

31/07-06A	10044 Pratt Pl
Capitol View Historic District, 31/07	



**Fothergill, Anne**

---

**From:** Kendall, Allen [AKendall@s-3.com]  
**Sent:** Wednesday, March 29, 2006 1:37 PM  
**To:** Fothergill, Anne  
**Cc:** Kendall, Allen  
**Subject:** RE: HAWP condition

Thank you!

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

**From:** Fothergill, Anne [mailto:Anne.Fothergill@mncppc-mc.org]  
**Sent:** Wednesday, March 29, 2006 11:58 AM  
**To:** Kendall, Allen  
**Subject:** HAWP condition

Dear Mr. Kendall:

Thanks for your phone call today and for your explanation of your requested change to your Historic Area Work Permit's condition of approval. Per your request, your replacement trees can be Leland Cypresses, which is what were planted in that location and had to be removed. This email can serve as your approval of that change.

Thanks,  
Anne

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



## HISTORIC PRESERVATION COMMISSION


Douglas M. Duncan  
County Executive

Julia O'Malley  
Chairperson

Date: 1/12/2006

### MEMORANDUM

TO: Robert Hubbard, Director

FROM: Anne Fothergill, Senior Planner   
Historic Preservation Section

SUBJECT: Historic Area Work Permit #405986, Tree removal

---

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved with Conditions** at the 1/11/2006 meeting.

1. The applicants will plant three trees (2" caliper min.) somewhere on the property. The trees to be planted must be selected from the Montgomery County Native Species List.

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

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

Applicant: E. Allen Kendall

Address: 10044 Pratt Place, Silver Spring, MD 20910

This HAWP approval is subject to the general condition that the applicant shall present 3 permit sets of drawings to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the applicable Montgomery County Department of Permitting Services (DPS) building permits, and that after the issuance of the DPS permit, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





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

HISTORIC PRESERVATION COMMISSION  
301/563-3400

DPS - RECEIVED  
NOV 08 2005  
DIV. OF CASE WORK MGMT

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: E. Allen Kendall  
Daytime Phone No.: (301) 628-3248

Tax Account No: 273-46-7155

Name of Property Owner: E. Allen Kendall Daytime Phone No.: (301) 628-3248

Address: 10044 Pratt Pl. Silver Spring MD 20910  
Street Number City State Zip Code

Contractor: Lee's Trees Phone No.: (301) 370-1458

Contractor Registration No.: MD Tree Expert Lic. # 118

Agent for Owner: n/a Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 10044 Street: Pratt Pl.  
Town/City: Silver Spring Nearest Cross Street: Capital View  
Lot: 49 Block: 29 Subdivision: Capitol View Park  
E. Folio: 125 Folio: 14589 Parcel: \_\_\_\_\_

Plat Book 125  
Plat No. 14589

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

- 1A. CHECK ALL APPLICABLE:
- |                                    |                                  |   |  |  |  |  |                               |                               |
|------------------------------------|----------------------------------|---|--|--|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend  | <input type="checkbox"/> Alter/Renovate | <input type="checkbox"/> A/C                             | <input type="checkbox"/> Slab                                    | <input type="checkbox"/> Room Addition     | <input type="checkbox"/> Porch         | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move      | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Reze     | <input type="checkbox"/> Solar                           | <input type="checkbox"/> Fireplace                               | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family |                               |                               |
| <input type="checkbox"/> Revision  | <input type="checkbox"/> Repair  | <input type="checkbox"/> Revocable      | <input type="checkbox"/> Fence/Wall (complete Section 4) | <input checked="" type="checkbox"/> Other: <u>Remove 3 trees</u> |  |  |                               |                               |

1B. Construction cost estimate: \$ 450

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: #1  WSSC #2  Septic #3  Other: \_\_\_\_\_  
2B. Type of water supply: #1  WSSC #2  Well #3  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.

