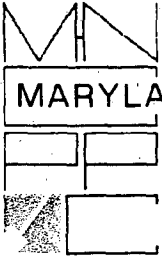


31/0706D 9717 Capitol View Ave
Capitol View Historic District, 31/07



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

*attorney for
neighbor at view who
9723 cap view who
same fence is on
this property*

FAX TRANSMITTAL SHEET

Historic Preservation Office
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Jeremy Krum FAX NUMBER: _____

FROM: Anne Fothergill

DATE: 3-7-06

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 3

NOTE:

please call me with any other questions.

- Anne



HISTORIC PRESERVATION COMMISSION


Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

Date: 2/23/2006

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Anne Fothergill, Senior Planner 
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #409732, fence installation

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 2/22/2006 meeting.

The HPC staff has reviewed and stamped the attached fence plans.

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

Applicant: Nancy Scala

Address: 9717 Capitol View Ave, 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
 240/777-6170

DPS - #6

CONTRIBUTING ^A

HISTORIC PRESERVATION COMMISSION
 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: _____

Daytime Phone No.: _____

Tax Account No.: _____

Name of Property Owner: Nancy Scala Daytime Phone No.: 301.565.4543

Address: 9717 Capitol View Ave Silver Spring MD 20910
Street Number City State Zip Code

Contractor: Calco Phone No.: 301.821.0326 349.4441

Contractor Registration No.: MHTC51726

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 9717 Capitol View Ave Street: Capitol View Ave

Town/City: Silver Spring Nearest Cross Street: Forest Glen

Lot: 41-43 Block: 340 Subdivision: Capitol View Park

Liber: 4082 Folio: 729 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Retire
- Revision
- Repair
- Revoke/cancel

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

1B. Construction cost estimate: \$ 1700

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 _____ 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.

Nancy Scala
 Signature of owner or authorized agent

01/18/06
 Date

Approved: _____ For Chairman, Historic Preservation Commission

Disapproved: _____ Signature: Jillia O'Malley Date: 2/23/06

Application/Permit No.: 409732 Date Filed: _____ Date Issued: _____



**CAPITOL VIEW PARK
CITIZEN'S ASSOCIATION**

SILVER SPRING, MARYLAND 20910

Historic Preservation Commission

2/22/06

RE: Cases 31/07-06C and 31/07-06D

The President of the Capitol View Park Citizens Association and the Capitol View Park Historic Review Committee have reviewed two proposals for HAWPs in our Historic District.

- 1) We agree with staff Report for 9717 Capitol View Avenue (case 31/07-06D) to approve a 48" tall wood split rail fence which will run along the left side of the property line.
- 2)
After discussion and concerns about the proposal to build a Carriage House At 10109 Grant Avenue (HAWP 31/07-06C) the Committee agrees that the design of the carriage house is acceptable. Members of the committee agree with Staff that the wing which would contain the kitchen and bedroom should be eliminated but some felt that the car port could be allowed as long as it is not enclosed. Because of the size of the lot we agree that 24" by 36" would not intrude on the Outstanding Resource. Concerns were raised that because of the size of the building if it includes both wings that there essentially would be 2 living units on a single R 60 lot. Staff assured us that the owner has been notified that the carriage house could only be used for guests and that it could not be rented out. We are concerned though that if the current owner moves that there then would be two houses which would be living units and then could violate Montgomery County Code.

Betsy Tebow, President
Capitol View Park Citizens Association

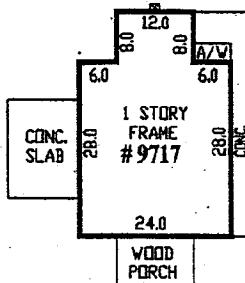
Carol Ireland, Co-chair
Duncan Tebow Co-chair
And members of
Capitol View Park Citizens Association
Historic Review Committee

CONSUMER INFORMATION NOTES:

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.

