

31/7 10026 Menlo Ave.
31/7-89C

LAW OFFICES
MILLER, MILLER & CANBY
CHARTERED
200-B MONROE STREET
ROCKVILLE, MARYLAND 20850

WILLIAM M. CANBY
ROBERT L. BURCHETT
JAMES L. THOMPSON
LEWIS R. SCHUMANN
J. S. KLINE
JOSEPH V. TRUHE, JR.
DIANE M. POOLE
SUSAN W. CARTER
ELLEN S. WALKER
KEVIN S. BREEDEN

TELEPHONE (301) 762-5212
FAX (301) 762-6044

February 16, 1989

Mr. Steven Karr, Chairman
Montgomery County Historic Preservation Commission
51 Monroe Street, Suite 1001
Rockville, Maryland 20850

RE: Request to Defer Consideration of
Historic Area Work Permit
Block 32, Lot 25, Capitol View Park

Dear Chairman Karr:

I am writing to you on behalf of my client, A-F Enterprises, Inc. to request that you defer discussion on the historic area work permit submitted by my client until further advised. The property which is the subject of this application is Lot 25, Block 32, Capitol View Park, located on Menlo Street. Late this afternoon my client entered into a contract to sell the property to Marion Edey. Therefore, we would request that the matter be deferred pending sale or some further determination with respect to the development of the property.

Thank you for your consideration of this request.

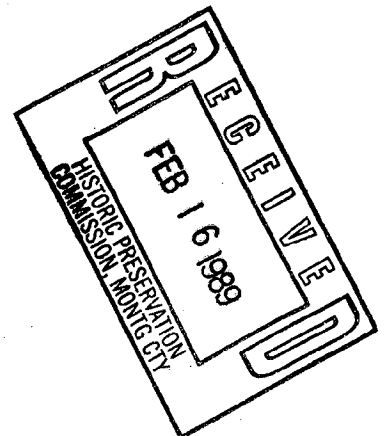
Very truly yours,

MILLER, MILLER & CANBY

Susan W. Carter
Susan W. Carter

SWC:atn

CC: Paul V. Flaherty, Jr.



HISTORIC PRESERVATION COMMISSION STAFF REPORT

PREPARED BY: Jared B. Cooper

DATE: February 8, 1989

CASE NUMBER: #31/7-89C

TYPE OF REVIEW: HAWP

SITE/DISTRICT NAME: Cap. View Pk

PROPERTY ADDRESS: 10026 Menlo Avenue
Silver Spring, MD 20910

DISCUSSION:

The applicant is proposing construction of a two story home at 10026 Menlo Avenue in the Capitol View Park Historic District, measuring approximately 28 feet by 40 feet. The proposed home is of a very classical style with a small decorative porch on the principle elevation. (See attached plans.) The proposed site (is located between 10022 Menlo, on which is constructed a circa 1930's Dutch Colonial Revival and 2910 Barker, on which is constructed a circa 1920 Semi-Bungalow.

Both the lots at 10026 Menlo and 2910 Barker are nicely landscaped with a scattering of fairly large native trees along with a number of more recent coniferous additions.

The LAC's principle concerns are the setback and scale of the proposed structure.

STAFF RECOMMENDATION:

Staff concurs with LAC recommendation for denial and agrees with part of their reasons for denial. Staff, however, would recommend approval for construction if the following stipulations and conditions are met: 1) that the setback from Menlo be established at a point which is equal to the average setback of the nearest adjacent structures in any direction from the site, and which orient to the same street. In this case, it appears that this setback would be established by the structure at 10022 Menlo since there is no structure orienting to Menlo on the other side of this lot. Staff would suggest that this setback rule could be adjusted up to 10 to 15 feet, if, in doing so, significant trees could be saved; 2) that the width of the principal elevation (facing Menlo) be maintained at a dimension which is no more than 5 feet greater than the average of immediately adjacent structures. It appears that this requirement has already been met. 3) That the structure be no greater than two stories- in height (this has been met). 4) That the foundation (or first floor) level be maintained at a level which is no higher than the average of the immediately adjacent structures.

Staff feels that these should be the principal areas of concern, along with an assessment of significant trees.

Photographs of the area will be provided at the meeting, along with a full set of plans.

ATTACHMENTS:

1. HAWP
2. LAC review form
3. Site plan
4. Elevation drawings

COMMISSION ACTION:

No action taken - the application was withdrawn by the applicant prior to the meeting



Historic Preservation Commission

100 Maryland Avenue, Rockville, Maryland 20850

Office of Community Development
Division of Planning

RECEIVED
FEB 8 1989
Office of Community Development
Division of Planning
Montgomery County, Maryland

RECEIVED
JAN 9 1989
Montgomery County, Maryland

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 995662

NAME OF PROPERTY OWNER A-F ENTERPRISES, INC. TELEPHONE NO. (301) 587-3011
(Contract/Purchaser) (Include Area Code)

ADDRESS 10812 Connecticut Avenue, Suite 200, Kensington, Maryland 20895
CITY STATE ZIP

CONTRACTOR AVERY HOMES, INC. TELEPHONE NO. (301) 587-3011

PLANS PREPARED BY The Columbia Design Collective TELEPHONE NO. (301) 621-8118
(Include Area Code)

REGISTRATION NUMBER C-431

LOCATION OF BUILDING/PREMISE

House Number 10026 Street MENLO AVENUE

Town/City Silver Spring (not) 20910 Election District 13th

Nearest Cross Street Barker Street

Lot 25 Block 32 Subdivision Capitol View Park

Liber 150 Folio 17105 Parcel

1A. TYPE OF PERMIT ACTION: (circle one)
 Construct Extend/Add Alter/Renovate Repair Wreck/Raze Move Install Revocable Revision

Circle One: A/C Slab Room Addition
 Porch Deck Fireplace Shed Solar Woodburning Stove
 Fence/Wall (complete Section 4) Other SFD

1B. CONSTRUCTION COSTS ESTIMATE \$ 80,000.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PEPCO

1E. IS THIS PROPERTY A HISTORICAL SITE? Yes

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

4A. HEIGHT _____ feet _____ inches

4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 1. On party line/Property line _____
 2. Entirely on land of owner _____
 3. On public right of way/easement _____ (Revocable Letter Required).

