

#31/7-01F 10215 Menlo Avenue R  
(Capitol View Park HD)

II H - Robin  
65

Please send copy of  
staff report to  
Owner (Marjorie Luett) ✓  
\* 10215 Menlo Ave 5/17/01

Neighbor (Lark Andersen)  
10213 Menlo Ave ✓  
5/17/01

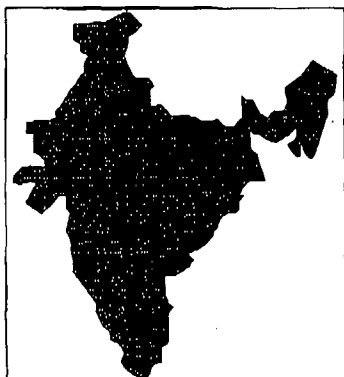
She's sending via FAX  
a photo of the  
type of fence.  
Tuesday. Palsen

Post-it™ Fax Note 7671

Date 5/21/01 # of pages 5

To Lark Bergquist-Anderson	From Robin Zerk
Co./Dept.	Co.
Phone #	Phone # 301.563.3408
Fax # 202.244.1808	Fax #





**NATIONAL SCIENCE  
FOUNDATION**

4201 Wilson Boulevard  
Arlington, Virginia 22230

*Division of International Programs  
US-India Program*

<b>TO:</b> Robin Ziek	<b>FROM:</b> <i>Marjorie Lueck</i>
<b>FAX:</b> 301-650-4371	<b>FAX:</b> (703) 292-9176
<b>Ph:</b> 301-563-3408	<b>Ph:</b> (703) 292-7229
<b>Date:</b> December 4, 2001	<b>E-Mail:</b> mlueck@nsf.gov
<b>Time:</b> 13:37	pages, including this one

Dear Robin:

For your records and understanding, I am FAXing a copy of the letter I am sending to the Andersons today.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marjorie Lueck".

Marjorie Lueck  
703-292-7229 (w)  
301-587-4845 (h)

**Lark Bergwin-Anderson & Michael J. Anderson**  
**10213 Menlo Avenue**  
**Silver Spring, MD 20910**  
**(office: 202-244-1448/home 301-587-3188/ cell:240-606-3774)**

December 17, 2001  
Robin Ziek  
Fax: 301-563-3412  
Pages inc cover: 3

*ATTN: Robin Ziek*

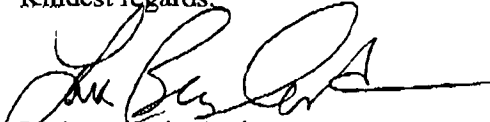
Dear Robin,

Here is the latest for you files....

Last spring you helped us wade through all of the back and forth negotiations with our neighbor reference a proposed fence. We acquiesced, and she received permission with the caveat that the fence company was to put up a string on the proposed fence line itself, so that I could see which plantings needed moving. She did nothing for months and then a few weeks ago asked me via letter to uncover any boundary markers which she supposed to be in the ground and buried under dirt, and/or plantings. I looked, could not find any and verbally told her same, at which point she said she would get the surveyor back out. Meanwhile the fence man came and put up his own line, even though the surveyor never came. Attached is my letter to her, to which she has not responded yet. Can you make sure that this is a legal fence line (it appears VERY close to our house, and appears much closer than the markers the surveyor had put up long ago).

Thank you for your help-both past and present!

Kindest regards,



Lark Bergwin-Anderson

Michael Anderson & Lark Bergwin-Anderson  
10213 Menlo Avenue, Silver Spring, MD 20910  
Home: 301-587-3188  
Michael/cell: 301-919-3665  
Lark/office: 202-244-1448/cell: 240-606-3774

December 13, 2001

Dear Marjory,

Thank you for your letter dated December 4, and received several days later. I want to assure you first off that my children have neither touched any markers nor have intentionally strayed on your property. You mentioned that you "couldn't imagine what they were doing" back by the creek and that "they appeared to be startled to see you watching their little scene and ran away". For the last several weeks, my children have been building a new wigwam, which is why they are often back by the creek, actively building. Their last wigwam lasted 3 years, was a source of great pride and joy and the scene of several overnights-even one in the rain (it remained water tight!). They do not recall ever having seen you on any of their building days, so if it was they who appeared startled, it would not have been because they saw you, perhaps they saw some unexpected animal or the like. Or perhaps it was not even my children that you were watching.

Never-the-less, I am still very concerned about the alleged property line. Despite my last letter to you requesting verification of the string line, we have not seen any sign of a professional surveyor since you had the original surveys done. Moreover, since receipt of your last letter, I have seen the surveys of both Jack Gleason (10209 Menlo) and Richard Bloom (10211 Menlo), both of whose surveys indicated that the RC's were found and "held". Neither of these surveys agrees with yours, and both would thus indicate that your line is off. If we are each to have 50 feet frontage, then someone's or the entire street is off, and we better make sure that we have utter accuracy before any expense is outlaid for a fence. Perhaps you should first collect the entire street's and have a surveyor compare them to yours in order to finally ascertain the correct lines. When we have the correct lines we will be very happy to move any of the encumbrances that may sit on your property line. At this point I do not want to pay to have them moved since I still am not certain that they are on your property.

With kind regards,



Lark Bergwin-Anderson

cc.: Perry Kapsch/ Robin Ziek/Montgomery County Historic Preservation Office



December 4, 2001

Anderson  
10213 Menlo Avenue  
Silver Spring, MD 20910

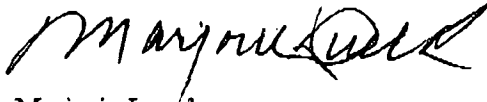
Dear Lark and Michael—

I wanted you to know that I observed some children at the back of my property over the weekend on Saturday and Sunday. Shortly after 11:00 when both cars were gone and I assume both you and Michael were away, I again noticed children at the back of my property. I couldn't imagine what they were doing but it appeared that the corner property flag situated above the permanent marker was no longer visible. When Long Fence installed the string line on October 23<sup>rd</sup>, it was clearly visible and more recently my landscape people have used it in connection with the clearing work that I am having done. This Sunday when I was on a ladder clearing the gutters, I happened to catch sight of the children at the back of my property. They appeared to be startled to see me watching their little scene and ran away.

