
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: May 21, 2008

SUBJECT: PI-B080298

TITLE: H & M Cosmetic Dentistry

REQUEST: **Icon Sign Approval**
Monument Sign with Icon

ADDRESS: 2 Maryland Avenue

ZONE: R-B (Residential Buffer)

APPLICANT: Herbert Mollinedo

STAFF LIAISON: Allen Meyer, Planning Intern

Enclosures:

Staff Comments
Exhibits

- Exhibit 1: Site location map
- Exhibit 2: Application
- Exhibit 3: Monument sign design with icon
- Exhibit 4: Proposed location of monument sign
- Exhibit 5: Utility/Public Works approval letters

STAFF COMMENTS

I. BACKGROUND:

An application has been filed requesting approval of a monument sign to have an icon included on it (Exhibit #2). The property is located at 2 Maryland Avenue (Exhibit #1) in the R-B zone.

The applicant proposes to place a 24 square foot (4' x 6') monument sign in the front yard of a residential style commercial building. A portion of this sign will consist of a pictorial representation of a fifteen (15) inch tooth with seven (7) inch letters across it.

II. SCOPE OF REVIEW:

The subject property is located in the R-B zone. Within this zoning district, staff is granted authority to approve monument signs. Although the signs conform to the size & location requirements of the Zoning Ordinance, the proposed signs include an icon which requires Planning Commission approval in accordance with Section 24-212(j) of the sign ordinance which states:

Signs using icons, including icons in the form of any person, animal, vegetable, fruit, product, or portion of any of the foregoing, may be allowed. Such sign shall require prior approval of the Planning Commission.

III. SITE PLAN ANALYSIS AND FINDINGS:

Site Characteristics.

The subject property is 0.242 acres of land facing Maryland Avenue. The structure on site is a residential looking commercial building (1,568 square foot). The building is setback roughly 30 feet in the front, 6 feet on the left side, 30 feet on the right side, and 110 feet in the rear. The site was approved by the City of Gaithersburg's Planning Commission for reuse to office and storage use on April 8, 1987 as S-813(R).

Surrounding Land Use and Zoning.

The Property's to the north-east are zoned R-90 and is developed with single family dwellings. The property to the north-west is zoned R-B and is developed with office. The property to the west is zoned CD and is developed with retail (Duron paint). The property to the south is zoned CD and is developed with a bank (M&T Bank). The property to the south-east is zoned C-1 and is developed with office/retail uses. The property to the east is zoned R-B and is developed with a single family dwelling.

Site Plan Analysis.

Located along Maryland Avenue is a fifteen (15) foot dedicated right of way and a ten (10) foot Public Utility Easement/Public Improvement Easement (PUE/PIE). The applicant wishes to place the monument sign on the property, in the PUE/PIE, sixteen (16) feet from the south-eastern edge of the sidewalk. Signs are permitted to be located in the PUE/PIE provided that the applicant receives permission from the utility companies and Public Works. The applicant has received the necessary approvals for the sign to be located in the PUE/PIE. The proposed sign is in conformance with the requirements of the sign ordinance.

Summary of Findings.

The Planning Commission is receiving this application because the proposed signage includes an icon which must be approved by the planning commission. The inclusion of the icon to the sign will not violate the Sign Ordinance or any other regulations of the City Code.

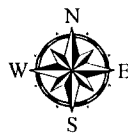
IV. CONCLUSION:

Staff recommends **TO GRANT PI-B080298, H&M COSMETIC DENTISTRY, ICON SIGN APPROVAL, FINDING IT IN CONFORMANCE WITH THE SIGN ORDINANCE, WITH NO CONDITIONS.**