E. Allen Kendall  
Signature of owner or authorized agent

11/5/05  
Date

Approved:  with one condition \_\_\_\_\_  
Disapproved: \_\_\_\_\_  
Application/Permit No: 405986 Date Filed: \_\_\_\_\_ Date Issued: 1-12-06

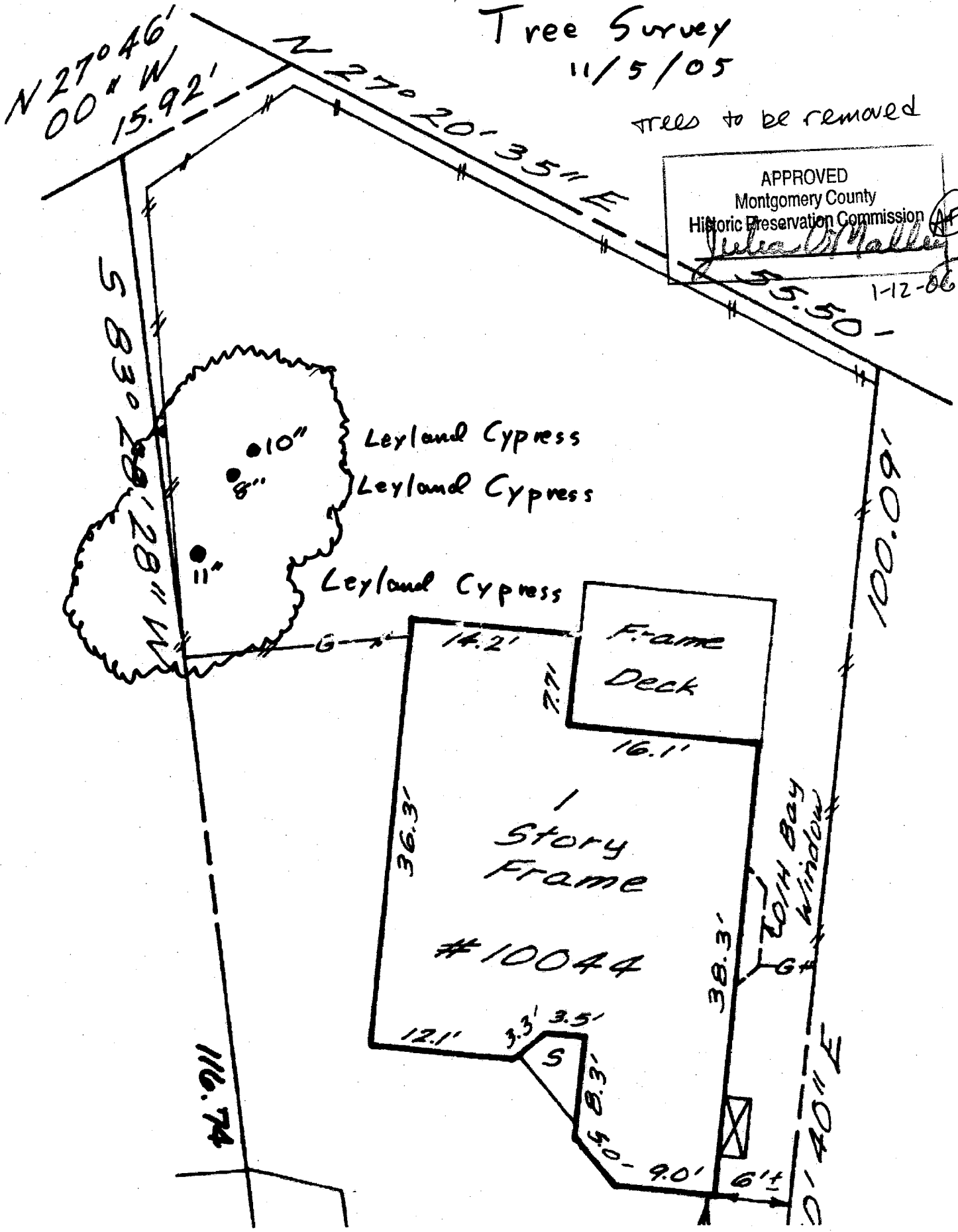
# Tree Survey

11/5/05

Trees to be removed

APPROVED  
Montgomery County  
Historic Preservation Commission  
*Julia D. Malley*