Notes

1. Flood zone "C" per H.U.D. panel No. 0200C
2. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 5 FEET.
3. * DENOTES DESCRIPTION TAKEN FROM PRIOR DEED L.1157 AT F.573.
4. Recertified: 6-6-03

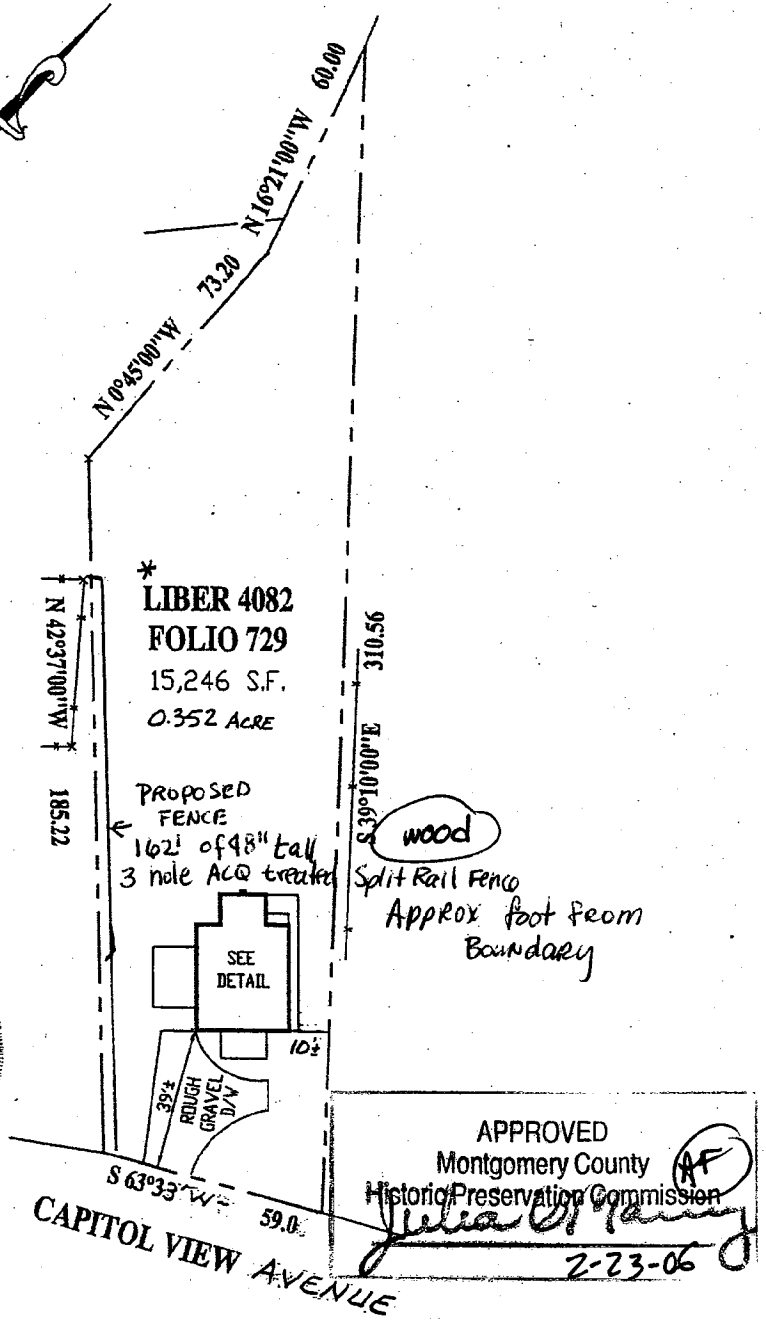


DETAIL
SCALE: 1"=30'

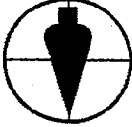
L.2062
F.80



* LOCATION DRAWING
PARTS OF LOTS 41,42 & 43
BLOCK 34
CAPITOL VIEW PARK
MONTGOMERY COUNTY, MARYLAND



APPROVED
Montgomery County
Historic Preservation Commission
Julia D. Manning
2-23-06

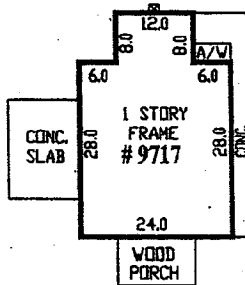
SURVEYOR'S CERTIFICATE		REFERENCES		SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS 2 Professional Drive, Suite 216 Gaithersburg, Maryland 20879 301/948-5100, Fax 301/948-1286	
"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION." <i>Jeffrey A. Foster</i> MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587		PLAT BK. A PLAT NO. 9 LIBER *4082 FOLIO 729		DATE OF LOCATIONS WALL CHECK: HSE. LOC.: 07-19-01	SCALE: 1" = 50' DRAWN BY: E.M.G. JOB NO.: 2001-3829

CONSUMER INFORMATION NOTES:

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.

