

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	10201 Menlo Ave.	Meeting Date:	10/25/17
Resource:	Contributing Resource Capitol View Historic District	Report Date:	10/18/17
Review:	HAWP	Public Notice:	10/11/17
Case Number:	31/07-17G	Tax Credit:	None
Applicant:	Minter Farnsworth	Staff:	Dan Bruechert
Proposal:	New Construction		

STAFF RECOMMENDATION

Staff recommends that the HPC **approve with two (2) conditions** the HAWP application.

1. The windows must be either wood or clad, not vinyl, and have fixed interior and exterior grids. Details need to be submitted to Staff for review and approval with final approval authority delegated to staff.
2. Due to the site's environmentally sensitive location an erosion plan must be submitted for review and approval with final authority delegated to staff.

PROPERTY DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Capitol View Park Historic District

STYLE: N/A

DATE: N/A

The parcel is currently undeveloped and is located at the corner of Menlo Ave. and Loma St. in the Capitol View Historic District. The lot slopes steeply down a ravine and into a conservation easement that covers the rear third of the lot. When the district was surveyed and established in 1982, this area of the Capitol View HD was identified as associated with the period 1870-1916.

BACKGROUND

This lot was established as part of a preliminary plan that was approved by the Planning Board on August 6, 1985. Prior to this HAWP, the subject property had been identified as associated with the original period of development of Capitol View, despite its undeveloped appearance.

PROPOSAL

The applicant proposes to construct a two-story house with an attached garage, install a retaining wall, fencing and a rear deck.

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.

Approved & Adopted Sector Plan for Capitol View & Vicinity (Sector Plan)

1. 1870-1916: Characterized by large lots and variety of setbacks, and architecturally encompassing the "Victorian" residential and revival styles and the early bungalow style popular during this period, these twenty-two houses are of a higher degree of architectural and historical significance than the other structures within the district.
3. Nominal: These house of themselves are of no architectural of [sic] historical significance, but through their contiguity to the significant resources have some interest to the district.
4. Spatial: Spatial resources are unimproved parcels of land which visually and aesthetically contribute to the setting of the historic district, and which can be regarded as extensions of the environmental settings of the significant historic resources.

Montgomery County Code, Chapter 24A Historic Resources Preservation

(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

The Secretary of the Interior's Standards for Rehabilitation

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

STAFF DISCUSSION

The applicant proposes to construct a house on the undeveloped lot at the corner of Menlo Ave. and Loma St. in the Capitol View Historic District. Additionally, the applicant proposes to make site improvements including a driveway, retaining wall, and privacy fence. This lot is unique in that less than 25% of the lot will be visible from the public-right-of-way; the remainder of the lot is set behind the neighboring property at 2900 Loma St. There are several utility easements on the property that limit the placement of the house and the driveway. Additionally, the rear third of the lot is subject to a conservation easement and may not be developed. The view of any house built on this lot will only be visible from a limited angle from the public right-of-way and staff supports approval.

New Construction

The applicant proposes to construct a new two-story, side gable house, three bays wide, with Hardi siding on the lot. The house has two smaller front facing gables and a small covered front porch. To the right there is a single bay attached garage covered in a gable roof.

The style of the house is best described as “Traditional” as it draws from several different periods of construction. The two-over-one windows are more in keeping with a Craftsman house as are the battered columns covering the front porch. The board and batten shutters and board and batten decoration under the two front facing gables are more vernacular elements. At the rear there are some two-over-one windows that have a two-lite transom above. The applicant proposes an uncovered deck to the rear.

The applicant did not provide windows specifications with the application materials. Staff thinks that the proposed two-over-one configuration is acceptable, and recommends the HPC condition approval on the applicant using a wood or clad window using either true divided lites or simulated divided lites with fixed interior and exterior grids.

The applicant proposes to construct a 12' × 20' (twelve feet by ten feet) deck to the rear (the deck details are on included on the elevation drawings and were provided as a supplement to the application). The applicant proposes to construct the structure of the deck out of wood, with a composite decking material, azek trim, and ‘Wolf’ metal rails. Staff feels that the composite decking and azek trim are acceptable substitute materials in this location due to the fact that their characteristics are similar to wood. Staff also feels that the metal balusters are acceptable in this location because the deck is at the rear on new construction. As this will not be visible from the public right-of-way, Staff believes this decorative element should be approved.

When the district was established in 1982, Staff believes that this site was part of the larger parcel and environmental setting of the Hahn House (c.1895), at 2801 Barker St. Staff has been unable to locate the copies of the preliminary plan that created the subject property’s lot, however, Staff is reasonably sure that this occurred as part of the preliminary plan that was approved by the planning board in 1985. Due to this, Staff does not feel that the applicant should be bound to using a “Victorian” vocabulary in the design of the proposed house. To do so would contravene Standard 9 by not effectively differentiating new construction from the old.

Staff further believes that this resource should be evaluated as a ‘Nominal’ resource for several reasons. First, it is a building that is surrounded by buildings from the latter half of the 20th

century. Directly to the south, the house was constructed in 1993. To the west, the house was constructed in 1953. And to the north the neighboring house was constructed in 1989. Farther to the north, the next houses were constructed in 1929, 1989, and 1926. Second, the properties across Menlo Ave. are outside of the district, so any development here will have less impact on the historic district, as the proposed construction is at the edge of the district. Third, because only an oblique angle of this house will be visible from the public right-of-way, it will have a reduced impact on the surrounding district.

Staff believes that the applicants use of a rectangular house shape with a simple side gable roof form achieves a house that, where visible from the district, creates a house that will successfully blend in to the surrounding district and Staff supports its approval.

Site Work

The applicant proposes to construct a privacy fence, retaining wall, and will remove several trees.

The applicant is proposing to construct a driveway and parking area to the front of the house using asphalt. This material is widely used throughout the district and will have a minimal impact on the site and the surrounding district. As the parking area will not be visible from the public right-of-way, it will not impact the district and should be approved.

The applicant is proposing to install a six foot (6') tall, wood, board on board privacy fence placed at the front boundary of the property. The HPC does not typically approve fences taller than forty-eight inches (48") in front of the rear wall plan within historic districts. The neighboring property has a fence that is approximately five feet (5') tall, which would intersect the proposed fence at the middle. The southern half of the proposed fence will be obscured by the neighbors existing fence and will not be visible. The northern portion of the fence will be visible from the public right of way and staff believes that due to the unique siting of the lot, a solid board on board design is acceptable, however, the fence height should be reduced to 48" (forty-eight inches) to the north of the neighbor's wooden fence.

The applicant additionally is proposing to construct three sections of a retaining wall to be built out of 6" x 6" (six inches by six inches) railroad ties and will range from grade height to 30" (thirty inches) tall. Due to the negative slope of the lot, none of the retaining wall sections will be visible from the public right-of-way. Staff believes that this material is consistent with the retaining walls used throughout the district and is an acceptable material.

The applicant will need to remove several trees in order to develop the lot. The applicant has identified a total of seven trees proposed for removal (see the attached Tree Survey). Four trees are at the edge of the property and are located at the only access point from the property to the public streets. The other three trees are placed where the house is proposed. Due to the unique lot placement and the slope of the lot, the driveway and house could not be placed anywhere else on the site. Staff feels that the loss of these trees is unavoidable and recommends approval for their removal. To deny the tree removal would deprive the owner of reasonable use of the property as zoning currently allows this lot to be developed with a single-family home (24A-8(b)(5)).

Finally, the applicant did not provide an erosion plan with the application materials. Due to the

site's steep slope and the conservation easement at the rear of the lot, Staff recommends the HPC condition approval on the applicant submitting an erosion/sediment control plan to Staff for review and approval prior to stamping the final plans.

STAFF RECOMMENDATIONS

Staff recommends that the Commission **approve with two (2) conditions** the HAWP application;

3. The windows must be either wood or clad, not vinyl, and have fixed interior and exterior grids. Details need to be submitted to Staff for review and approval with final approval authority delegated to staff.
4. Due to the site's environmentally sensitive location an erosion plan must be submitted for review and approval with final authority delegated to staff.