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.

William H. Avery, Jr.

January 2, 1989

Signature of owner or authorized agent (agent must have signature notarized on back) _____ Date _____
 William H. Avery, Jr., President, A-F Enterprises, Inc.

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: _____ FILING FEE: \$ _____
 DATE FILED: _____ PERMIT FEE: \$ _____
 DATE ISSUED: _____ BALANCE \$ _____
 OWNERSHIP CODE: _____ RECEIPT NO: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

RECEIVED
JAN 3 1989
Office of Community Development
Division of Planning
Montgomery County, Maryland

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

Historic Preservation Commission

DESCRIPTION OF PROPOSED WORK: (including composition, color and texture of materials to be used:)

Two-story frame single family dwelling (SFD)

Exterior to be 5-inch aluminum German siding

TELEPHONE NO. (301) 284-3011

TELEPHONE NO. (301) 284-3011

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TELEPHONE NO. (301) 284-3011

REGISTRATION NUMBER

(If more space is needed, attach additional sheets on plain or lined paper to this application)

ATTACH TO THIS APPLICATION (2) COPIES OF: SUCH SITE PLANS (lot dimensions, building location with dimensions, drives, walks, fences, patios, etc. proposed or existing) and/or ARCHITECTURAL DRAWINGS (floor plans, elevations, etc.), PHOTOGRAPHS OF THE AREA AFFECTED, as are necessary to fully describe the proposed work.

MAIL OR DELIVER THE APPLICATION AND ALL REQUIRED DOCUMENTS TO THE HISTORIC PRESERVATION COMMISSION 100 MARYLAND AVENUE ROCKVILLE, MARYLAND 20850

TYPE OF WATER SUPPLY
01 () WASH () WASH
02 () OTHER

FOR CONSTRUCTION AND EXTENSIONS

FOR CONSTRUCTION AND EXTENSIONS

FOR CONSTRUCTION AND EXTENSIONS

FOR CONSTRUCTION AND EXTENSIONS

FOR CONSTRUCTION AND EXTENSIONS

I hereby certify that the information furnished in this application is true and correct, and that the construction will comply with the conditions and requirements of this permit.

DATE: 8/1/88

DATE

SIGNATURE (print name and title)

Historic Preservation Commission

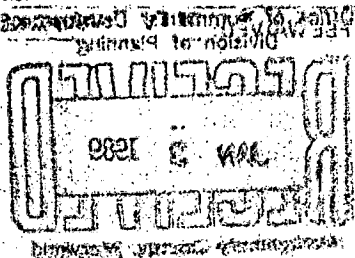
DATE

LAND FEE \$

PERMIT FEE \$

REVIEW FEE \$

RECEIPT NO.



SEE REVERSE SIDE FOR INSTRUCTIONS

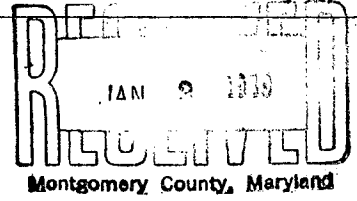


Historic Preservation Commission

100 Maryland Avenue, Rockville, Maryland 20850

279-1327

Office of Community Development
Division of Planning



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REGISTRATION NUMBER C-431

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Town/City Silver Spring 20910 Election District 13th

Nearest Cross Street Barker Street

Lot 25 Block 32 Subdivision Capitol View Park

Liber 150 Folio 17105 Parcel

1A. TYPE OF PERMIT ACTION: (circle one)

Construct	Extend/Add	Alter/Renovate	Repair	Circle One: A/C	Slab	Room Addition
Wreck/Raze	Move	Install	Revocable	Porch	Deck	Fireplace
			Revision	Fence/Wall (complete Section 4)	Shed	Solar
					Woodburning Stove	Other

SFD

1B. CONSTRUCTION COSTS ESTIMATE \$ 80,000.00

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William H. Avery, Jr.
Signature of owner or authorized agent (agent must have signature notarized on back) _____ Date January 2, 1989
William H. Avery, Jr., President, A-F Enterprises, Inc.

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

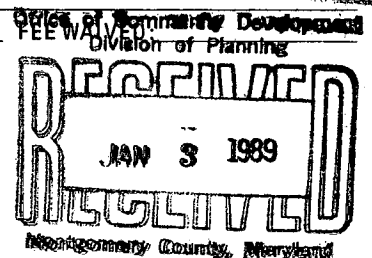
APPLICATION/PERMIT NO: _____ FILING FEE: \$ _____

DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____

SEE REVERSE SIDE FOR INSTRUCTIONS



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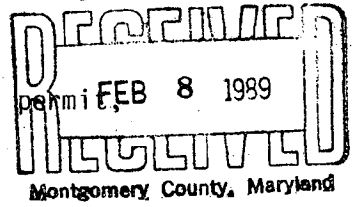
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MAIL OR DELIVER THE APPLICATION AND ALL REQUIRED DOCUMENTS TO THE:
HISTORIC PRESERVATION COMMISSION
100 MARYLAND AVENUE
ROCKVILLE, MARYLAND 20850

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
LOCAL ADVISORY COMMITTEE REVIEW FORM

Office of Community Development
Division of Planning

NEW CONSTRUCTION



Fill out one form for each type of work: subdivision review, grading or building permit.

I. Location of Property

a. Located within the Capital View Park historic district.

b. This is a Master Plan Atlas historic district (circle one)

c. Address or Property:
10026 Menlo Ave.

d. Owner of property and address:
A-F Enterprises (Avery - Flaherty)
10812 Conn. Ave. Suite 200 Kensington MD 20895

e. On a map of the district, locate this property and adjacent historic resources. Briefly describe each adjoining resource (e.g. 1 1/2 story frame bungalow, 2 1/2 story shingle style Queen Anne, etc.) Attach photo to show streetscape.

