

10115 meadowcroft ct.
capital view park H.D

3/7-076

Fothergill, Anne

From: Fothergill, Anne
Sent: Thursday, December 06, 2007 1:03 PM
To: 'Hrycak, Peter'
Cc: 'Whit Pincock'
Subject: 10115 Meadowneck Court, Silver Spring

Pete,

On August 1, 2007 you issued a Notice of Violation to this property owner for removing a tree in the Capitol View Park Historic District without a Historic Area Work Permit (HAWP). The owner filed a HAWP (#470225) and last night the Historic Preservation Commission approved it retroactively. I will send the paperwork to DPS today, and the owner is copied on this email. Please advise if you need any more information in order to resolve this violation.

Thanks,
Anne

Anne Fothergill
Planner Coordinator
Montgomery County Planning Department
Countywide Planning--Historic Preservation Section
1109 Spring Street, Suite 801
Silver Spring, MD 20910
301-563-3400 phone
301-563-3412 fax
<http://www.mc-mncppc.org/historic/>



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

Jef Fuller
Chairperson

Date: 12/6/07

MEMORANDUM

TO: Carla Reid Joyner, Director
Department of Permitting Services

FROM: Anne Fothergill *AF*
Planner Coordinator
Historic Preservation Section-Planning Department
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #470225 - Retroactive tree removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was approved at the December 5, 2007 meeting.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: D.W. and Noel J. Pincock
Address: 10115 Meadowneck Court, Silver Spring

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





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

DPS - #8
11/15/07
470225

HISTORIC PRESERVATION COMMISSION
301/563-3400

Retro. Active

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Mont. Co.

Contact Person: D. Whit Pincock
Daytime Phone No.: 301-943-7953 (cell)

Tax Account No.: 03422950
Name of Property Owner: Pincock, D.W. & Noël J. Daytime Phone No.:
Address: 10115 Meadowneck Ct. Sil. Spr. MD 20910
Street Number City Street Zip Code

Contractor: Brown's Tree & Outdoor Services Phone No.: 540-547-9448

Contractor Registration No.:
Agent for Owner: D. Whit Pincock Daytime Phone No.: 301-943-7953

LOCATION OF BUILDING/PREMISE

House Number: Same as above Street:
Town/City: Nearest Cross Street: Lee St.
Lot: Block: Subdivision:
Liber: Folio: Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
 Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: Tree Removal & general yard clean-up

1B. Construction cost estimate: \$ 2800.00 (See attached billing)

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

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.

D. Whit Pincock Signature of owner or authorized agent
Date: 8/6/07

Approved: For Chairperson, Historic Preservation Commission
Disapproved: Signature: Date: 12-6-07
Application/Permit No.: Date Filed: 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:

Single family home completed late 2005, purchased
by owner Feb. 2006.

At the end of a common drive for 4 houses.

Not visible from any main road, e.g. Capitol View,
Lee St. or even Meadowneck Ct. Not sure what is
historical. I don't believe any home on Meadowneck Ct. is over
25 yrs. old

Retro Active

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

Removal of one sickly pine tree that leaned over
and very close to the house. The tree was already
removed as part of a general yard clean-up. We apologize
and know that ignorance of the law is no excuse.
Pine Tree diameter was approx. 16". We firmly believe that
it posed a risk to our house. Several branches had fallen
off in storms.

2. **SITE PLAN**

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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**

- 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.
- 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).

Case II-F

12/05/07

Re: Case # 31/07-076 Retroactive

Historic Preservation Commission

ATTN: Anne Fothergill

The Historic Review Committee, the President of the Capitol View Park Civic Association and adjoining neighbors to the property in question have reviewed the RETROACTIVE request for removal of a major tree from the property at 10115 Meadowneck. the Civic Association newsletter at each publication states that any tree larger than 6" in diameter needs to have permission from HPC to be removed and that changes to the exterior of the house need to be approved. Thus the owner should have known that in our Historic District that they needed permission. We agree with HPC that the current owners be required to submit an HAWP so that in the future they will know that tree removal or changes to the house need to have permission. We feel that owners should have written notice from a qualified arborist to send to HPC if they think a tree poses a danger to a property.

There was some discussion about the tree from impacted neighbors. It was felt by one that the tree was leaning towards the house and by others that it was a tree that should have been saved. The owner stated that 30 trees were planted on the lot post construction in 2005.

The Committee defers to the staff recommendation of approval though we always wish to save trees in our Historic District.

Sincerely,

Betsy Tebow
President, Capitol View Park Citizens Association

Carol Ireland and Duncan Tebow, co-chairs
Historic Review Committee

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	10115 Meadowneck Court, Silver Spring	Meeting Date:	12/5/07
Resource:	Non-Contributing Resource Capitol View Park Historic District	Report Date:	11/28/07
Applicant:	D.W. and Noel J. Pinock	Public Notice:	11/21/07
Review:	HAWP	Tax Credit:	None
Case Number:	31/07-07G RETROACTIVE	Staff:	Anne Fothergill
PROPOSAL:	Tree removal		

STAFF RECOMMENDATION

Staff recommends that the HPC approve this application.

PROPERTY DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource within Capitol View Park Historic District
DATE: 2005

PROPOSAL

The applicant has removed a 16” pine tree that was leaning towards the house.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Capitol View Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include *Montgomery County Code Chapter 24A (Chapter 24A)* and the *Secretary of the Interior’s Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Montgomery County Code; Chapter 24A

A HAWP permit should be issued if the Commission finds that:

1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
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 a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

In the case of an application for work on a historic resource located within a 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 surrounding historic resources or would impair the character of the historic district.

Secretary of the Interior's Standards for Rehabilitation:

9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

STAFF DISCUSSION

It is never optimal for the HPC to review an application for exterior alterations to a property in a historic district when the work has already been completed. In this case, the applicant has stated that he was not aware that he would need approval from the Historic Preservation Commission for tree removal.

After a neighbor called the tree removal into DPS, a notice of violation was issued and the applicant promptly filed a Historic Area Work Permit application. However, the application was not properly entered into the DPS system and the review has been delayed a few months.

