



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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February 20, 2014

Kevin Son
2830 Marriottsville Road
Marriottsville, MD 21104

RE: WP-14-082 Son Property
(associated with ECP-14-020)

Dear Mr. Son:

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)** for the removal of specimen tree #2, but **Denied** your request to remove specimen tree #4.

Approval is subject to the following conditions:

1. Specimen tree #4 shall be saved and tree protection devices must be installed around specimen tree #4 during the installation of the septic field.
2. Submit a corrected waiver exhibit on or before March 7, 2014 depicting the tree protective devices to be used to protect specimen tree #4 during construction.
3. Approval subject to the submission of a notarized Declaration of Intent for a single lot clearing less than 20,000 square feet of forest to DPZ with submission of the ECP original.
4. Note: staff understands that efforts will be made to save specimen tree #2. However, should field conditions prohibit the saving of this specimen tree, the removal of specimen tree #2 is approved under this waiver.

The Planning Director **Approved** your request to waive **Section 16.116(a)(2)(iii)** to allow grading and pavement within the 100' streambank buffer.

Approval is subject to the following conditions:

1. ALL mowing and gardening activities must cease within the wetland and 25' wetland buffer.
2. Subject to compliance with the "RC" zoning district regulations regarding building setbacks and height.
3. Subject to compliance with the building and grading permit requirements for the Department of Inspections, Licenses and Permits.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

To reduce the LOD, the proposed house was located in the front portion of the property. The existing driveway will be used and extended to a minimum extent in order to reduce the total impervious area onsite. To avoid disturbance to the stream buffer, the house will need to be rotated almost ninety-degrees, which would orient the house to face the side yard of the adjacent property, and would increase

the overall length of driveway. Therefore, strict compliance with the Regulations will result in practical difficulties in designing a livable outdoor space around the house.

In an attempt to locate the house as far away from the stream buffer as possible, the limit of disturbance unavoidably extended into the Critical Root Zone (CRZ) of one of the specimen trees. The second specimen tree will be impacted due to the construction of the septic field. To avoid the impact, the septic field would need to be pushed deeper into the property, causing increased land disturbance and clearing of additional forest area.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest because the proposed disturbance will not involve the removal of vegetation or trees or construction of a structure within the stream buffer. Any disturbance within the non-tidal wetlands and its buffer has been avoided.

The removal of specimen tree #2 allows the proposed house to be positioned farther away from the stream buffer. This will limit the disturbance and overall impact to the wetland and stream buffer.

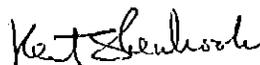
Will not nullify the intent or purpose of the regulations

There will be an overall reduction of impervious area within the stream buffer (from 4,815 sf to 2,925 sf- a 40% reduction). The existing house is partially located within the buffer and the width of the driveway will be reduced from 18 feet to 12 feet. The proposed house will be located entirely outside of the stream buffer, and only a small portion of the driveway extension will be located within the buffer.

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 ECP/grading plan remains in active processing.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
Mobius Technologies- Mridula Gupta