PI-B080298

H & M Cosmetic Dentistry

H&M Cosmetic Dentistry • 21-May-2008 • AM



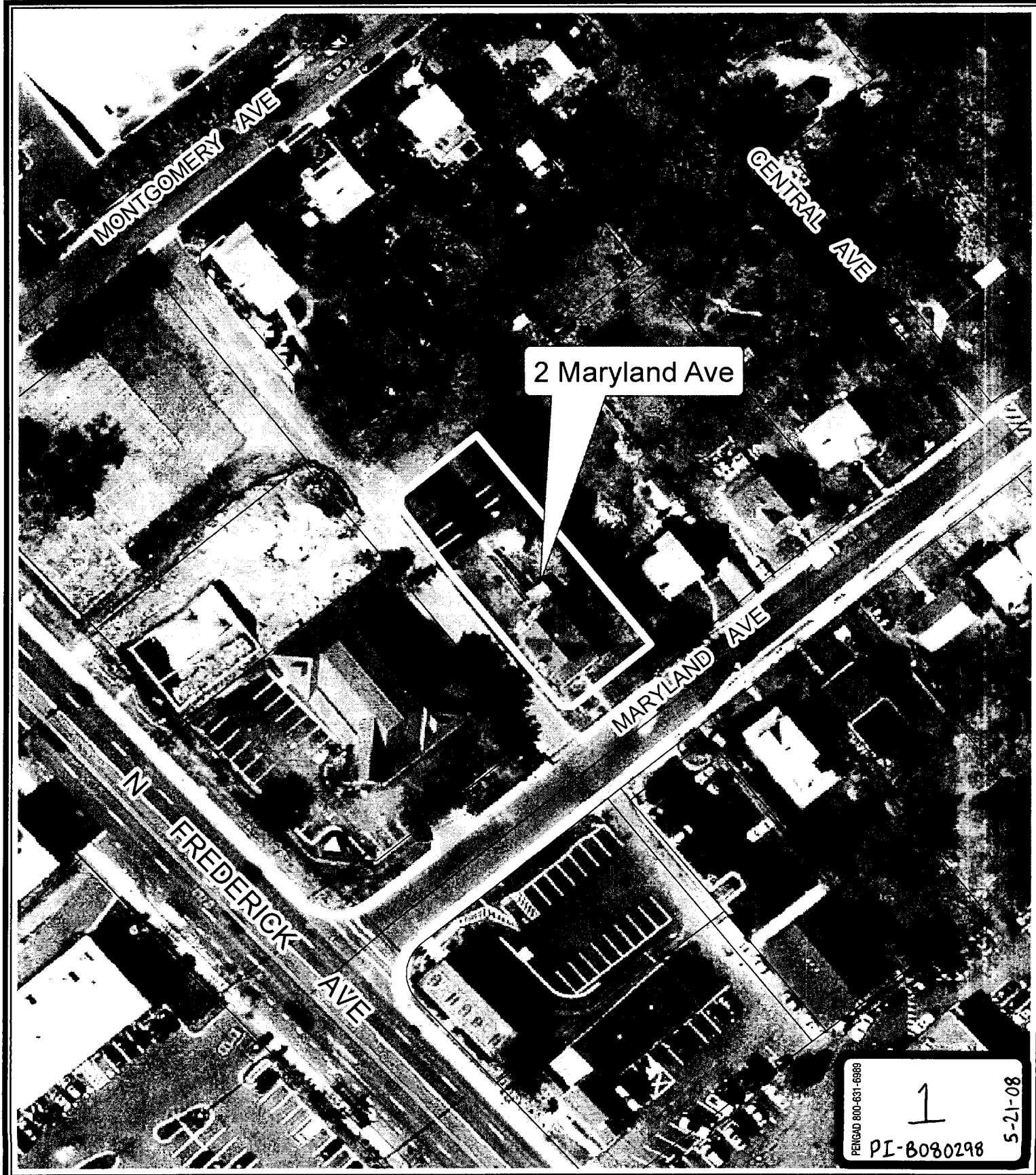
MD State Plane
HPGN NAD 83/91

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City of Gaithersburg
Planning and Public Works
31 S Summit Ave
Gaithersburg, MD 20877
(301) 251-3300
www.gaithersburgmd.gov

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PENGAD 800-631-6989
1
PI-B080298
5-21-08

SIGN PERMIT APPLICATION

In accordance
with Chapter 24, Article IX, Section 24-160F, and Section 24-228 of the City Code

Application No.	PI-3080298
Date	4/24/08
Approvals:	
Code	_____ Date _____
Zoning	_____ Date _____
HPAC	_____ Date _____
HDC	_____ Date _____
PC	_____ Date _____
Fees:	
Total Fee	_____
Application Fee	\$50 Due
Amount Due	_____

All information requested in this application must be answered completely.