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.

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Staff recommends that the HPC **approve with three (3) conditions** the HAWP application.

1. The windows must be either wood or clad, not vinyl, and have fixed interior and exterior grids. Details need to be submitted to Staff for review and approval with final approval authority delegated to staff.
2. The proposed fencing must be lowered to no higher than 48" (forty-eight inches) above grade north of the neighbors existing privacy fence.
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HISTORIC PRESERVATION COMMISSION
301/563-3400

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: farnsworthhomes@verizon.net Contact Person: Minter Farnsworth
Daytime Phone No.: 301-370-8625
Tax Account No.: 02610440
Name of Property Owner: 10201 Menlo LLC Daytime Phone No.: 301-370-8625
Address: 25101 Peachtree Rd Clarksburg, MD 20871
Street Number City State Zip Code
Contractor: Minter P. Farnsworth III Phone No.: 301-370-8625
Contractor Registration No.: 126100
Agent for Owner: same Daytime Phone No.: 301-370-8625

LOCATION OF BUILDING/PREMISE

House Number: 10201 Menlo Ave Street:
Town/City: Silver Spring Nearest Cross Street: Loma St.
Lot: 13 Block: 18 Subdivision: Capitol View Park
Liber: 54526 Folio: 00309 Parcel: N/A

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: \$ 350,000

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

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 FOR FENCE/RETAINING WALL

3A. Height 6 feet 0 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]
Signature of owner or authorized agent

9.25.17
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date issued: _____

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

814607

(6)

**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:

Construct new house on
vacant lot

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

Construct new house retaining walls,
deck and fence compatible with
the neighborhood

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.

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.

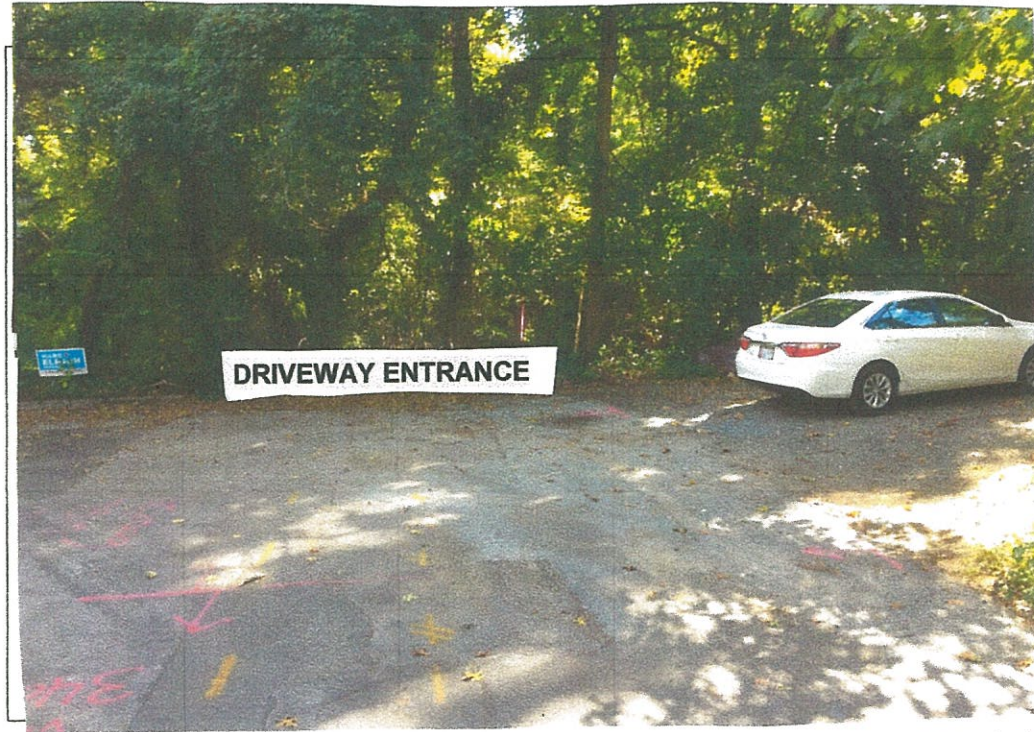
HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address 10201 MENLO LLC 25101 PEACHTREE RD CLARKSBURG, MD 20871	Owner's Agent's mailing address MINTER P. FARNSWORTH 25101 PEACHTREE RD CLARKSBURG, MD 20871
Adjacent and confronting Property Owners mailing addresses	
J. STAGUHN AND K. FLORIAN STAGUHN 10203 MENLO AVE SILVER SPRING, MD 20910	PHILLIP HAUSSMANN 10200 MENLO AVE SILVER SPRING, MD 20910
TOVI LEHMAN AND NOA LIVNI LEHMAN 2900 LOMA ST SILVER SPRING, MD 20910	LYNN J. BUSH 2905 BARKER ST SILVER SPRING, MD 20910
HARRY A. AND E.C. VOLZ 2801 BARKER ST. SILVER SPRING, MD 20910	BABEL AND CHLOE PEREZ 10202 LESLIE ST. SILVER SPRING, MD 20902

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Existing Property Condition Photographs (duplicate as needed)



Detail: DRIVEWAY ENTRANCE @ CORNER OF MENLO + LOMA



Detail: PROPOSED NEW FENCE LOCATION (ON SITE PLAN)

Applicant: 10201 MENLO LLC

Page: 10

MENTLO AVENUE

LOMA STREET

LOT 17, BLK 25

SITE PLAN
1" = 20'

1" = 20'