There are many other trees on this property that were planted when this house was built two years ago and other trees in the vicinity. Staff is recommending retroactive approval of this application.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b)(1) & (2);

and with the *Secretary of the Interior's Standards for Rehabilitation*;

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits.



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

DPS - #8
11/5/07
470225

Retro-Active

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Mont. Co.

Contact Person: D. Whit Pincock
Daytime Phone No.: 301-943-7953 (cell)

Tax Account No.: 03422950
Name of Property Owner: Pincock, D.W. & Noël J. Daytime Phone No.:
Address: 10115 Meadowneck Ct. Sil. Spr. MD 20910
Street Number City State Zip Code

Contractor: Brown's Tree & Outdoor Services Phone No.: 540-547-9448

Contractor Registration No.:
Agent for Owner: D. Whit Pincock Daytime Phone No.: 301-943-7953

LOCATION OF BUILDING/PREMISE

House Number: Same as above Street:
Town/City: Nearest Cross Street: Lee St.
Lot: Block: Subdivision:
Liber: Folio: Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: Tree Removal & general yard clean-up

1B. Construction cost estimate: \$ 2800.00 (see attached billing)

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

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.

[Signature] 8/6/07
Signature of owner or authorized agent Date

Approved: For Chairperson, Historic Preservation Commission
Disapproved: Signature: Date:
Application/Permit No.: Date Filed: 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:

Single family home completed late 2005, purchased
by owner Feb. 2006.

At the end of a common drive for 4 homes.

Not visible from any main road, e.g. Capitol View,
Lee St., or even Meadowneck Ct. Not sure what is
historical. I don't believe any home on Meadowneck Ct. is over
25 yrs. old

Retro Active

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

Removal of one sickly pine tree that leaned over
and very close to the house. The tree was already
removed as part of a general yard clean-up. We apologize
and know that ignorance of the law is no excuse.
Pine Tree diameter was approx. 16". We firmly believe that
it posed a risk to our house. Several branches had fallen
off in storms.

2. SITE PLAN

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

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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

- 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.
- 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.

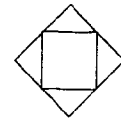
PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

(4)

Tree Survey

The lot is only 6293 sq. ft. About 30 pine and other trees were planted on the lot post-construction in 2005. There are several large trees on adjacent lots that shade the property.

The tree in question that was removed was deemed high risk by Mr. Greg Brown of Browns Tree Removal and Outdoor Services. It was the only tree in excess of 6" diameter on the lot.




Shade portion to indicate North

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address (46) D. Whit Pincock 10115 Meadowneck Ct. Silver Spring, MD 20910	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
(43) 10113 Meadowneck Ct. Silver Spring MD 20910	(47) 10120 Capitol View Ave. Silver Spring MD 20910
(17) 10200 Capitol View Ave. Silver Spring MD 20910	(36) 10123 Meadowneck Ct. Silver Spring, MD 20910
(18) 10204 Capitol View Ave Silver Spring MD 20910	(19) 10208 Capitol View Ave. Silver Spring MD 20910

○ Lot number on site plan

	Maryland Department of Assessments and Taxation MONTGOMERY COUNTY Real Property Data Search	Go Back View Map New Search
---	--	---

District - 13 Account Number - 03422950

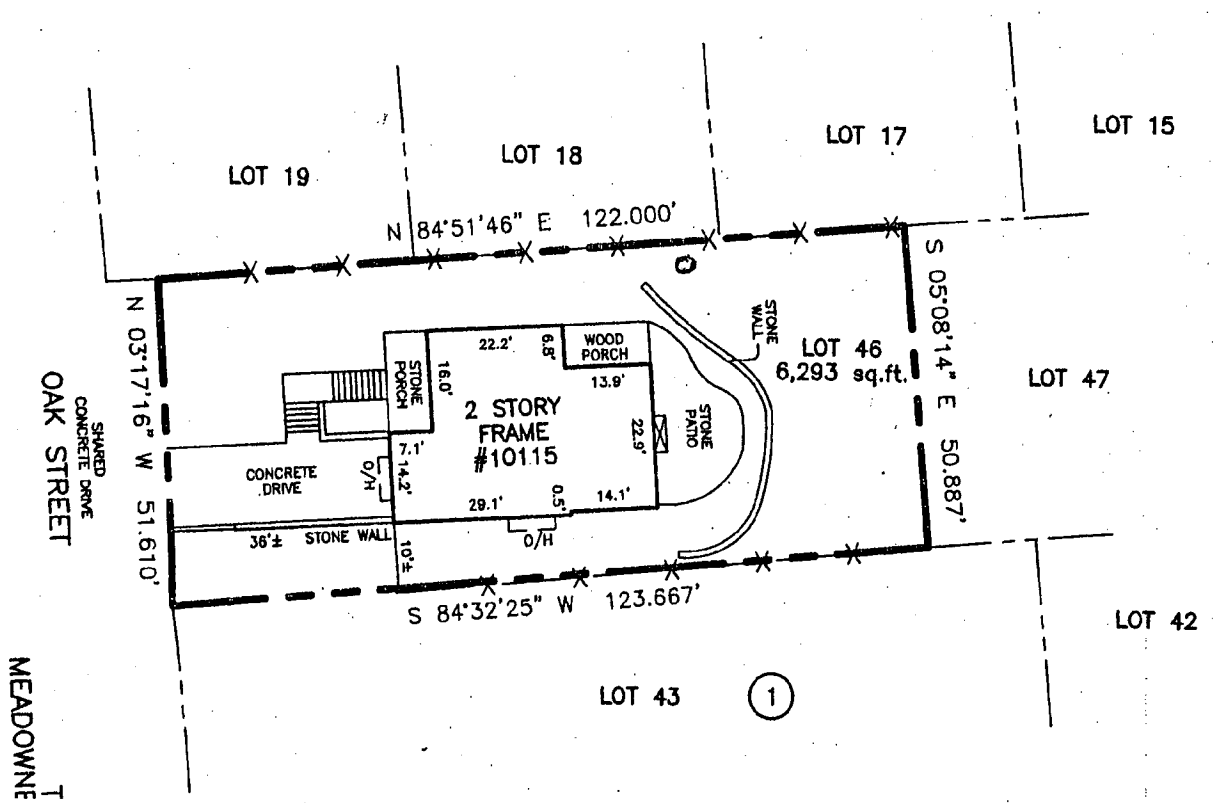


Property maps provided courtesy of the Maryland Department of Planning ©2004.
 For more information on electronic mapping applications, visit the Maryland Department of Planning
 web site at www.mdp.state.md.us/webcom/index.html

