

~~32/00-000~~ 3167-06L  
10110 CAPITOL VIEW AVE  
Capitol View Park Historic District

## Fothergill, Anne

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**From:** Fothergill, Anne  
**Sent:** Monday, April 27, 2009 1:35 PM  
**To:** 'zenklusj@mail.nih.gov'  
**Cc:** Manarolla, Kevin  
**Subject:** FW: HWAP 438906 and future addition

Mr. Zenklusen:

Thank you for checking with our office about your proposed exterior changes to your property. The installations you have described and shown in this email (birdhouse and detached trellis panels) do not require approval from the Historic Preservation Commission so you can proceed with the work. Kevin can let DPS know that would like to void your active Historic Area Work Permit #438906.

thanks,  
Anne

Anne Fothergill  
Planner Coordinator  
Historic Preservation Section  
Urban Design and Preservation Division  
Montgomery County Planning Department  
The Maryland-National Capital Park and Planning Commission  
1109 Spring Street, Suite 801  
Silver Spring, MD 20910  
301-563-3400 phone  
301-563-3412 fax  
<http://www.montgomeryplanning.org/historic>

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**From:** Jean Claude Zenklusen [mailto:zenklusj@mail.nih.gov]  
**Sent:** Monday, April 27, 2009 12:07 PM  
**To:** Manarolla, Kevin  
**Cc:** Valery Tessier-Leon  
**Subject:** HWAP 438906 and future addition

Dear Mr Manarolla,

Thank you for the information you provided.

Two issues need the Historic Preservation commission attention:

**First:**

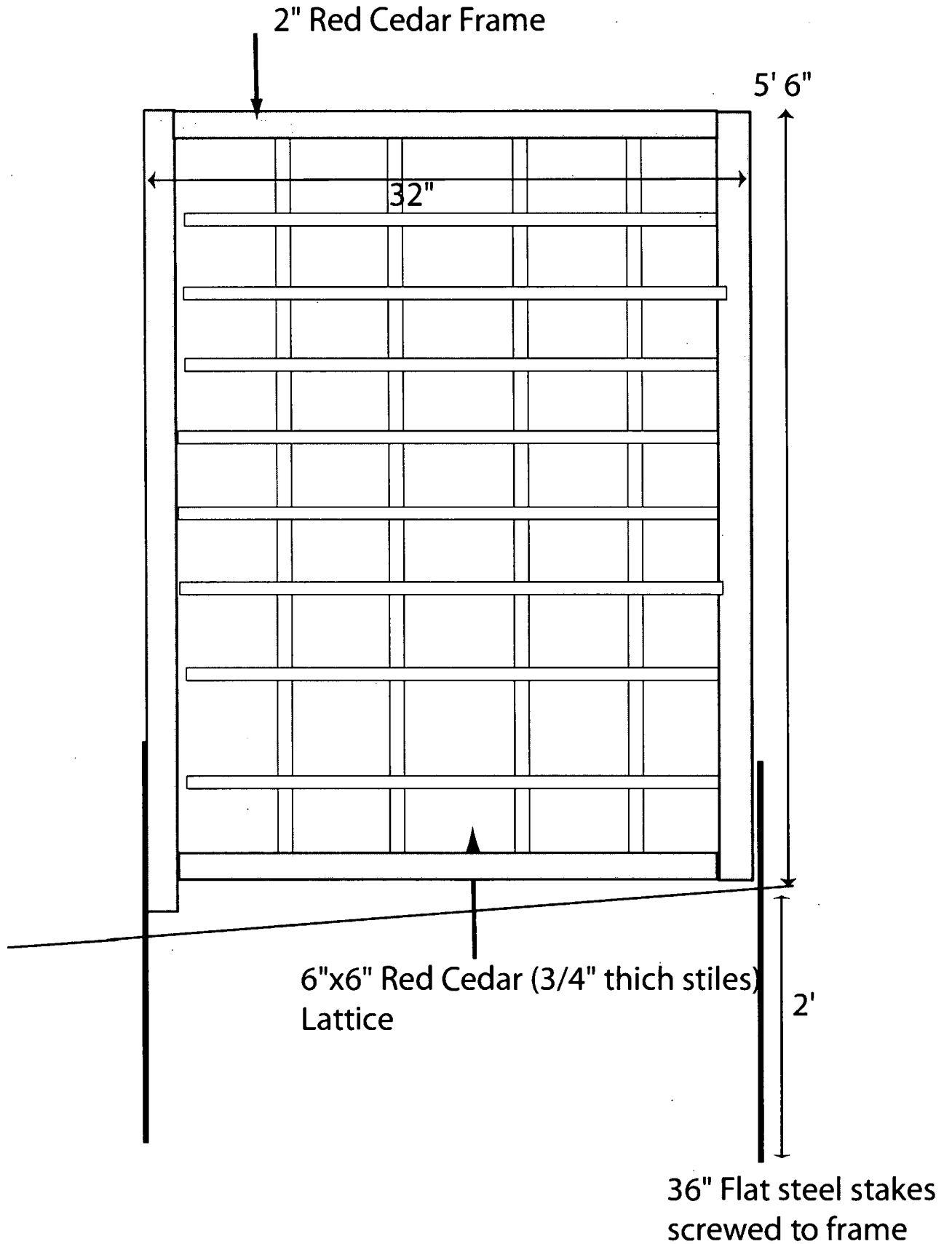
I would like to cancel the HWAP 438906, since I have removed the vinyl trellis installed and prefer not to create a contiguous structure to support the vines I've planted at the site. Can you do such a work? I tried to do it in the Permitting website but cannot do it.

Also, I have two questions:

1) I would like to put a bird house over a 6' post at that corner of my property. The post would be cedar clad and the bird house metal and glass. Do I need a HAWP for this?

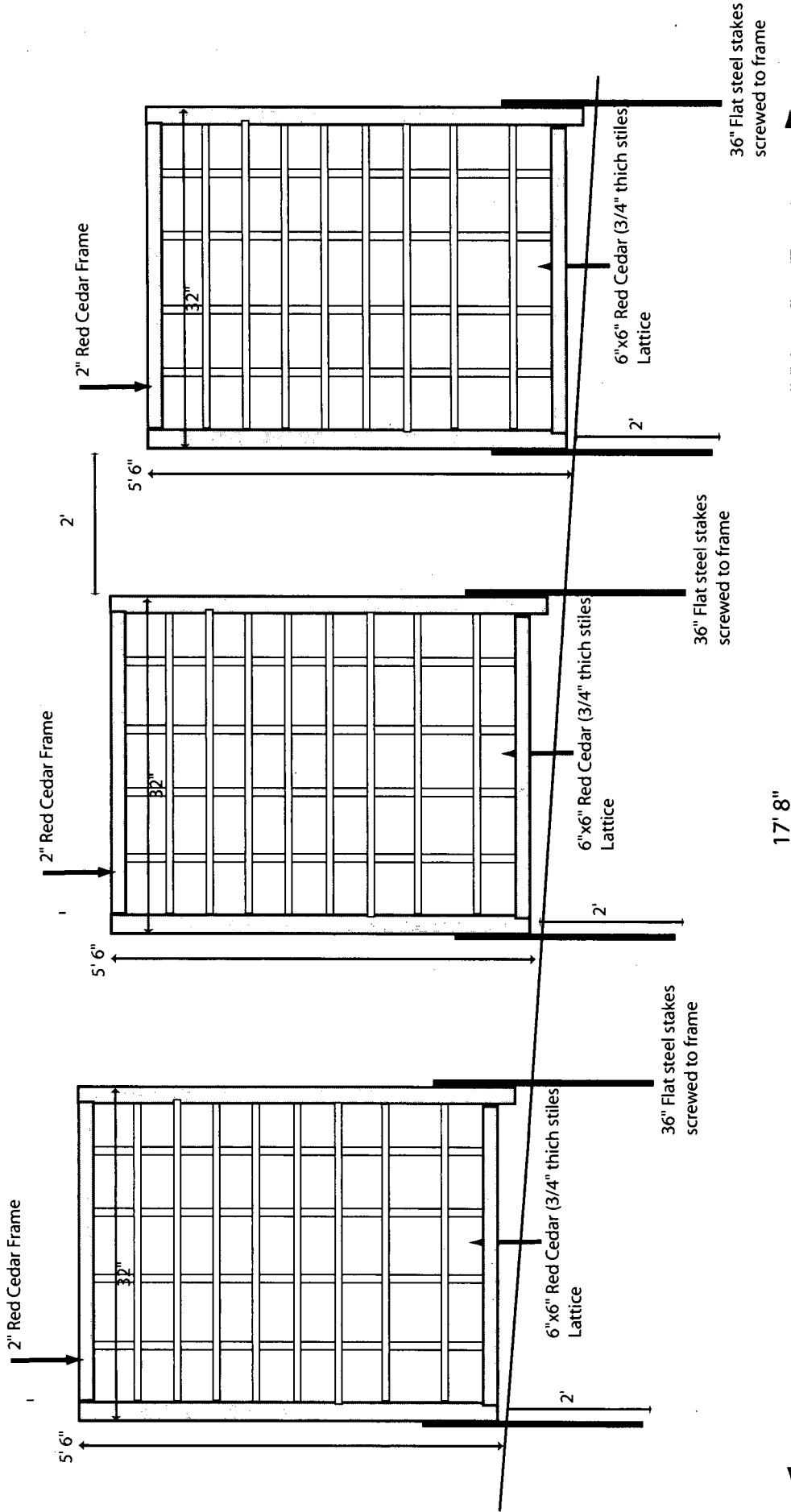
2) I would like to put four INDEPENDENT cedar trellis panels (see proposed ground plan and elevations), not attached to each other, with 2 ft in between them, 5.5' tall, 3 ft wide with a 6" square grid. In between them some trees will grow. The panels will not be permanently attached to the ground (held by steel stakes). Do we need a HAWP for these garden structures? I know we do not need a Montgomery County Permit for them. I've attached a picture of a similar item (I will build mine, don't like the arch on these commercially available ones, not a craftsman style...).

North End Elevation (Scale 1":1')

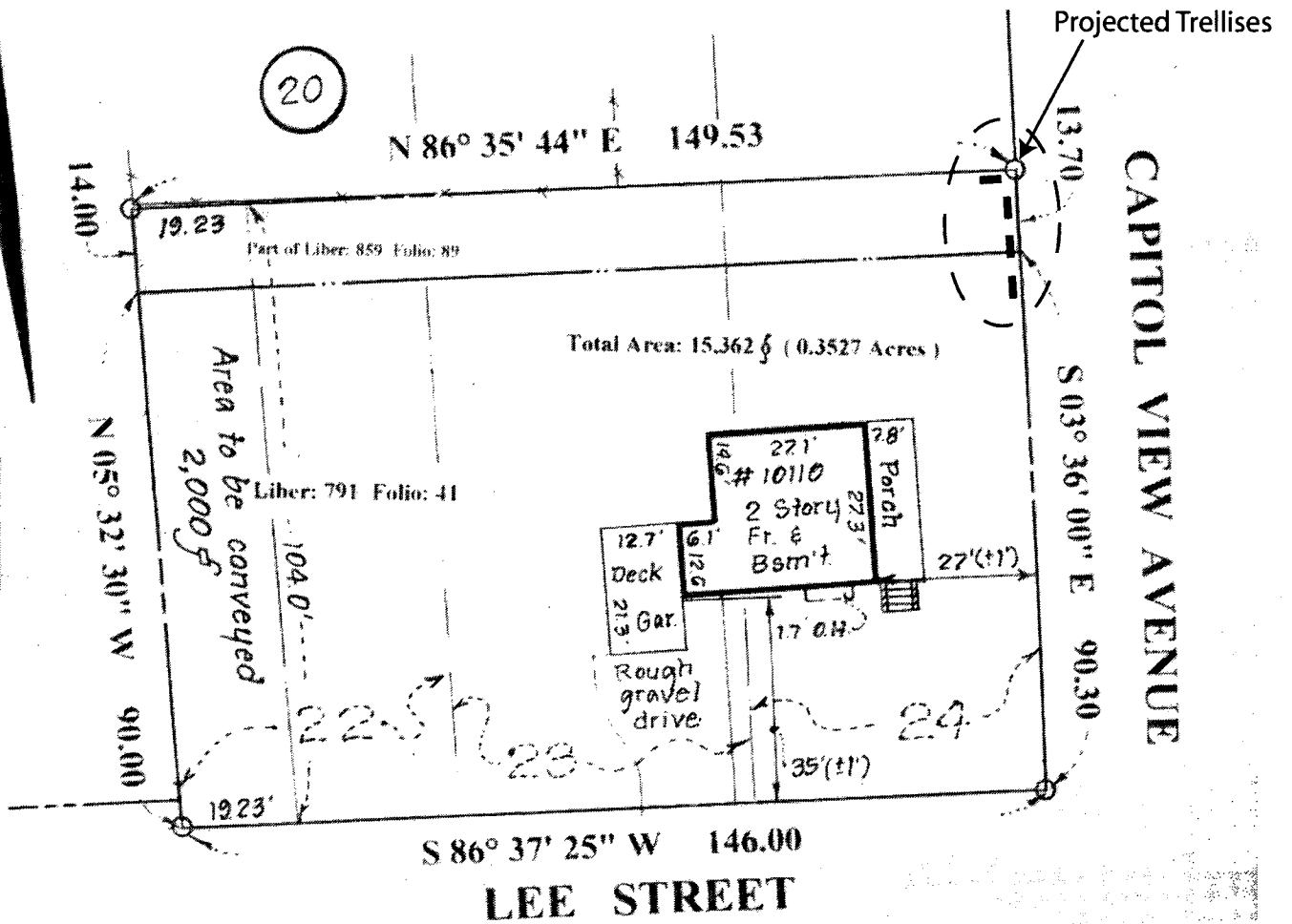


Applicant: Jean C Zenklusen

East Side Elevation (Scale 1":2')