- 🏠 **New 6' Board on Board Fence**
- 🏠 **New PT 6"x6" Retaining Wall**

New PT 6"x6" Retaining Wall

20' WATER EASEMENT

12' SEWER EASEMENT

LOT 13

-20' SEWER EASEMENT

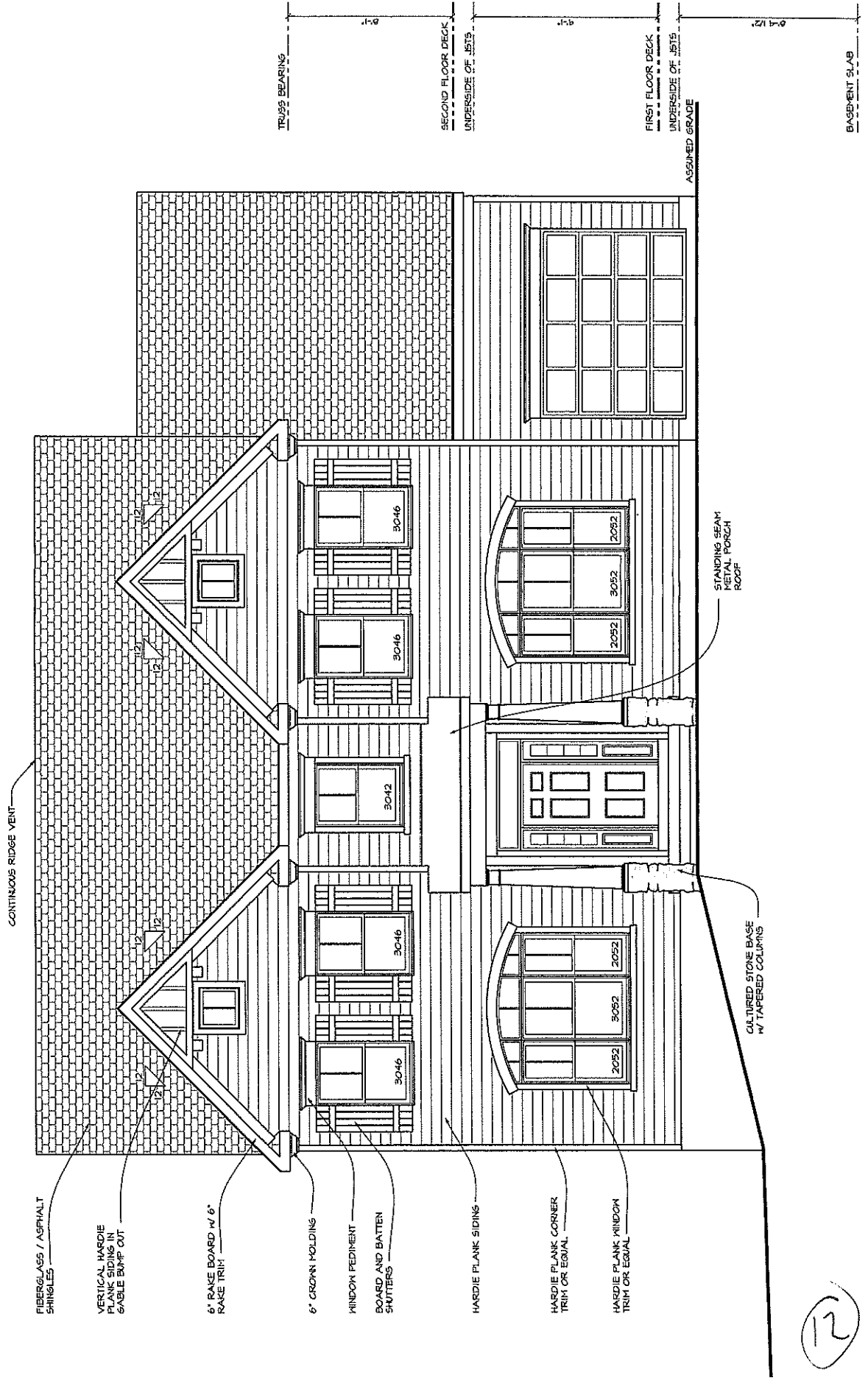
LOT 14

LOT 17

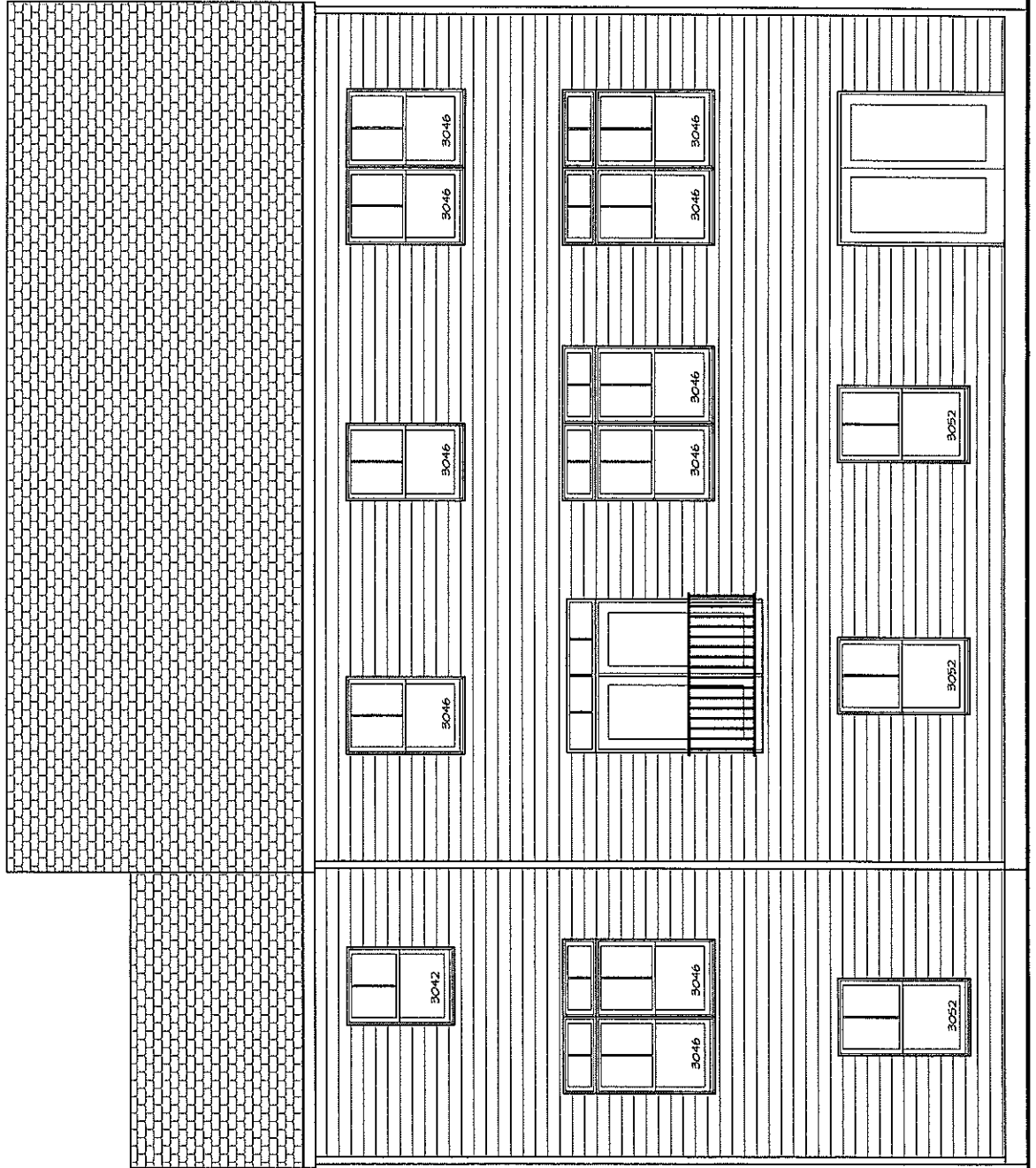
BUILDING ENVELOPE
LOT 13 BLOCK 18

11

FRONT ELEVATION 1/4" = 1'

