



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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January 29, 2015

Mr. Joe Rutter
Land Design and Development
5300 Dorsey Hall Drive
Ellicott City, MD 21042

RE: WP-15-095, Honeysuckle Ridge (SP-15-005)

Dear Mr. Rutter:

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 Section 16.1205(a)(7)** to preserve priority on-site retention including trees 30" in diameter or larger.

Approval is subject to the following conditions:

1. Approval for specimen tree removal identified on SP-15-005 is limited to two specimen trees – Specimen tree #1980, a 31" Black Gum and Specimen Tree #1990, a 31.5" Red Maple.
2. Removal of each specimen tree will require mitigation with the planting of two new native shade trees (a total of 4 new shade trees) with a minimum 2 1/2" caliper trunk. Surety of these shade trees shall be incorporated into the landscape surety with the final road construction drawings.
3. Efforts should be made to replace trees of the same or similar species as reasonably possible (2 black gum trees and 2 red maple trees).
4. Please add this waiver petition file number, request, decision, date, and conditions of approval as a general note on all current and future plans pertaining to this proposed subdivision.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty: The properties to be developed are under the ownership of five neighbors. Four of the five existing homes are proposed to remain, which has made the design of the proposed subdivision tricky. All but 2 of the 12 trees will remain. The two trees to be removed are already stressed. The white oak has some dead branches and the red maple is exhibiting trunk rot. Their location within the developable portion of the property limits the ability to save the trees and ensure long-term survival.

Implementation of Alternative Proposal: Removing the trees that are already stressed and replacing with 4 healthy trees will allow for the safety of the future homes and allow for more uniform development. All healthy specimen trees, wetlands and steep slopes as well as the majority of existing forest adjacent to the existing County Park are protected with the current design.

Not Detrimental to the Public Interest: All 9 trees that are in good condition on the site (and 1 tree in fair condition) are proposed to remain and will be either in forest conservation easement or within an existing home site. The trees to be removed are in fair condition, but are showing stress. Their removal

will ensure that the future homes are not compromised as the trees condition deteriorates with the impacts of the grading and construction of the site adding stress to these trees.

Will Not Nullify the Intent or Purpose of the Regulations: The granting of this waiver will not nullify the intent of this regulation. The developer is proposing to retain majority of the on-site specimen trees. Of 12 trees on-site, only 2 are proposed to be removed. The trees to be removed are in fair condition. The white oak has some dead branches and the red maple is exhibiting trunk rot. Their location within the developable portion of the property and their condition already showing stress limits the ability to save the trees and ensure long-term survival. In order to mitigate the impacts, the applicant is required by the conditions of approval to replace these trees at a two to one ratio, preferable with trees of the same species.

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 Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF



cc: Research
DED
Real Estate Services
Fisher, Collins and Carter
SP-15-005
Forest Conservation Coordinator
Marion Honeczy, DNR
Kathleen Woodard
Dave and Terrie Ashby
Thomas and Deborah Kuckuda
Patrick and Sara Poplowski