

Preliminary Consultation
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	10221 Menlo Ave., Silver Spring	Meeting Date:	1/10/2024
Resource:	1870-1916 Capitol View Park Historic District	Report Date:	1/3/2024
Applicant:	Kenneth A. Gear	Public Notice:	12/27/2023
Review:	HAWP	Staff:	Dan Bruechert
Proposal:	Building Construction		

STAFF RECOMMENDATION

Staff recommends the applicant make any revisions recommended by the HPC and return for a second preliminary consultation.

PROPERTY DESCRIPTION

SIGNIFICANCE: 1870-1916 construction in the Capitol View Park Historic District
STYLE: Vacant
DATE: n/a



Figure 1: The proposed house is on the northernmost lot in the Capitol View Park Historic District.

BACKGROUND

The HPC approved the demolition of the c.1910 house at 10221 Menlo Ave. at the June 12, 2019 HPC meeting.¹ The house had been vacant for several years before it was struck by a tree and subsequently condemned by the Department of Housing and Community Affairs.

A Preliminary Consultation was heard at the July 12, 2019² HPC meeting to evaluate a new house design for the lot. The applicant never followed up after the hearing and the proposal was abandoned and the former owner sold the property in May, 2023.

PROPOSAL

The applicant proposes to construct a new single-family house 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 *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

(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.

(d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design

¹ The Staff Report and application for the 2019 house demolition is available here:

<https://montgomeryplanning.org/wp-content/uploads/2019/06/I.D-10221-Menlo-Avenue-Silver-Spring.pdf>.

² The Staff Report and application for the proposed new construction is available here:

<https://montgomeryplanning.org/wp-content/uploads/2019/06/III.B-10221-Menlo-Avenue-Silver-Spring.pdf>. The hearing for the July 12, 2019 Preliminary Consultation is available here:

https://mncppc.granicus.com/MediaPlayer.php?publish_id=b8e2f280-98de-11e9-b00b-0050569183fa, beginning at 1:37:00.

significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59)

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.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The subject property is located at the northern edge of the Capital View Park Historic District on Menlo Ave. The subject lot was platted in 1887. Staff's estimates that a house was constructed on the property around c.1910 with several later additions. The house demolition was approved by the HPC in 2019 and the lot has been vacant ever since. The lot slopes steeply away from grade. The house immediately to the south of the subject property, at 10219 Menlo Ave., is infill construction that was approved by the HPC in 2004.³ To the north of the subject lot, is the Capitol View-Homewood Local Park. The applicant proposes to construct a single-family house on the lot. Most of the material specifications were not included in the submission, so this Staff Report focuses primarily on issues of size, placement, and massing.

The proposed house is comprised of three main elements: the carriage house, the main house, and the backyard. Because the proposed house utilizes a contemporary design and form, Staff will use these names for the sake of consistency. The carriage house connects to the main house through the 'front porch' and mudroom. The main house is built into the grade and slopes away from the right-of-way, so its visibility will be limited from the right-of-way. The backyard includes a rear deck and terraces that follow the lot's slope.

Carriage House

The most visible element of the proposed house is the carriage house. It is a one-and-a-half-story side gable building with a single-bay garage door on the right side and a central entrance. The carriage house has a garage and gathering space on the first floor with living space above. There is a nearly full width shed dormer in the roof with multi-light windows creating a clerestory. On the top of the roof, there is a front-gabled 'monitor' with half-round windows and skylights. The carriage house is 35' × 20' (thirty-five feet wide by twenty feet deep) and is 18' 5 ¼" (eighteen feet, five and a quarter inch tall) to the ridge and 21' 5 ½" (twenty-one feet, five and one-half inches) to the top of the 'monitor.' The application states the house will have exterior clapboard siding, but does not indicate whether the siding will be wood or fiber cement. The house maintains 8' 6" (eight feet, six inch) setbacks to either side.

In front of the carriage house, there is a driveway, paved walkway and a small section of grass.

³ The file for the 2004 HAWP approval at 10219 Menlo Ave., Silver Spring is available here: https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640010/Box083/31-07-04H_Capitol%20View%20Historic%20District_10219%20Menlo%20Ave_09-10-2004.pdf.

Staff finds the side gable form of the carriage house is consistent with the variety of architectural styles and forms found throughout the Capitol View Park Historic District. Staff finds the height of the proposed structure will not overwhelm the streetscape and is shorter than the neighboring house, which appears to be 30' (thirty feet tall) from grade.

Staff finds the treatment of the roof needs some revision to be more compatible with the forms found throughout the historic district. The space between the first-floor windows and doors and the shed dormer appears to be too large. Raising the roof pitch and lowering the eave, would allow the carriage house to retain its height, but would present a form that is more compatible with the surrounding streetscape. Staff also recommends increasing the pitch of the dormer slightly, so it doesn't appear as flat as it does in some of the renderings. Staff finds the monitor piece to be an incompatible form and recommends it be eliminated from the design. Additional skylights could be added to the roof to provide the same amount of natural light without disrupting the building form.