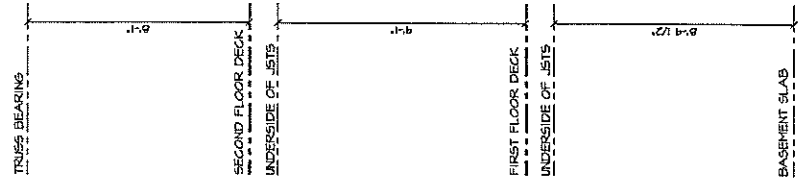
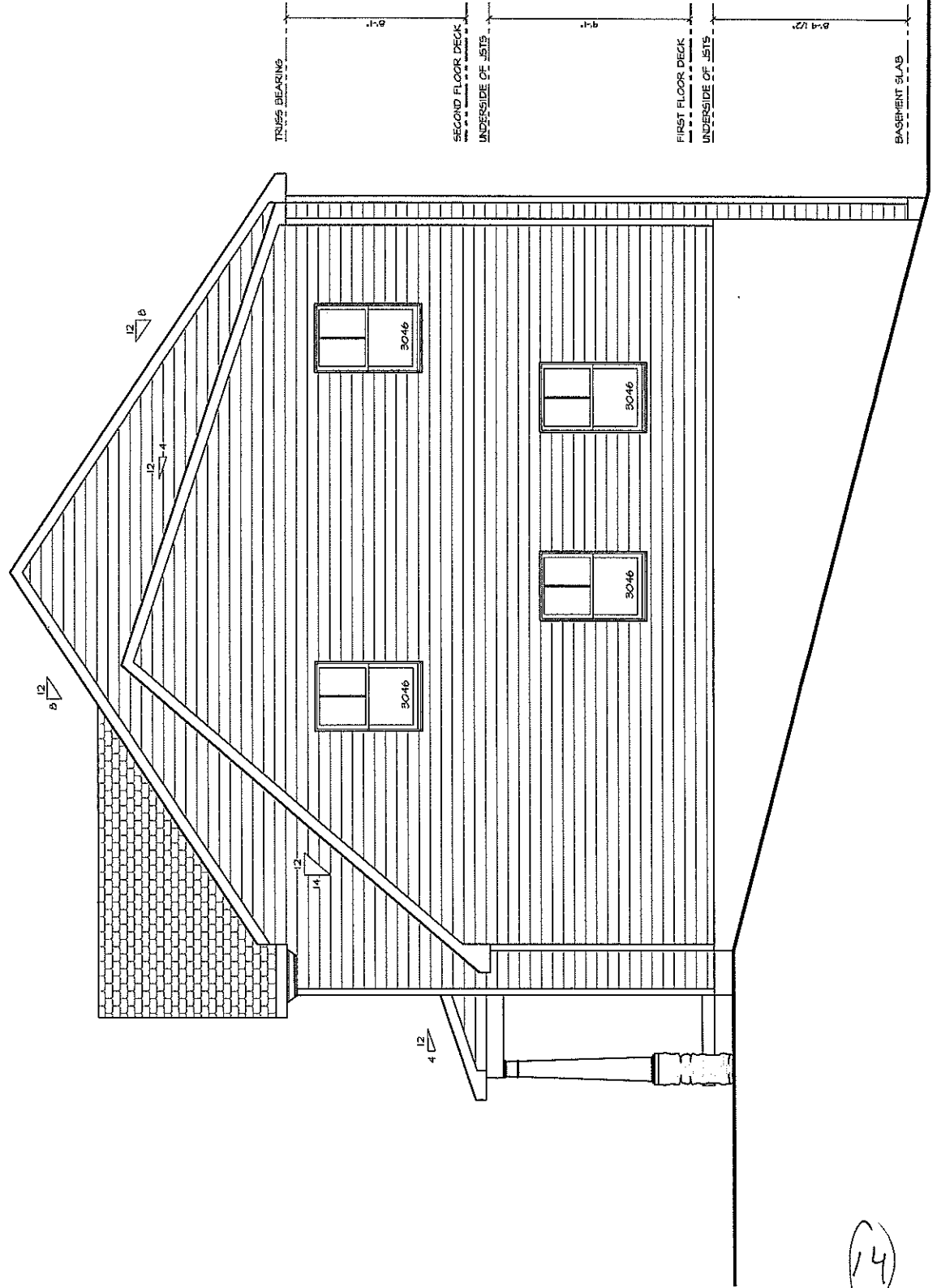


REAR ELEVATION
1/4" = 1'

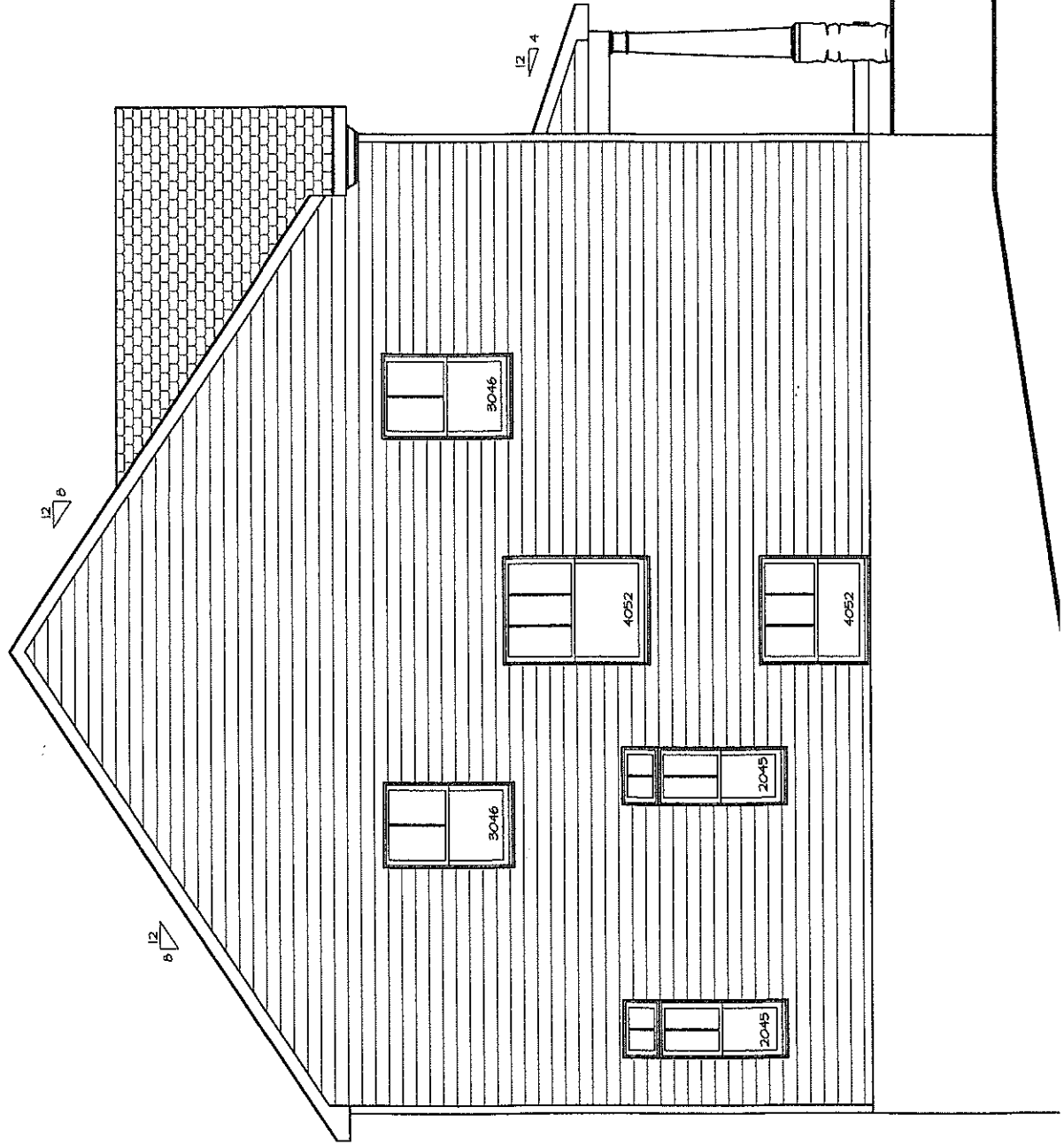


TRUSS BEARING
SECOND FLOOR DECK
UNDERSIDE OF JS19
FIRST FLOOR DECK
UNDERSIDE OF JS15
BASEMENT SLAB

RIGHT SIDE ELEVATION
1/4" = 1'



LEFT SIDE ELEVATION
1/4" = 1'