- 1. 1 1/2 story bungalow, frame on front of property 2910 Barber St
- 2. 1 1/2 story Victorian farm style, shingle & novelty siding 10023 Menlo 1889
- 3. 2 story 1890 Victorian single & siding house with lg porch 10019 Menlo

4. Bungalow 2914 Barber
f. Is this work visible from the street? yes

g. Is this work visible from historic resources within the district? yes
If so, which ones? 2910 Barber 2914 Barber
10023 Menlo
10019 Menlo

II. For site and subdivision plans

a. How many new houses or lots are proposed? 1

b. How does the density compare with surrounding lots (note on map)?
Density as great as adjoining resources

c. Does the location of the houses on lots as shown impact negatively on adjoining resources or on the district? yes
If so, how?

yes. The proposed house is too large for the existing lot. The size will not only overwhelm the site but negatively impact the 1 1/2 story bungalow. The location on the site places it almost directly behind the bungalow destroying the vista from the rear of the bungalow.

III. For grading

a. Applicant is required to furnish a plat map of the lot which accurately shows the location of existing trees.

b. Does the proposed grading substantially alter the existing landscape?

No

c. Does it cause removal of substantial vegetation? At least 4 large trees

1. Is this removal detrimental to the character of the district? any removal is detrimental

2. Can any detrimental effect be remedied by additional plantings?

If so, what kind and where?

General landscaping

IV. For building permits

a. Style of house - attach sketch

b. Are the houses compatible in style, scale, set-back, and materials with adjoining historic resources and with the historic district? *No*

If not, in what way?

The size will overwhelm the existing 1 1/2 story bungalow. The set back is not in a line with the uniform street scape of Merold Avenue.

V. Recommendation of the Local Advisory Committee

a. Approval of work

1. Which criteria found in the Ordinance for Historic Preservation (Sec. 24A-8-b of the Montgomery County Code) does this work meet?

2. What conditions, if any, must be met in order for the proposed work to meet the above criteria?

b. Recommend disapproval of work

1. On what grounds is disapproval recommended? Refer to Sec. 24A-8.

Inappropriate and inconsistent with scale + set backs in this historic district and on the historic side

2. How could this proposal be altered so as to be approved?

VI. Additional comments

The structures presented is inappropriate and inconsistent + detrimental to the the enhancement of the historic resource within this Historic District. No attempt was made by the developer to integrate this stock modern structure with the Historic District.

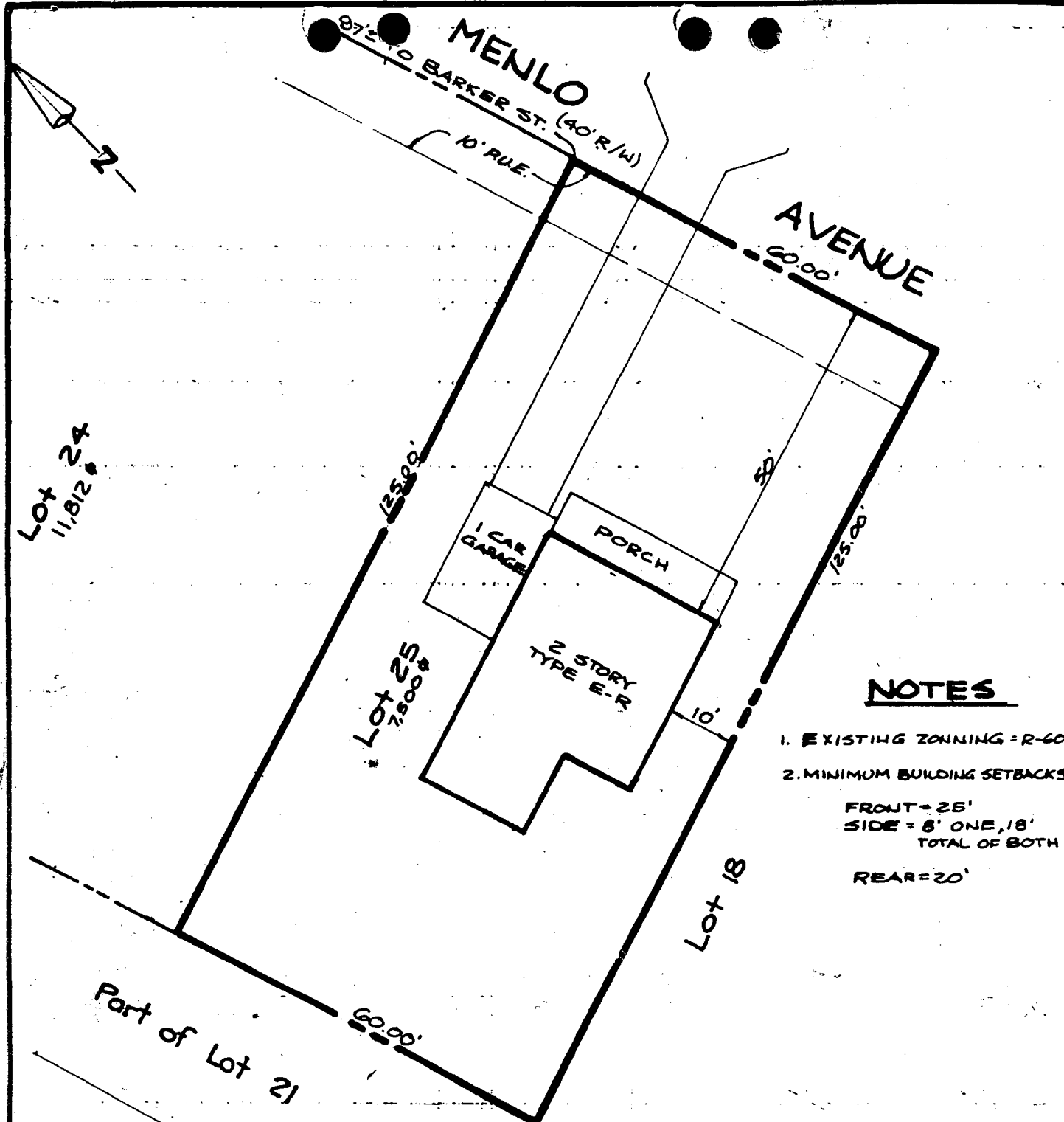
Date on which applicant was notified of LAC meeting 6 Feb 89 *revised*

Form completed by CAROL IRELAND

Member of Capitol View Park LAC

Date 7 Feb 89

24A-8 (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.

