

5807 Surrey Street, Chevy Chase  
(HPC Case No. 35/36-08A)  
Somerset Historic District



## HISTORIC PRESERVATION COMMISSION

Isiah Leggett  
County Executive

David Rotenstein  
Chairperson

Date: October 23, 2008

### MEMORANDUM

TO: Carla Reid, Director  
Department of Permitting Services

FROM: Josh Silver, Senior Planner *JOS*  
Historic Preservation Section  
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #493720, fence installation

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The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved with conditions** at the October 22, 2009 HPC meeting.

1. *The applicant will submit details of the proposed fence to staff for review prior to stamping permit set of plans.*

The HPC staff has reviewed and stamped the attached construction drawings.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: Abigail and Michael Nolan

Address: 5807 Surrey Street, Chevy Chase

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once the work is complete the applicant will contact the staff person assigned to this application at 301-563-3400 or [joshua.silver@mncppc-mc.org](mailto:joshua.silver@mncppc-mc.org) to schedule a follow-up site visit.



493720 J



RETURN TO DEPARTMENT OF PERMITTING SERVICES  
255 ROCKVILLE PIKE 2ND FLOOR ROCKVILLE MD 20850  
249 777 6121

DPS - #8

**HISTORIC PRESERVATION COMMISSION  
301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: Abigail Nolan  
Daytime Phone No.: 301-657-6213

Tax Account No.: 00539233  
Name of Property Owner: Abigail and Michael Nolan Daytime Phone No.: 301-657-6213  
Address: 5807 Surrey St. Chevy Chase MD 20815  
Street Number City State Zip Code  
Contractor: Climate Control Service Phone No.: 301-937-8292  
Contractor Registration No.: 2442  
Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 5807 ~~008000~~ Street: Surrey  
Town/City: Chevy Chase Nearest Cross Street: Darset  
Lot: 15 Block: 3 Subdivision: 044  
Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**PART ONE: TYPE OF PERMIT ACTION AND USE**

1A. CHECK ALL APPLICABLE:  Construct  Extend  Alter/Renovate  A/C  Slab  Room Addition  Porch  Deck  Shed  
 Move  Install  Wreck/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: \_\_\_\_\_  
1B. Construction cost estimate: \$ 1885.00  
1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

**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 ONLY FOR FENCE/RETAINING WALL**

3A. Height \_\_\_\_\_ feet \_\_\_\_\_ 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.

Abigail Nolan 8/20/08  
Signature of applicant or authorized agent Date

Approved:  \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 4/21/09  
Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

**ABBY MCGANNEY NOLAN**

5807 SURREY STREET • CHEVY CHASE, MARYLAND 20815 301-657-8213 • MCGANNEYNOLAN@AOL.COM

October 13, 2008

Joshua Silver  
Urban Design Division, Historic Preservation Section  
The Maryland-National Capital Park and Planning Commission  
1109 Spring Street  
Suite 801  
Silver Spring, MD 20910

Dear Mr. Silver,

Attached is the plan for a 6' fence along the northern property line of our home (5807 Surrey St.). We are planning to use a double-sided solid board design to maximize noise abatement; the material will be cedar. At this time, we are not seeking permission for the enclosure around the air conditioning units.

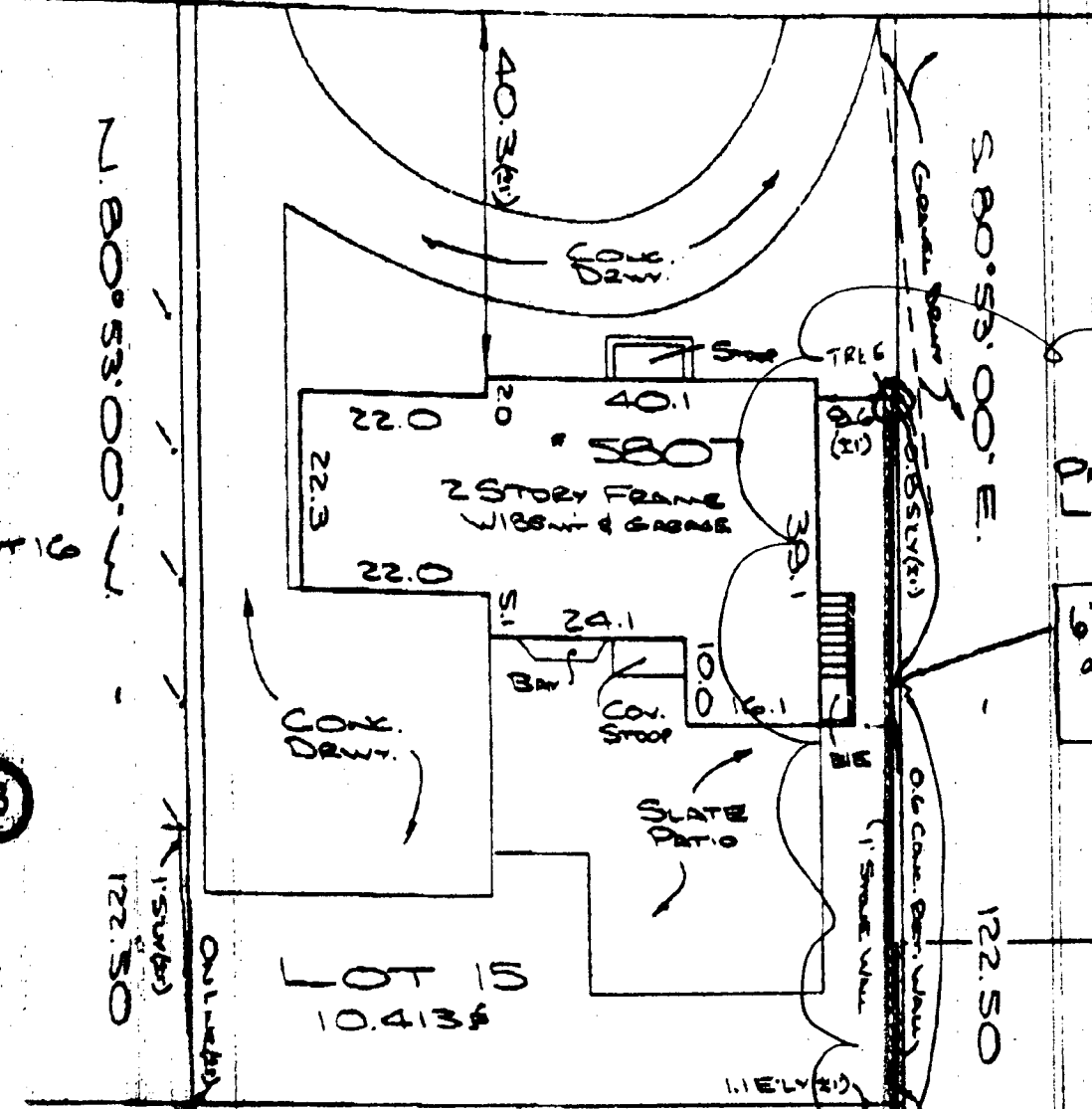
Thanks again for your help. Please call me if you have any questions.

All best,

*Abby Nolan*

# SURREY STREET

N. 9° 07' 00" E. - 85.00



S. 80° 53' 00" E.

6"5" Fence along property line

N. 80° 53' 00" W.

122.50

122.50

S. 9° 07' 00" W. - 85.00

LOT 17

*Michael Nolan* 4/2/89

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

<b>Address:</b>	5807 Surrey Street, Chevy Chase	<b>Meeting Date:</b>	10/22/2008
<b>Resource:</b>	Non-Contributing Resource Somerset Historic District	<b>Report Date:</b>	10/15/2008
<b>Applicant:</b>	Abigail and Michael Nolan	<b>Public Notice:</b>	10/8/2008
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Number:</b>	35/36-08A	<b>Staff:</b>	Josh Silver
<b>PROPOSAL:</b>	Fence installation		

**STAFF RECOMMENDATION:**

Approve with conditions

1. The applicant will submit details of the proposed fence to staff for review prior to stamping permit set of plans.

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource Within the Somerset Historic District  
**STYLE:** Modern  
**DATE:** c1965

**PROPOSAL:**

*The proposed fence has been reviewed and approved by the Town of Somerset and Local Advisory Panel.*

The applicants are proposing to install a 6'5" high, double-sided solid board wooden fence along the northern property line. The proposed fence will begin parallel with the front plane of the house and extend the entire length of the northern property line into the rear yard. The proposed fence height has been requested by the applicant to mitigate the ambient noise level of an existing side yard air conditioning unit on the adjacent property to the north.

