

36/02-04A 9310 Brookeville Road
Linden Historic District




THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: April 29, 2004

MEMORANDUM

TO: Robert Hubbard, Director

FROM: Gwen Wright, Coordinator 
Historic Preservation

SUBJECT: Historic Area Work Permit #339743

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **APPROVED WITH CONDITION**. The condition of approval is:

- 1) Every effort will be made to protect the tree. If the tree is removed, the applicants will plant one tree somewhere on the property. The tree to be planted must be selected from the Montgomery County Native Species List.

The HPC staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE APPROVED HISTORIC AREA WORK PERMIT (HAWP).

Applicant: Montgomery County—DPWT 101 Monroe St. 11th Floor, Rockville, MD

Address: 9310 Brookville Rd. Silver Spring

This HAWP approval is subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the Montgomery County DPS Field Services Office at 240-777-6210 or online at <http://permits.emontgomery.org> prior to commencement of work and not more than two weeks following completion of work



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

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Michael F. Mitchell

Daytime Phone No.: 240-777-7262

Tax Account No.: 03155728

Name of Property Owner: Thomas M. Kristie Daytime Phone No.: 301-496-3854

Address: 9310 Brookville Rd, Silver Spring MD 20910
Street Number City State Zip Code

Contractor: M. Luis Construction Phone No.: 301-868-7416

Contractor Registration No.: 45401 (Vendor #)

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 9310 Street: Brookville Rd

Town/City: Silver Spring Nearest Cross Street: Salisbury Rd @ Warren St.

Lot: 46 Block: _____ Subdivision: Linden

Liber: 16049 Folio: 0559 Parcel: _____ Plat: 20207B

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Reuse
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)

Other: Drainage Maintenance w/ POSSIBILITY of tree removal

1B. Construction cost estimate: \$7,000.00

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.

Michael F. Mitchell
Signature of owner or authorized agent

4.5.2004
Date

Approved: w/one condition For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: Julia O'Malley Date Issued: 4-29-04

Application/Permit No.: 339743 Date Filed: _____

**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:

See Attached tax map. No structures in area of work which is COUNTY Right-of-Way (R.O.W.). Roots of existing POPLAR tree are in area where maintenance to ditch to be performed. See Photo #2.
Fence illegally installed by property owner of #2106 Salisbury Road.
Ditch to be re-established to Brookville Rd.

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

To alleviate water stagnating on the cul-de-sac bulb of Salisbury Rd the County will do maintenance work within its ROW by re-establishing drainage ditch: cutting a ditch approximately 30' wide & 8" to 12" deep. This work will be done by hand & may impact the root system of POPLAR tree. Work will be performed under the supervision of County's Arborist. IF deemed necessary by him, the

2. **SITE PLAN** POPLAR tree will be removed for safety reasons. Fences will be removed by property owners prior to County work.
Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include: No Plans. See tax map

- a. the scale, north arrow, and date;
b. dimensions of all existing and proposed structures; and NONE
c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

No Plans. No work on any structures.

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

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

4. MATERIALS SPECIFICATIONS

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

cut ditch by hand & use root pruner as needed.
re-pave cul-de-sac bulb.

5. PHOTOGRAPHS

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

6. TREE SURVEY

If you are proposing construction adjacent to or within the canopy 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. 20" Yellow Poplar

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). 2106 Salisbury Road.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 9310 Brookville Rd., Silver Spring **Meeting Date:** 04/28/04
Applicant: Montgomery County Government **Report Date:** 04/21/04
Resource: Outstanding Resource **Public Notice:** 04/14/04
Linden Historic District
Review: HAWP **Tax Credit:** None
Case Number: 36/02-04A **Staff:** Anne Fothergill

PROPOSAL: Possible tree removal

RECOMMEND: Approval with one condition

STAFF RECOMMENDATION

Staff recommends that the Commission approve this HAWP application with the following condition:

1. Every effort will be made to protect the tree. If the tree is removed, the applicants will plant one tree somewhere on the property. The tree to be planted must be selected from the Montgomery County Native Species List.

PROJECT DESCRIPTION

SIGNIFICANCE: Outstanding Resource in the Linden Historic District (the Wolfe House)
STYLE: Queen Anne
DATE: 1897

PROPOSAL

The Montgomery County Department of Public Works and Transportation needs to re-establish the drainage ditch that runs between the Wolfe House and the non-contributing house next door. There was a ditch in this location that has been filled in and it is needed for adequate drainage from the cul-de-sac.

