



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

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May 25, 2011

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

Re: Turf Valley  
Waiver Petition WP-11-168  
(F-07-158, Fairways at Turf Valley, Phase I  
F-08-057, Vantage Condominiums at Turf Valley  
F-08-060, Villages at Turf Valley, Phase 1, Section 2  
F-08-084, Villages at Turf Valley, Phase 2, Section 1  
F-08-085, Villages at Turf Valley, Phase 3  
F-08-086, Villages at Turf Valley, Phase 4  
F-10-026, Villages at Turf Valley, Phase 1, Section 1  
F-10-078, Villages at Turf Valley, Phase 2, Section 2  
S-08-001, Turf Valley Clubhouse  
SDP-08-032, Vantage Condominiums at Turf Valley  
SDP-08-096, Turf Valley Maintenance Shop  
SDP-10-026, Villages at Turf Valley, Phase 1, Section 2  
SDP-10-034, Villages at Turf Valley, Phase 4  
SDP-10-037, Fairways at Turf Valley, Phase I  
SDP-10-056, Turf Valley Resort, Wetland Mitigation Site)

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 Subsections 16.144(g)(3)(iii), 16.144(p), 16.144(q), 16.156(l), and 16.156(m) as applicable to the plans referenced above. Waiver approval extends certain submission deadlines relating to the subdivision and site development plans referenced.

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 June 5, 2012**. Failure to comply with this condition shall result in S-08-001 being voided and the application for plan approval being considered withdrawn in accordance with Subsection 16.144(r)(1)(i) of the Code.

2. Petitioner shall pay all required fees to the County, submit Developer's Agreements to the Department of Public Works, Real Estate Services Division, and post financial surety for construction of public facilities relating to Final Plans F-07-158, F-08-057, F-08-060, F-08-084, F-08-085, F-08-086, F-10-026, and F-10-078 **on or before June 5, 2012**. Plans listed in this condition and failing to meet the June 5, 2012 deadline shall be voided and the application for plan approval considered withdrawn in accordance with Subsection 16.144(r)(5) of the Code.

3. Petitioner shall submit the final subdivision plat originals for Final Plans F-07-158, F-08-057, F-08-060, F-08-084, F-08-085, F-08-086, F-10-026, and F-10-078 to the Department of Planning and Zoning for signature approval **on or before August 3, 2012**. Plans listed in this condition and failing to meet the August 3, 2012 deadline shall be voided and the application for plan approval considered withdrawn in accordance with Subsection 16.144(r)(6) of the Code.

4. Petitioner shall pay all required fees to the County, submit Developer's Agreements to the Department of Public Works, Real Estate Services Division, and post financial surety for construction of public facilities relating to Site Development Plans SDP-08-032 and SDP-08-096 **on or before August 3, 2012**. Plans listed in this condition and failing to meet the August 3, 2012 deadline shall be voided and the application for plan approval considered withdrawn.

5. Petitioner shall submit the original mylar plans for Site Development Plans SDP-08-032, SDP-08-096, SDP-10-026, SDP-10-034, SDP-10-037, and SDP-10-056 to the Department of Planning and Zoning for signature approval **on or before August 3, 2012**. Approval of plans failing to meet the deadline will expire and a new site development plan submission will be required in accordance with Subsection 16.156(m) of the Code.

Our decision was made based on the following:

***Extraordinary Hardship or Practical Difficulty***

Extraordinary hardship or practical difficulty to the Petitioner may result from strict compliance with the relevant regulations. The petitioner has made a significant investment of resources with the planned goal of achieving the proposed development. Uncertainty of the outcome of pending litigation, in conjunction with the current poor economic climate, inability to obtain financing while litigation is pending, and the potential for further appeals, present obstacles to the petitioner. Strict compliance with the regulations at this time either is not possible or presents an extraordinary hardship to the petitioner.

***Not Detrimental to the Public Interest***

The waiver request will not be detrimental to the public interest since the relevant plans have been reviewed and approved. Extensions of the submission deadlines will have no adverse effect on surrounding properties and the adjacent community.

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

Approval of this waiver will not nullify the intent or purpose of the regulations. As discussed above, waiver approval will fulfill the purpose of the Subdivision and Land Development Regulations by assisting orderly, efficient, and integrated development of land.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related subdivision plans, plats, and site development plans. Waiver approval remains valid until August 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, Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
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