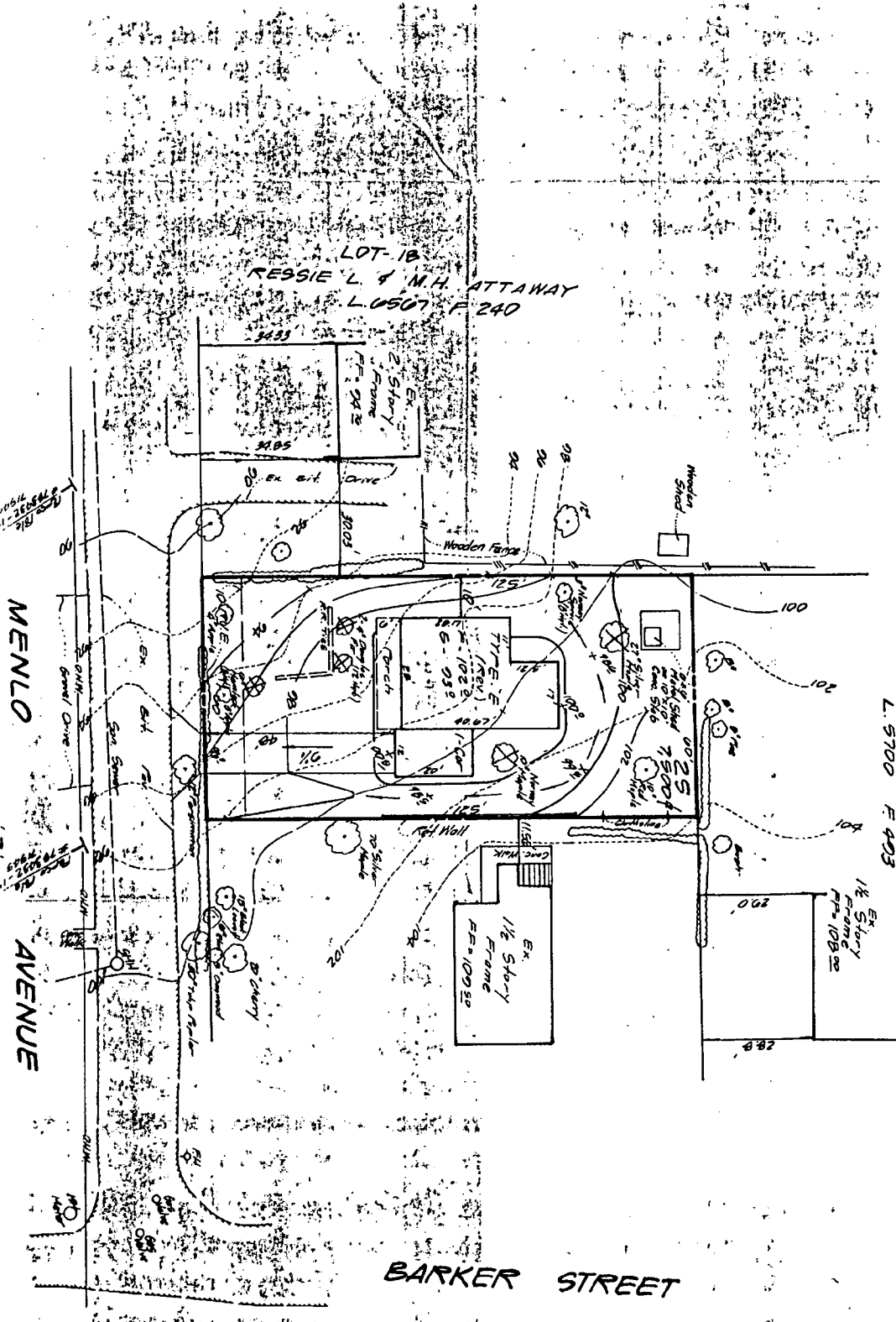


NOTES

- 1. EXISTING ZONING = R-60
- 2. MINIMUM BUILDING SETBACKS
 FRONT = 25'
 SIDE = 8' ONE, 18'
 TOTAL OF BOTH
 REAR = 20'

SITE PLAN
CAPITOL VIEW PARK
LOT 25 **BLOCK 32**
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

	Macris, Hendricks and Witmer P.A.		Designed	Drawn
	Engineers • Planners • Surveyors		JRW	G.S
	Suite 120 9220 Wighman Road Gaithersburg, Maryland 20879		Date	Scale
	(301) 676-2840		7-21	1"=20'
			Job No	Sheet
			88-108	1 of 1



