



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

January 4, 2018

Mr. Justin Boy  
9693 Gerwig Lane, Ste. L  
Columbia, MD 21046

RE: WP-19-050, Hilltop Landing II

Dear Mr. Boy:

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)** – 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 1-36" pine in poor condition located on Lot 1 of the proposed subdivision.

Approval is subject to the following conditions:

1. Provide two (2) 3" minimum caliper native trees as mitigation to be provided as landscaping trees on the final plan.
2. Add the Alternative Compliance WP-19-050 as a general note stating the request, the approval date and conditions in which it was approved under on the ECP and all future plans.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: Extraordinary hardship and practical difficulties would occur if the tree was not able to be removed since the one 36' specimen tree that is in poor condition is located along the frontage of the property at the midpoint. It is 16.5 feet from the existing edge of paving of Hilltop Road and 3 feet from the road right-of-way preventing the sidewalk to not be constructed. This means that the existing sidewalks which currently terminate on both sides of the subject property would not be able to be connected requiring pedestrians to have to meander out into the street creating a safety concern.


Not Detrimental to the Public Interest: Approval of this alternative compliance request will not be detrimental to the public interest. It will benefit the public interest in that it would allow the sidewalk connection to be completed. This sidewalk currently connects the cul-de-sacs of Hilltop Lane and Forestvale Court.


Will not nullify the intent or purpose of the regulations: Approval of this Alternative Compliance on the petition submitted in conjunction with adherence to the conditions enclosed, will not be detrimental to the public interest. The tree is in poor condition and it will benefit the residents of the community to allow the continuation of the sidewalk to be constructed.

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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

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

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/jw  
cc:  Research  
DED  
Real Estate Services  
Benchmark Engineering