

31/7-90P 9915 Capitol View Avenue
Capitol View Park

M E M O R A N D U M

TO: Robert Seely, Chief
Division of Construction Codes Enforcement
Department of Environmental Protection

FROM: Laura McGrath, Planning Specialist *LM*
Division of Community Planning and Development
Department of Housing and Community Development

SUBJECT: Historic Area Work Permit Application No. 9008280061

DATE: October 10, 1990

This is to inform you that the Historic Area Work Permit Application submitted by Longview I and Chun-Tai Tseng has been withdrawn from any further Historic Preservation Commission review at the request of the applicant. The application is attached and may be returned to Mr. Tseng at any time. Thank you.

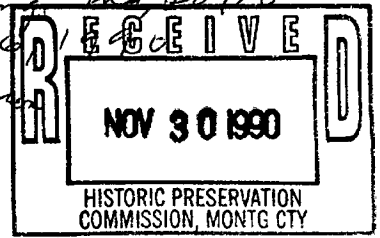
Attachment

2166E

Nov 12/19

9915 Capitol View Ave
Silver Spring, Md 20910
November 26, 1990

Leonard Taylor Jr. Chair
Montgomery County Historic Preservation Commission
51 Monroe St. Rockville, Md 20850



Dear Mr. Taylor,

I own the property at 9915 Capitol View Ave, Silver Spring, Md; 20910, which was under a contingency contract subject to approval of plans by the Historic Preservation Commission under Application/Permit no 9008280061. Three submittals were made and disapproved subject to resubmission of a satisfactory design. The contingency contract has been cancelled because the applicant considered that an approval is unobtainable. Upon investigation I learned that the Local Advisory Planning Board (LAPB) of Capitol View Park submitted a letter dated Sept. 25, 1990 in which the LAPB "absolutely opposes the 2 1/2 - 3 story houses as inconsistent with the street scape of cozy 1 - 1 1/2 story bungalows along both sides of Capitol View Ave" and that "massing is not consistent and contrary to the surrounding houses."

I take exception to these statements and conclude that the LAPB is determined to prevent any building to be sited on my property. Capitol View Ave. has 19 houses 2 and 2 1/2 stories high in addition to 1 1/2 story cottages, low ranch types, high ranch types, cape cods, Dutch Colonial and split level houses. My property is on a side of Capitol View Ave the profile of which has various land elevations and the houses are at various heights. Many of the 1 1/2 story cottages have this aspect only in the front elevation and the backs have 2 story elevations, with different roof pitches. The third house below my lot is 2 1/2 stories high on a higher level. The house at 9913 Capitol View Ave is built on a bank 4 ft higher than my lot. At the corner of Capitol View Ave, at front and Day avenues there are 9 new 2 1/2 story houses which tower over nearby 1 1/2 story cottages. Three houses above is a 1 1/2 story cottage adding a 2 1/2 story addition at the back as approved by LAPB and HPC.

Enclosure No 1 shows areas of Capitol View Park which have been designated as a historic district. I am dissatisfied that the purpose of a historic district is properly administered. LAPB members influenced improper and unlawful approvals of subdivisions and housing
over

contrary to historical and code standards. Enclosure no 1 specifically indicates principal areas which should not have been approved.

It has been my observation that the LAPB is concerned principally with development along Capitol View Ave because it is the main thoroughfare for Capitol View Park. Capitol View Avenue is a state highway of a winding hilly nature which has been found by speeding commuters who avoid the main thoroughfares. These transients dump their containers, bottles, papers, etc by the road side. The police do not monitor these speeds because the avenue is unsafe to patrol and stop violators.

Some houses on Capitol View are exemplary, most others are averagely maintained. The street scape is poor. Cars are parked across lawns, road side bushes are not maintained. Shrubbery is poorly maintained. Laundry is hung to dry on the front lawn of the house at the corner of Capitol View and Grant Avenues. Many houses, streets and avenues off Capitol View are and in historic areas are poorly maintained. For years the residents of Capitol View have been plagued by residents away from the avenue for changes to suit their convenience. A historic district should be administered fairly for its entire area. Thus, in Capitol View Park there are three standards (1) Capitol View Ave to be regulated by LAPB (2) Historic areas off Capitol View Ave which have less restricted standards (3) non-historic areas of Capitol View Park which are not regulated by LAPB nor HPC. - Enclosure 2 shows cluster development in Meadowlark Court. Two members of the LAPB live in 2-story homes in the cluster of houses. The LAPB and HPC has approved 3 neo-victorian houses on private property which benefited by the paving of Oak Street and Meadowlark Court.

Pratt Station was developed for R-60 cluster housing having 25 ft minimum frontage and average 4500 sq. ft. lots for each house, on land which was platted in 1892 for R-60 housing, 50' frontage, minimum 6000 sq. ft. Unlawful taking of dedicated Pratt Ave and the common-law road Granite Ave, to the old quarry, was taken without proper procedures, all condoned by LAPB and HPC

Memo letter shown on encl no 3 was abandoned between Loma and Booker streets by petition on a claim that this was the site for drug dealers. Actually LAPPB members who lived adjacent to it wanted it abandoned to prevent traffic should the site be developed by builder. Soon after this the site was divided into 6 parcels, approved by LAPPB and HDC and Park & Planning. Lot no 6 does not have the legal 25 ft frontage on a street. The right-of-way from Booker Street belongs only to the Sylvan Manor Nursing Home who maintains a 12 ft driveway.

Enclosure 3 also shows development of the Bauer Garden nursery. This was held up for 3 years by LAPPB and HDC and Park and Planning, the Department of Transportation and the Department of Environmental Protection. Adjacent property LAPPB members tried to persuade the County Council to purchase this site for a park. The high tripling cost of this delay and site improvements permitted the developer to build 8 2 1/2 story high houses with 4 ft side yard clearance on both sides under grandfather clause of original subdivision call in 1960, finally approved by HDC. Note the barn at the rear lot line which was reconstructed to a usable structure by variance application, wanted for by a LAPPB member, but actually converted to a living space which should require compliance with the building code of 25 ft setback from the street, instead as described as the rear lot line. The lot runs from street to street.

Enclosure 4 shows a sub-division of the Trimble Estate. The LAPPB would not permit 2 lots fronting on Capitol View Ave to have access to the avenue. The LAPPB agreed with the builder to erect four 2 story houses which overshadow the 1 1/2 story Trimble cottage. The first house on the bend of Capitol View Ave does not comply with the setback law. One house has its side to Capitol View Ave, across driveway along the avenue fence. Another house in the compound does not have legal frontage on a street. The fourth house on Bay Ave was incorporated into a garage which should have required a variance for setback from the street. The four houses have their mailing address on Bay Ave. A ten foot driveway serves all four 2 story houses

There is an example of poor planning and unlawful processes, all approved by LPPB, HOC, Parkway Planning, DEP.

HPC granted funds for a landscape architect to prepare a plan to beautify Capital View Ave. A local LPPB member influenced him to add evergreen trees at each corner intersection of streets into Capital View Ave. The LPPB member was advised that planting such trees would blind drivers against approaching traffic along Capital View Ave, also it was unlawful to erect any barriers, obstructions, fern trees or shrubbery at corner intersections. Later a grant of \$2000 was given to make plantings along Capital View Ave. The plantings are meager and scanty but over 4 ft tall evergreen trees are planted at the street intersections of Capital View Ave, despite the safety advisory.

Capital View Park had 46 houses before World War II. Two of the houses were razed after 1950. There are over 200 houses in the historic portion of Capital View Park, all of the new houses erected after 1946 are 1 1/2 story cottage type, Cape Cod, ranch type, split level. The entire landscape is not historic. These houses were erected by developers after World War II. Residents found it costly to challenge developers who preferred townhouses, upon which Parkway Planning was prevailed upon to develop a Sector Plan for Capital View Park. A small group of activists influenced the planners to include historic status for Capital View Park in the belief that this would stop townhouse developments. The Sector Plan was approved by the County Council, thus the historic district was established. It is noted that the 1979 Charter for the Historic Preservation Commission required that the Historic Preservation Commission to originate historic projects, submitted to Park & Planning for review and recommendation to the County Council for approval or disapproval. Since this procedure was not followed, legality of Historic District status for Capital View Park is questioned. It is noted that more worthy areas considered by the Historic Preservation Commission have been recommended for approval to Historic District status and which were disapproved by the Park and Planning Commission and by the County Council.

Capital View Park is not worthy of Historic District status because of its three standard policy, one for Capital View Ave, more

stringent than for historic areas off Capital View Ave and for non-historic areas within the original Capital View Park Sector. Any rulings for Capital View Avenue should have equal consideration for other areas of the development for Capital View Park.

The Local Advisory Planning Board (LAPB) consists of members from the local historic group and from the Capital View Park Citizens Association. These members are selected by choice without any solicitation for appointments to the Board. No regular meetings are held. Meetings are held in private homes of one of the members without informing Sector members. No minutes of the meetings are furnished to the Capital View Park Citizens Association. Community residents are hostage to the personal desires of the LAPB members without notification of any hearings pertaining to their property. They are concerned only to preserve Capital View Ave in its present state, with no improvements which would materially benefit the community. Board members disregarded violations of setbacks, additions, tree cutting which are not submitted for permit approval. The final outcome has been to downgrade Capital View Park. Pratt Station, off Capital View Ave was originally planned for R-60 housing with 3 streets, one street was common low road over 100 years old to the old quarry. Only one street was abandoned by petition. Housing was changed to R-60 cluster which resulted in a standard of 30 ft coverage frontage and 4500 sq ft lot area, all with the concurrence and approval of LAPB, PC and Park + Planning. This was termed cluster development. Fuel pump development was authorized in 1950's in Delaware and Florida to take advantage of small street frontage to large tracts of land, but the R-60 area rule was maintained. In this case the area lost in each lot was supposedly transferred to a green space to be maintained by Pratt Station residents. This green space was to contain a pond for stormwater drainage, not to an ~~active~~ Cesspool for an 1880 house, which house converted a garage to an office and added a colonnade to the house, without permits, and known to LAPB members.

There will be another submittal for construction on 9915 Capital View Ave. The house at 9917 Capital View Ave is my property. Both are on low level land. Houses on each side are on higher ground. The house on the right is on a bank 4 ft higher and has a 2 story back. The house on left, at 9921 Capital View Ave

is on a bank 6 ft. higher. Home heights along the side of Capital View Ave are of different heights. Comparison of a house on 9915 Capital View Ave. should not be considered only against the houses at 9913 and 9917 (my house) Capital View Ave. Capital View Ave is a dangerous state highway, with much pollution from heavy traffic, speeding and gas fumes. Trade is dumped along its length by transients. Houses are not of an exceptional character to be above the average of the avenue.

Respectfully
Thomas Brown

- Encls. 1. Capital View Special Study Area
2. Plot map
3. HATHAW & BAKER PARADE SUB-DIVISION
4. TRIMBLE ESTATE SUB-DIVISION

P. in Mr. Taylor

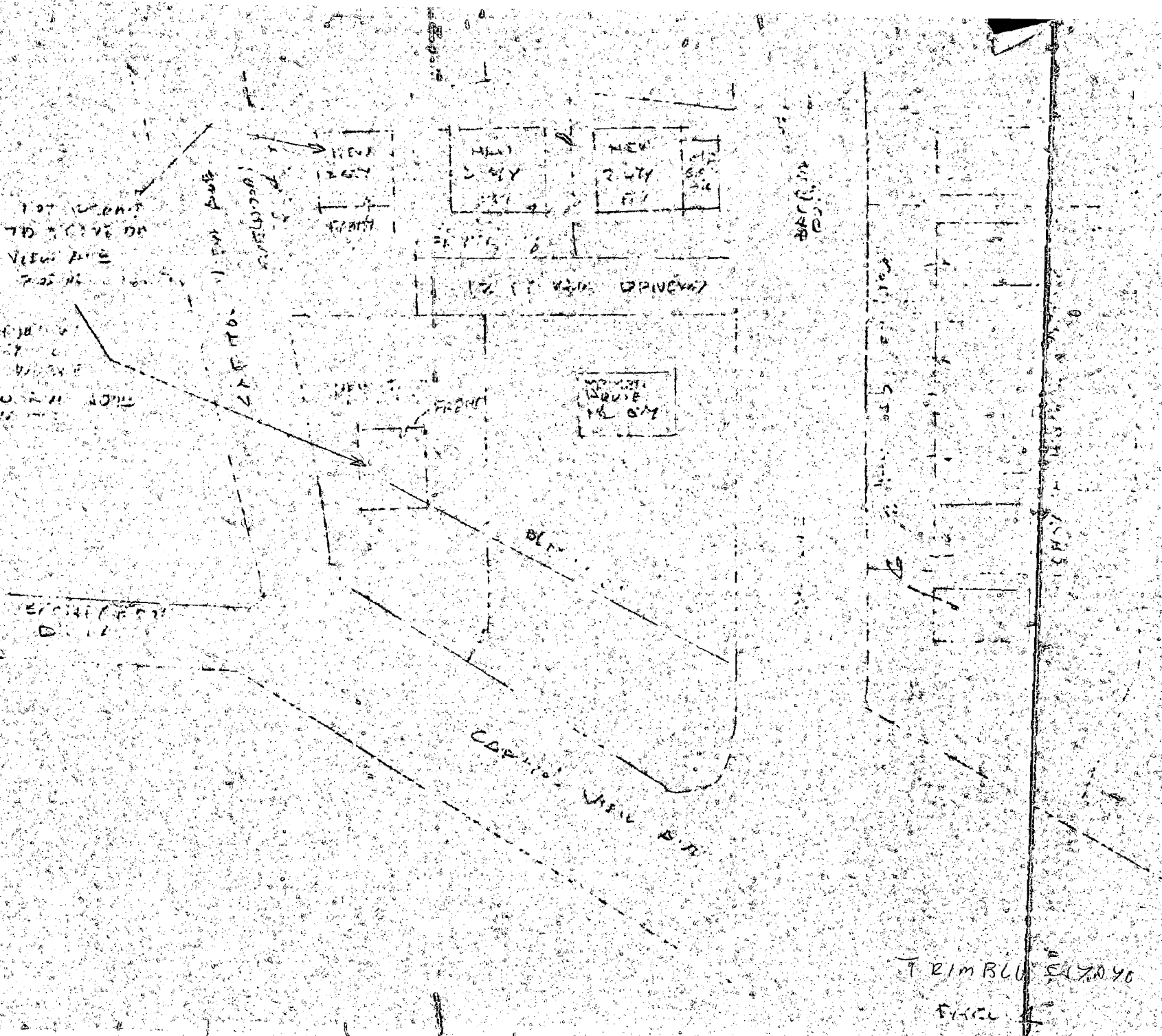
The applicants who submitted plans for a house at 9415 Capital View Circle under agreement 300PZFO061 are a young group of professionals who are trying to get a start in development. They are a young clients group consisting of two architects, one engineer from Pennsylvania University School of Architecture and the other from Columbia University's School of Architecture, Planning and Historical Preservation. They did one project in Lemhi, Md, and developed a project near Brighter Dam. On the project they planned on my property they were misled that a historical sign was a historical district and so welcomed. After three rejections they were encouraged to proceed in this project. I wonder that they who treated unfairly professionally. As an architect you can appreciate how repeated rejections can be discouraging. Went out my guidelines from the Historic Preservation Commission when such guidance was requested.

