



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

June 19, 2017

Howard County Housing Commission
c/o Marcus Ervin
9770 Patuxent Woods Drive, Suite 100
Columbia, Maryland 21046

Forster & Margaret Harmon
8660 Pine Road
Jessup, Maryland 20794

RE: WP-17-122 "Margaret Tillman Subdivision"
(F-17-061)

To Whom It May Concern:

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) – On-Site Forest Retention** which requires that state champion trees, trees 75% of the diameter of state champion trees, and trees 30" in diameter or larger are considered priority for on-site retention and protection in the County.

Approval is subject to the following conditions:

1. Alternative Compliance approval is limited to the removal of Specimen Tree #1 and #4 as depicted on the exhibit. Any proposal to remove the remaining specimen trees will require a new Alternative Compliance request.
2. A minimum of four, native, 2.5'-3' caliper, shade trees shall be provided as mitigation for the removal of the two specimen trees from the property. Landscaping surety, in the amount of \$300.00 per tree, shall be provided with the applicants grading permit.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: Specimen Tree #1 is located along Jones Road, very close to the overhead utility lines and will be impacted by the required road widening and sidewalk. If the request was denied, the tree would impact the utility company's maintenance along the overhead wires. The health of the tree may also be impacted by the roadwork and sidewalk improvements that are required for the site. Specimen Tree #4 is in poor condition with trunk rot and limb dieback, causing the tree to be a hazard to the proposed use-in-common driveway, in addition to vehicles and individuals. The area around the tree will be graded in order to facilitate the proposed culvert and establish positive drainage. If the request was denied the tree will eventually die and create a nuisance and/or safety concern.

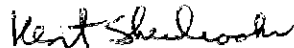
Not Detrimental to the Public Interest: Specimen Tree #1 is located close to the road and the critical root zone will be impacted with the development of this subdivision. Removing the tree will allow for the required road widening and sidewalk to be installed correctly. Specimen Tree #4 is internal to the site, and is not visible to the surrounding lots. The rear of the property has a forest conservation easement and two of the four specimen trees are to remain.

Will Not Nullify the Intent or Purpose of the Regulations: This site had been designed to minimize disturbances to the on-site environmental features which include, 100 year floodplain, wetland, wetland buffer, stream, and stream buffer. The site is 1.90 acres and approximately 0.73 acres will be preserved within the forest conservation easement. This property will still retain two of the original four specimen trees on site. The County will require mitigation for the removal of specimen trees; with four trees being planted to replace the two specimen trees that are to be removed.

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 subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Kathryn Bolton at (410) 313-2350 or email at kbolton@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/ktb

cc: Research
DED
Real Estate Services
Robert H. Vogel Engineering
Marion Honeczy – DNR
Forest Conservation Coordinator