**STAFF RECOMMENDATION**

Although the HPC does not generally approve fences higher than 4' when forward of the rear plane of the house they have allowed higher fences on a case-by-case basis. This proposal is representative of several alternative noise abatement plans proposed by the applicant aimed at reducing ambient noise levels on the adjacent non-contributing resource property to the north. Alternative noise abatement strategies included the relocation of the side yard air conditioning units to the front yard of the property which also included the installation of a 4'6" high wooden fence. The proposed fence is confined to the side yard of the property and runs between the two houses. Staff supports this alternative because it maintains a sense of

transparency into the rear yard of these properties when viewed from the streetscape of the historic district.

Staff recommendation of **approval** is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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
- 5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- 6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

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 [joshua.silver@mncppc-mc.org](mailto:joshua.silver@mncppc-mc.org) to schedule a follow-up site visit.

493720 J



RETURN TO: DEPARTMENT OF PERMITTING SERVICES  
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850  
240/777-6370

DPS - #8

**HISTORIC PRESERVATION COMMISSION  
301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: Abigail Nolan  
Daytime Phone No.: 301-657-6213

Tax Account No.: 00539233  
Name of Property Owner: Abigail and Michael Nolan Daytime Phone No.: 301-657-6213  
Address: 5807 Surrey St. Chevy Chase MD 20815  
Street Number City Street Zip Code  
Contractor: Climate Control Service Phone No.: 301-937-8292  
Contractor Registration No.: 2442  
Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 5807 ~~000000~~ Street: Surrey  
Town/City: Chevy Chase Nearest Cross Street: Dorset  
Lot: 15 Block: 3 Subdivision: 044  
Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**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: \$ 1885.00  
1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

**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 ONLY FOR FENCE/RETAINING WALL**

3A. Height \_\_\_\_\_ feet \_\_\_\_\_ 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.

Abigail Nolan 8/20/08  
Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_



**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:

Our home is a 1967 structure located within the Historic District of Somerset. We have two air conditioning units that are currently located on the north side of the house. They are 6 1/2 feet from the property line. We have been told that we must move them so that they are 8 feet from the property line.

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

**2. SITE PLAN**

noise ordinance<sup>ty</sup>

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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**

- Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the

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

<p><b>Owner's mailing address</b></p> <p>5807 Surrey St.                  Chevy Chase, MD                  20815</p>	<p><b>Owner's Agent's mailing address</b></p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>Helen and Earl Colson                  4725 Dorset Ave.                  Chevy Chase, MD                  20815</p>	<p><del>Albert and</del></p>
<p>Charles and Sue Edson                  5807 Surrey St.                  Chevy Chase, MD                  20815</p>	<p>Jim Regan &amp; Sandra Riley                  5809 Surrey St.                  Chevy Chase, MD                  20815</p>
<p>Gail and Ralph Werner                  5804 Surrey St.                  Chevy Chase, MD                  20815</p>	<p>Ellen Patterson Brown                  4721 Dorset Ave.                  Chevy Chase, MD                  20815</p>
<p>Judy and Tom Bowles                  5816 Surrey St                  Chevy Chase, MD                  20815</p>	

**ABBY MCGANNEY NOLAN**

5807 SURREY STREET • CHEVY CHASE, MARYLAND 20815 301-657-8213 • MCGANNEYNOLAN@AOL.COM

October 13, 2008

Joshua Silver  
Urban Design Division, Historic Preservation Section  
The Maryland-National Capital Park and Planning Commission  
1109 Spring Street  
Suite 801  
Silver Spring, MD 20910

Dear Mr. Silver,

Attached is the plan for a 6' fence along the northern property line of our home (5807 Surrey St.). We are planning to use a double-sided solid board design to maximize noise abatement; the material will be cedar. At this time, we are not seeking permission for the enclosure around the air conditioning units.

Thanks again for your help. Please call me if you have any questions..

