



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

September 15, 2015

Louis Mangione
Mangione Enterprises at Turf Valley, LP
1205 York Road, Penthouse
Lutherville, Maryland 21093

Re: The Bluffs at Turf Valley, Resort Road Extension
Waiver Petition WP-16-029
(Final Plan F-16-004)

The purpose of this letter is to inform you that 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. Waiver approval would allow removal of a specimen tree as part of construction of Resort Road under F-16-004.

As of the date of this letter, the Planning Director approved your request, subject to the following conditions:

1. The petitioner shall plant two shade trees as replacements for the specimen tree removed. The replacement plantings shall be added to the F-16-004 landscape plan or to landscape plans submitted as part of the future The Bluffs at Turf Valley subdivision. Landscaping surety shall be posted for the replacement plantings.

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

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

Practical difficulties would occur by not approving this waiver since the stream crossing location has been approved by the Department of Planning and Zoning. Maryland Department of the Environment authorizations have also been issued based on this stream crossing location. If the waiver is not approved then the stream crossing would need to be moved to a new location, whereupon even greater disturbances would occur to the stream channel, woods and floodplain which would far exceed that of the specimen tree removal. Removal of the tree would benefit the Department of Public Works since the tree would no longer be located within the public sewer easement.

Waiver approval will not nullify the intent or purpose of the regulations.

The intent of the regulation is to protect priority forest while allowing reasonable development of a property. The construction of Resort Road is a reasonable development which is needed to access Parcel 706 for future development as indicated and approved by the Fourth Amendment to the Turf Valley Comprehensive Sketch Plan (S-86-013, PB 368) approved 07/28/2006. The removal of this tree will not nullify the intent of the regulation since the regulations allow for specimen tree removal with County approval.

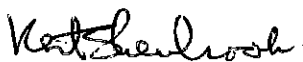
Waiver approval will not be detrimental to the public interest.

Approval of this waiver request will not be detrimental to the public interest since this tree is located within a forested area with no individual exposure and thus does not individually create any aesthetic value. Non-disturbed forested areas shall be retained within a forest conservation easement which will better benefit the public interest.

Indicate this waiver petition file number, section of the regulations, action, condition of approval, and date on all related plats, road construction drawings and grading permits. This waiver 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
Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
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