STAFF REPORT

Address: 10106 Day Ave., Silver Spring  
Meeting Date: 5/7/2019

Resource: 1870-1916  
Capitol View Park Historic District  
Report Date: 4/30/2019

Applicant: Elisabeth Veraart  
Public Notice: 4/23/2019

Review: HAWP  
Tax Credit: n/a

Case Number: 31/07-19B  
Staff: Dan Bruechert

Proposal: Fence Replacement

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 a 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 it’s 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.
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact: Email: lizroude@yahoo.com
Contact Person: Liz Verme
Daytime Phone: 240-274-5281

Tax Account No.: 0204-9410

Name of Property Owner: Elisabeth Verme
Daytime Phone: 240-274-5281

Address: 10100 Day Avenue Silver Spring MD 20910

Contractor: Tri-County Fences and Decks
Phone: 301-916-2305

Contractor Registration No.: MHB-00-10303

Agent for Owner: Bruce Rourke
Daytime Phone: 301-916-2305

LOCATION INFORMATION

House Number: 10100
Street: Day Ave
Fence/City: Silver Spring
Heaven/Cross Street: Capital View Ave
Lot: 24
Block: 21
Subdivision: 00605

PART ONE: TYPE OF PERMIT, ACTION AND USE

1. Check all applicable:

- Construct
- Extend
- Alter/Remodel
- Add
- Move
- Install
- Repair
- Remove

2. Check all applicable:

- AC
- Sub
- Roof Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other:

3. Construction cost estimate: $12,210

4. If this is a revision of a previously approved active permit, see Permit #

PART TWO: COMPLETED FOR NEW CONSTRUCTION AND EXISTING ADDITIONS

2A. Type of sewer disposal:
- 01 WSSC
- 02 Septic
- 03 Other:

2B. Type of water supply:
- 01 WSSC
- 02 Well
- 03 Other:

PART THREE: COMPLETE DATA FOR EXISTING FENCE/WALL

3A. Height: 5 feet

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
- On public line (property line)
- On public right of way
- Entirely on land of owner

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 hereby acknowledge said accept due to be a condition for the issuance of this permit.

E. Verme

3/27/19

Signature of owner or authorized agent

SEE REVERSE SIDE FOR INSTRUCTIONS
<table>
<thead>
<tr>
<th>Owner's mailing address</th>
<th>Owner's Agent's mailing address</th>
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<tbody>
<tr>
<td>Elisabeth Veraart</td>
<td>Tro County Fence and Decks</td>
</tr>
<tr>
<td>10106 Day Ave</td>
<td>84520 Frederick Rd</td>
</tr>
<tr>
<td>Silver Spring, MD 20910</td>
<td>Clarksburg, MD 20871</td>
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<table>
<thead>
<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
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<tbody>
<tr>
<td>Lula &amp; Howard Needham Buchholz</td>
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<tr>
<td>10108 DAYAVE</td>
</tr>
<tr>
<td>Mark Fedhousen</td>
</tr>
<tr>
<td>10101 Day Ave.</td>
</tr>
<tr>
<td>Eric Cindy Eicher</td>
</tr>
<tr>
<td>10012 Capital View Ave.</td>
</tr>
<tr>
<td>301-587-8953</td>
</tr>
<tr>
<td>Sandhu Sharmila</td>
</tr>
<tr>
<td>10103 DAYAVE</td>
</tr>
<tr>
<td>R+R Peters</td>
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<tr>
<td>10105 DAYAVE</td>
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BUILDING LOCATION SURVEY
LOT 29  BLOCK 21
CAPITOL VIEW PARK
MONTGOMERY COUNTY, MARYLAND

HARRIS, MENDRICKS AND WITMER, PA

SCALE 1" = 90'
DTS. 3/18/91

John R. Witmer
Professional Land Surveyor

Plot #13320

HAROLD R. GEARHART, M.ASRA