



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

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February 14, 2013

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

Re: Turf Valley  
Waiver Petition WP-13-054 (Reconsideration)  
(Relevant Plans Final Plan F-10-026, Villages at Turf Valley, Phase 1, Section 1,  
Final Plan F-08-060, Villages at Turf Valley, Phase 1, Section 2)

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request for a reconsideration of the Department's approval of Waiver Petition WP-13-054. The reconsideration requested that the conditions of waiver approval applicable to F-10-026 be deferred until such a time as those same conditions are applicable to Final Plan F-08-060. The justification provided with the reconsideration request included the desire to process all Villages at Turf Valley, Phase 1 open space lots concurrently and to avoid the potential for recording the documents in an incorrect sequence.

As of the date of this letter, the Planning Director approved your reconsideration request, subject to the following conditions:

1. The petitioner shall submit to the Department of Planning and Zoning, Division of Land Development, within sixty (60) days of recordation of Final Plat F-08-060, Villages at Turf Valley, Phase 1, Section 2, one copy of the "Master" HOA Declaration and Covenants reflecting subjection of all Villages at Turf Valley, Phase 1 open space lots to the "Master" HOA.
2. The petitioner shall submit to the Department of Planning and Zoning, Division of Land Development, within sixty (60) days of recordation of Final Plat F-08-060, Villages at Turf Valley, Phase 1, Section 2, one copy of the "Neighborhood" HOA Declaration and Covenants reflecting subjection of all Villages at Turf Valley, Phase 1 open space lots to the "Neighborhood" HOA.
3. The petitioner shall submit to the Department of Planning and Zoning, Division of Land Development, within sixty (60) days of recordation of Final Plat F-08-060, Villages at Turf Valley, Phase 1, Section 2, the recording reference(s) for the deed(s) conveying all Villages at Turf Valley, Phase 1 open space lots by the developer to the respective HOA's.
4. Petitioner shall submit to the Department of Planning and Zoning, Division of Land Development, within sixty (60) days of recordation of Final Plat F-08-060, two copies of a Density Tabulation reflecting the following: a) previously recorded subdivisions; b) residential units or commercial area; c) gross area required per subdistrict density calculation; d) gross area provided; e) open space required per open space calculation; f) open space provided; and, g) excess gross area eligible for applicability to future projects. (See example Plat 18773, Oakmont at Turf Valley.)
5. The petitioner is advised that if the term of sixty days is anticipated to be insufficient to comply with Conditions 3, 4, 5 or 6 of WP-13-054, unless it can be justified based on governmental delay a new waiver petition must be submitted to lengthen the term.

Louis Mangione  
February 14, 2013  
Page 2 of 2

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

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

Approval of this reconsideration will allow processing of the open space documents for both phases of Villages at Turf Valley, Phase 1 at the same time following plat recordation, minimizing the likelihood of error and thus hardship and difficulty to the petitioner in having to repeat one or more steps of the process.

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

The waiver request will not be detrimental to the public interest since the subdivision plats have been reviewed, found compliant with relevant open space regulations, and approved. Waiver approval will have no adverse effect on adjacent properties, neighboring communities, or Howard County as a whole.

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

Approval of this waiver will not nullify the intent or purpose of the regulations. To the contrary, waiver approval will help fulfill the purpose of the Subdivision and Land Development Regulations by assisting orderly, efficient, and integrated development of land [Subsection 16.101(a)(1)].

Indicate this waiver petition approval reconsideration request, section of the regulations, action, conditions of approval, and date on all related plats. This reconsideration approval remains valid for sixty (60) days following recordation of Final Plat F-08-060, Villages at Turf Valley, Phase 1, Section 2.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email 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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