



31/07-04B 9715 Capitol View Ave  
Capitol View Park Historic District



9715 Cap. View




















THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: 5/27/04

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Wright, Coordinator   
Historic Preservation Section

SUBJECT: Historic Area Work Permit Application – Approval

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

Prior to applying for a county building permit from the Department of Permitting Services, you must schedule a meeting with your assigned staff person to bring your final construction drawings in to the Historic Preservation Office at 1109 Spring Street for stamping. 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.

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 at <http://permits.emontgomery.org> of your anticipated work schedule.

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



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: 5/27/04

**MEMORANDUM**

TO: Robert Hubbard, Director

FROM: Gwen Wright, Coordinator *GW*  
Historic Preservation

SUBJECT: Historic Area Work Permit

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

Approved

Approved with Conditions TWO NEW TREES (2" MINIMUM CALIPER, DECIDUOUS HARDWOOD OF A SPECIES COMPARABLE WITH THE TREE BEING REMOVED) MUST BE PLANTED IN THE GENERAL LOCATION OF THE 34" POPLAR THAT IS TO BE REMOVED.

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: EDUARDO SALAZAR (NATHAN McELROY / PEPCO)

Address: 9715 CAPITOL VIEW AVENUE

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 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: NATHAN McELROY / PERCO

Daytime Phone No.: 202-388-2340

Account No.: 00995753

Name of Property Owner: EDUARDO SALAZAR Daytime Phone No.: 240-876-6444

Address: 9715 CAPITOL VIEW SILVER SPRINGS MD 20910  
Street Number City Street Zip Code

Contractor: ASPLUNDH TREE EXPERTS Phone No.: 301-595-9077

Contractor Registration No.: TREE EXPERT LICENSE 637

Agent for Owner: NATHAN McELROY Daytime Phone No.: 202-388-2340

**LOCATION OF BUILDING/PREMISE**

House Number: 9715 CAPITOL VIEW Street: \_\_\_\_\_  
 Town/City: SILVER SPRING Nearest Cross Street: SEMINARY  
 Lot: P41 Block: 34 Subdivision: 5  
 Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**PART ONE: TYPE OF PERMIT ACTION AND USE**

**A. CHECK ALL APPLICABLE:**

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

**CHECK ALL APPLICABLE:**

- AC
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: \_\_\_\_\_

B. Construction cost estimate: \$ \_\_\_\_\_

C. 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.

Nathan McElroy  
 Signature of owner or authorized agent

4/20/04  
 Date

Approved: 341688  **WITH CONDITION** For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: Julia O'Malley Date: 5/12/04

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

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

**WRITTEN DESCRIPTION OF PROJECT**

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

RESIDENCE WITH MULTIPLE TREES

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

TREE REMOVAL TO IMPROVE RELIABILITY OF  
ELECTRIC SERVICE SEE ATTACHED DISCRPTIONS + EXHIBITS A-G

**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.

**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.

**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.

**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.

**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.

**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).



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

Owner's mailing address

EDUARDO SALAZAR  
9715 CAPITOL VIEW  
SILVER SPRING MD 20910

Owner's Agent's mailing address

NATHAN MELROY  
PEPCO  
3400 BENNING RD NE  
WASHINGTON DC 20019

Adjacent and confronting Property Owners mailing addresses

DON WOLFE  
9706 CAPITOL VIEW AV  
SILVER SPRING MD  
20910-1028

ALEXANDRIA TEAFF  
9717 CAPITOL VIEW AV  
SILVER SPRING MD  
20910-~~1028~~

**Tree Removal Proposal 9715 Capitol View**

Pepeco proposes to remove the following trees as part of an effort to improve the reliability of major electrical feeders that pass in front of this property. Feeder 69195 is a 69,000 Volt sub transmission feeder that supplies the Linden substation. Interruption to this feeder potentially affects thousands of businesses and homes. Also located on the same pole line is a 3 phase 13,000 Volt feeder that serves hundreds of homes in the neighborhood.