Site Plan



Net Area: 13,362  $\text{f}^2$

Plat Reference: Plat Book A  
Plat: 9

Scale: 1"=30'

## Fothergill, Anne

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**From:** Hrycak, Peter [Peter.Hrycak@montgomerycountymd.gov]  
**Sent:** Thursday, November 20, 2008 11:03 AM  
**To:** Fothergill, Anne  
**Subject:** RE: 10110 Capitol View Avenue, Silver Spring

Hi, Anne,

I inspected this property a few weeks ago. The owner has taken down the lattice fence and has lowered the vegetation at the intersection. He is now in compliance. Sorry I didn't get back to you. Pete

-----Original Message-----

**From:** Fothergill, Anne [mailto:Anne.Fothergill@mncppc-mc.org]  
**Sent:** Thursday, November 20, 2008 10:37 AM  
**To:** Hrycak, Peter  
**Subject:** RE: 10110 Capitol View Avenue, Silver Spring

Hi Pete,

Any update on this case?

thanks,  
Anne

-----Original Message-----

**From:** Hrycak, Peter [mailto:Peter.Hrycak@montgomerycountymd.gov]  
**Sent:** Wednesday, October 01, 2008 8:10 AM  
**To:** Fothergill, Anne  
**Subject:** RE: 10110 Capitol View Avenue, Silver Spring

Anne,

I spoke to the owner last week. He was less than cooperative. He requested notification in writing which I have sent to him. He also said that he would be calling in complaints on all violations that he observes in the neighborhood. Which is good cause I could use an assistant. Anyway I dont expect the fence to come down in a timely manner considering how uncooperative he has been. If the fence is still up after 15 days, he gets a ticket.

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**From:** Fothergill, Anne [mailto:Anne.Fothergill@mncppc-mc.org]  
**Sent:** Tue 9/30/2008 1:36 PM  
**To:** Hrycak, Peter  
**Subject:** RE: 10110 Capitol View Avenue, Silver Spring

Hey Pete,

Just curious, did you reach the owners? Any reason they haven't taken the fence down? Let me know if you need any HPC paperwork. thanks, Anne

-----Original Message-----

**From:** Martin, James [mailto:James.Martin@montgomerycountymd.gov]  
**Sent:** Wednesday, September 24, 2008 9:02 AM

To: Fothergill, Anne  
Cc: Hrycak, Peter  
Subject: RE: 10110 Capitol View Avenue, Silver Spring

ANNE:

Hope you have been well.

No, Pete Hrycak , 301-370-3657 has that area.

The best way to make a complaint is to call the complaint line at 240-777-6259.

JAMES C. MARTIN  
INVESTIGATOR  
MONTGOMERY COUNTY GOVERNMENT  
DEPARTMENT OF PERMITTING SERVICES

CASE WORK MANAGEMENT

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From: Fothergill, Anne [mailto:Anne.Fothergill@mncppc-mc.org]  
Sent: Tue 9/23/2008 4:03 PM  
To: Martin, James  
Subject: 10110 Capitol View Avenue, Silver Spring

Hi Jim,

I just left you a message. There is a fence in front of this house that was installed without HPC approval. It also appears it does not have a fence permit. Please issue a Notice of Violation or let me know if there is another inspector for this area.

thanks,  
Anne

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



## Fothergill, Anne

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**From:** Fothergill, Anne  
**Sent:** Thursday, September 25, 2008 11:08 AM  
**To:** Hrycak, Peter  
**Subject:** 10110 Capitol View Avenue, Silver Spring

Hi Pete,

I saw your violation log on the DPS web site:

Problems: Fence constructed without a building permit or historic permit.

Resolution: Previous complaint for the same issue about a year ago. The home owner installed a few pieces of lattice board near the front corner of his property. When I spoke to HPC then I was told they would not require a hawp for that work.

Contact HPC.

I am not sure what happened a year ago or who you talked to here, but maybe that person didn't pull the file for this address. This went to the HPC in December 2006 as a retroactive application because they had already installed the 6'6" vinyl lattice fencing. At that time, the HPC said the owners had to remove the vinyl structure and that a new wood/wire fence (6' max.) was approved with a new design that is in the file. If the fencing that is there is still vinyl, it is a violation of this HPC approval. My understanding is that the same vinyl fencing from 2006 is still there, but if it has been removed and the new fence has been changed in materials and design, then it would meet the HPC's requirements, but that is not our understanding.

Let me know if you want me to fax you the new design and the HPC's conditions. I am not sure that the former staff person who handled this application, Tania Tully, ever sent this on to DPS. We appreciate you handling this complaint.

thanks,  
Anne

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

FILE



## HISTORIC PRESERVATION COMMISSION

Isiah Leggett  
County Executive

Julia O'Malley  
Chairperson

Date: December 21, 2006

### MEMORANDUM

TO: Jean Zenklusen & Ann Robles  
10110 Capitol View Ave, Silver Spring

FROM: Tania Tully, Senior Planner *TCT*  
Historic Preservation Section  
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit Application #438906

Your Historic Area Work Permit (HAWP) application for vinyl lattice trellis installation was **Approved with Conditions** by the Historic Preservation Commission at its December 20, 2006 meeting.

The conditions of approval were:

1. *The vinyl structure will be removed.*
2. *The garden trellis design provided by the applicant at the meeting is approved in concept.*
3. *The new structure will only be 3 panels along the front of the property and 1 panel along the side.*
4. *The structure may be up to 6 feet tall.*
5. *The structure will be constructed of wood, wire or some combination thereof.*
6. *Exact design will be approved by staff.*

Before applying for a building permit from the Montgomery County Department of Permitting Services (DPS), you must schedule a meeting with your assigned staff person to bring your three (3) final permit sets of drawings in to the Historic Preservation Office at 1109 Spring Street for stamping. Please note that although the Historic Preservation Commission has approved your work, it may also need to be approved by DPS or another local government office before work can begin.

When you file for your building permit at DPS, you must take with you stamped drawings, the official approval letter, and the signed HAWP Application. These forms will be issued when the drawings are stamped by your assigned staff person and 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, you must contact the Historic Preservation Commission staff at 301-563-3400. After your project is completed, please send photos of the finished work to HPC staff.

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



HISTORIC PRESERVATION COMMISSION STAFF REPORT

**Address:** 10110 Capitol View Ave, Silver Spring **Meeting Date:** 12/20/2006  
**Resource:** Contributing Resource **Report Date:** 12/13/2006  
 Capitol View Park Historic District  
**Applicant:** Jean Zenklusen & Ann Robles **Public Notice:** 12/06/2006  
**Review:** HAWP **Tax Credit:** None  
**Case Number:** 31/07-06L RETROACTIVE **Staff:** Tania Tully

**PROPOSAL:** vinyl lattice trellis installation

*provided an alternative*



**RECOMMENDATION:** Approve with Conditions

STAFF RECOMMENDATION:

*white jumps out deep green or brown would blend*

Staff is recommending that the HPC approve this HAWP application with the following condition:

1. The structure is lowered to 4' and reconstructed out of wood. *IF up to 6' better note - it is only @ the corner then ok if wire*

ARCHITECTURAL DESCRIPTION

**SIGNIFICANCE:** Contributing Resource within the Capitol View Park Historic District  
**STYLE:** Craftsman Bungalow  
**DATE:** c.1915

*Caroline prefers fencing / not lattice - mesh like such*

HISTORIC CONTEXT

The following is excerpted from *Places from the Past: The Tradition of Gardez Bien in Montgomery County, Maryland.*

*Height => too tall as a fence*

Capitol View Park is an example of a railroad community, which developed gradually over [redacted] years. The community's origin is representative of a number of railroad suburbs which developed following the opening of the Metropolitan Branch B&O. Most Capitol View structures possess little distinction as architectural entities. When grouped, however, these resources are a contiguous visual architectural example of suburban development styles.

Capitol View Park is a railroad community begun in 1887 when Mary and Oliver Harr purchased and subdivided land along the B&O's Metropolitan Branch between Forest Glen and Kensington. The community's name came from the view of the Capitol dome afforded by the upper stories of some of the early houses. Because of the growth of trees in intervening years, this view is no longer possible. Capitol View Park, however, continues to retain the scenic, rural setting which attracted its first inhabitants from Washington. Narrow, country lanes wind between large lots, the average of which is 12,000 square feet. Farmer Thomas Brown built a house in the post-Civil War era, before the railroad bisected his farm. Set

*Justification for garden structure*

back on a long curving driveway, Brown's dwelling still stands, known as the Case House, at 9834 Capitol View Avenue.

Unlike the homogenous suburban developments that make up a great deal of Montgomery County, Capitol View Park is a picturesque blend of many architectural styles dating from the 1890s to the 1980s. The community represents the architectural history of Montgomery County over the last century. The first houses built in Capitol View Park were designed in the Queen Anne style, characterized by their picturesque rooflines, large scale, numerous porches, and variety of building materials, including clapboard and fishscale shingles. Notable Queen Anne-style houses, built in the 1880s and 1890s, are found on Capitol View Avenue, Meredith Avenue, Lee Street, and Menlo Avenue. Residents built Colonial Revival style dwellings beginning in the 1890s. These dwellings feature classical details including cornices with entablatures, heavy window molding, and large round porch columns. Colonial Revival-style houses are found on Capitol View Avenue and Grant Avenue.

By the turn of the twentieth century, smaller-scale houses were becoming popular. Designed to harmonize with natural settings, these structures have a horizontal emphasis and were painted in natural tones. This group includes Bungalow- and Craftsman-style houses built from 1900 into the 1920s. Early examples are found on Stoneybrook Drive, Meredith Avenue, and Capitol View Avenue.

The pace of growth in Capitol View Park continued at a constant rate until the 1940s when a construction boom added nearly 50 houses to the community. Since then, houses have been added at a more leisurely rate, continuing the pattern of diversity that characterizes Capitol View Park.

### **PROPOSAL:**

The applicants have installed 6'6" high lattice trellis at the northeast corner of the property, along Capitol View Avenue. It runs 4'8" into the property and 17'8" along Capitol View. It is constructed of vinyl.

### **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 the *Approved & Adopted Sector Plan for Capitol View & Vicinity (Sector Plan)*, *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 or to the achievement of the purposes of this chapter.

#### ***Secretary of the Interior's Standards for Rehabilitation***

## STAFF DISCUSSION

It is never optimal to review a Historic Area Work Permit application retroactively, especially when a Notice of Violation has been issued. When Staff reviews retroactive applications, the work is initially evaluated as though it has not yet been completed. Would Staff have recommended approval at that point? In this case, the answer is yes, but with conditions. Although the applicant argues that the structure is not a fence, its location, size, and opacity merit review regardless of what it is called. The Commission typically does not approve fences or structures taller than 4' in front or side yards and it does not approve vinyl.

With this in mind, Staff recommends approval provided that the structure is lowered to 4' and reconstructed out of wood. If this recommendation does not meet the stated goals of the applicant, which is to block errant trash, there may be other alternatives. One possibility is a less opaque structure for the vines. Perhaps something that utilizes wire or mesh. Planting of vegetation is not reviewed by the HPC and until it were covered, the transparency of the wire or mesh would be more in keeping with the character of the historic district.

## STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application **with the conditions specified on Circle 1** 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;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES / 245 ROCKVILLE PIKE 2ND FLOOR ROCKVILLE MD 20850 / 240777-3370

DPS - #6

HISTORIC PRESERVATION COMMISSION / 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: Jean C. Zenklusen

Daytime Phone No.: 301-451-2144

Tax Account No.: 03198578

Name of Property Owner: Jean C. Zenklusen / Ana I Robles Daytime Phone No.: 301-451-2144

Address: 10110 Capitol View Ave Silver Spring MD 20910

Contractor: Sell Phone No.:

Contractor Registration No.:

Agent for Owner: Daytime Phone No.:

LOCATION OF BUILDING/PREMISE

House Number: 10110 Street: Capitol View Ave

Town/City: Silver Spring Nearest Cross Street: Lee

Lot: P23 Block: 20 Subdivision: 005

Liber: 791/859 Folio: 41/81 Parcel: 24, 23 & Part of 22

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: \$ 300

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 6 feet 6 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 of owner or authorized agent

Date

Approved: 438906 For Chairperson, Historic Preservation Commission

Disapproved: Signature: Date:

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

AP 438906

**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:

Craftman Bungalow, surrounded by garden.

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

Construction of a lattice trellis at the north corner of property. Finished dimensions: 6'6" high, 4'8" wide (facing the north line of property) and 17'8" long (facing the east boundary of property). Used as support for growing vines (1 Jasmin, 3 Passionflowers) and to screen from trash blowing from the road.

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.

DR. JEAN-CLAUDE ZENKLUSEN  
10110 CAPITOL VIEW AVENUE  
SILVER SPRING, MD 20910  
301.587.8544  
JZ44M@NIH.GOV

Friday, November 3, 2006

Historic Preservation Commission

To Who it may concern:

The enclosed application for a Historic Area Work Permit is produced due to the Notice of Violation issued on 10/31/06 by Mr. Pete Hrycak concerning the erection of a lattice trellis on the north corner of my property without previous permit. Such partial, non enclosing, structure was erected to screen my property from the trash flying from the street and neighboring properties as well as to support a series of flowering vines. As my neighbors can attest, since we moved to the house in 1996, we have very carefully restored the inside of our house, respecting the historical character, while also beautifying the exterior by landscaping an almost barren lot with a variety of flowering and ornamental plants that are consistent with the craftsman character of our house (meaning a cottage type of garden, and not a formal one).

We did not request the permit before erection because I misunderstood the rules and thought that garden structures were not required to get a permit. Upon notification, we are amending the error, although we submit that the structure in question is not a fence since it does not enclose any part of our property.

Mr. Hrycak also asked for us to request a permit for the planting of a series of evergreens in the side of our property facing Capitol View Ave. This was done several years ago, and before planting, we contacted the commission to ask if we needed a permit to do so. The answer from the employee at the time (name unknown) was that the commission does not regulate planting of any type, thus the permitting was not required. In fact, looking both at the commission web site and historic work area permit, there is no mention of this requirement, nor is there any place in the permit to request such a review. I thus submit that Mr. Hrycak request regarding the trees is in error.

Should you require any additional information, please do not hesitate to contact me.

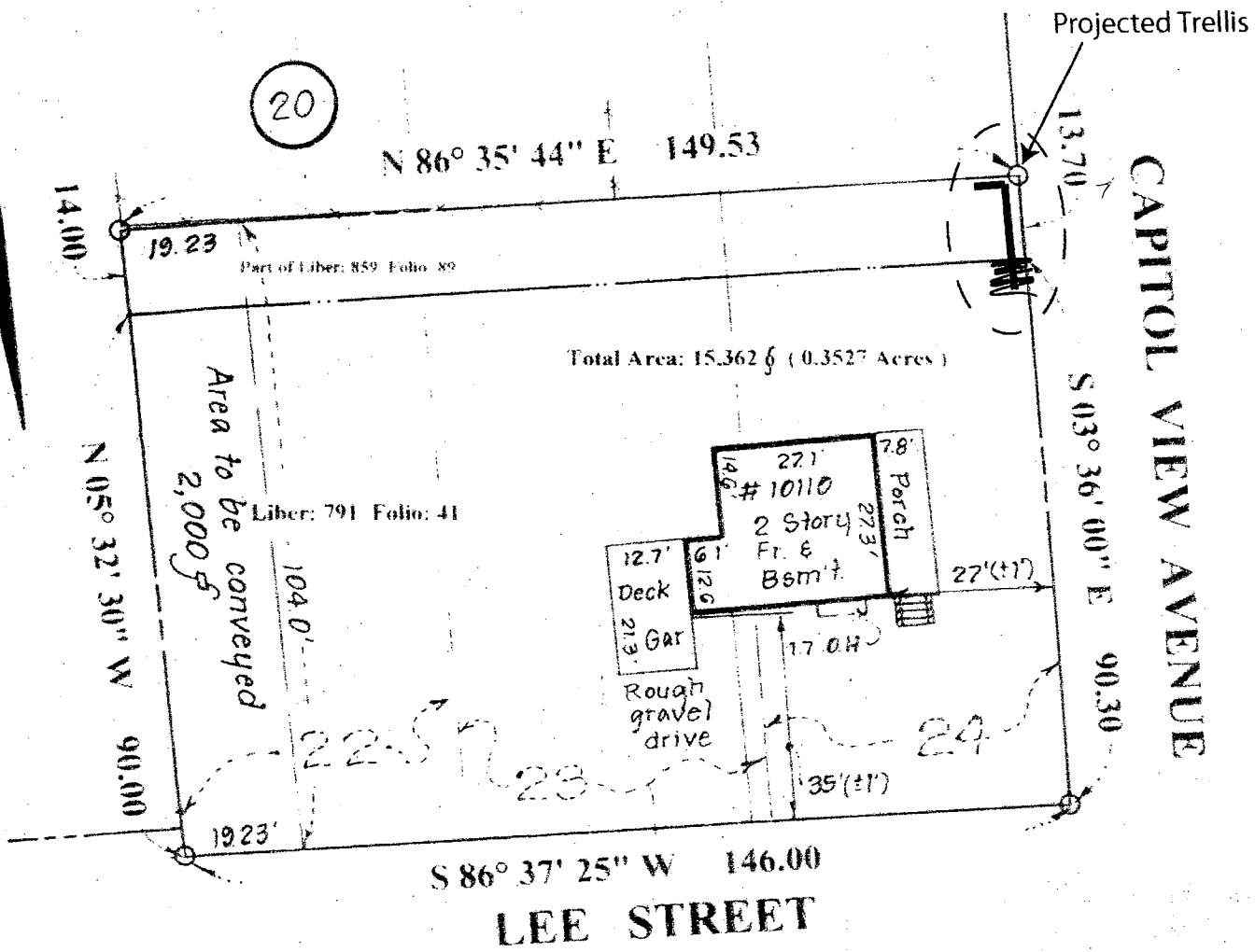
Sincerely,



Dr. Jean C Zenklusen



20



Total Area: 15,362  $\frac{1}{2}$  (0.3527 Acres)

Area to be conveyed  
2,000  $\frac{1}{2}$

Net Area: 13,362  $\frac{1}{2}$

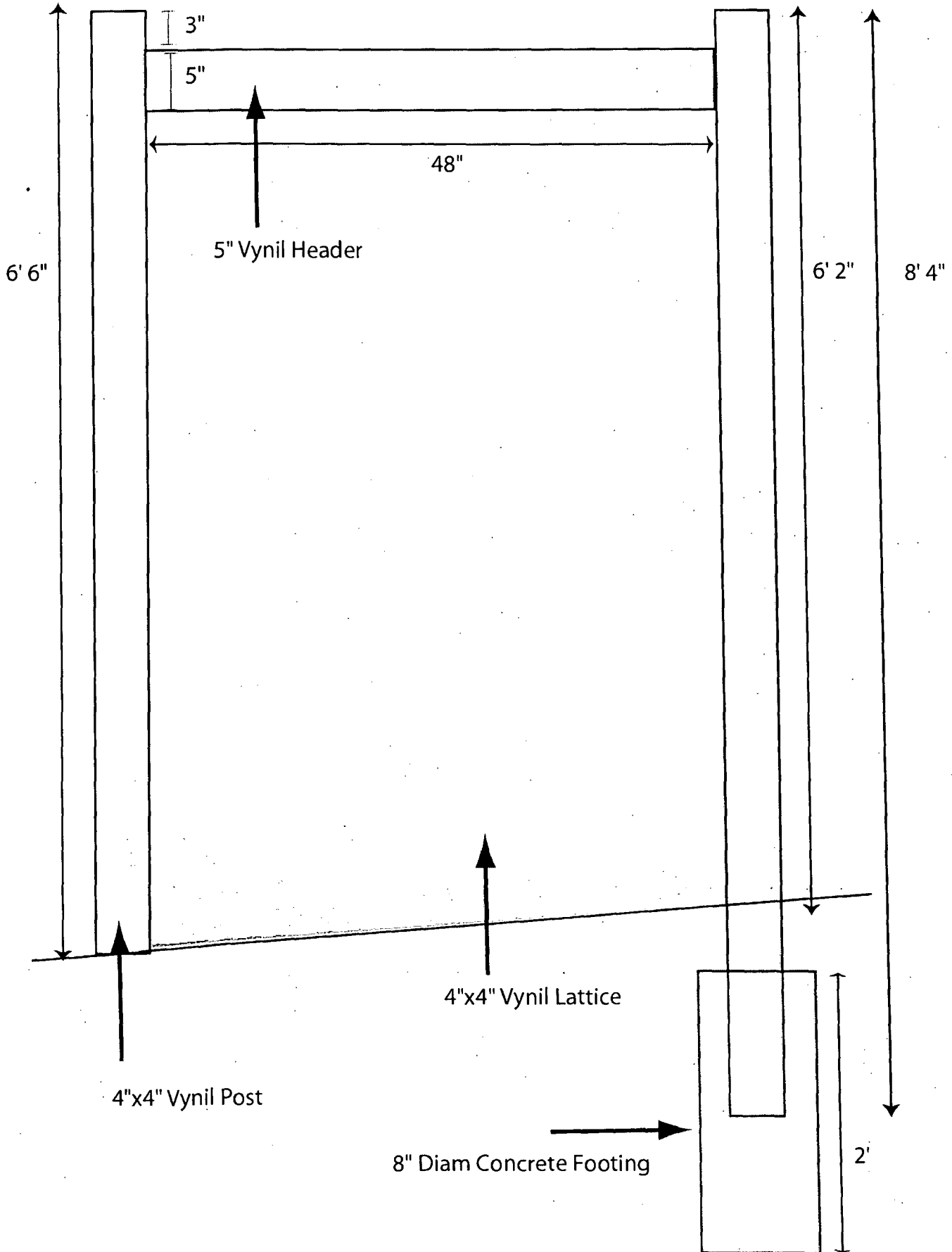
Plat Reference:

Plat Book: A  
Plat: 9

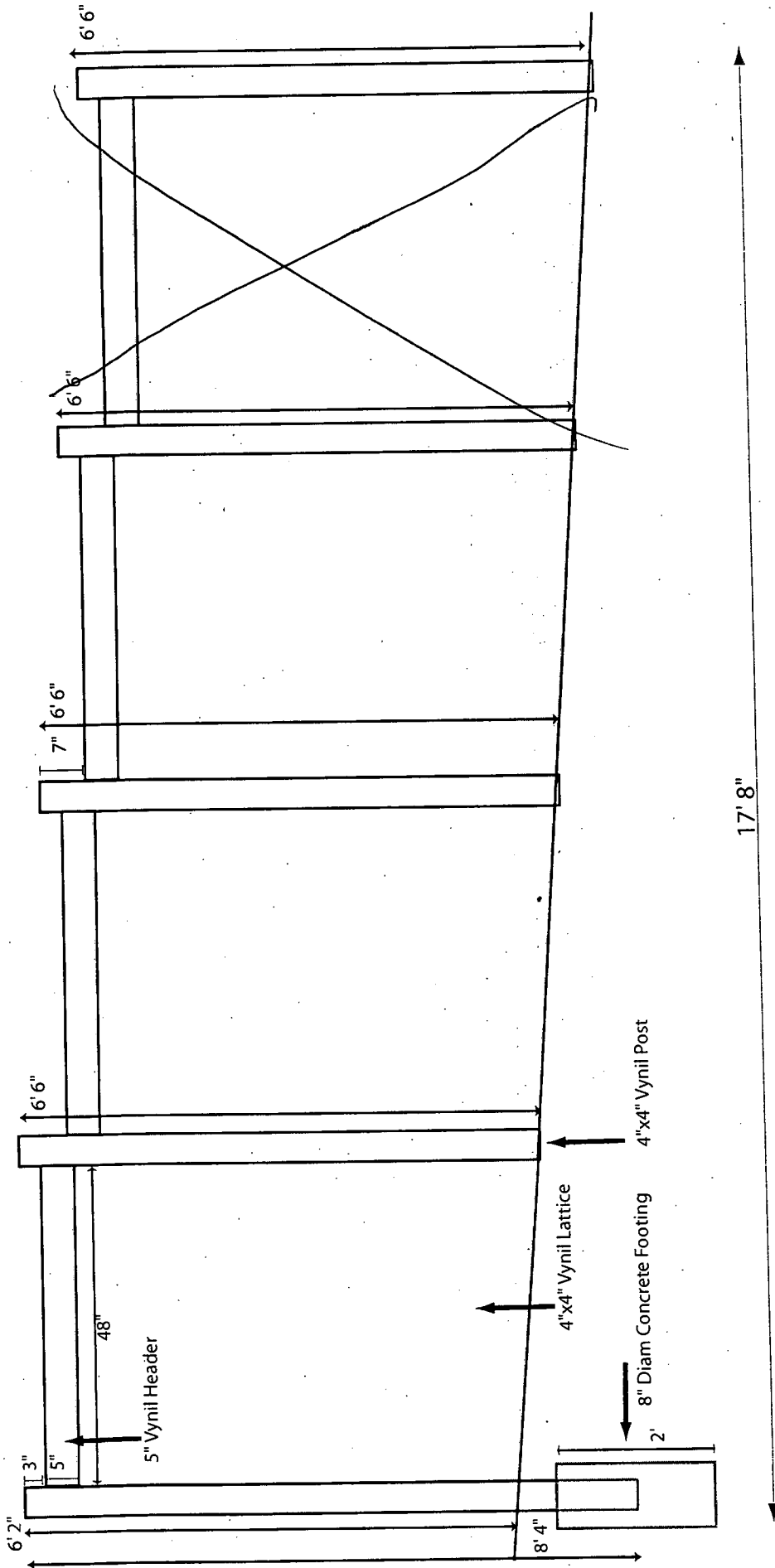
Scale: 1"=30'