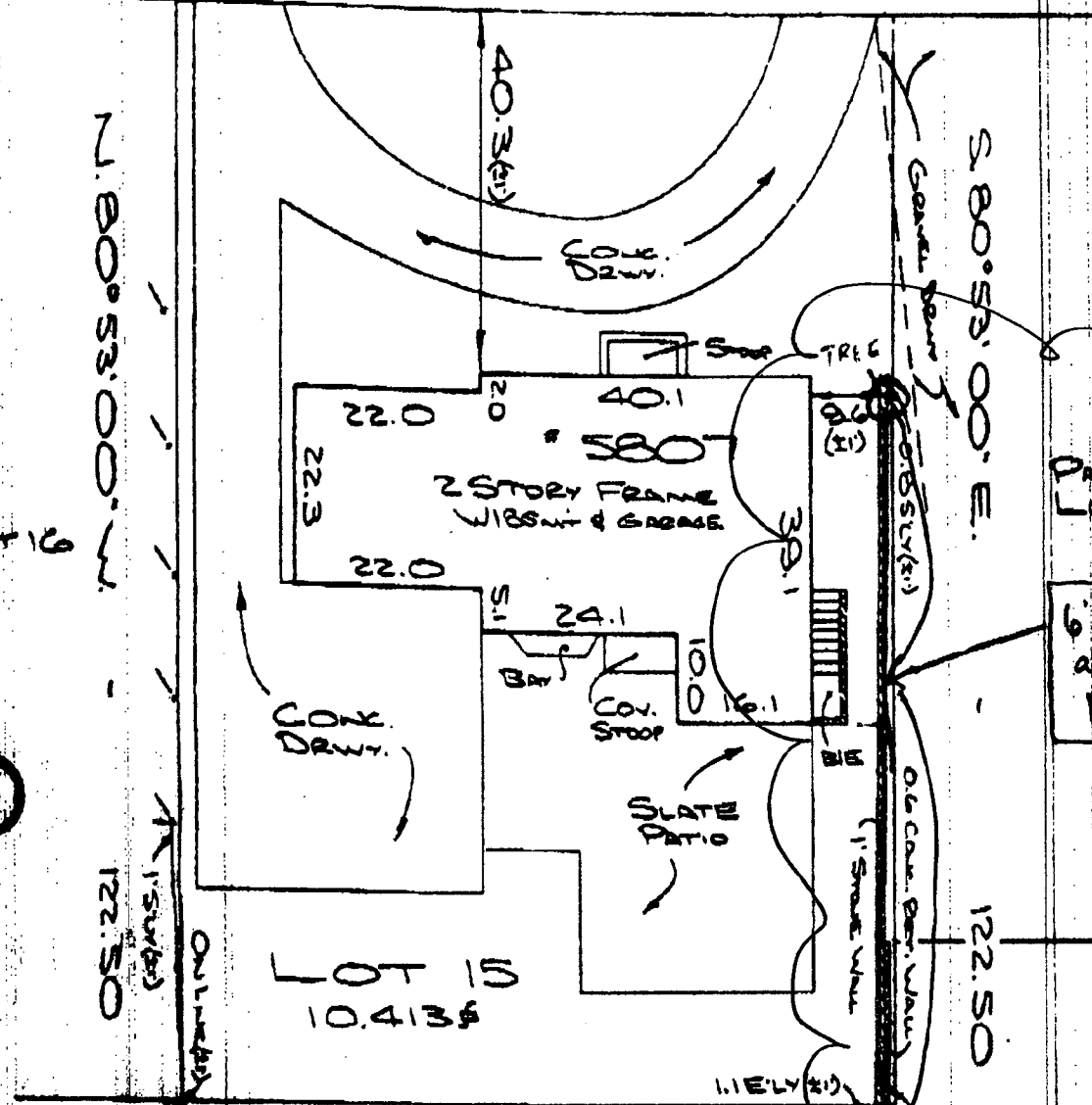
All best,

*Abby Nolan*

6

# SURREY STREET

N. 9° 07' 00" E. - 85.00



N. 80° 53' 00" W. - 122.50

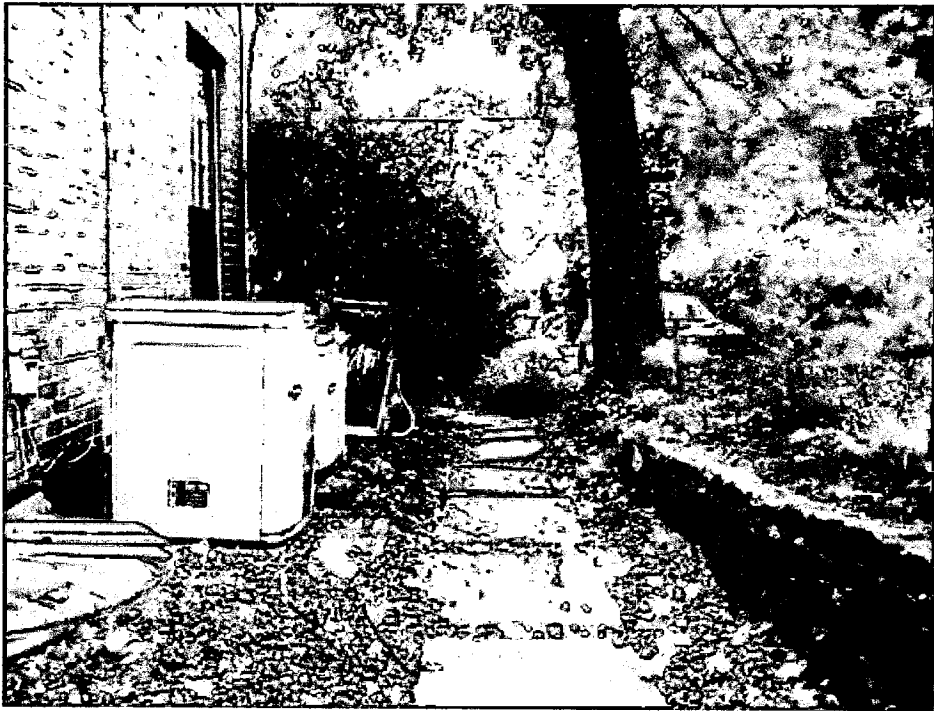
S. 80° 53' 00" E. - 122.50

S. 9° 07' 00" W. - 85.00

LOT 17

5807 Surrey Street, Chevy Chase  
Somerset Historic District





EXISTING A/C LOCATIONS

5807 Surrey St.

Proposed  
new location  
of units  
→



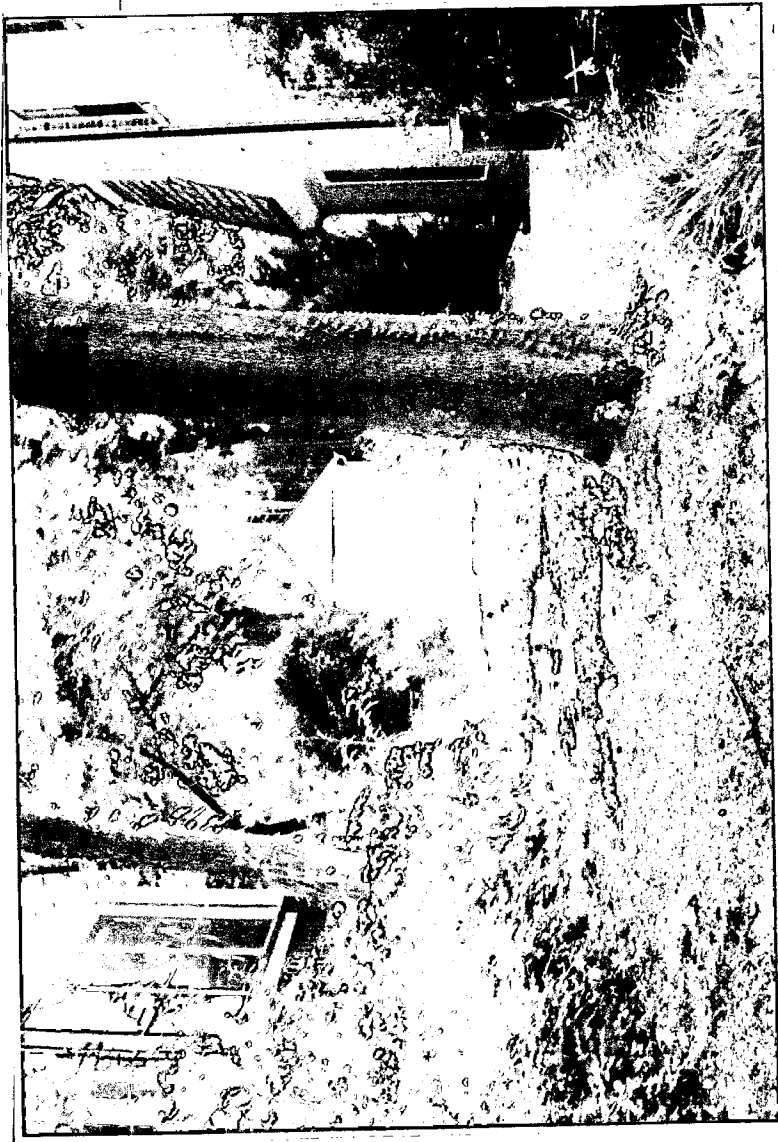
Views from Surrey St.

Detail:



5807 Surrey St.

Current location of air conditioners - north side of house



Existi

Detail:



11



POSTPONED

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

<b>Address:</b>	5807 Surrey Street, Chevy Chase	<b>Meeting Date:</b>	9/10/2008
<b>Resource:</b>	Non-Contributing Resource Somerset Historic District	<b>Report Date:</b>	9/3/2008
<b>Applicant:</b>	Abigail and Michael Nolan	<b>Public Notice:</b>	8/27/2008
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Number:</b>	35/36-08A	<b>Staff:</b>	Josh Silver

**PROPOSAL:** Installation of noise barrier and fence

**STAFF RECOMMENDATION:**

Approval

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource Within the Somerset Historic District  
**STYLE:** Modern  
**DATE:** c1965

**PROPOSAL:**

The applicants are proposing to enclose two existing air-conditioner units that are located forward of the rear plane of the house with a 13'6" x 6'5", 6'6" high wooden noise barrier and install a 6'6" high wooden fence behind the rear plane of the house along the northern property line. The proposed noise barrier has been determined by a noise and vibration consultant to be the minimum height and dimensions necessary to properly reduce the ambient noise level on the adjacent property.

Although the HPC does not generally approve fences/enclosures higher than 4' when forward of the rear plane of the house they have in rare circumstances allowed higher fences when appropriate. Staff supports the proposed noise barrier and fence installation projects at the subject property. The proposed noise barrier is confined to a location on the side of the house and will be relatively small in terms of its dimensions therefore visibility will be minimal when viewed from the streetscape of the historic district. The applicants also intend to plant additional vegetative screening to mitigate any potential impact to the streetscape of the historic district.

**APPLICABLE GUIDELINES:**

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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
- 5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- 6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

and with the general condition that the applicant shall present the **3 permit sets of drawings to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES  
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850  
240 777-9370

DPS - #8

493720 J

**HISTORIC PRESERVATION COMMISSION  
301/563-3400**

**APPLICATION FOR  
HISTORIC AREA WORK PERMIT**

Contact Person: Abigail Nolan

Daytime Phone No.: 301-657-6213

Tax Account No.: 00539233

Name of Property Owner: Abigail and Michael Nolan Daytime Phone No.: 301-657-6213

Address: 5807 Surrey St. Chevy Chase MD 20815  
Street Number City Street Zip Code

Contractor: Climate Control Service Phone No.: 301-937-8292

Contractor Registration No.: 2442

Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 5807 ~~Deerley~~ Street: Surrey

Town/City: Chevy Chase Nearest Cross Street: Dorset

Lot: 15 Block: 3 Subdivision: 044

Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**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: \$ 1885.00

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

**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: \_\_\_\_\_

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- On party line/property line
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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.

Abigail Nolan  
Signature of owner or authorized agent

8/20/08  
Date

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

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

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

**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:

Our home is a 1967 structure located within the historic District of Somerset. We have two air conditioning units that are currently located on the north side of the house. They are 6 1/2 feet from the property line. We have been told that we must move them so that they are 8 feet from the property line.

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

We would like to move the air conditioners to the front of the house to comply with the 8-foot setback requirements. We plan to plant trees and shrubs so that the units are not visible from the sidewalk or street. We will be building a noise barrier to comply with the county noise ordinance.

**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
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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**

- Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the

ABBY MCGANNEY NOLAN

5807 SURREY STREET • CHEVY CHASE, MARYLAND 20815 301•657•6213 • MCGANNEYNOLAN@AOL.COM

September 1, 2008

Josh Silver  
Department of Historical Preservation  
1109 Spring Street  
Suite 801  
Silver Spring, MD

Dear Mr. Silver,

Thank you for speaking to me last week about our application to install a noise-abatement barrier on our property, 5807 Surrey St. I followed up with Scott Harvey, of Phoenix Noise and Vibration, who created the three mitigation plans I submitted last month. He stated that the solid wood structure surrounding the units needed to be 6' 6" to abate the noise sufficiently. Our neighbor's property slopes upward from our property line so we would like to have the fence as high as permissible. Mr. Harvey arrived at the dimensions for the structure by following the manufacturer's specifications for the proper ventilation and operation of the units. I've enclosed an additional photo of the units so that you can see that the units are not very visible from the sidewalk. We would plant additional evergreens around the structure.