Afterwards, I walked to the back of the property and sure enough the surveyors red flag was down on the ground. Needless to say, it is a very costly business to have surveyors come out time and again to reinstall property markers. Please instruct your children that they should not be on my property and, far more importantly, that they are not to touch any of the flags/markers.

As I am sure you know, the purpose of the string line recommended by the HPC, was to allow you four weeks time to move the shed and any of your plantings off the property line. To date, it appears that you have taken no action on this. I would appreciate your moving the shed and clearing off any other items by no later than December 18th to allow the fence to be installed.

Thank you for your continued cooperation.



Marjorie Lueck

Cc.: Robin Ziek, Montgomery County Historic Preservation Commission

December 4, 2001

Anderson  
10213 Menlo Avenue  
Silver Spring, MD 20910

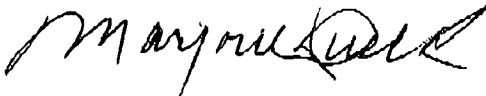
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Marjorie Lueck

Cc.: Robin Ziek, Montgomery County Historic Preservation Commission

December 4, 2001

Anderson  
10213 Menlo Avenue  
Silver Spring, MD 20910

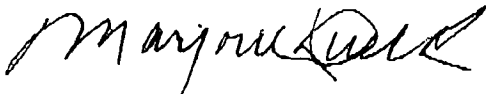
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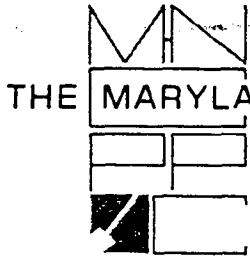
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Thank you for your continued cooperation.



Marjorie Lueck

Cc.: Robin Ziek, Montgomery County Historic Preservation Commission



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date: 5/23/01

**MEMORANDUM**

TO: Robert Hubbard, Director  
Department of Permitting Services

31/7-01F

FROM: *GW* Gwen Wright, Coordinator  
Historic Preservation

SUBJECT: Historic Area Work Permit # 246642

The Montgomery County Historic Preservation Commission has reviewed the attached application for an Historic Area Work Permit. This application was:

           Approved

X Approved with Conditions: (1) Provide corner posts, as necessary, to support remaining chain link fencing; (2) Stake with string line new fence location ONE MONTH PRIOR TO installation of new fence; Provide opportunity for trans planting of plants, as agreed upon with neighbor.

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

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

Applicant: Marjorie Lueck

Address: 10215 Menlo Avenue, Silver Spring MD. 20910

and 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 @ [permits.emontgomery.org](http://permits.emontgomery.org) prior to commencement of work and not more than two weeks following completion of work.

Re: Capital View Park Historic District # 31/7



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

DPS - #8

APR 20 2001

HISTORIC PRESERVATION COMMISSION  
301/563-3400

APPLICATION FOR  
HISTORIC AREA WORK PERMIT

Contact Person: M. LUECK

Daytime Phone No.: 703-292-7229

Tax Account No.: S.S.

Name of Property Owner: MARJORIE LUECK Daytime Phone No.: 703-292-7229

Address: 10215 Menlo Ave Silver Spring, MD 20910  
Street Number City Street Zip Code

Contractor: LONG FENCE Phone No.: 301-428-9040

Contractor Registration No.: MHIC #9615-02 P.C. #2116

Agent for Owner: BILL GUNNERFSEN Daytime Phone No.: 301-428-9040

LOCATION OF BUILDING/PREMISE

House Number: 10215 Menlo Ave Street: \_\_\_\_\_

Town/City: SILVER SPRING, MD Nearest Cross Street: LOMA

Lot: 4 Block: 18 Subdivision: CARITOL VIEW PARK

Liber: A Folio: 5 Parcel: 207

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- 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: \_\_\_\_\_

1B. Construction cost estimate: \$ 1100

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 4 feet 0 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.

Marjorie Lueck  
Signature of owner or authorized agent

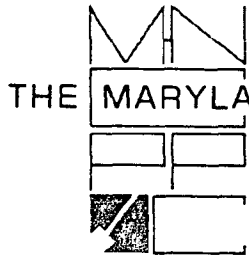
April 20, 2001  
Date

Approved: X W/CONDITIONS

For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 5/24/01

Application/Permit No.: 246042 Date Filed: 4/30/01 Date Issued: \_\_\_\_\_



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date: 5/23/01

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: *GW* Gwen Wright, Coordinator  
Historic Preservation Section

SUBJECT: Historic Area Work Permit Application - Approval of Application/Release of Other Required Permits

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Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Permitting Services (DPS) at 255 Rockville Pike, second floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

*AD* When you file for your building permit at DPS, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DPS. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 240-777-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 301-563-3400.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 240-777-6210 or online @ [permits.emontgomery.org](http://permits.emontgomery.org) of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!

C:\hawpapr.wpd

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

MEMORANDUM

DATE:

5/24/01

TO:

Local Advisory Panel/Town Government

Capitol View Park

FROM:

Historic Preservation Section, M-NCPPC  
Robin D. Ziek, Historic Preservation Planner  
Perry Kephart, Historic Preservation Planner  
Michele Naru, Historic Preservation Planner