1. **SUBJECT PROPERTY**
 Street Address 2 Maryland Ave. Gaithersburg MD 20877
 Suite Number(s) _____ Zone _____

2. **APPLICANT**
 Name HERBERT Mollinedo
 Street Address 2 Maryland Ave Suite No. _____
 City Gaithersburg MD 20877 State _____ Zip Code _____
 Telephones: Work 301-355-5156 Home 301-219-4865

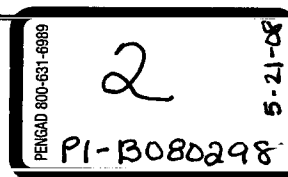
3. **SIGN CONTRACTOR**
 Name FRASER Sign-Retail & Graphics
 Street Address 110 Frederick Ave Suite F Suite No. _____
 City Rockville State MD Zip Code 20850
 phones: Work 301-251-9169 Daytime _____

4. **ELECTRICAL CONTRACTOR**
 City Electrical License No. _____
 Company Name _____
 Street Address _____ Suite No. _____
 City _____ State _____ Zip Code _____
 phones: Daytime _____

5. **PROPERTY OWNER**
 Name Greg Shirinian
 Street Address PO Box 59153 Suite No. _____
 City Potomac, MD 20859 State _____ Zip Code _____
 Telephones: Work _____ Home 240-715-2660

6. **BUSINESS OWNER/OCCUPANT**
 Business Name H & M Cosmetic Dentistry
 Business Owner's Name Herbert Mollinedo
 Business Owner's Address 4712 RAMS Head CT Suite No. _____
 City Rockville MD 20853 State _____ Zip Code _____
 Telephones: Work 301-355-5156 Daytime 301-219-4865

continued on reverse side



7. PERMIT TYPE

- TEMPORARY:
 - Banner
 - Construction
 - Pole Banner
 - Real Estate
 - Special Event

- PERMANENT:
 - A-Frame
 - Building
 - Canopy
 - Directional
 - Electronic
 - Monument
 - Re-face

- ELECTRIC: Amps _____
- NON-ELECTRIC

8. PROJECT DETAILS. COMPLETE ALL THAT APPLY.

- a. Square footage of sign: (Height) 4 x (Width) 6 = 24
- b. Square footage of facade holding sign: (Height) _____ x (Width) _____ = _____
- c. Facade holding sign faces public street: Yes ___ No ___ Has public entrance: Yes No ___
- d. Exact wording of sign H E M DENTISTA LABORATORIO DENTAL 3013555155
- e. Translation (if applicable) H E M DENTIST DENTAL LABORATORY 3013555155
- f. Square footage of individual tenant band _____
- g. Number of faces 2
- h. Color(s) of sign white background, red & black letter
- i. Height above grade _____
- j. Materials wood, mdo
- k. Setback _____
- l. Exact placement of sign free standing

9. CHECK ALL THAT APPLY

- In Olde Towne
- In a historic district
- In R-B Zone
- On Frederick Avenue Corridor
- On a historic site

10. SUBMISSION REQUIREMENTS

- a. Two copies of sign drawing indicating dimensions, shape, materials, and description of the face with lighting detail.
- b. One copy of the site plan showing the location of the sign on the property/building.
- c. Landscape plan for monument signs.
- d. Application Fee. (See fee schedule.)

11. ADDITIONAL INFORMATION

- a. All electrical work must be completed by an electrician currently licensed by the City of Gaithersburg.
- b. All electrical signs must have a valid "UL Label" and cut-off switch.
- c. All signs in the Historic District or on a designated historic site must also complete a separate application for Historic District Commission (HDC) review.

I hereby certify that I have read and examined this application and that all statements are true and correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate the provisions of any other state or local law regulating construction or the performance of construction.

