

31/7 9829 Capitol View Ave.
18-84

9903 Leafy

APPLICATION OF MICHAEL ENDERS
FOR AN HISTORIC AREA WORK
PERMIT FOR NEW CONSTRUCTION FOR LOT 26,
9829 CAPITOL VIEW AVENUE,
CAPITOL VIEW PARK HISTORIC DISTRICT

BEFORE THE MONTGOMERY COUNTY
HISTORIC PRESERVATION
COMMISSION CASE #18-84

FINDINGS AND CONCLUSIONS

The above application, filed on September 12, 1984, was the subject of a public appearance before the Commission on October 4, 1984. Notice of the public appearance was forwarded to citizens and organizations which the Commission felt may have an interest in the proceedings.

The testimony of all witnesses, the plans, specifications, and all other documents in the record have been carefully considered, and the record was closed on October 4, 1984.

WHEREFORE, the Commission finds as follows:

1. That the applicant, Michael Enders, owns real estate at 9829 Capitol View Avenue, Silver Spring, which is within the Capitol View Park Historic District (#31/7) as listed on the County's Master Plan for Historic Preservation.
2. That the existing house on the property is a circa 1890 Queen Anne style Victorian house which is a major resource within the Capitol View Park historic district.
3. That the historic resource and the environmental setting of said house in which the proposed new construction would take place are highly visible within the historic district and make a major contribution to the major overall streetscape of the district.
4. That the applicant proposes to build a new house on Lot 26 which is immediately behind the historic structure.
5. That the Capitol View Park Local Advisory Committee recommended approval of the construction of the house on Lot 26.
6. That the proposal as submitted will not substantially alter the exterior features of an historic site or resource within an historic district.

Now, therefore, it is the decision of the Montgomery County Historic Preservation Commission that the application of Michael Enders to construct a new house as per attached plans on Lot 26 be approved and a permit granted subject to the following conditions which the Commission finds necessary to ensure conformity with the purposes of Chapter 24A of the Montgomery County Code:

Accordingly, the Director of the Department of Environmental Protection of Montgomery County, Maryland is instructed to deny the Historic Area Work Permit to the applicant consistent with this decision dated October 4, 1984.

Susan Kuklewicz

Susan Kuklewicz, Chairwoman
Historic Preservation Commission

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
LOCAL ADVISORY COMMITTEE REVIEW FORM

NEW CONSTRUCTION

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

I. Location of Property

- a. Located within the Capitol View Park historic dist
- b. This is a Master Plan / Atlas historic district (circle one)
- c. Address or Property: 9829 Capitol View Avenue
Silver Spring, Md 20910
- d. Owner of property and address:
Michael P. Enders
same address
- e. On a map of the district, locate this property and adjacent historic resources. Briefly describe each adjoining resource (e.g. 1½ story frame bungalow, 2½ story shingle style Queen Anne, etc.) Attach photo to show streetscape.
3 story, Queen Anne Victorian with slate roof
- f. Is this work visible from the street? 1) House on lot 1 is highly visible
2) House on lot 26 is slightly visible
- g. Is this work visible from historic resources within the district? yes
If so, which ones? Calloway House, 9829 Capitol View Avenue

II. For site and subdivision plans

- a. How many new houses or lots are proposed? 2 new houses
- b. How does the density compare with surrounding lots (note on map)?
will create much higher density
- c. Does the location of the houses on lots as shown impact negatively on adjoining resources or on the district? If so, how?

After great discussion the LAC feels that the proposed house on lot 26 is acceptable because it is behind the Victorian house and not highly visible from the street. On the other hand, the LAC is highly concerned with the placing of a house on Lot 1 which had always been considered part of the environmental setting of the existing large house. This house has always been felt to be one of the major resources of the historic district. The LAC would prefer that no house be constructed on Lot 1 but if the HPC feels that it is not damaging visually to the Victorian House to have a house constructed then the LAC would want special attention paid to the design of this highly visible house. The owner has made changes in his designs following the suggestions of members of the LAC ie-roof to match texture of slate roof on Victorian and addition on detailing of doors and windows.

- 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? Yes, one large oak tree.
 1. Is this removal detrimental to the character of the district? Yes
 2. Can any detrimental effect be remedied by additional plantings? NO
If so, what kind and where?

There are several other large trees on the lot which the owner has had checked by a tree specialist to make sure they would not be killed by the construction.

IV. For building permits

- a. Style of house - attach sketch Cape Cod
- b. Are the houses compatible in style, scale, set-back, and materials with adjoining historic resources and with the historic district?

If not, in what way? Different style, substantially smaller scale,

Roof line matches existing house, owner has chosen roofing materials to attempt to match the existing roof. Hard wood siding would be painted white to match the white painted wood siding on the Victorian House.

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?

24A-8-6 Owner is constructing new houses for rental purposes to get money to restore existing Victorian House.

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

The majority of the LAC feel that construction of the proposed house behind the mansion is acceptable as it will not be highly visible from the front of the mansion. The LAC has strong reservations about construction on lot 1, which is part of the environmental setting of the large house. If HPC agrees to let the owner construct on Lot 1, the LAC would recommend narrow siding, more attention to detailing for the windows and front door and the possibility of dormers to break up the large expanse of roof as viewed from the front. (Owner prefers no dormers and a cottage atmosphere)

b. Recommend disapproval of work

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

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

VI. Additional comments

this recommendation has been particularly difficult for the LAC as we are sympathetic to the plight of owners of Victorians which need extensive repairs. The present owner has been doing much of the restorations himself but needs funds to complete the work. On the other hand we feel that construction of houses in the environmental setting of a large handsome Victorian is detrimental to its appearance. The owner has approached the project to try and tie the three houses together as if they are one estate consisting of mansion, servants quarters and guest house. It is this concept of unity that gives the project potential.

Date on which applicant was notified of LAC meeting 9/12/84

Form completed by Carol Ireland

Member of CapView Park LAC

Date 9/26/84

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.

3/1/7 9829 capit d view
Ave



North Elevation
4/14/86

31/7
Capitol View Park
H.O.
9811 Capitol View
Ave



West elevation

4/17/86

31/7
Capitol View
Park
9811 Capitol View
Ave



31/7
Capitol View Park
H.O.

9811 Capitol View
Ave

South elevation 2/14/86



31/7

Capitol View
Park H.O.
9811 Capitol
View Ave

East Elevation
4/14/86