Staff finds clapboard siding, either wood or fiber cement, would be appropriate for new construction in the Capitol View Park Historic District. Staff recommends either aluminum or aluminum-clad wood windows. Staff additionally recommends the applicant utilize contemporary doors, both for the entrance door and the vehicular carriage door, instead of relying on a more traditional design as shown in the elevation drawings. Lastly, Staff finds several roofing materials would be appropriate for the current proposal including asphalt, slate, and/or metal roofing.

Staff requests feedback from the HPC on:

- The proposed form of the carriage house;
- The proposed size of the carriage house;
- Its placement along the streetscape;
- Recommended design revisions; and
- Any other concerns.

Main House

The main house is setback approximately 50' (fifty feet) from the right-of-way and is 41' 4 ¾" (forty-one feet, four and three-quarters inches) deep. The main house's roof is a shed roof that is 29' 3 ¾" (twenty-nine feet, three and three-quarter inches) from grade, but is below the ridge of the carriage house roof. The shed roof follows the slope of the lot away from Menlo Ave. The south (right) elevation has several small, narrow fixed windows, but is mostly a blank clapboard wall. The north (left) elevation, which faces toward the park, has several larger fixed rectangular windows. The shed roof has several skylights which help to create an interior patio. These skylights will not be at all visible from the public right-of-way.

Staff finds the 50' (fifty foot) setback, coupled with the lower roof height will limit the visibility of the main house when viewed from the right-of-way. Staff finds the form and design elements of the main house to be purely contemporary, but also finds 24A-8(c) and Standards 9 and 10 do not limit infill construction to one period or style, provided the construction is compatible with the size, scale, and massing of the setting. Staff finds the size and form of the main house will not overwhelm or detract from the surrounding district. Staff additionally finds the single light punched openings are an appropriate feature and are consistent with the architectural vocabulary selected for the main house block.

As with the carriage house, no material specifications were included with the submission. However, Staff would find either wood clapboard or fiber cement siding to be appropriate for the proposed construction. Additionally, Staff finds aluminum or aluminum clad wood windows would be appropriate in this application. Staff would also find a variety of roofing materials to be appropriate and also notes that Staff

would support the installation of solar panels on the main house roof should that be something the applicant is interested in pursuing.

Staff requests feedback from the HPC on:

- The appropriateness of the main house form;
- The appropriateness of the main house massing;
- Any comments on the main house design;
- The appropriateness of any identified materials; and
- Any other comments.

Backyard

The final element proposed is the proposed backyard. The backyard includes two terrace levels, a deck, and a set of exterior stairs that run along the southern property line. The renderings and elevation drawings show privacy fencing enclosing much of the side and rear lots of the property. The backyard extends 45' 1 ¾" (forty-five feet, one and three-quarters inches) behind the rear wall plane. The plans, which appear to be largely illustrative, show concrete and stone stairs and walls, with terraced planters, and a contemporary pergola with a roof that mirrors the roofline of the main house.

Staff finds the backyard will not be visible from the right-of-way, both because of the lot slope and because it is behind the carriage house and main house. Staff finds the hardscaping materials are compatible with the house design and the character of the surrounding district. A material specification was not included for the fence; however, Staff notes the only material that would be acceptable for the type of fence shown is wood; a synthetic or PVC fence would not be acceptable.

Staff's primary concern with the backyard is that it adds to the total amount of impervious surface on the lot. Between the paving in front of the house, the carriage house, the main house, and the backyard, Staff is concerned the character of the surrounding district is not being sufficiently preserved. Beyond that, Staff questions whether the proposal will comply with the zoning requirements and encourages the applicant to consult with the Department of Permitting Services before proceeding much further. Finally, if the creek runs in the location shown on the site plan, Staff is concerned that construction will not be permitted in that area.



Figure 2: Site plan showing the carriage house, main house, and backyard.

Staff requests feedback from the HPC on:

- The appropriateness of the size of the backyard;
- The appropriateness of the identified materials;
- The overall impact the backyard will have on the site; and
- Any feedback on the overall amount of impervious surfaces on the site.

STAFF RECOMMENDATIONS

Staff recommends the applicant make any revisions recommended by the HPC and return for a second preliminary consultation.



**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP# _____
DATE ASSIGNED _____

APPLICANT:

Name: _____ E-mail: _____
Address: _____ City: _____ Zip: _____
Daytime Phone: _____ Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____ E-mail: _____
Address: _____ City: _____ Zip: _____
Daytime Phone: _____ Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name _____
 No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|---|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input type="checkbox"/> Other: _____ |

I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.