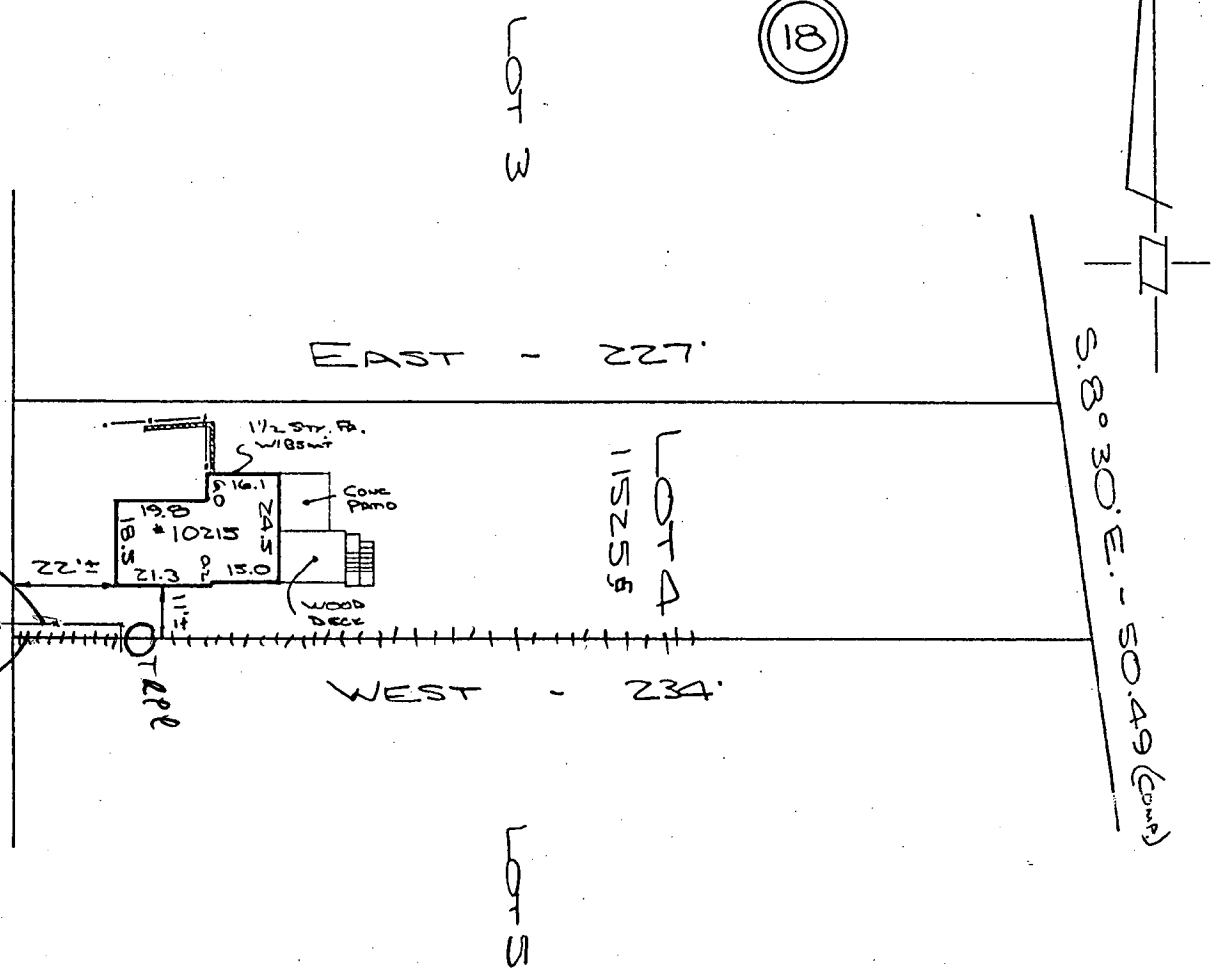
SUBJECT: Historic Area Work Permit Application - HPC Decision

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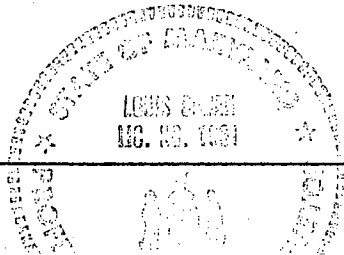
The Historic Preservation Commission reviewed this project on 5/23/01  
A copy of the HPC decision is enclosed for your information.

Thank you for providing your comments to the HPC. Community involvement is a key component of historic preservation in Montgomery County. If you have any questions, please do not hesitate to call this office at (301) 563-3400.

WENDEL AVENUE  
 NORTH SIDE  
 REMOVED CHAIN LINK FENCE



Note: This property does not lie within the limits of a flood hazard area as delineated on the maps of the National Flood Insurance Program, unless otherwise shown.  
 NOTE: This survey prepared for title purposes only.



**CAPITOL SURVEYS**

NOTE: This drawing is not intended to establish property lines. It cannot be used for construction purposes. All information shown hereon taken from the land records of the county or city in which the property is located and field work performed.

HOUSE LOCATION  
 LOT 4 BLOCK 18  
**CAPITOL VIEW PARK**  
 MONTGOMERY COUNTY, MARYLAND  
 Recorded in Plat Book A Plat 9 Scale 1" = 40'

I hereby certify that the position of all the existing improvements on the above described property have been established by accepted field practices, and that unless otherwise shown there are no visible encroachments.

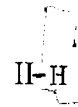
*[Signature]*  
 LOUIS COHEN  
 Registered Land Surveyor  
 Maryland No. 1961

DATE: July 1, 1993

CASE: 1331-93

FILE: 47275





**EXPEDITED  
HISTORIC PRESERVATION COMMISSION STAFF REPORT**

Address:	10215 Menlo Avenue	Meeting Date:	5/23/01
Applicant:	Marjorie Lueck	Report Date:	5/16/01
Resource:	Capitol View Park Historic District	Public Notice:	5/9/01
Review:	HAWP	Tax Credit:	No
District Number:	#31/7-01 F	Staff:	Robin D. Ziek

**PROPOSAL:** Remove portion of existing chain link fence;  
Install segment of wood picket fence.

**RECOMMEND:** Approval w/ conditions:

- 1) Provide corner posts, as necessary, to support remaining chain link fencing;
- 2) Stake with string line new fence location one month prior to installation of new fence;
- 3) Provide opportunity for transplanting of plants, as agreed upon with neighbor.