Next to the Wolfe House and adjacent to the ditch site is a 20" dbh yellow poplar. For tree protection, the County will bring in an expert arborist to oversee the ditch construction. The ditch will be dug by hand and a root pruner will be used as needed to try and minimize the impact to the poplar's root system. However, should the tree be adversely affected, there is a chance they may need to remove it for safety reasons. The applicants plan to take every precaution to

avoid this, but just in case they are applying for approval of the tree's removal should it be necessary.

STAFF DISCUSSION

Staff uses the Secretary of Interior's *Standards for Rehabilitation* as a guide, and *Standard #2* states:

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

While generally the HPC would rather not see such a large tree removed that is not dead or dying, it is clear that the applicant is trying very hard to protect this tree and will only remove it as a last resort if there are safety issues. Staff appreciates the extra effort being made to protect this tree including having an arborist on-site to oversee the construction, digging the ditch by hand, and root pruning. Only for safety reasons does staff find the tree removal approvable.

Should the tree be removed, the standard tree replacement policy of the HPC requires that a new tree be planted to replace the tree that is removed (if it is removed) and staff is recommending that as a condition of approval.

Staff recommends approval with one condition.

STAFF RECOMMENDATION

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

and with the Secretary of the Interior's *Standards for Rehabilitation Standard #2*:

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

and with the condition that:

1. Every effort will be made to protect the tree. If the tree is removed, the applicants will plant one tree somewhere on the property. The tree to be planted must be selected from the Montgomery County Native Species List.

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at (240) 777-6370 or online at www.permits.emontgomery.org prior to commencement of work and not more than two weeks following completion of work.

