



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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January 13, 2015

Frank Manago
4109 Walard Street
Baltimore, MD 21229

RE: WP-15-082, Pine Grove Addition (F-15-036)

Dear Mr. Manago:

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 states - Forest Retention Priorities. State Champion trees, trees 75% of the diameter of state champion trees, and trees 30" in diameter or larger. The request is to allow for the removal of 2 specimen trees.

Approval is subject to the following conditions:

1. Add the Waiver Petition, WP 15-082, on F-15-036, Pine Grove Addition, Lots 1-6 as a general note stating the request, the approval date and any conditions of approval.
2. Show the 2 specimen trees being removed and labeled per WP-15-082 on the supplemental plan of F-15-036. The specimen tree removal will be mitigated by the planting of 2 perimeter landscape trees of 3" to 4" caliper.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties

This is a previously recorded lot within in the Nordau Subdivision which has 2 specimen trees on site. Since this is an existing lot it is not possible to retain the 2 specimen trees requested for removal on site and subdivide into 6 buildable lots. Should the Regulations be strictly enforced, the subdivision could not be altered to save these trees and the lots could not be reasonably developed which would result in extraordinary hardships and practical difficulties for the Owner.

Alternative Proposal

The alternative proposal would be to not subdivide into 6 lots, which would then result in a financial hardship for the owner which has a right to subdivide on this buildable lot. There are several other large trees that will be retained on the site. The applicant will mitigate the tree removal by planting 2 perimeter landscape shade trees 3" to 4" in caliber.

Not Detrimental to the public interest

The approval of the waiver will not have any detrimental impact to the public interest. The removal of the trees will not impact water quality or habitat value/function. The owner is not circumventing the intent of the forest preservation regulations but is attempting to subdivide the property with adequate and safe lot design and conditions for the new homeowners.

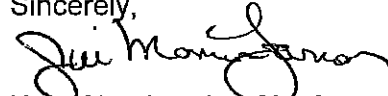
Will not nullify intent or purpose of the regulations

Approval of this waiver is based on the petition justification submitted, in conjunction with adherence to the conditions enclosed, will not be detrimental to the public interest. Reasonable efforts were made to preserve the trees, but due to the limitations of the site, small parcel area, and the locations of the trees within the proposed use-in-common driveway it is clear that the preservation of the trees would not be practical

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 plan remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



for Kent Sheubrooks, Chief
Division of Land Development

KS 

cc: Research
DED
Real Estate Services
MBA