



## Howard County Department Of Planning And Zoning

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Valdis Lazdins, Director

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December 21, 2015

James A. Grimes  
Grace C. Charlton  
9308 Old Scaggsville Road  
Laurel MD 20723

RE: **WP-16-059 High Ridge Estates (F-16-030)**

Dear Mr. Grimes and Ms. Charlton:

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 the following section of the Subdivision and Land Development Regulations:

**Section 16.1205(a)(7)** of the Amended Fifth Edition - On-site forest retention of 30" in diameter or larger specimen trees is considered priority for on-site retention and protection in the County. The applicant is requesting to remove one (1) specimen tree (a 36" Norway Maple) from a proposed residential subdivision.

**Approval is subject** to the following three (3) conditions:

- 1) The removal of the Norway Maple will require mitigation with the planting of 2:1 replacement trees (2 total) with a minimum 3" caliper trunk. The replacement trees shall be bonded and shown on the landscape plan with the final plan (F-16-030).
- 2) The one remaining specimen tree on future Lot 1 must remain undisturbed and protected during the demolition of the existing house, the installation of the proposed driveway and the construction of the new house unless it can be sufficiently demonstrated that specimen tree A cannot be saved.
- 3) Provide a note on F-16-030 and the site development plan that includes this waiver's file number, the section waived, the waiver decision, the date of the decision and all conditions of approval.

**The decision of this waiver petition is based on the following justification:**

### **Hardship**

The petitioner has stated that "practical difficulties would occur without approval of this waiver since the one specimen tree which is in poor condition is located where a proposed house will go". The 36" Norway Maple has been inspected by staff and there is noticeable rot that has developed in the trunk area of this tree. Furthermore, the environmental report (dated November 4, 2014) certifies that this tree is in poor condition and that significant rot has developed.

**Not detrimental to public interest**

Approval of the waiver request will not alter the essential character of the community and will not substantially impair the appropriate use or development of the surrounding properties, since the proposed use (single-family detached dwellings) complies with the R-SC zoning requirements.

**Not nullify the intent or purpose of the regulations**

Approval of this waiver request will not nullify the intent or purpose of the regulations since the purpose of the project is to subdivide a deeded parcel into fee-simple lots to provide for the construction of seven (7) single-family detached residential dwellings. The loss of the one specimen tree shall be mitigated by the planting of two trees to be included as part of the landscape plan.

The final subdivision layout shall be provided on a record plat and additional site design components and specifications shall be included as part of a Supplemental Plan set that will provide information regarding site grading, landscaping, stormwater management design, and forest conservation.

\* Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date of approval on the final plat and site development plan originals. **This requested waiver will remain valid for one year from the date of this letter or as long as the final plat or site development plan remains in active processing.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/dj  
cc: Research  
DED  
Benchmark Engineering