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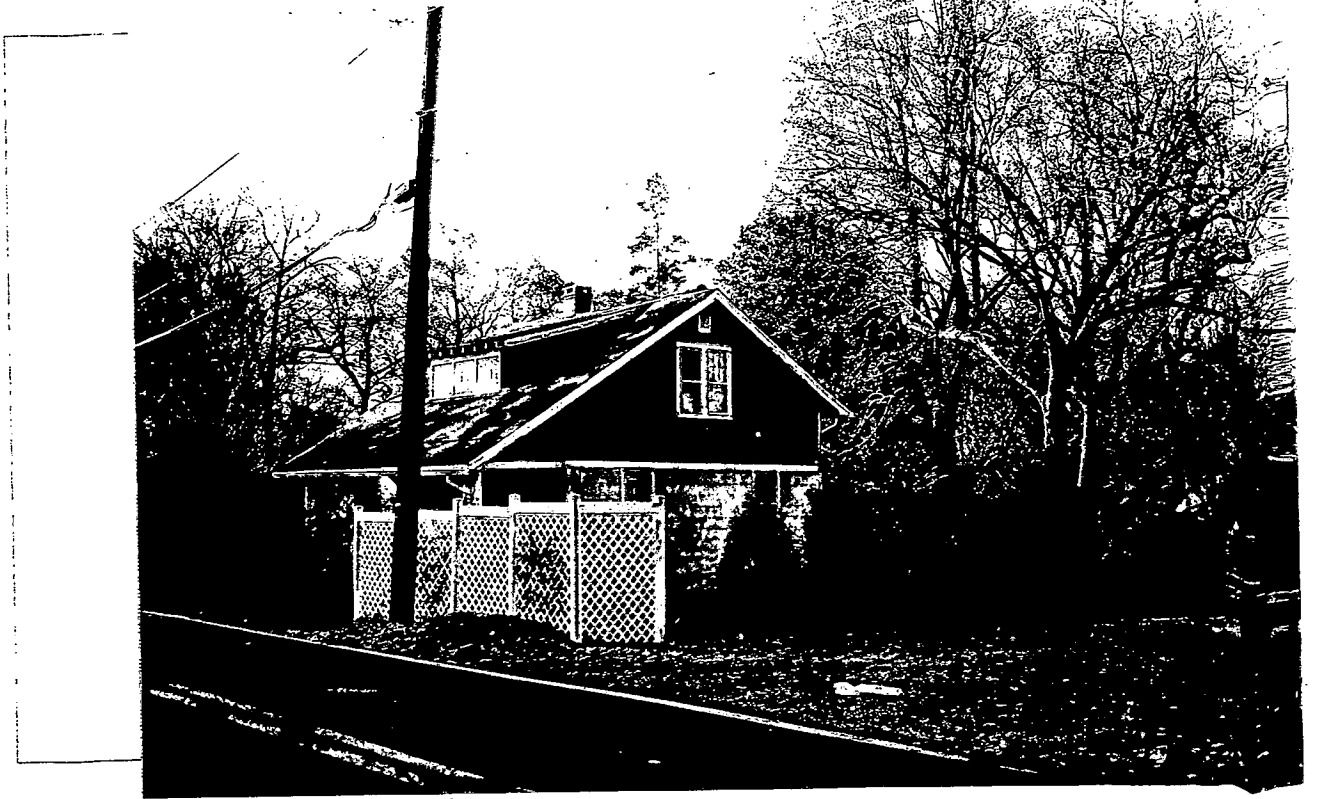
North End Elevation (Scale 1":1')



East Side Elevation (Scale 1":2')



Existing Property Condition Photographs (duplicate as needed)



Detail: TRELLIS



Detail: CLOSE UP OF TRELLIS

Applicant: LEAN C ZENKLOSON

Page 6

Ms. Janice Rodgers  
10106 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Perry Degener  
3102 Lee Street  
Silver Spring MD 20910  
USA

Mr. & Ms. James Alward  
10109 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Gregory Belliston  
10113 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Charles Ritchie  
3107 Lee Street  
Silver Spring MD 20910  
USA

Mr. & Ms. Timothy Simpson  
10112 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Emil Hansen  
10111 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Hector Mimiaga  
10107 Capitol View Ave.  
Silver Spring MD 20910  
USA

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

**1. WRITTEN DESCRIPTION OF PROJECT**

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**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.

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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.

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**6. TREE SURVEY**

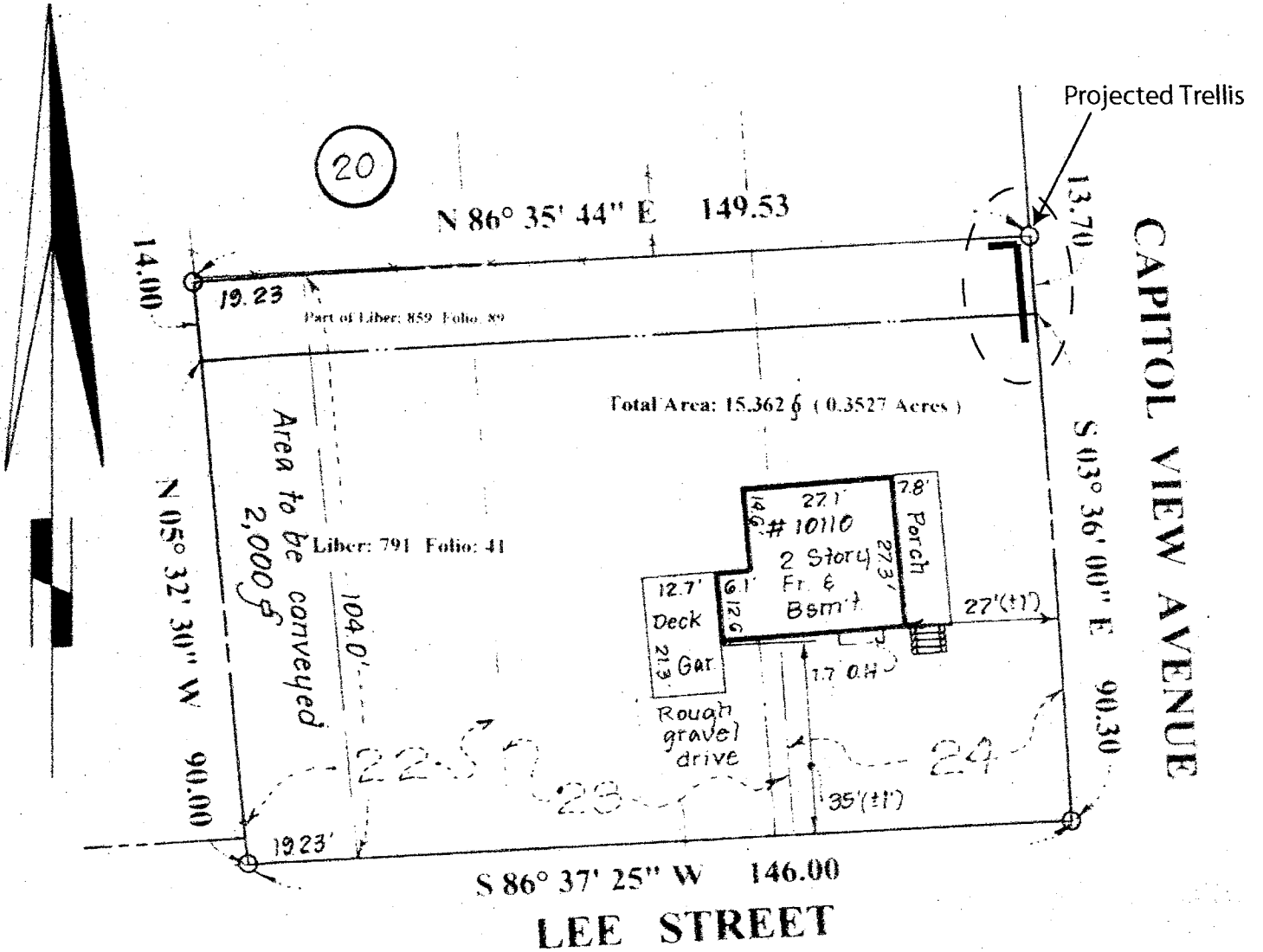
If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