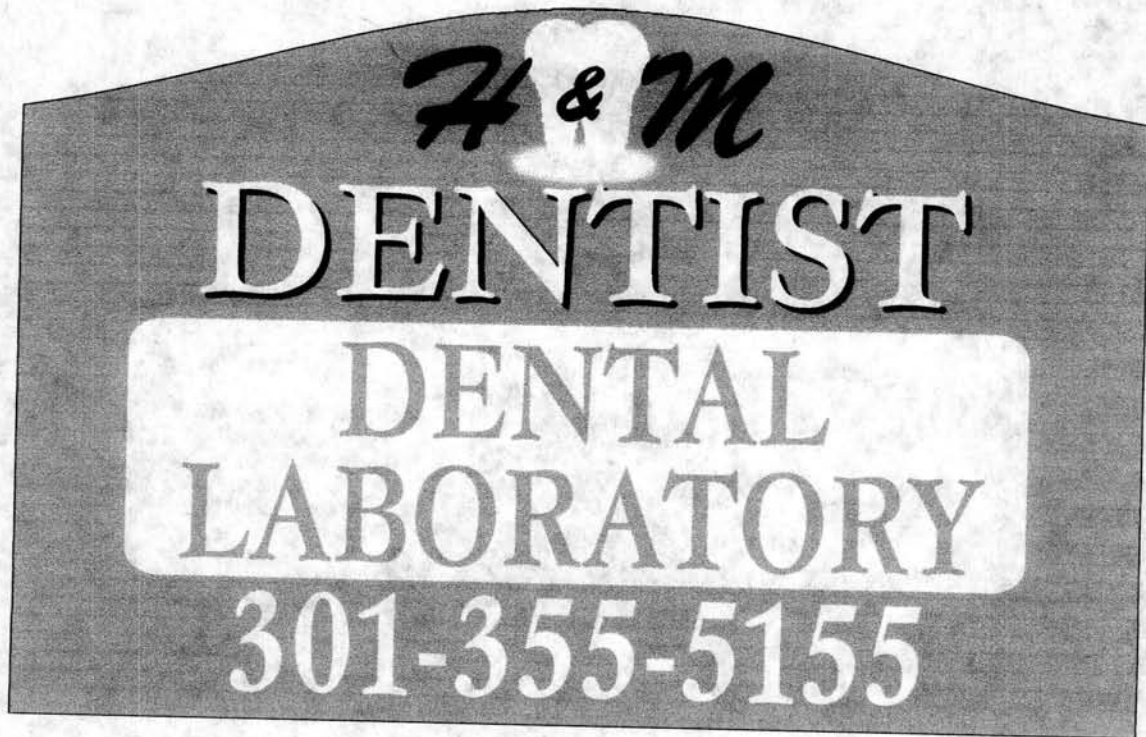
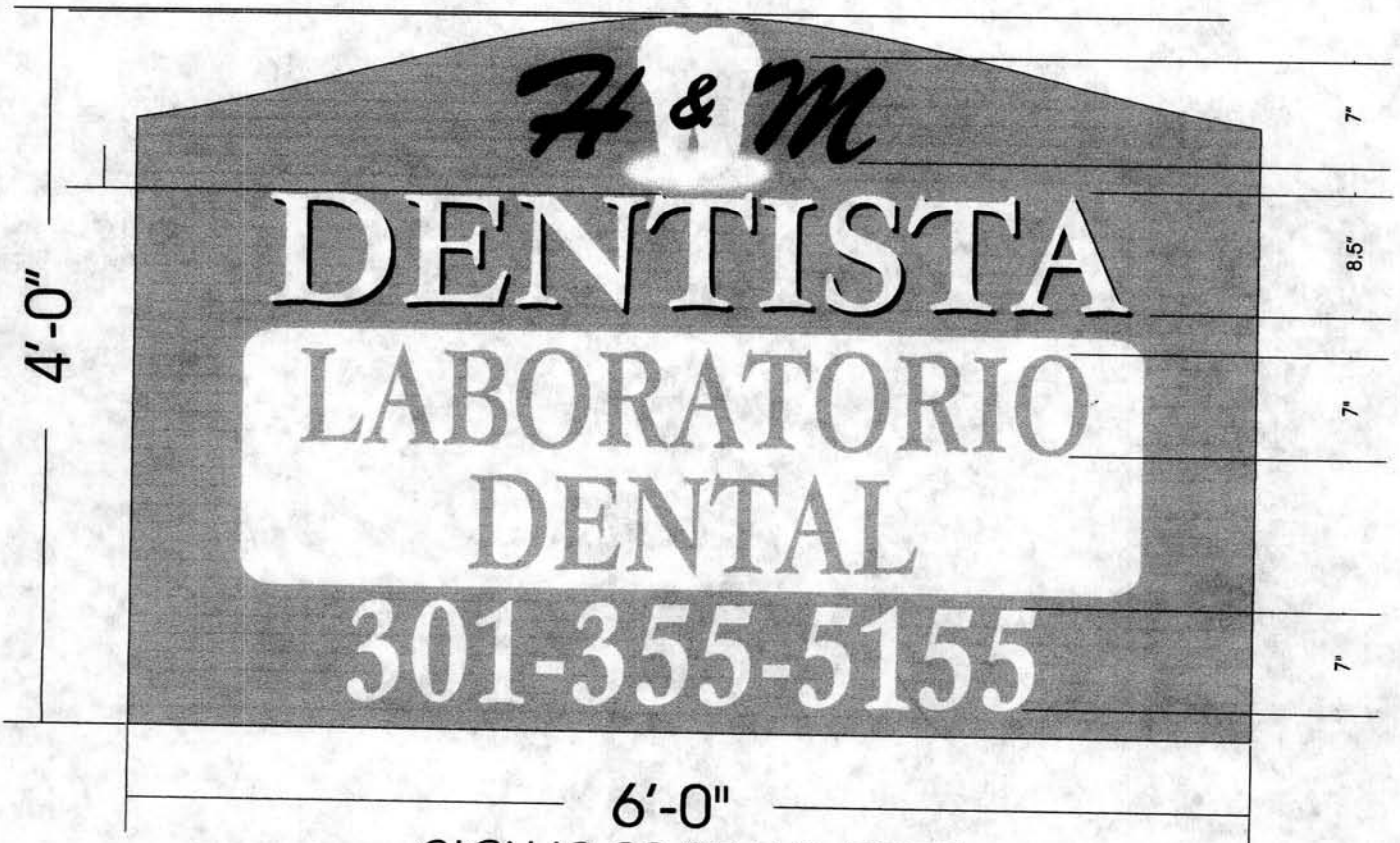
Applicant's Name (please print) HERBERT Mollineds
 Applicant's Signature [Signature]
 Property Owner's Signature (required) _____

