



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

June 11, 2019

Lutfi On
8434 High Ridge Road
Ellicott City, MD 21043

RE: WP-19-092, Lutfi Property (SP-18-002), Alternative Compliance Approval, Reconsideration

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 reconsideration request for an alternative compliance of **Section 16.144(i)(2)** of the Subdivision and Land Development Regulations, to extend the deadline for the resubmission of plans 30-days from the original deadline date.

Approval is subject to the following conditions:

- The revised plans for SP-18-002 must be submitted to the Department of Planning and Zoning within 30-days of the original May 16, 2019 deadline (**on or before June 15, 2019**).
- Please include the decision to this alternative compliance request as a general note on the plan.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The May 16, 2019 deadline to resubmit plans for SP-18-002 was missed because the consultant was waiting to receive the decisions of WP-19-092 and a Design Manual Waiver to allow an alternative to the standard T-turnaround at the end of the driveway, as the result of both decisions had the potential to alter the subdivision design. Neither decision was made until after the deadline date, creating a practical difficulty. It would be an extraordinary hardship to restart the entire review process for the preliminary equivalent sketch plan after it recently went through a thorough review by all SRC agencies.

Alternative Proposal: Granting this request allows the project to proceed through normal processing without requiring SRC agencies to re-review a plan that was recently evaluated by the committee.

Not Detrimental to the Public Interest: Granting this request is not detrimental to the public interest. All comments made by SRC agencies must still be addressed in the resubmission materials prior to receiving plan approval.

Will Not Nullify the Intent or Purpose of the Regulations: There are no tentative allocations currently issued for this project and the process review process is not altered by granting this request.

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 the time extension period above 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 at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JAM

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



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

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Valdis Lazdins, Director

FAX 410-313-3467

May 28, 2019

Lutfi On
8434 High Ridge Road
Ellicott City, MD 21043

RE: WP-19-092, Lutfi Property (SP-18-002), Alternative Compliance Approval

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)** of the Subdivision and Land Development Regulations, to remove Specimen Tree #2, due to house construction, and the condition of this tree is poor, as well as to remove Specimen Tree #3 due to the poor condition of the tree. There is a planned disturbance of the critical root zones of both trees.

Approval is subject to the following conditions:

- The removal of Specimen Trees #2 and #3 must be mitigated with a 2:1 replacement of a native species tree measuring at least 2 ½" to 3" caliper at the time of planting (total 4 new trees). If possible, they should be replaced with a Red Maple or other species of maple.
- 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.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The location of Specimen Tree #2 is within the middle of the buildable areas of lot 3. Specimen Tree #3 is near ST#2 and shares a root zone. Due to the smaller lot sizes and the proximity of the grading to the root zone, it is unlikely these trees, which are already in poor condition, would survive the impacts.

Alternative Proposal: Planting four new trees that will mature and potentially have several healthy decades of life provides a greater benefit than preserving two older trees in poor condition that would be unlikely to survive much longer whether or not there were site disturbances. Further one of the specimen trees is an invasive species in Maryland.

Not Detrimental to the Public Interest: The current site layout is a more suitable design of the site and meets the intent of the Design Regulations. The addition of four healthy trees will be more beneficial in the long term than preserving two trees with limited life spans, and they may provide additional screening to surrounding residents once mature.

Will Not Nullify the Intent or Purpose of the Regulations: The subdivision layout is the best design for public safety regarding the driveway location, which dictates the remainder of the site design. The 2:1 mitigation provides the opportunity for ample tree canopy in the future, and adds four native species trees and reduces the incidence of one invasive species of tree.

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 at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
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