Signature of owner or authorized agent

Date

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

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

Description of Work Proposed: Please give an overview of the work to be undertaken:

Work Item 1: _____	
Description of Current Condition:	Proposed Work:

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

**HISTORIC AREA WORK PERMIT
CHECKLIST OF
APPLICATION REQUIREMENTS**

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*



MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



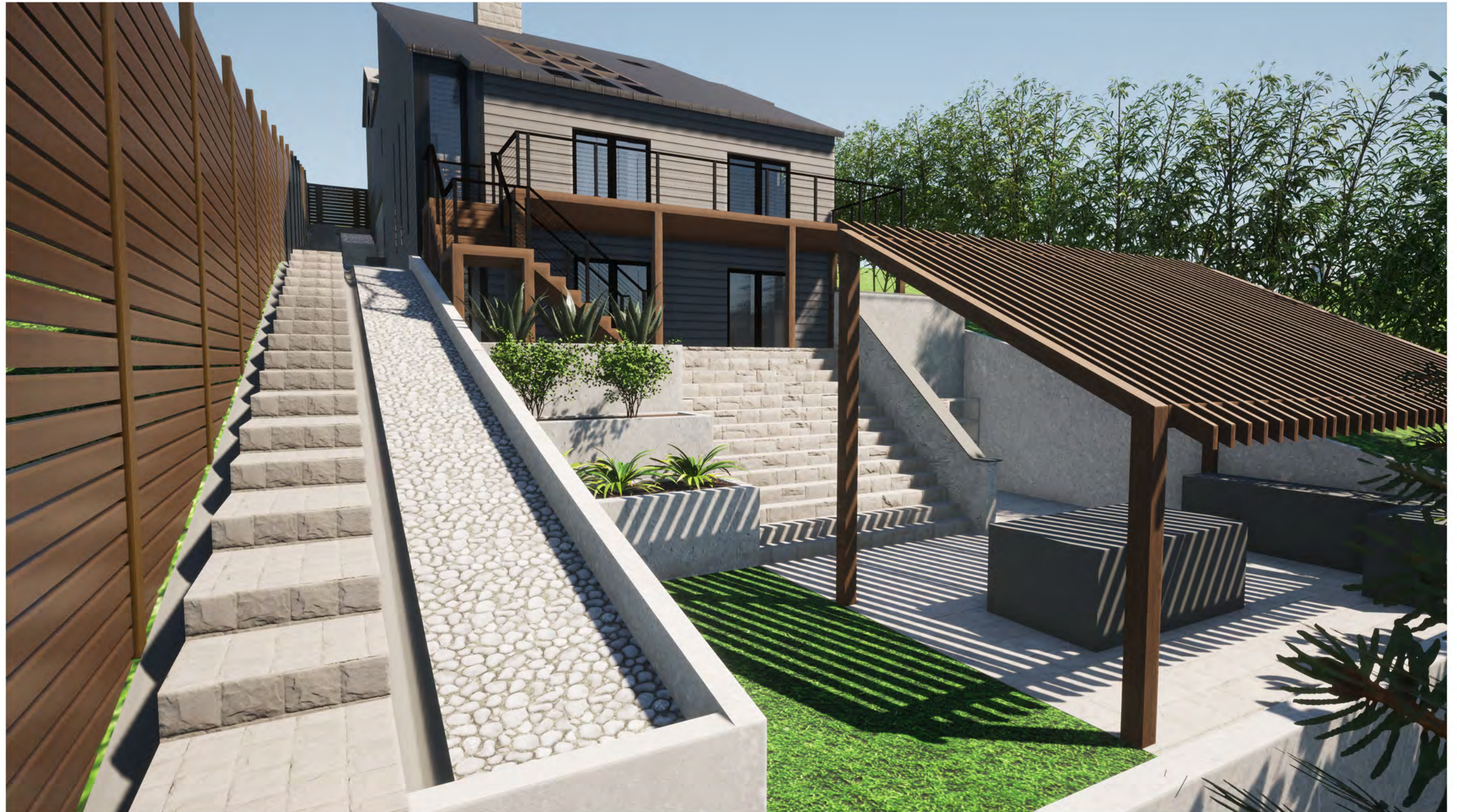


MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