The property owner Mr. Eduardo Salazar has granted his consent to the following proposed removals.

**34" Diameter Poplar** (see photos ) located on right side of driveway when entering property. Tree has decay at base and has 70 degree lean towards 69 kv feeder. Failure of this tree at the base would be catastrophic. Both feeders would be out for at least 24 hours and cause tens of thousands of dollars in damage and possible death.

**16" Locust** (see photo) located on right side of driveway when entering property. Tree has 60 degree lean towards wires. The tree is in decline, it will inevitable hit the feeders if it uproots or breaks.

**13" Mulberry and 8" Box Elder** (see photo), right side of driveway near pole 784430-1654. Both trees are severely decayed and have been topped repeatedly in past. Both trees will be topped again, and are unsightly.

**Mulberry with 12 and 10" stems** (see photo) left side of driveway, near pole. Tree has decay, is in poor form and is competing with a desirable 7" American Elm that will be left.

*Nathan H McCleoy 4/20/04  
ISA Certified Arborist - MA-4069*





EXHIBIT B

APPROVED  
Montgomery County  
Historic Preservation Commission  
*Steven Wright*  
5/12/04



13" MULBERRY  
& BOXELDER

16 LOCUST

34" DIAMETER



↑  
34" DIAMETER  
POPLAR

EXHIBIT C

Montgomery County  
Historic Preservation Commission  
*Kevin M. Knight*  
5/27/04



EXHIBIT D

APPROVED  
Montgomery County  
Historic Preservation Commission  
*[Signature]*  
5/23/04



15007  
16" LOEUST

EXHIBIT E

APPROVED  
Montgomery County  
Historic Preservation Commission  
*James Naught*  
5/27/09



13" PREVIOUSLY TOPPED MULBERRY

12+10" DOUBLE STEM MVL BERRY



APPROVED  
Montgomery County  
Historical Preservation Commission  
*Anna Wright*  
5/22/04

NOTE:  
COMPETITIVE AMERICAN ELM  
WILL BE LEFT

EXHIBIT F





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

<b>Address:</b> 9715 Capitol View Avenue	<b>Meeting Date:</b> May 12, 2004
<b>Applicant:</b> Eduardo Salazar (Nathan McElroy/PEPCO, Agent)	<b>Report Date:</b> May 5, 2004
<b>Resource:</b> Capitol View Park Historic District Contributing Resource	<b>Public Notice:</b> April 28, 2004
<b>Review:</b> HAWP	<b>Tax Credit:</b> None
<b>Case No.:</b> 31/07-04B	<b>Staff:</b> Gwen Wright
<b>PROPOSAL:</b> Tree Removal	<b>RECOMMEND:</b> Approve with condition

**SIGNIFICANCE:**

Individual *Master Plan* Site  
 Within a *Master Plan* Historic District  
 Primary Resource  
 Contributing Resource  
 Non-contributing/Out-of-Period Resource

**PROPOSAL**

The owner's agent (PEPCO) is proposing to remove five trees from a property in the Capitol View Park Historic District. The property is a bungalow at 9715 Capitol View Avenue, and it is a Contributing Resource in the historic district.

The trees to be removed are:

1. 34" Poplar in the front yard of house
2. 16" Locust to the right of the entry drive
3. 13" Mulberry to the right of the entry drive near road
4. 8" Box Elder to the right of the entry drive near road
5. Double-stemmed Mulberry to the left of the entry drive near road

The request to remove these trees comes from PEPCO, which is doing a significant amount of work to the overhead electrical wires in this area. The goal is to improve the condition of the overhead wires so that there will be less of a chance for interruption of the electrical service to this area in the case of a severe storm.

The trees to be removed are not dead or dying and, thus, their removal must be approved through the Historic Area Work Permit process.

