



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

November 16, 2017

Paul & Jennifer Casasco
3365 Jennings Chapel Road
Woodbine, Maryland 21797

RE: WP-18-042, Square Woods, Lots 1-3
(F-18-021)

Dear Mr. & Mrs. Casasco:

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 16.120(b)(4)(iii)(b)**, which states that a lot or buildable preservation parcel must be 10 acres or greater in size to allow floodplains, wetlands, streams, their buffers, and forest conservation easements to be located on the lot or parcel.

Approval is subject to the following conditions:

1. The split rail fence (with no wire mesh attachments) shall be installed along the southern boundary of the Forest Conservation Easement on Lot 2, as shown on the Alternative Compliance plan exhibit.
2. The proposed houses shall be no closer to the Forest Conservation Easement than:
 - a. Lot 1 – 100 feet
 - b. Lot 2 – 47 feet
 - c. Lot 3 – 70 feet
3. Grading and removal of vegetative cover and trees, paving or new structures will not be permitted within 35 feet of the forest conservation easement on all lots.
4. Compliance with SRC comments for Final Plan, F-18-021.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulties: The proposed subdivision is located along a scenic road. Per Section 16.125. Protection of scenic roads, the development along scenic roads is to be done in a manner which helps to preserve the scenic character of the landscape viewed from these roads and the features of the road character. Part of the scenic road's character in this area are the wooded portions alongside open farmland. Retaining 1.50 acres of the existing forested area within the proposed subdivision will help to maintain the scenic road character of this area, along with the 191' setback on Lot 1.

Not Detrimental to the Public Interest: Approval of the Alternative Compliance will not be detrimental to the public interest since the intent of this petition is to retain a portion of the forest resources within the Square Woods subdivision and to create a contiguous 1.82 acres of reforestation on the adjacent Lot 1 of the Casasco Property and 0.40 acres of reforestation on Tax Parcel No. 94. These adjoining properties contain 5.4 acres on Lot 1 available for the existing house outside the forest easement and 3.6 acres for new house construction outside the forest conservation easement on Tax Parcel No. 94. The forest will be located to the side and rear of the proposed house sites, which will maintain the existing screening to the adjacent Chapel Meadows Phase 1 subdivision, while maintaining a useable buildable area of Lots 1-3.

Will Not Nullify the Intent or Purpose of the Regulations: The regulation has been created to allow sufficient area to be available for residential lots to support the construction of a single family detached home with rear yard available for unencumbered use. The residual lot area outside of the proposed lots on Square Woods, Lot 1 of the Casasco Property, and Parcel No. 94, provides sufficient yard area for the respective home owner. The placement of the forest retention easement within Lots 1 and 3 of the subdivision are minimal in size. The larger area of forest retention on Lot 2, allows sufficient area for home construction. At a meeting with DPZ staff it was discussed that erecting a split rail fence along the boundary of the forest retention easement, in addition to forest conservation signage, would be required on Lot 2 along the southern forest conservation easement. The owners are willing to comply with this requirement. Approval of the Alternative Compliance to Section 16.120(b)(4)(iii)(b) will not nullify the intent of the regulations.

Regulations Will be served to a Greater Extent Through the Implementation of the Alternative Proposal: Approval of the Alternative Compliance will serve the public to a greater extent by allowing the ability to retain established forest resources on lots, while providing reasonable use of the lots. The 35-foot environmental setback for structures will be maintained and enhanced by providing split rail fencing to further define use setbacks. A portion of the existing screening between this proposed subdivision and the adjoining Chapel Meadows will be maintained. Also, the impact to the character of the scenic road will be minimal.

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
FCC