MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10115 Grant Ave., Silver Spring Meeting Date: 6/26/2024

Resource: Nominal (post-1935) **Report Date:** 6/18/2024

Capitol View Park Historic District

Applicant: Christopher Perry **Public Notice:** 6/12/2024

Review: HAWP **Tax Credit:** n/a

Proposal: Fence Installation

STAFF RECOMMENDATION

Staff recommends the Historic Preservation Commission **approve with one condition** the HAWP application:

1. The fence along the eastern property boundary can be no taller than 4' (four feet). Final approval authority to verify this condition has been satisfied is delegated to Staff.

PROPERTY DESCRIPTION

SIGNIFICANCE: Nominal Resource to the Capitol View Park Historic District

STYLE: Colonial Revival

DATE: 1950



Figure 1: The subject property is located at the edge of the Capitol View Park Historic District.

PROPOSAL

The applicant proposes to remove the existing chain link fence and install a new fence enclosing the area behind the house.

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 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.
- 1. 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 corner of Grant Ave. and Loma Ave., at the top of a rise, and has a side gable house with brick siding on the first floor and a vinyl second story. There is a non-historic rear gable addition. Surrounding the rear yard, there is an existing chain link fence. The applicant proposes to remove the existing chain link fence and install a 6' (six foot) tall pressure-treated dog-ear board-on-board fence.



Figure 2: The proposed fence design.

Staff finds the existing chain link fence is not historic and does not contribute to the historic character of the surrounding historic district and Staff recommends the HPC approve its removal under 24A-8(d).

The applicant proposes to install a 6' (six foot) tall board-on-board fence in the same location as the chain link fence. No trees will be impacted by the proposed fence construction.

The HPC typically requires fences in historic districts forward of the rear wall plane to be no taller than 48" (forty-eight inches) inches tall, with an open picket design, constructed using traditional materials. Behind the rear wall plane, the HPC has been more lenient regarding fences in the rear, largely because the fence doesn't obscure the visibility of any of the built resources and because the fence is less visible from the public right-of-way. Applying these requirements is more complicated on corner properties because the rear of a property can be along the public right-of-way.

Staff finds the fence installed to the right of the house and along the south property line are consistent with the HPC's guidance and are compatible with the character of the district and recommends the HPC approve the fence installations in this location under 24A-(b)(2) and (d) and *Standards* 2, 9, and 10.

The more complicated section of fences are the ones located along Loma Ave. (on the north property boundary) and to the east (along the rear property line). Staff finds that the fences in these locations are appropriate for several reasons. First, Staff considers the character of the resource and the resources immediately surrounding it. The subject property is identified as a 'Nominal' resource which, is "of no architectural or historical significance, but through their contiguity to

the significant resources ha[s] some interest to the historic district." The subject property is bounded to the south and east by 'Nominal' resources, and the properties to the north and west are outside of the historic district. Because of this lot's placement, Staff finds the changes to the subject property will have a minimal impact on the character of the surrounding district and will have no visual impact on the "significant resources."

Second, Staff considers the topography of this specific lot. The lot slopes down to the east and north, with the house built on the high point. Because the grade drops away so much, the solid fence appearance will not obscure much of the subject property.

Staff's final consideration is the impact on the neighboring property to the east at 2904 Loma Ave. This property is a one-and-a-half story, side gable house constructed c.1953 and designated as a 'Nominal' resource to the historic district. There is a 3' - 4' (three to four foot tall) wood flat-top picket fence that runs parallel to the property line between 2904 Loma and the subject property (see *Figure 3*, below). The proposed fence will be installed approximately 1' (one foot) to the west of that fence on the subject property. Staff finds the proposed fence will impact the visibility of this resource from Loma Ave. Due to the opaque appearance and the change in grade, the applicant's proposed 6' (six foot) tall fence will appear to be closer to 8' (eight feet) above grade. Staff recommends the HPC add a condition to the approval of this HAWP that limits the fence along the east property line to no taller than 4' (four feet). Staff finds this height limit will help to preserve the character of the district as a whole and better protect views of the house at 2904 Loma. With the recommended condition, Staff recommends the HPC approve the fence along the eastern property boundary under 24A-8(d).



Figure 3: View of the existing wood fence along the eastern property boundary.

STAFF RECOMMENDATIONS

Staff recommends that the Commission approve with one (1) condition the HAWP application;

1. The fence along the eastern property boundary can be no taller than 4' (four feet). Final approval authority to verify this condition has been satisfied is delegated to Staff; under the Criteria for Issuance in Chapter 24A-8(b)(2), and (d), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation #2, #9, and #10;

and with the general condition that the applicant shall present an electronic set of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



APPLICATION FOR HISTORIC AREA WORK PERMIT HISTORIC PRESERVATION COMMISSION 301.563.3400

HAWP#_ DATE ASSIGNED____

FOR STAFF ONLY:

APPLICANT:

Name:	E-mail: _	
Address:	City:	Zip:
Daytime Phone:	Tax Acco	ount No.:
AGENT/CONTACT (if applicab	le):	
Name:	E-mail: _	
Address:	City:	Zip:
Daytime Phone:	Contract	tor Registration No.:
LOCATION OF BUILDING/PRE	MISE: MIHP # of Historic Property	y
map of the easement, and docu Are other Planning and/or Hear	n/Land Trust/Environmental Ease umentation from the Easement Ho	s Required as part of this Application?
Building Number:	Street:	
Town/City:	Nearest Cross Street: _	
Lot: Block:	Subdivision: P	Parcel:
for proposed work are submode accepted for review. Checonstruction Addition Demolition Grading/Excavation I hereby certify that I have the and accurate and that the cons	itted with this application. Income k all that apply: Deck/Porch Fence Hardscape/Landscape Roof authority to make the foregoing a struction will comply with plans re	verify that all supporting items omplete Applications will not Shed/Garage/Accessory Structure Solar Tree removal/planting Window/Door Other: application, that the application is corrected and approved by all necessary ition for the issuance of this permit.