CASE NO. 17448

LOCATION DRAWING
CAPITAL VIEW PARK
LOT 46 BLOCK 1
ELECTION (13th.) DISTRICT
MONTGOMERY COUNTY, MARYLAND

NORTH



8

D. Whit Pincock & Noel J. Pincock
10115 Meadowneck Ct.
Silver Spring, MD 20910
dwpincock@hotmail.com
301-943-7953 (cell)

August 6, 2007

Montgomery County
Department of Permitting Services

255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166

Reference: Attached "Notice of Violation"

To Whom It May Concern:

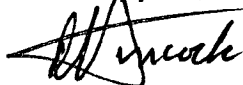
We received the attached notice of violation on August 1, 2007. In response, we are submitting the enclosed "retro-active" Application for a Historic Area Work Permit.

The violation was for removing a tree from our back yard that was greater than 6 inches in diameter. It was removed as part of a broader clean up of our small (approximately 1/8th acre lot). The tree in question was a sickly pine tree that leaned over the top and came very close to our house. It was about 16 inches in diameter. Limbs had come off in previous storms, and we feared that it was a danger to our home. It is a new home, and we had recently moved in about 16 months ago.

We now realize that we should have gotten a permit prior to having the tree removed. We know that ignorance of the law is no excuse, and we hope that you will find our application acceptable. I do find it unusual that our street is classified as historic. As far as I can ascertain, no home on our street, Meadowneck Court, is over 25 years old. Our home is less than 2 years old. However, we do realize that if there are rules, we must abide by them.

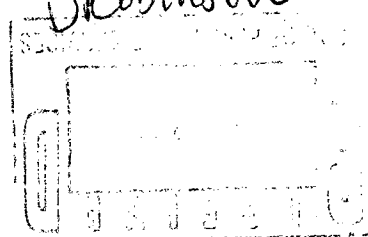
Thank you for your consideration in this matter.

Sincerely yours,



D. Whit Pincock

*Resubmitted
Dolores
Robinson*

D. Robinson


Brown's Tree and Outdoor Services

Fully Insured / Licensed



Shawn Brown
1-540-522-9810
1-540-829-6710

Greg Brown
1-540-547-9448
1-540-219-4919

Customer: <u>Noelle Pincock</u>		Business Phone:	Date: <u>7/26/07</u>
Street: <u>10115 meadow neck ct</u>		Job Location (If Different):	
City, State: <u>Silver Spring Md</u>		Total Amount: <u>\$5800.00</u>	
Zip:	Home Phone: <u>(301) 585-4466</u>	Down Payment: <u>\$900.00</u>	Balance (At completion of Service): <u>2900.00</u>

We hereby propose to furnish materials and labor necessary to complete the following: 1900.00 as for 900.00

A. Topping	_____	LEFT	Other:	Root Feeding	_____
B. Trimming	_____		Lot Clearing	<u>✓</u>	
C. Dead Limbing	_____		Hedge Trimming	_____	
D. Cavity Filling	_____		Fertilizing	_____	
E. Cable Bracing	_____		Mulching	_____	
F. Removing	<u>leaning tree</u>		Seeding	_____	
G. Elevating	_____		Planting	_____	
				Gutter Cleaning	_____
			Painting	_____	

DESCRIPTION OF WORK:

Take down leaning tree going over house 'high cut'

Take side cut first on right side of house coming from next door

cut tree's back off house

remove weeds and vine around whole yard

have all debris

1000.00 paid 7/31/07

check # 32781

900.00 owed

check # 3279

900.00

balance

900.00 down payment

7/30/07 check #

3277

TOTAL AMOUNT 2900.00

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon bad weather, accidents or delays beyond our control. We reserve the right to withdraw proposal / contract at any time without prior notice at no cost to customer.

Authorized Signature [Signature]

ACCEPTANCE OF PROPOSAL / CONTRACT. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment is to be made at completion of job unless otherwise in proposal / contract. The breaking of proposal / contract by customer will still require full payment. Customers are responsible for all legal fees.

Date of acceptance 7/26/07

Customer Signature [Signature] Contractor Signature [Signature]

I hereby acknowledge the satisfactory completion of the above described work. (Signature) _____



MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850-4166

NOTICE OF VIOLATION

FOR MONTGOMERY COUNTY, MARYLAND the undersigned issuer, being duly authorized, states that:

On, 8-1-07 the recipient of this NOTICE, PINCOCK, Noel
Date Recipient's Name

who represents the permittee/defendant, PINCOCK, Noel
Permittee's Name

is notified that a violation of Montgomery County Code: 24A-6 Altering the exterior features of a historic resource without obtaining a historic area work permit. (cut down tree)

exists at: 10115 Meadowneck Ct, Silver Spring Md
Location Case #

The following corrective action(s) must be performed immediately as directed, Apply for and obtain a historic area work permit

See attached Inspection Report(s) for additional violations and/or required corrective actions.

An inspection fee of \$ 0 is required in addition to any application fee(s).

Re-inspection Date(s): _____ Permit Number: _____ Code/Edition: _____

Failure to comply with this notice will result in the issuance of one or more \$500.00 civil citations.

A STOP WORK ORDER is also issued this date at the above referenced project. All construction activities on these premises must cease immediately. Only those activities required to correct violations may continue. Permission is required to resume construction.