We would also like to request permission to build an additional 6' 6" fence that would extend from the back of our house to the back of our property at the property line.

Both of these fences would be made of solid wood. I've enclosed a couple of samples of what these structures would look like. I welcome suggestions on what type and materials are considered the most suitable under these circumstances.

Thanks again for your help. Please call me if you have any questions..

All best,



**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
5807 Surrey St. Chevy Chase, MD 20815	
<b>Adjacent and confronting Property Owners mailing addresses</b>	
Helen and Earl Colson 4725 Dorset Ave. Chevy Chase, MD 20815	<del>Arthur and</del>
Charles and Sue Edson 5807 Surrey St. Chevy Chase, MD 20815	Jim Regan & Sandra Riley 5809 Surrey St. Chevy Chase, MD 20815
Gail and Ralph Werner 5804 Surrey St. Chevy Chase, MD 20815	Ellen Patterson Brown 4721 Dorset Ave. Chevy Chase, MD 20815
Judy and Tom Bowles 5816 Surrey St Chevy Chase, MD 20815	

SURREY STREET

SURREY STREET

N. 9° 07' 00" E - 85.00

85.00

N. 80° 53' 00" W

40.3 (±)

S. 80° 53' 00" E

LOT 16

Part of LOT 1

PROPOSED WASTE BARRIERS LOCATION

PROPOSED 1' WOODEN FENCE LOCATION

Part of Lot 3

GRAVEL DRIVE

Gravel Drive

Stoop

2 STORY FRAME W/BSMT & GARAGE

22.0 22.3 22.0

40.1 58.0

22.0

24

Bay

10.1

10.1

SLATE PATIO

CONC. DRIVE

ONLINE (±)

