



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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November 22, 2011

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

Re: The Bluffs at Turf Valley  
Waiver Petition WP-12-010

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.116(b)(1), 16.120(b)(4)(iii)(b), and 16.120(b)(4)(iii)(d) of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request, subject to the following conditions:

1. The petitioner shall, during the preliminary, final, and site development plan stages of the project, investigate the incorporation of additional design measures which further minimize disturbance to onsite steep slopes.

Since project redesign resulted in the removal of environmental features from proposed residential lots less than 10 acres in size; waivers of Subsections 16.120(b)(4)(iii)(b) and 16.120(b)(4)(iii)(d) are unnecessary.

Our decision was made based on the following:

*Extraordinary hardship or practical difficulty would result from strict compliance with the regulations.*

The existence of steep slopes, wetlands and a stream in this area, in addition to the location of a 65dBA noise line resulting from proximity to Interstate Route 70, presents considerable challenges to the petitioner when undertaking site design and lot layout in this area. Strict compliance with the regulation prohibiting activities on steep slopes would make development of this area practically infeasible, and would greatly reduce the yield of residential units allowed by applicable planning documents.

*Waiver approval will not nullify the intent or purpose of the regulations.*

Project redesign has resulted in a plan which proposes fewer impacts to steep slopes and preserves a greater area of forested steep slopes than those originally proposed. Maintenance of woody vegetation on existing steep slopes will ensure that these areas remain stable and do not erode, in accordance with §16.101(a)(8) of the County Code. In addition, future preliminary, final and site development plans will

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include stormwater management and erosion and sediment control plans developed in accordance with applicable regulations; these will ensure that the plan adheres to §§16.101(a)(7) and (9) of the Code. The sketch plan currently under review has otherwise been designed in accordance with all applicable regulations.

*Waiver approval will not be detrimental to the public interest.*

Approval of a waiver of Subsection 16.116(b)(1) will not be detrimental to adjacent properties, surrounding communities, or Howard County as a whole.

The petitioner submitted ample justification, including project redesign resulting in impact minimization, to warrant waiver approval.

Indicate this waiver petition file number, section of the regulations, action, and condition of approval on all related plans and plats. This waiver will remain valid as long as this subdivision remains in active processing.

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, Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
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Marc Norman  
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