



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 12, 2018

Lutfi On
8434 High Ridge Road
Ellicott City, MD 21043

RE: WP-18-080, Lutfi Property

Dear Mr. On:

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)(10), which identifies Specimen Trees as a forest retention priority.

Approval is subject to the following conditions:

1. The removal of Specimen Tree #1 must be mitigated with a 3:1 replacement of a native species measuring at least 2" caliper at planting. If possible, it should be replaced with a species of maple. Silver Maples are prohibited for plant use per a policy memo dated July 1, 2010.
2. The removal of Specimen Tree #5 must be mitigated with a 2:1 replacement of a native species tree measuring at least 1 ½" to 2" caliper at the time of planting. If possible, it should be replaced with a Red Oak or other species of Oak.
3. This alternative compliance does not permit removal of any other specimen trees. Additional approval will be required if additional specimen trees on-site are removed during the development of this property.
4. Please provide a detailed note on all subsequent plans detailing this alternative compliance request, including the sections, date and conditions of approval.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The 57" Silver Maple and critical root zone is located so centrally on the property that it would be difficult to develop any portion of the property without impacting the tree or its critical root zone. While this tree is in good condition, Silver Maples are prohibited from being planted in Howard County due to their susceptibility to their propensity to damage disease and insects. To attempt to preserve this tree would be impair the owner to realize the value of the property.

Alternative Proposal: Specimen Tree #1 (Silver Maple), while currently healthy, is no longer permitted for planting as part of subdivision plans due to the weakness of the tree species and susceptibility to disease and insects. If it was to remain, the tree would be under stress due to the disturbance to the soils on site and unavoidable disturbance to its very large critical root zone, thereby increasing to probability that the tree would succumb to tree dieback, limb break, disease or insect invasion in the future. Specimen Tree #5 is in poor

condition. Mitigation of this loss will increase the number of trees on the property rather than preserving one tree that may not survive much longer.

Not Detrimental to the Public Interest: All specimen tree removal will be mitigated at a 3:1 and 2:1 ratio. The approval of this petition is conditioned to maintain species variety on the site and to use larger caliper trees for the mitigation.

Will not nullify the intent or purpose of the regulations: Per State Regulations, limited removal of specimen trees may be approved for the reasonable use of property through this type of alternative compliance requirements. Mitigation required with this approval serves to respect the purpose of the forest conservation regulations.

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 Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF

cc: Research
DED
Real Estate Services
Aldo M. Vitucci, Fisher, Collins and Carter.