



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

April 19, 2017

William Walker, Jr.
8207 Northlake Court
Laurel, MD 20707

RE: WP-17-096- 8522 Blounts Lane

Dear Mr. Walker:

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 alternative compliance of **Section 16.1205(a)(7)**, which states that trees 30" in diameter or larger shall be preserved during construction.

Approval is subject to the following conditions:

1. The approval of this alternative compliance request applies only to the four (4) specimen trees as shown to be removed on the plan exhibit. The removal of any other specimen tree on the subject property is not permitted under this request unless it can be sufficiently demonstrated by the applicant to be justified.
2. Protective measures shall be utilized during construction to protect the specimen trees which are proposed to remain. Include details of the proposed tree protection measures on the Simplified Environmental Concept Plan and all subsequent construction plans.
3. No grading, removal of vegetative cover and trees, paving or new structures will be permitted within the 50' intermittent stream buffer in accordance with Section 16.116 of the Subdivision and Land Development Regulations.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The subject property zoned for single-family residential use cannot be developed without approval of the requested Alternative Compliance. The property is land-locked with an existing private access easement from Blounts Lane. The only possible access to the site is in direct line with a specimen tree. Other specimen trees are located within the approved septic easement and within the area necessary to grade to provide a usable rear yard. Strict compliance with the Regulations would result in making the property unusable.

The Intent of the Regulations will be Served to a Greater Extent through the Alternative Proposal:

The intent of the Regulations is to protect natural resources while allowing for the orderly development of property. The alternative proposal, which results in impacts to four specimen trees, also provides for the protection of an intermittent stream and five specimen trees located within the stream buffer area. In addition, forest within the stream buffer will also be retained. Development of the property as proposed provides for protection of the most sensitive environmental features on the site.

Not Detrimental to the Public Interest:

The alternative compliance proposal will not be detrimental to the public interest. The approval of the requested Alternative Compliance will allow the property owners to develop the site as intended within the RR-DEO zone. Use of the property in accordance with the Zoning Regulations will not be detrimental to the public interest. The alternative proposal provides for protection of on-site environmentally sensitive resources to the greatest extent practical while allowing for a single-family home to be built on the property.

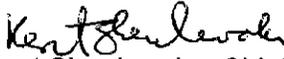
Will Not Nullify the Intent or Purpose of the Regulations:

Approval of this request for alternative compliance will not nullify the intent or purpose of the regulations. The intent will be met with the alternative proposal by providing for the protection of the onsite intermittent stream and five specimen trees. The property would be unusable if all specimen trees were required to remain. Developing the site in accordance with the proposed plan will protect the environmental features to the greatest extent practical while still allowing the site to be developed as intended.

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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a grading plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
Pete Staley- Benning & Associates, Inc.
Marian Honecny- MD DNR
Forest Conservation Coordinator