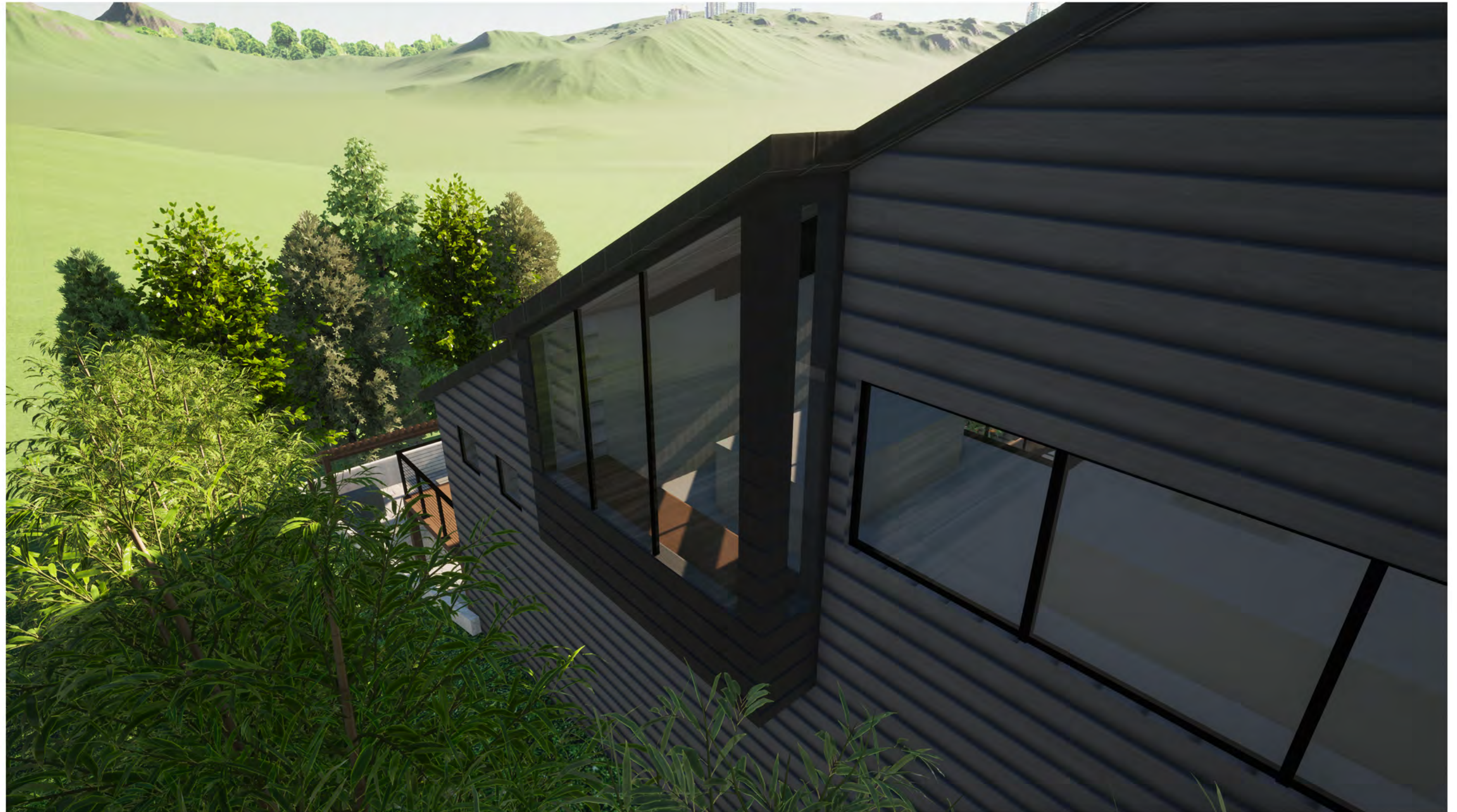


MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



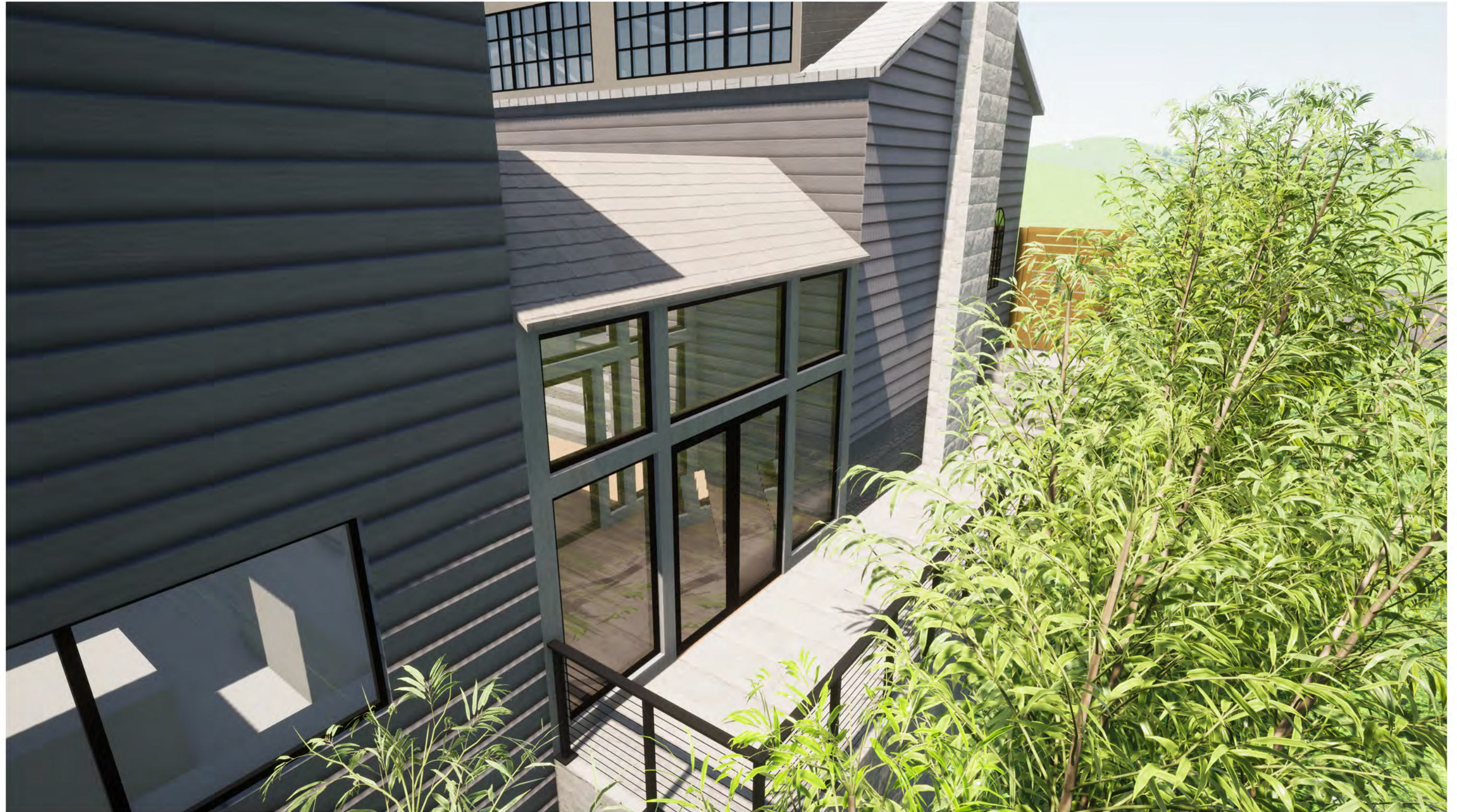


MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RENDER

All of the information on this document is the property of Noah Gear Studio., and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



