



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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February 21, 2014

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

Re: Mount Villa Parkway
Waiver Petition WP-14-083

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.144(g) of the Howard County Subdivision and Land Development Regulations. Waiver approval would allow for the submission of a final plan for the extension of Mount Villa Parkway without first submitting a preliminary plan and obtaining preliminary plan approval.

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

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 submit a redline revision to SDP-13-038 to address stormwater management for the project in accordance with DPZ, Development Engineering Division requirements.

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

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 County approved a sketch plan (S-08-001) and more importantly a site development plan (SDP-13-038) which are both relevant to the project. The sketch plan provides the Mount Villa Parkway alignment while the site development plan provides a majority of the stormwater management needed for the proposed Mount Villa Parkway extension. This is to a great degree the same information required by a preliminary plan. Outstanding requirements may be addressed during review of the final plan and redline revision of the site development plan. Requiring the developer to submit a preliminary plan following review and approval of the sketch plan and site development plan for stormwater management, particularly for development of this nature (an 800-foot public road extension), would be redundant and an extraordinary hardship to the petitioner.

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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.

The justification for recommendation is supported by information provided by the petitioner.

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

Should you have any questions please contact Dave Boellner by telephone 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
DPZ, DED
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Paul Kendall
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