1-12-06



**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

<b>Address:</b>	10044 Pratt Place, Silver Spring	<b>Meeting Date:</b>	1/11/2006
<b>Applicant:</b>	E. Allen Kendall	<b>Report Date:</b>	1/4/2006
<b>Resource:</b>	Non-Contributing Resource Capitol View Park Historic District	<b>Public Notice:</b>	12/28/2005
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	None
<b>Case Number:</b>	31/07-06A	<b>Staff:</b>	Anne Fothergill

**PROPOSAL:** Tree removal

**RECOMMENDATION:** Approve with Conditions

**STAFF RECOMMENDATION**

Staff is recommending approval with the following condition:

1. The applicants will plant three trees (2" caliper min.) somewhere on the property. The trees to be planted must be selected from the Montgomery County Native Species List.

**PROPERTY DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource, Capitol View Historic District  
**DATE:** 1985

**PROPOSAL**

The applicant is proposing removal of three (8", 10", 11") Leyland Cypress trees from the backyard that were planted in the mid 1980s. The applicant proposes to plant three new trees on the property.

**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 *Montgomery County Code Chapter 24A (Chapter 24A)* and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

***Montgomery County Code; Chapter 24A***

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

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

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

In the case of an application for work on a historic resource located within a historic district, the Commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value surrounding historic resources or would impair the character of the historic district.

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

Standard #2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

**STAFF DISCUSSION**

These three trees are approximately 20 years old and their removal will not adversely affect the historic district. The applicant plans to plant three replacement trees. The proposed tree removal and replacement is approvable.

**STAFF RECOMMENDATION**

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

The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or

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.

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

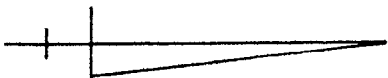
and provided the condition listed on Circle 1 is met;

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

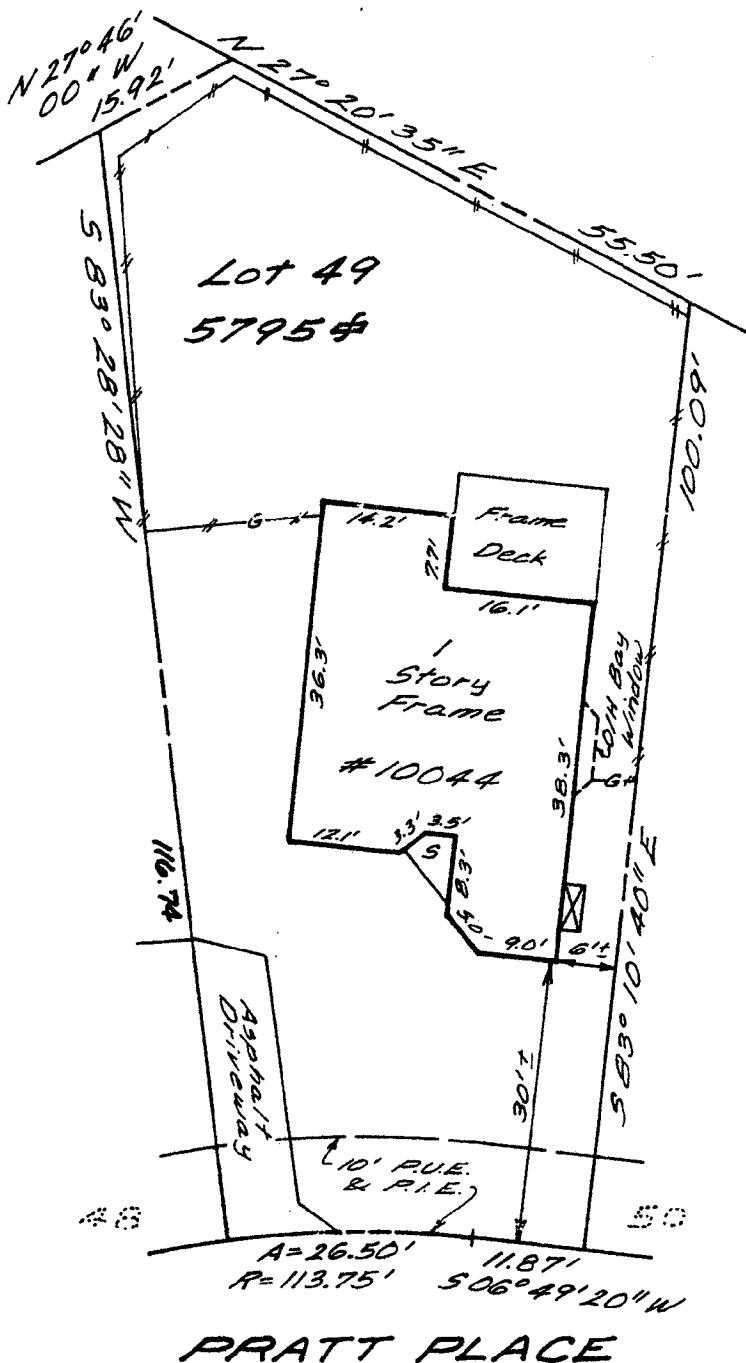
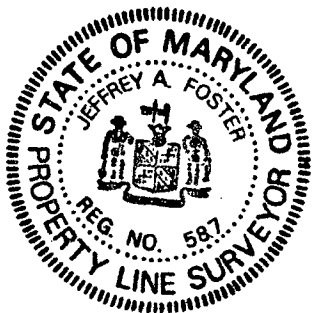
# Site Plan

