

**PLEASE CHANGE THE SPECIMEN TREE WAIVER LEGISLATION**  
**Oversight is NEEDED to stop the careless destruction of valuable forestry!**

This is a Specimen tree protected by the Zoning Code\*\*



This is the same Specimen Tree after the Director of Planning & Zoning allows a waiver \*\*\*



Checks and balances for the protection of these specimen trees are left to the citizens who read the fine print and protest. They can hire a lawyer and attempt to have the Circuit Court protect the trees which receive this waiver from the Director of Planning and Zoning. Development plans are designed with houses, roads, open space and wetlands delineated by map. Trees protected by the Zoning Code are not shown.

We believe the Legislative branch of government needs to weigh in on the advisability of this waiver process and grant an oversight group the ability to be notified of every waiver request and to have the right to change the waiver.

\*\*§ 267-39. Retention and Afforestation. [Amended by Bill 14-1] D. The following trees, shrubs, plants and specific areas shall be considered priorities for retention and protection and shall be left in an undisturbed condition. ... (3) Trees having a DBH of: (a) Thirty inches or more; or

\*\*\* F. The Director of Planning may grant a waiver from Subsection D above if the applicant has demonstrated to the satisfaction of the Department that enforcement would result in unwarranted hardship

**Note: The forest delineations can be made by an employee of the developer as long as he is a landscape architect. (No requirement to be a registered forester.)**