**DATE OF CONSTRUCTION:** Post 1935

**SIGNIFICANCE:** Individual *Master Plan* Site

- Within a *Master Plan* Historic District
- Primary Resource
- Contributing Resource
- Nominal (1935) **Non-Contributing/Out-of-Period**

**ARCHITECTURAL DESCRIPTION:** Re-adjustment of apparent property line, with removal of portion of existing neighbor's fencing, and installation of new fencing.

**PROPOSAL:** The applicant proposes to remove a segment of existing chain link fencing which was apparently installed incorrectly by a long-since moved adjacent property owner (in the 1960's +; see Circle // ). The applicant will install a segment of wood picket fencing, 48" high, (see Circle 9 ), to be painted or stained, which will extend back from the street, along the property line approximately 150' (see Circle 7 ).

However, by removing a portion of the chain link fencing, the neighbor's fence which parallels Menlo Avenue will lose its corner post. Staff feels that the applicant should install a new corner post to avoid the collapse of the neighbor's fencing. In addition, there are concerns with existing plantings that were planted within the perceived boundary of the neighbor's yard. The applicant should provide sufficient time for this neighbor to move such plants which they

installed, mistakenly, off of their property. This can be accomplished by the applicant's staking out the property line, marking this with a string line, and scheduling the new fence work at least one month from that staking to provide sufficient time for the neighbor to accomplish the work.

**RECOMMENDATION:**  Approval  
 Approval with conditions:

- 1) Provide corner posts, as necessary, to support remaining chain link fencing;
- 2) Stake with string line new fence location one month prior to installation of new fence;
- 3) Provide opportunity for transplanting of plants, as agreed upon with neighbor.

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(b): The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

- 1. The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; or
- 2. The proposal is compatible in character and nature with the historical, archaeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

and subject to the general condition that **the applicant shall present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for building permits (1 set for HPC files)** and that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301) 217-6240 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: M. LUECK

Daytime Phone No.: 703-292-7229

Tax Account No.: S.S.

Name of Property Owner: MARJORIE LUECK Daytime Phone No.: 703-292-7229

Address: 10215 Menlo Ave Silver Spring, MD 20910  
Street Number City Street Zip Code

Contractor: LONG FENCE Phone No.: 301-428-9040

Contractor Registration No.: MHC #9615-02 P.C. #2116

Agent for Owner: BILL GUNNERSSEN Daytime Phone No.: 301-428-9040

LOCATION OF BUILDING/PREMISE

House Number: 10215 Menlo Ave Street: \_\_\_\_\_

Town/City: SILVER SPRING, MD Nearest Cross Street: LOMA

Lot: 4 Block: 18 Subdivision: CAPITOL VIEW PARK

Liber: A Folio: 5 Parcel: 207

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct  Extend  Alter/Renovate
- Move  Install  Wreck/Raze
- 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: \_\_\_\_\_

1B. Construction cost estimate: \$ 1100

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENS/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 4 feet 0 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.

Margorie Lueck  
Signature of owner or authorized agent

April 20, 2001  
Date

Approved: 246642 For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: \_\_\_\_\_ Date Filed: 4/30/01 Date Issued: \_\_\_\_\_

**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:

REPLACE EXISTING 4' CHAIN LINK FENCE  
WITH SAME HEIGHT PICKET FENCE  
& SET INSIDE SOUTH PROPERTY BOUNDARY LINE  
UNTIL/UP TO SPRUCE TREE. AFTER TREE CONTINUE  
PICKET FENCE ALONG BOUNDARY LINE FOR  
APPROXIMATELY 100'-125'.

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

REMOVAL OF CHAIN LINK FENCE &  
REPLACEMENT WITH PICKET WILL ENHANCE  
APPEARANCE OF PROPERTY & SURROUNDING  
AREA. (WOOD PICKET)

**2. SITE PLAN**

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

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

**3. PLANS AND ELEVATIONS**

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

- 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.

**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 dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

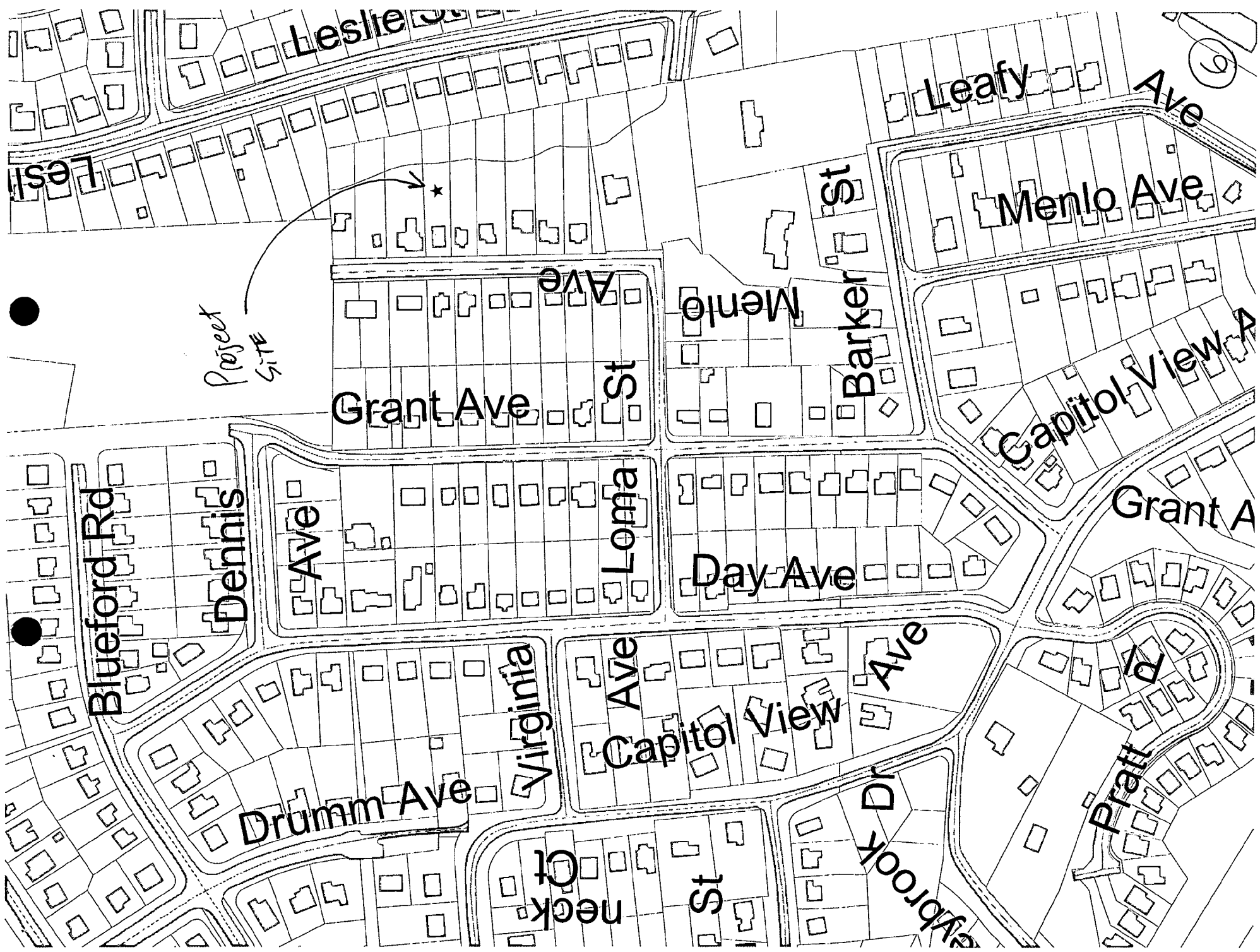
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Silver Spring, MD 20910
- b) Mr. & Mrs. Michael Anderson  
10213 Menol Avenue  
Silver Spring, MD 20910