Thomas Brown
This email was received from Lodovico University for work on the city's historic district.

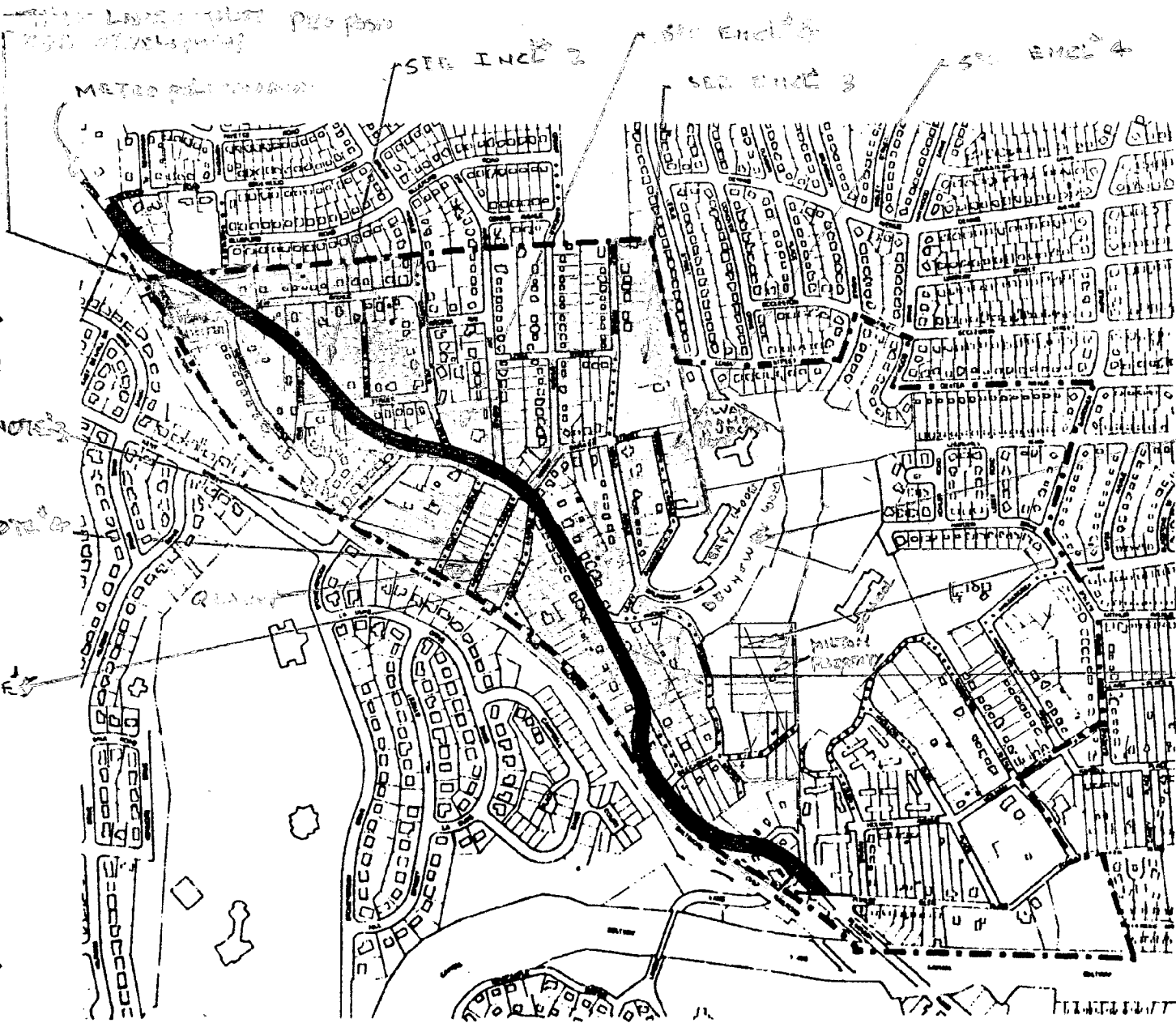
LOW CORNER LOT CORNER
 N. S. S. S. TO GIVE ON
 12. THE VIEW AREA
 2.11. 7.5. 12.

AVE

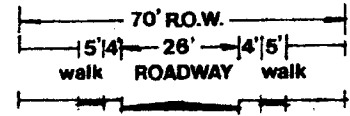
AC 100 100 100
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T RIMBLU 847040
 5100



CAPITOL VIEW AVE. REALIGNMENT



TYPICAL SECTION

10 - HOUSES ON STY PLANNED BY BRUNSWICK WORK

MILTON PROPERTY EXCLUDED FROM HISTORIC DISTRICT BY METRO POLICE DEPT. FOR FEDERAL DATA

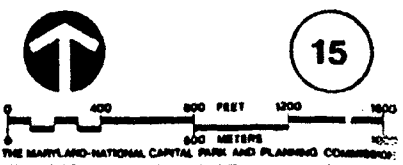
EXISTING STREETS REMAIN TO BE RECONSTRUCTED

NOTES

1. AREA IN RED IS CAPITOL VIEW PARK HISTORIC DISTRICT
2. MILTON PROPERTY EXCLUDED FROM HISTORIC DISTRICT BY METRO POLICE DEPT.
3. DEDICATED BLOW PRAIRY AVE NOT LEGALLY ABANDONED BY METRO
4. COMMON LAW GRANTS AVE TO QUARRY FOR 150 YRS NOT LEGALLY ABANDONED
5. LOUISA AVE ABANDONED BY METRO
6. CAPITOL VIEW AVE IS STATE OWNED AND CANNOT BE REALIGNED BETWEEN STONY ROAD AND METRO POLICE DEPT. HOUSES ON CAPITOL VIEW AVE BETWEEN THESE TWO POINTS MUST REMAIN AND REALIGNMENT WOULD REQUIRE EXTERMINATION OF METRO POLICE DEPT. PROPERTY
7. CAPITOL VIEW PARK BOUNDARY 46 HOUSES BEFORE 1942
 - (a) 19 HOUSES ON CAPITOL VIEW AVE WERE 2 & 2 1/2 STORIES
 - (b) 9 HOUSES OFF CAPITOL VIEW AVE WERE 3 & 3 1/2 STORIES
10. 181 HOUSES BUILT BETWEEN 1926 AND 1992 IN CAPITOL VIEW PARK
11. SINCE 1992 78 HOUSES WERE BUILT IN CAPITOL VIEW PARK
 - a. 40 HOUSES 2 & 2 1/2 STORY
 - b. 35 CLUSTER COTTAGES - 1 1/2 STY
 - c. 1 COTTAGE - 1 1/2 STY
 - d. 3 NEW VICTORIAN 2 STY HOUSES APPX FOR METRO POLICE DEPT
 - e. 6 VICTORIAN 2 1/2 STY HOUSES APPX - SEE ENCL 4

Capitol View Special Study Area

KENSINGTON-WHEATON PLANNING AREA



ENCL. # 1

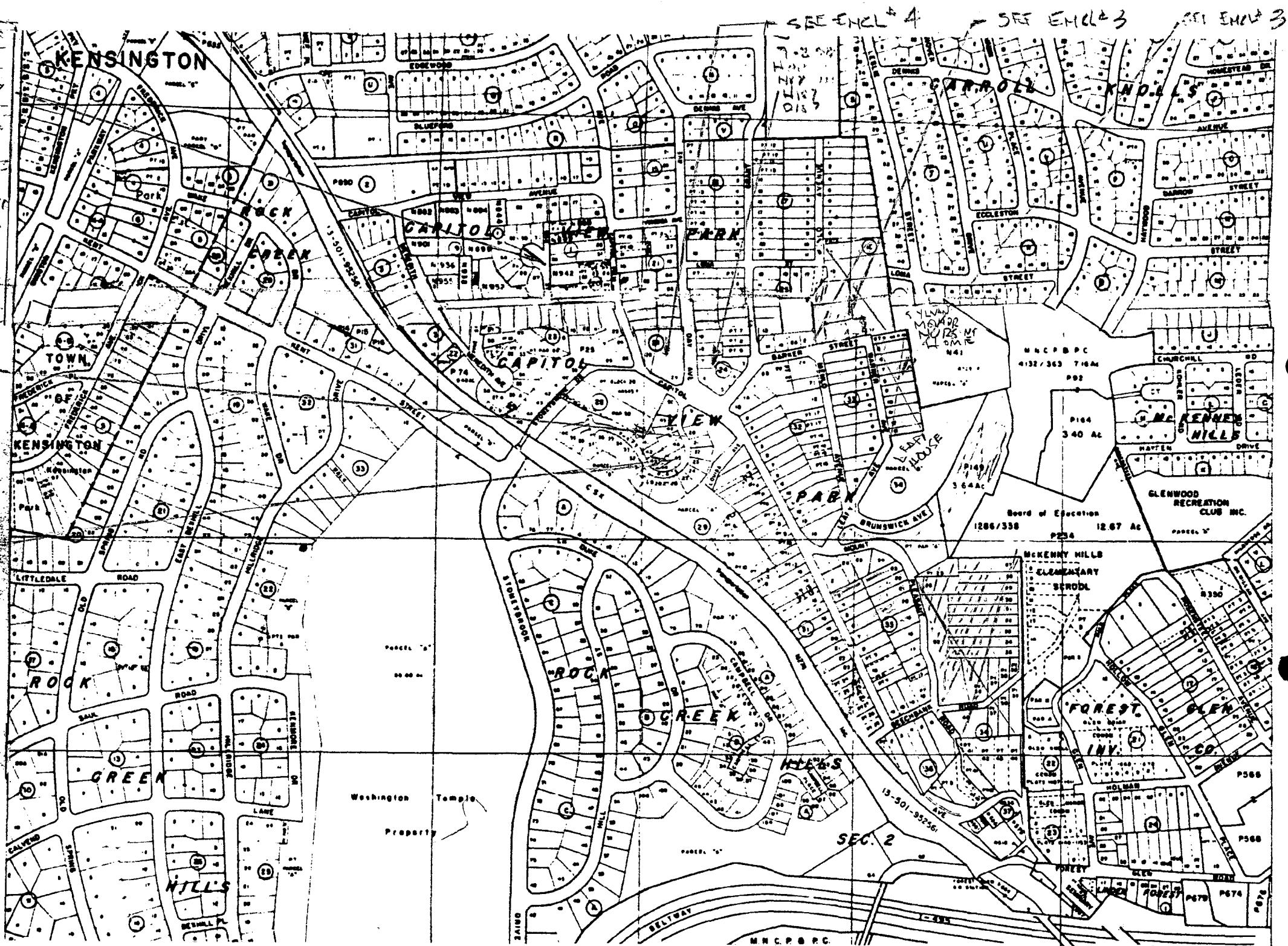
MEADOWNECK CLUSTER
 HOUSES - MINIMUM 25 FT
 FRONTS ADJ BY PARK &
 PLANNING, LAC & HPC. COY
 OF PAVING ONE STREET
 CHARGED BY DEVELOPER
 TO HOME BUYERS. THIS
 APPRECIATED VALUE
 OF ADJACENT PRIVATE
 PROPERTY NOW APPROVED
 FOR 3 MED-VICTORIAN
 HOUSES. THIS ADDS TO
 7-2 DRAFT CLUSTER
 HOUSES

DEVELOPER OF DREW
 STATION TOOK ALL OF
 PRATT AVE WITHIN
 AWARD OF 1/2 TO AD-
 JACENT PRIVATE PROP-
 erty OFFERS. APAD
 BY PDC/PLANNING, LAC
 & HPC

COMMON LAW EASEMENT
 AVE TAKEN IN ENTIRETY
 BY DEVELOPER WITHOUT
 LEGAL AWARD ON MEN
 APAD BY PDC & PLAN.
 LAC & HPC

NOTES

PLOT MAP
 ENCL # 2





Montgomery County Government

September 27, 1990

Chun-Tei Tseng
316 Hammonton Place
Silver Spring, Maryland 20910

RE: HPC Case No. 31/7-90P

Dear Mr. Tseng:

As you know, the Historic Preservation Commission (HPC) reviewed your application for an Historic Area Work Permit at its September 26, 1990 meeting. At that time, the Commission raised several concerns regarding the application based on their own review and on comments submitted by the Capital View Park Historic District Local Advisory Panel and determined that it would be in your best interest to continue the record to a later meeting. You raised no objections to this action. The HPC believes that this continued proceeding will give you and your architect the opportunity to respond to some of the issues raised during the course of the public appearance on September 26, 1990.

Specifically, the Commission made the following comments and suggestions:

1. The proposed house should be built at a setback equal to adjacent houses. You may want to work with an arborist to determine an appropriate foundation material to be used so that the structure does not interfere with the drip line of a large tree on the north side of the property.
2. The height of the proposed structure, coupled with the proposed roof style, makes the proposed structure appear out of scale with adjacent houses and would interrupt the rhythm of the streetscape. The Commission recommends you consider altering the roof style on the house to so that the "apparent" height is no more than one and one-half stories.

Please return this letter with your signature below noting your agreement to continue the public record. When you are prepared to meet with the Commission again, please let me know and I will schedule you for the next available meeting. In the meantime, please feel free to call me at 217-3625 with any questions.

Sincerely,

Laura McGrath

Laura McGrath,
Planning Specialist

I agree to continue the record on HPC Case No. 31/7-90P until such time as the HPC and I may mutually agree upon.

Chun Tei-Tseng

Date

2134E



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850
217-3625

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact App.
↓

TAX ACCOUNT # _____

NAME OF PROPERTY OWNER Longview I & Chun-Tai Tseng TELEPHONE NO. 301-622-1991
(Contract/Purchaser) (Include Area Code)

ADDRESS 316 Hampton Place Maryland 20904
CITY STATE ZIP

CONTRACTOR OWNER TELEPHONE NO. 301-622-1991

PLANS PREPARED BY OWNER TELEPHONE NO. Same as above
(Include Area Code)

CONTRACTOR REGISTRATION NUMBER _____

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 9915 Street Capitol View Avenue

Town/City Silver Spring Election District 13

Nearest Cross Street Capitol View Avenue

Lot 8 Block 32 Subdivision Capitol View Park

Liber JA N 5 Folio 207 Parcel _____

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

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

1B. CONSTRUCTION COSTS ESTIMATE \$ \$145,000.00

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? no

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL

01 <input checked="" type="checkbox"/> WSSC	02 <input type="checkbox"/> Septic
03 <input type="checkbox"/> Other	

2B. TYPE OF WATER SUPPLY

01 <input checked="" type="checkbox"/> WSSC	02 <input type="checkbox"/> Well
03 <input type="checkbox"/> 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:

- On party line/Property line _____
- Entirely on land of owner _____
- 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.

