PERMITTING AND DEVELOPMENT REVIEW DIVISION
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections
30 North Market Street • Frederick, Maryland 21701
Phone (301) 600-2313 • Fax (301) 600-2309

IMPACT FEE **REFUND BY OFFSET** REQUEST FORM

Refunds for school and library impact fees are processed according to Frederick County Code, Development Impact Fee ordinance 1-22-5 (D) *Refunds*, attached for your reference. Per (6): **The County may, at its option, make refunds of development impact fees by direct payment, by offsetting such refunds against other development impact fees due for the same category of public facilities for new development on the same property,** or by other means subject to agreement with the property owner. When a permit is voided because the house type changes, for instance, instead of processing a refund for the impact fees paid on a permit, and then charging full impact fees on the replacement Building Permit, the amount previously paid can be offset against the new replacement permit impact fees. Any fee difference must be paid on the replacement permit. Please allow sufficient processing time for approval.

You must provide the following with this request form:

- ☐ 1) Print out of the real property data from the State of Maryland website www.dat.state.md.us, to provide ownership information.
- ☐ 2) Copy of the receipt showing impact fee payment for the voided permit.
- ☐ 3) Completed Void Request (attached) must accompany this form.

Name of person requesting refund by offset:		*Name of company, if applicable:*
Permit Number to Void:	*Receipt # for Impact Fees:*	*Address of property refund offset is for:*
New Replacement Permit Number:		*Subdivision Name and Lot Number:*

By signing below, the Applicant for this Offset Request is certifying that he/she is authorized to make this request.

_____	_____	_____
Signature of person requesting offset	*Connection with project*	*Date*

AGENCY PROCESSING ONLY

Date Request Received _____ Date Approved _____
Additional fees owed? _____ If yes, Receipt # for additional fees _____

(1) Eligibility for Refund.

(a) *Expiration or revocation of building permit/zoning certificate*. An applicant who has paid a development impact fee for a new development for which the necessary building permit/zoning certificate has expired or for which the building permit/zoning certificate has been revoked prior to construction shall be eligible to apply for a refund of development impact fees paid on a form provided by the county for such purposes.

(b) *Failure of county to use or appropriate development impact fee funds within time limit.* The current property owner may apply for a refund of development impact fees paid by an applicant if the county has failed to use or appropriate the development impact fees collected from the applicant within the time limit established in subsections (b)(2) and (4). The refund application shall be made on a form provided by the county for such purposes.

(c) *Abandonment of development after initiation of construction*. An applicant who has paid a development impact fee for a new development for which a building permit/zoning certificate has been issued and pursuant to which construction has been initiated, but which construction is abandoned prior to completion and issuance or a certificate of occupancy shall not be eligible for a refund unless the uncompleted building is completely demolished.

(d) *Administrative fee*. A 2% administrative fee, but not to exceed $500, shall be deducted from the amount of any refund granted and shall be retained by the county to defray the administrative expenses associated with the processing of a refund application.

(2) Except as provided in subsections (d)(1)(a) and (c) hereof, refunds shall be made only to the current owner of property on which the new development was proposed or occurred.

(3) Applications for a refund shall be made on a form provided by the county for such purposes and shall include all information required in subsections (d)(5) or (6) hereof, as appropriate. Upon receipt of a complete application for a refund, the county director of permits and inspections, or designee, shall review the application and documentary evidence submitted by the applicant as well as such other information and evidence as may be deemed relevant and make a determination as to whether a refund is due. Refunds by direct payment shall be made following an affirmative determination by the county director of permits and inspections, or designee.

(4) Applications for refunds due to abandonment of a new development prior to completion or due to expiration or revocation of a building permit/zoning certificate shall be made on forms provided by the county director of permits and inspections and shall be made within 60 days following expiration or revocation of the building permit/zoning certificate. The applicant shall submit:

(a) Evidence that the applicant is the property owner or the duly designated agent of the property owner;

(b) The amount of the development impact fees paid by public facilities category and receipts evidencing such payments; and

(c) Documentation evidencing the expiration or revocation of the building permit/zoning certificate prior to construction or approval of demolition of the structure pursuant to a valid county-issued demolition permit. **Failure to apply for a refund within 60 days following expiration or revocation of the building permit/zoning certificate or demolition of the structure shall constitute a waiver of entitlement to a refund.** No interest shall be paid by the county in calculating the amount of the refunds.

(5) Applications for refunds due to the failure of the county to appropriate development impact fees collected from the applicant within the time limits established in subsection (B)(2) hereof shall be made on forms provided by the county and shall be made within 1 year following the expiration of such time limit. The applicant shall submit:

(a) Evidence that the applicant is the property owner or the duly designated agent of the property owner;

(b) The amount of the development impact fees paid by public facility category and receipts evidencing such payments; and
(c) Description and documentation of the county's failure to appropriate development impact fee funds for relevant public facilities.

(6) The county may, at its option, make refunds of development impact fees by direct payment, by offsetting such refunds against other development impact fees due for the same category of public facilities for new development on the same property, or by other means subject to agreement with the property owner.

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VOID REQUEST FORM

This form must be submitted in order for a permit application or an issued permit to be voided. If you wish to request a refund, the appropriate refund request form must be submitted in addition to this request.

PLEASE PRINT

Your name:	*Name of company, if applicable:*
Permit Number to Void:	*Address of property that void is for:*
Type of Permit: ☐ *Building* ☐ *Electrical* ☐ *Plumbing*	*Subdivision Name and Lot Number:*
Reason for Void:	

By signing below, the Applicant for this Void Request is certifying that he/she is authorized to make this request.

_____	_____	_____
Signature of person requesting void	*Connection with project*	*Date*

AGENCY PROCESSING ONLY

Date Request Received: _____

Date Permit Voided: _____

Refund Request Attached? _____

Refund Request Forwarded: (Date) _____