Opposing:

- c) Mr. & Mrs. David Serpan  
10214 Menlo Avenue  
Silver Spring, MD 20910



Leslie St

Leafy Ave

Menlo Ave

Grant Ave

Barker St

Capitol View Ave

Project SITE

Menlo

Grant Ave

Loma Ave

Day Ave

Blueford Rd

Dennis Ave

Virginia Ave

Capitol View Ave

Drummond Ave

Brook Dr

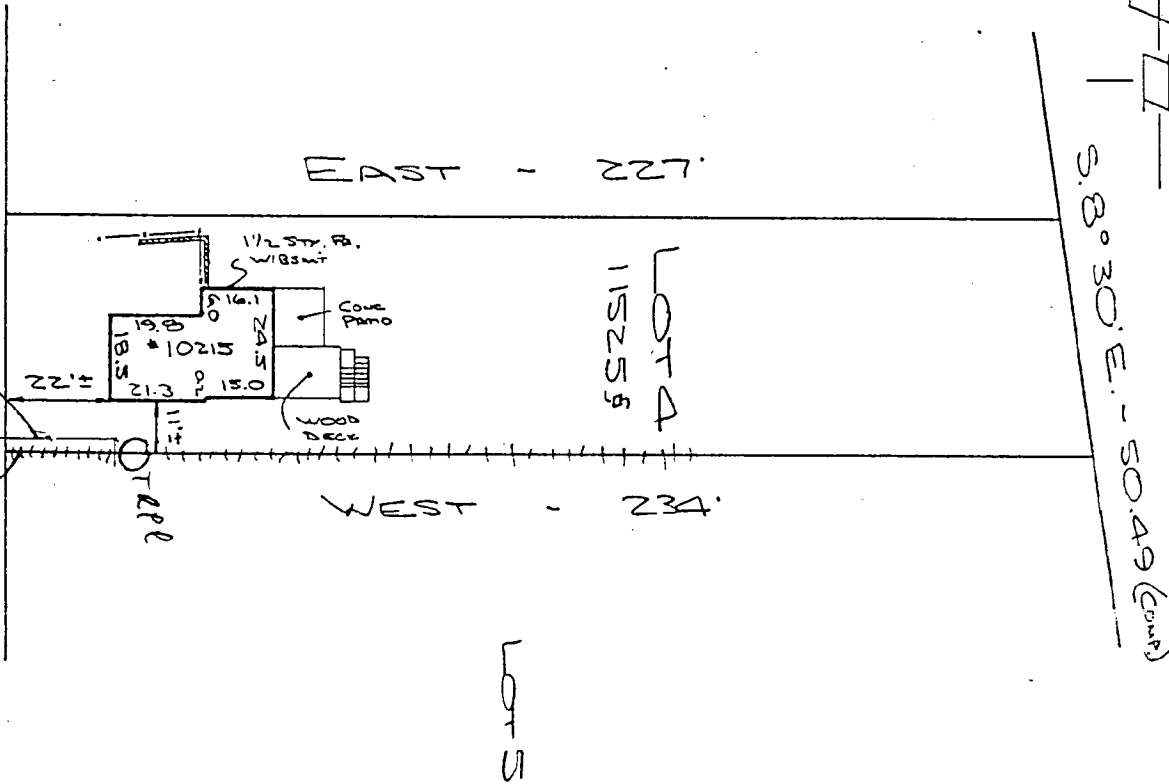
Otwell St

Pratt St

6

MENLO AVENUE

NORTH  
APPROXIMATE  
CHAIN LINK  
FENCE



18

EAST - 227'

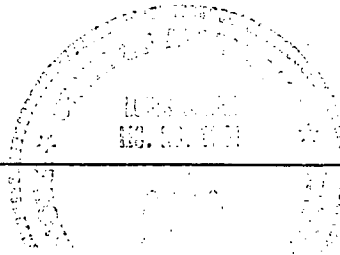
LOT 4  
115255

S. 8° 30' E. - 50.49 (cont)

WEST - 234'

LOT 5

Note: This property does not lie within the limits of a flood hazard area as delineated on the maps of the National Flood Insurance Program, unless otherwise shown.  
NOTE: This survey prepared for title purposes only.



### CAPITOL SURVEYS

NOTE: This drawing is not intended to establish property lines. It cannot be used for construction purposes. All information shown hereon taken from the land records of the county or city in which the property is located and field work performed.