Chun-Tai Tseng 8/24/90
Signature of owner or authorized agent (agent must have signature notarized on back) Date

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: 9002-0001 FILING FEE: \$ _____

DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

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

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

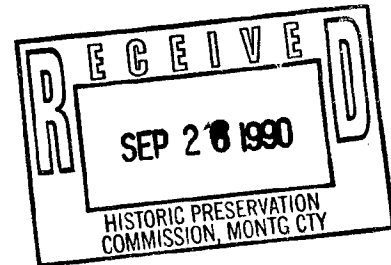
[Lined area for describing proposed work, including composition, color, and texture of materials. A large 'X' is drawn across this section.]

(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
51 MONROE STREET, SUITE 1001
ROCKVILLE, MARYLAND 20850

September 25, 1990

VIA FACSIMILE
217-3677

HPC Commissioners
GBS Building
51 Monroe Street
Suite 1001
Rockville, MD 20850

Re: 9915 Capitol View Avenue
Application/Permit Number 9008280061

Dear Commissioners:

The LAP is absolutely opposed to approval of this application as pending. The proposed houses are 2 1/2 - 3 stories in a street scape of cozy 1 - 1 1/2 story bungalows, along both sides of Capitol View Avenue. The proposed construction has a height and massing that is inconsistent with and contrary to the surrounding homes.

The LAP notes that the proposed construction site is in a prominent, and highly visible portion of the Capitol View historic district. Accordingly, the LAP requests that the Commissions instruct the Applicants to resubmit an application for a historic area work permit that is more in line with the massing and street scape of the surrounding homes. As currently submitted, the proposed structure would, basically, stick out like a sore thumb in a highly visible area of the Capitol View Park historic district.

In view of the above, the LAP strongly urges the Commissioners to deny the application for historic work permit.

Sincerely,

A handwritten signature in cursive script that reads "John P. Moran".

John P. Moran
Chairman, Capital View Park
Historic District

HISTORIC PRESERVATION COMMISSION STAFF REPORT

PREPARED BY: Laura McGrath

DATE: September 19, 1990

CASE NUMBER: 31/7-90P

TYPE OF REVIEW: HAWP

SITE/DISTRICT NAME: Capitol View Park PROPERTY ADDRESS: 9915 Capitol View Avenue

TAX CREDIT ELIGIBLE: No

DISCUSSION:

The applicant is proposing to construct a two-story house in the neo-Victorian style and a detached two-bay garage to the rear of the property. The proposed house would measure 30' in width, including a 4' wide wrap-around porch, and would be set back 50' from the front property line. Side setbacks are 15' on the driveway side, 5' on the opposite side. The driveway leading to the rear garage is approximately 8' wide.

STAFF RECOMMENDATION:

The applicant met with the Commission for a preliminary consultation at its August 15, 1990 meeting. The Commission reviewed a plan for a home 40' X 40', including an attached single bay garage, set back 65' from the front property line with 5' setbacks on each side. The Commission offered the following comments to the applicant for consideration before returning with an HAWP application:

- ° The proposed house with attached garage is not in scale with adjacent houses. The structure appears too wide and is a two story structure in an area of predominantly one story and one and one-half story Bungalows. The side yards would decrease the usual amount of space between houses and would visually impinge on the adjacent houses. It was suggested that the garage be eliminated from the plan or that it be detached and moved to the rear of the lot. It was also suggested that the total width of the structure be reduced to a width comparable to adjacent homes.
- ° Construction of the garage in the location as proposed would include a portion being built under the drip-line of a large tree on the side of the property. Construction of impervious materials over the tree root system could be harmful to the tree and possibly cause the tree to die.
- ° The Victorian style and fenestration as proposed is not necessarily a primary style in the Capitol View Park historic district. Other styles could also be considered, including Bungalow, American Four-Square, Craftsman, etc.

The applicant has responded to a few of the Commission's comments with the proposal presently submitted by reducing the width of the house and proposing a detached garage located to the rear of the property. However, in doing so, the house has been moved forward 15' towards the front property line and is no longer located with a setback equal to the houses on either side of it, making it incompatible with the existing streetscape. In addition, while the width of the house has been reduced, its height remains at two stories and still would appear out of scale to adjacent houses.

Staff recommends denial of the application based on criterion 24A-8(a). The new house, as proposed, does not appear compatible to the overall scale or rhythm of the existing streetscape. However, if the applicant is willing to revise the plans to incorporate a setback uniform with adjacent homes and to reduce the apparent height of the house to one and one half stories (by using a gambrel or mansard type of roof, for example), staff would recommend that the record be left open for review of these revisions.

ATTACHMENTS:

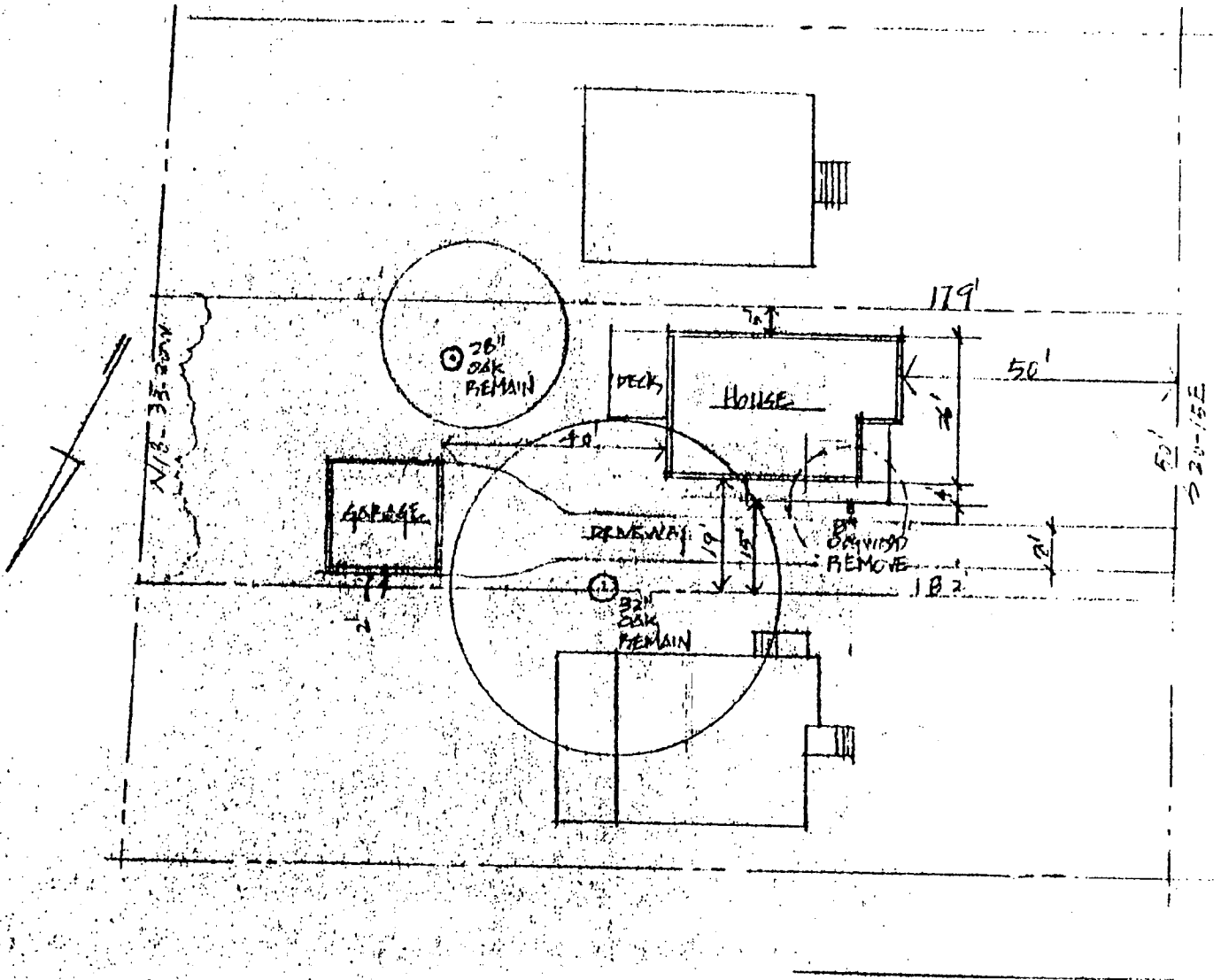
1. HAWP Application and Attachments
2. Site Plan
3. Elevations
4. Floor Plan
5. Photos

SENT TO LAP: 9/6/90

COMMENTS RECEIVED? NO

SENT TO APPLICANT: 9/19/90

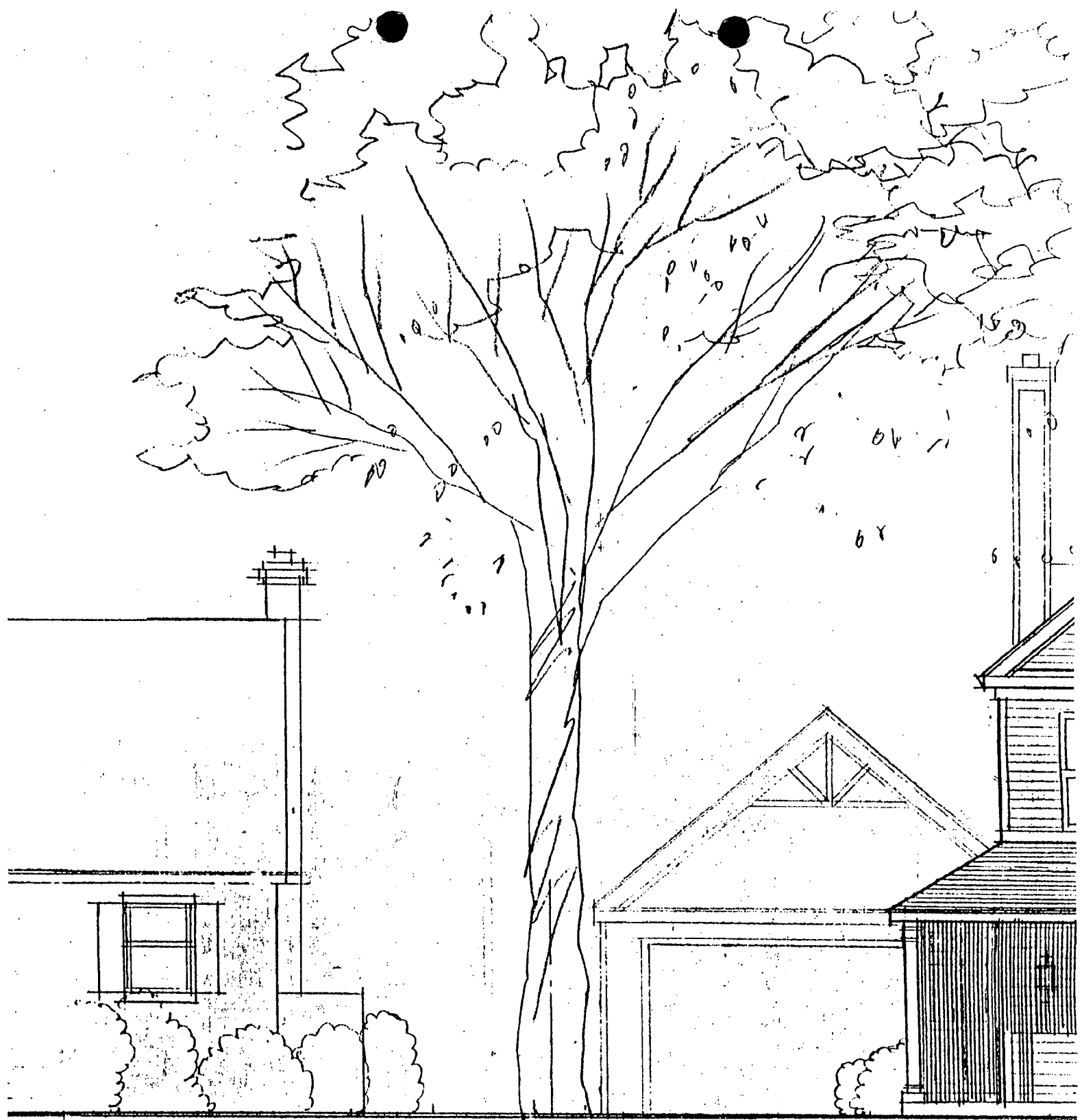
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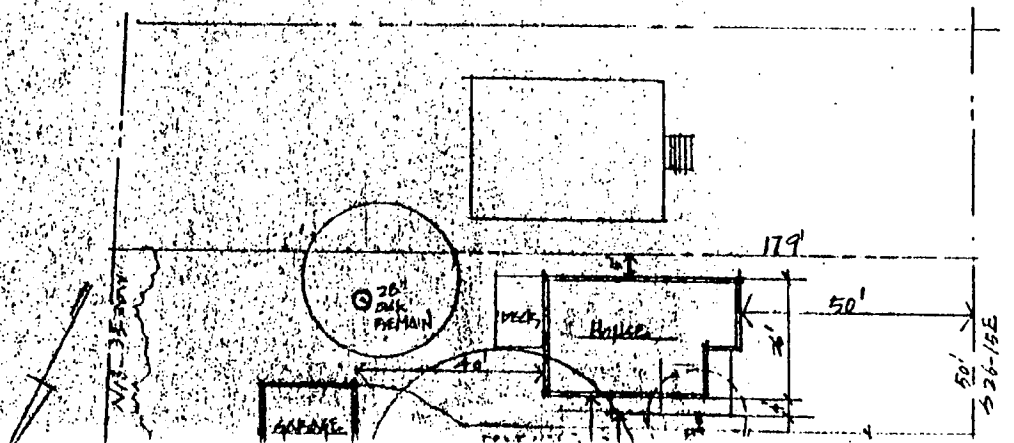