TRUSS BEARING

12/8

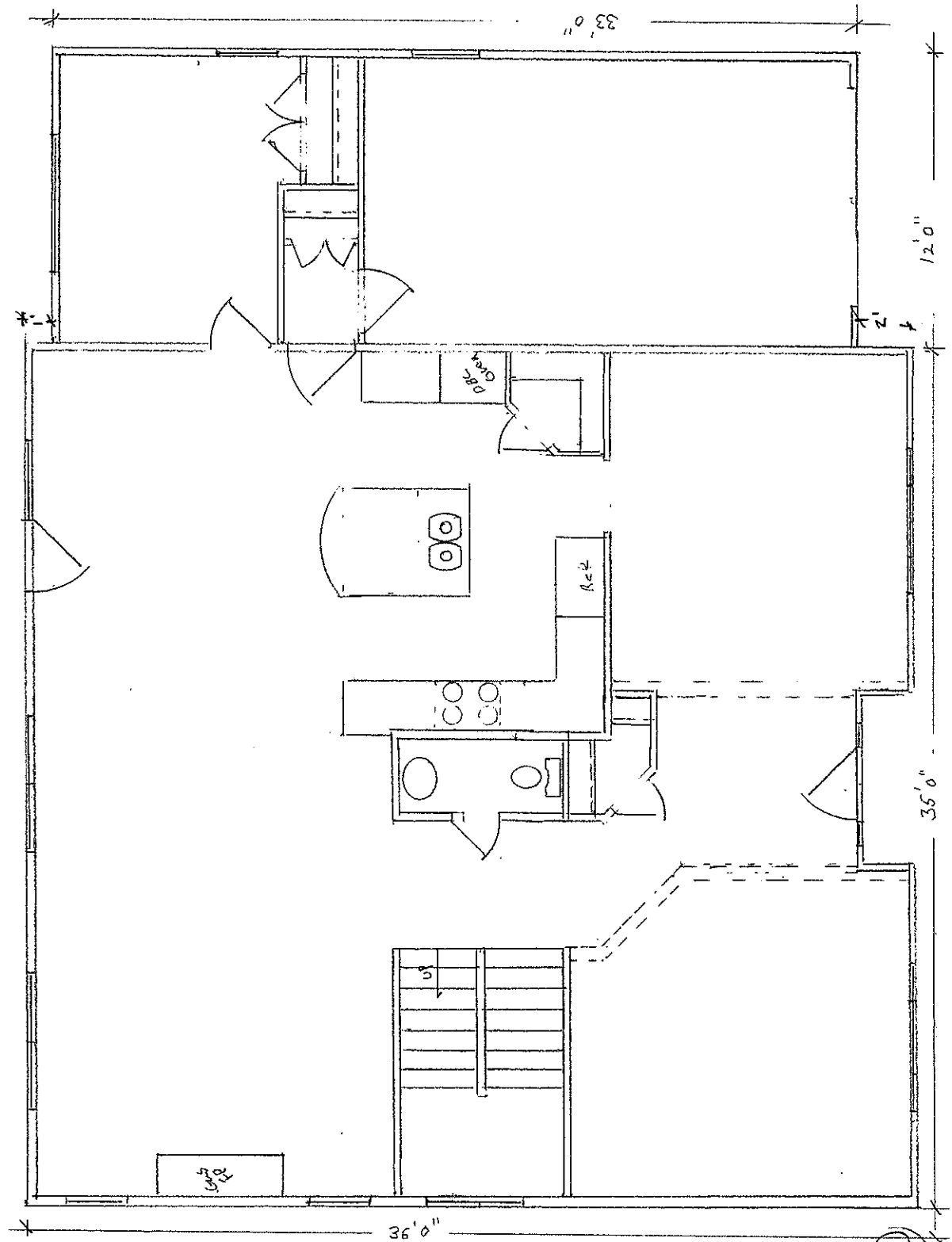
SECOND FLOOR DECK
UNDERSIDE OF .575

12/4

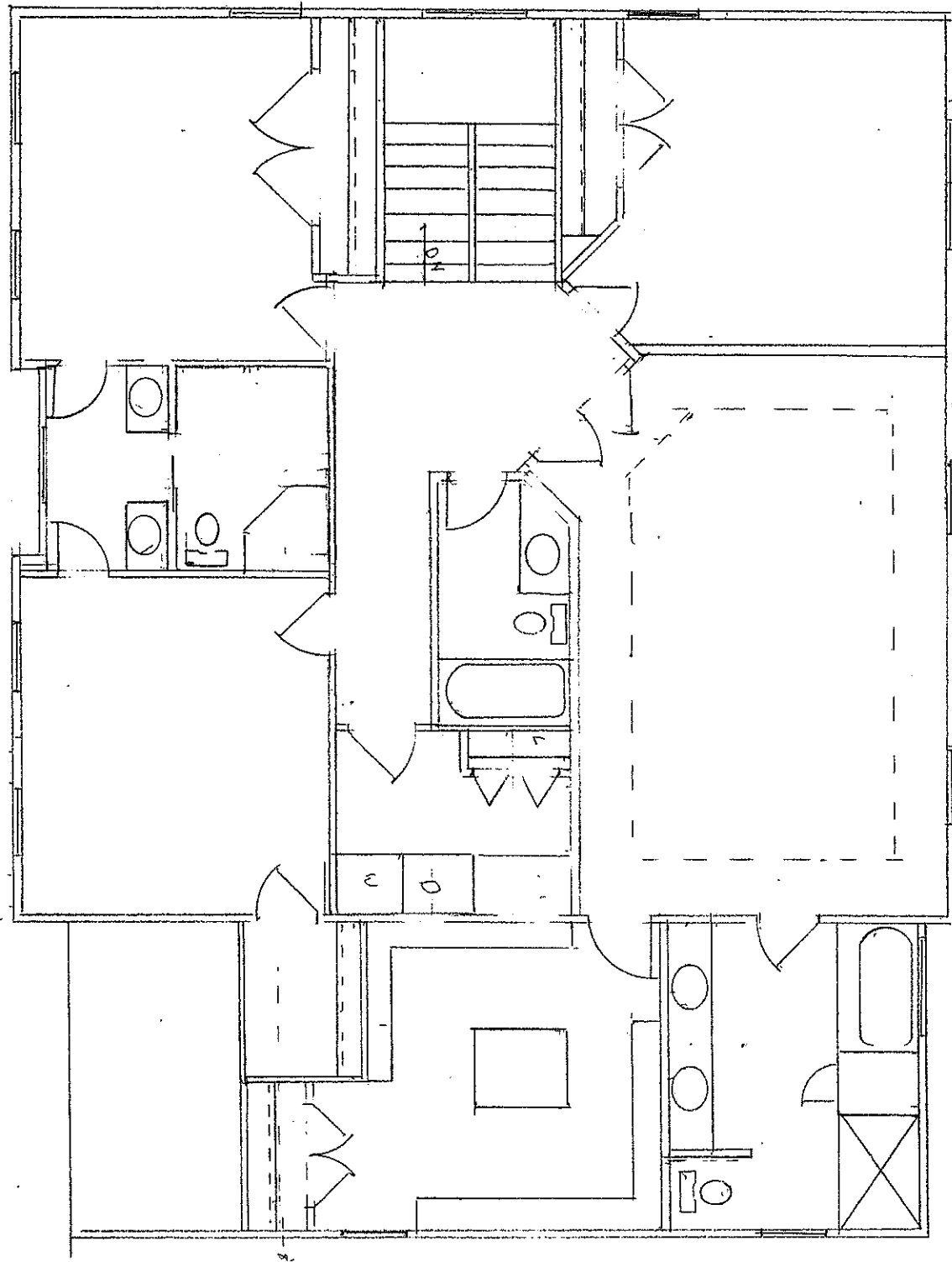
FIRST FLOOR DECK
UNDERSIDE OF .575