Notes

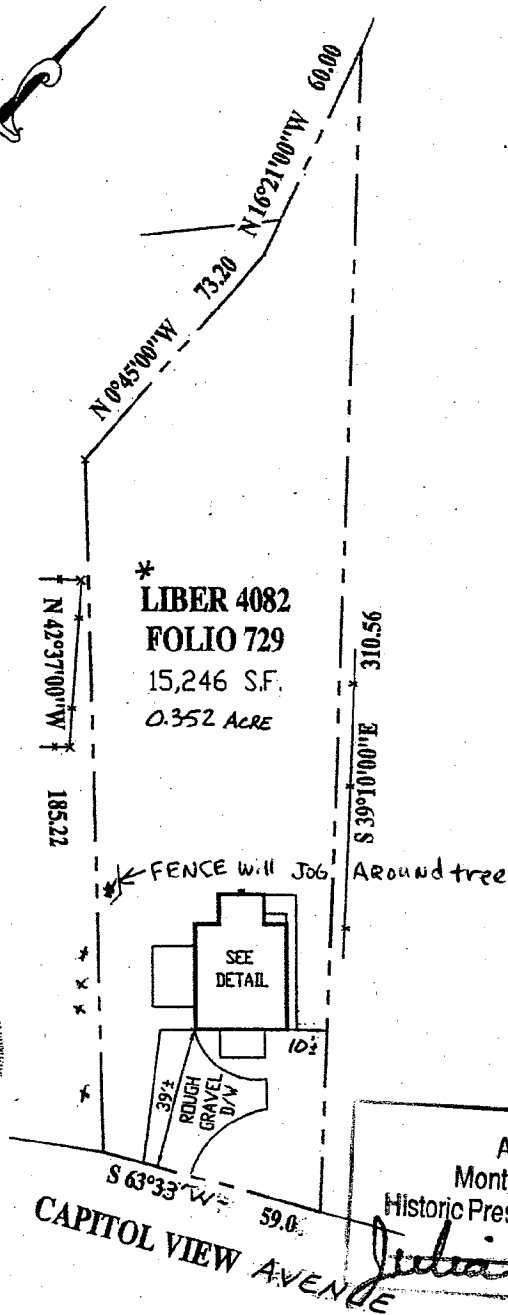
1. Flood zone "C" per H.U.D. panel No. 0200C
2. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus **5 FEET**.
3. * DENOTES DESCRIPTION TAKEN FROM PRIOR DEED L.1157 AT F. 573.
4. Recertified: 6-6-03



DETAIL
SCALE: 1"=30'



* LOCATION DRAWING
PARTS OF LOTS 41,42 & 43
BLOCK 34
CAPITOL VIEW PARK
MONTGOMERY COUNTY, MARYLAND



APPROVED
Montgomery County
Historic Preservation Commission
Judith A. ...
2-23-06

<p>SURVEYOR'S CERTIFICATE</p> <p>"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."</p> <p><i>Jeffrey A. Foster</i> MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587</p>	<p>REFERENCES</p> <p>PLAT BK. A</p> <p>PLAT NO. 9</p>		<p>SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS 2 Professional Drive, Suite 216 Gaithersburg, Maryland 20879 301/948-5100, Fax 301/948-1286</p>	
	<p>LIBER *4082</p> <p>FOLIO 729</p>		<p>DATE OF LOCATIONS</p> <p>WALL CHECK:</p> <p>HSE. LOC.: 07-19-01</p>	<p>SCALE: 1"= 50'</p> <p>DRAWN BY: E.M.G.</p> <p>JOB NO.: 2001-3829</p>

EXPEDITED
HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	9717 Capitol View Ave, Silver Spring	Meeting Date:	2/22/2006
Resource:	Contributing Resource Capitol View Historic District	Report Date:	2/15/2006
Applicant:	Nancy Scala	Public Notice:	2/8/2006
Review:	HAWP	Tax Credit:	None
Case Number:	31/07-06D	Staff:	Anne Fothergill
PROPOSAL:	Fence installation		
RECOMMENDATION:	Approve		

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource
STYLE: Cottage
DATE: c. 1917-1935

PROPOSAL

The applicant proposes a 48" tall wood split rail fence running 162' along the left side property line. See site plan in Circle _____.