122.50

122.50

LOT 15  
10.4135

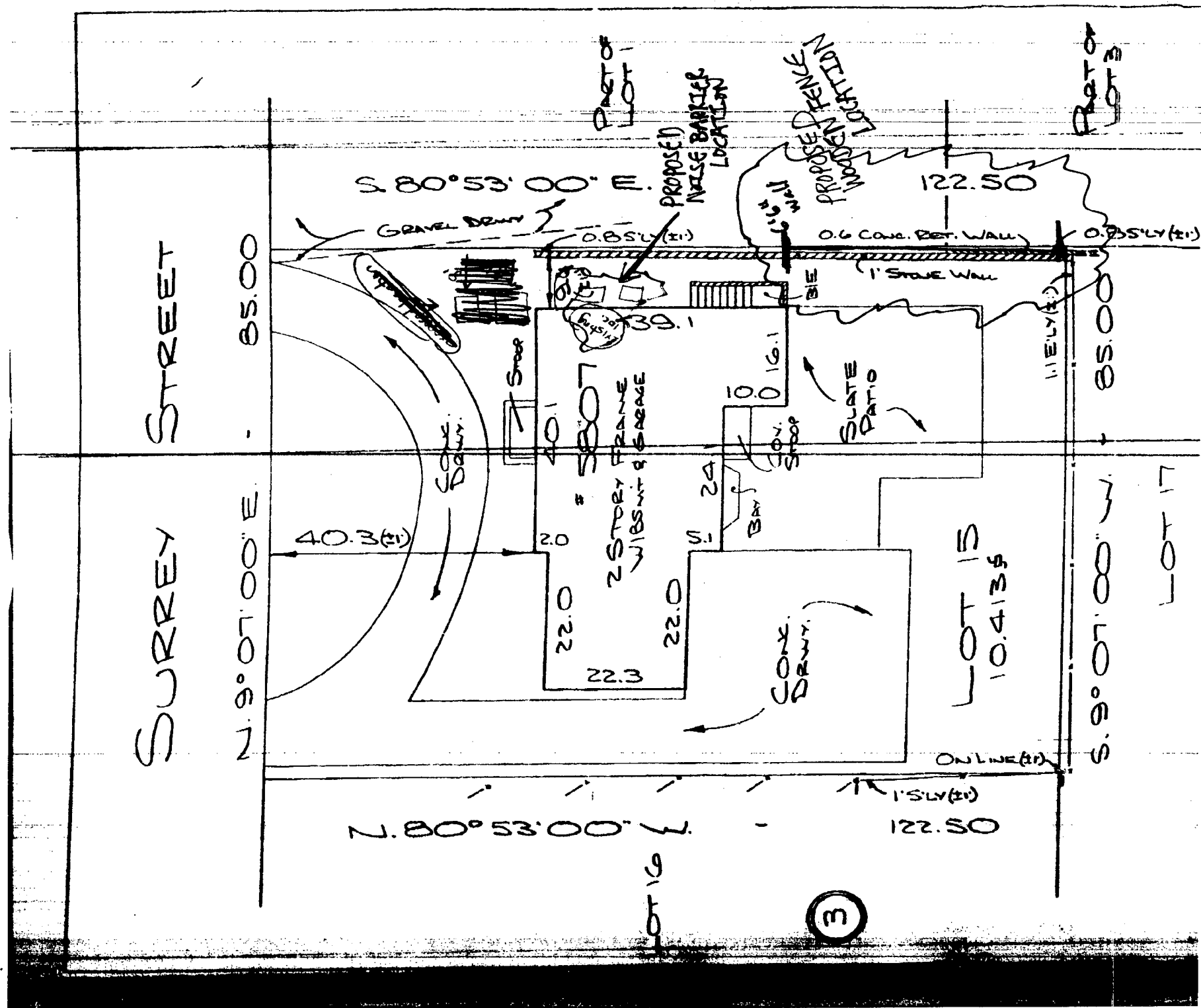
S. 9° 07' 00" W

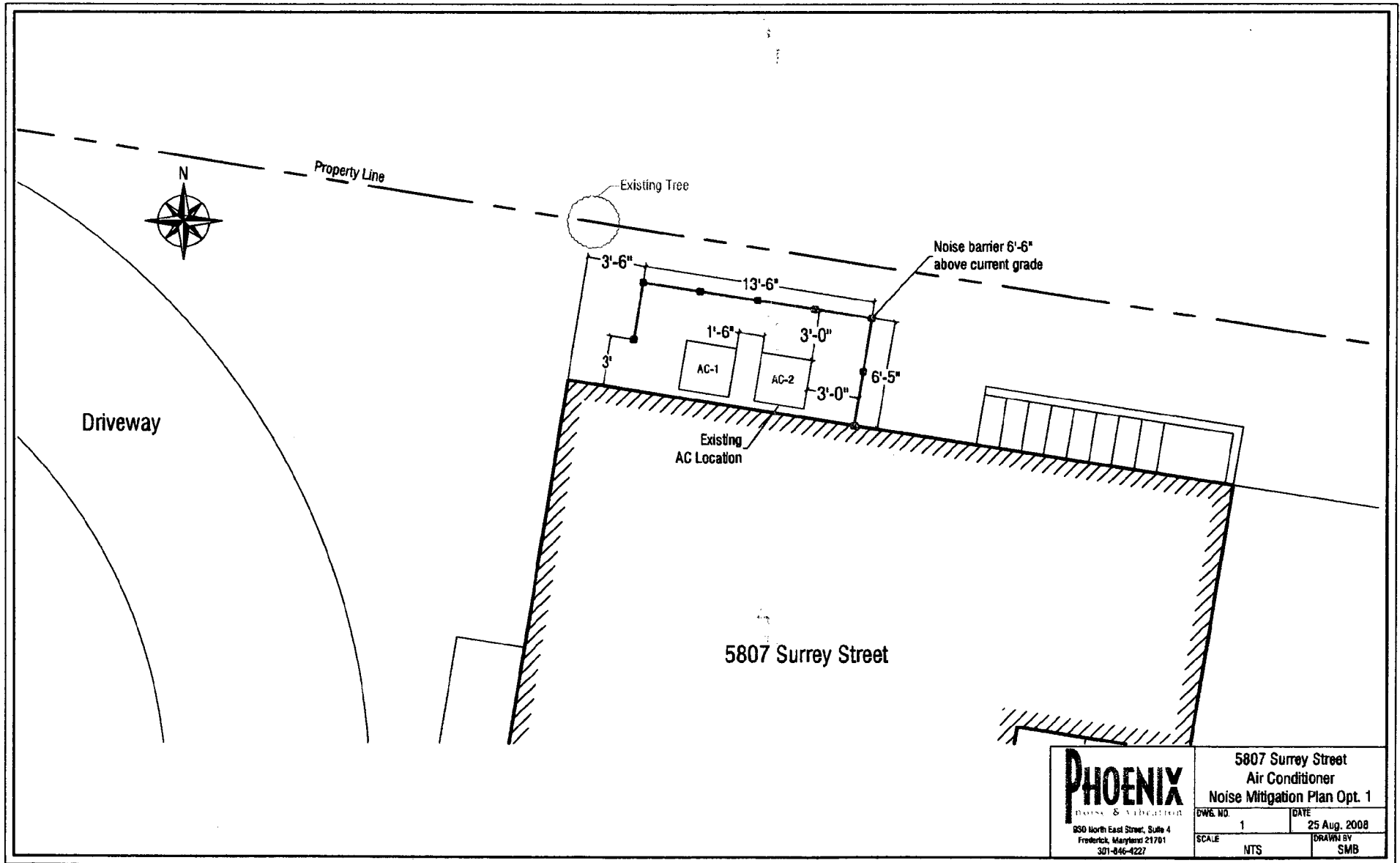
85.00

LOT 17

3

7





PROPOSED NOISE BARRIER





**5807 Surrey Street, Chevy Chase  
Somerset Historic District**





EXISTING A/C LOCATIONS

11



Detail.

Views from Surrey St.



Proposed  
new location  
of units  
←

5807 Surrey St.

5807 Surrey St.

Current location of air conditioners - north side of house

Existi



Detail:



12

20 August 2008

Abigail Nolan  
5807 Surrey Street  
Chevy Chase, Maryland 20815

Reference: Residential Outdoor Air-Conditioning  
Noise Mitigation Design



Phoenix Noise & Vibration, LLC  
930 North East Street, Suite #4  
Frederick, Maryland 21701  
301.846.4227 (phone)  
301.846.4355 (fax)  
www.phoenixnv.com

Dear Ms. Nolan:

Per your request Phoenix Noise & Vibration has conducted noise mitigation design services to reduce the noise impact from outdoor Air-Conditioning (AC) equipment at your home in Chevy Chase, Maryland. These services were provided in response to a neighbor's concern over noise impact. The results of the analysis indicate that a noise barrier will mitigate noise to a level which meets the Montgomery County Noise Ordinance. Three barrier configurations have been designed and are presented. The details of the analysis are provided herein.

#### Standards and Current Levels

According to Chapter 31B – Noise Control of the Montgomery County Code,

... a person must not cause or permit noise levels that exceed the following levels:

<i>Maximum Allowable Noise Levels (dBA) for Receiving Noise Areas</i>		
<i>Non-residential noise area</i>	<i>67</i>	<i>62</i>
<i>Residential</i>	<i>65</i>	<i>55</i>

- (3) *Sound that crossed between residential and non-residential noise areas must not exceed the levels set in paragraph (1) for residential noise areas.*

The current noise level of the AC units at the nearest receiving residential property is approximately 61.6 dBA which exceeds the nighttime noise standard for residential areas. This noise level was measured and reported by Steve Martin of the Montgomery County DEP.

#### Analysis

The current location of the AC units is along the side of the house approximately 6 feet 6 inches from the front corner of the house. The distance from the nearest property line to the face of the unit is also approximately 6 feet 6 inches.

CadnaA is a noise propagation software program that is capable of determining the noise level impact at any chosen location surrounding one or several noise sources. The model also considers the screening of noise by the various buildings on the site as well as reflections of noise from those buildings. The

Engineering Solutions for Noise and Vibration Control

results of the model can include resultant noise levels at particular points or noise levels over an entire surface area (such as the neighborhood surrounding the property).

Based upon the Montgomery County DEP noise measurements, a site plan of the property, and the AC unit physical dimensions a three dimensional noise propagation model was developed using the CadnaA software program. Note that the location of the units, including the spacing from the house and from each other is based upon specification provided by the mechanical contractor and are reflected in the enclosed site plan.

**Mitigation**

After development of an accurate model, a noise mitigation scheme was developed using the same software to determine what will be required to reduce the impact to meet Montgomery County standards. The model was used to design a localized noise barrier near the AC units. The heights and lengths of the barrier were adjusted to determine the requirements to reduce noise levels to 55 dBA or less.

Using the CadnaA model three different noise mitigation schemes were developed. All three involved the use of a solid noise barrier situated between the unit and the impacted areas of the neighboring property. Two of the barrier options were based upon the AC units remaining in the current location while the third option was based upon relocating the units to west of the front corner of the house. All three designs were unique in barrier length, height, and configuration. Each of the barrier designs is shown on a separate drawing. See the attached.

The results of the model in two locations on the adjacent property for the three barrier designs are shown on the table below.

Barrier Configuration	Noise Level at Neighboring Property, dBA	
	At the nearest property line	On Porch
Option 1	55.0	47.2
Option 2	53.7	48.3
Option 3	51.9	43.4

As can be seen, with either of the three barrier designs, the noise level at the receiving property is below the nighttime noise standard of 55 dBA meeting the Montgomery County Noise Ordinance.

Regardless of configuration, the barrier must be constructed of solid material such as wood, concrete, or brick. It must be built solid to the ground and have no gaps or openings. If constructed of wood, planks must maintain a nominal thickness of 1 inch. All barrier heights are relative to the current grade.

**Conclusion**

Based upon the proposed barrier designs, the resulting noise levels on all adjacent residential properties caused by the two outdoor AC units on the 5807 Surrey Street property will be at or below the Montgomery County Noise Ordinance's nighttime limit of 55 dBA. This level completely complies with the Montgomery County Standards.

Please contact me directly if you have any questions.

