



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

October 11, 2023

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

RE: WP-24-018, Villa Apartments at Turf Valley

Dear Mr. Mangione:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(o)(1)(ii) and Section 16.156(o)(2) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the [four (4) items OR one (1) item] you were required to address, pursuant to Section 16.104(a)(1):

1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.

The site development plan for SDP-21-001 for the five apartment and one sales/fitness buildings was completed and received final signature on September 21, 2021 which initiated the milestone dates to file for building permits by September 21, 2022 and apply for all permits by September 21, 2023. Three of the building permits have been applied for and issued for residential buildings #1, #5 and the sales/fitness building. Due to the uncertain economic conditions in 2021 and 2022, exorbitant construction cost increases, and material delays significantly slowed the project construction progress. Additionally, there was necessary site improvement work to initiate construction that added 9 months to the process. The total required time for building construction for each building is 12 months.

For these reasons, the applicant is requesting an extension of time for the remaining 3 buildings shown on the site development plan. With the increased costs of the buildings the remaining structures cannot be built simultaneously, and must be staggered. The site is being built building by building with the remaining structures to be built in line with the previous structures. With the past deadline for building permits associated with SDP- 21-001, the remaining area of the property would remain incomplete and vacant without this alternative compliance approval or the filing of a new site development plan. Strict compliance with the regulations would require the applicant to resubmit a formal site development plan for the proposed project. This would result in an unreasonable hardship since there is an approved Site Development Plan currently that contains all necessary information for permitting and construction, and the site construction has been steadily progressing. Approval of the alternative compliance promotes efficiency of the plan review process and


Approval of this Alternative Compliance is subject to the following conditions:

1. The deadline to apply for the building permits for Buildings #2, #3, and #4 under SDP-21-001 shall be extended 2 years from the original deadline date (to on or before **September 21, 2025**)
2. Include the alternative compliance number, description, and any conditions imposed on future submitted plans and permits.

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 the time period specified in the conditions of approval.

If you have any questions, please contact Nicholas Haines at (410) 313-2350 or email at nhaines@howardcountymd.gov.

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/NH

cc: Research
DLD - Julia Sauer
Real Estate Services
Benchmark Engineering



ALTERNATIVE COMPLIANCE APPLICATION

Site Description: ongoing construction site

Subdivision Name/Property Identification: Villa Apartment at Turf Valley

Location of property: Mount Villa Parkway

Existing Use: construction site

Proposed Use: 5-building apartment complex

Tax Map: 16

Grid: 19

Parcel No: 8

Election District: 3

Zoning District: PGCC-2

Total site area: 14.18 acres

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

ECP-20-032 signed on 5.01.2020

Contract Drawings 44-5152-D was signed on 7.29.2021

Plat #25802, F-21-073 recorded on 7.29.2021

SDP-21-001 signed on 9.21.2021

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
Title 16 Subtitle 1 Article V Section 16.156(o)(1)(ii)	Request to extend building permit application for 3 remaining buildings (Buildings #2, #3 and #4) an additional 2 years until 9.22.2025
Title 16 Subtitle 1 Article V Section 16.156(o)(2)	If the developer does not apply for building permits as required by paragraph (1) of this subsection, the site development plan shall expire and a new site development plan submission will be required.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 8/8/23

Signature of Petitioner Preparer:  Date: 8.9.2023

Name of Property Owner: Mangione Enterprises of Turf Valley, LP Name of Petition Preparer: Benchmark Engineering, Inc

Address: 1205 York Road, Penthouse Address: 3300 N Ridge Road, Suite 140

City, State, Zip: Lutherville, Maryland 21093 City, State, Zip: Ellicott City, Maryland 21043

E-Mail: louism@mfe.bz E-Mail: bei@bei-civilengineering.com

Phone No.: 410-825-8400 Phone No.: 410-465-6105

Contact Person: Louis Mangione Contact Person: D Thompson

Owner's Authorization Attached