Telephone 301-219-4865(c)
 Date 4/3/08
 Date 4/11/08

FOR OFFICE USE ONLY	
Total allowable signage for site (10% of facades facing a public street or having a public entrance)	Total signage present on site
_____ sq. ft.	Building sign(s) _____ sq. ft.
	Canopy sign(s) _____ sq. ft.
	Neon sign(s) _____ sq. ft.
	A-Frame sign(s) _____ sq. ft.
	Pole Banner sign(s) _____ sq. ft.
Total allowable signage for R-B Zone (1 sq. ft. for each linear foot facing street)	Total _____ sq. ft.
_____ sq. ft.	

301
355
5156
office

* Awaiting Pepco + Verizon's Approvals



PENGAD 800-631-6989

3

PI-B080298

5-21-08

Detailed description: This is a small rectangular stamp or label. It contains the text 'PENGAD 800-631-6989' on the left side, a large number '3' in the center, and 'PI-B080298' at the bottom. On the right side, there is a date '5-21-08' written vertically.

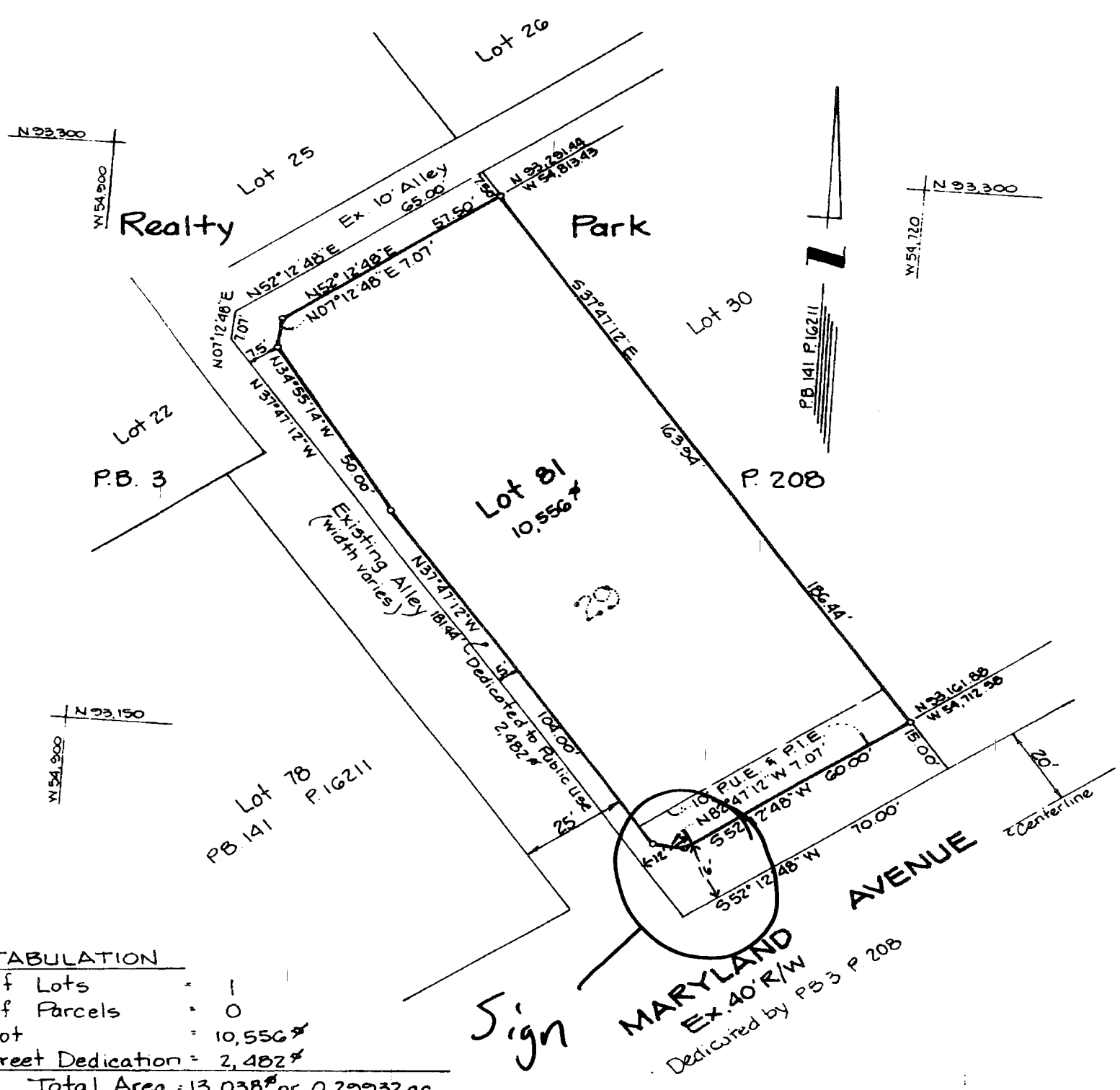
SURVEYORS CERTIFICATE

I hereby certify that the plat shown hereon is correct; it is a resubdivision of all of Lot 29 in a plat of subdivision entitled "Realty Park" as shown in Plat Book 3 at Plat 208, and also being a subdivision of all of the land conveyed by Rodney M. Thompson to Howard B. Wetzell and Anne M. Wetzell, his wife, by a deed dated December 23, 1986 in Liber 7470 at Folio 328 and both being recorded among the Land Records of Montgomery County, Maryland. Iron pipes marked thus -o- have been placed as indicated to the approved finished grade.

