



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

August 9, 2016

Donna and Dennis Danner
P.O. Box 355
Highland, Maryland 20777

RE: WP-17-009 Danner Property
(7077 Mink Hollow Road)

Dear Mr. & Mrs. Danner:

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

As of the date of this letter, the Planning Director approved your request for an alternative compliance of **Section 16.1205(a)(7)&(10)** of the Subdivision and Land Development Regulations, which requires the retention of state champion trees, trees 75% of the diameter of state champion trees, and trees 30" in diameter or larger. The applicant is requesting to remove two specimen trees.

Approval is subject to the following conditions:

1. Approval is for the removal of two specimen trees identified as Specimen Trees #6 & #7 on the alternative compliance exhibit. No other specimen trees may be removed.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Access to the buildable portion of the lot is via a 25 foot wide pipestem to the use-in-common driveway. Two specimen trees are located within the 25 foot wide pipestem area. Due to topography and existing drainage two culvert pipes will be installed underneath the driveway in the pipestem area. This will require extensive grading. Without removing the two specimen trees the driveway could not be installed appropriately; therefore, creating a practical difficulty.

Alternative Proposal Will Serve the Regulations to a Greater Extent

Given the width of the access area and the existing topography there is no alternative proposal that would allow the existing buildable lot to be built on.

Not Detrimental to the Public Interest

Approval of the alternative compliance request will not be detrimental to the public interest. With this petition, the applicant provided written documentation from the adjoining property owner indicating he is in favor of the tree removal. Also, the development is subject to forest conservation and a 3.03 acre retention easement is proposed.

Will not Nullify the Intent or Purpose of the Regulations

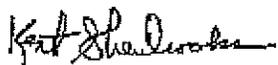
The intent of this regulation is to place high priority on protecting specific vegetation on proposed development sites. Although retention of these priority areas are highly encouraged, the Department of Planning and Zoning may authorize disturbance of these specific areas, via alternative compliance, if the applicant can demonstrate

that reasonable efforts to protect them cannot be implemented, that the uses allowed by right cannot occur without such disturbances, or that forest planting within an alternative location would have greater environmental benefit. The applicant has demonstrated to the Department of Planning and Zoning that the construction of one single family dwelling cannot occur without removing the two specimen trees located in the pipestem area that provide access to the buildable lot.

Indicate this alternative compliance 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 alternative compliance will remain valid for one year from the date of this letter or as long as this grading plan and building permit remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
Surveys Inc.