



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 26, 2019

Mr. David Xu
163 Mountain Road
Pasadena, MD 21122

Dear Mr. Xu:

RE: WP-19-114, Guilford Assisted Living (SDP-19-040)

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) and (10) which prohibits removal of specimen trees. The applicant is requesting approval to remove 3 specimen trees.

Approval is subject to the following conditions:

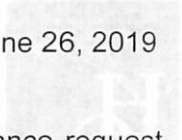
1. The alternative compliance petition number (WP-19-114) and its conditions of approval must be added to all subdivision plans and site development plan, SDP-19-040.
2. The developer shall plant six (6) 3" minimum caliper native shade trees in addition to the required perimeter landscaping to mitigate the removal of the specimen trees. Include the additional trees on the Site Development Plan. These trees will be bonded with the Developer's Agreement under the site development plan.
3. The alternative compliance approval applies only to the 3 specimen trees to be removed as shown on the alternative compliance exhibit.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty -

The developer has demonstrated that to achieve a reasonable development potential of the parcel 3 specimen trees must be removed. The parcel is zoned CCT (commercial) and is adjacent to a residential district on 2 sides of the parcel, thus requiring a greater setback. Also, given the size of the parcel, it is difficult to provide the required parking and storm water management without disturbing the specimen trees. Given the location of the specimen trees and the required setbacks, it would be difficult to construct the building and parking without the removal of the specimen trees.

Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. Although the developer is proposing to remove 3 specimen trees, mitigation for these trees will be provided elsewhere on the site. With the retention of the existing vegetation and mitigation for the specimen tree removal, the proposed building and use will be screened from the adjacent properties.



Will Not Nullify the Intent or Purpose of the Regulations - Approval of this alternative compliance request will not nullify the intent or purpose of the regulations. The developer will provide on-site mitigation for the removal of the 3 specimen trees. The specimen trees impact the building and parking layout. Six trees will be planted as mitigation for the removal of the 3 specimen trees.

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 Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,

A handwritten signature in black ink, reading "Kent Sheubrooks", is positioned above the typed name.

Kent Sheubrooks, Chief
Division of Land Development

KS/bl

cc: Research
DED
Real Estate Services
Vogel Engineering, Inc.
SDP-19-040