**STAFF RECOMMENDATION**

The trees to be removed are in the front yard of the bungalow at 9715 Capitol View Avenue. Four of the five trees are not valuable species – Locust, Mulberry, Box Elder – and are not in excellent condition. Staff feels that the removal of these four trees will not negatively affect the environmental setting of the Contributing Resource or the Capitol View Park Historic District. Staff is somewhat concerned about the removal of the 34” Poplar in the front yard of the Contributing Resource. Removal of this tree – in conjunction with removal of the other four – may affect the environmental setting of the property.

However, staff understands the safety concerns about this tree as expressed by the PEPCO arborist. Therefore, staff recommends that the tree be removed for safety reasons, but that two new trees should be planted in the general location of the one being removed.

Staff recommends:

- Approval
- Approval with the following condition:

1. Two new trees (2” minimum caliper, deciduous hardwood of a species comparable with the tree being removed) must be planted in the general location of the 34” Poplar that is to be removed.

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, 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; or

3. The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site, or historic resource located within an historic district, in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

4. The proposal is necessary in order that unsafe conditions or health hazards be remedied; or

5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or

6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.





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: NATHAN McELROY / PERCO

Daytime Phone No.: 202-388-2340

ix Account No.: 00995753

Name of Property Owner: EDUARDO SALAZAR Daytime Phone No.: 240-876-6444

Address: 9715 CAPITOL VIEW SILVER SPRINGS MD 20910  
Street Number City State Zip Code

Contractor: ASPLUNDH TREE EXPERTS Phone No.: 301-595-9077

Contractor Registration No.: TREE EXPERT LICENSE 637

Agent for Owner: NATHAN McELROY Daytime Phone No.: 202-388-2340

### LOCATION OF BUILDING/PREMISE

House Number: 9715 CAPITOL VIEW Street: \_\_\_\_\_

Town/City: SILVER SPRING Nearest Cross Street: SEMINARY

Lot: P41 Block: 34 Subdivision: 5

Tract: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

### PART ONE: TYPE OF PERMIT ACTION AND USE

#### A. 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: \$ \_\_\_\_\_

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: \_\_\_\_\_

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- 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.

Nathan McElroy  
Signature of owner or authorized agent

4/20/04  
Date

Approved: 341688 For Chairperson, Historic Preservation Commission

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

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

3

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE  
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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

