910
Phone: 301-588-4420
Fax: 301-588-1552
CAMELIDZ@his.com

FOR: *Josh Silver*

To: *Josh Silver*
Telephone: *301563-3400*
Title: *Planner*
Organization: *HPC*
Date: *12/4/13*

*Agreement with staff recommendation
of approval for HAWP 31/07-13F
10211 Capital View Ave*

Sincerely,



Carol Ireland

NUMBER OF PAGES SENT INCLUDING THIS COVER: *②*

Sending Fax: 301-588-1552

Receiving Fax: *301563-3412*

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