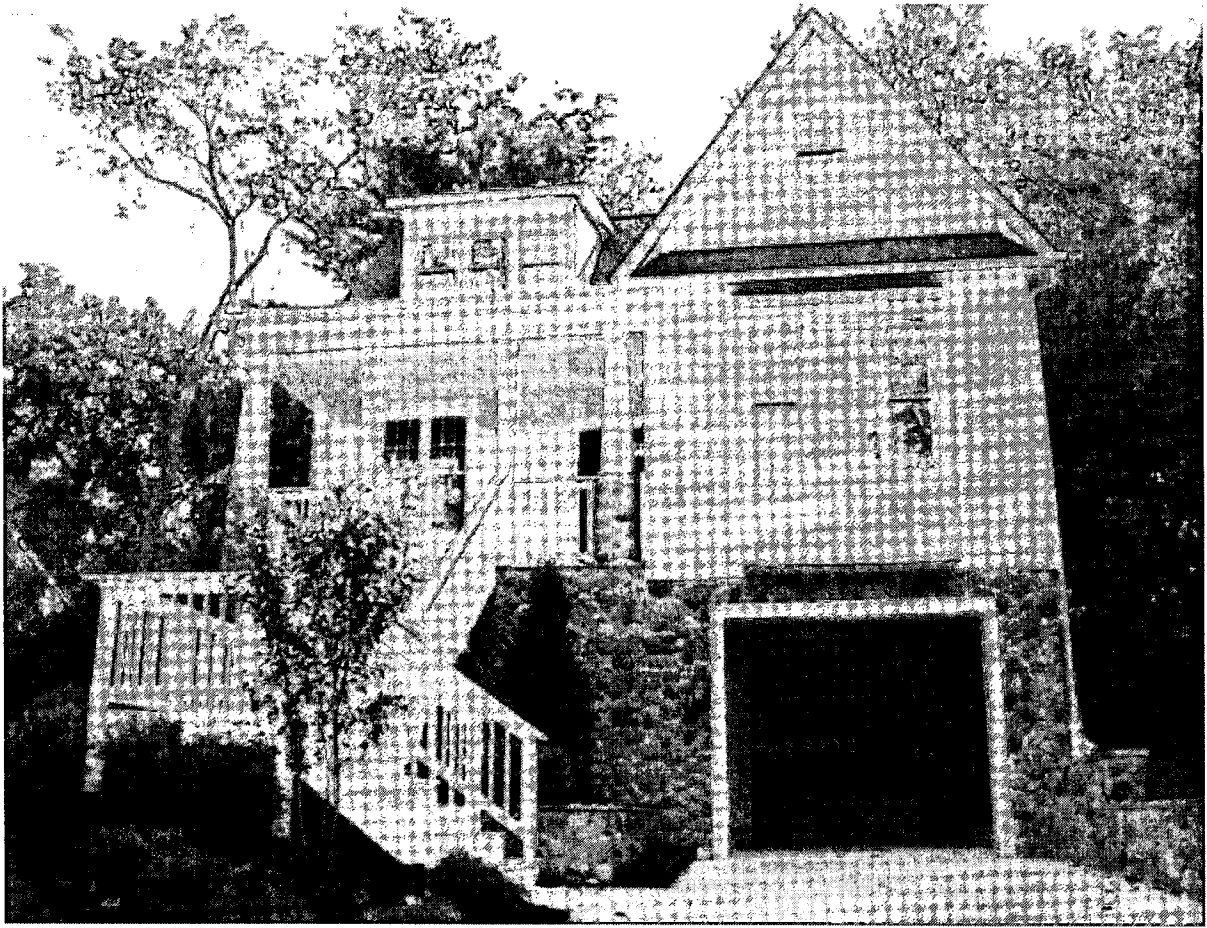
ISSUED BY: PEETE HRYCIK Pete Hrycik 8-1-07
Printed Name Signature Date