Sincerely,



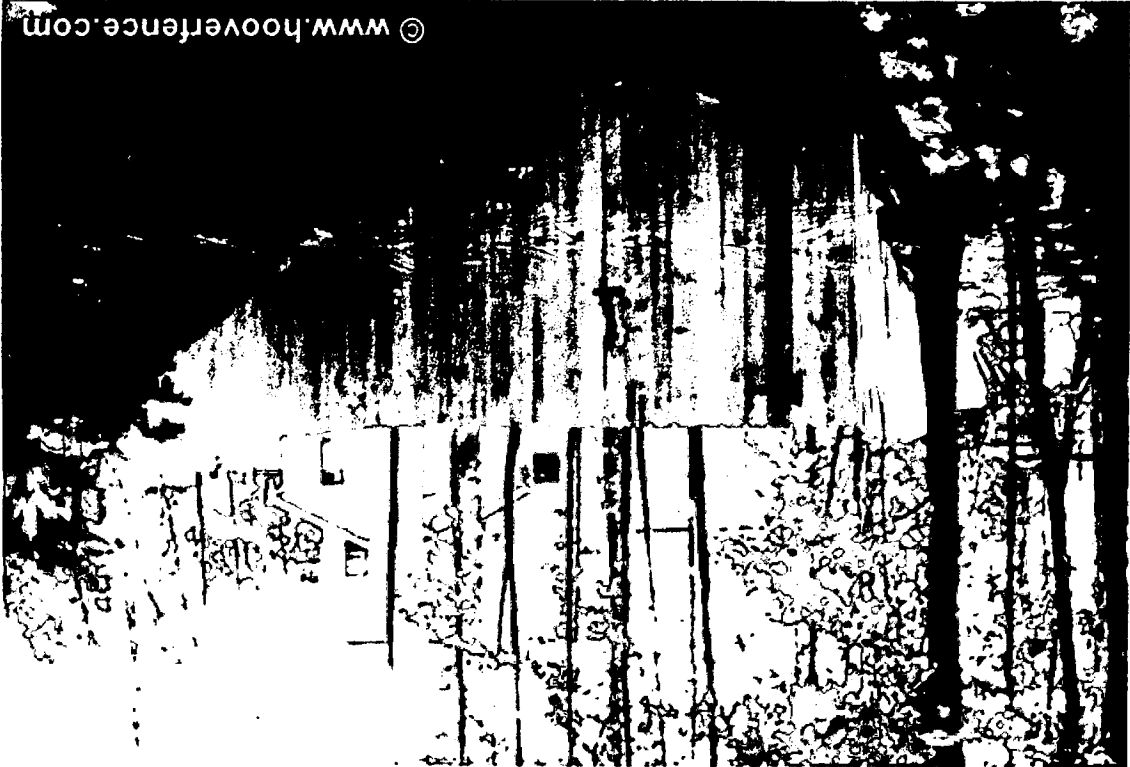
Scott Harvey, P.E.  
Chief Engineer

SH/sh

PROPOSED 6'6" WOODEN NOISE BARRIER



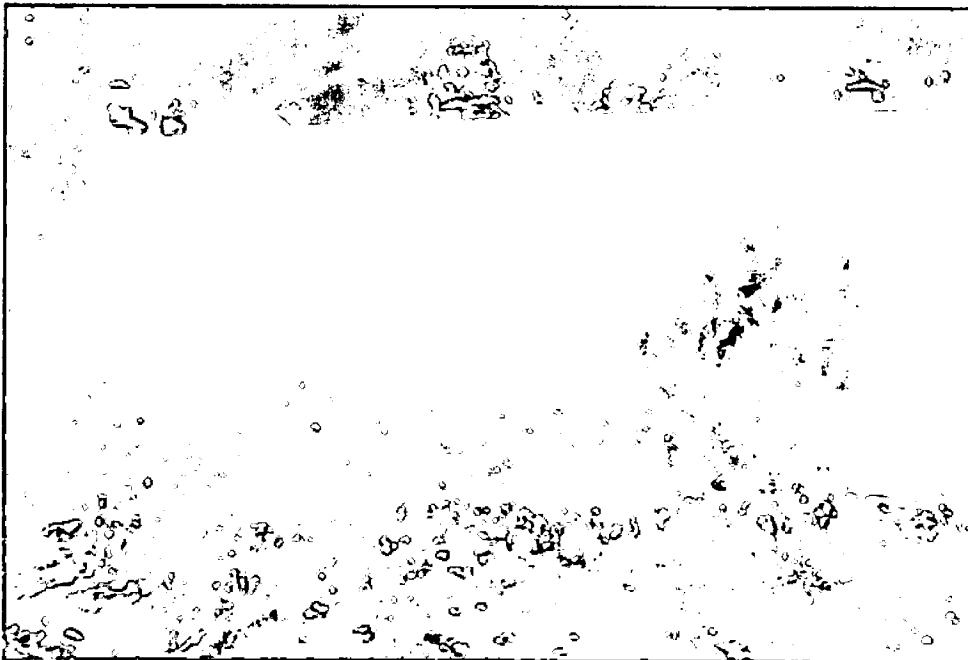
PROPOSED 6'6" WOODEN FENCE



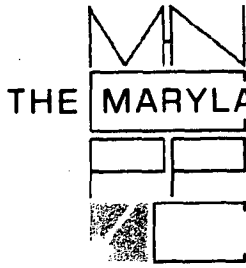




PROPOSED 6'6" WOODEN FENCE



PROPOSED 6'6" WOODEN NOISE BARRIER



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

**FAX TRANSMITTAL SHEET**

**Historic Preservation Office  
Department of Park & Planning**

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: JAMES REGAN FAX NUMBER: 202.874.6627

FROM: JOSH SILVER

DATE: 9/15/2008

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 17

NOTE:

Staff Report is 16 pages

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20 August 2008

Abigail Nolan  
5807 Surrey Street  
Chevy Chase, Maryland 20815

Reference: Residential Outdoor Air-Conditioning  
Noise Mitigation Design



Phoenix Noise & Vibration, LLC  
930 North East Street, Suite #4  
Frederick, Maryland 21701  
301.846.4227 (phone)  
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### Analysis

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**Conclusion**

Based upon the proposed barrier designs, the resulting noise levels on all adjacent residential properties caused by the two outdoor AC units on the 5807 Surrey Street property will be at or below the Montgomery County Noise Ordinance's nighttime limit of 55 dBA. This level completely complies with the Montgomery County Standards.

Please contact me directly if you have any questions.