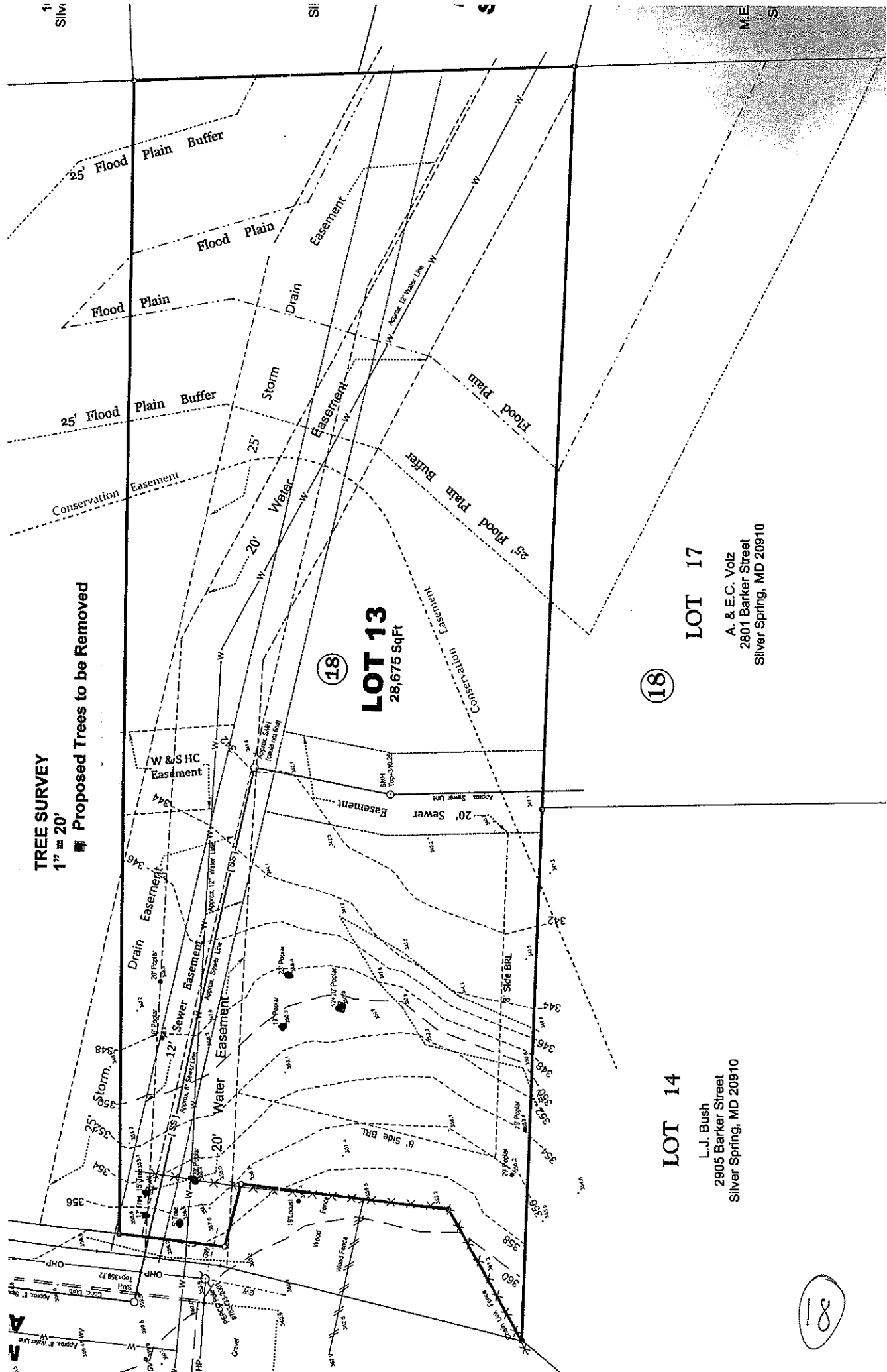
12/4

FIRST FLOOR PLAN
1/4" = 1'



SECOND FLOOR PLAN
1/4" = 1'





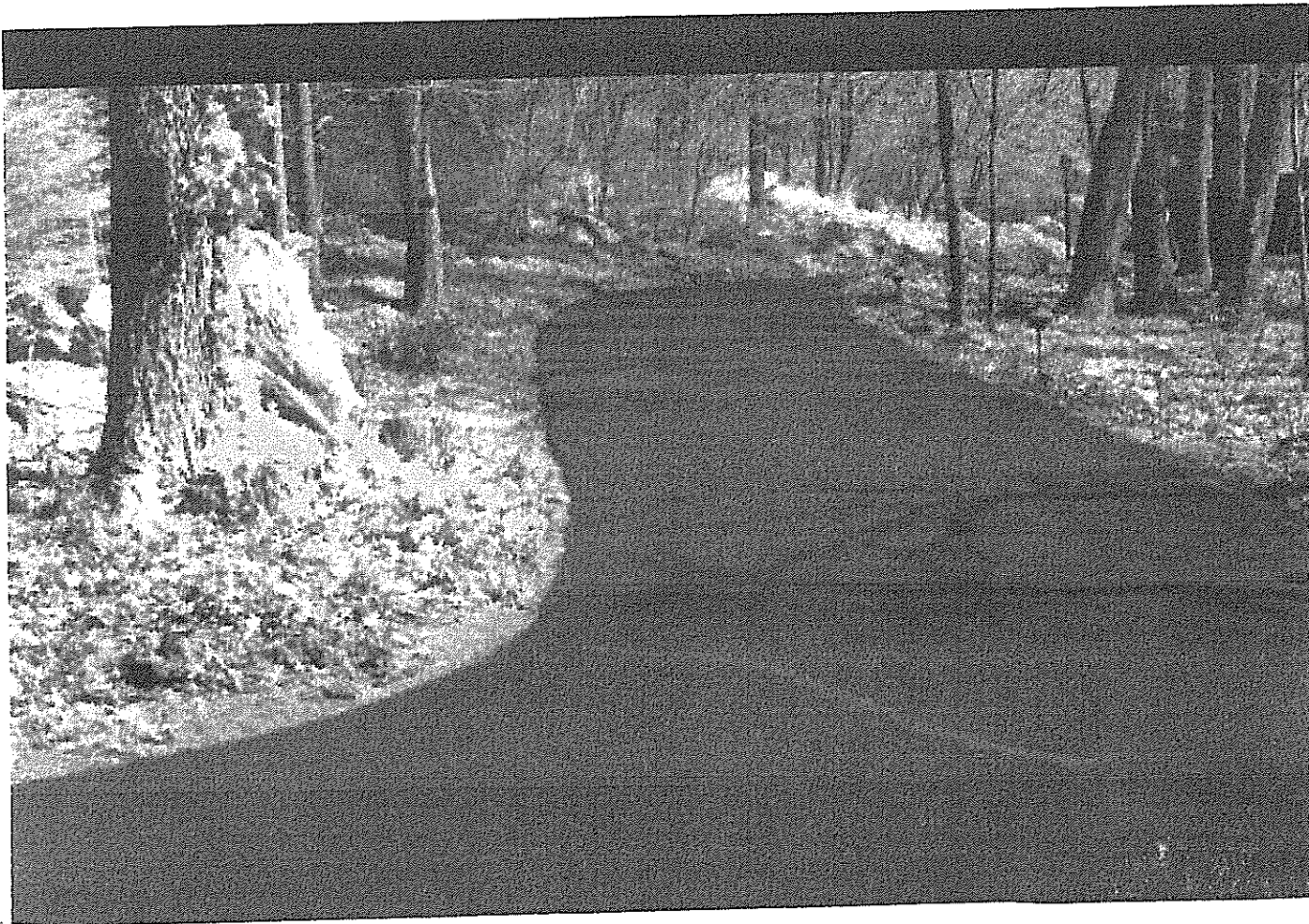
TREE SURVEY
1" = 20'
Proposed Trees to be Removed