MENLO AVENUE

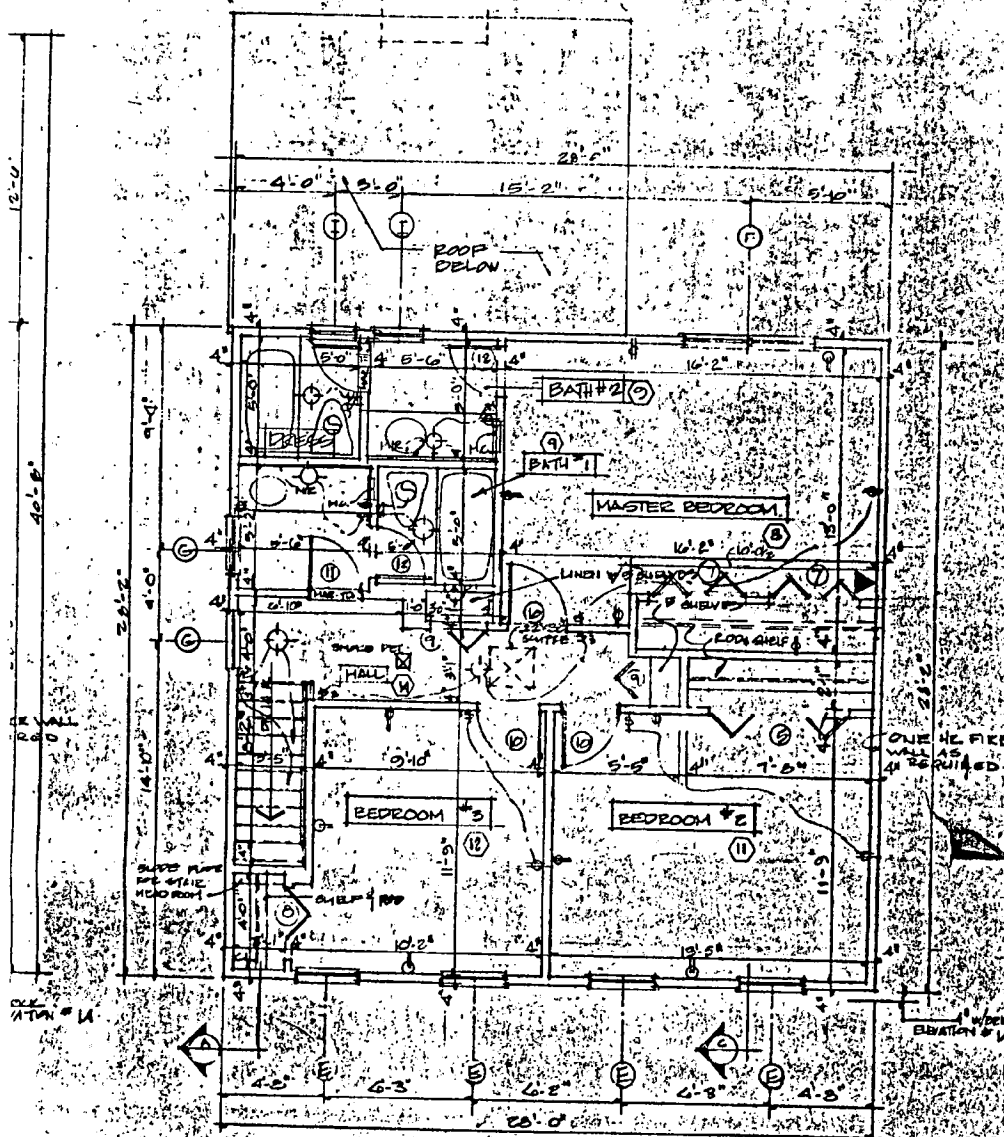
BARKER STREET

LOT-18
RESSIE L. & M.H. ATTAWAY
L. 0507 F. 240

L. 5700 F. 403

2 Story Frame
FF=922
1 1/2 Story
Frame
FF=10020

1 1/2 Story
Frame
FF=10020