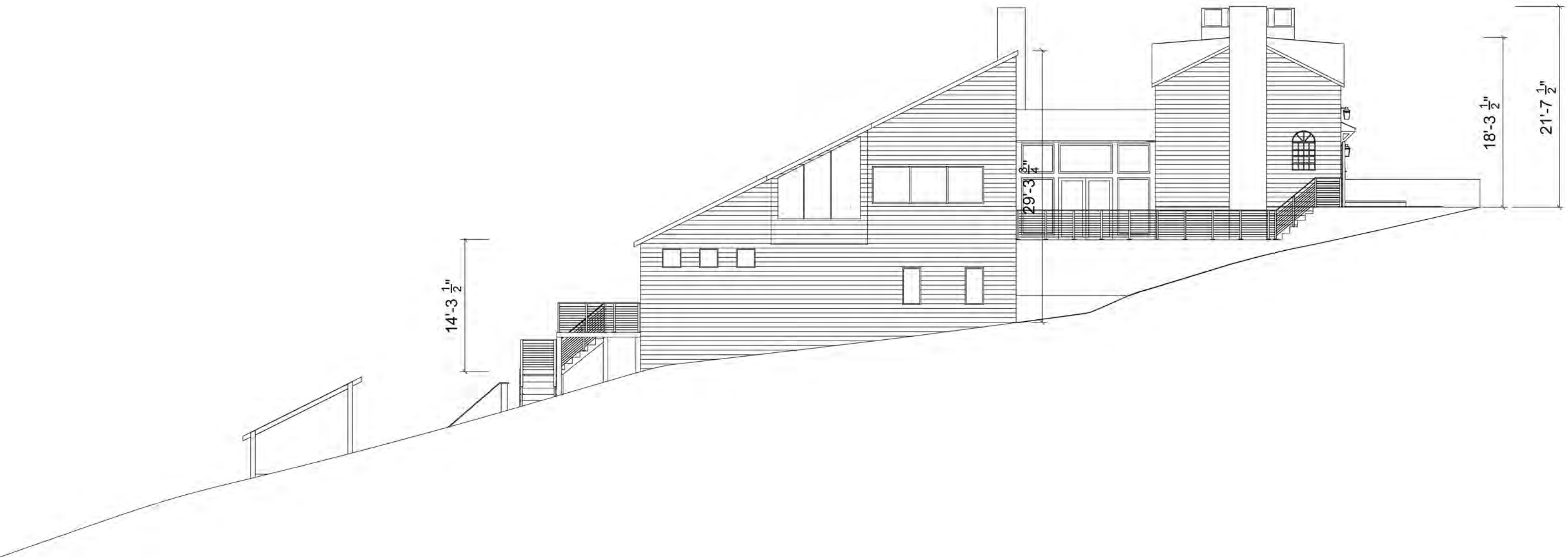


MENLO HOUSE | FRONT ELEVATION

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



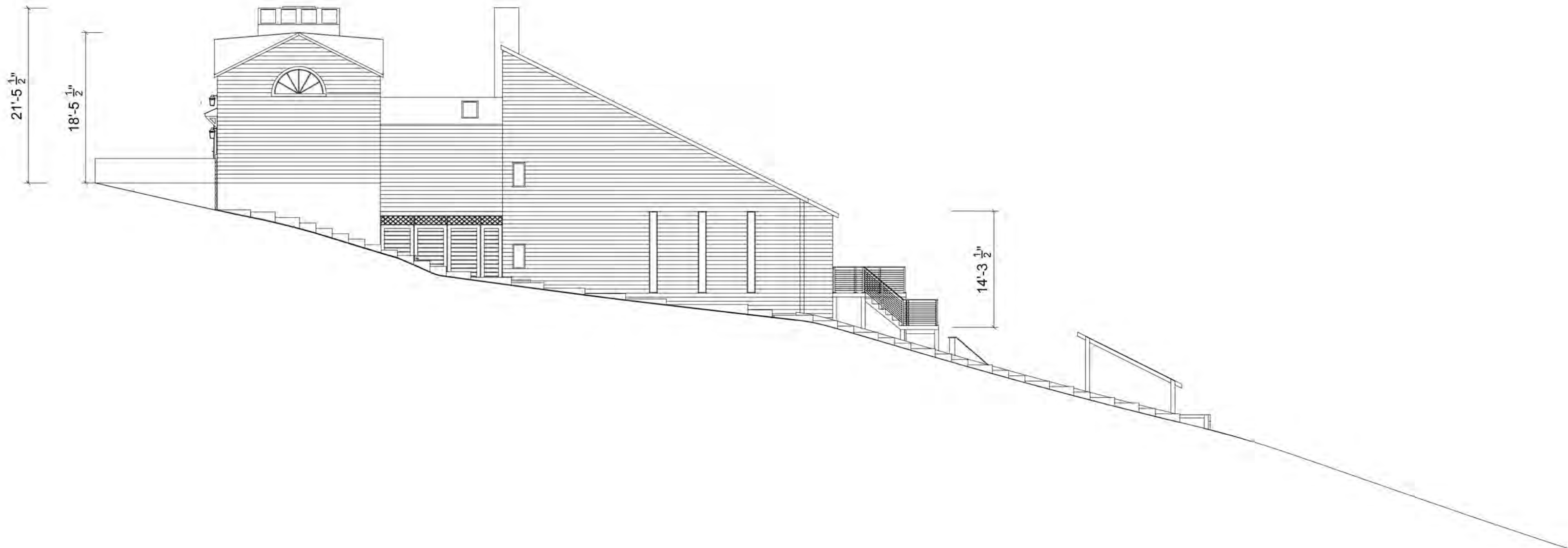


MENLO HOUSE | LEFT ELEVATION

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662





MENLO HOUSE | RIGHT ELEVATION

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