Sincerely,



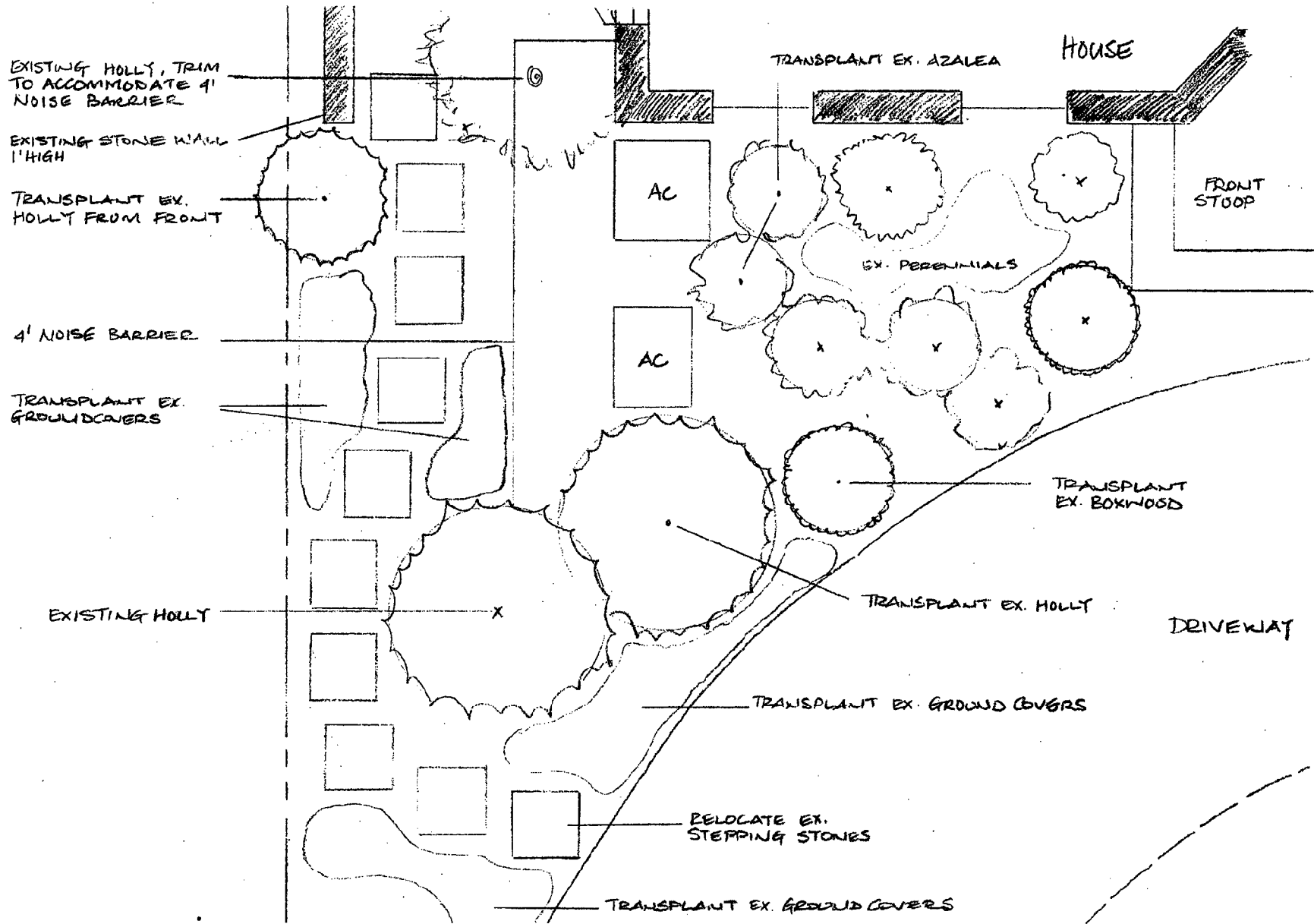
Scott Harvey, P.E.  
Chief Engineer

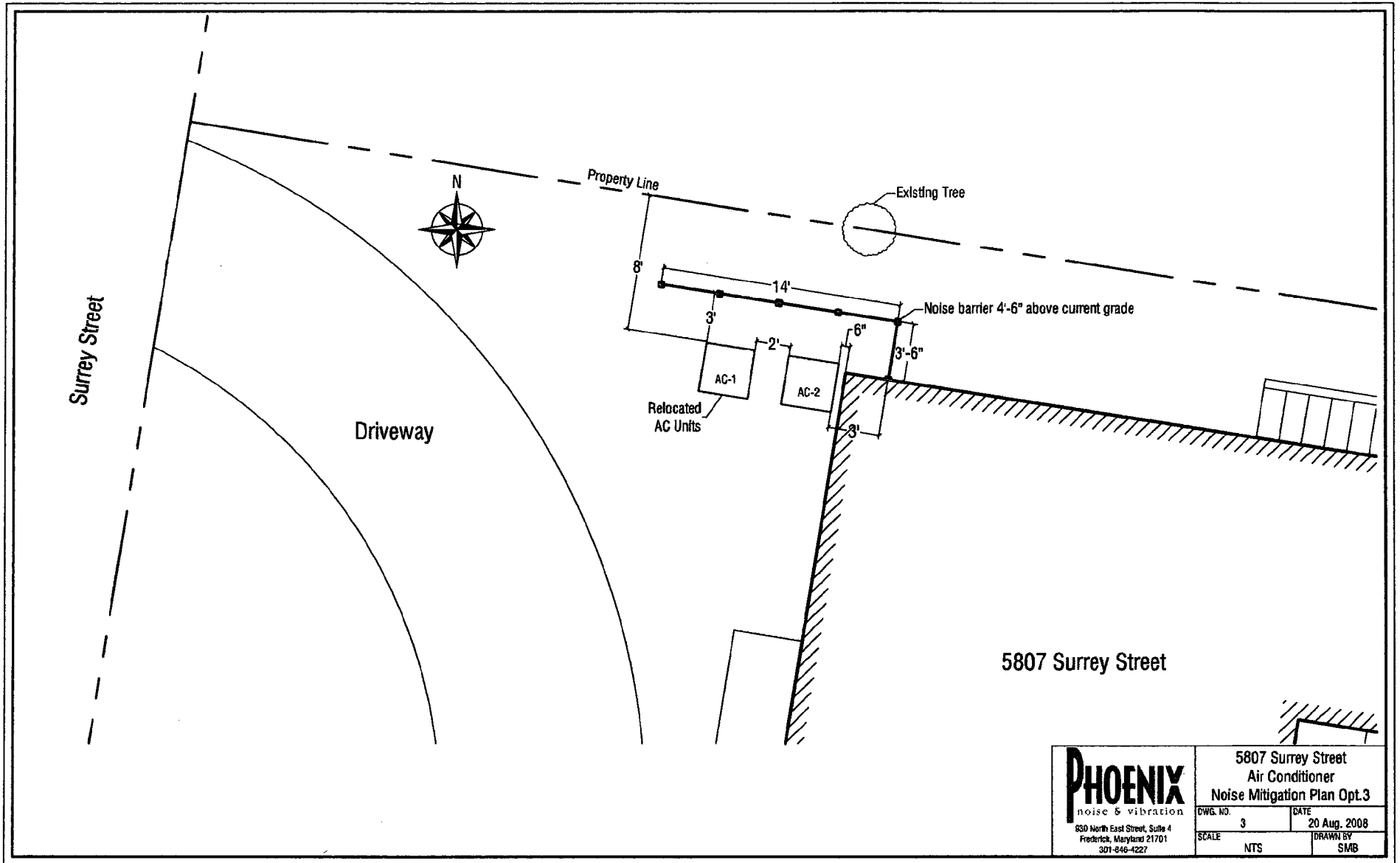
SH/sh

NOLAN GARDEN  
5807 SURREY STREET  
CHEVY CHASE, MD

AC LANDSCAPE PLAN  
SCALE 1/4" = 1' 00"  
AUGUST-08

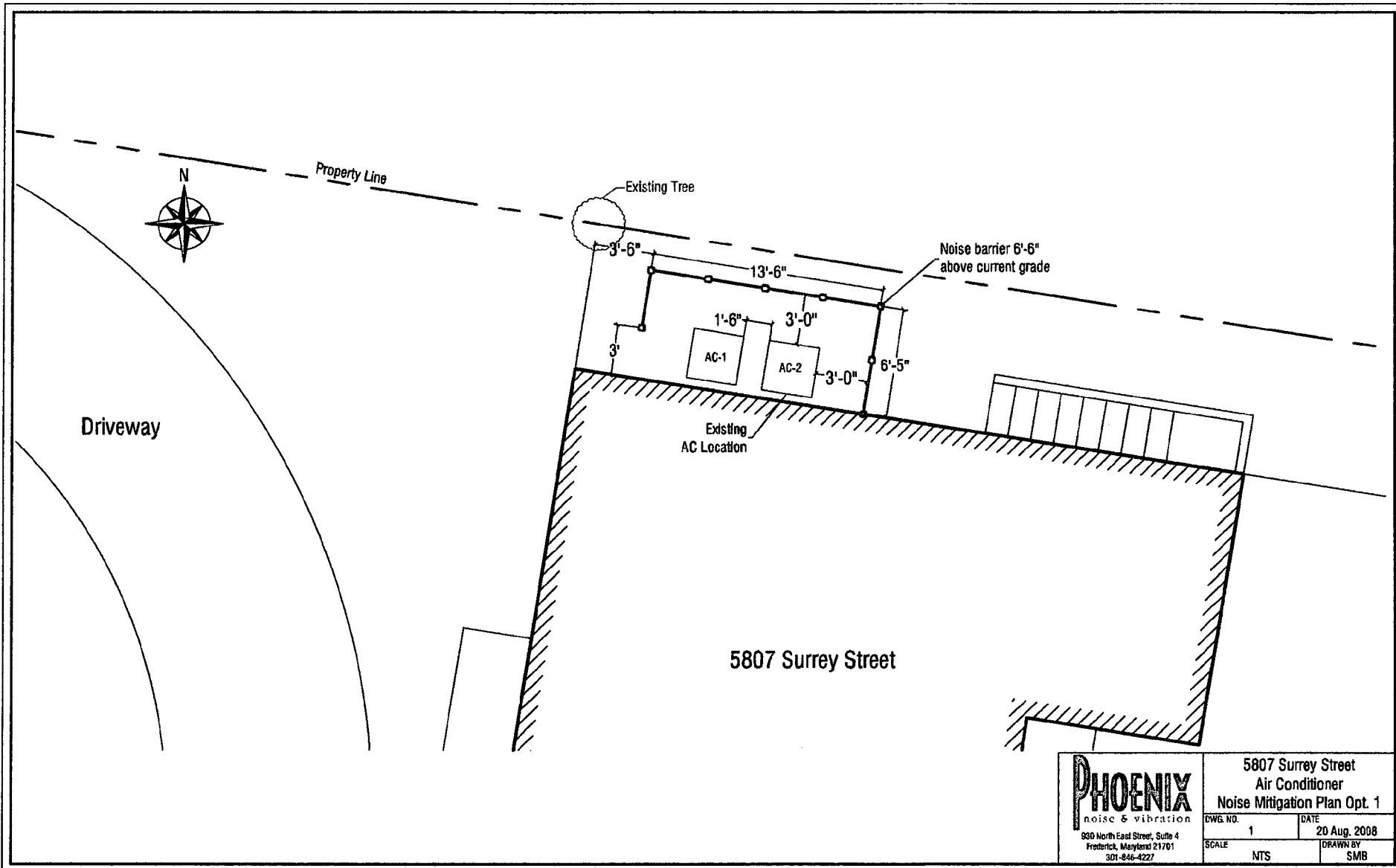
MARION OXFORD-DEARTH  
LANDSCAPE DESIGN, INC.  
4832 W STREET, NW WASHINGTON DC 20007





<b>PHOENIX</b> noise & vibration 930 North East Street, Suite 4 Frederick, Maryland 21701 301-846-4227	5807 Surrey Street	
	Air Conditioner	
	Noise Mitigation Plan Opt.3	
	DWG. NO.	DATE
3	20 Aug. 2008	
SCALE	DRAWN BY	
NTS	SMB	