SECOND FLOOR PLAN

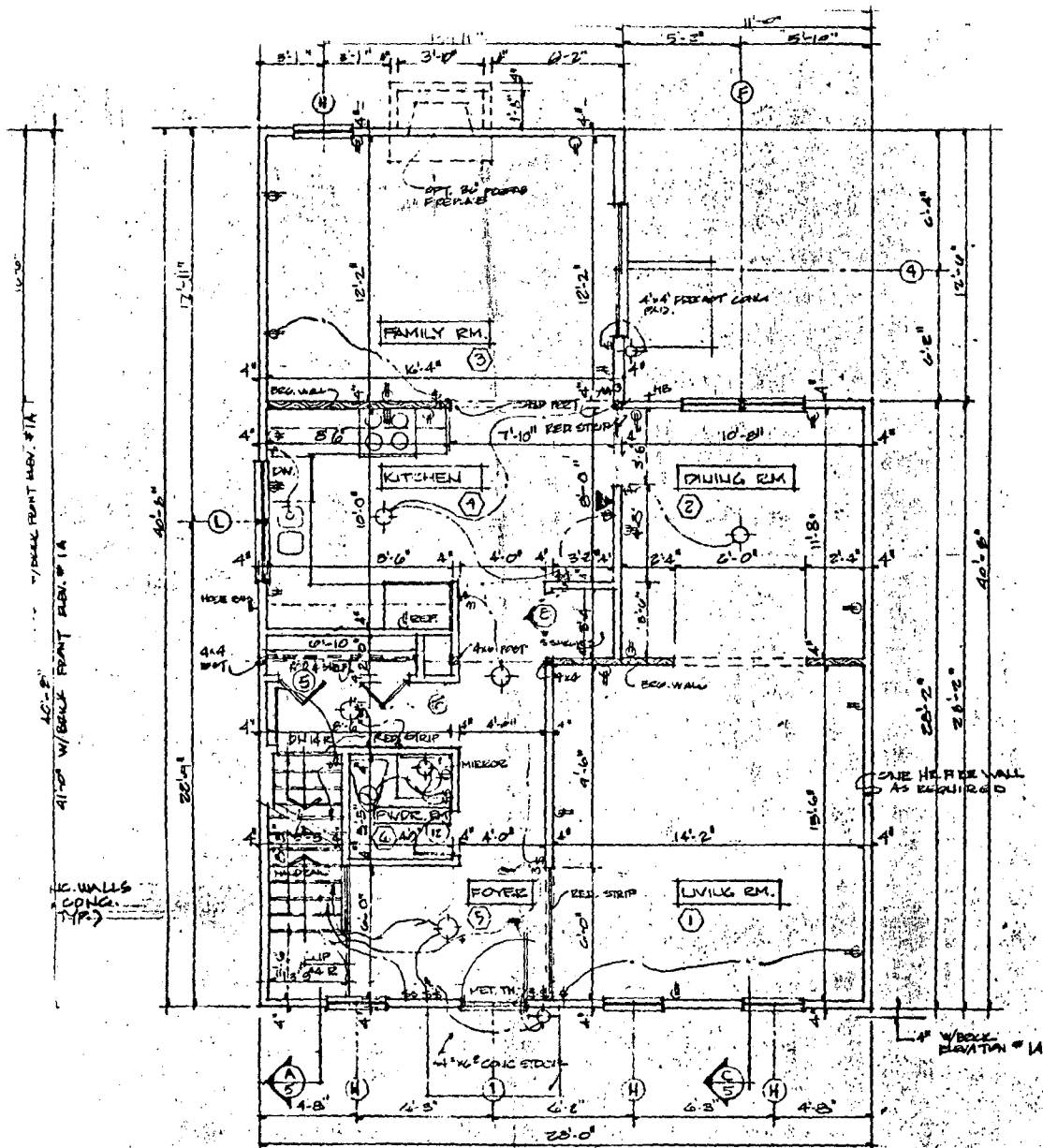
789 1/2

TOTAL SQ. FT. 1790

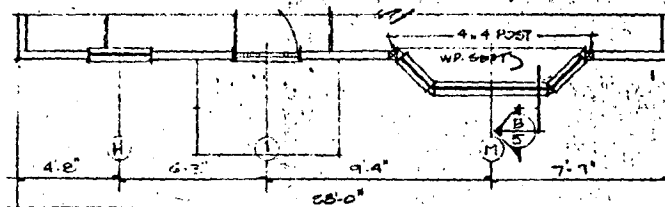


COLUMBIA DESIGN COLLECTIVE

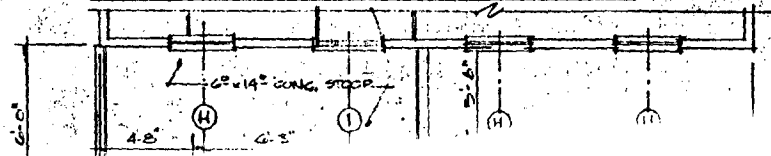
60° 28'