HOUSE LOCATION  
 LOT 4 BLOCK 18  
**CAPITOL VIEW PARK**  
 MONTGOMERY COUNTY, MARYLAND

I hereby certify that the position of all the existing improvements on the above described property have been established by accepted field practices, and that unless otherwise shown there are no visible encroachments.

*Louis Cohen*  
 LOUIS COHEN  
 Registered Land Surveyor  
 Maryland No. 1961

DATE: July 1, 1993

CASE: 1331-93

FILE: 47275

7

**NATIONAL SCIENCE  
FOUNDATION**4201 Wilson Boulevard  
Arlington, Virginia 22230*Division of International Programs  
US-India Program*

<b>TO: Robin Ziek</b> <b>FAX: 301-563-3412</b> <b>Ph:</b> <b>Date:</b> May 8, 2001 <b>Time:</b> 13:35	<b>FROM: Marjorie Lueck</b> <b>FAX: (703) 292-9176</b> <b>Ph: (703) 292-7229</b> <b>E-Mail:</b> mlueck@nsf.gov pages, including this one
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Thanks for your call requesting additional information on the fence that I would like to install at my address.

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Thank you and I appreciate your having followed-up with me today.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie Lueck".  
Marjorie Lueck



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REMOVE  
EXISTING  
CHAIN LINK

SET ALUM.  
FENCE  
INSIDE  
PROPERTY  
LINE

*Michael Anderson & Lark Bergwin-Anderson*  
10213 Menlo Avenue, Silver Spring, MD 20910  
Home: 301-587-3188  
Michael/cell: 301-919-3665  
Lark/office: 202-244-1448/cell: 240-606-3774

May 4, 2001

Dear Marjory,

Thank you for your letter dated April 20, 2001 and received a few days later. I apologize for the delay in response, our children's school has been involved in a major fundraiser and that has been all consuming of our time and focus.

While we are delighted to hear of your interest in landscaping and enhancement we do have some very real concerns.

As you acknowledged in your letter, and for the record, when we purchased our property, we were told that the fence lines were the property lines. The property lines up and down the street are a mess, and have caused much anguish among the various neighbors. Originally the street was a farm and it belonged to one family, with a few shacks put up to house the laborers. Mr. Sullivan's old house (10211 Menlo), was built circa 1900 by the owner of the Bushman's house (10207). Our house (10213), was likewise built by this same family for a daughter around the 1930's. Your house (10215) was originally a shack built to house laborers and much later, around 1989, beautifully remodeled by your northern neighbor Peter Wilson. No one paid much attention to the subdivision lines as they were all family owned properties. As you may know, our own property line to the south extends some 3 feet into Mr. Sullivan's old house itself (which predates our own by over a quarter century!), and when he sold the house to Richard Bloom, we granted Richard an easement for the house.

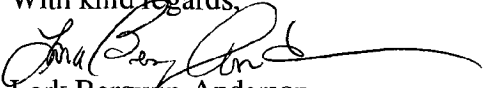
According to long standing neighbors, the chain link fence between our houses was put up in 1964-65 and the shed was put up sometime later but well before Walter and Maureen Booth (the previous owners from whom we purchased our house in 1991) purchased the property in 1979. The Booths lived here 12 years, we have now been here for 10 years.

Our concerns are not for the shed (which was not placed by us, yet can certainly be moved), but for the front yard plantings which we treasure and feel greatly enhance the historic district. The azaleas were planted in the early 60's, the Norwegian Blue Spruce was planted a little later, but also in the 60's. We would like to ask you to grant us an easement for these plantings and ask that you build your fence north of these well-established plantings. We would also ask that you cease to "prune" away the spruce, as it is clearly damaging the tree and defacing it. I have likewise just discovered that you (or someone you hired) have chopped down most of the crepe myrtle that I had transplanted on the side, as close to what I thought to have been the property line, but I am willing to let this tree die. I would like to know exactly where the property line falls through the lilac and peony garden that I planted, so I can choose to move any plantings necessary to enable you to put up a fence. I am assuming that the lilacs are well within our boundary and will transplant any peonies, lilies, etc.

We are also wondering if you were planning on crossing the creek, and if so, how you intended to do so? Would your fence be raised, or form a dam by catching leaves and debris, thus limiting the free flow of the water? How high of a fence were you intending to build? Finally, we would like to remind you that since this is a historic district (our side of the street) that you must obtain a historic permit, in addition to a building permit.

We look forward to hearing from you.

With kind regards,



Lark Bergwin-Anderson

cc.: Perry Kapsch/ Montgomery County Historic Preservation Office

11

Perry -

Thanks for the  
advice + help the  
other day. Thought you  
might be interested in  
the letter I sent my  
neighbor - it's such  
a sticky issue, but  
I do love

Standard 4° picket fence  
with pointed top, +  
2" wide.

Photo of fence (type)

Expect FAX on  
Monday, to <sup>my</sup> Bill's Att.

Removal of  
existing pine tree ↴

**EXPEDITED**  
**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

Address: 10215 Menlo Avenue Meeting Date: 5/23/01  
 Applicant: Marjorie Lueck Report Date: 5/16/01  
 Resource: Capitol View Park Historic District Public Notice: 5/9/01  
 Review: HAWP Tax Credit: No  
 District Number: #31/7-01 F Staff: Robin D. Ziek

**PROPOSAL:** Install side yard wood picket fence.

**RECOMMEND:** Approval

**DATE OF CONSTRUCTION:** Post 1935

**SIGNIFICANCE:**  Individual *Master Plan* Site  
 Within a *Master Plan* Historic District  
     Primary Resource  
     Contributing Resource  
 Nominal (1935) **Non-Contributing/Out-of-Period**

**ARCHITECTURAL DESCRIPTION:** 1-1/2 story Colonial revival style

**PROPOSAL:** The applicant proposes to install a wood picket fence, 48" high, (see Circle ), to be painted or stained. It will replace, in part, an existing chain link fence, and then continue along the side boundary (see Circle ).

