



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

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September 14, 2010

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

Re: Oakmont at Turf Valley  
Waiver Petition WP-11-022

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsections 16.156(o)(1)(i) and 16.156(o)(1)(ii) of the Howard County Code. Waiver approval allows for extension of the deadlines by which: 1) application must be made for building permits to initiate construction on the Oakmont at Turf Valley site; and, 2) application must be made for building permits for all construction authorized by SDP-07-062. 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, 2011**; and,
2. Petitioner shall apply for building permits for all construction authorized by the approved site development plan **on or before September 2, 2012**.

Our decision was made based on the following:

*Extraordinary Hardships or Practical Difficulties*

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 is currently the subject of legal challenges, and since it was the comprehensive planning document upon which SDP-07-062 was based, the outcome of legal challenges to the CSP has the potential to adversely impact the project represented by the approved SDP.

Strict compliance with the relevant regulations would therefore consist of building 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.

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*Not 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.

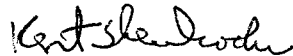
*Will Not Nullify the Intent or Purpose of the Regulations*

Approval of this waiver request will not nullify the intent or purpose of the regulations.

Indicate this waiver petition file number on all related future correspondence, building permits, redline revisions, etc. **This waiver shall expire on September 3, 2012.**

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

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