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFING [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

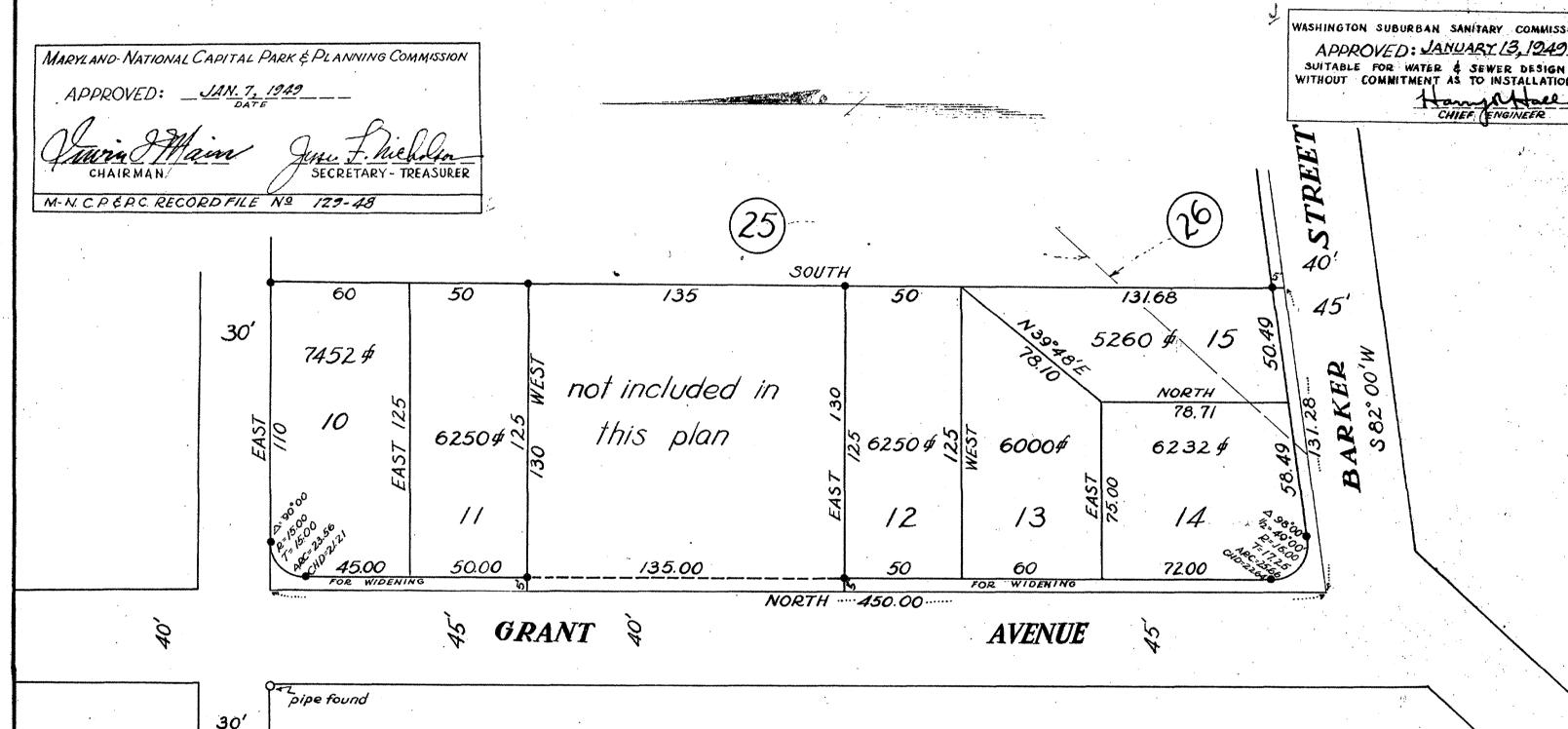
Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:
Description of Work Proposed: Please give an overview of the work to be undertaken:

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:

Lots 10 to 15 inc. Blocks 25

Capital View Park

MONTGOMERY COUNTY, MARYLAND Scale 1"=40' August 1948 R.K.Maddox, County Surveyor



Surveyor's Certificate

I hereby certify that the plat shown hereon is correct, that it is a subdivision of all of the lands conveyed by Tristriam K. Armstrong and Mary A. Armstrong, his Wife to Proctor Construction Company Inc., by deed dated December 29, 1948 and recorded in Liber at Folio among the land records of Montgomery County, Maryland; and that iron pipes marked thus of and stones marked thus are in place as shown.

Date: Dec. 29,1948

R.K. Maddox / County Surveyor F 1 L E C JAN 87 1949

Owner's Dedication

We Proctor Construction Co. INC., John R Frey, Pres. a Edwin J. Noyes Sect. owners of the property shown and described hereon, hereby adopt this plan of subdivision establish the minimum building restriction lines and dedicate the streets to public use.

There are no suits of action leases, liens or trusts on the the property included in this Subdivision.

— PROCTOR CONSTRUCTION 💁 INC.-

DATE: Rec 29,1948

John R. FREY, President

South & FREY, President

South Sout

-: NOTE :-

THE ORIGINAL OF WHICH THIS IS A PORTIONAL REVISION FILED IN PLAT BOOK A, PLAT No. 9



