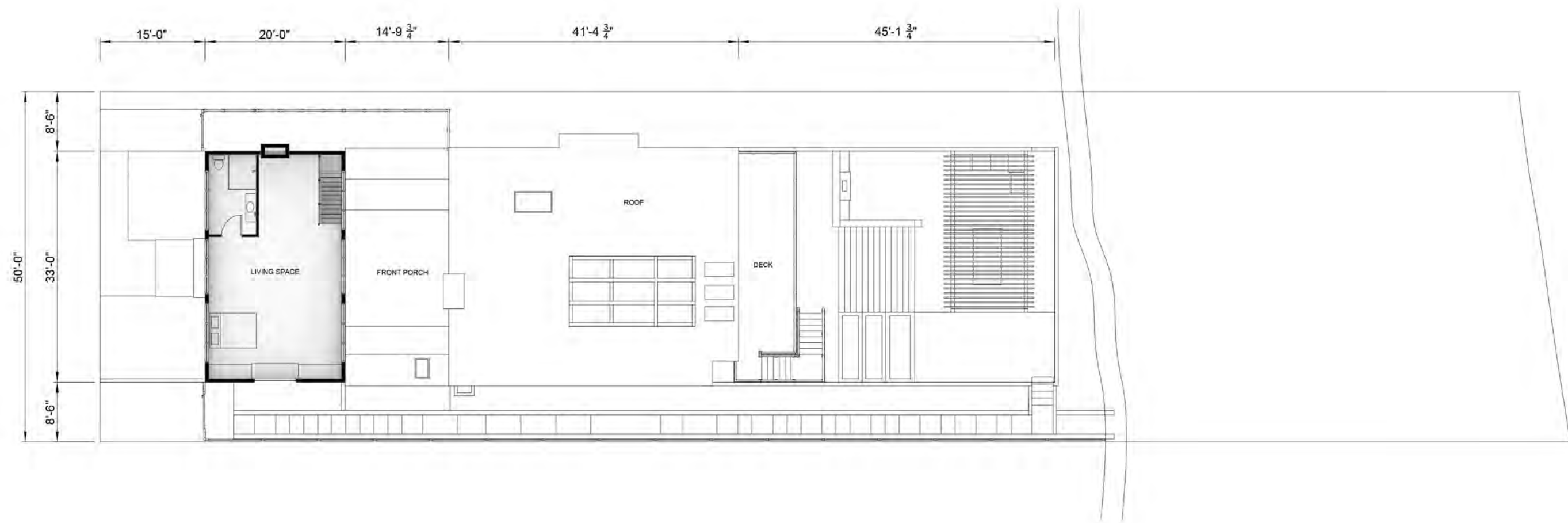


MENLO HOUSE | SITE PLAN

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662



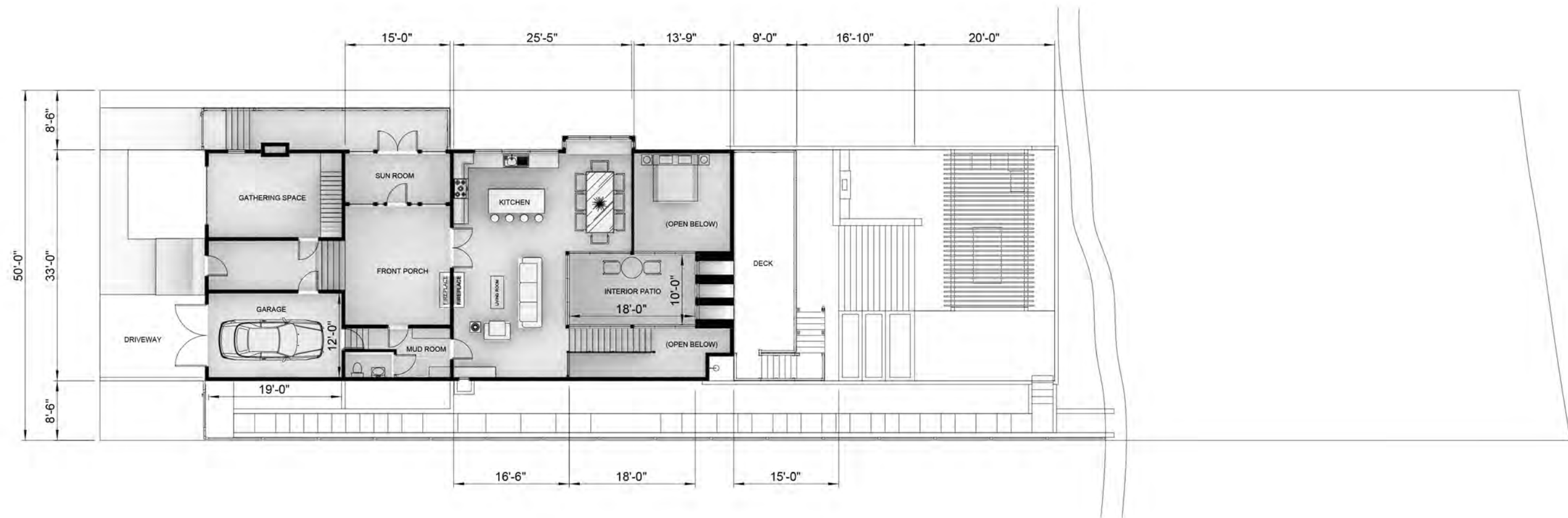


MENLO HOUSE | PLAN

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
 375 S End Ave, New York, NY
 info@noahgear.com | 240-338-9662



