



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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October 31, 2011

Mr. Eric Conn  
17701 Huntmaster Court  
Woodbine, MD. 21797

Mr. Paul Revelle  
7017 Meandering Stream Way  
Fulton, MD. 20759

RE: WP-12-044 (Eric Conn Property)  
(associated with F-12-004)

Dear Interested Parties:

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 16.117 (b)** which states that forest conservation easements shall be located in open space or a non-buildable preservation parcel except as permitted under Section 16.120 and a **waiver to Section 16.120(b)(4)(iii)** which states that for a lot or buildable preservation parcel of 10 acres or greater in size-floodplains, wetlands, streams, their buffers and forest conservation easements for afforestation, reforestation or retention may be located on the lot or parcel if the building envelope is no closer than 35 feet from these environmental features.

**Approval is subject to the following conditions:**

1. In addition to designated retention areas, all required afforestation and/or reforestation requirements must be met on-site. A fee-in-lieu will not be accepted.
2. The waiver exhibit must be amended to reflect the true forest conservation easements, including the area of required planting. This revised waiver exhibit must be submitted within 2 weeks of plat approval and prior to plat recordation.

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The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

Per the applicant's justification, "the geometry of the Buildable Preservation Parcel and Health Department Regulations prevent it from achieving the 10 acres minimum for on-lot forest easements." In addition, with the proposed design, all environmental features would be contained within the preservation parcels and not the smaller, residential lots. Expansion of the Buildable Preservation Parcel 'A' to the minimum 10 acres requirement is not prudent as it would impact the access to Lots 3-6 and would result in the loss of one or two of the smaller residential lots 3-6.

**Detrimental to the Public Interest:**

The proposal would not be detrimental to the public interest as it would place all new dwellings outside of the environmental features and their associated buffers. The building envelope on Buildable Parcel 'A' would also be large enough to accommodate future outbuildings and features such as pools and gazebos. Approval of the waiver request would not alter the essential character of the neighborhood and would not substantially impair the appropriate use or development of surrounding properties because the proposal intends to use existing open areas for the residential lots and limits of disturbance are to be kept to a minimum to preserve existing resources.

**Nullifies the Intent or Purpose of the Regulations:**

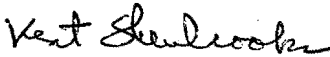
Granting of this waiver would not nullify the intent or purpose of the regulations. All forest conservation requirements will be met on site, including afforestation in a priority area, and a suitable sized building envelope would be provided.

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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 remains in active processing.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/waivers 2011/Eric Conn approval WP-12-044 10-31-11

cc: Research  
DED  
F-12-004 file