

2011 HAWAII

9910 Capitol View Ave.  
Capitol View Park H.D.



## HISTORIC PRESERVATION COMMISSION


Isiah Leggett  
County Executive

Leslie Miles  
Chairperson

Date: 12/8/11

### MEMORANDUM

TO: Diane Schwartz Jones, Director  
Department of Permitting Services

FROM: Anne Fothergill   
Planning Coordinator  
Historic Preservation Section-Planning Department  
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #583358—siding and window replacement

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The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP) and this application was **approved** by the HPC on December 7, 2011.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: John J. and Mara Maguire  
Address: 9910 Capitol View Avenue, Silver Spring

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 to schedule a follow-up site visit.





HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
 Daytime Phone No.: \_\_\_\_\_  
 Tax Account No.: \_\_\_\_\_  
 Name of Property Owner: John S. + Mara Maguire Daytime Phone No.: \_\_\_\_\_  
 Address: 9910 Capital View Ave Silver Spring MD 20910  
Street Number City State Zip Code  
 Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
 Contractor Registration No.: \_\_\_\_\_  
 Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 9910 Street: Capital View Ave  
 Town/City: Silver Spring Nearest Cross Street: Leafy Ave  
 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
 Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**PART ONE: TYPE OF PERMIT ACTION AND USE**

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input checked="" type="checkbox"/> Alter/Renovate	<input type="checkbox"/> A/C	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input type="checkbox"/> Single Family		
<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Repair	<input type="checkbox"/> Revocable	<input type="checkbox"/> Fence/Wall (complete Section 4)		<input type="checkbox"/> Other: _____			

1B. Construction cost estimate: \$ \$21,470

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

**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  
 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.

Signature of owner or authorized agent: \_\_\_\_\_ Date: 10/20/11

Approved: \_\_\_\_\_  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 12/8/11  
 Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

A/P# 583358

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

**1. WRITTEN DESCRIPTION OF PROJECT**

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

Single-family Cape Cod Style house built in 1944-'46,  
Situated on a sub-urban street with original and  
Modern homes.

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

Replacing worn Aluminum siding with vinyl-siding of  
a similar style, Replacing broken gutter system, Replacing  
Bathroom window (back facing) and Replacing roof with  
same materials.

**2. SITE PLAN**

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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**

- 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.
- 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).

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.

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

<b>Address:</b>	9910 Capitol View Avenue, Silver Spring	<b>Meeting Date:</b>	12/7/11
<b>Applicant:</b>	John J. and Mara Maguire	<b>Report Date:</b>	11/30/11
<b>Resource:</b>	Nominal (Non-Contributing) Resource Capitol View Park Historic District	<b>Public Notice:</b>	11/23/11
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	Partial
<b>Case Number:</b>	31/7-11H	<b>Staff:</b>	Anne Fothergill
<b>PROPOSAL:</b>	Siding and window replacement		

**STAFF RECOMMENDATION**

Staff recommends that the HPC approve the HAWP application.

**PROPERTY DESCRIPTION**

**SIGNIFICANCE:** Nominal (Non-Contributing) Resource in the Capitol View Park Historic District  
**DATE:** 1944  
**STYLE:** Cape

**PROPOSAL**

The applicants are proposing to replace the aluminum siding on the house with vinyl siding. They propose to replace the roof with the same roofing material and replace the broken gutter system. They also propose to replace one window on the rear of the house with a new window. The application did not specify which window or the type of replacement gutters and the applicants did not or respond to a written query from staff or provide phone or email contact information.

**APPLICABLE GUIDELINES**

When reviewing alterations within the Capitol View Park Historic District *Montgomery County Code Chapter 24A (Chapter 24A)* and the *Secretary of the Interior's Standards for Rehabilitation (Standards)* are to be utilized as guidelines to assist the Commission in developing their decision. The pertinent information in these documents is outlined below.