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

Owner's mailing address

EDUARDO SALAZAR  
9715 CAPITOL VIEW  
SILVER SPRINGS MD 20910

Owner's Agent's mailing address

NATHAN MELROY  
PEPCO  
3400 BENNING RD NE  
WASHINGTON DC 20019

Adjacent and confronting Property Owners mailing addresses

DON WOLFE  
9706 CAPITOL VIEW AV  
SILVER SPRINGS MD  
20910-1028

ALEXANDRIA TEAFF  
9717 CAPITOL VIEW AV  
SILVER SPRING MD  
20910-~~1028~~



**Tree Removal Proposal 9715 Capitol View**

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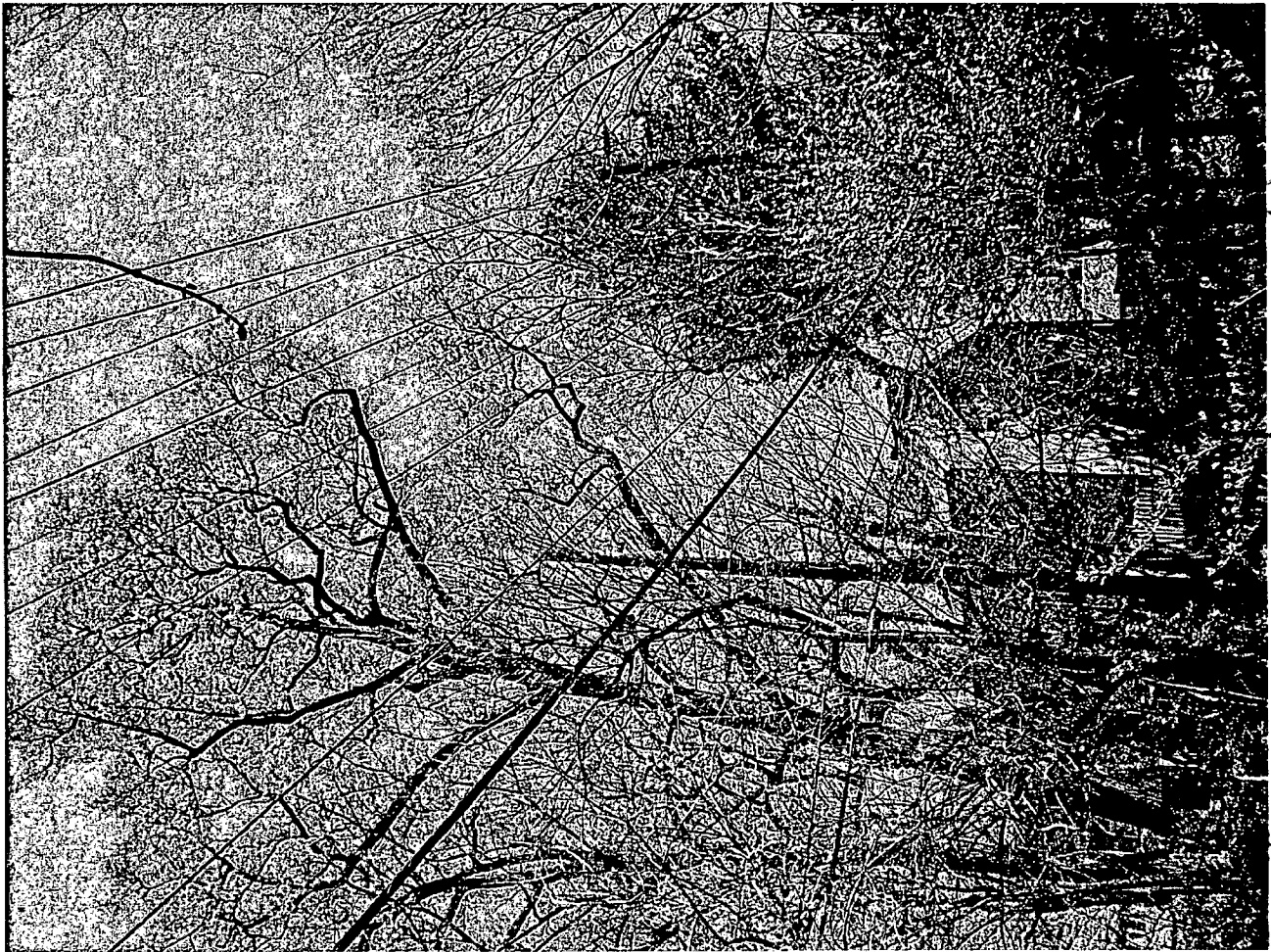
**16" Locust** (see photo) located on right side of driveway when entering property. Tree has 60 degree lean towards wires. The tree is in decline, it will inevitable hit the feeders if it uproots or breaks.

**13" Mulberry and 8" Box Elder** (see photo), right side of driveway near pole 784430-1654. Both trees are severely decayed and have been topped repeatedly in past. Both trees will be topped again, and are unsightly.

**Mulberry with 12 and 10" stems** (see photo) left side of driveway, near pole. Tree has decay, is in poor form and is competing with a desirable 7" American Elm that will be left.

