



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

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December 9, 2014

Mr. Chung Wu  
17700 Hidden Garden Lane  
Ashton, MD 20861

RE: **WP-15-067, 7373 Hopkins Way**

Dear Mr. Wu:

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 16.1205(a)(7) On-site Forest Retention** which requires that State champion trees, trees 75% of the diameter of state champion trees, and trees 30" in diameter or larger are considered priority for on-site retention and protection in the County. This was necessary as the petitioner has requested removal of 11 specimen trees of 30" in diameter or larger.

Approval is subject to the following conditions:

1. Provide (11) replacement trees of 2 ½" to 3" caliper on site in place of the removed trees as mitigation. The reduced replacement ratio is due to the limited area within the limits of disturbance not encumbered by storm water management features and the proposed septic field as well as the abundance of forest area being preserved on the remainder of the property. The mitigated plantings are to be placed on the property outside of the proposed conservation area to enhance the landscape screening.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - The applicant would have extraordinary hardships and practical difficulties in that there is a lack of flexibility available in site layout due to the shape of the overall property and the existence of intermediate slopes. A large portion of the site is encumbered by intermediate slopes and the entire site is wooded. There is also a 50' right of way easement that runs along the northern edge of the property. The proposed house location was placed in a way so as to avoid the easement and intermediate slope areas, minimize necessary grading, and disturb as little of the forest as possible while maintaining site functionality.

**Implementation of an Alternative Proposal** - Alternatively, the project could be redesigned to disturb less of the onsite trees. However the project is being constructed on a completely wooded parcel and the house and septic field were placed in the best location possible to minimize grading and maintain site functionality. The entirety of the property outside the LOD and Easement area is to be placed into forest conservation easement.

**Not Detrimental to the Public Interest** - Approval of this waiver request will allow the project to move forward as designed. There will not be a significant impact on water quality, habitat, or value or function. The removal of the trees may be noted by the public from an aesthetic standpoint but will be mitigated by the abundance of existing forest that occurs on the property surrounding the proposed house location

where the trees will be removed. The area of undisturbed forested area will be placed into a forest conservation easement to preserve the aesthetic and environmental quality of the site.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of the waiver request will not nullify the intent of the Regulations as they allow the removal of specimen trees with County approval. The intent of the regulations is to retain specimen trees and avoid their unnecessary removal provided that their retention is not practical within the context of the site development.

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 (**December 9, 2015**) or as long as this grading plan remains in active processing.

If you have any questions, please contact Nicholas Haines at (410) 313-4333 or email at [nhaines@howardcountymd.gov](mailto:nhaines@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/NH

cc: Research  
DED  
Real Estate Services  
TES Consultants  
Marian Honeczy, DNR  
Forest Conservation Coordinator