***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 one 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.)

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

Standard #9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

**STAFF DISCUSSION**

As noted above, Chapter 24A-8 (d) states: "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." While the Commission would probably find fiber cement siding more compatible with other original materials found on historic resources in the district, the change from aluminum to vinyl siding on this house will not impair the historic district nor will gutter and roof replacement. Additionally, even though we do not know which window on the rear elevation is proposed to be removed and we don't know what the replacement material is, because it is on the rear of the house, this change also won't impair the historic district. However, the applicants are advised in the future to submit more detailed applications and also that the roof and gutter replacement and other maintenance of this house may be eligible for tax credits. Staff recommends approval.

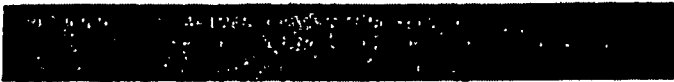
**STAFF RECOMMENDATION**

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

and with the *Secretary of the Interior's Standards for Rehabilitation*;

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

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

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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.

[Signature] \_\_\_\_\_ 10/20/11 \_\_\_\_\_  
Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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583358  
A/P#



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Situated on a sub-urban street with original, and  
Modern homes.

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

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a similar style, Replacing broken gutter system, Replacing  
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**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**  
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

<b>Owner's mailing address</b> 9910 Capitol View Ave Silver Spring MD 20910	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	
<b>Adjacent Left</b> 9908 Capitol View Ave Silver Spring, MD 20910	<b>Adjacent Right</b> 9912 Capitol View Ave Silver Spring, MD 20910
<b>Facing/Confronting</b> 9911 Capitol View Ave Silver Spring, MD 20910	

CONSUMER INFORMATION NOTES:

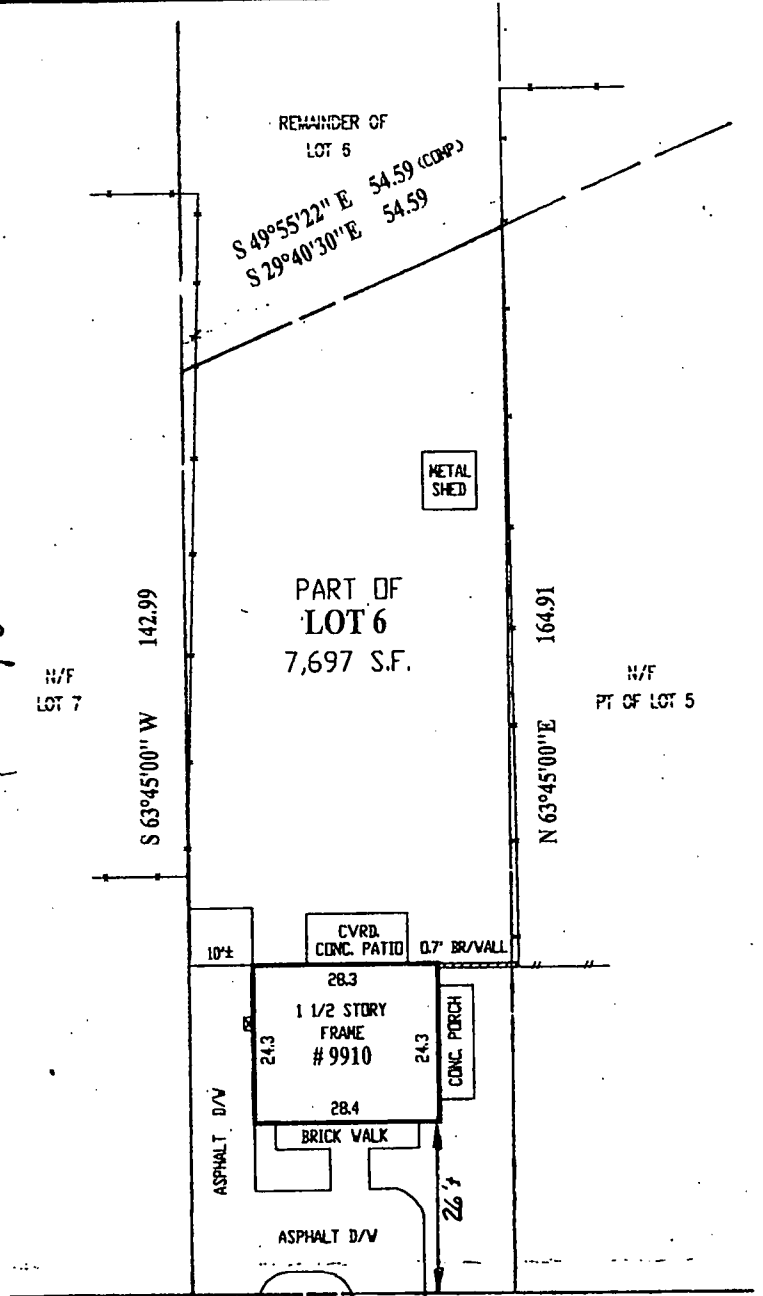
1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.

