



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

Marsha S. McLaughlin, Director

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January 8, 2014

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

Re: Town Square Parkway
Waiver Petition WP-14-063
(Environmental Concept Plan ECP-14-036)

Dear Mr. Mangione:

The purpose of this letter is to inform you that the Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.102(d)(1)(i) and 16.144(g) of the Howard County Subdivision and Land Development Regulations. Waiver approval would relieve you of the requirement to submit a preliminary plan for the project referenced.

As of the date of this letter the Planning Director approved the petition, subject to the following conditions of approval:

1. Petitioner shall submit a final plan for the project in accordance with Section 16.147 of the Subdivision and Land Development Regulations.
2. Petitioner shall ensure that the project complies with the requirements of Section 16.129 of the Subdivision and Land Development Regulations, as applicable.
3. Petitioner shall obtain signature approval of ECP-14-036 prior to submission of final plans.
4. Petitioner shall submit an environmental concept plan addressing all stormwater management needs for the road extension.
5. Petitioner shall submit a preliminary road profile with the environmental concept plan indicating that the road can be constructed to County standards.
6. Petitioner shall indicate on the environmental concept plan that the road can be extended at least 400 feet in the future.

Our decision to approve the petition was made based on the following justification:

Louis Mangione
January 8, 2014
Page 2 of 2

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

The purpose of the preliminary plan is "to present detailed data which will enable the County to determine whether the proposed layout of the subdivision is in accordance with the approved sketch plan, the requirements of this Section and the requirements of the regulations." The petitioner has submitted and the County is currently processing an environmental concept plan (ECP), which provides to a great degree the same information required by the preliminary plan. Requiring the developer to submit a preliminary plan following review and approval of the ECP, particularly for development of this nature (an 800-foot public road extension), would be redundant and an extraordinary hardship to the petitioner.

Waiver approval is not detrimental to the public interest.

Approval of this waiver based on the petition submitted will not be detrimental to the public interest. It will have no adverse effect on adjacent properties, the surrounding community, or Howard County as a whole.

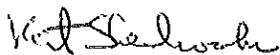
Waiver approval shall not have the effect of nullifying the intent and purpose of the regulations.

As stated above, prior submission and review of relevant plans by the petitioner and review and approval by the County have resulted in the intent and purpose of the regulations being achieved. For this reason waiver approval will not nullify the intent and purpose of the regulations.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related plats and road construction drawings. This waiver will remain valid for one year from the date of this letter or for as long as the project referenced remains in active processing.

Should you have any questions please contact Dave Boellner at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
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