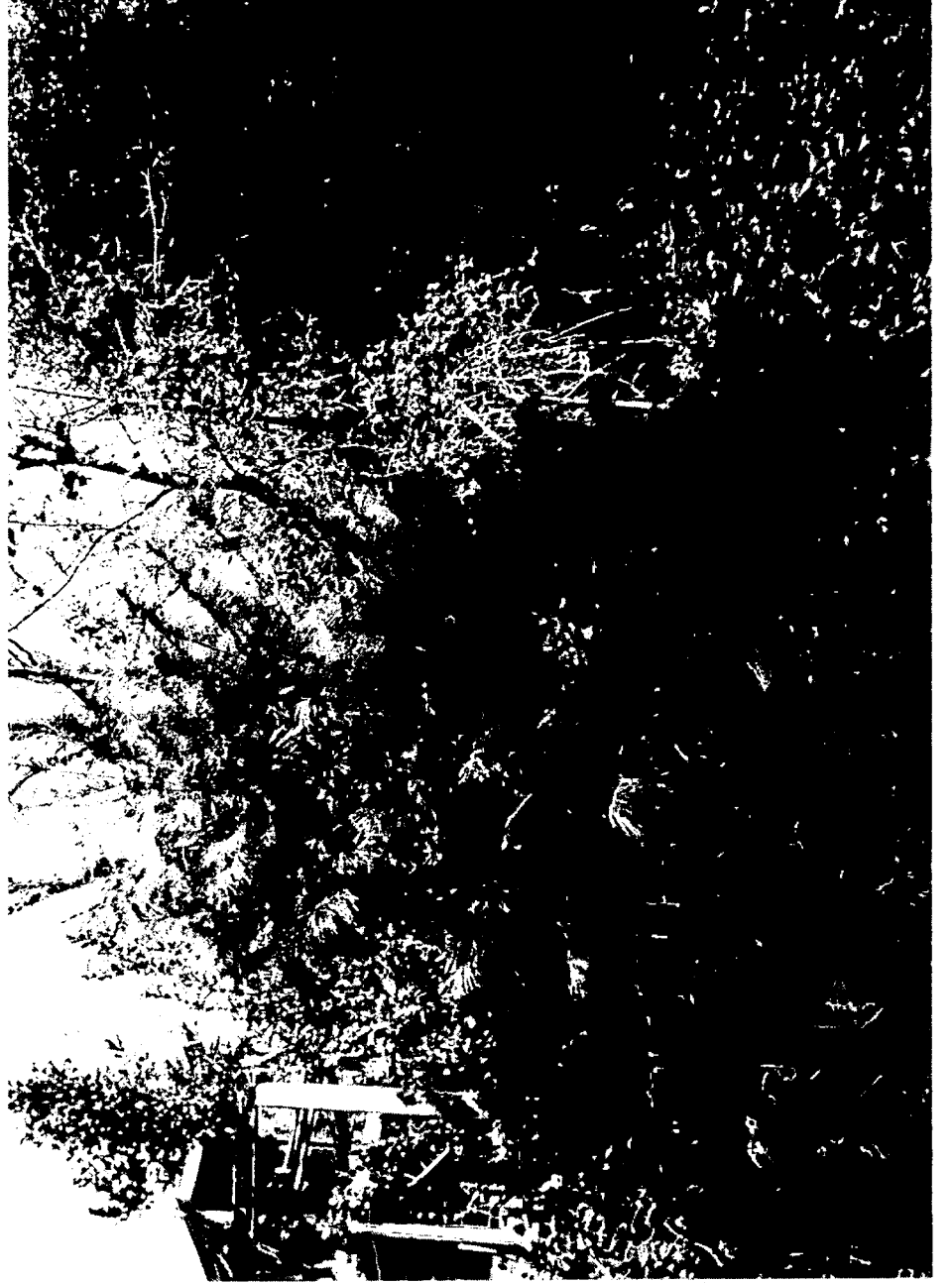
Phone No. 340-777-5211

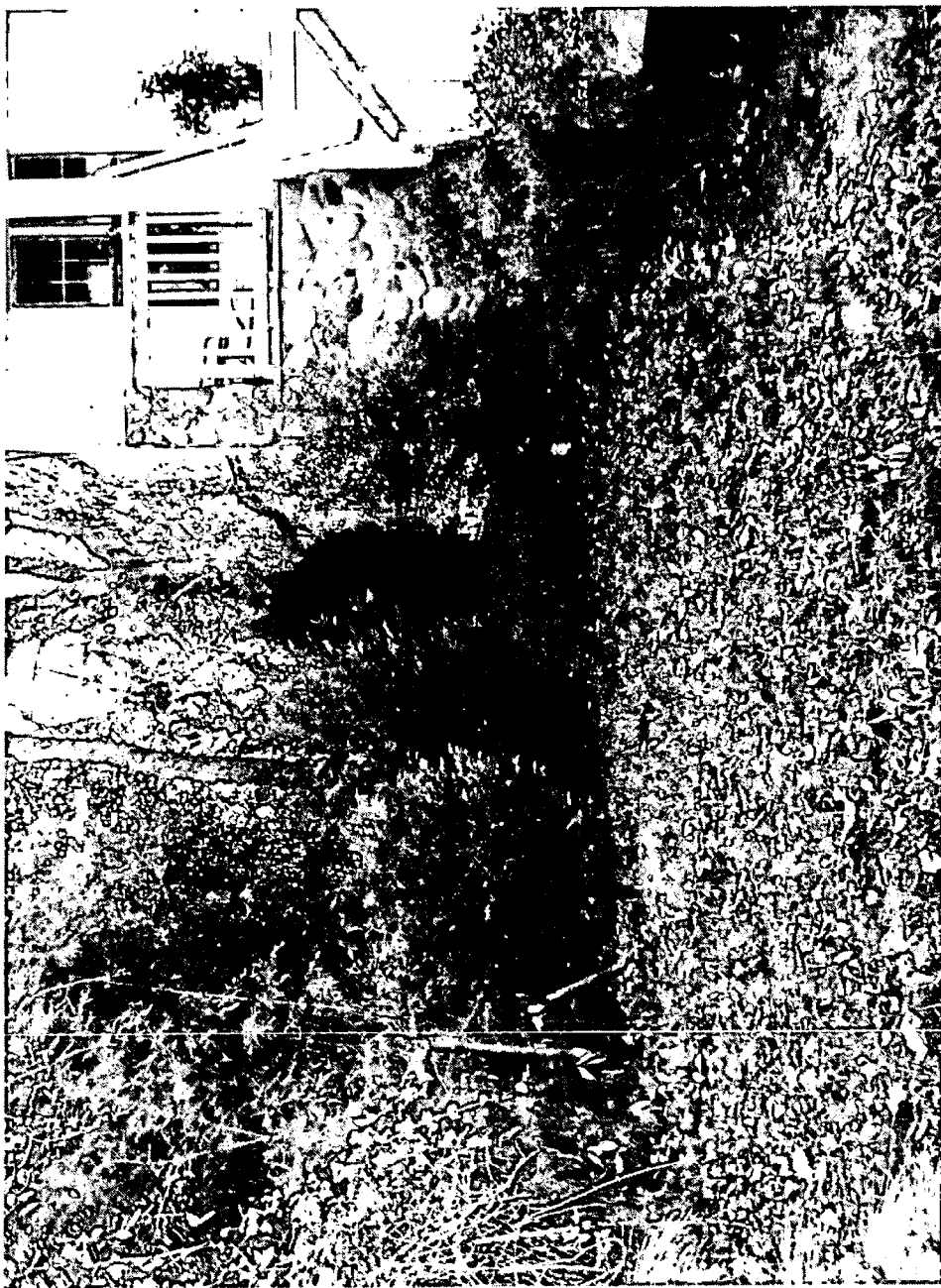
RECEIVED BY: Posted 8-1-07
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: _____

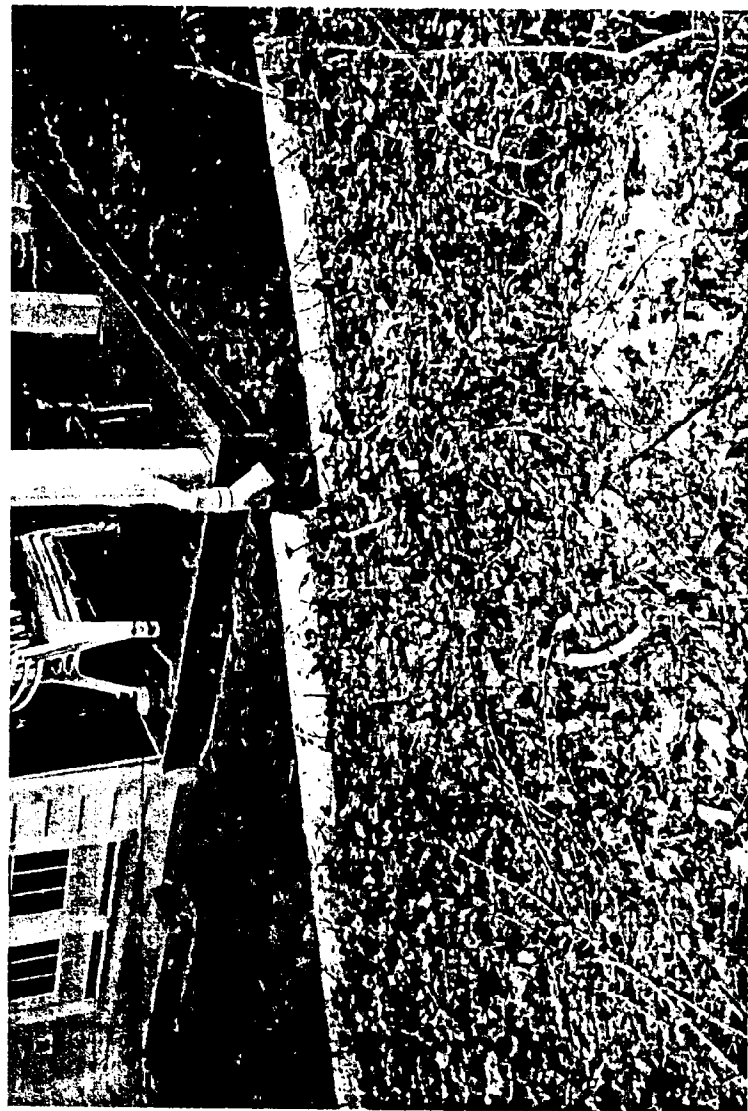
RECIPIENT'S SIGNATURE ACKNOWLEDGES RECEIPT OF A COPY OF THIS NOTICE OF VIOLATION











6



D. Whit Pincock & Noel J. Pincock
10115 Meadowneck Ct.
Silver Spring, MD 20910
dwpincock@hotmail.com
301-943-7953 (cell)

August 6, 2007

Montgomery County
Department of Permitting Services

255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166

Reference: Attached "Notice of Violation"

To Whom It May Concern:

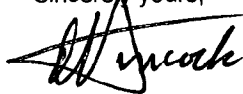
We received the attached notice of violation on August 1, 2007. In response, we are submitting the enclosed "retro-active" Application for a Historic Area Work Permit.

The violation was for removing a tree from our back yard that was greater than 6 inches in diameter. It was removed as part of a broader clean up of our small (approximately 1/8th acre lot). The tree in question was a sickly pine tree that leaned over the top and came very close to our house. It was about 16 inches in diameter. Limbs had come off in previous storms, and we feared that it was a danger to our home. It is a new home, and we had recently moved in about 16 months ago.

We now realize that we should have gotten a permit prior to having the tree removed. We know that ignorance of the law is no excuse, and we hope that you will find our application acceptable. I do find it unusual that our street is classified as historic. As far as I can ascertain, no home on our street, Meadowneck Court, is over 25 years old. Our home is less than 2 years old. However, we do realize that if there are rules, we must abide by them.

Thank you for your consideration in this matter.

Sincerely yours,



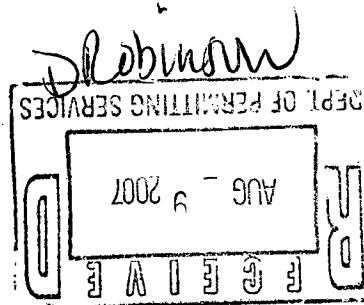
D. Whit Pincock

Received

NOV 5 2007

Dept. of Permitting Services

*Submitted
Dollars
Return*





MONTGOMERY COUNTY
 DEPARTMENT OF PERMITTING SERVICES
 255 Rockville Pike, 2nd Floor
 Rockville, Maryland 20850-4166

NOTICE OF VIOLATION

FOR MONTGOMERY COUNTY, MARYLAND the undersigned issuer, being duly authorized, states that:

On, 8-1-07 the recipient of this NOTICE, PINCOCK, Noel
Date Recipient's Name

who represents the permittee/defendant, PINCOCK, Noel
Permittee's Name

is notified that a violation of Montgomery County Code: 24A-6 Altering the exterior features of a historic resource without obtaining a historic area work permit. (cut down tree)

exists at: 10115 Meadowneck Ct, Silver Spring md
Location Case #

The following corrective action(s) must be performed immediately as directed, Apply for AND OBTAIN A HISTORIC AREA WORK PERMIT

See attached Inspection Report(s) for additional violations and/or required corrective actions.

An inspection fee of \$ 0 is required in addition to any application fee(s).

Re-inspection Date(s): _____ Permit Number: _____ Code/Edition: _____

Failure to comply with this notice will result in the issuance of one or more \$500.00 civil citations.

A STOP WORK ORDER is also issued this date at the above referenced project. All construction activities on these premises must cease immediately. Only those activities required to correct violations may continue. Permission is required to resume construction.

ISSUED BY: PETE ARYCHAK Pete Arychak 8-1-07
Printed Name Signature Date

Phone No. 240-777-5211

RECEIVED BY: Posted 8-1-07
Printed Name Signature Date

Phone No. _____ Sent by Registered Mail/Return Receipt On: _____

RECIPIENT'S SIGNATURE ACKNOWLEDGES RECEIPT OF A COPY OF THIS NOTICE OF VIOLATION

Brown's Tree and Outdoor Services

Fully Insured / Licensed



Shawn Brown
1-540-522-9810
1-540-829-6710

Greg Brown
1-540-547-9448
1-540-219-4919

Customer: <u>Noelle Pincock</u>		Business Phone:	Date: <u>7/26/07</u>
Street: <u>10115 meadow creek ct</u>		Job Location (If Different):	
City, State: <u>Silver Springs Md</u>		Total Amount: <u>\$ 3800.00</u>	
Zip: <u>21781</u>	Home Phone: <u>(301) 585-4466</u>	Down Payment: <u>900.00</u>	Balance (At completion of Service): <u>2900.00</u>

We hereby propose to furnish materials and labor necessary to complete the following: 1900.00 actual 900.00 down

A. Topping	_____	LEFT	Other:	Root Feeding	_____
B. Trimming	_____		Lot Clearing	<u>YES</u>	
C. Dead Limbing	_____		Hedge Trimming	_____	
D. Cavity Filling	_____		Fertilizing	_____	
E. Cable Bracing	_____		Mulching	_____	
F. Removing	<u>leaving tree</u>		Seeding	_____	
G. Elevating	_____		Planting	_____	
				Gutter Cleaning	_____
			Painting	_____	

DESCRIPTION OF WORK:

Take down leaning pine going over house "high cut"

Take side left tree on right side of house "coming from next door"

cut tree's back off house

remove weeds and give around whole yard

(haul all debris)

check # 3279

900.00 down payment

7/30/07 check #

Master 3277

1000.00 paid 7/31/07

check # 3278

\$ 900.00 owed

balance

TOTAL AMOUNT 2900.00

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon bad weather, accidents or delays beyond our control. We reserve the right to withdraw proposal / contract at any time without prior notice at no cost to customer.


