



# 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

May 15, 2019

Magnolia Manor, LLC  
3675 Park Avenue  
Ellicott City, MD 21043

RE: WP-19-093, Magnolia Manor, East, (F-19-022)

Dear Sir or Madam:

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) Forest Retention Priorities for the removal of one specimen tree a 36" Red Maple subject to the following conditions:

1. Add the Alternative Compliance WP 19-093, on F-19-022, Magnolia Manor East as a general note stating the request, the approval date and conditions.
2. Show the 1 specimen tree being removed and labeled per WP-19-093 on the supplemental plan. The specimen tree removal shall be mitigated by the planting of 2 native species trees of 2-1/2" to 3" caliper provided as perimeter landscape trees and bonded as part of the landscape surety.

Our Decision was made based on the following:

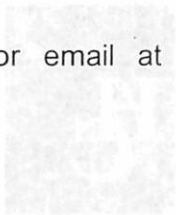
Extraordinary Hardships or Practical Difficulties: The parcel has 4 specimen trees on site. The request is for the removal of one specimen tree which is 36" diameter red maple in poor condition with major dieback. Should the regulations be strictly enforced, the use-in-common driveway and utilities could not be altered to save this tree and the lot could not be developed which could result in extraordinary hardships and practical difficulties for the Owner.

Not Detrimental to the Public Interest: The subject tree is in poor condition and should be removed to maintain safety for the future residents of the subdivision. The proposed homes are located approximately 70' from the tree and the proposed homes located within Magnolia Manor are located as close as 40' from the tree. Due to the tree's condition, it is inevitable that it will eventually need to be removed therefore it is not detrimental to the public interest to allow its removal.

Will not Nullify the Intent or Purpose of the Regulations: The petitioner intends to provide 2-1/2" caliber native shade trees to mitigate for the removal of the subject specimen tree. The replacement of a failing tree with two healthy native trees is an improvement which serves the intent of the Regulations. The additional trees will be provided in Open Space Lot 5 which is adjacent to a forest conservation easement, wetlands and offsite open space. The proposed trees will enhance the characteristics of the environmental and open space area.

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 Jennifer Wellen at (410) 313-2350 or email at [jwellen@howardcountymd.gov](mailto:jwellen@howardcountymd.gov).



Sincerely,

*J. Maenhart*

Kent Sheubrooks, Chief  
Division of Land Development

*for KS*

KS/jw

- cc: Research
- DED
- Real Estate Services
- Robert H. Vogel Engineering, Inc.