**RECOMMENDATION:**  Approval  
 Approval with conditions:

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(b): The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

1. The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; or
2. The proposal is compatible in character and nature with the historical, archaeological, architectural or cultural features of the historic site, or the historic district in which an

historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

and subject to the general condition that **the applicant shall present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for building permits (1 set for HPC files)** and that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (301) 217-6240 prior to commencement of work and not more than two weeks following completion of work.



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Ady + Conf.

Peter Wilson  
10217 Menlo Ave  
Silver Sp. 20910

Michael Anderson  
10213 Menlo Ave

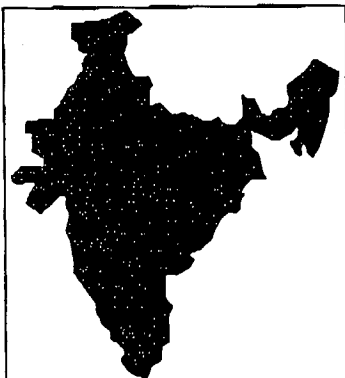
David Serpan  
10214 Menlo

Timothy Simone  
10212 Menlo Ave



REMOVE  
EXISTING  
CHAIN LINK

SET ALUMINUM  
FENCE  
INSIDE  
PROPERTY  
LINE

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Thank you and I appreciate your having followed-up with me today.

Sincerely,

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Marjorie Lueck

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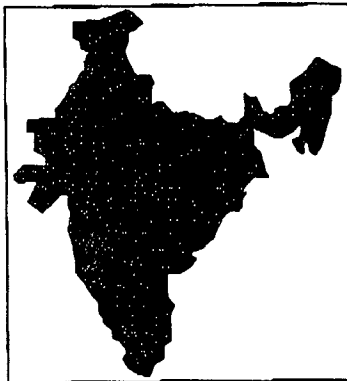
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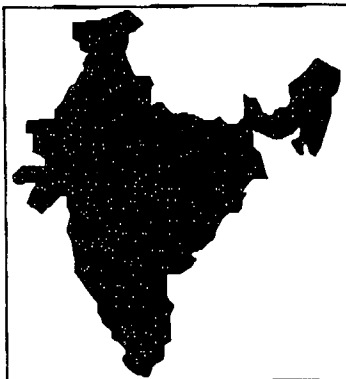


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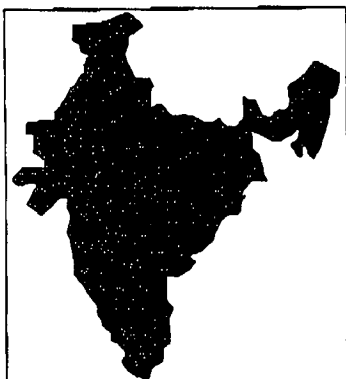
  
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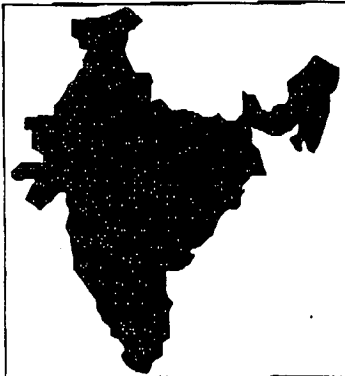
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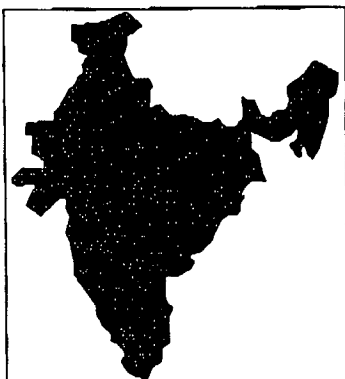
  
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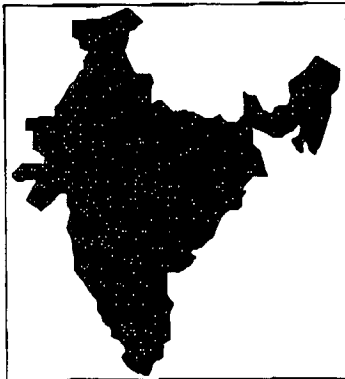