**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).

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Site Plan

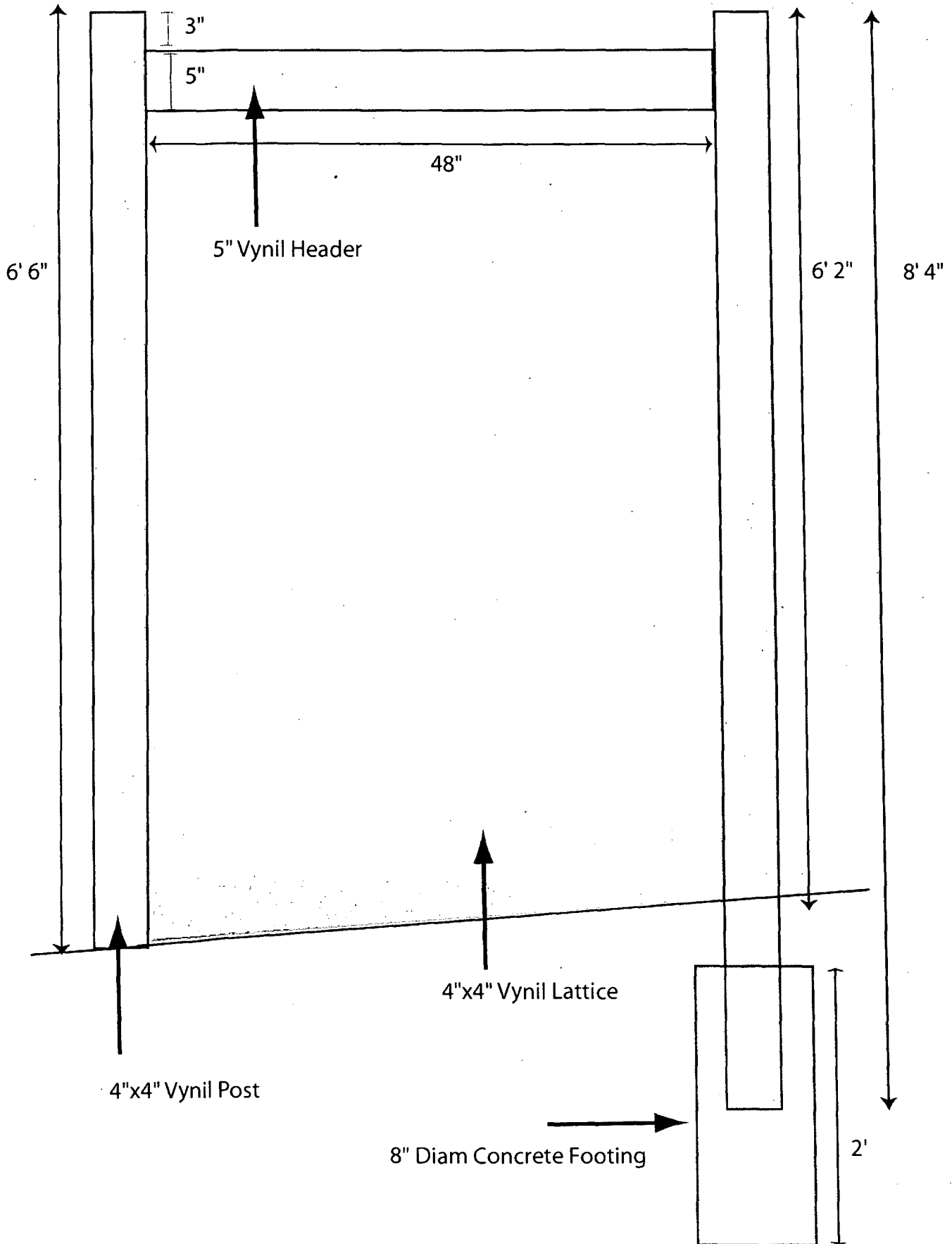


Net Area: 13,362<sup>±</sup>

Plat Reference: Plat Book: A  
Plat: 9

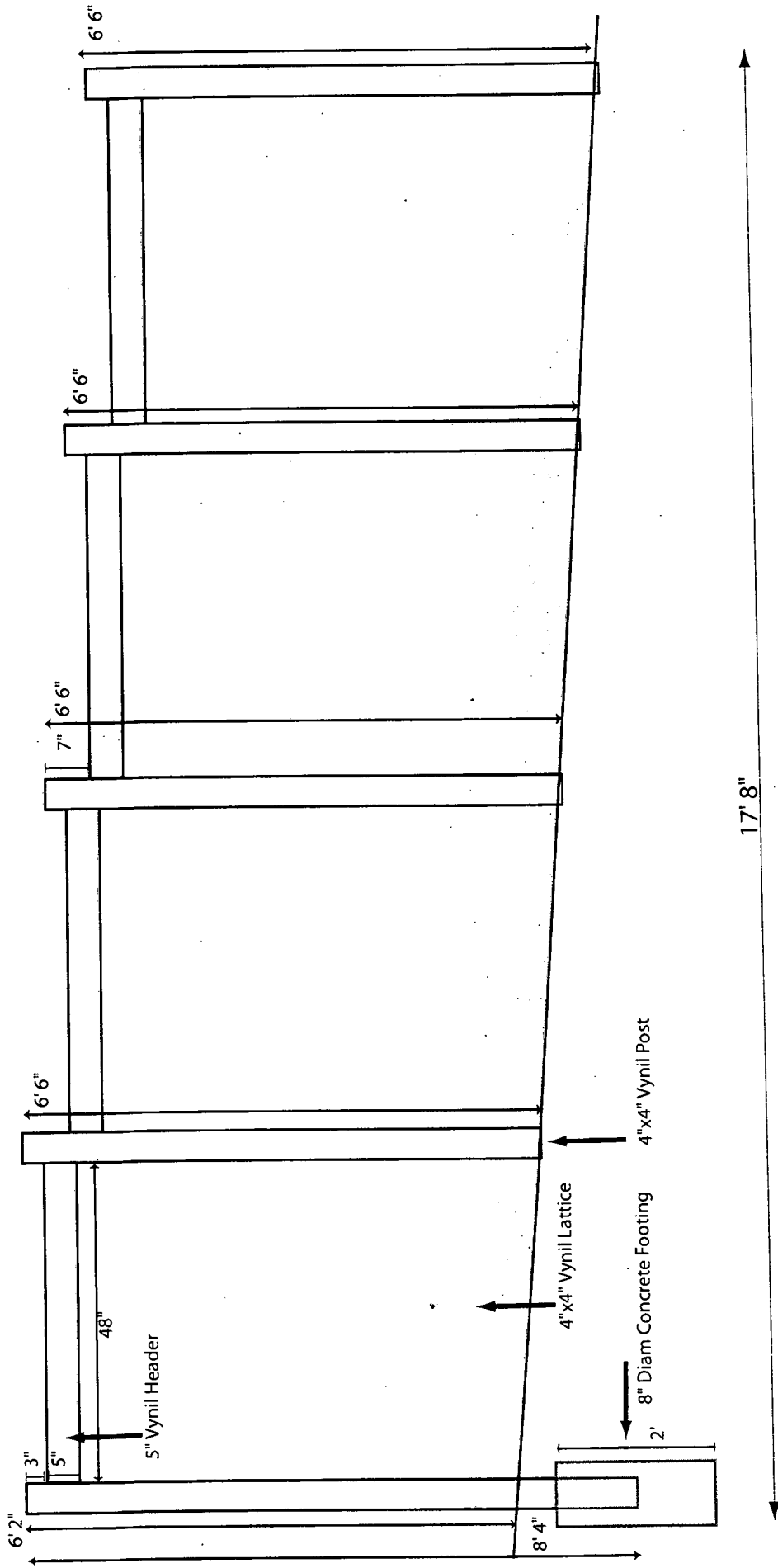
Scale: 1"=30'

North End Elevation (Scale 1":1')

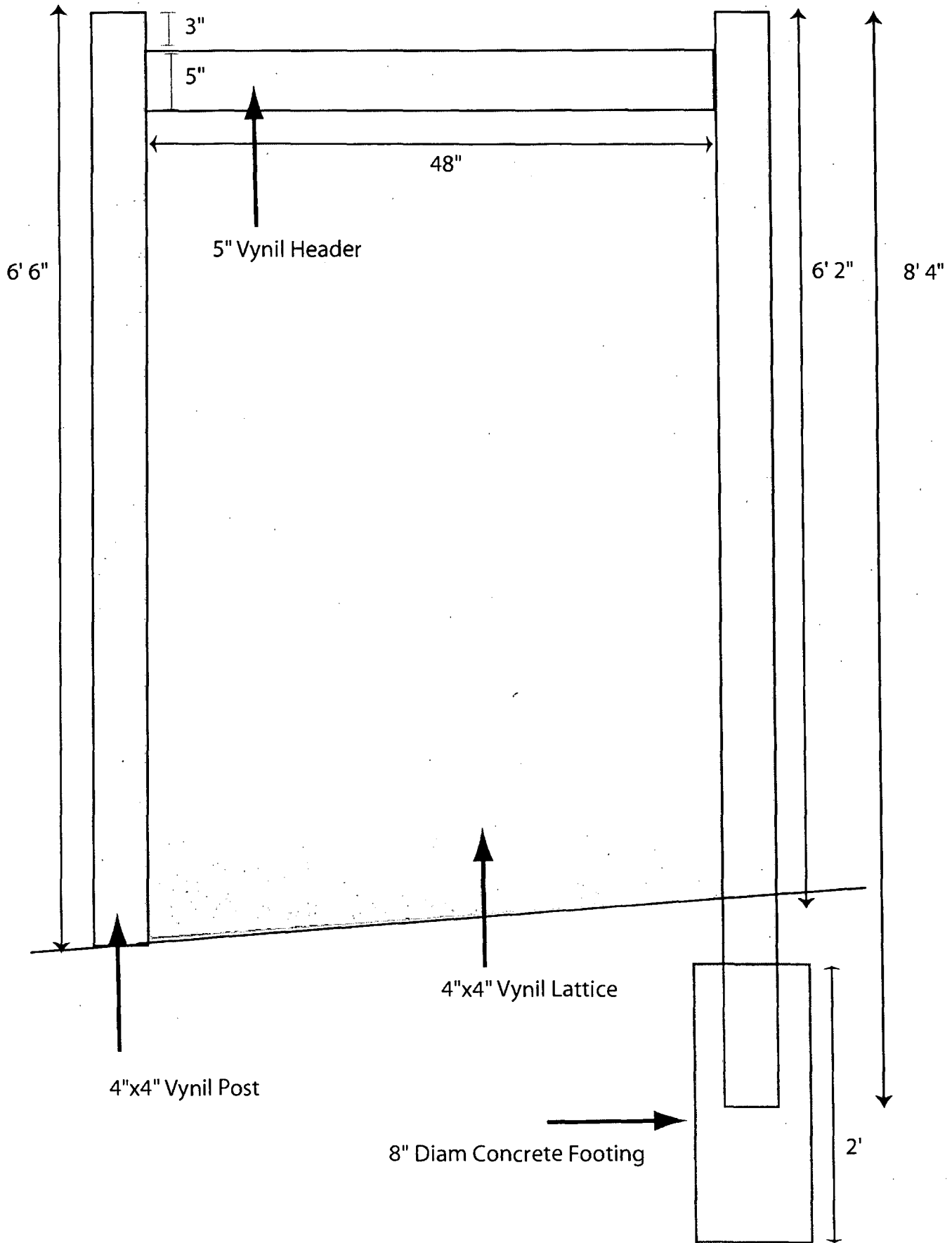




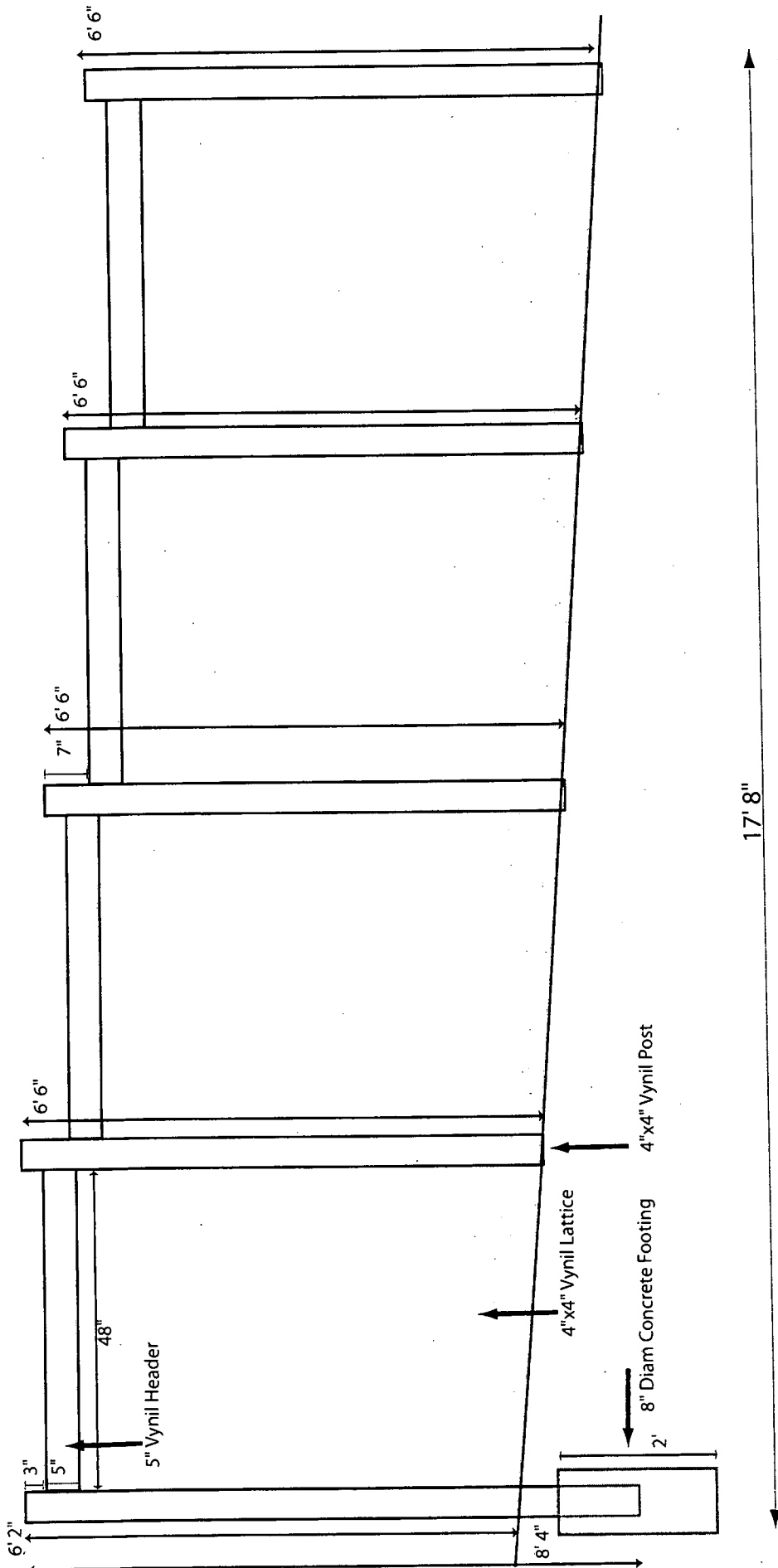
East Side Elevation (Scale 1":2')



North End Elevation (Scale 1":1')