Subject Property (9310 Brookville Rd)
County Right-of-Way

J 1

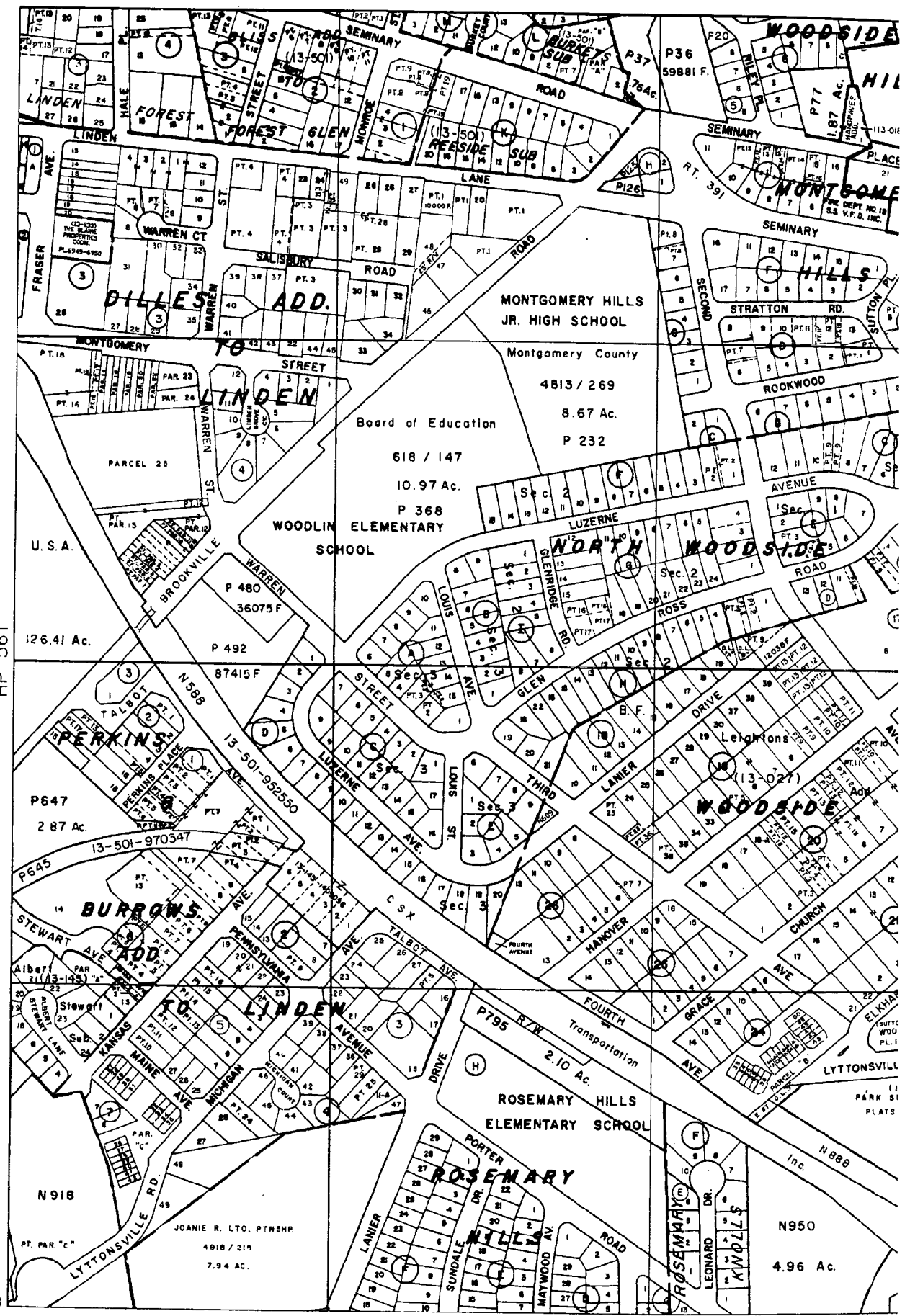
Tax Map



P

HP 561

N40000

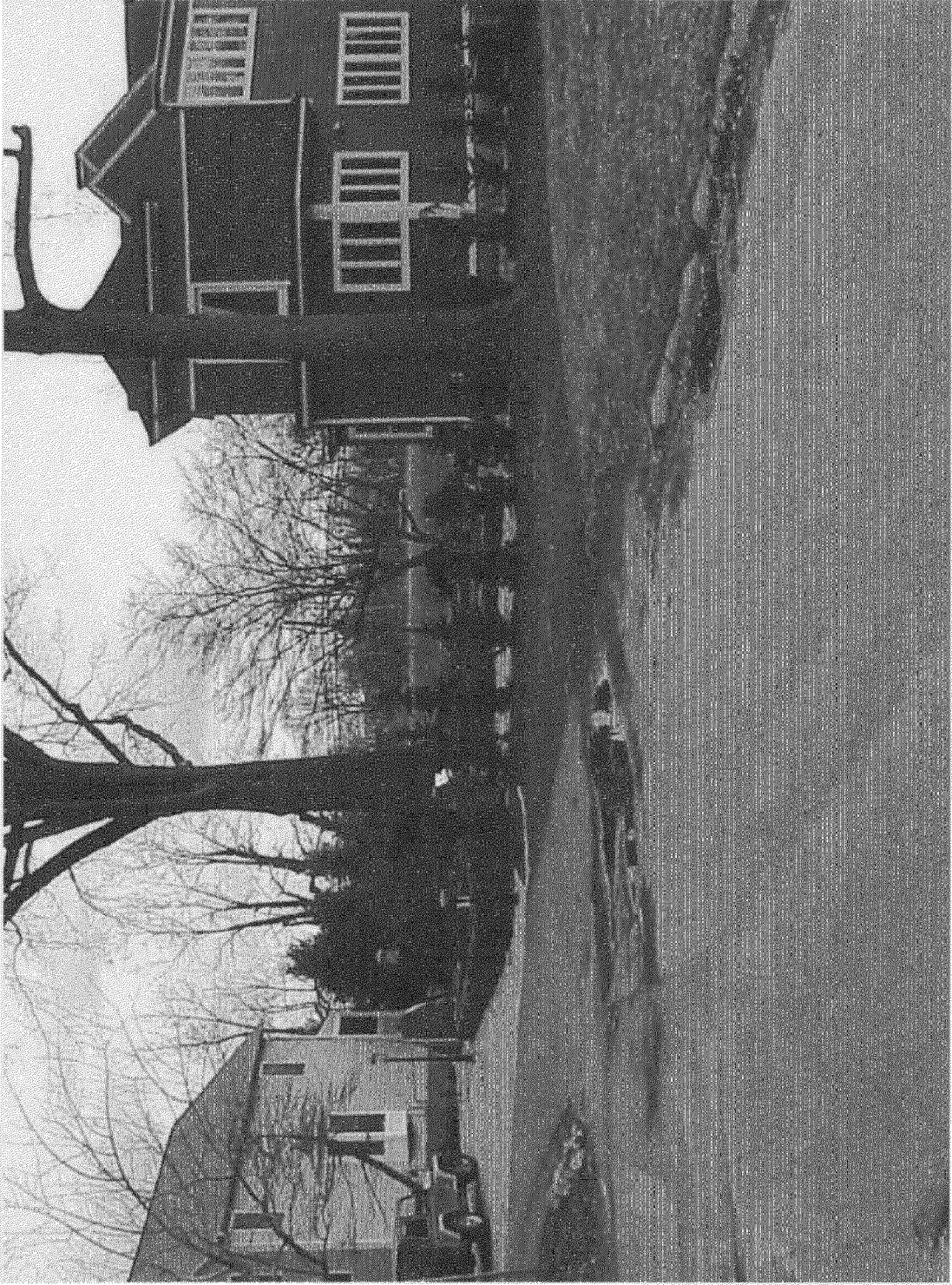


J 1

Yellow Poplar Tree



2106salisburyrd1.jpg (1024x768x24b.jpeg)



← 9310
Brookville Rd.