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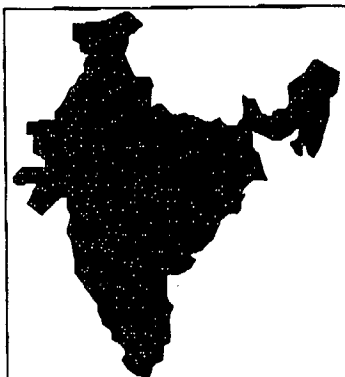
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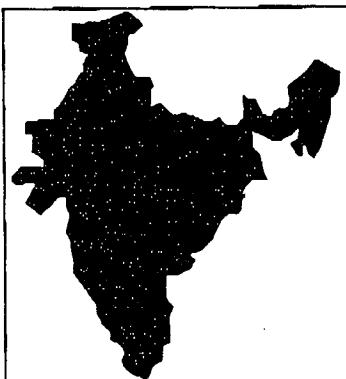
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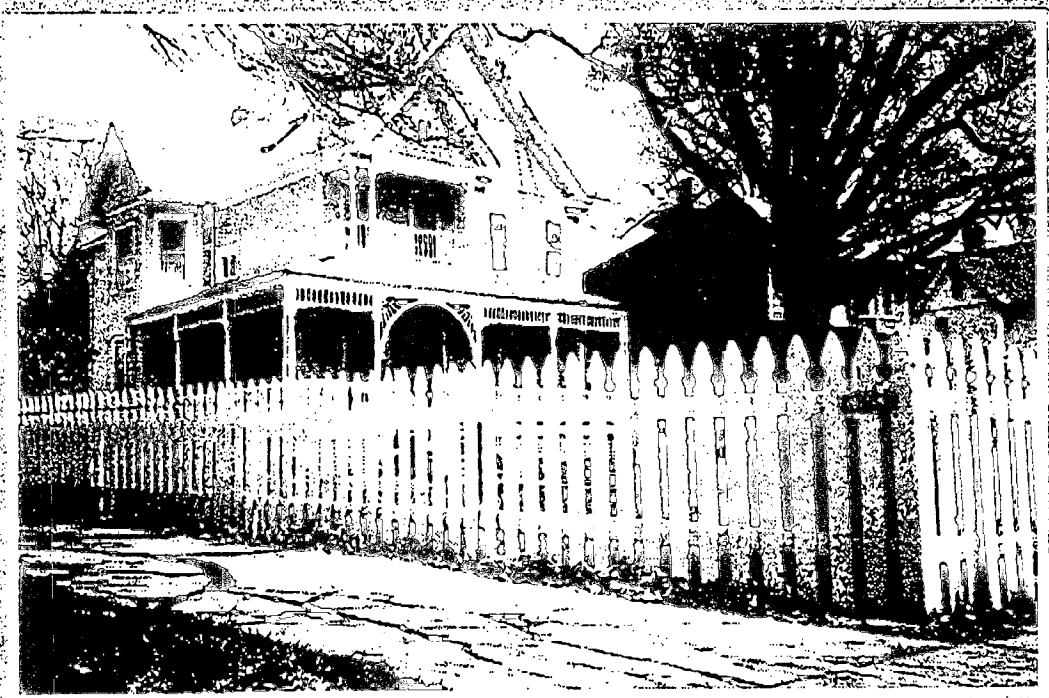
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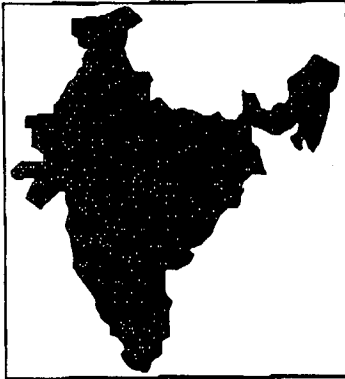


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Fencing to  
complement  
your home.

**NATIONAL SCIENCE  
FOUNDATION**4201 Wilson Boulevard  
Arlington, Virginia 22230*Division of International Programs  
US-India Program*

<b>TO: Robin Ziek</b> <b>FAX: 301-563-3412</b> <b>Ph:</b> <b>Date:</b> May 8, 2001 <b>Time:</b> 13:35	<b>FROM: Marjorie Lueck</b> <b>FAX: (703) 292-9176</b> <b>Ph: (703) 292-7229</b> <b>E-Mail:</b> mlueck@nsf.gov pages, including this one
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Dear Robin:

Thanks for your call requesting additional information on the fence that I would like to install at my address.

Pending Historic Preservation Commission approval, I will have Long Fence install a picket fence at 10215 Menlo Avenue, like the one they picture on the front of their brochure. It is a simple gothic picket (attached) and will be 4 feet, either painted or stained, and placed just inside (my side) the south property line at my address.

Thank you and I appreciate your having followed-up with me today.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marjorie Lueck", written in black ink over a white background.

Marjorie Lueck

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<b>TO: Robin Ziek</b> <b>FAX: 301-563-3412</b> <b>Ph:</b> <b>Date:</b> May 18, 2001 <b>Time:</b> 15:39	<b>FROM: Marjorie Lueck</b> <b>FAX: (703) 292-9176</b> <b>Ph: (703) 292-7229</b> <b>E-Mail:</b> mlueck@nsf.gov pages, including this one
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Dear Robin:

I think your idea about the fence posts is a good one. Additionally, I wanted to FAX you a copy of a letter I recently sent to the Andersons concerning my plans to maintain the plantings in a condition that is attractive to the entire neighborhood. I have also invited them to either transplant them or provide compensation so that they could buy extra ones for their side of the proposed fence.

Thank you for your help and insightful thoughts on this matter.

A handwritten signature in black ink, appearing to read "Marjorie Lueck", written in a cursive style.

Marjorie Lueck

May 12, 2001

Dear Lark and Michael—

Many thank for your May 4<sup>th</sup> letter. I was glad to have your thoughts and learn about your concerns. It is also encouraging to think that we will be able to solve the problem in a neighborly way. I have been trying to think of a solution that addresses all the concerns and is satisfactory to everyone.

I think it is important for us to establish exactly where the line falls between the Anderson and Lueck properties and, for me, to define the line for landscaping purposes. The objective is to make it perfectly clear where your property ends and mine begins. The boundary line has certainly become a mess over the years. Among my efforts to clarify this, I have had several surveys done. Capitol Surveys did the first one when I moved in; R.C. Kelly did the other two. As a result of that work, there are stakes not only at the corners of my property, but also at several points along the property line. Knowing where the plantings fall will be an easy matter.

I appreciate your concerns about the plantings. I have no intention of making any changes to either the azaleas or to the spruce tree (except perhaps having the spruce professionally pruned since it is getting quite huge and will soon interfere with the telephone lines to your house).

I would like you to know that you are most welcome to the azaleas. Although, you have suggested an easement, I don't think it is necessary since, unlike a house, azaleas can be transplanted. I have learned from some "authorities" that even if they are established plants, they can be successfully transplanted. If you would prefer not to transplant them, another option would be for me to compensate you for them so that, if you wish, you could buy new ones and plant them alongside the others. The fence (a three to four foot picket) that I would like to put up along the line would be done so as not to injure the bushes in any way. I would have to discuss how best to accomplish this with the fence company.

You have asked about my plans to cross the creek. Even there it would be good to know exactly where the line is. This could probably be done quite discretely. Last year toward the end of the summer, I think the children deposited a huge pile of wood (branches) on my property back there. No, there would not be anything across the creek.

I hope this handles the immediate things. It would be helpful to me if the shed and the woodpile were moved. In the meantime, I will flag the line for the plantings. As far as I am concerned, you can do any of the transplanting at your convenience, either pre- or post fence.

Let me know if there is anything else.

Your neighbor, Marjorie

