



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 14, 2016

Mr. Michael Balakirsky
11775 Bragdon Wood
Clarksville, MD 21029

Dear Mr. Balakirsky:

RE: WP-16-140, Mill Haven, Lot 5 (Reconsideration)
(F-08-121 and SDP-15-079)

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.1205(a) (7)** to allow for the retroactive removal of one (1) specimen tree which has been identified to be located within the boundary of Lot 5 of the Mill Haven subdivision.

Approval is subject to the following conditions:

1. As mitigation for the requested removal of one (1) specimen tree located within Lot 5, the developer is required to plant four 3" caliper sweet gum trees along the property line between Lots 1 and 5.
2. The four 3" caliper sweet gum trees must be red-lined on the associated road construction drawings F-08-121.
3. On all subsequent plans and/or plats, provide a brief description of the reconsideration of the alternative compliance, WP-16-140, as a general note to include requests, sections of the regulations, action and date.


Our decision was made based on the following:

The removal of Specimen Tree No. 1 was previously denied. Under the reconsideration request, the developer informed the County that the specimen tree was removed in error. The developer attributed the removal of the specimen tree as "confusion and/or a mistake" on the part of the grading contractor. As a means of mitigation for the removal of the specimen tree, the developer has offered to plant 4 sweet gum trees. These trees will be planted along the property boundary between Lots 1 and 5.

Indicate this alternative compliance 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 alternative compliance will remain valid for one year from the date of this letter or as long as this site development plan remains in active processing.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
F-08-121
SDP-15-079
Sill Engineering Group
Shanaberger and Lane
Marion Honeczy, DNR