



Howard County Department Of Planning And Zoning  
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Marsha S. McLaughlin, Director

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November 14, 2013

Howard County Department of Public Works  
9250 Bendix Road  
Columbia, Maryland 21045  
ATT: David Loudermilk

RE: WP-14-048/Waterloo Fire Station  
Map 43/Part of Parcel 543

Dear Mr. Loudermilk:

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

As of the date of this letter, the Planning Director **approved** your request for waiver to Section 16.1205(a)(7) requiring the retention of specimen trees having a diameter of 30" or more so as to remove three specimen trees on the proposed development, subject to the following condition:

1. Approval is given for removal of three specimen trees identified on the waiver petition exhibit as Specimen Tree D/33" White Oak; Specimen Tree E/30" White Oak and Specimen Tree F/30" American Sycamore. The developer shall be required to fulfill requirements of the Landscape Manual and Forest Conservation obligations under the site development plan to be submitted for the proposed development which will serve to mitigate removal of the specimen trees.

Justification for Approval:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The County is in negotiations to obtain approximately 6.8 acres of Parcel 543 from the State to develop the site with a new Fire Station under a capital project. Access to the site will be by relocated Montevideo Road which the County is also in the process of acquiring the necessary road right-of-way. Until Montevideo Road is relocated, temporary driveway connection to the site will be provided to Route 1. The site is completely forested with topography which gradually slopes downward from the west to the southeast. A small southwest portion of wetland buffer exists on the site, as well as, a small pocket of southeast wetlands and the 25' wetland buffer. Three Specimen Trees have been identified on the site and will be removed. Specimen Tree D, a 33" White Oak, is located to the southeast and situated on the property line which abuts the proposed road right-of-way for relocated Montevideo Road. Because Specimen Tree D is near to construction required for installing the public road, this specimen tree would most likely suffer root damage and should not be saved. Specimen Trees E, 30" White Oak and F, 30" American Sycamore, are both located within the Limit of Disturbance for construction of the Fire Station, related parking and storm water management. The developer (Howard County) has considered all possible alternatives in developing the site to save existing vegetation and specimen trees. However, due to on-site environmental features of wetlands, their buffers and off-site steep slopes to the south, no other solution is possible

but to locate development towards the central part of the parcel, requiring the removal of Specimen Trees E and F. The location of the three specimen trees hinders the ability of the County to construct a reasonable size Fire Station, and to deny the waiver request would render this site unbuildable. The better alternative is to approve the waiver and allow the capital project to proceed.

2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The retention of all specimen trees is a goal of the Forest Conservation Act. However, practical difficulties exists on the parcel which renders the site unbuildable without the removal of the three specimen trees. The developer shall submit an ECP and site development plan for further review and approval. At that time, perimeter and storm water management landscaping, as well as, forest conservation obligations shall be required and will serve to mitigate removal of the specimen trees.

3. Approval of the waiver request(s) will not be detrimental to the interests of the public. The County is not circumventing the intent of the regulations, but is attempting to develop the site by meeting all code requirements and provide safe access to the property. All alternatives have been considered for site design and in protecting environmental features. However, due to the necessity to construct an adequate fire station of sufficient size to serve the southern portion of the County, specimen trees cannot be saved. Approval of this waiver request will be in the best interests of the public by permitting the capital project to move forward and will serve to improve public safety to the growing population.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. Approval of the requested waiver(s) will remain valid for as long as the development plans remain active. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: [bbarth@howardcountymd.gov](mailto:bbarth@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development



:btb  
cc: Research/DED  
Forest Conservation Coordinator  
Marion Honeczy/MDNR  
Tesseract Sites, Inc.