Notes

1. Flood zone "C" per H.U.D. panel No. 0200 C
2. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 5 Feet  
No property corners found
3. The deed description does not close mathematically
4. A boundary survey would be required to provide for a more correct metes and bounds description and for higher accuracy

*John Maguire*

*Jeffrey A. Foster*



LOCATION DRAWING  
PART OF LOT 6, BLOCK 31  
CAPITOL VIEW PARK  
MONTGOMERY COUNTY, MARYLAND

CAPITOL VIEW AVENUE  
(GLEN INN AVENUE-PER PLAT)

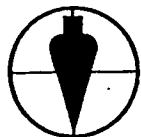
SURVEYOR'S CERTIFICATE

"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."

*Jeffrey A. Foster* 587  
MARYLAND PROPERTY LINE SURVEYOR REG. NO.

REFERENCES

PLAT BK.	A
PLAT NO.	9
LIBER	14910
FOLIO	688



SNIDER & ASSOCIATES  
SURVEYORS - ENGINEERS  
LAND PLANNING CONSULTANTS  
2 Professional Drive, Suite 216  
Gaithersburg, Maryland 20879  
301/948-5100, Fax 301/948-1286

DATE OF LOCATIONS	SCALE: 1" = 30'
WALL CHECK:	DRAWN BY: E.M.G.
HSE. LOC.: 06-12-05	JOB NO.: 06-4207

Application: Maguire

7

Existing P



Detail: House front



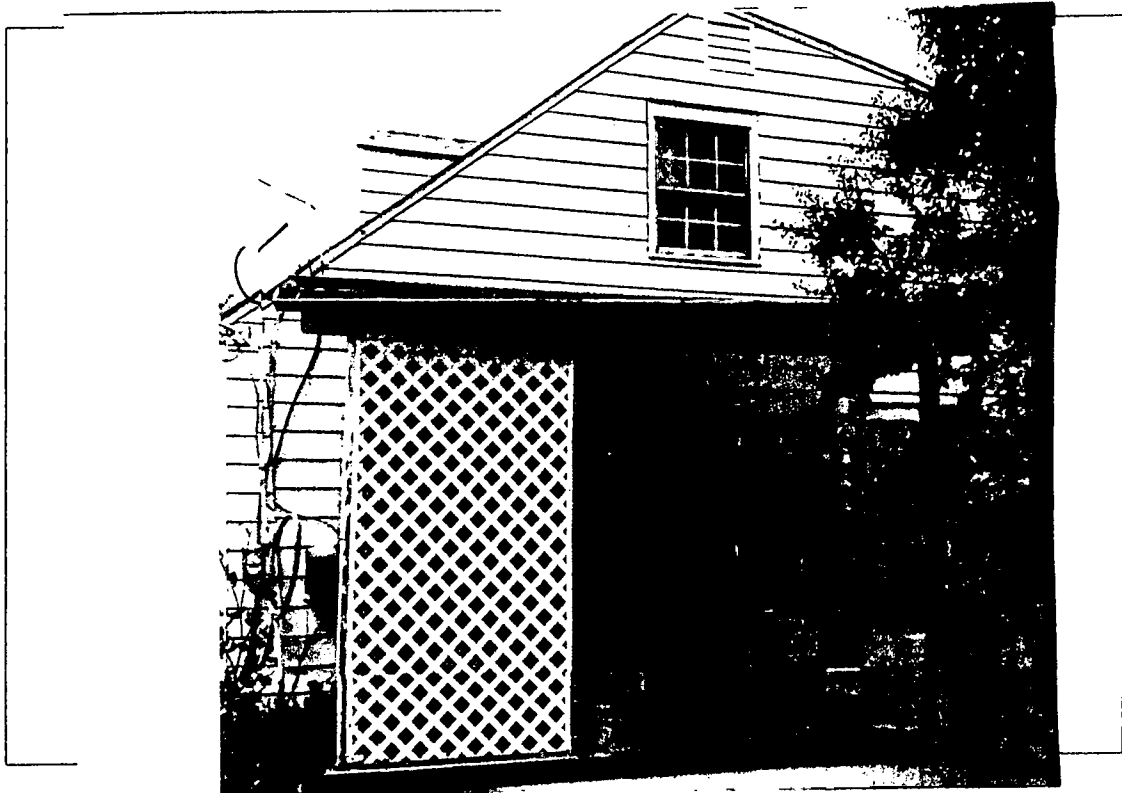
Detail: House Rear

Applicant: Maguire

Existing Property Condition Photographs (duplicate as needed)



Detail: House Left side



Detail: House, Right side

Applicant: Margie

9910 Capitol View

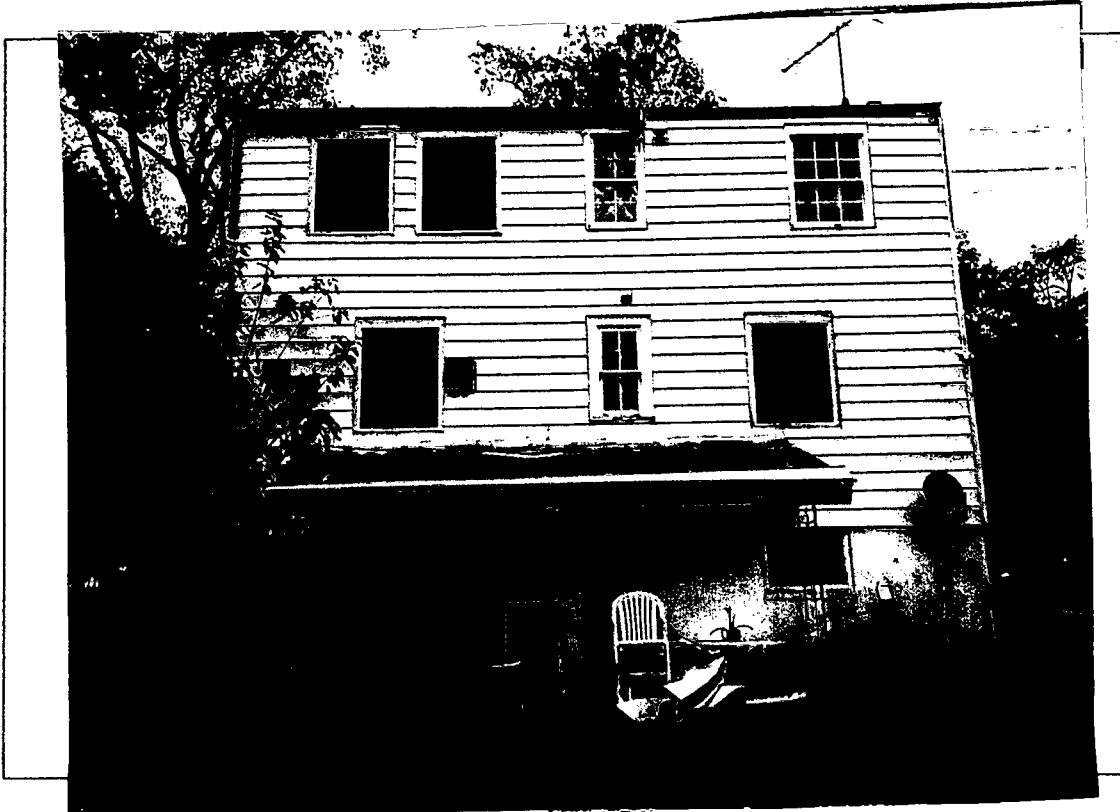


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Existing P



Detail: *House front*



Detail: *House Rear*

Applicant: *Margie*

Page: *1*