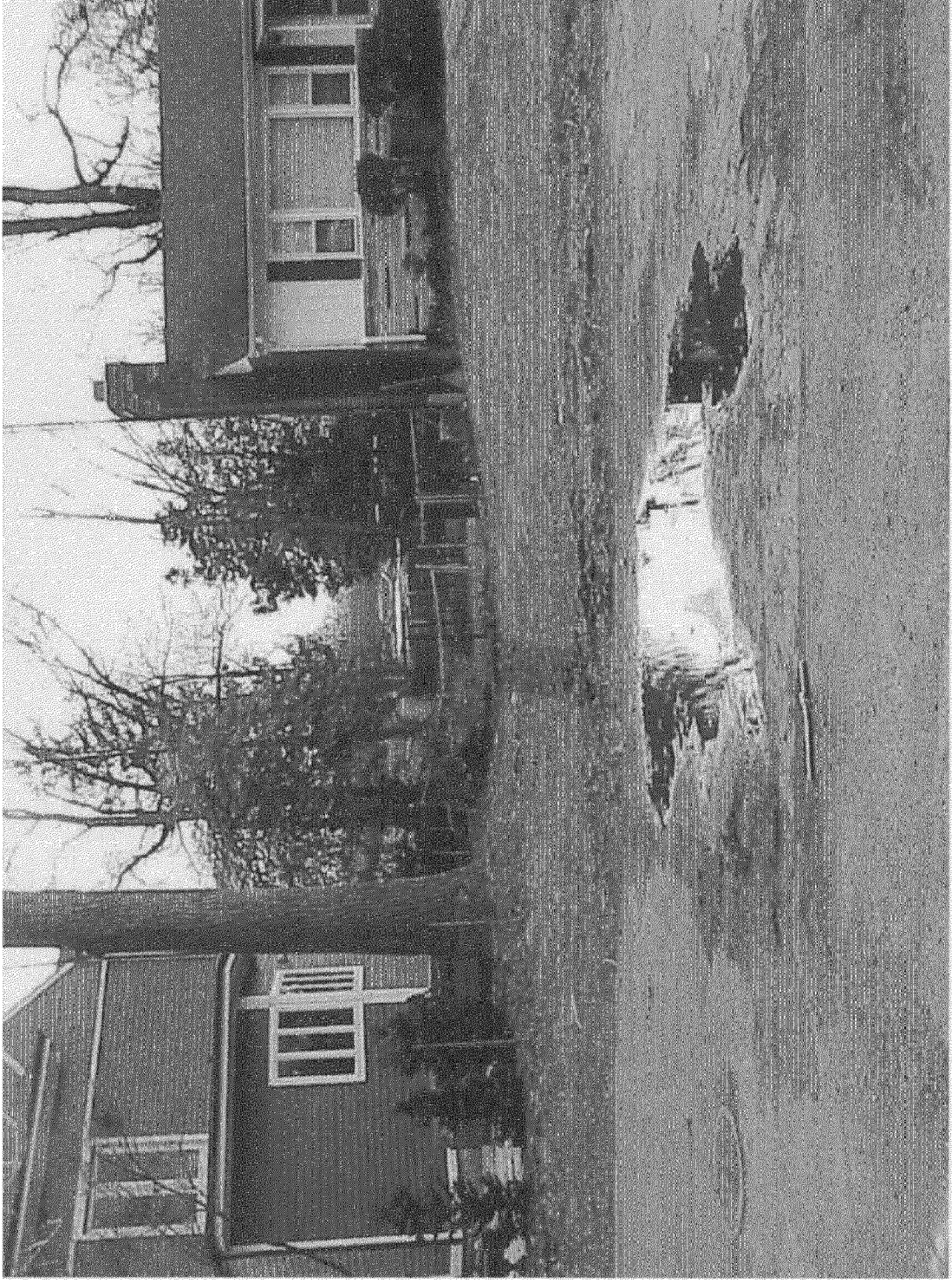
Salisbury Road Cul-de-Sac bulb

PHOTO #1 (Looking EAST)

() Existing ditch within Sundry Row
silted & to be re-established.

Yellow POPLAR tree
~ 20" Dia.

2106salisburyrd3.jpg (1024x768x24b.jpeg)



#2106 Salisbury

Salisbury Road SW1-de-Sac bulb

PHOTO #2 (Looking SOUTH)

drainage ditch to be re-established



tree to be protected during construction (Wolfe House behind tree)

