



**Howard County Department Of Planning And Zoning**  
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Valdis Lazdins, Director

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April 17, 2017

Andrew and Coleen Bowen  
10700 Home Acres Terrace  
Beltsville MD 20705

**RE: WP-17-103 Bowen Property**  
13785 Clarksville Pike (Parcel 109)

Dear Mr. and Mrs. Bowen

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 to the following section of the Subdivision and Land Development Regulations:

Section 16.1205(a)(7) of the Subdivision and Land Development Regulations (Amended Fifth Edition) – On-site forest retention of 30” in diameter or larger specimen trees is considered a priority for on-site retention and protection in the County. The petitioner is requesting to remove four (4) specimen trees from Parcel 110 and one (1) specimen tree from adjacent Parcel 109. The five specimen trees are referenced on the alternative compliance petition exhibit.

**Approval is subject** to the following two (2) conditions:

1. In conjunction with the filing of a *Declaration of Intent* (for clearing less than 20,000 square feet of forest), the existing forested area must remain undisturbed.
2. Attach the approval letter for this alternative compliance petition (WP-17-103) to the builder’s grading permit and/or plot plan application for the construction of the proposed house.

*Justification for Approval*

The petitioner has provided justification in regards to the challenges and difficulties involved in saving the five specimen trees (poplars); these trees are located within the path of the proposed driveway.

Parcel 109 (the property that the single-family house is being built on) has challenging terrain across its entire frontage. There are existing 15-20% steep slopes and swales caused the access to Parcel 109 difficult and undesirable for the access into the subject site. As certified in SECP’s stormwater management report, a ridge that transects the front portion of the site consisting of moderate to steep slopes.

The petitioner has opted to access the site through an existing driveway that is located on adjacent Parcel 110 (the petitioner owns Parcel 110 as well). By using this access, it would avoid having to traverse the steep terrain at the front of Parcel 109.

The petitioner has stated that proposed driveway alignment was chosen to avoid as many trees as possible while maintaining an alignment that could be properly maneuvered, graded and swales installed to convey water runoff. The petitioner states that attempts were made to avoid specimen trees 1, 2, 4, and 5 but the practicality of going around these trees would have resulted in the disturbance of more forest resources and the grading associated with this would have damaged the critical root zone of those specimen trees as well as surrounding trees.

The approval of this alternative compliance petition will not nullify the intent or purpose of the Regulations. Given the limitations of the site and location of the specimen trees, it is clear that the retention of the trees would not be practicable. The petitioner has exhausted all efforts to avoid the removal of the trees; yet for the purpose of having access to the property, the removal of the trees are necessary.

There were no objections of this request from County review offices.

**This alternative compliance approval will remain valid for one year from the date of this letter or as long as a grading permit 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  
Zoning – Annette Merson-Sacks  
DLD – Brenda Luber  
DNR – Marian Honecny  
Benchmark Engineering