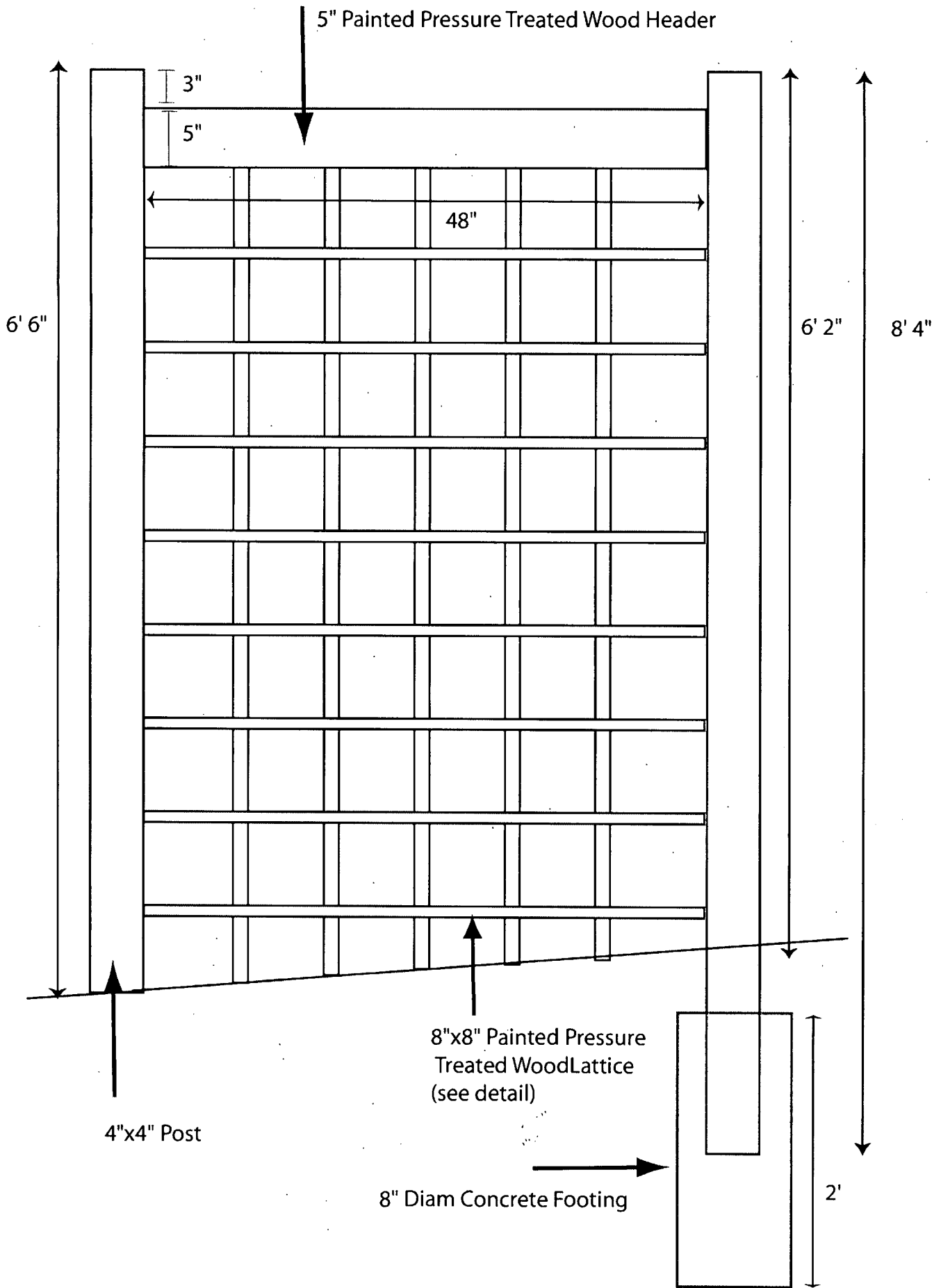


East Side Elevation (Scale 1":2')

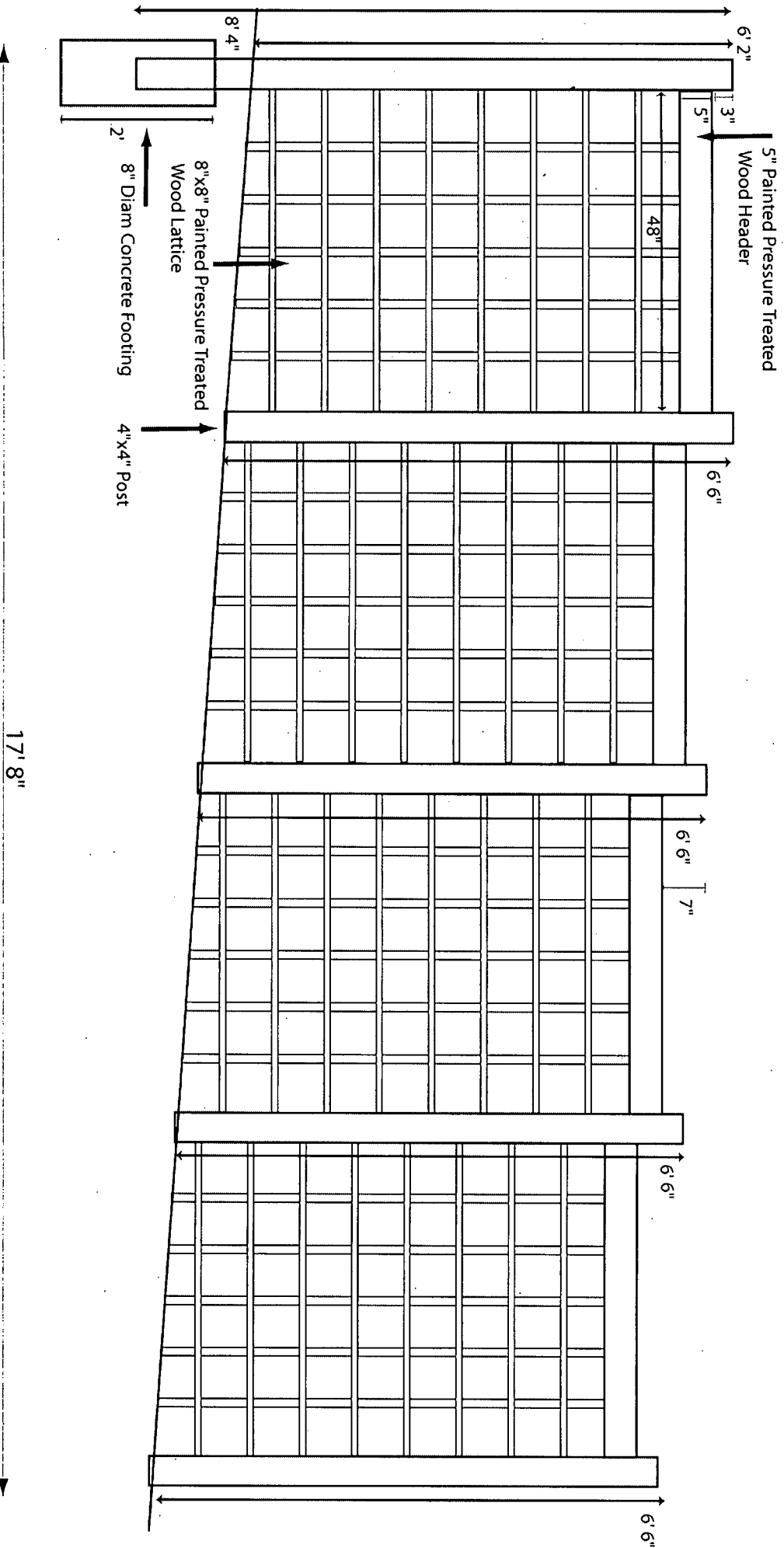


Applicant: Jean C Zenklusen

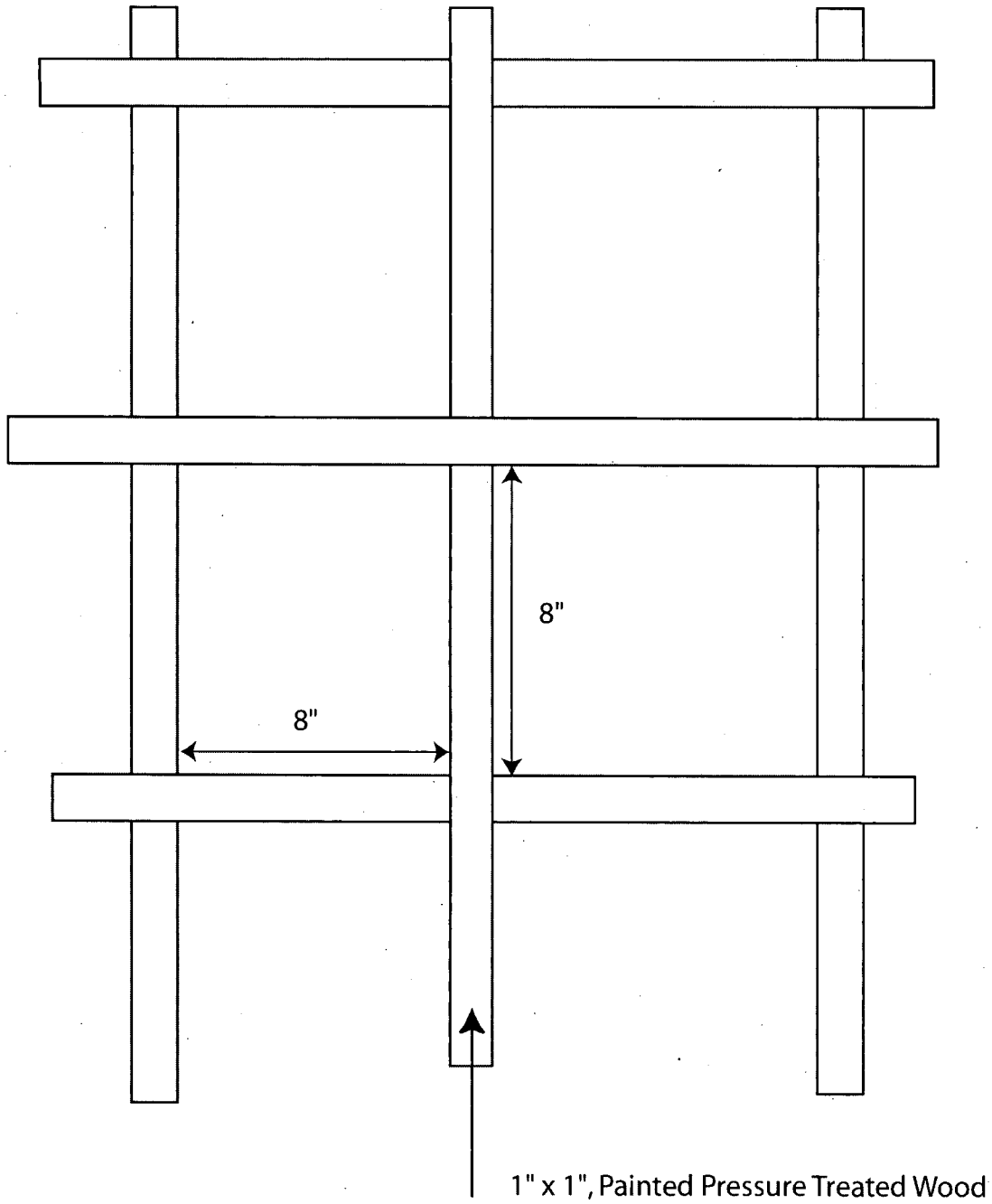
North End Elevation (Scale 1":1')



East Side Elevation (Scale 1":2')



Lattice Detail (Scale 1":4")



II-B

HAWP Retroactive 10110 Capitol View Avenue

The Executive Board and Historic Review Committee of Capitol View Park are recommending support of staff recommendations for the retroactive HAWP for the vinyl lattice trellis installation at 10110 Capitol View Avenue. We agree that the owner should be allowed to rebuild the lattice for privacy and support of lowering vines but that the lattice be constructed out of wood and be less dense in design which would make the lattice more open. The height could be lowered but 4" maybe too short for privacy and support of vines. One committee member did, however, point out that we have typically not recommended fences in front yards that are taller than 3-4' it also was recommended that the trellis be set back further from the road.

