



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

Marsha S. McLaughlin, Director

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October 28, 2013

Mr. & Mrs. Raymond D. Jordan  
4929 Canvasback Drive  
Columbia, MD 21045

RE: Jordan Overlook Lots 1-4, SFD  
WP-14-026 (F-11-041)

Dear Mr. & Mrs. Jordan:

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 16.120.(b).(4).(iii).(b)** to allow a forest conservation easement to be created on a residential lot less than 10 acres in size provided that the building envelope is no closer than 35 feet from this environmental feature and provided that a deck may project no more than 10 feet beyond the building envelope.

Approval is subject to the following conditions:

1. Compliance with all SRC review comments on the final plat and plan, F-11-041, is required prior to signature approval of the final plat. A 35' BRL shall be provided from the edge of the forest conservation easements.
2. Provide copies of the revised plat, construction plans and estimates to the Real Estate Services Division, DPW at least three(3) weeks prior to submission of the final plat originals for recording..
3. Advisory Comment: The developer of this property should be advised that forest conservation easements that are either on or adjacent to residential lots are often encroached upon. This office advises the developer to provide additional education and / or barriers such as fencing or additional signage for the residents and future residents at, and adjacent to, this site.

Our decision was made based on the following:

- Extraordinary Hardship Resulting from Strict Compliance with the Regulations – Because Buildable Lot 3 is less than 10 acres, the existing forest is not allowed to be placed in a public forest conservation easement and there is no provision to maintain the on-lot forest resources. Strict compliance with the regulation will potentially allow the change to the existing vegetative buffer from the on-site proposed houses to the existing neighboring homes. Maintaining the existing forest with additional reforestation activities will provide better screening from this subdivision to both the Dalton and Village of Oakland Mills homes.
- The Intent of the Regulations will be Served to a Greater Extent through the Implementation of an Alternative Proposal - Approval of this waiver will greatly enhance the existing environmental features by creation of a permanent public forest conservation easement which will preserve the on-site forest resources as part of a larger forest stand which exists (but is not under a FCE) on the adjacent Open Space Lot 1 of the Village of Oakland Mills S. 1, A. 8, Plat 13504. In addition to retention, providing reforestation practices to connect the retention areas will create a continuous screening buffer to the adjoining residential lots in the existing communities. Maintaining existing forest and adding forest plantings will serve the Regulations to a greater extent by avoiding disturbance to these environmental resources.

- Not Detrimental to the Public Interests – The approval of this waiver will not adversely affect the essential character of the neighborhood and will not impact the enjoyment of surrounding properties. The forest retention and reforestation will serve to maintain and enhance the existing environmental resources on this site without substantial modifications.
- Will Not Nullify the Intent or Purpose of the Regulations – Lot 3 (which contains an existing house with accessory structures) has been designed to be approximately 3.747 acres in size. The substantial size of this residential lot allows a FCE to be established which retains and enhances the existing on-site forest resources and includes a 35 foot environmental buffer. Approval of this waiver petition will not nullify the overall intent of the regulations. The property owner will have ample space between the 35' environmental and the existing structures on this lot for residential yard activities. The establishment of a FCE on this 3.747 acre residential lot in order to retain and enhance the existing foresting resources on this lot will have no adverse effect on adjacent properties, the surrounding community, or Howard County as a whole.

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 subdivision remains in active processing.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at [pfendlay@howardcountymd.gov](mailto:pfendlay@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JME/MPB

cc: Research  
Jim Witmer – Development Engineering Division  
Real Estate Services Division, DPW  
Fisher, Collins & Carter, Inc.  
DPZ File # F-11-041