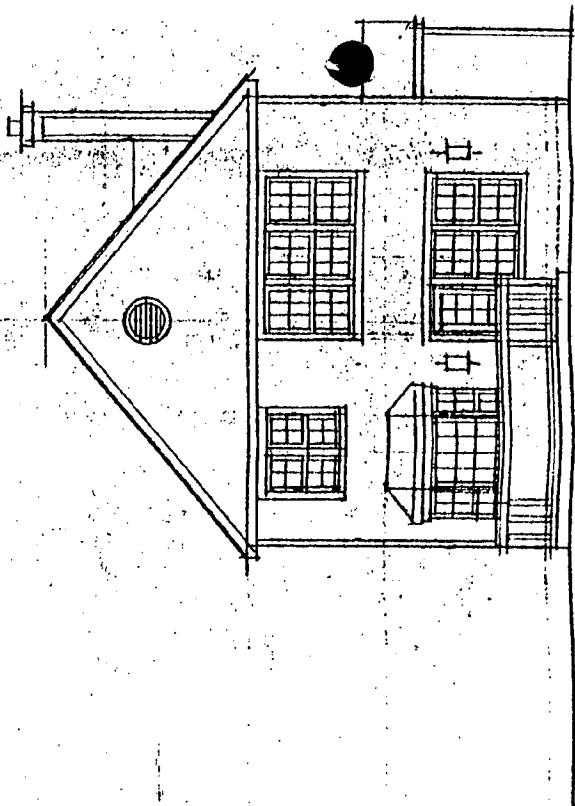
SITE PLAN



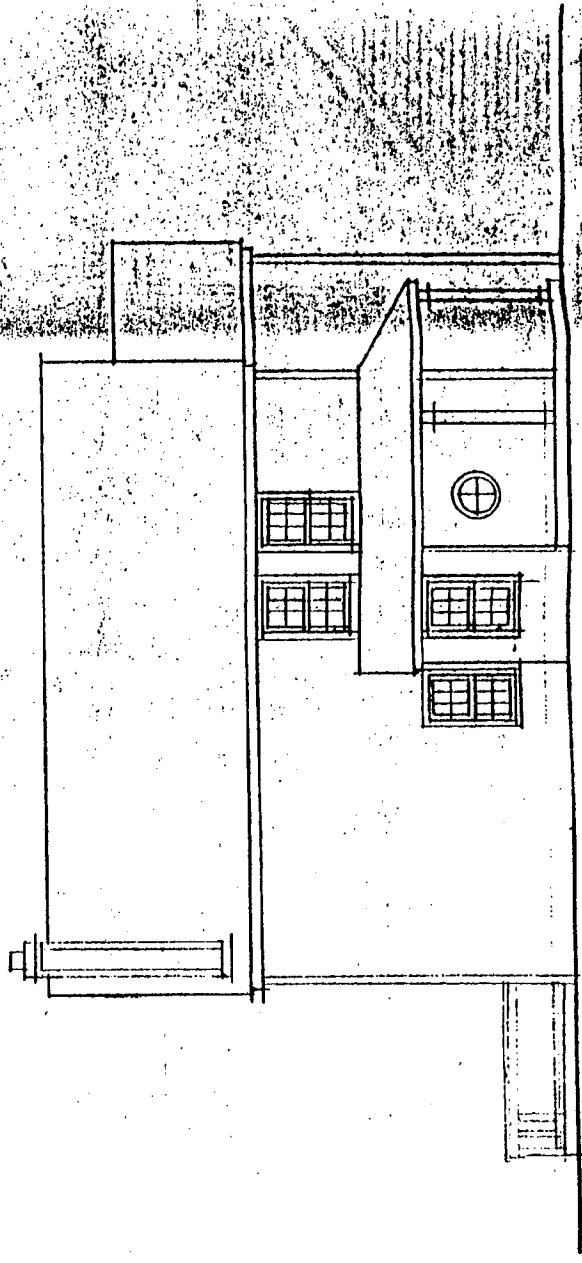
FRONT ELEVATION





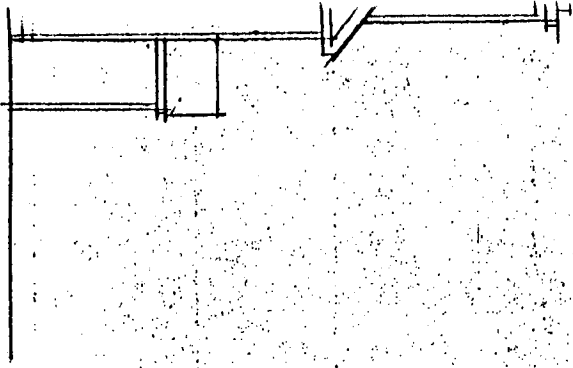


REAR ELEVATION
HOUSE
SCALE: 1/8" = 1'-0"

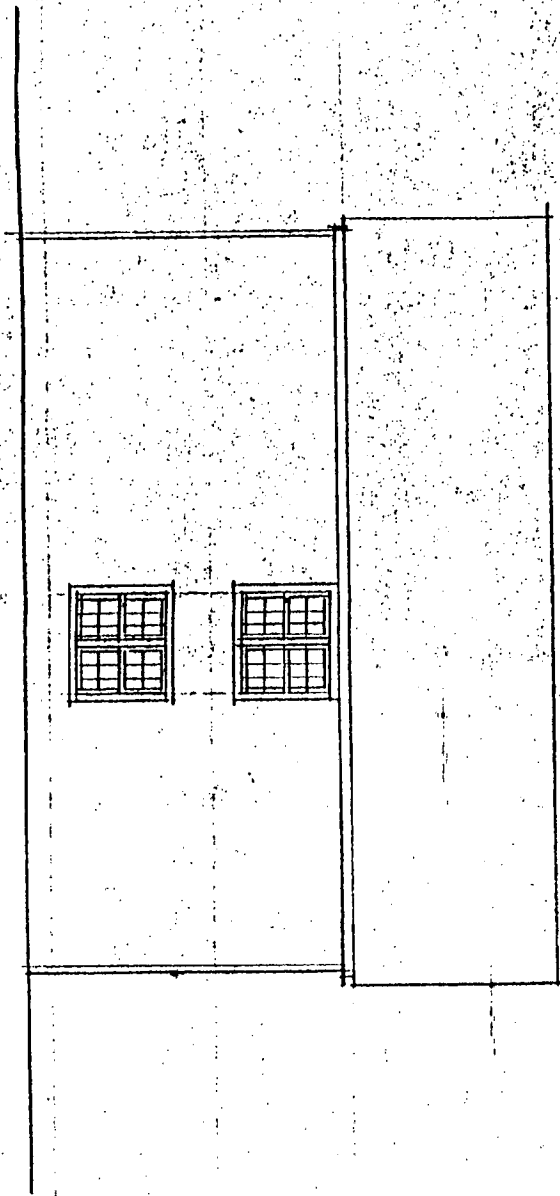


RIGHT SIDE ELEVATION

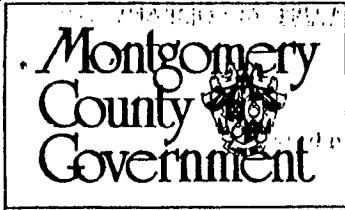
0"



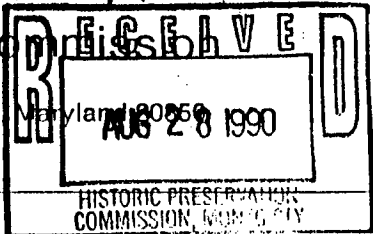
LEFT SIDE ELEVATION
HOUSE
SCALE: 1/8" = 1'-0"



RECEIVED
AUG 28 1990
HISTORIC PRESERVATION
COMMISSION, MARYLAND



Historic Preservation Commission
 51 Monroe Street, Suite 1001, Rockville, Maryland 20850
 217-3625



31/7-90P

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact App.



TAX ACCOUNT # _____
 NAME OF PROPERTY OWNER Longview I & Chun-Tai Tseng TELEPHONE NO. 301-622-1991
 (Contract/Purchaser) (Include Area Code)
 ADDRESS 316 Hammenton Place Maryland 20904
 CONTRACTOR OWNER TELEPHONE NO. 301-622-1991
 CONTRACTOR REGISTRATION NUMBER _____
 PLANS PREPARED BY owner TELEPHONE NO. Same as above
 (Include Area Code)
 REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 9915 Street Capitol View Avenue
 Town/City Silver Spring Election District 13
 Nearest Cross Street Capitol View Avenue
 Lot 8 Block 32 Subdivision Capitol View Park
 Liber J.A. NO. 5 Parcel 207

- 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 New Home
- 1B. CONSTRUCTION COSTS ESTIMATE \$ \$145,000.00
 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? no

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.

Chun-Tai Tseng 8/24/90
 Signature of owner or authorized agent (agent must have signature notarized on back) Date

APPROVED _____ For Chairperson, Historic Preservation Commission
 DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: 9008280061 FILING FEE: \$ _____
 DATE FILED: _____ PERMIT FEE: \$ _____
 DATE ISSUED: _____ BALANCE \$ _____
 OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

APPLICATION FOR HISTORIC AREA WORK PERMIT
REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s):

Vacant Lot

b. General Description of Project:

We Plan to build a 2-story new family house in
Neo-Victorian style, which has 2100 SF living
area with 4 bedrooms, 2-1/2 full baths and a 2-
car garage.

9008280061

2. **SITE PLAN.** For all projects, attach an accurate site plan or property survey, which shall include the following:
 - a. Scale (for example, 1/4" = 1 foot)
 - b. North Arrow
 - c. Location and dimensions of all existing and proposed structures:
 - d. Location of other features such as walks, drives, fences, ponds, streams, dumpsters, mechanical equipment, and major landscaping elements.
3. **TREE SURVEY.** If any 6" diameter or larger trees are to be removed, or fall within the construction zone, attach an accurate tree survey. The survey should include the exact location, size, and species of all trees located in the project area, indicating which are to be preserved and which are to be removed.
4. **FLOOR PLANS; CONSTRUCTION PLANS.** For new construction and room additions, attach a complete set of scaled floor plans. For porches and decks, attach scaled drawings showing dimensions, materials, and where and how they will be attached to existing structures. For other types of work, such as outbuildings and fences, attach scaled drawings showing dimensions, materials, construction methods, and design details.
5. **ELEVATION DRAWINGS.** For new construction, including outbuildings, attach scaled drawings of all sides of the proposed structure. For additions, decks, porches, and major exterior alterations, attach scaled drawings of all sides of structure which will be affected by the proposed work.
6. **MATERIAL SPECIFICATIONS.** For all projects, provide a written description of all exterior materials to be used. If desired, material specifications may also be included as notes on elevation drawings. If available, manufacturer's literature may also be included.

We plan to use sidings on exterior walls, shingles

on all the roof, and aluminum windows.

PROJECT NAME: 9915 CAPITOL VIEW

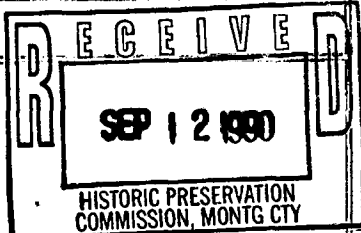
PROJECT NO. : 111-90

STANDARD FEATURES SCHEDULE 11190SF1

DATE : 9/11/90

PAGE: 1

ITEM	MATERIAL FEATURES
3. Foundation work	Concrete as per plan.
6a. Finish Carpentry	Door Casings: 2-1/4" colonial F.J. Window sill stool: 5-1/4". Baseboard: 9/16" * 3-1/4" colonial F.J. Shoe mold: 1/2" * 3/4". Crown Molding:
6b. Interior Walls & Ceiling	Gyp-boards at walls and ceilings of 1st floor and 2nd floor.
7a. Roofing	20 year asphalt shingles with 15lb felt material underneath.
7b. Insulation	R-30 fiberglass blankets and styrovents in 2nd floor ceilings; R-13 fiberglass blankets in exterior walls of first and second floors and basement.
6a. Doors	6-panel doors.
8b. Window	"BINNINGS" 300; single hung, double insulated glass, and preset grilles between the double panes of glass.
8c. Skylight	2'-0" * 4'-0" "SKYMASTER" with plastic sashes.
9a. Exterior siding	Vinyl siding as per plan.
9b. Floor	Hardwood: At the 1st floor entrance area; natural stain, Prefinished 2-1/4" straight, selected grade. Carpet: At the rest area of this house.
9c. Painting	Interior/Wall: Two coats of latex. Kitchen and Bathroom: Two flat latex plus one semi-glossy. Primed trim boards, door trims and doors: One coat of glossy paint. Exterior/Concrete: One coat of foundation flat latex, color to match that of sidings. Trim boards: Primer plus two coats of semi-glossy paint.
11a. Fireplace	"SUPERIOR" CC 5700 R/L with stone or brick veneer.



PROJECT NAME: 9915 CAPITOL VIEW

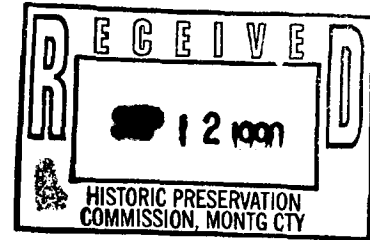
PROJECT NO. : 111-90

STANDARD FEATURES SCHEDULE 11190SF2

DATE : 9/11/90

PAGE: 2

ITEM	MATERIAL FEATURES
11b. Light Fixture	Recess light:CAPR10X and CAPRM40P for light housings; MEM150R40FL for light bulbs.
12. Cabinate	"BEDFORD OAK" cabinates; countertops to match the sizes of cabinates.
15a. Heating /Air Conditioning	Registers at floor level on first floor and at ceiling of second floor and basement. Gas furnace to be "YORK" with "HONEYWELL" thermostats and hook up with a 4-ton "YORK" A/C Condensing unit.
15b. Plumbing	Gas line to be black steel. Water supply line to be hard copper type M. Waste and vents to be PVC.

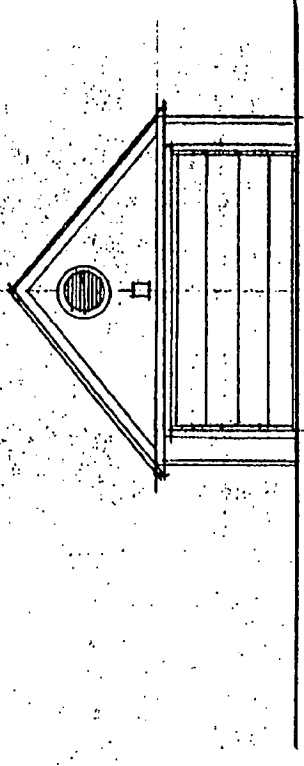


Note 1: This schedule is drawn up to complement the architectural plans, in the event of any discrepancies between the two, this schedule prevails.

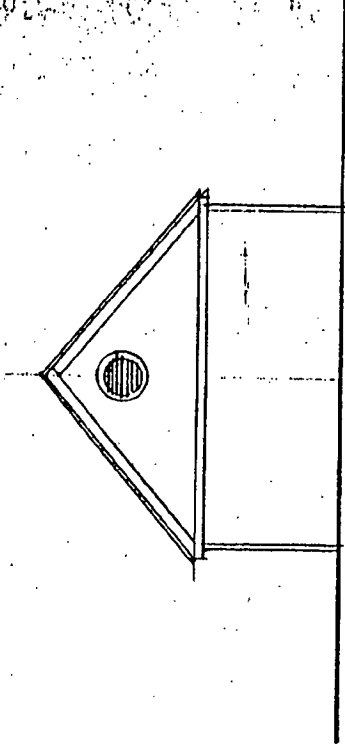
Note 2: Price adjustments shall be made if equipment /allowance items are either upgraded or down-graded.

