



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  
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September 6, 2011

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

Re: Oakmont at Turf Valley  
Waiver Petition WP-12-017  
(Site Development Plan SDP-07-062)

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request to waive Subsections 16.156(o)(1)(i) and (ii) of the Howard County Subdivision and Land Development Regulations as they pertain to Site Development Plan SDP-07-062. As of the date of this letter, the Planning Director approved your request. Approval is subject to the following conditions:

1. Petitioner shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site **on or before September 2, 2012;**
2. Petitioner shall apply for building permits for all construction authorized by the approved site development plan **on or before September 2, 2013.**

Our decision was made based on the following:

*Extraordinary Hardships or Practical Difficulties may result from Strict Compliance*

Extraordinary hardships or practical difficulties to the petitioner may result from strict compliance with the relevant regulations. Site Development Plan SDP-07-062 was approved based on criteria established by the Second Amendment to the Turf Valley Multi-Use Subdistrict FDP, Fourth Amendment to the Turf Valley CSP, and Howard County Zoning Regulations. The Fourth Amendment to the Turf Valley CSP remains the subject of legal challenges, and since it was the comprehensive planning document upon which SDP-07-062 was based, the outcome of potential appeals of the CSP approval has the potential to adversely impact the project represented by the approved SDP.

Strict compliance with the relevant regulations would therefore consist of building permit application being made for a project currently subject to pending litigation. The present waiver is justified since pending litigation jeopardizes the legitimacy of the plan.

Louis Mangione  
September 6, 2011  
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*Waiver Approval will not be Detrimental to the Public Interest*

The waiver request will not be detrimental to the public interest since the site plan has been processed and approved. Extension of the deadlines by which building permit application must be made will have no adverse effects on the surrounding properties and the community where the property is located.


*Waiver Approval 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.

Indicate this waiver petition file number on all project correspondence, plan redlines, and building permits. **This waiver shall expire on September 3, 2013.**

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  
Talkin & Oh  
Marc Norman  
Paul Kendall  
Frank Martin  
Helen Carey  
Norman and Shirley Doyle  
Angie Beltram  
Linda Spencer