



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

December 14, 2018

Mangione Enterprises of Turf Valley
1205 York Road, Penthouse
Lutherville, MD 21093

RE: WP-19-034, Turf Valley – Village at Town Square

Dear Applicant:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.123(a)(2) Grading** and **Section 16.155(a)(2) Applicability**. The Applicant is requesting permission to allow the issuance of a grading permit based on an approved grading plan to temporarily stockpile excess fill dirt.

Approval is subject to the following conditions:

1. Compliance with all applicable County and State Regulations and obtain all necessary permits prior to initiating construction on site.
2. Compliance with any conditions or requirements from the Howard County Soil Conservation District on the submitted grading plan GP-19-022 and any subsequent necessary plans.
3. The alternative compliance approval is limited to the mass grading within the limits of disturbance as shown on the alternative compliance request exhibit.
4. The alternative compliance file number, requested sections, decision date and conditions of approval shall be indicated on the final road construction plans and subdivision plat as a general note.
5. Compliance with the attached Health Department comments dated November 8, 2018. Compliance with Section 16.129 of the Howard County Subdivision and Land Development Regulations will be required regarding testing of fill dirt being placed on the property.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The applicant would have incurred practical difficulties and unnecessary hardship if the alternative compliance request was not approved. Strict compliance with the regulations would cause practical difficulties with the project site. Portions of Turf Valley will incur excess dirt from construction, and temporary stockpiles will be required for those respective projects. The various stockpiles would be unsightly and would eventually need to be disturbed and removed. The Villages at Turf Valley project (P-18-004) that is currently in review with DPZ will require a significant amount of fill dirt based on its design. Throughout the Turf Valley development there are various areas that will have excess dirt that needs to be removed and have a destination. As the Villages at Turf Valley project is only in its preliminary plan stage, it would potentially be another 2 years until final road plans have been submitted and approved whereupon a grading permit could be issued for the proposed work.

Alternative Proposal:

Alternatively, approval of this alternative compliance request could allow necessary fill dirt to be utilized on the Villages of Turf Valley development. A grading plan could be submitted to the Howard County Soil Conservation Division for review and approval prior to issuance of a permit. This would allow excess dirt from ongoing Turf Valley projects to be deposited in the Villages of Turf Valley project site to begin bringing the soil grades to the levels necessary to complete the project.

Not Detrimental to the Public Interest:

Approval of this alternative compliance request would not have been detrimental to the public interest as the proposed grading for the Villages of Turf Valley development will need to be performed eventually. Approval of this alternative compliance would allow excess fill dirt to be utilized to bring the project site closer to the required grades while the preliminary plans are finalized.

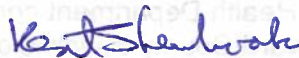
Will not nullify the intent or purpose of the regulations:

The intent of the regulations would not have been nullified by the approval of the alternative compliance request. Grading on the property is inevitable and will be required for the Villages of Turf Valley development. Approval of the alternative compliance would allow a portion of the grading to start at an earlier date to bring the necessary grades for the project closer to their required levels. The proposed grading shown on GP-19-022 is not located next to any existing residential structures or existing neighborhoods and should not be easily visible from Resort road nearby.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Nicholas Haines at (410) 313-4333 or email at naines@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/NH

Attachment: Health Department Memorandum

cc: Research
DED
Real Estate Services
Benchmark Engineering