Betsy Tebow, President  
Capitol View Park Citizens Association

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

① Jeff  
② David

Unanimous

very open

Concept garden trellis @ corner

3x1

up to 6' tall

exact design to be app. by

~~structure above 4' w new open~~

staff

II-B

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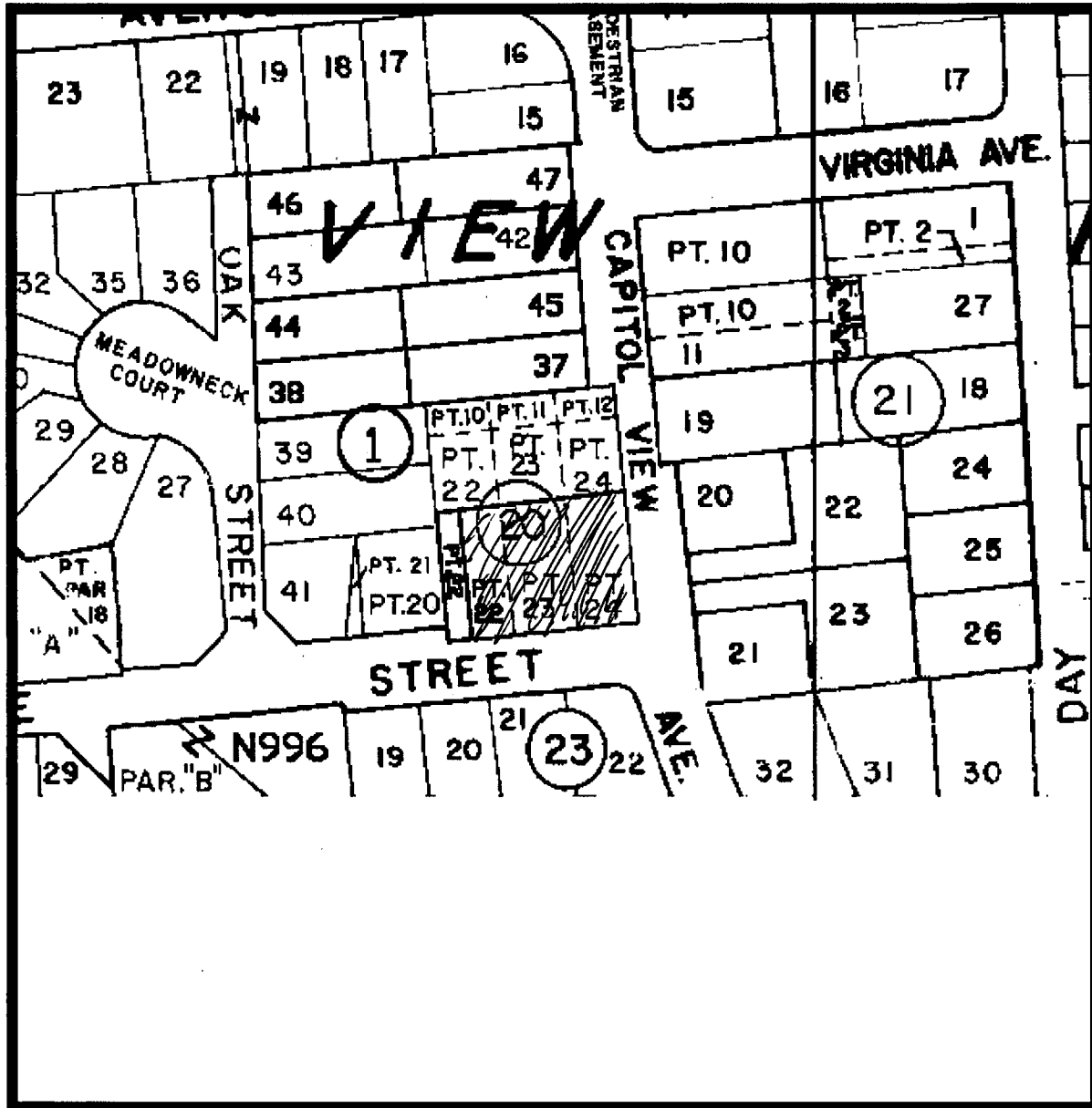
Betsy Tebow, President  
Capitol View Park Citizens Association

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





District - 13 Account Number - 03198578



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](http://www.mdp.state.md.us/webcom/index.html)



Click here for a plain text ADA compliant screen.



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

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

**Account Identifier:** District - 13 **Account Number -** 03198578

**Owner Information**

**Owner Name:** ZENKLUSEN, JEAN C &  
 ANA I ROBLES **Use:** RESIDENTIAL

**Mailing Address:** 10110 CAPITOL VIEW PARK **Principal Residence:** YES  
 SILVER SPRING MD 20910-1052 **Deed Reference:** 1) /14387/ 517  
 2)

**Location & Structure Information**

**Premises Address** 10110 CAPITOL VIEW AVE **Legal Description** PT LT 24 CAPITOL VIEW PARK  
 SILVER SPRING 20910-1052

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
HP53				5		20	P23	1	Plat Ref:

**Special Tax Areas**

Primary Structure Built	Town Ad Valorem Tax Class	Enclosed Area	Property Land Area	County Use
1926	38	1,210 SF	13,362.00 SF	111

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	FRAME

**Value Information**

	Base Value	Value Phase-in Assessments		
		As Of 01/01/2004	As Of 07/01/2006	As Of 07/01/2007
<b>Land:</b>	130,360	130,360		
<b>Improvements:</b>	159,640	159,640		
<b>Total:</b>	290,000	290,000	290,000	NOT AVAIL
<b>Preferential Land:</b>	0	0	0	NOT AVAIL

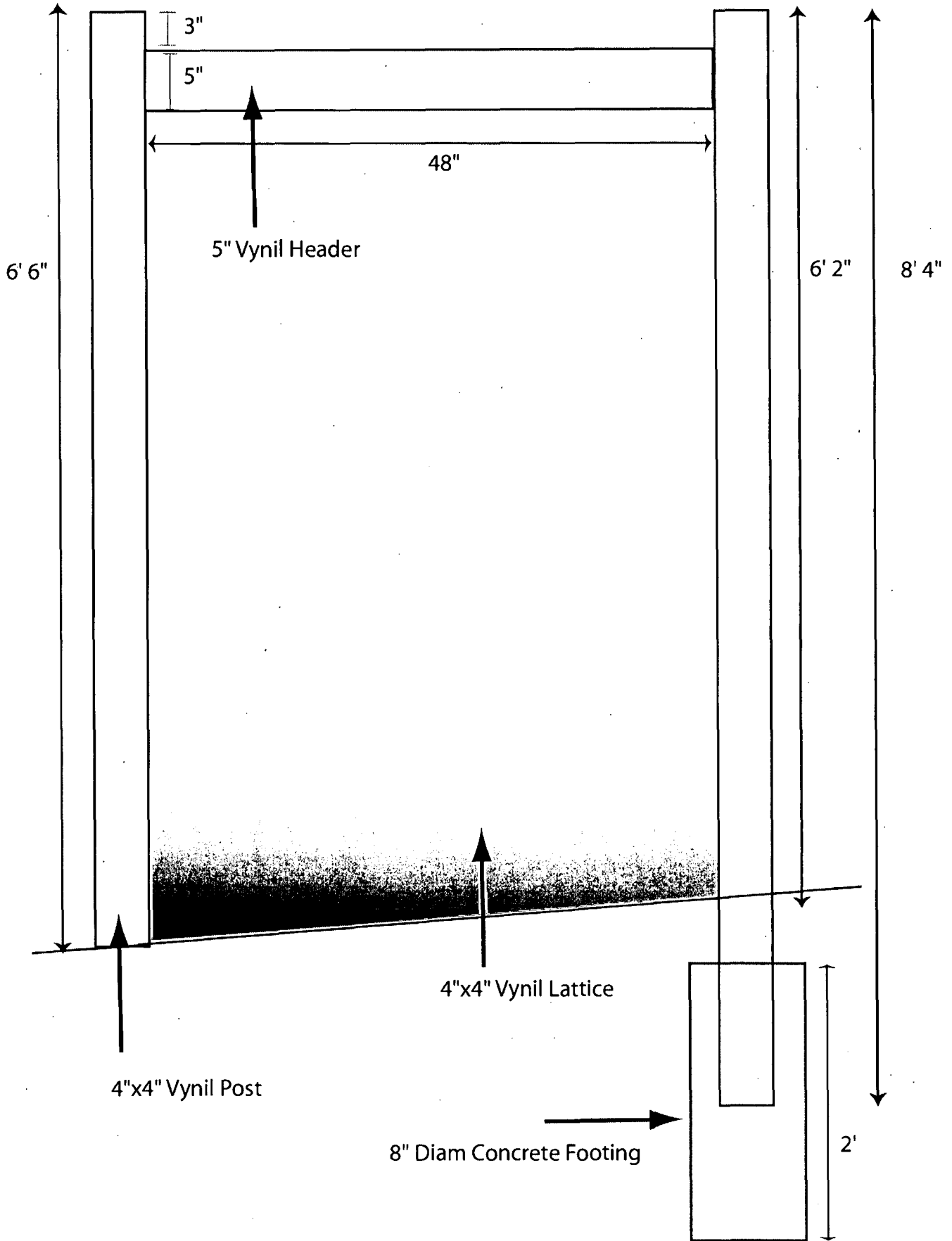
**Transfer Information**

<b>Seller:</b> BRUCE DUNCAN	<b>Date:</b> 09/24/1996	<b>Price:</b> \$135,500
<b>Type:</b> NOT ARMS-LENGTH	<b>Deed1:</b> /14387/ 517	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>

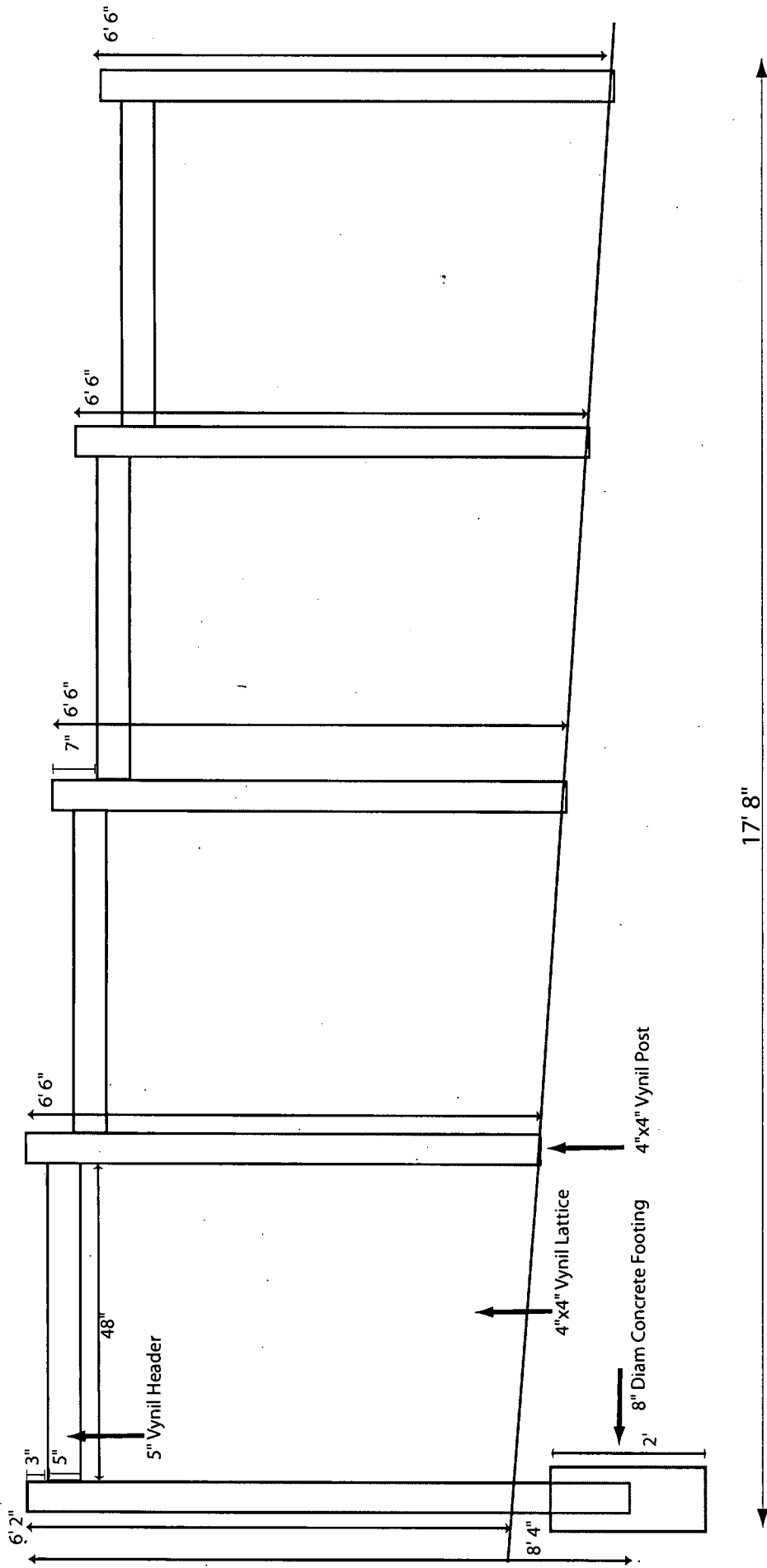
**Exemption Information**

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

North End Elevation (Scale 1":1')



East Side Elevation (Scale 1":2')



Existing Property Condition Photographs (duplicate as needed)



Detail: TRELLIS



Detail: CLOSE UP OF TRELLIS



DR. JEAN-CLAUDE ZENKLUSEN  
10110 CAPITOL VIEW AVENUE  
SILVER SPRING, MD 20910  
301.587.8544  
JZ44M@NIH.GOV

Friday, November 3, 2006

Historic Preservation Commission

To Who it may concern:

The enclosed application for a Historic Area Work Permit is produced due to the Notice of Violation issued on 10/31/06 by Mr. Pete Hrycak concerning the erection of a lattice trellis on the north corner of my property without previous permit. Such partial, non enclosing, structure was erected to screen my property from the trash flying from the street and neighboring properties as well as to support a series of flowering vines. As my neighbors can attest, since we moved to the house in 1996, we have very carefully restored the inside of our house, respecting the historical character, while also beautifying the exterior by landscaping an almost barren lot with a variety of flowering and ornamental plants that are consistent with the craftsman character of our house (meaning a cottage type of garden, and not a formal one).