Authorized Signature: [Signature]

ACCEPTANCE OF PROPOSAL / CONTRACT. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment is to be made at completion of job unless otherwise in proposal / contract. The breaking of proposal / contract by customer will still require full payment. Customers are responsible for all legal fees.

Date of acceptance: 7/26/07

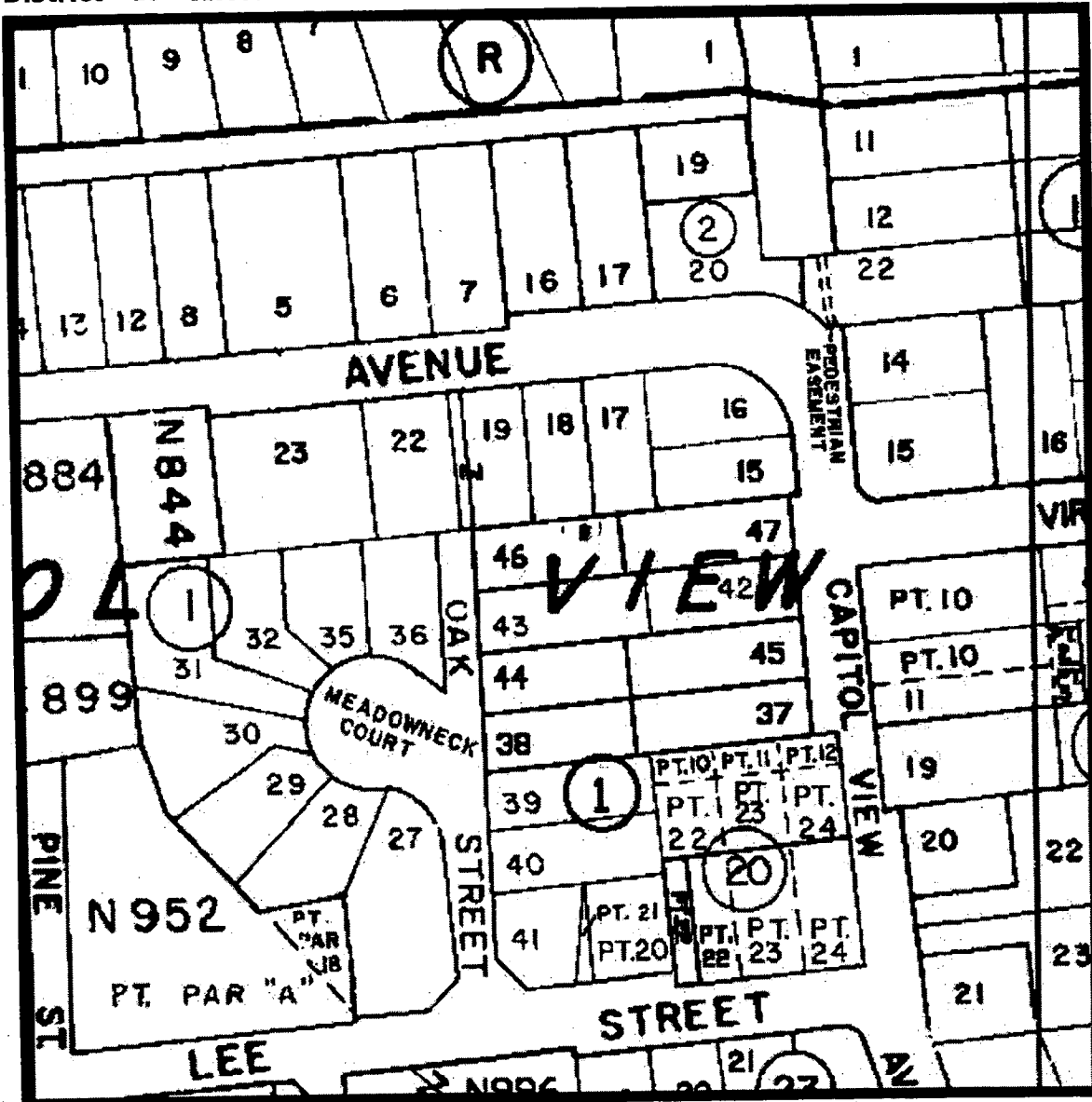
Customer Signature: [Signature] Contractor Signature: [Signature]

I hereby acknowledge the satisfactory completion of the above described work. (Signature) _____

 **Maryland Department of Assessments and Taxation**
MONTGOMERY COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 13 Account Number - 03422950