SCALE: 1/4" = 1'-0"

HOUSE



FRONT ELEVATION
GARAGE SCALE: 1/8" = 1'-0"



REAR ELEVATION
GARAGE SCALE: 1/8" = 1'-0"

9915 CAPITAL VIEW RES

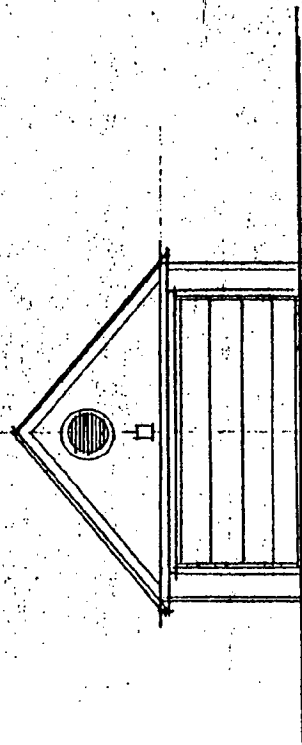
LONGVIEW I & CHUN-TAI TSENG

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

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

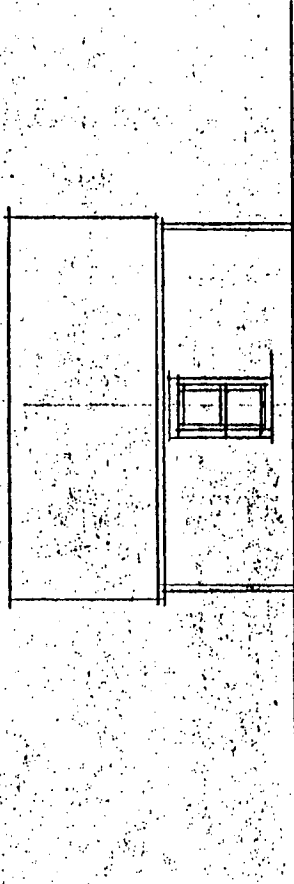
SCALE: 1/8" = 1'-0"

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



FRONT ELEVATION

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

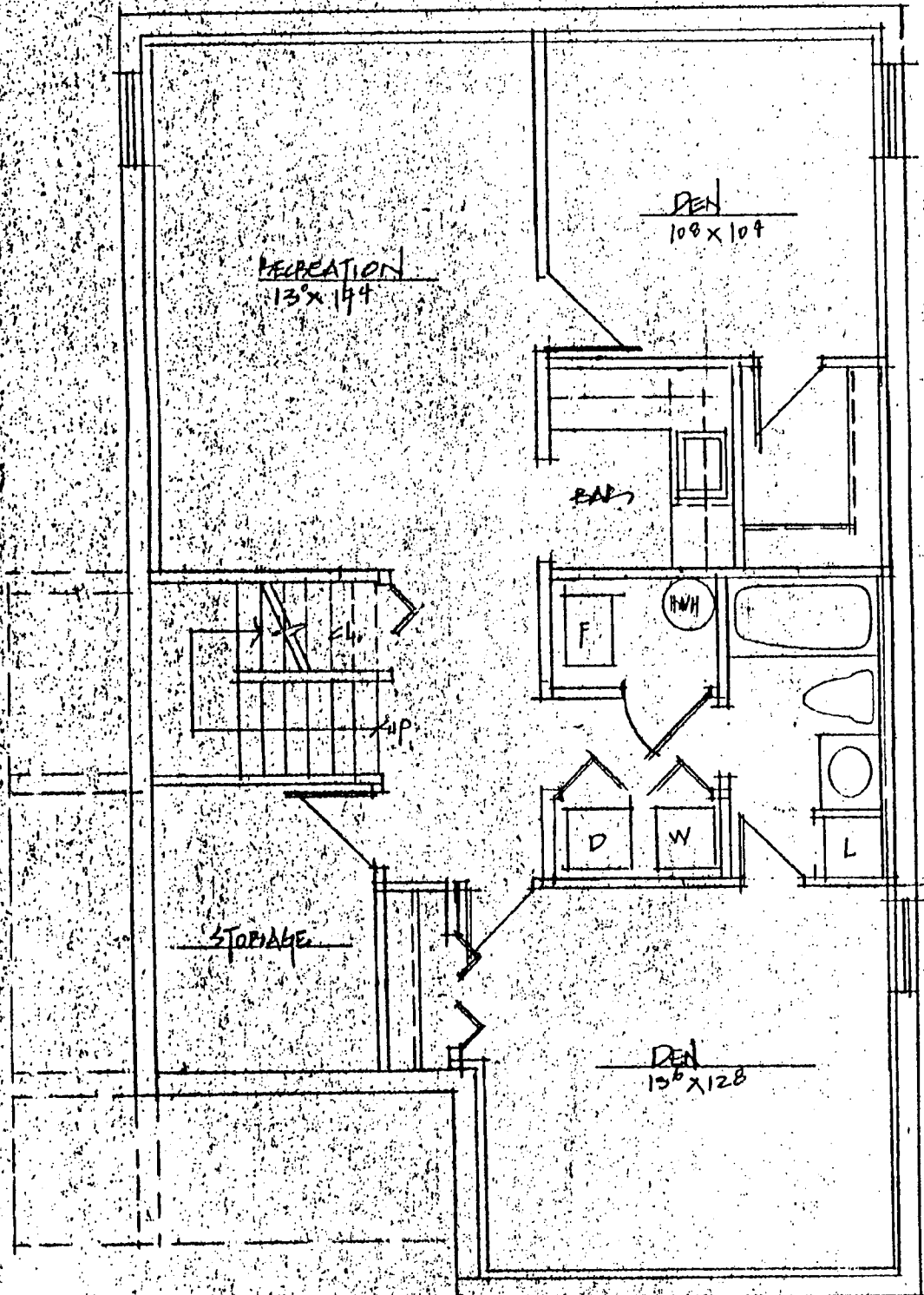


SIDE ELEVATION

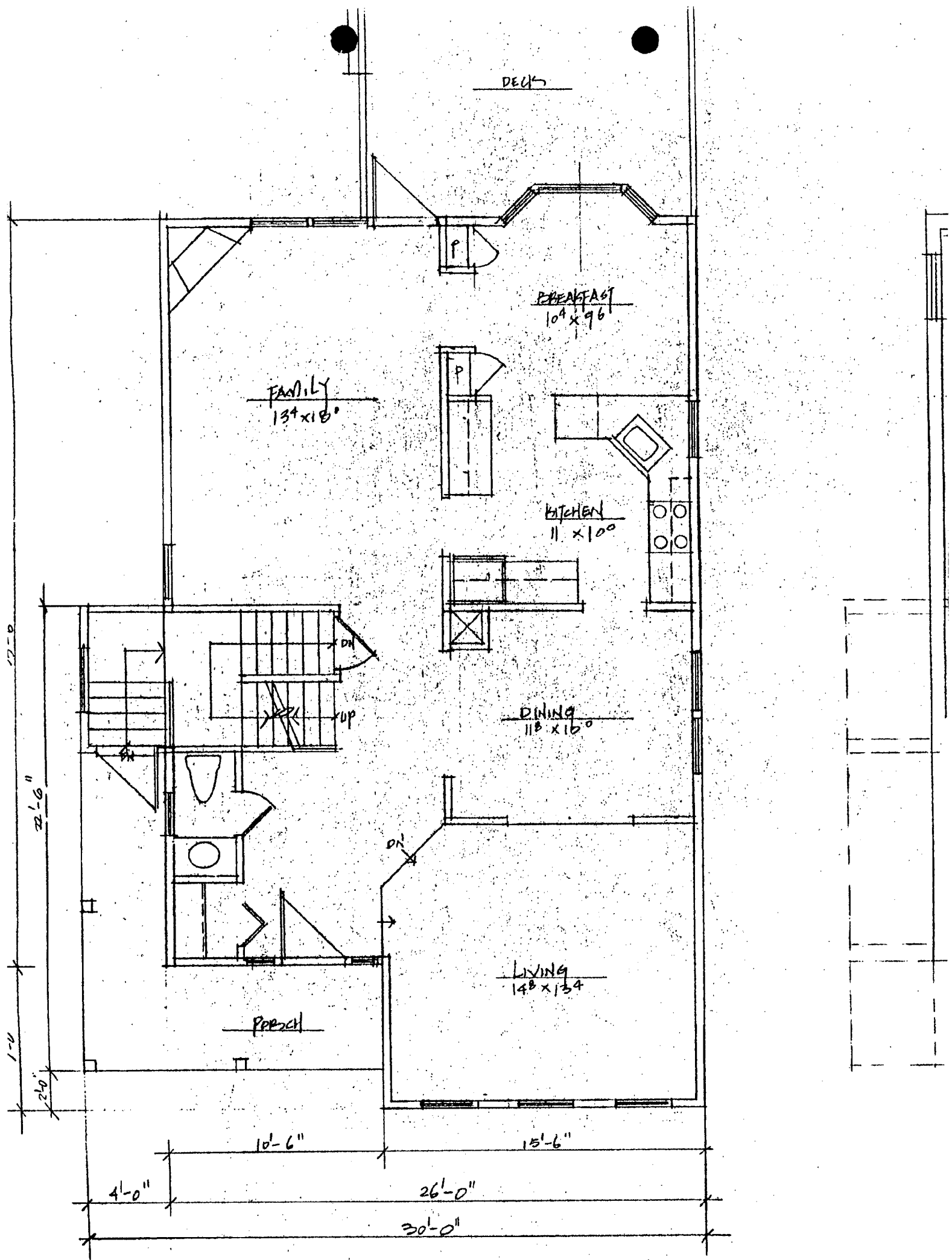
GARAGE SCALE: 1/8" = 1'-0"

TAL VIEW RESIDENCE

GVIEW I & CHUN-TAI TSENG

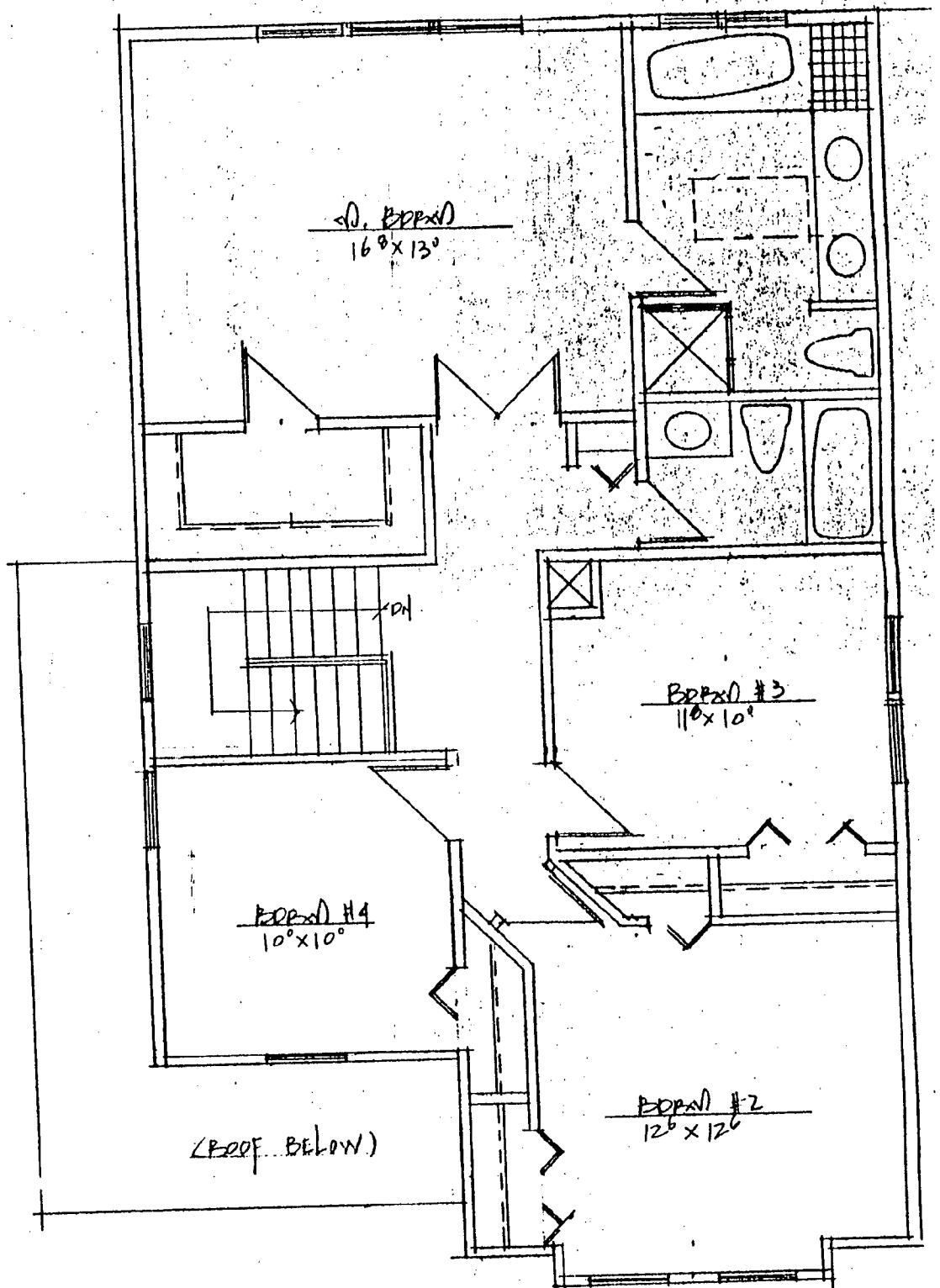


BASEMENT FLOOR PLAN



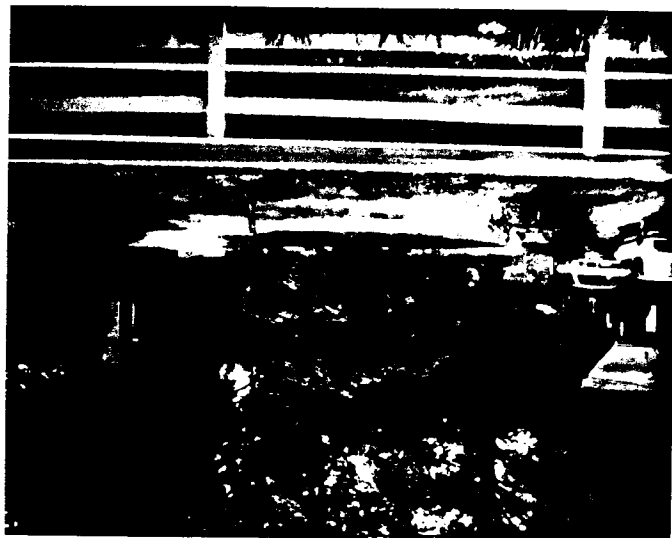
FIRST FLOOR PLAN
 1025 SF / 2050 SF TOTAL

9915 CAPITAL VIEW RESIDENCE



SECOND FLOOR PLAN

→ LOT FRONT VIEW (LOT#8)



● ↓ LOT REAR VIEW (LOT#8)
9915 CAPITAL VIEW AVENUE.



99008250061



LEFT SIDE VIEW



CORNER SIDE VIEW



FRONT ELEVATION

9913 CAPITOL VIEW AVE.

(LOT #9)

9008250061



REAR SIDE VIEW



RIGHT SIDE VIEW



FRONT ELEVATION

9917 CAPITOL VIEW AVE.
(LOT #7)



LEFT SIDE VIEW



CORNER SIDE VIEW.



