



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

[www.howardcountymd.gov](http://www.howardcountymd.gov)

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June 16, 2015

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

Re: The Bluffs at Turf Valley, Resort Road Extension  
Waiver Petition WP-15-153

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 Sections 16.146 and 16.1202(a) of the Howard County Subdivision and Land Development Regulations. Waiver approval was sought in order to allow a subdivision consisting solely of public road right-of-way dedication and public road construction (The Bluffs at Turf Valley, Resort Road Extension) to proceed directly from sketch to final plan stage, eliminating the preliminary plan requirement, and to allow deferral of the forest conservation plan requirement until further subdivision or site development of land accessed by the public road improvements.

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

1. The petitioner shall submit to the Department of Planning and Zoning a preliminary plan in accordance with approved Sketch Plan S-11-002 and the requirements of Section 16.146 of the Howard County Code on or before June 5, 2016. The preliminary plan may omit the area within the limits of The Bluffs at Turf Valley, Resort Road Extension final subdivision plan. Failure to meet the June 5, 2016 deadline shall result in the plan being voided and the application for plan approval considered withdrawn in accordance with Subsection 16.144(r)(1)(i) of the Code.
2. The petitioner shall indicate bulk parcels recorded as part of the final subdivision plan for The Bluffs at Turf Valley, Resort Road Extension as non-buildable.
3. The petitioner shall submit a forest conservation plan to include related data (e.g. existing forest cover and forest to be cleared) within the limits-of-disturbance of the final subdivision plan submitted for The Bluffs at Turf Valley, Resort Road Extension upon submission of the first of the following:
  - a. a final subdivision plan subdividing Parcel 706;
  - b. a final subdivision plan resubdividing bulk parcels recorded as part of The Bluffs at Turf Valley, Resort Road extension; or,
  - c. a site development plan located on Parcel 706.

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

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

Practical difficulties would occur by not approving this waiver since preparation, submission and approval of the preliminary plan would take several months. The petitioner proposes to construct the stream crossing prior to the stream closure date of March 1, 2016 in order to meet the current MDE permit expiration date. The preliminary plan would delay the start of construction by several months.

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

The intent of the regulations would not be jeopardized by the approval of this waiver since the project consists solely of the extension of a roadway and does not include any buildable lots or units. Forest conservation will still be provided for the clearing required for this road construction. However, it would not be provided until a later stage. The calculation sheet establishing the forest conservation obligation amount will be provided on the final plans. A general note will be added stating that this obligation will be met until a later stage. Additionally, the purpose of a 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 Sketch Plan." This information will be included on the environmental concept plan and final subdivision plan.

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

Approval of this waiver request will not be detrimental to the public interest since an environmental concept plan is being submitted which the public will be able to review. Furthermore, Sketch Plan S-11-002 has already been submitted and approved which shows this road alignment. The public has had the opportunity to review the sketch plan and associated environmental concept plan (ECP-11-053) to know the ultimate goal of this area of development. Even though forest conservation obligations will be deferred, no additional clearing of trees will be performed outside of that needed to construct the public road extension.

Indicate this waiver petition file number, request, 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 as long as this subdivision remains in active processing.

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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  
Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
DPZ, Forest Conservation Coordinator  
Marc Norman  
Paul Kendall  
Frank Martin  
Helen Carey  
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