11/5/05

NOTE: This location for title purposes only - not to be used for determining property lines. Property Corner Markers NOT guaranteed by this location




Notes:  
1. Flood Zone 'C' Per H.U.D.  
Panel No. 0200C.



LOCATION OF HOUSE  
LOT 49, BLOCK 29  
**CAPITOL VIEW PARK**  
MONTGOMERY COUNTY, MD.

Building Line and/or Flood Zone Information is taken from Available Sources and is Subject to Interpretation of Originator.

SURVEYOR'S CERTIFICATE	REFERENCES	SNIDER & ASSOCIATES SURVEYORS - ENGINEERS LAND PLANNING CONSULTANTS	
"I HEREBY CERTIFY THAT THIS INSPECTION WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR REGISTERED SURVEYORS IN THE STATE AS ADOPTED BY THE MARYLAND SOCIETY OF SURVEYORS."	PLAT BK. 125 PLAT NO. 14589	 2 Professional Drive, Suite 212 Gaithersburg, Maryland 20879 301-948-5100	
REGISTERED SURVEYOR MARYLAND NO. <u>587</u> <i>Jeffrey A. Foster</i> 725	LIBER FOLIO		



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

<p>Owner's mailing address          E. Allen Kendall          10044 Pratt Pl.          Silver Spring, MD          20910</p>	<p>Owner's Agent's mailing address          n/a</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>Adjacent          Jean F. Ladkin          10046 Pratt Pl.          Silver Spring, MD          20910</p>	<p>Adjacent          Gerald L. &amp; Rose          Trepkowski          10042 Pratt Pl.          Silver Spring, MD          20910</p>
<p>Behind          Eric F. &amp; Cynthia L.          Eicher          10012 Capitol View Ave.          Silver Spring, MD          20910</p>	<p>Behind          Melissa R. Colbert          10013 Stony Brook Dr.          Silver Spring, MD          20910</p>
<p>Directly across the street          Keith J. &amp; Marguerite          M. Ackers          10043 Pratt Pl.          Silver Spring, MD          20910</p>	<p>Directly across the street          Thomas W. &amp; Hyle H.          Sandoz          10041 Pratt Pl.          Silver Spring, MD          20910</p>

View from  
rear of  
10044.  
11/5/05



View from  
10042 Pratt P.  
11/5/05





11/05/05

View from  
Public  
Right-of-Way

**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:

Three large Leyland Cypress trees, planted in the mid 1980's. No historical features or significance.

A similar tree in this group fell in an ice storm two years ago. We were fortunate that no house was damaged.

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

Remove three trees. No effect on historic resources, environment setting, or historic district.

✓ 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

n/a

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.

None

✓ 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 canopy 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.