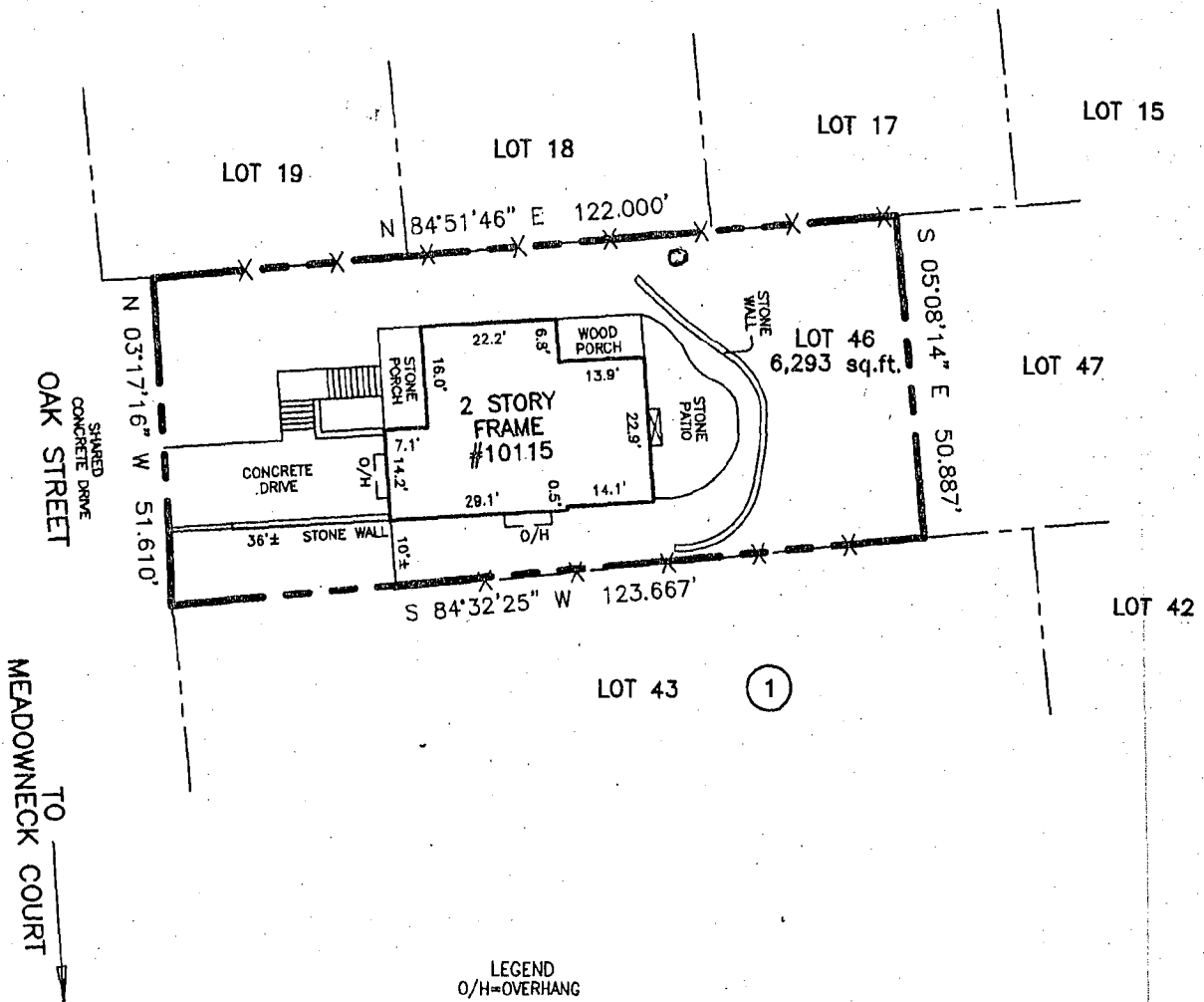


Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html

CASE NO. 17448

LOCATION DRAWING
 CAPITAL VIEW PARK
 LOT 46 BLOCK 1
 ELECTION (13th.) DISTRICT
 MONTGOMERY COUNTY, MARYLAND

NORTH



PROPERTY ADDRESS: 10115 MEADOWNECK COURT

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE C (AREA OF MINIMAL FLOODING) ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM F.I.R.M. MAP COMMUNITY PANEL NO. 240049 0175 C AS REVISED 08/01/84

CERTIFICATE
 I HEREBY DECLARE THAT THE POSITION OF ALL THE VISIBLE EXISTING IMPROVEMENTS SHOWN ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN ESTABLISHED BY PROPER FIELD METHODS. NO TITLE REPORT HAS BEEN FURNISHED SUBJECT TO ANY AND ALL RESTRICTIONS AND EASEMENTS OF RECORD.

RAYMOND D. LEONER
 MARYLAND PROFESSIONAL LAND SURVEYOR NO. 21134

REFERENCES

PLAT BK.
 PLAT NO. 22686
 LIBER
 FOLIO

**ALL COUNTY
 LOCATION SURVEYS, INC**

2813 PATUXENT RIVER ROAD, DAVIDSONVILLE, MD. 21035
 PHONE (410) 798-9701 FAX (410) 798-9705

DATES:
 WALL CHECK:
 HSE. LOC.: 01/11/06
 BOUNDARY:
 SCALE: 1"=30'
 DRAWN BY: SAD
 JOB NO.: 0030-06

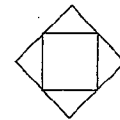
- NOTES:
- 1) This location drawing is of benefit to a consumer only in so far as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing.
 - 2) This location drawing is not to be used for the building of fences or other improvements. No boundary survey has been performed.
 - 3) This location drawing is not to be relied upon for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
 - 4) B.R.L. information, if shown was obtained from existing record plat or was provided to ACLS, and is not guaranteed by ACLS, Inc.
 - 5) Flood Zone information is subject to the interpretation of the originator.
 - 6) Adjoiner deed research has not been undertaken with the Location Drawing.
 - 7) ACLS, Inc. does not certify to unshown or unrecorded encroachments or overlaps.
 - 8) Level of accuracy 2±.



Tree Survey

The lot is only 6293 sq. ft. About 30 pine and other trees were planted on the lot post-construction in 2005. There are several large trees on adjacent lots that shade the property.

The tree in question that was removed was deemed high risk by Mr. Greg Brown of Brown's Tree Removal and Outdoor Services. It was the only tree in excess of 6" diameter on the lot.



Shade portion to indicate North

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address (46) D. Whit Pincock 10115 Meadowneck Ct. Silver Spring, MD 20910	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
(43) 10113 Meadowneck Ct. Silver Spring MD 20910	(47) 10120 Capitol View Ave. Silver Spring MD 20910
(17) 10200 Capitol View Ave. Silver Spring MD 20910	(36) 10123 Meadowneck Ct. Silver Spring, MD 20910
(18) 10204 Capitol View Ave Silver Spring MD 20910	(19) 10208 Capitol View Ave. Silver Spring MD 20910

○ Lot number on site plan