FRONT ELEVATION

19008280061

9913 CAPITOL VIEW AVE.

(LOT #9)



REAR SIDE VIEW



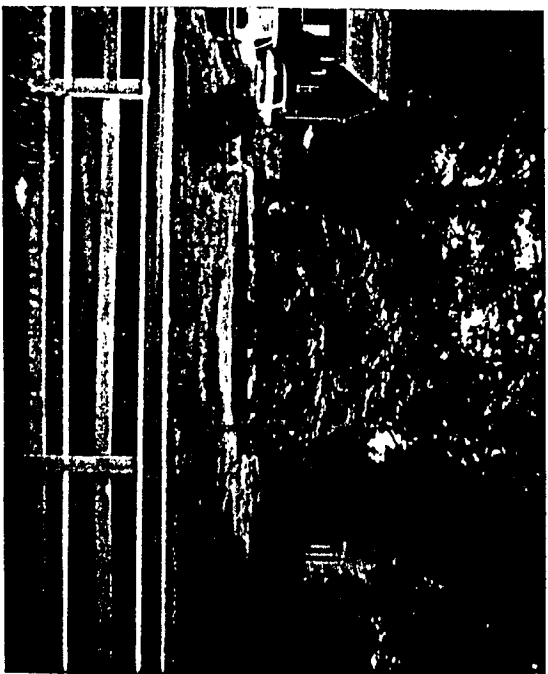
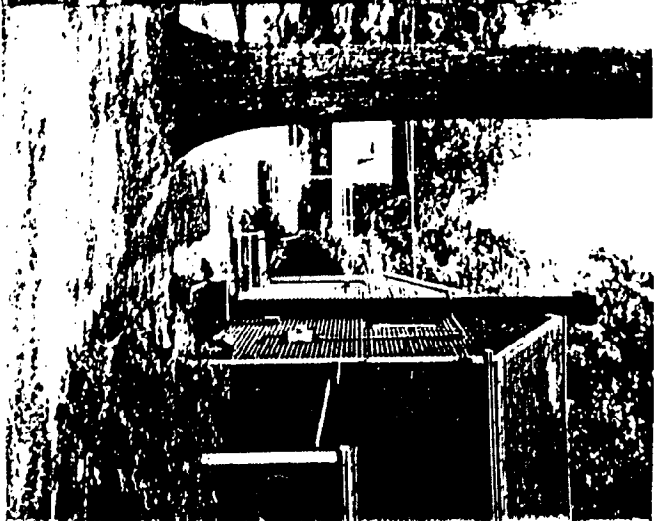
RIGHT SIDE VIEW



FRONT ELEVATION

9917 CAPITOL VIEW AVE.
(LOT #7)

9008280061



↓ LOT REAR VIEW (LOT#8)
9915 CAPITAL VIEW AVENUE.

9008280061

↓ LOT FRONT VIEW (LOT#8)



Montgomery County Government

MEMORANDUM

TO: John Moran, Chairman
Capital View Dist Local Advisory Panel

FROM: Laura McGrath, Planning Specialist
Department of Housing and Community Development
Division of Community Planning and Development

DATE: September 6, 1990

SUBJECT: Historic Area Work Permit Application

The attached application by Tseng for an Historic Area Work Permit at 9915 Capital View Avenue is being forwarded for review and comment by the Local Advisory Panel. If the Panel would like written comments to be included in the Historic Preservation Commission's pre-meeting packet, they should be received at our office by no later than September 18, 1990, at 5:00 p.m. Otherwise, verbal and/or written comments may be presented at the Commission meeting scheduled for Sept. 26, 1990.

JBC:av
1549E
1/90



Montgomery County Government

August 17, 1990

Mr. Chun-Tai Tseng
316 Hammonton Place
Silver Spring, Maryland 20904

Dear Mr. Tseng:

The following is a summary of the comments, concerns, and suggestions made by the Historic Preservation Commission on your proposed project at 9915 Capitol View Avenue during your preliminary consultation with the Commission at its August 15, 1990 meeting:

- The proposed house with attached garage is not in scale with adjacent houses. The structure appears too wide and is a two story structure in an area of predominantly one story and one and one-half story Bungalows. The side yards would decrease the usual amount of space between houses and would visually impinge on the adjacent houses. It was suggested that the garage be eliminated from the plan or that it be detached and moved to the rear of the lot. It was also suggested that the total width of the structure be reduced to a width comparable to adjacent homes.
- Construction of the garage in the location as proposed would include a portion being built under the drip-line of a large tree on the side of the property. Construction of impervious materials over the tree root system could be harmful to the tree and possibly cause the tree to die.
- The Victorian style and fenestration as proposed is not necessarily a primary style in the Capitol View Park historic district. Other styles could also be considered, including Bungalow, American Four-Square, Craftsman, etc.

I hope that this information is helpful to you. As a reminder, the deadline for filing a Historic Area Work Permit application for consideration at the September 12, 1990 meeting of the Historic Preservation Commission is Friday, August 24. Please feel free to call me at 217-3625 with any questions.

Sincerely,

Laura McGrath,
Planning Specialist

2030E

Historic Preservation Commission

51 Monroe Street, Rockville, Maryland 20850-2419, 301/217-3625

HISTORIC PRESERVATION COMMISSION STAFF REPORT

PREPARED BY: Laura McGrath

DATE: August 3, 1990

CASE NUMBER: N/A

TYPE OF REVIEW: Preliminary
Consultation

SITE/DISTRICT NAME: Capitol View
Park

PROPERTY ADDRESS: Lot 8, 9915
Capitol View Avenue

TAX CREDIT ELIGIBLE: No

DISCUSSION:

The applicant is proposing construction of a two-story house on a 50' wide lot. The structure is approximately 40' X 40', including a single bay garage.

STAFF RECOMMENDATION:

The applicant met with staff for a preliminary consultation earlier this year. At that time, the applicant and staff discussed a standard house plan which consisted of a two-story structure, approximately 38' wide and with a garage facing the street. Staff made several comments based on consideration of existing adjacent structures and the overall streetscape. First, it was suggested that the width of the house was oversized for the lot and in comparison with adjacent houses. It was recommended that the overall width of the structure be reduced to approximately 30' and that the floor plan be changed to one that was more linear (front to back instead of side to side) in order to somewhat alleviate massing concerns without losing the square footage desired by the applicant. Second, staff recommended that the garage be moved to the back of the house or that a side entrance be utilized. Finally, staff suggested that the overall height of the structure be reduced to appear more compatible with the homes on either side.

The applicant has partially responded to staff's comments with the present plan submitted in that the garage is set back from the front elevation. The height and width of the proposed structure, however, is still greater than the immediately adjacent structures and renders the structure incompatible with the existing streetscape. Staff recommends that the applicant make further revisions to the overall scale and massing of the proposed house to respond to these concerns and any others raised by the Commission before submitting a formal HAWP application.

ATTACHMENTS:

1. Written submission from applicant
2. Site Plan
3. Photos
4. Front Elevations
5. Floor Plan

*Photos - 1) Front View of Lot
2) " "
3) " "*

Laura McGrath
Historical Preservation Committee
51 Monroe Street, Suite #1001
Rockville, Maryland 20850

August, 3, 1990

RE: Preliminary Consultation for 9915 Capitol View Residence

Dear Ms. McGrath :

Per your request for the preliminary consultation on the 9915 Capitol View Residence Project, this letter and the previously submitted architectural drawings and the pictures taken in the vicinity of lot site are to explain our proposed design. our basic concept is to create a design that is compatible to the historical neighborhood in building height, width, and style.

1 Building height :

- a) Pictures of the existing houses in our neighborhood are shown on pages 3 to 5 (east side of the Capitol View Ave.) Please note that :
- lot 5, No. 9921 - One and half story building. Located at a higher ground. Building height equal to two and half story height relative to the ground level of our lot.
 - lot 6, No. 9919 - Empty lot.
 - lot 7, No. 9917 - One and half story building. 21 feet height from the ground to the top of the ridge of the roof.
 - * lot 8, No. 9915 - Our site.
 - lot 9, No. 9913 - One and half story building. Since the first floor is 6 feet above the ground of our site, the height of the building from ground to the ridge line of roof is 26 feet, close to two story height from our lot.
 - lot 10 (No. 9911) and lot 11 (No. 9909) - One and half story building.
 - lot 12 (No. 9907) - Two story. Partial brick building.
 - lot 13 (No. 9905) - Empty lot.
 - lot 14 (No. 9903) - One and half story in front elevation. Two story in side elevation.
 - lot 2 Block 35 (No. 9829, on photo page 6) - Two and half story building. Victoria style. Building height equal to three story from the ground to the point of high roof pitch.

- b) In our design, the main building is two story which matches the height of the existing house to our right. (lot 9, No. 9913, 6 feet above ground pluses one and half story). Our garage is one and half story sets back from the facade. The height of the garage matches the existing house to our left. (Lot 7, No. 9917, lower portion of the one and half story building). Please see the pictures on page 3 and the front elevation of the design on architectural drawings.
- c) Several older existing houses as well as newly constructed houses in the vicinity of lot (see pictures on page 6, 7, and 8) are two story buildings. We feel that two story buildings are compatible with the environment of this area.

2. Building Width :

The frontage of our main building (facing the Capitol View Ave.) is 26 feet wide. This is narrower than the frontage of the existing houses adjacent to our lot (30 - 40 feet). The 14 feet wide garage is intentionally set back and attached to the rear end of the main house. This " L " shape design reduces the width impact to the capitol view Street and creates a more open feeling along the street than the adjacent houses. By attaching the garage to the rear end of the main building, we are able to preserve more green space on the lot. If the garage was to completely separate from the main building, we would have to cover the area in between with asphalt driveway.

3. Building Style :

We adopt Victorial Style in our design. The house will have wave shape shingles at gable and decorated Victoria Style details on the facade and front porch wrapping around the house. The design highlights the Victoria flavor in this historical preservation area.

4. Tree preservation :

There are two tall trees on the lot. Both will be preserved for the new house construction.

We hope the above information can better communicate our design concept with you. We look forward to meeting you in the consultation meeting on August 15.

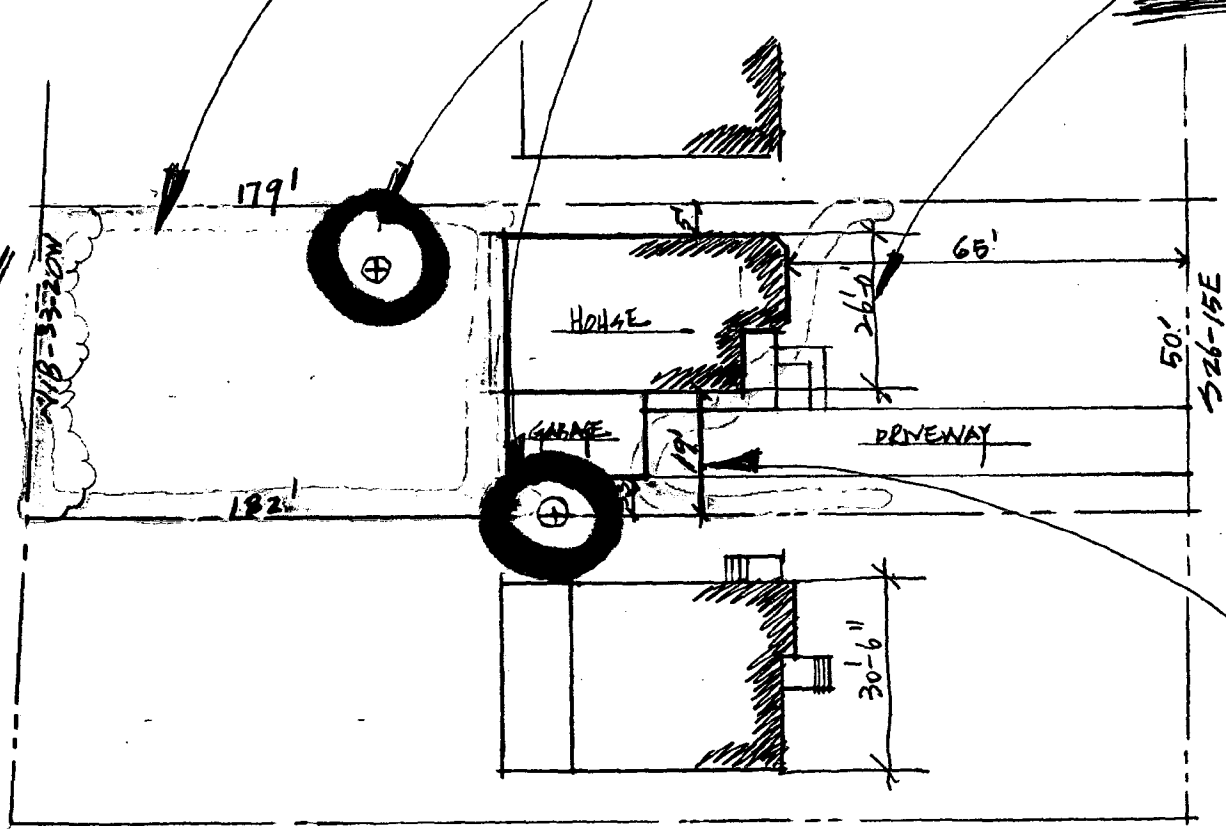
Sincerely

Chun-Tai Tseng
Chun-Tai Tseng

KEEP MORE GREEN SPACE IN THE BACK YARD
(NOT OCCUPIED BY GARAGE & DRIVEWAY)

PRESERVE EXISTING TALL TREES

NARROWER FRONTAGE

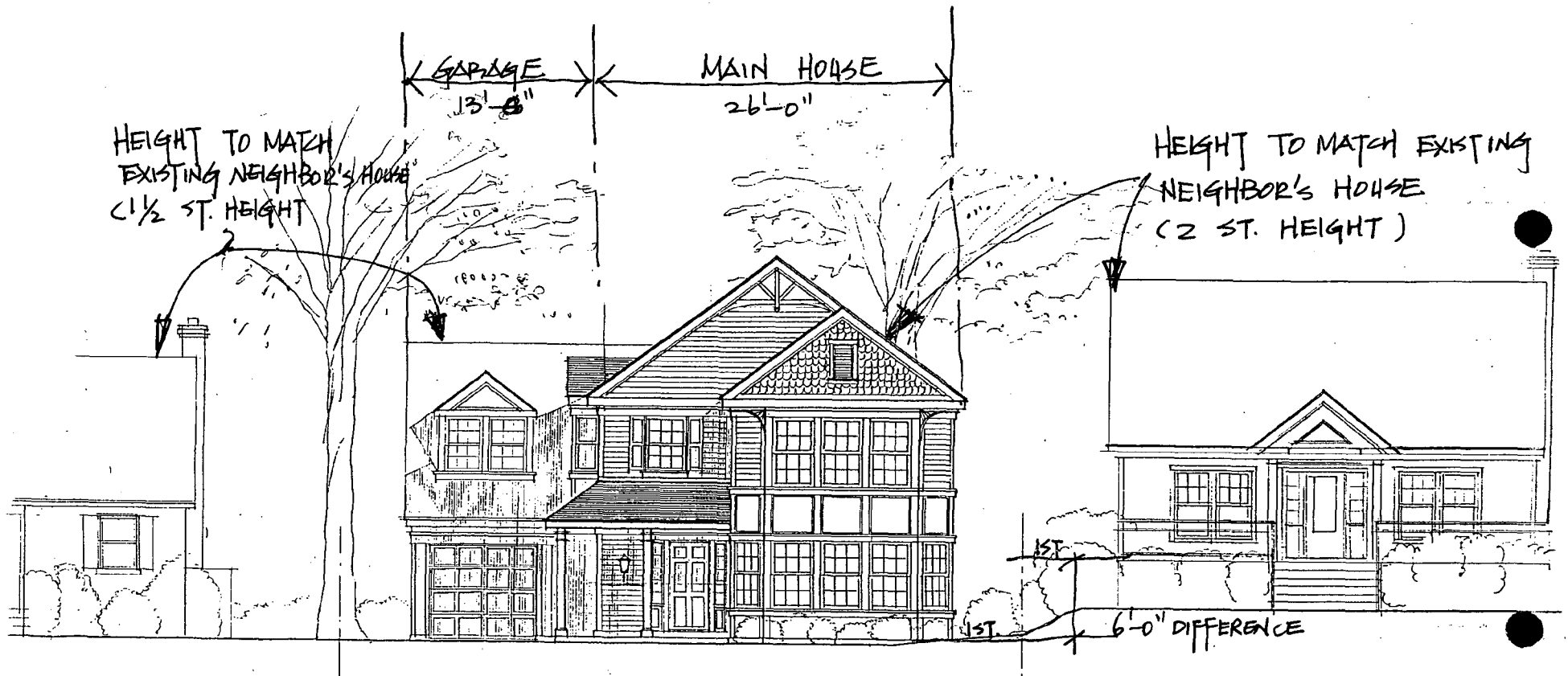


CAPITAL VIEW AVENUE

MORE OPEN SPACE
IN BETWEEN BUILDINGS

SITE PLAN

SCALE : 1' = 30'-0"



