



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

March 23, 2010

Louis Mangione  
Mangione Enterprises of Turf Valley, LP  
1205 York Road, Penthouse  
Lutherville, Maryland 21093

Re: Turf Valley Clubhouse  
Waiver Petition WP-10-112  
(Sketch Plan S-08-001)

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request for a waiver of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsection 16.144(g)(3)(iii) of the Howard County Code. Approval is subject to the following conditions:

1. Petitioner shall submit to the Department of Planning and Zoning a preliminary plan in accordance with approved Sketch Plan S-08-001 and the requirements of Section 16.146 of the Howard County Code on or before April 6, 2011.
2. Petitioner is advised that failure to comply with Condition 1 shall result in the project being voided in accordance with Subsection 16.144(r)(1)(i) of the Code.
3. Petitioner is advised to consult previous Department correspondence (e.g. plan "technically complete" letters) for additional information regarding submission requirements.

Our decision was made based on the following:

*Extraordinary Hardship or Practical Difficulty*

It has been adequately demonstrated that the petitioner would encounter extraordinary hardship in strict adherence to the regulations, specifically submission of a preliminary plan in accordance with Subsection 16.144(g)(3)(iii). Appeals and lawsuits which have the potential to affect the viability of Turf Valley projects remain pending. Submission of a preliminary plan requires a significantly greater expenditure of resources to develop than a sketch plan since its purpose is to provide detailed information to SRC review agencies. Extraordinary hardship would be encountered by the petitioner if time and resources were spent developing a preliminary plan, and the project then modified significantly or voided as a result of a decision against the petitioner. Granting the extension requested would allow the preliminary plan be developed and submitted either later in the litigation process or after litigation has been completed.

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*Alternative Proposal*

The only alternative to granting the requested extension of the preliminary plan submission deadline is to deny the waiver and require submission of the preliminary plan for the project on or before April 6, 2010. For reasons described above, we do not recommend this alternative.

*Not Detrimental to the Public Interest*

The requested extension of the preliminary plan submission deadline will have no adverse effect on the surrounding properties and the community where the property is located.

*Will Not Nullify the Intent or Purpose of the Regulations*

Approval of this waiver request will not nullify the intent or purpose of the regulations. Therefore, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plans, plats, and building permits. This waiver remains valid until April 6, 2011.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Acting Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
Talkin & Oh, LLP  
Sill, Adcock & Associates, LLC  
Marc Norman  
Paul Kendall  
Frank Martin  
Helen Carey