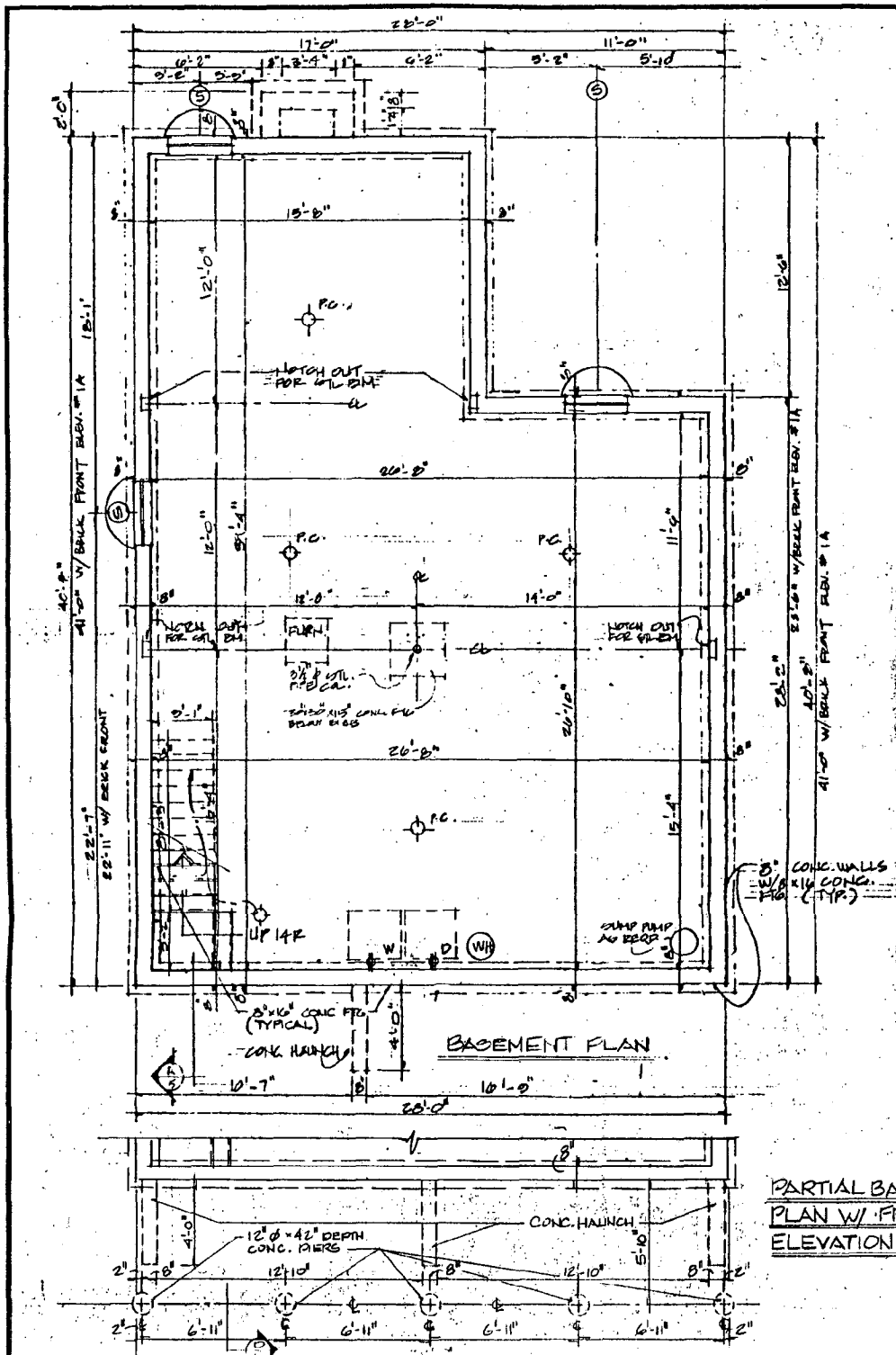


IAL BASEMENT
W/ FRONT
ATION NO. 4



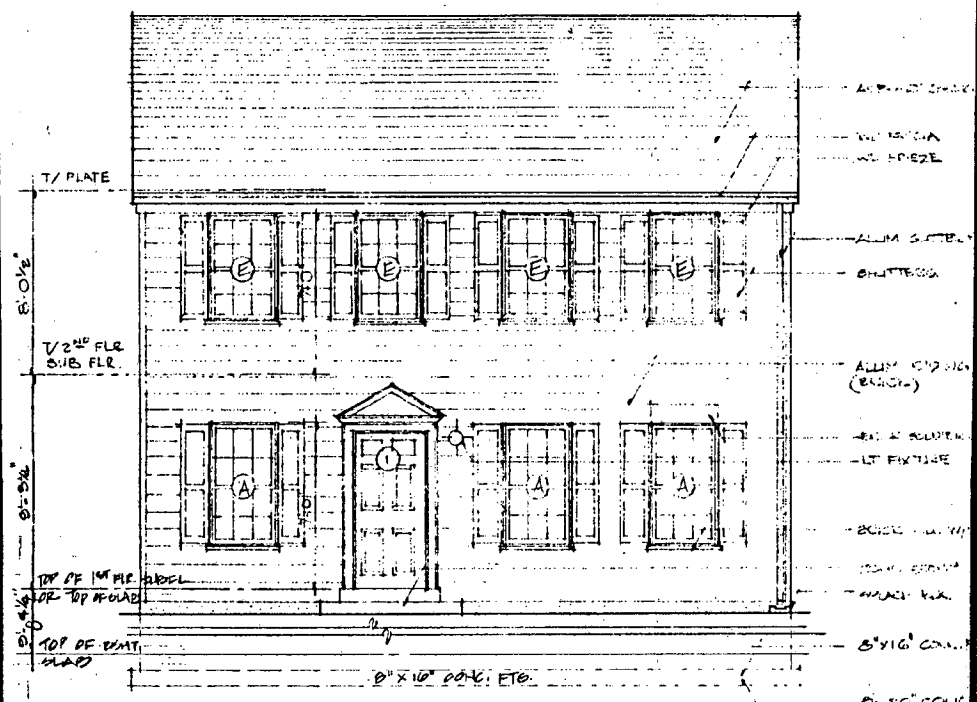
FIRST FLOOR PLAN W ELEVATION NO. 2



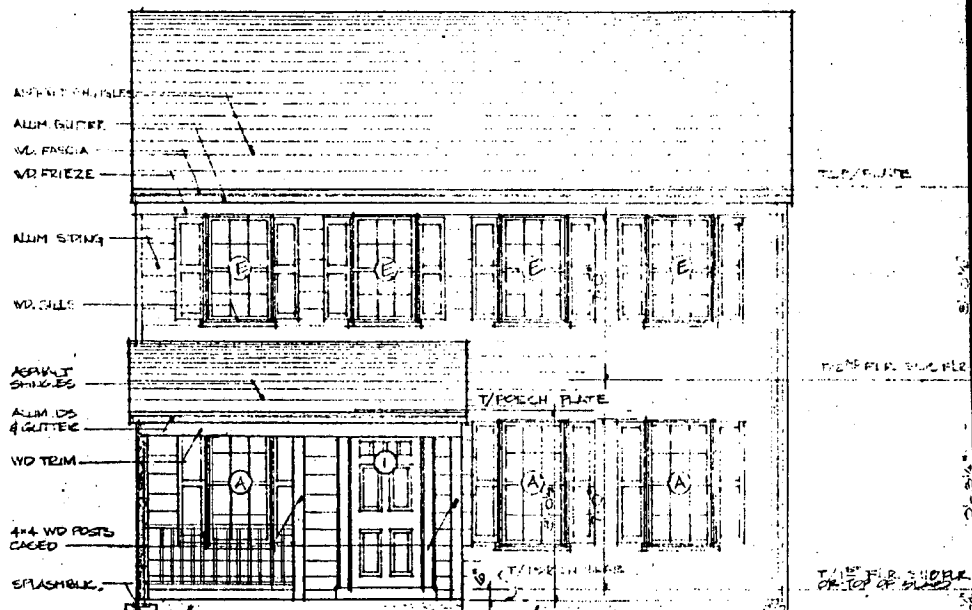


BASEMENT PLAN

PARTIAL BA
PLAN W/ FR
ELEVATION



FRONT ELEVATION NO. 1
FRONT ELEVATION NO. 1-A (1/2 ROCK FLOOR)



125.