FRONT ELEVATION

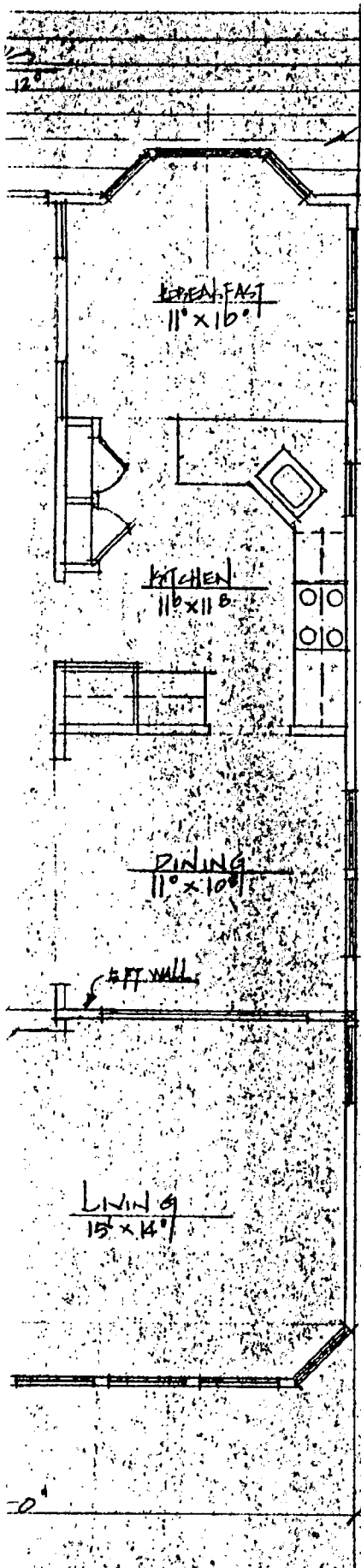
9915 CAPITAL VIEW RESIDENCE

LONGVIEW I & CHUN-TAI TSENG

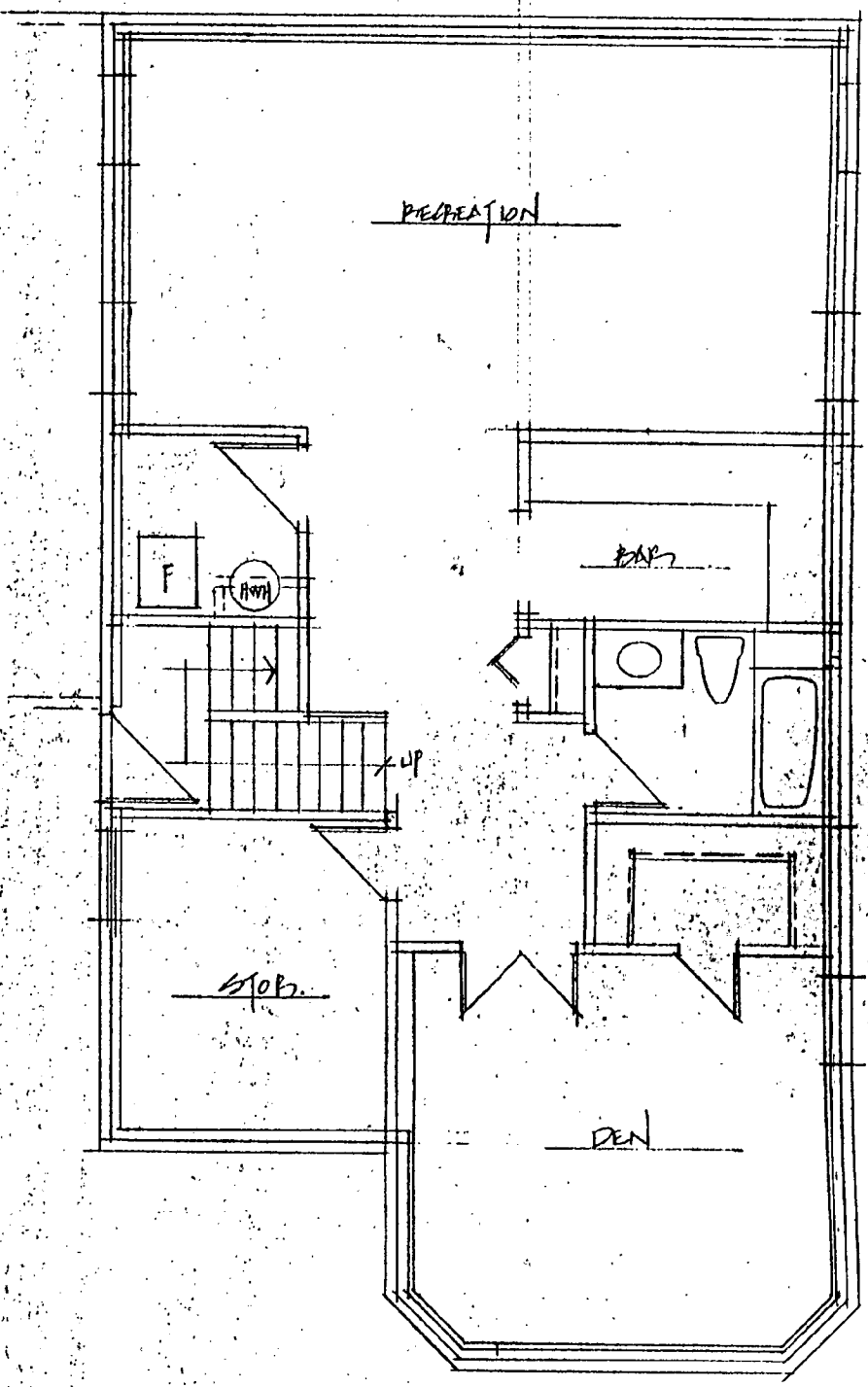


FRONT ELEVATION

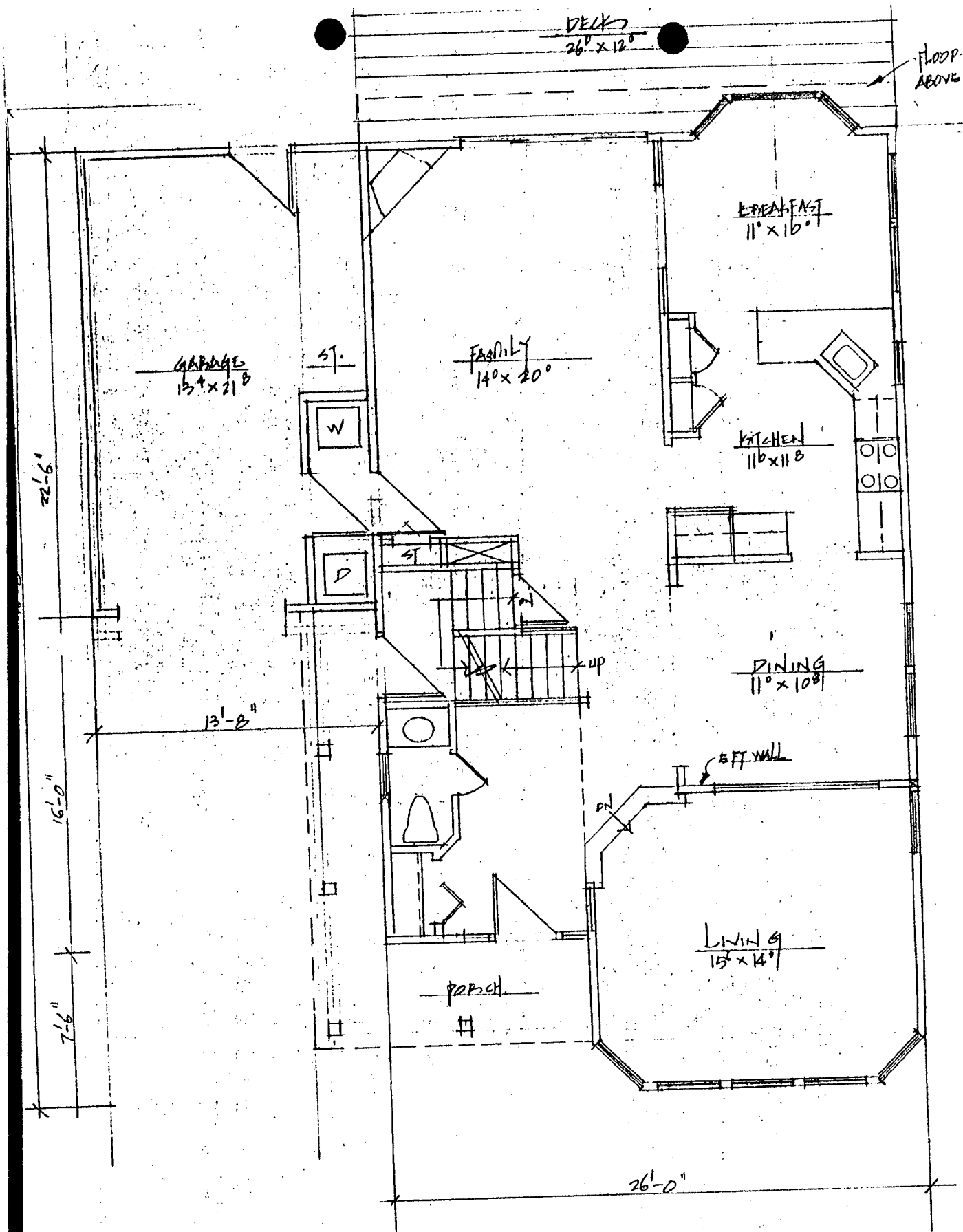
SCALE: 1/4" = 1'-0"



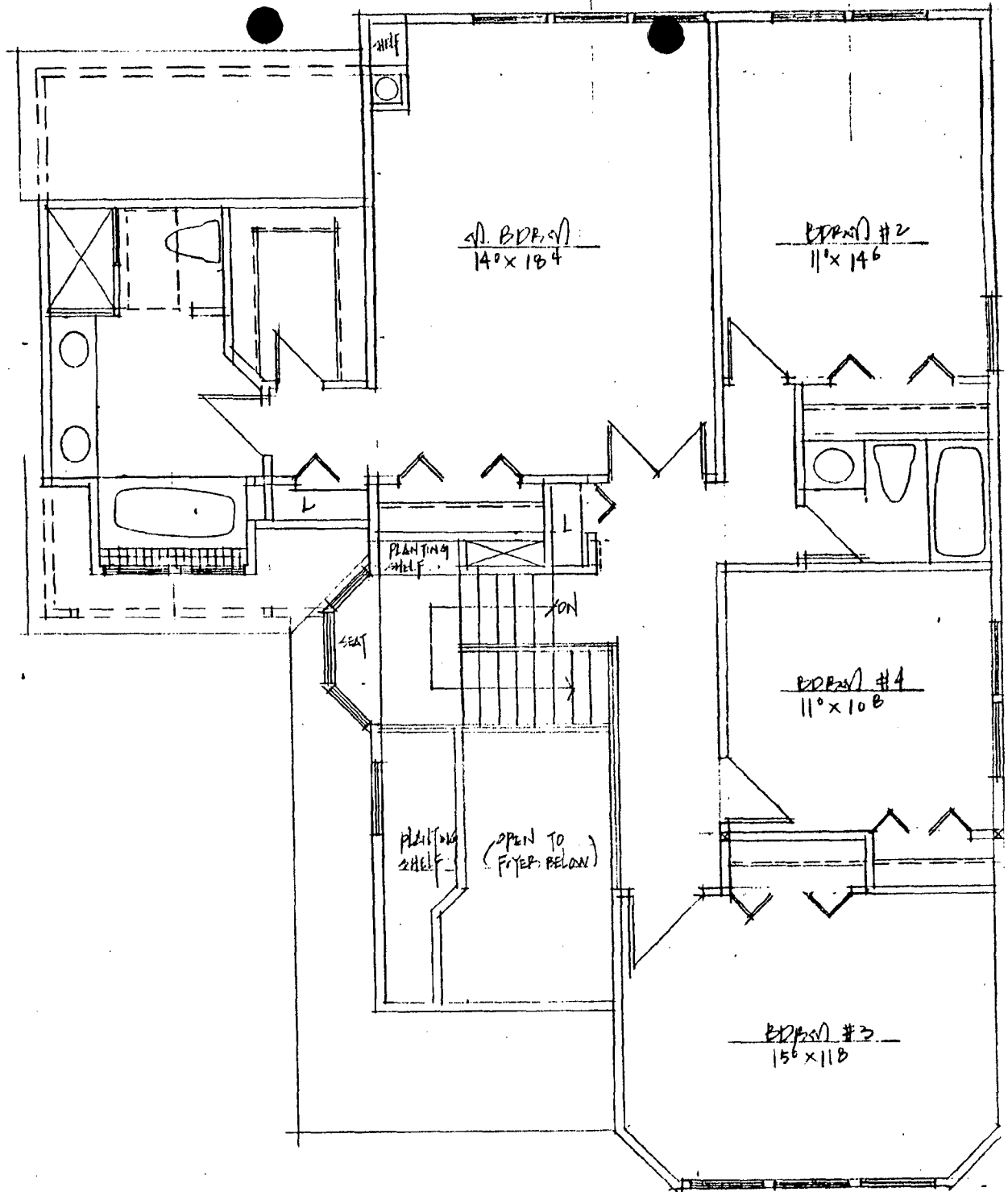
FLOOR PLAN
2430 SF TOTAL



BASEMENT FLOOR PLAN
1150 SF



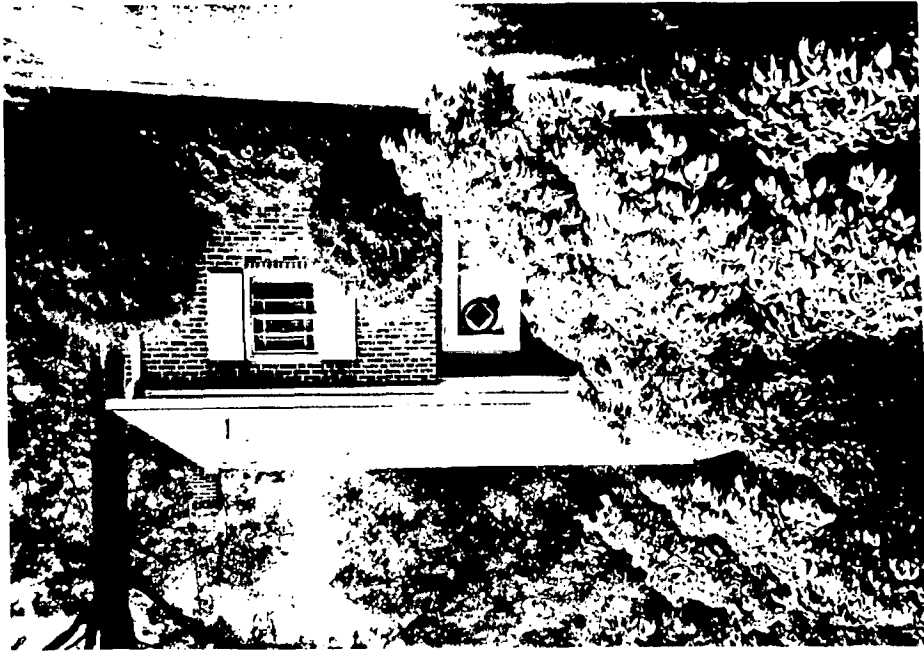
FIRST FLOOR PLAN
1150 SF / 2430 SF TOTAL