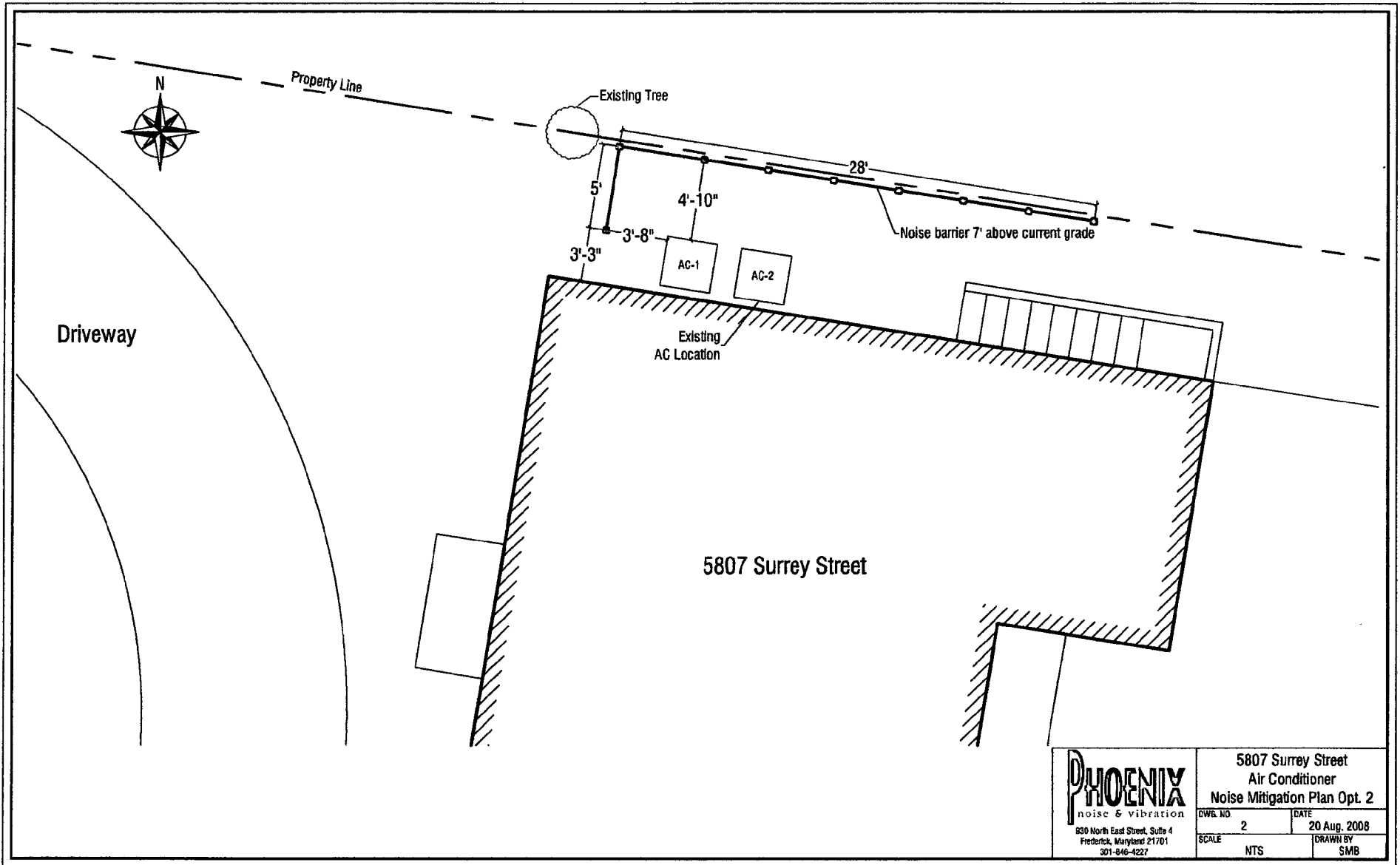
Note: The distance from the property line to the house is 9.6 feet.



**PHOENIX**  
noise & vibration  
930 North East Street, Suite 4  
Frederick, Maryland 21701  
301-846-4227

5807 Surrey Street Air Conditioner Noise Mitigation Plan Opt. 1	
DWG. NO. 1	DATE 20 Aug. 2008
SCALE NTS	DRAWN BY SMB





<b>PHOENIX</b> noise & vibration 930 North East Street, Suite 4 Frederick, Maryland 21701 301-846-4227	<b>5807 Surrey Street</b> <b>Air Conditioner</b> <b>Noise Mitigation Plan Opt. 2</b>	
	DWG. NO.	DATE
	2	20 Aug. 2008
	SCALE	DRAWN BY
	NTS	SMB

ABBY MCGANNEY NOLAN

5807 SURREY STREET • CHEVY CHASE, MARYLAND 20815 301-657-6213 • MCGANNEYNOLAN@AOL.COM

August 19, 2008

Montgomery County Historic Preservation Commission  
Department of Permitting  
255 Rockville Pike  
2<sup>nd</sup> floor  
Rockville, MD

Dear Sir or Madam,

I am writing to request a permit to move two Air-Conditioning units on my family's property, 5807 Surrey St. Our house is a non-historical structure (built in 1967) in a historical district in the Town of Somerset in Chevy Chase. The current location of our units is at the side of our house, which doesn't conform to the 8-foot setback requirement. The setback from the property line of the air conditioners as currently placed is 6-foot, 6-inches. We would like either to move them to the front and side of our house (drawing #3 from Phoenix Noise and Vibration; landscape plan, which shields the units from the sidewalk) or to keep them where they are and request a variance to the setback rule.

To the latter end, we also enclose two drawings (numbered one and two, Phoenix) that show the air conditioning units where they currently are, with two sets of proposed sound barriers. For efficiency's sake, we ask that you approve both the proposed setback-conforming location shown in drawing #3 and the existing location shown in drawings #1 and #2. Should you approve both the conforming plan and the plans requiring a variance, we would continue to work with the town council and our neighbors to see what solution best fits the needs and rules of the community. We understand that we would also need to get a variance approved by Montgomery County and the Town of Somerset.

Please do not hesitate to contact me if you need more information.

Thank you for your consideration,



Abigail M. Nolan  
301-657-6213

ABBY MCGANNEY NOLAN

5807 SURREY STREET • CHEVY CHASE, MARYLAND 20815 301•657•6213 • MCGANNEYNOLAN@AOL.COM

September 1, 2008

Josh Silver  
Department of Historical Preservation  
1109 Spring Street  
Suite 801  
Silver Spring, MD

Dear Mr. Silver,

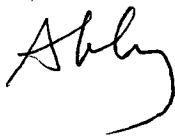
Thank you for speaking to me last week about our application to install a noise-abatement barrier on our property, 5807 Surrey St. I followed up with Scott Harvey, of Phoenix Noise and Vibration, who created the three mitigation plans I submitted last month. He stated that the solid wood structure surrounding the units needed to be 6' 6" to abate the noise sufficiently. Our neighbor's property slopes upward from our property line so we would like to have the fence as high as permissible. Mr. Harvey arrived at the dimensions for the structure by following the manufacturer's specifications for the proper ventilation and operation of the units. I've enclosed an additional photo of the units so that you can see that the units are not very visible from the sidewalk. We would plant additional evergreens around the structure.

We would also like to request permission to build an additional 6' 6" fence that would extend from the back of our house to the back of our property at the property line.

Both of these fences would be made of solid wood. I've enclosed a couple of samples of what these structures would look like. I welcome suggestions on what type and materials are considered the most suitable under these circumstances.

Thanks again for your help. Please call me if you have any questions..

All best,



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

<b>Address:</b>	5807 Surrey Street, Chevy Chase	<b>Meeting Date:</b>	9/10/2008
<b>Resource:</b>	Non-Contributing Resource Somerset Historic District	<b>Report Date:</b>	9/3/2008
<b>Applicant:</b>	Abigail and Michael Nolan	<b>Public Notice:</b>	8/27/2008
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Number:</b>	35/36-08A	<b>Staff:</b>	Josh Silver
<b>PROPOSAL:</b> Installation of noise barrier and fence			

**STAFF RECOMMENDATION:**

Approval

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource Within the Somerset Historic District  
**STYLE:** Modern  
**DATE:** c1965

**PROPOSAL:**

The applicants are proposing to enclose two existing air-conditioner units that are located forward of the rear plane of the house with a 13'6" x 6'5", 6'6" high wooden noise barrier and install a 6'6" high wooden fence behind the rear plane of the house along the northern property line. The proposed noise barrier has been determined by a noise and vibration consultant to be the minimum height and dimensions necessary to properly reduce the ambient noise level on the adjacent property.

Although the HPC does not generally approve fences/enclosures higher than 4' when forward of the rear plane of the house they have in rare circumstances allowed higher fences when appropriate. Staff supports the proposed noise barrier and fence installation projects at the subject property. The proposed noise barrier is confined to a location on the side of the house and will be relatively small in terms of its dimensions therefore visibility will be minimal when viewed from the streetscape of the historic district. The applicants also intend to plant additional vegetative screening to mitigate any potential impact to the streetscape of the historic district.

**APPLICABLE GUIDELINES:**

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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
- 5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- 6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

and with the general condition that the applicant shall present the **3 permit sets of drawings to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits.