

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	10106 Day Ave., Silver Spring	<b>Meeting Date:</b>	5/7/2019
<b>Resource:</b>	1870-1916 Capitol View Park Historic District	<b>Report Date:</b>	4/30/2019
<b>Applicant:</b>	Elisabeth Veraart	<b>Public Notice:</b>	4/23/2019
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	31/07-19B	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Fence Replacement		

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**STAFF RECOMMENDATION**

Staff recommends that the HPC approve the HAWP.

**PROPERTY DESCRIPTION**

**SIGNIFICANCE:** 1870-1916 construction in the Capitol View Park Historic District

**STYLE:** Craftsman

**DATE:** 1916



*Figure 1: 10106 Day Ave. is located adjacent to Capitol View Ave. and at the edge of the Capitol View Park Historic District.*

## **PROPOSAL**

The applicant proposes removing the existing chain link fence and installing an aluminum fence along Day Ave. and Capitol View Ave.

## **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.

### ***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
- (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***

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will be avoided.
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 subject property is an atypical lot for the Capitol View Park Historic District. The house fronts Capitol View Ave. with a more than 160' (one hundred sixty foot) setback, and due to the vegetation cannot be readily seen from the right-of-way. The subject property is also the eastern and northern boundary to the historic district with 1980s construction directly to the north, east, south, and west. The subject property was identified as the "Trimble Estate" in the original Capitol View Historic District survey with an address of 10011 Capitol View Ave. The property was subsequently subdivided in the early 1980s into five lots (now identified as 10106, 10108, 10110, 10112, and 10114 Day Ave.).

The applicant proposes to remove the existing chain link fence that runs along Capitol View Ave. and Day Ave. and replace it with at 5' (five-foot-tall) black aluminum fence. The existing fence does not add to the character of the property or surrounding district and its removal should be approved.

The proposed fencing will be 5' (five feet) tall in 6' (six foot) wide sections. The fence will be constructed out of aluminum and will be black. The fence will run approximately 400' (four hundred linear feet) along both Capitol View and Day Ave. While cast iron or wood fences are the preferred material, Staff finds that aluminum is an appropriate material in this instance. First, the house so far removed from the fencing at the front of the property that there is almost a disconnect between the fence and the historic architecture of the house. The second reason Staff finds the aluminum fence to be appropriate is that the slightly thicker aluminum members will provide a stronger visual barrier for drivers from the heavily travelled Capitol View Ave. and the front lot of the subject property. Third, the fence along Day Ave. faces outside the historic district, so its impact on the surrounding district will be minimal. Lastly, Staff does not find that the change from a chain link fence to the proposed aluminum fence will result in the alteration of any historic fabric or features (per 24A-8(b)(1)). Staff supports approval of this HAWP.

## **STAFF RECOMMENDATIONS**

Staff recommends that the HPC approve the HAWP as being consistent with Chapter 24A-8(b)(1) and Standard 9 of the Secretary of the Interior's Standards for Rehabilitation; 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.

8787 GA. AVE.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

DP6-#8

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: lizroudey@yahoo.com Contact Person: Liz Vernart  
Tax Account No.: 02049416 Daytime Phone No.: 240-274-5281  
Name of Property Owner: Elisabeth Vernart Daytime Phone No.: 240-274-5281  
Address: 10106 Day Avenue Silver Spring MD 20910  
Street Number City State Zip Code  
Contractor: Tri County Fence and Decks Phone No.: 301-916-2205  
Contractor Registration No.: MDIC # 102033  
Agent for Owner: Bruce Riley Daytime Phone No.: 301-916-2205

## LOCATION OF BUILDING/PREMISE

House Number: 10106 Street: Day Ave  
Town/City: Silver Spring Nearest Cross Street: Capital View Ave  
Lot: 29 Block: 2N Subdivision: 0005  
Lib: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

## PART ONE: TYPE OF PERMIT ACTION AND USE

### 1A. CHECK ALL APPLICABLE

- ☐ Construct ☐ Extend ☒ Alter/Renovate  
☐ Move ☐ Install ☐ Wreck/Rem  
☐ Revision ☐ Repair ☐ Reversible

### CHECK ALL APPLICABLE

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

1B. Construction cost estimate: \$ 12,210.

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

## PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS/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 5 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.

E. Elisabeth Vernart  
Signature of owner or authorized agent

3/27/19  
Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

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

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

Eds 5/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

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

<p><b>Owner's mailing address</b>                  Elisabeth Veraart                  10106 Day Ave                  Silver Spring, MD 20910</p>	<p><b>Owner's Agent's mailing address</b>                  Tri County Fence and Decks                  84520 Frederick Rd                  Clarksburg MD 20871</p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>Lilla + Howard Needham                  Buchholz                  10108 DAY AVE</p>	<p>Mark Fedhousen                  10101 Day Ave.</p>
<p>Erin Cindy Elcher                  10012 Capital View Ave.                  301-587-8953</p>	<p>Sandhu Sharmila                  10103 DAY AVE</p>
	<p>R+R Peters                  10105 DAY AVE</p>

# BUILDING SKETCH ADDENDUM

23117

Surveyor N/A  
 Property Address 10106 Day Avenue  
 City Silver Spring County Montgomery State MD Zip Code 20910  
 Lender Mr & Mrs. Andrew Raud

## BUILDING LOCATION SURVEY

LOT 29

BLOCK 21

## CAPITOL VIEW PARK

MONTGOMERY COUNTY, MARYLAND

MACRIS, HENDRICKS AND WITMER, PA

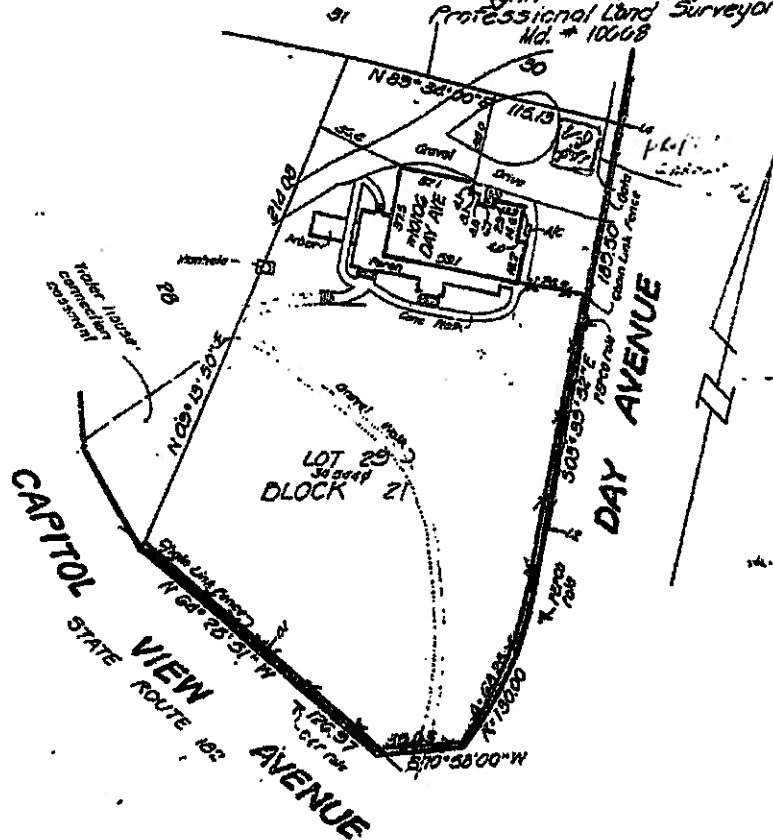
ENGINEERS SURVEYORS  
 15209 FREDERICK ROAD  
 ROCKVILLE, MD. 20850  
 340-8785

SCALE 1" = 50'

DATE: 3/18/81

I certify that the plot shown is correct and is as recorded among the Land Records of Montgomery County, Maryland in Plot Book 113 as Plot 13320. The location of improvements as shown is correct and they were located by a transit tape survey made this date.

*John R. Witmer*  
 John R. Witmer  
 Professional Land Surveyor  
 Md. # 10008

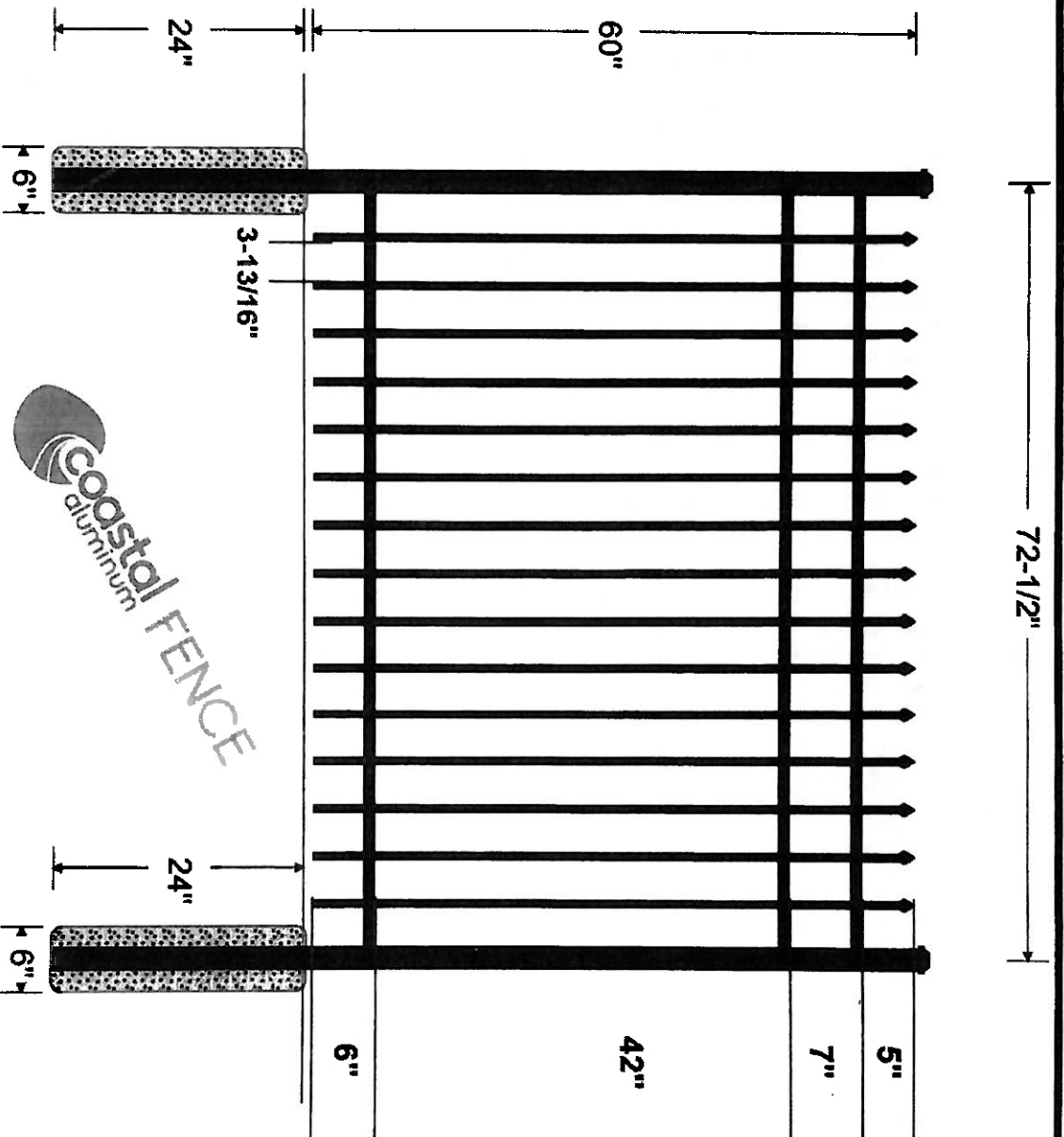


60-113

Plot # 13320

HAROLD R. GEARHART, MA/SRA





# **PRODUCT SPECIFICATIONS**

**1" x 1"**  
**Square Rails**  
**5/8" x 5/8"**  
**Square Picket**

**#8 x 3/4"**  
**Pan Head**  
**SS Screws**

**Picket spacing is 3-13/16"**

**Rail Spacing is measured top to top**

## **POST RECOMMENDATIONS**

**2" x 2" x 84"**  
**.060 or .125 wall**

**Post to be set 72-1/2" on center**

**60" x 72" Residential Sailwind Traditional Bottom Panel**

**Coastal Aluminum Manufacturing**

Drawn: 12/26/2018  
 File:















