



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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Marsha S. McLaughlin, Director

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December 16, 2013

Brian Roberts
Roberts Real Estate Development, LLLP
2124 Priest Bridge Drive, Suite 1
Crofton, Maryland 21114

Re: Tiber Woods
Waiver Petition WP-14-056
(Preliminary Equivalent Sketch Plan SP-13-013)

Dear Mr. Roberts:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.1205(a)(7) of the Howard County Subdivision and Land Development Regulations. A waiver of this regulation would allow for removal of a specimen tree pursuant to the Tiber Woods development.

As of the date of this letter, the Planning Director approved your request to waive Subsection 16.1205(a)(7) as it applies to SP-13-013 and subsequent subdivision and site development plans, subject to the following conditions:

1. Waiver approval applies only to removal of Specimen Tree No. 1 as indicated by the waiver exhibit.
2. The petitioner shall provide a 1:1 replacement planting onsite to mitigate removal of Specimen Tree No. 1. The replacement planting(s) shall be made part of the landscape plan and shall consist of species similar to the tree removed and equal to or greater than the sizes and specifications found for such plantings in the Howard County Landscape Manual. The petitioner shall indicate and identify the replacement plantings on the landscape plan.

Our decision to approve the waiver was made based on the following justification:

Extraordinary hardship or practical difficulty may result from strict compliance with the regulations.

The petitioner has adequately demonstrated that strict compliance with the regulations would present extraordinary hardship and practical difficulty in plan design and site development. Due to the central location of the tree onsite, strict compliance with the regulations would severely limit the development potential of the property. Retention of the tree would result in a direct loss of multiple lots, and the necessary redesign of roads and other infrastructure would cause an indirect impact on other buildable lots, severely undermining the viability of the development.

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Waiver approval will not be detrimental to the public interest.

The petitioner has adequately demonstrated that approval of this waiver based on the information submitted, in conjunction with adherence to the conditions of approval, will not be detrimental to the public interest. It will have no adverse effect on adjacent properties, the surrounding community or Howard County as a whole.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related subdivision plans and plats and site development plans. Waiver approval will remain valid for one year from the date of this letter or as long as this subdivision remains in active processing.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
Gutschick, Little & Weber, PA
Marian Honecny - MD DNR