STAFF 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, 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.

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.

**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:

I live in Capitol View Park in an historic house, on a third of an acre. There is a lot of open land and trees between myself and neighbors.

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

A 4' Fence will be placed along one side of property approximately a foot from boundary

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 decline 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.

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

Owner's mailing address	Owner's Agent's mailing address
Nancy Scala 9717 Capitol View Ave Silver Spring MD 20910	
Adjacent and confronting Property Owners mailing addresses	
9715 Capitol View Ave Silver Spring MD 20910	Contig Resident 9723 Capitol View Ave Silver Spring MD 20910
9706 Capitol View Ave Silver Spring MD 20910	9708 Capitol View Ave Silver Spring MD 20910
2802 Beech Bank Rd Silver Spring MD 20910	2804 Beech Bank Rd Silver Spring MD 20910



THE MONTGOMERY COUNTY HISTORIC PRESERVATION TAX CREDIT

To encourage the restoration and preservation of privately owned structures designated on the *Master Plan for Historic Preservation*, either individually or within a historic district, the Montgomery County Council in 1984 passed legislation providing for a tax credit against County real property taxes (Chapter 52, Article VI). The tax credit is 10% of documented expenses for exterior maintenance, restoration, or preservation work. The work must be certified eligible by the Historic Preservation Commission (HPC).

ELIGIBLE WORK MUST MEET ALL OF THE FOLLOWING CRITERIA:

1. Be certified by the HPC as contributing to the restoration or preservation of sites listed on the *Master Plan for Historic Preservation* either individually or within an historic district;
2. Be exterior work only;
3. Be undertaken with a previously approved Historic Area Work Permit (HAWP) if alterations that require a HAWP are proposed; **OR**
4. Be ordinary maintenance exceeding \$1,000 in expense; the work must be subsequently certified (at the time the tax credit application is reviewed by the HPC) as being consistent with the purposes of Chapter 24A, the County's historic preservation ordinance;
5. Be performed by a licensed contractor.

THE TAX CREDIT IS ALLOWABLE FOR:

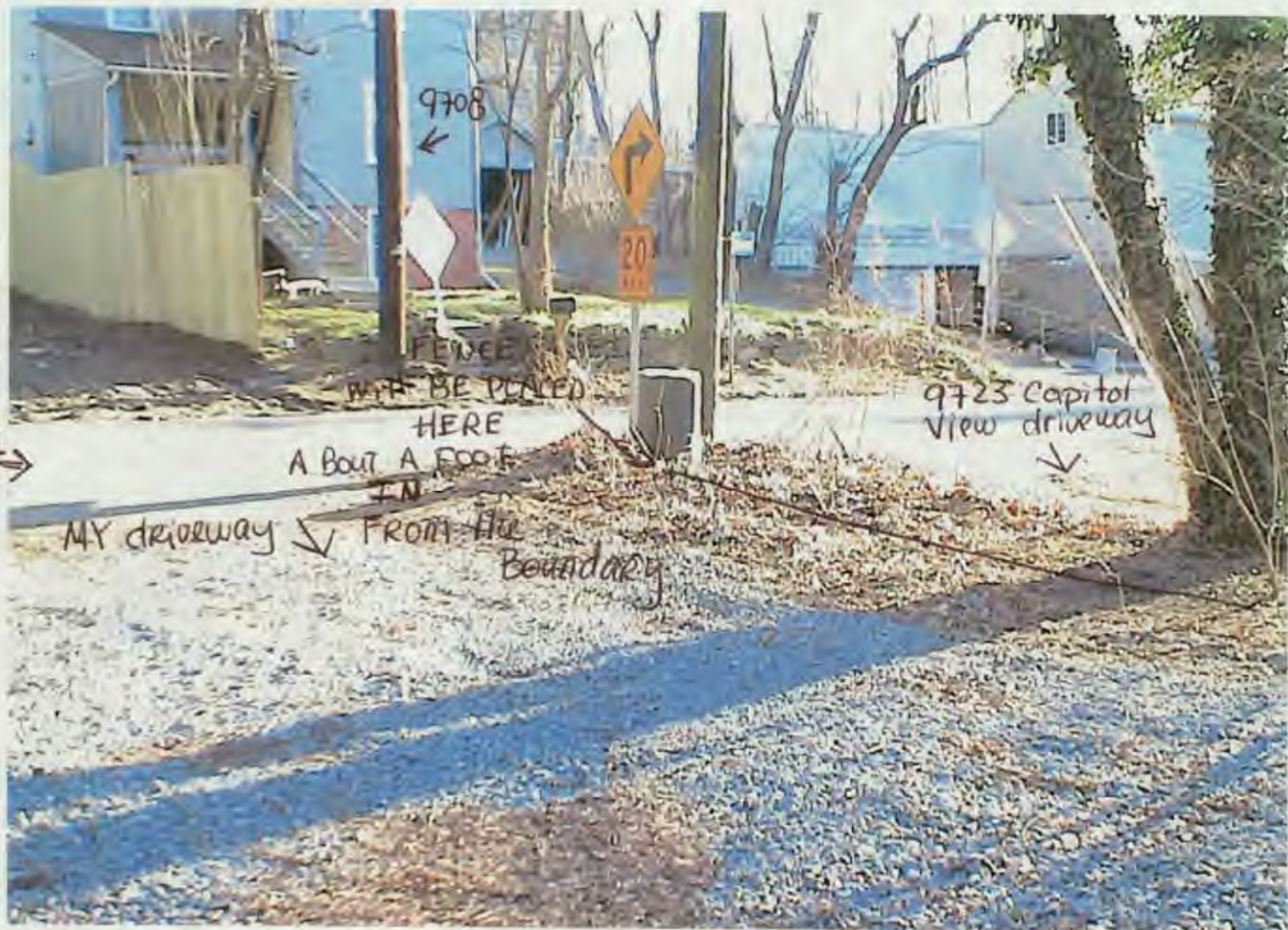
In summary, eligible work includes repairs, restoration, or preservation of exterior features of designated structures. Examples of eligible projects would include (but not be limited to):

- Painting
- Repairing roofs or replacing them in-kind
- Repairing or restoring windows
- Repairing architectural trim or ornament
- Uncovering and repairing original siding
- Repointing brick or stone foundations or chimneys
- Restoring a documented feature such as a dormer or porch that was previously altered or removed
- Repairing and maintaining outbuildings such as barns and garages.

THE TAX CREDIT IS NOT ALLOWABLE FOR:

Examples of ineligible expenditures include:

- New construction of a structure, or a new addition to an historic building
- Work requiring an approved HAWP that is completed without the approval of the HPC
- Interior work
- The value of labor unless performed by a licensed contractor
- Landscaping
- Repaving driveways
- Replacing features (such as windows) with new features that are not identical in size and material, and repairing mechanical equipment
- Tool and equipment purchases
- Professional services (design fees, annual pest control, structural reports)



CAPITOL View Ave →

9708
←

FENCE
WILL BE PLACED
HERE
ABOUT A FOOT
IN
MY driveway

↓ FROM THE
Boundary

9723 Capitol
View driveway
↓

1056

IN MY Backyard FACING THE Backyard of 9723 Capitol View Ave



FENCE
WILL GO
HERE
AROUND
MY TREE

2 of 6

9723 Capitolview
DRIVEWAY

MY DRIVEWAY



6 of 6

CAPITOL VIEW AVE

IN Backyard FROM Pic #2 Looking Back to END OF FENCE



3 of 6

MY FENCE

FROM BACK OF PROPERTY LOOKING FORWARD TO
CAPITOL VIEW AVE



4 of 6

IN Background FROM Pic #2 Looking Forward
to Capitol View



9717 Capitol View Avenue