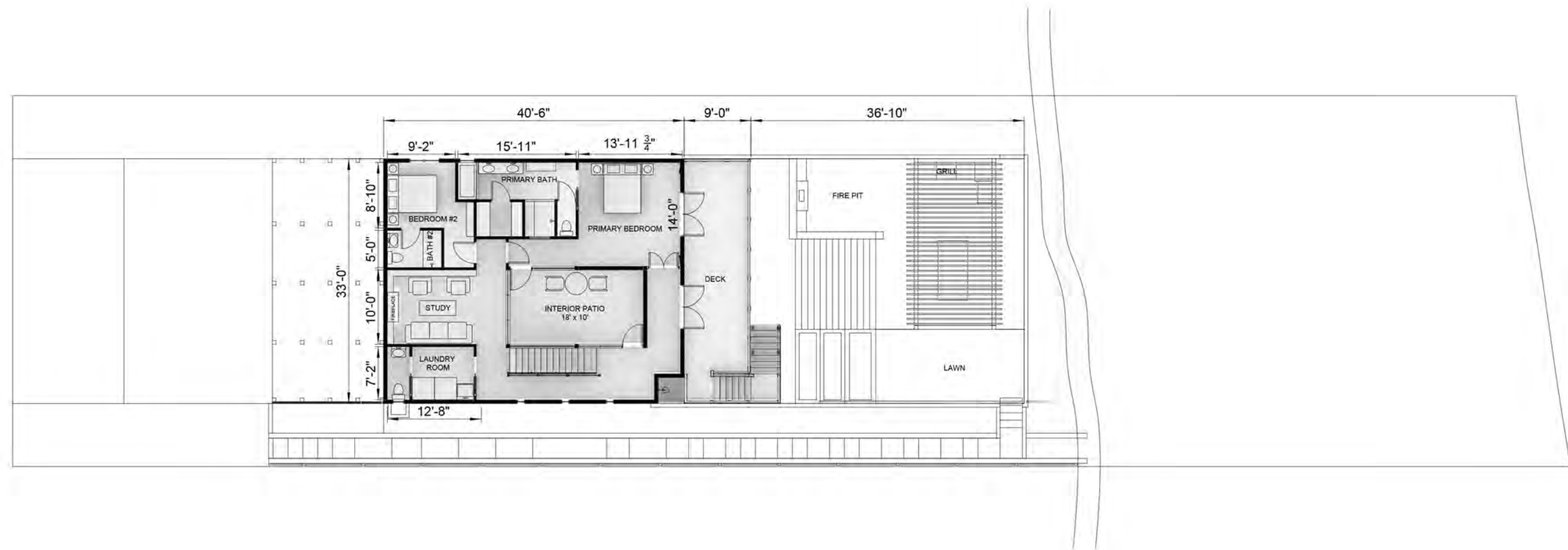


MENLO HOUSE | PLAN

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
 375 S End Ave, New York, NY
 info@noahgear.com | 240-338-9662



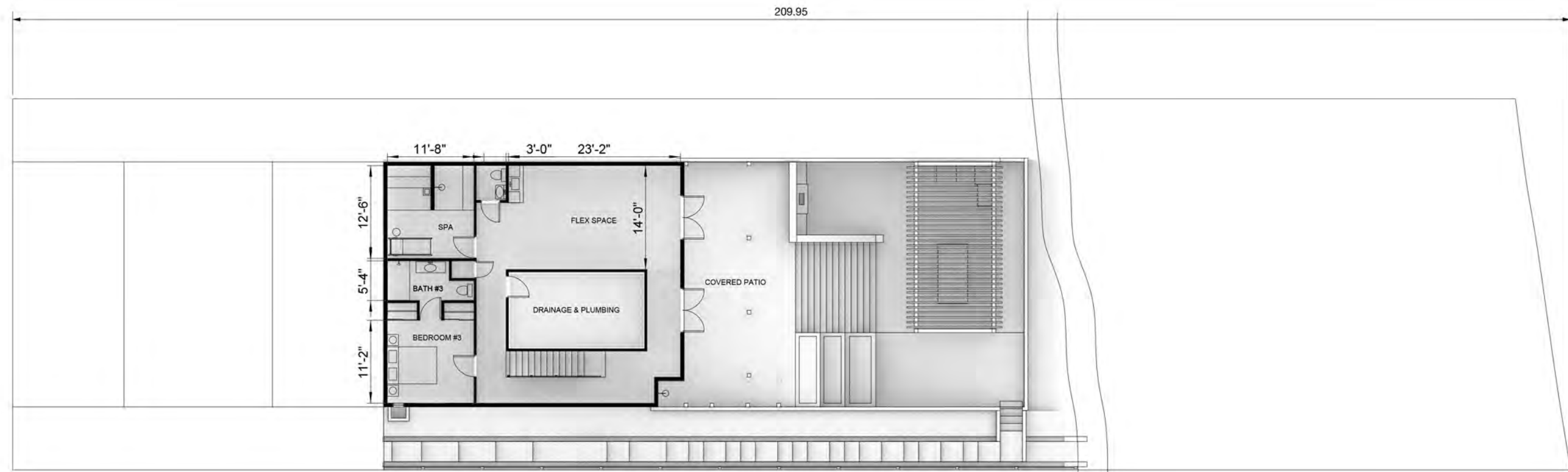


MENLO HOUSE | PLAN

All of the information on this document is the property of Noah Gear Studio, and may not be copied, reproduced, disclosed or appropriated without the written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
 375 S End Ave, New York, NY
 info@noahgear.com | 240-338-9662





MENLO HOUSE | PLAN

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
 375 S End Ave, New York, NY
 info@noahgear.com | 240-338-9662





MENLO HOUSE | BUILDING AREA

All of the information on this document is the property of Noah Gear Studio., and may not be copied reproduced, disclosed or appropriated without th written consent of Noah Gear Studio. All other rights reserved.

Noah Gear Studio
375 S End Ave, New York, NY
info@noahgear.com | 240-338-9662