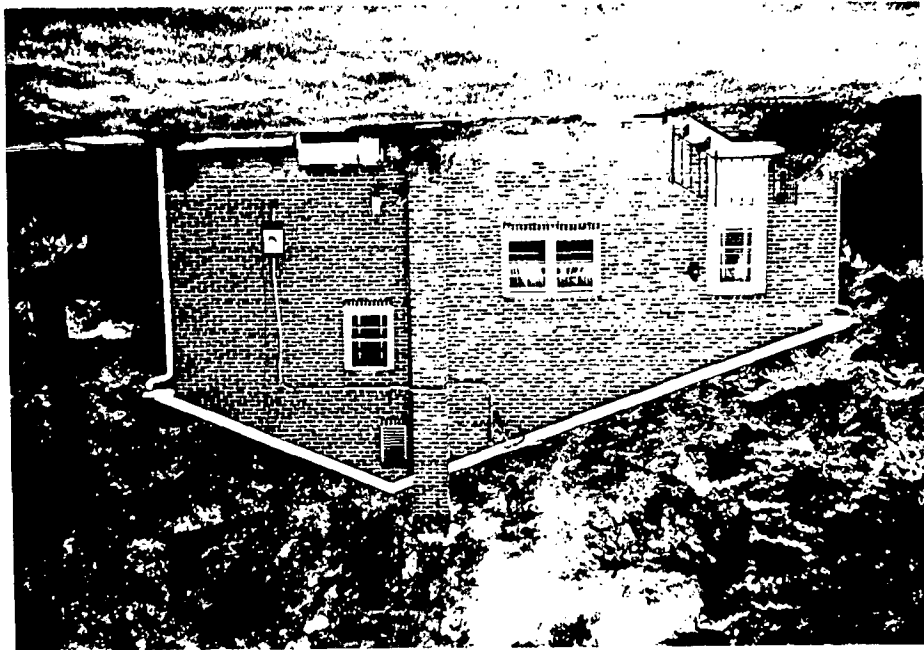
SECOND FLOOR PLAN
1280 SF

9917 CAPITOL VIEW AVE.
(LOT #7)

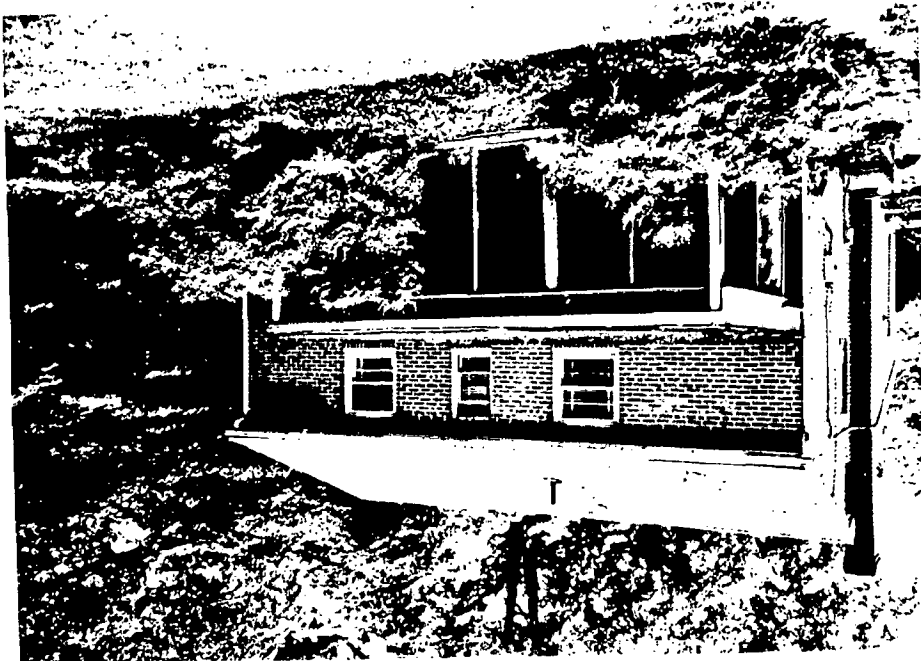
FRONT ELEVATION



RIGHT SIDE VIEW



REAR SIDE VIEW





↑ LOT REAR VIEW (LOT#8)
9915 CAPITOL VIEW AVENUE.

← LOT FRONT VIEW (LOT#8)



LEFT SIDE VIEW



CORNER SIDE VIEW



FRONT ELEVATION

9913 CAPITOL VIEW AVE.

(LOT #9)



9911 CAPITOL VIEW AVE
(LOT #10)



9909
(LOT # 11)



9907
(LOT #12)

6086



9829 CAPITAL VIEW AVE.





(BARKER ST.) NEARBY 2-STORY HOUSES

8
(LEAFY AVE.) NEAR BY 2-STORY NEW HOUSES

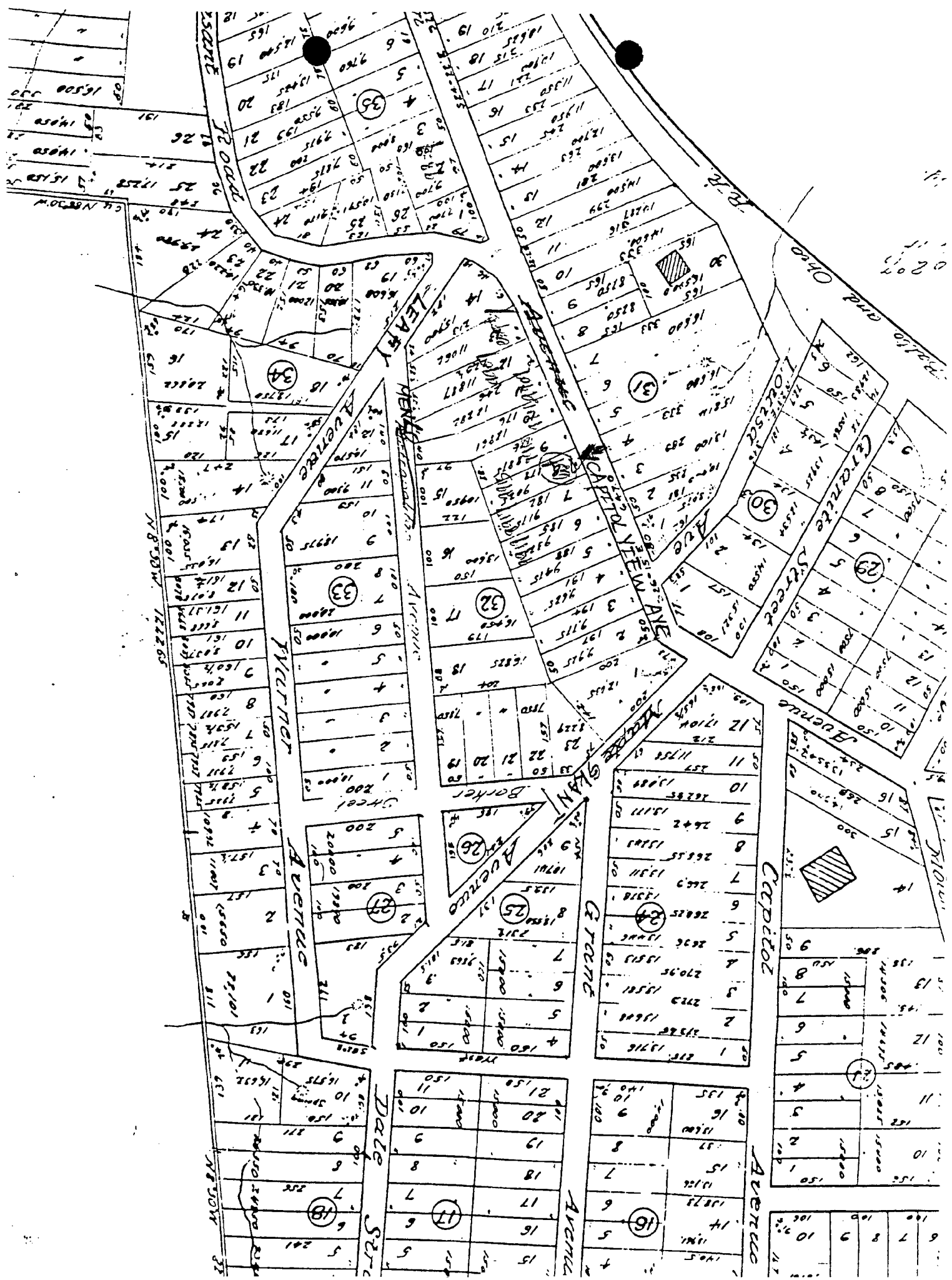


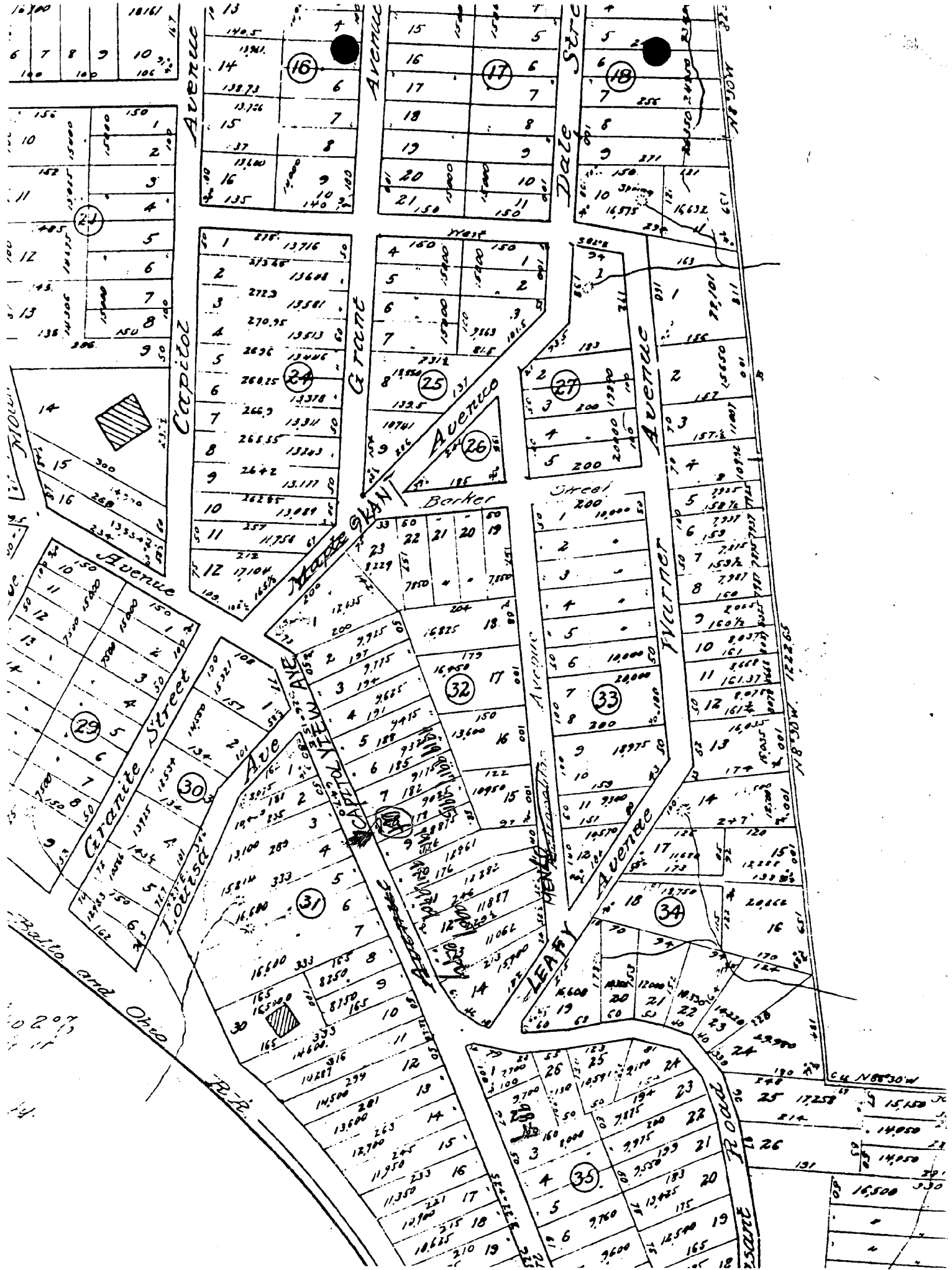
1

9919 CAPITOL VIEW AVE.
(EMPTY LOT)
(LOT #6)

9921 CAPITOL VIEW AVE.
(LOT #5)







LOT 8 qgis
Cap View
P. 1000
7/14/90

M E M O R A N D U M

TO: John Moran, Chairman, Capitol View Park
Local Advisory Panel

FROM: Laura McGrath, Planning Specialist *LM*
Division of Community Planning and Development,
Department of Housing and Community Development

DATE: July 31, 1990

SUBJECT: Preliminary Consultation with Historic Preservation Commission (HPC)

This is to inform you that Mr. Chun-Tei Tseng will be meeting with the HPC at its August 15, 1990, meeting for a preliminary consultation on proposed plans for new construction at Lot 8, 9915 Capitol View Avenue (copy of submitted elevation plan and site plan attached). Although only at the preliminary stage, the HPC would like to encourage participation of the LAP in the discussion of the proposal at this meeting. Please feel free to call me at 217-3625 with any questions. Thank you.

1990E