104

March 20, 1987
Date

Douglas H. Riggs, III
Douglass H. Riggs, III
Professional Land Surveyor
Md. Reg. No. 10712



We, Howard B. Wetzell, hereby adopt this the minimum build (P.U.E.) shown here of Public Easement of Montgomery County, all federal, state, and Montgomery County in, on, and over (P.I.E.) with the in that certain among the Land at Folio 665. There are no affecting the deed of trust signatures below.

Date 2/8/87

I hereby certify
2-8-87
Date

PLAT TABULATION

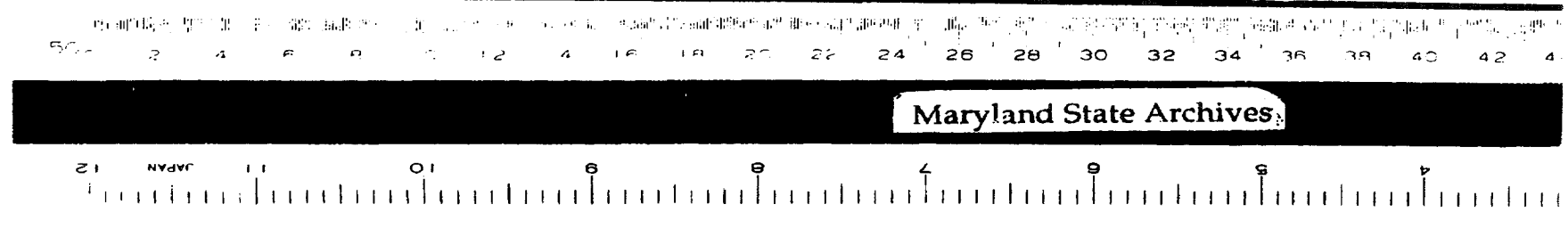
Number of Lots	=	1
Number of Parcels	=	0
Area of Lot	=	10,556 sq ft
Area of Street Dedication	=	2,482 sq ft
<u>Total Area = 13,038 sq ft or 0.29932 ac.</u>		

Sign
Plat # 16476

City of Gaithersburg Planning Commission
Montgomery County, Maryland
APPROVED April 1, 1987
Salvatore Surges Chairman
Glenn Secretary

RECORDED: _____
PLAT BOOK: _____
PLAT NO: _____

RG00



PENGAD 800-631-6989
P1-8080298
7
5-21-08



Gaithersburg
A CHARACTER COUNTS! CITY

Date: 04/2/08

Department of Public Works
City of Gaithersburg
800 Rabbitt Road
Gaithersburg, MD 20878

Dear Sir:

I/We am/are the owner of H & M Dental, Lot 41, Block _____, of the Realty Park subdivision, which is encumbered by a Public Improvement Easement (P.I.E.). I/We would like to construct a ~~fence~~ ^{fence} across this easement and am/are of the understanding and agree that the City of Gaithersburg and its assigns has the right to remove such ~~fence~~ ^{fence} without compensation to me/us, if need be for repairs or reconstruction of the Public Improvement Easement (P.I.E.). I/We understand the City will not be responsible for any damage to any ~~fence~~ ^{fence} sections or landscaping either removed or that are not removed, nor is the City required to replace ~~fence~~ ^{fence} sections that are removed or damaged. I/We also agree not to affix any structure to the ~~fence~~ ^{fence} which is located in the easement area. With the submittal of this letter, I/We would appreciate approval of a ~~fence~~ ^{fence} permit from the City of Gaithersburg.

Thank you for your consideration and time.