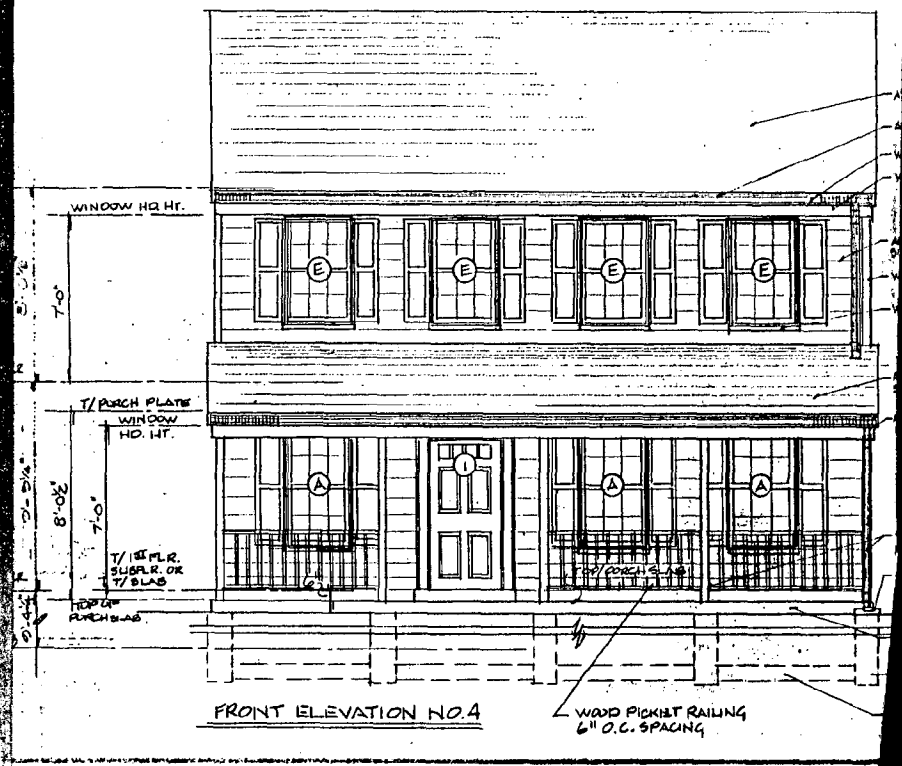
126.

CHANGE W/ BRICK FRONT

W/ BRICK FRONT

FT6

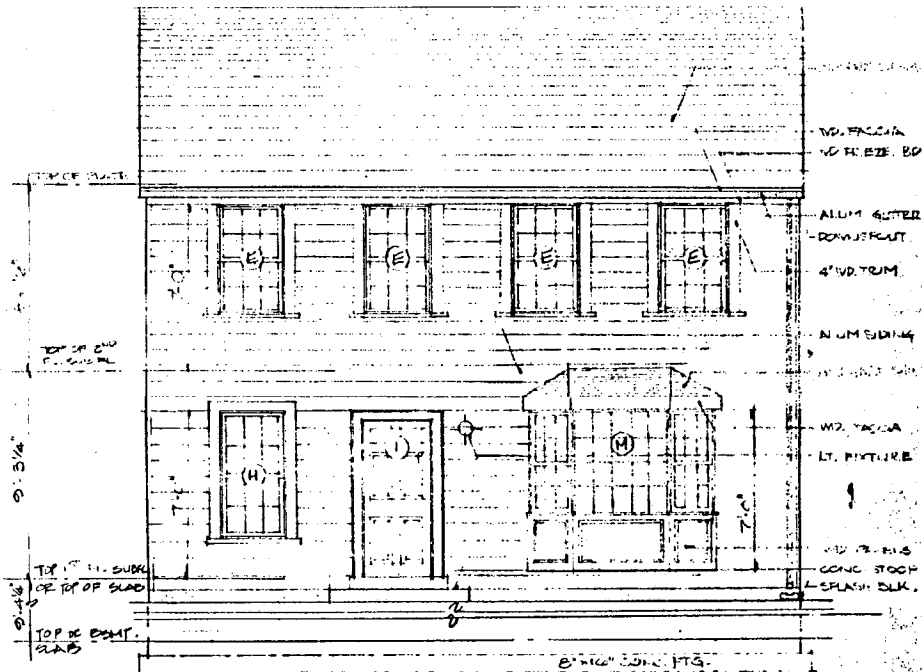
FT4



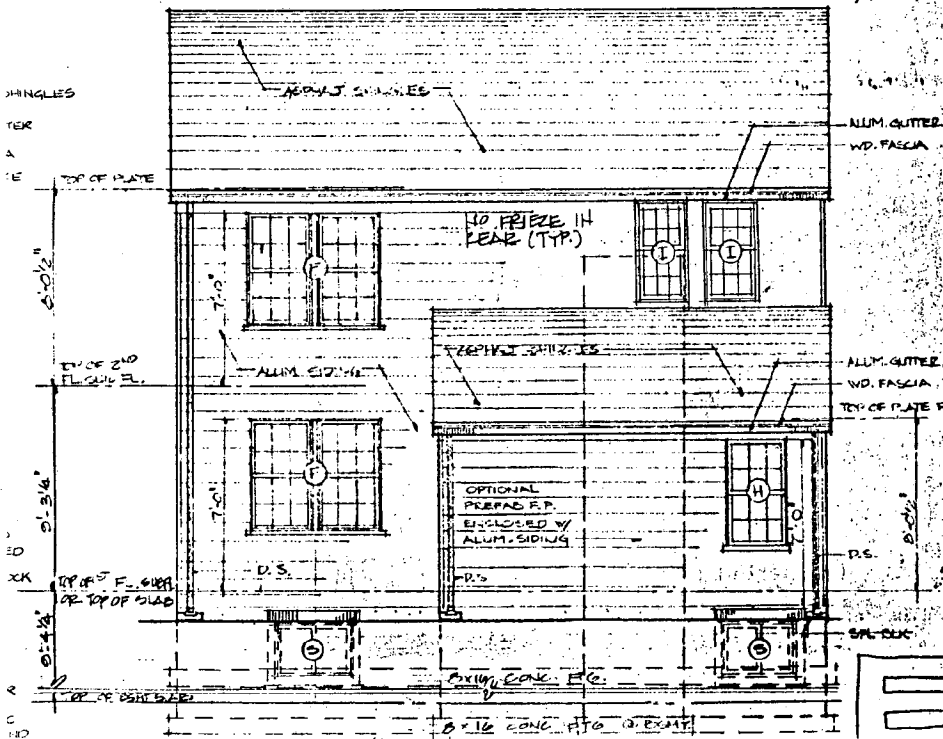
NO. 265-82-76

NO. NAME

LEE STREET HOUSES
AVERY HOMES



FRONT ELEVATION NO. 2



THE COLUMBIA DESIGN COLLECT



Montgomery County Government

Historic Preservation Commission
51 Monroe Street
Rockville, Maryland 20850



Proposed house



proposed site
2910 Barker.



1910 Barber
existing bungalow



10022 Alister



Original playground
house