LOT 13
28,675 SqFt

LOT 17
A. & E.C. Volz
2801 Barker Street
Silver Spring, MD 20910

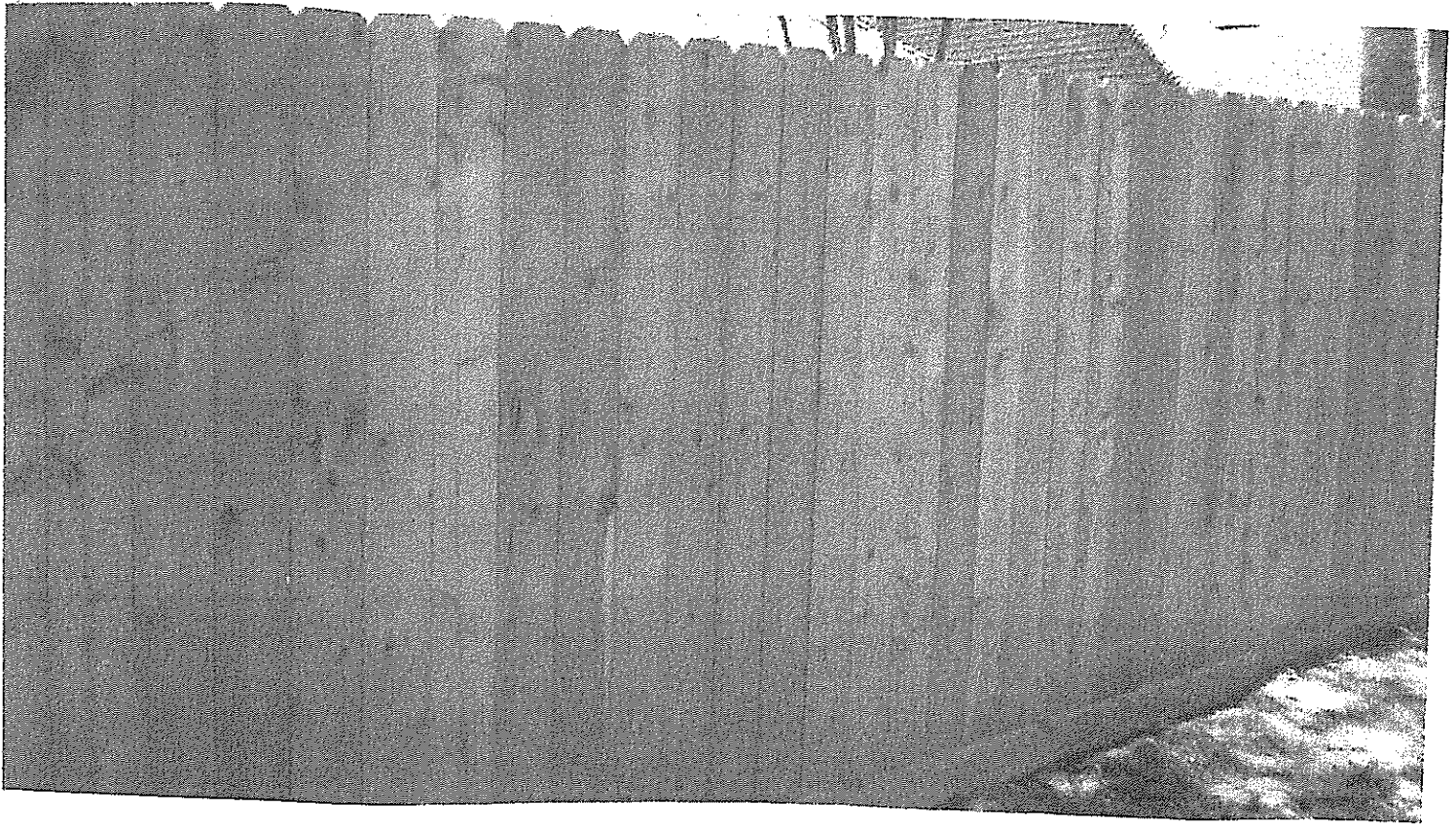
LOT 14
L.J. Bush
2905 Barker Street
Silver Spring, MD 20910

18



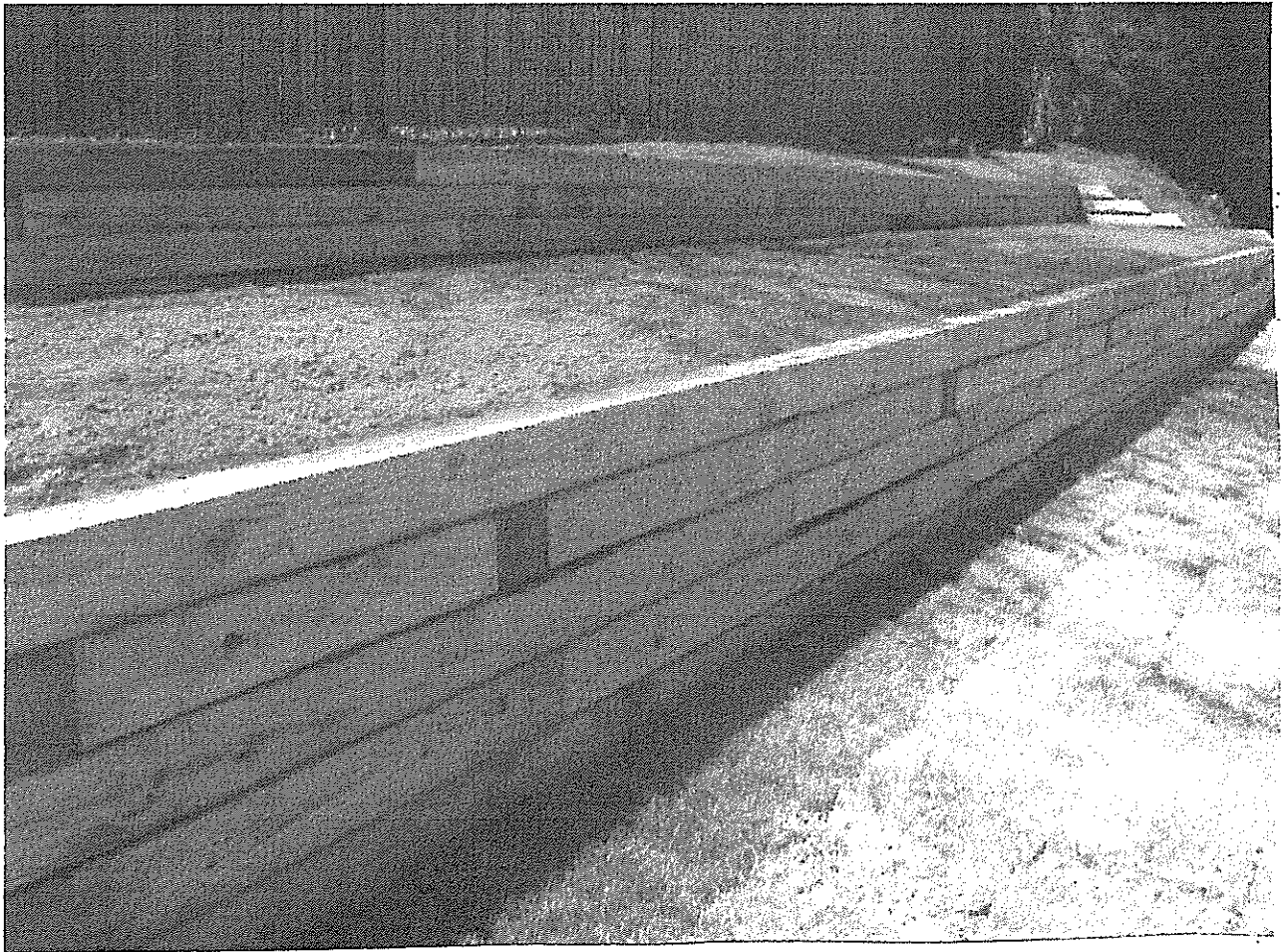
10201 MENLO AVENUE

**PROPOSED MACADAM DRIVEWAY
LOCATION AS PER SITE PLAN DRAWING**



10201 MENLO AVENUE

**PROPOSED FENCING:
PRESSURE TREATED 1" X 6" VERTICAL
6' HIGH PRIVACY FENCING WITH NATURAL FINISH
LOCATION AS PER SITE PLAN DRAWING**



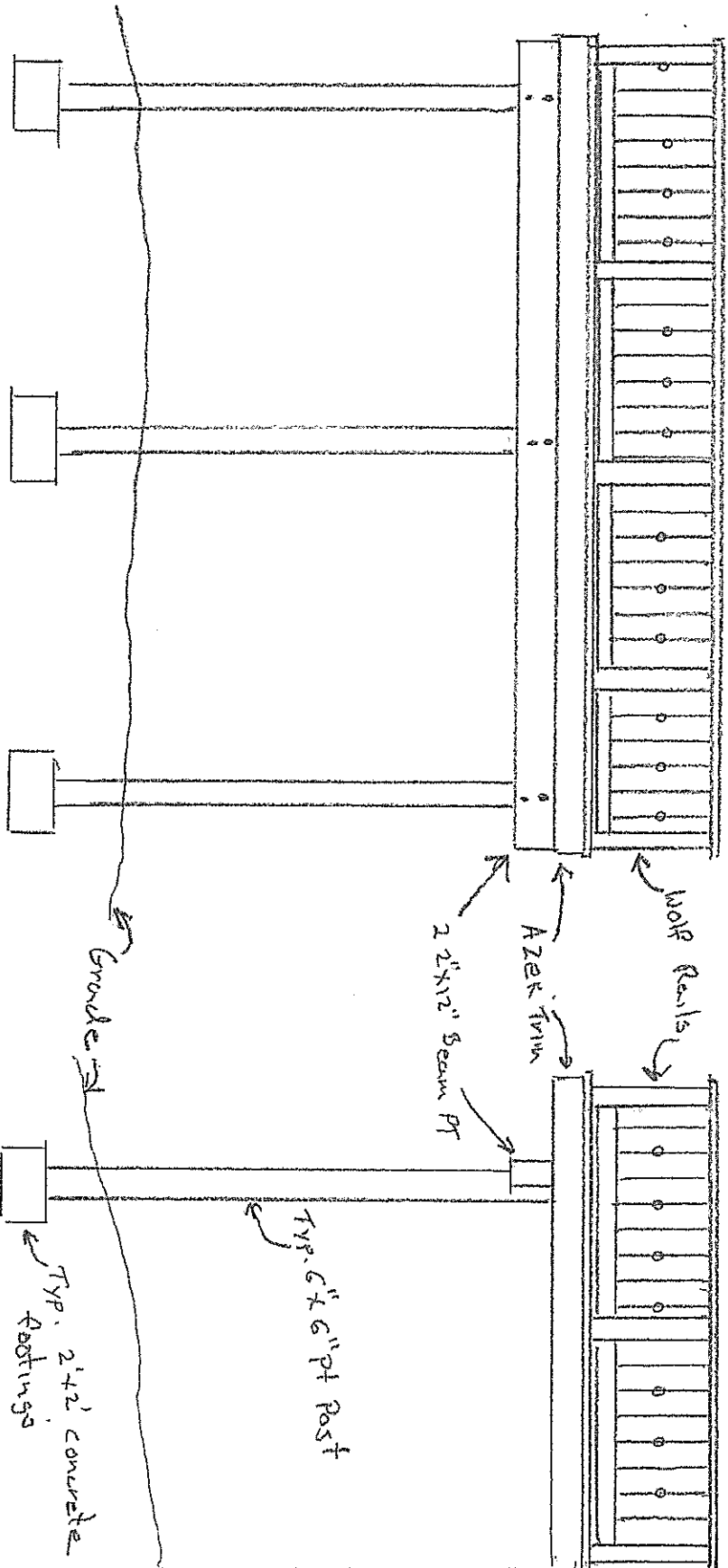
10201 MENLO AVENUE

**PROPOSED RETAINING WALLS:
6" x 6" PRESSURE TREATED RETAINING WALLS
WITH 6" x 6" PRESSURE TREATED TIE BACKS
WITH NATURAL FINISH
LOCATIONS AS PER SITE PLAN DRAWING**

10201 Menlo Ave.

Deck

House



East Elevation $\frac{1}{4}" = 1'0"$

North Elevation $\frac{1}{4}" = 1'0"$

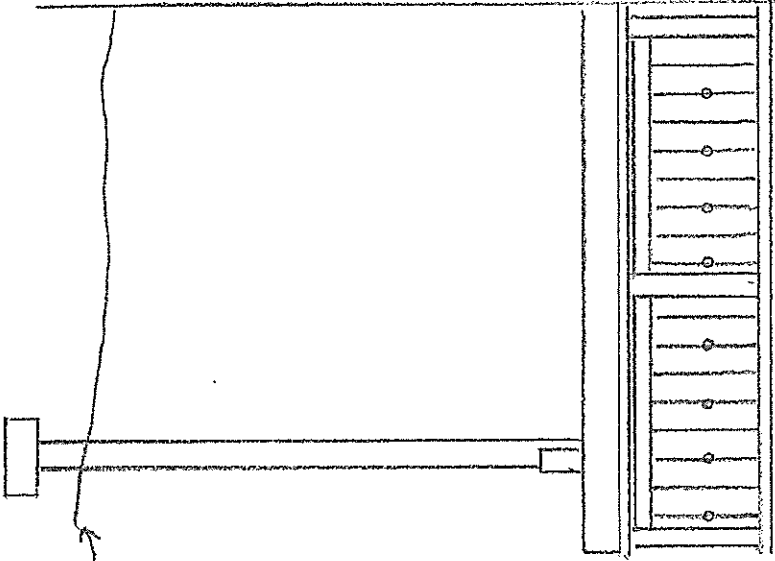
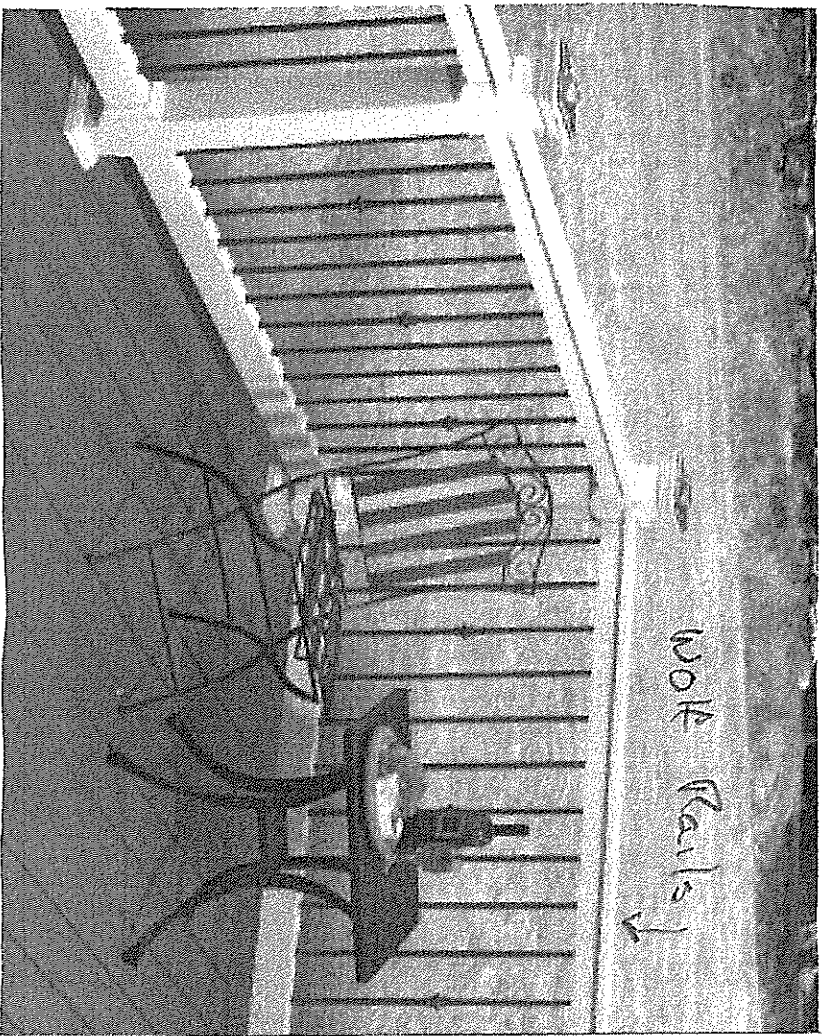
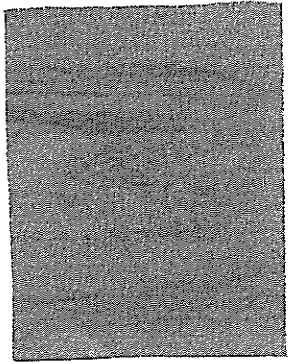
ARMADILLO

Decking
Material

Color
Canyon

Gray

House



South Elevation
 $\frac{1}{4}'' = 1'0''$