We did not request the permit before erection because I misunderstood the rules and thought that garden structures were not required to get a permit. Upon notification, we are amending the error, although we submit that the structure in question is not a fence since it does not enclose any part of our property.

Mr. Hrycak also asked for us to request a permit for the planting of a series of evergreens in the side of our property facing Capitol View Ave. This was done several years ago, and before planting, we contacted the commission to ask if we needed a permit to do so. The answer from the employee at the time (name unknown) was that the commission does not regulate planting of any type, thus the permitting was not required. In fact, looking both at the commission web site and historic work area permit, there is no mention of this requirement, nor is there any place in the permit to request such a review. I thus submit that Mr. Hrycak request regarding the trees is in error.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,



Dr. Jean C Zenklusen

**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

<b>Address:</b>	10110 Capitol View Ave, Silver Spring	<b>Meeting Date:</b>	12/20/2006
<b>Resource:</b>	Contributing Resource <b>Capitol View Park Historic District</b>	<b>Report Date:</b>	12/13/2006
<b>Applicant:</b>	Jean Zenklusen & Ann Robles	<b>Public Notice:</b>	12/06/2006
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	None
<b>Case Number:</b>	31/07-06L RETROACTIVE	<b>Staff:</b>	Tania Tully
<b>PROPOSAL:</b>	vinyl lattice trellis installation		
<b>RECOMMENDATION:</b>	Approve with Conditions		

**STAFF RECOMMENDATION:**

Staff is recommending that the HPC approve this HAWP application with the following condition:

1. The structure is lowered to 4' and reconstructed out of wood.

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource within the **Capitol View Park Historic District**  
**STYLE:** Craftsman Bungalow  
**DATE:** c.1915

**HISTORIC CONTEXT**

The following is excerpted from *Places from the Past: The Tradition of Gardez Bien in Montgomery County, Maryland*.

Capitol View Park is an example of a railroad community, which developed gradually over 100 years. The community's origin is representative of a number of railroad suburbs which developed following the opening of the Metropolitan Branch B&O. Most Capitol View structures possess little distinction as architectural entities. When grouped, however, these resources are a contiguous visual architectural example of suburban development styles.

Capitol View Park is a railroad community begun in 1887 when Mary and Oliver Harr purchased and subdivided land along the B&O's Metropolitan Branch between Forest Glen and Kensington. The community's name came from the view of the Capitol dome afforded by the upper stories of some of the early houses. Because of the growth of trees in intervening years, this view is no longer possible. Capitol View Park, however, continues to retain the scenic, rural setting which attracted its first inhabitants from Washington. Narrow, country lanes wind between large lots, the average of which is 12,000 square feet. Farmer Thomas Brown built a house in the post-Civil War era, before the railroad bisected his farm. Set

back on a long curving driveway, Brown's dwelling still stands, known as the Case House, at 9834 Capitol View Avenue.

Unlike the homogenous suburban developments that make up a great deal of Montgomery County, Capitol View Park is a picturesque blend of many architectural styles dating from the 1890s to the 1980s. The community represents the architectural history of Montgomery County over the last century. The first houses built in Capitol View Park were designed in the Queen Anne style, characterized by their picturesque rooflines, large scale, numerous porches, and variety of building materials, including clapboard and fishscale shingles. Notable Queen Anne-style houses, built in the 1880s and 1890s, are found on Capitol View Avenue, Meredith Avenue, Lee Street, and Menlo Avenue. Residents built Colonial Revival style dwellings beginning in the 1890s. These dwellings feature classical details including cornices with entablatures, heavy window molding, and large round porch columns. Colonial Revival-style houses are found on Capitol View Avenue and Grant Avenue.

By the turn of the twentieth century, smaller-scale houses were becoming popular. Designed to harmonize with natural settings, these structures have a horizontal emphasis and were painted in natural tones. This group includes Bungalow- and Craftsman-style houses built from 1900 into the 1920s. Early examples are found on Stoneybrook Drive, Meredith Avenue, and Capitol View Avenue.

The pace of growth in Capitol View Park continued at a constant rate until the 1940s when a construction boom added nearly 50 houses to the community. Since then, houses have been added at a more leisurely rate, continuing the pattern of diversity that characterizes Capitol View Park.

### **PROPOSAL:**

The applicants have installed 6'6" high lattice trellis at the northeast corner of the property, along Capitol View Avenue. It runs 4'8" into the property and 17'8" along Capitol View. It is constructed of vinyl.

### **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 the *Approved & Adopted Sector Plan for Capitol View & Vicinity (Sector Plan)*, *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 or to the achievement of the purposes of this chapter.

#### ***Secretary of the Interior's Standards for Rehabilitation***



## STAFF DISCUSSION

It is never optimal to review a Historic Area Work Permit application retroactively, especially when a Notice of Violation has been issued. When Staff reviews retroactive applications, the work is initially evaluated as though it has not yet been completed. Would Staff have recommended approval at that point? In this case, the answer is yes, but with conditions. Although the applicant argues that the structure is not a fence, its location, size, and opacity merit review regardless of what it is called. The Commission typically does not approve fences or structures taller than 4' in front or side yards and it does not approve vinyl.

With this in mind, Staff recommends approval provided that the structure is lowered to 4' and reconstructed out of wood. If this recommendation does not meet the stated goals of the applicant, which is to block errant trash, there may be other alternatives. One possibility is a less opaque structure for the vines. Perhaps something that utilizes wire or mesh. Planting of vegetation is not reviewed by the HPC and until it were covered, the transparency of the wire or mesh would be more in keeping with the character of the historic district.

## STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application **with the conditions specified on Circle 1** 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;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans.



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: Jean C. Zenklusen

Daytime Phone No.: 301-451-2144

Tax Account No.: 03198578

Name of Property Owner: Jean C. Zenklusen / Ana I Robles Daytime Phone No.: 301-451-2144

Address: 10110 Capitol View Ave Silver Spring MD 20910  
Street Number City Street Zip Code

Contractor: Self Phone No.:

Contractor Registration No.:

Agent for Owner: Daytime Phone No.:

LOCATION OF BUILDING/PREMISE

House Number: 10110 Street: Capitol View Ave

Town/City: Silver Spring Nearest Cross Street: Lee

Lot: P23 Block: 20 Subdivision: 005

Liber: 791/859 Folio: 41/81 Parcel: 24, 23 & Part of 22

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

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:

1B. Construction cost estimate: \$ 300

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 6 feet 6 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 of owner or authorized agent

Date

Approved: 438906 For Chairperson, Historic Preservation Commission

Disapproved: Signature: Date:

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

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

AP

438906

4

**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:

Craftman Bungalow, surrounded by garden.

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

Construction of a lattice trellis at the north corner of property. Finished dimensions: 6'6" high, 4'8" wide (facing the north line of property) and 17'8" long (facing the east boundary of property). Used as support for growing vines (1 Jasmin, 3 Passionflowers) and to screen from trash blowing from the road.

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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.

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DR. JEAN-CLAUDE ZENKLUSEN  
10110 CAPITOL VIEW AVENUE  
SILVER SPRING, MD 20910  
301.587.8544  
JZ44M@NIH.GOV

Friday, November 3, 2006

Historic Preservation Commission

To Who it may concern:

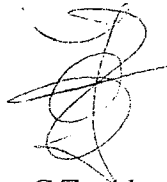
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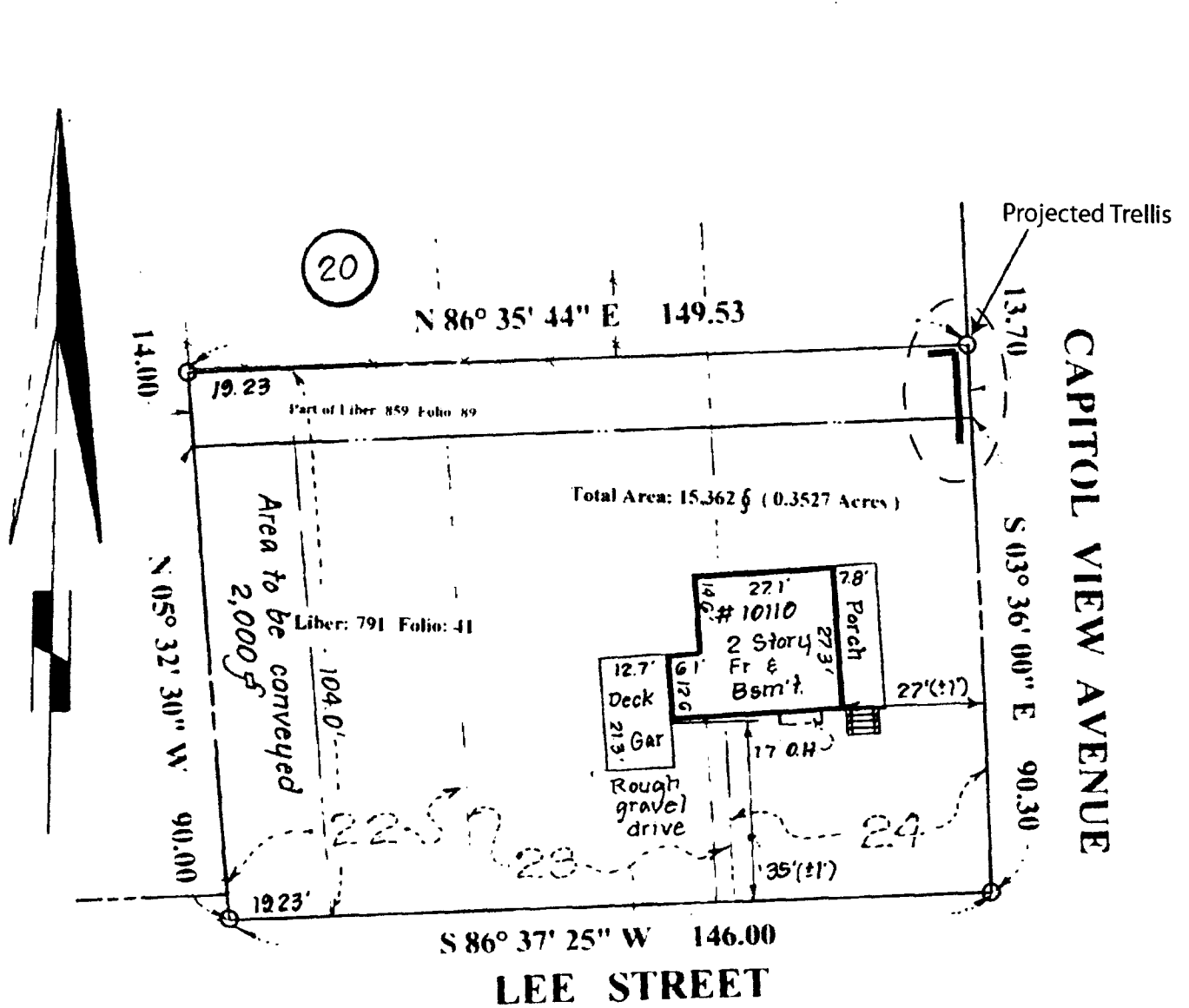
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Sincerely,



Dr. Jean C Zenklusen

6



Net Area: 13,362 sq ft

Plat Reference:

Plat Book: A  
Plat: 9

Scale: 1"=30'

Applicant: Jean C Zenklusen

Page #3

Applicant: Jean C Zenklusen

Page #4

(7)

(8)

Existing Property Condition Photographs (duplicate as needed)



Detail: TRELLIS



Detail: CLOSE UP OF TRELLIS

Applicant: JEAN C ZENKLOSEN

Page: 6

Ms. Janice Rodgers  
10106 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Perry Degener  
3102 Lee Street  
Silver Spring MD 20910  
USA

Mr. & Ms. James Alward  
10109 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Gregory Belliston  
10113 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Charles Ritchie  
3107 Lee Street  
Silver Spring MD 20910  
USA

Mr. & Ms. Timothy Simpson  
10112 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Emil Hansen  
10111 Capitol View Ave.  
Silver Spring MD 20910  
USA

Mr. & Ms. Hector Mimiaga  
10107 Capitol View Ave.  
Silver Spring MD 20910  
USA