



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

March 29, 2012

Viking Custom Homes
1715 Archers Glen
Sykesville, MD 21784

Dear Sir or Madam:

RE: WP-12-140, Trotter Crest, Lots 5-6
(SDP-11-031)

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.1205(a)(7)** which outlines the forest retention priorities when adhering to the Forest Conservation Act, including areas of floodplain, stream buffers, wetlands and buffers, steep slopes, trees of 30" in diameter or larger, and many other provisions. Per State Senate Bill 666, State Champion trees or trees 30" diameter or larger cannot be disturbed without a waiver. The proposed development will require the removal of 3 specimen trees. Two of the specimen trees to be removed are tulip poplars. One maple tree was damaged by lightning and has been removed.

Approval is subject to the following conditions:

1. Compliance with all Subdivision Review Committee comments.
2. On the site development plans, provide a brief description of waiver petition, WP-12-140, as a general note to include requests, sections of the regulations, action and date.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Denial of the waiver petition would result in the applicant's inability to construct a new dwelling with a side-load garage on Lots 5 and 6. Lot 5 contains an existing dwelling with a detached garage (built in 1959 and 1965, respectively) that will be razed thus exposing half the root system and the future survivability of the tree. The removal of the existing garage and the orientation of the proposed dwelling with a side-load garage will impact the existing poplar tree. The remaining specimen tree on Lot 5 was struck by lightning and was removed from the site. Lot 6 has a specimen tree which will be located approximately 20 feet from the corner of the proposed house. The over dig for the house foundation and the excavation for the proposed driveway, whether for a front or side-load garage, will expose half the root system and add stress to the tree which will impact its potential survival. If the proposed house on Lot 6 were shifted to the south, two specimen trees would be impacted.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. The specimen trees to be removed are internal to the site and should not be visible from the public road.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this waiver request will not nullify the intent or purpose of the regulations. The applicant has saved 7 specimen trees within the subdivision.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as this site development plan remains in active processing.

If you have any questions, please contact Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Marian Honecny, DNR
Brenda Lubber
SDP-11-031
FCC