Sincerely,

301-355-5156

Signature of Applicant

Daytime Telephone Number

Approved
By: JDA

Date: 5/9/08

PENGAD 800-631-6888
5
PI-8080298
5-21-08



**Washington
Gas**

6801 Industrial Road
Springfield, Virginia 22151

4-16-08

H & M Dental Studios
2 Maryland Avenue
Gaithersburg, Maryland 20877

ATTN: Greg Shirinian

Re: Permission to erect and or partial replace a sign in front of #2 Maryland Avenue,
Rockville, Maryland

Dear Mr. Shirinian,

Thank you for your letter dated April 10th, 2008 requesting permission to replace a sign in front the property address above and on the drawing sent to Washington Gas. Our records reflect that Washington Gas has a Gas service line in the area of the sign construction in the PUE. Washington Gas has no objection to your proposal as long as the proper Miss Utility procedures are followed And no pole is within 1' of our marked service line. Washington Gas will retain the all rights to the Public Utility Easement (PUE) as intended, and assumes no responsibility for any damage that may occur as a result of future installation, operation or maintenance of our gas lines.

You must call "Miss Utility" 1-800-257-7777 at least 48 hours prior to any digging to locate any underground facilities.

Sincerely,

John A. Smith
Washington Gas
Supervisor Survey and Land Rights



A PHI Company

Distribution Engineering, Maryland Division
201 West Gude Drive
Rockville, Maryland 20850
Telephone: 301-670-8700
Fax: 301-670-8718

April 24, 2008

H & M Dental Studios
2 Maryland Avenue
Gaithersburg, MD 20877

Re: Renew a sign in a Public Utility Easement
H & M Dental Studios
2 Maryland Avenue
Gaithersburg, MD 20877
REALTY PARK Lot 81 Plat No. 16476

TO: Ms. Margoth Mollinedo,

We have reviewed your request to renew a sign in the area of the subject public utility easement. PEPCO has no objection to the existing sign as, with the understanding that the sign will remain in its present location as of the recorded Plat. This contingency will allow PEPCO crews to remove part of or the entire sign in the surrounding easement in the event of new construction and/or the need to perform maintenance of our electric system in close proximity to the sign. It would be H & M Dental Studios responsibility to restore the sign and the affected area to its original condition.

Prior to installation of the sign, it is H & M Dental Studios responsibility to contact Miss Utility at 1-800-257-7777 to request location of all underground utilities within the area. This is a free service and the request is normally handled within a few days.

If you have any questions regarding this situation, please don't hesitate to call me on (301) 548 - 4305.

Sincerely,

A handwritten signature in cursive script that reads 'Roberta D. Dickey'.

Roberta D. Dickey
Development Management
Utility Infrastructure Coordination

Jdr

TAKE CONTROL OF YOUR WEB HOSTING.



VPS HOSTING



SEARCH: this Site the Web

EMAIL STORE

- Compose
- Folders
- Options
- E-Mail Search

From gabor.i.varsa@verizon.com Block Sender | Block Domain
Date 2008/04/25 Fri AM 10:37:34 CDT
To hmdental@verizon.net
Subject 2 Maryland Ave

E-Mail Tools
Address Book

 or move to **Move to folder ...**

Email Storage

You are currently using:

< 0% of your 2048 MB limit.

To whom it may concern:

Verizon has no objections replacing the free standing sign across the property c
 Gaithersburg, Md 20877, lot 81, more particularly in the ex. 10' PUE and PIE pr
 caution is taken during excavation, if any, and Miss Utility is properly notified of
 Verizon with this statement does not give up rights in the PUE and the attached
 an important document accompanying this notification and therefore will be a p:

(See attached file: PUE.doc)

Sincerely:

Gabor Varsa
 Verizon Engineering
 301 595-6140

Download Attachment PUE.doc

 or move to **Move to folder ...**

Verizon requires all individuals and entities to adhere to the terms of the PUE agreement set forth in Liber 3834 and Folio 457 and 458 – Declaration of Terms and Agreements of Public Utility Easements.

Second: The perpetual right at any time, and from time to time, to clear, and keep clear, the Property of trees, shrubs, buildings and structures; and

Third: The perpetual right of ingress and egress from the Property at any time, and from time to time, to the extent as reasonable necessary.

Thank you very much:

Gabor Varsa
Verizon Engineering
301 595-6140