



Howard County Department Of Planning And Zoning

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Valdis Lazdins, Director

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December 1, 2016

Beazer Homes Corp.
attn: Brian Knauff
8965 Guilford Road, Suite 290
Columbia MD 21046

RE: **WP-17-035 Centennial Lake Overlook, Sect. 2** (SDP-15-066)

Dear Mr. Knauff:

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 to the following section of the Subdivision and Land Development Regulations:

Section 16.1205(a)(7) of the Subdivision and Land Development Regulations (Amended Fifth Edition) – On-site forest retention of 30” in diameter or larger specimen trees is considered a priority for on-site retention and protection in the County. The applicant is requesting to remove two (2) specimen trees (a white oak and a paulownia “princess” tree) from the subject residential subdivision. The two specimen trees are referenced on the alternative compliance petition exhibit as specimen tree nos. 21 and 22.

Approval is subject to the following three (3) conditions:

1. The removal of the two (2) specimen trees will require mitigation with the planting of 2:1 replacement trees (4 total) with a minimum 3” caliper native plant species as part of the on-site reforestation or landscaping approved under final plan F-14-081. A red-line revision to F-14-081 road construction drawings is required to show and label the 4 new mitigation trees.
2. The remaining on-site specimen trees shall be saved and protected during any and all construction activity. Any additional removal of specimen trees shall require the submittal of a new alternative compliance petition application.
3. Provide a note on the approved road construction drawings and the site development plan regarding this alternative compliance petition approval. This note shall include those subdivision regulation sections petitioned, the date of the alternative compliance approval, and the conditions of approval. This note may be added through a plan revision (redline).

Justification for Recommendation

Section 16.1205(a)(7) – Removal of Specimen Trees

The petitioner has provided justification in regards to the challenges and difficulties involved in saving two specimen trees - a white oak and a paulownia “princess” tree – that are within close proximity to the demolition/construction activities occurring on Lot 84. Lot 84 is a recorded lot where a historic house is scheduled for demolition. The site grading and construction for the new house (to replace the demolished historic house) would adversely impact the two specimen trees that have been reported to be in deteriorating condition. The petitioner has provided photos of the two subject trees to be removed and a site inspection by this Division confirms that the two subject specimen trees are in fact deteriorating.

The petitioner received approval on January 14, 2013 to remove 15 specimen trees through the filing an *alternative compliance petition* (WP-13-096) to Section 16.1205(a)(7). The justification for that approval was based on the fact that: 1) the irregular shape of the parcel and existing environmental features that bisect the site, thus resulting in a limited buildable area and further restricts placement of roads, storm water management and utilities; 2) the majority of the specimen trees removed are located where proposed road right-of-way which cannot be shifted due to horizontal and vertical roadway design criteria; and 3) the required site grading for proper lot drainage and road design comes at the expense of losing several of the specimen trees. Therefore, the majority of the on-site specimen tree removal occurred under a previous alternative compliance petition that provided cogent justification for the removal. This request for the removal of two specimen trees is limited to a smaller, defined area where the two subject trees are in a deteriorating condition and cannot be saved during the grading and construction activities proposed on Lot 84.

The approval of this alternative compliance petition will not alter the essential character of this community and will not substantially impair the appropriate use or development of the surrounding properties, since the two specimen trees in question are located where site grading and construction is permitted.

The approval of this alternative compliance petition will not nullify the intent or purpose of the Regulations since the purpose of this project is to subdivide an R-ED zoned property into residential lots.

The loss of these two specimen trees shall be off-set through the on-site planting within the public forest conservation easement and landscape planting that was approved under the final road construction plans for this development. Furthermore, no additional site grading and clearing is proposed that will endanger those existing specimen trees to be protected during construction.

This alternative compliance approval will remain valid for one year from the date of this letter.

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj

cc: Research

Files: SDP-15-066, F-14-081

DLD – Brenda Luber

DNR – Marian Honecny

FCC