*Nathan H McCleoy 1/20/04  
ISA Certified Arborist - MA-4069*

EXHIBIT B



(7) 34" DIAMETER  
16' LOCUST  
13" MULBERRY  
2" BOX ELDER

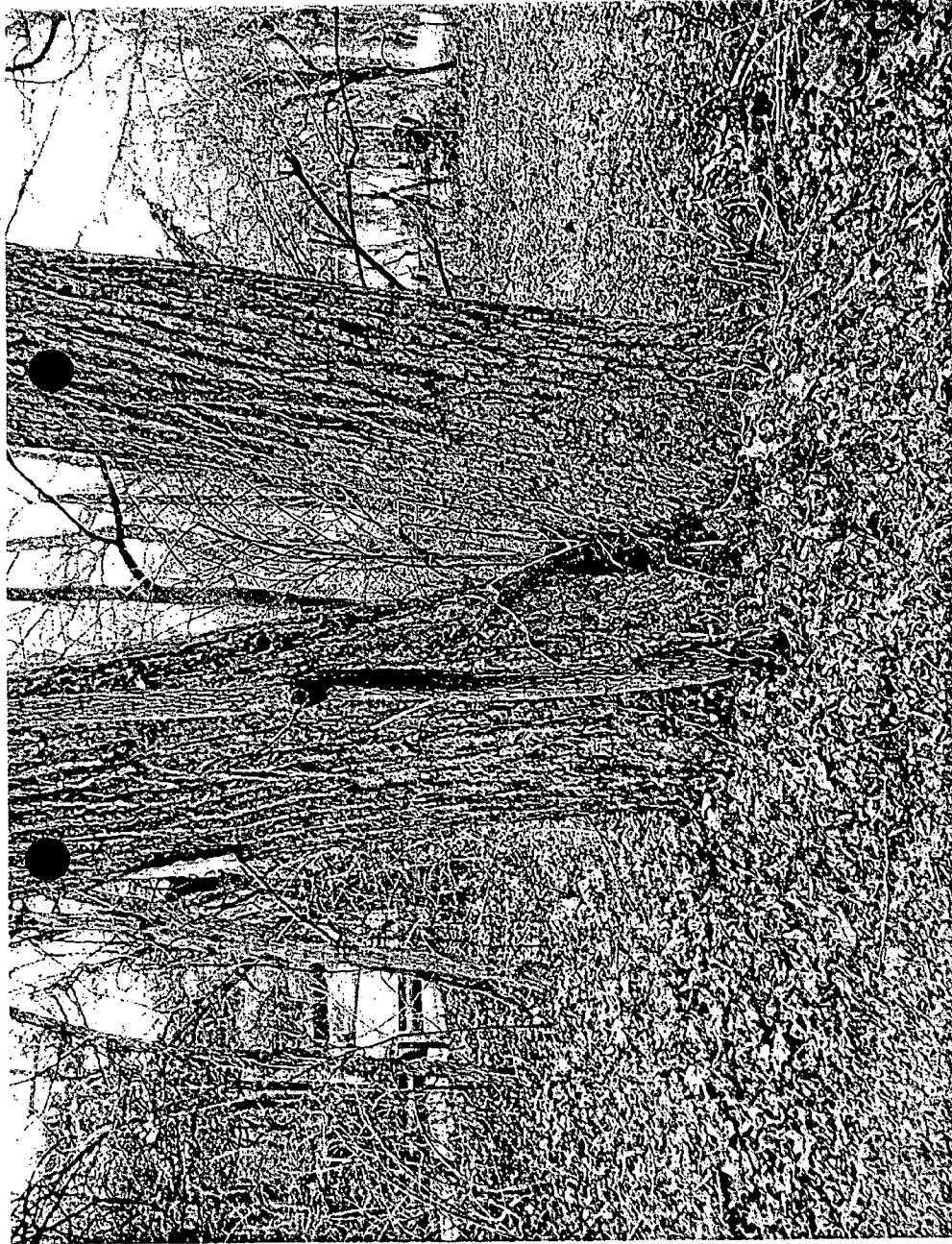


EXHIBIT C

34" DIAMETER  
POPULAR

EXHIBIT D



16" LOCUST  
↑

9



EXHIBIT E



13" PREVIOUSLY TOPPED MULBERRY

10

(=)

12+10" DOUBLE STEM MUL BERRY  
↓



NOTE: COMPETING AMERICAN ELM  
WILL BE LEFT

EXHIBIT F

