



## DIVISION OF PLANNING AND PERMITTING FREDERICK COUNTY, MARYLAND

30 North Market Street • Frederick, Maryland 21701 • (301) 600-1138

### BOARD OF APPEALS

Application is made on the Application Portal <https://planningandpermitting.frederickcountymd.gov/>

#### ACCESSORY DWELLING UNIT

Required for Submission:

1. Note in the comments the need for Special Exception ADU and Zoning Planner the applicant spoke with.
2. Justification letter, to include the following information:
  - a. Address of property.
  - b. Existing Zoning of property.
  - c. Proposed use under the Zoning Ordinance.
  - d. Applicable section(s) of the Zoning Ordinance for Use proposed.
  - e. General and/or Specific Criteria.
  - f. Other information relevant to Special Exception request.
  - g. Size of the ADU, size of the ADU footprint and size of the primary dwelling.
3. Site Plan of the property.
4. Floor Plan of the ADU with dimensions and square footage.

ZONING Fee	\$269.00
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#### ADMINISTRATIVE ERROR/ALL OTHER APPEALS

Required for Submission:

1. Justification Letter, to include the following information:
  - a. Applicable sections(s) of the Zoning Ordinance, which applicant is appealing decision of the Administrative Officer.
  - b. Date of ruling or action.
  - c. Official or Agency from whose ruling or the action of this appeal.
  - d. Brief description of ruling or action from which appeal is made.
  - e. Other information relevant to appeal.
2. Copy of Ruling or document indicating action.
3. Copy of Concept Plan & Illustrative notes and other supporting documents.

ZONING Fee	\$442.00
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#### ALL OTHER SPECIAL EXCEPTIONS

Required for Submission:

1. Note in the comments the need for Special Exception and Zoning Planner the applicant spoke with
2. Justification letter, to include the following information:
  - a. Address of property.
  - b. Existing Zoning of property.
  - c. Proposed use under the Zoning Ordinance.
  - d. Applicable section(s) of the Zoning Ordinance, for Use proposed.
  - e. Provide responses to General and/or Specific Criteria.
  - f. Other information relevant to Special Exception request.
3. Concept Plan & Illustrative Notes and other supporting documents.

ZONING Fee	\$1,109.00
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## APPEAL OF COUNTY COUNCIL OR PLANNING COMMISSION DECISION

Required for Submission:

1. Justification Letter, to include the following information:
  - a. Applicable sections(s) of the Zoning Ordinance, which applicant is appealing decision of the Administrative Officer.
  - b. Date of ruling or action.
  - c. Official or Agency from whose ruling or the action of this appeal.
  - d. Brief description of ruling or action from which appeal is made.
  - e. Other information relevant to appeal.
2. Copy of Ruling or document indicating action.
3. Copy of Concept Plan & Illustrative notes and other supporting documents.

ZONING Fee	\$1,613.00
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## FLOODPLAIN OR DANGER REACH AREA

Required for Submission:

1. Note in the comments the need for Special Exception and Zoning Planner the applicant spoke with
2. Justification letter, to include the following information:
  - a. Address of property
  - b. Existing Zoning of property
  - c. Proposed use under the Zoning Ordinance
  - d. Applicable section(s) of the Zoning Ordinance, for Use proposed
  - e. General and/or Specific Criteria
  - f. Other information relevant to Special Exception request
3. Concept Plan & Illustrative Notes and other supporting documents. Concept plan must show flood plain including impacted area, buffer areas and distances to all structures.

ZONING Fee	\$739.00
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## LIMITED AG ACTIVITY

Required for Submission:

1. Note in the comments the need for Special Exception and Zoning Planner the applicant spoke with
2. Justification letter, to include the following information:
  - a. Address of property.
  - b. Existing Zoning of property.
  - c. Proposed use under the Zoning Ordinance.
  - d. Applicable section(s) of the Zoning Ordinance, for Use proposed.
  - e. General and/or Specific Criteria.
  - f. Other information relevant to Special Exception request.
3. Concept Plan & Illustrative Notes and other supporting documents. Concept plan must show property boundaries, home & pen location, as well as distances from all property lines to the pen. (Distance from pen to property boundary must be 50 ft or greater)

ZONING Fee	\$134.00
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## VARIANCE

Required for Submission:

1. Note in the comments the need for Special Exception and Zoning Planner the applicant spoke with.
2. Justification letter, to include the following information:
  - a. Existing Zoning of property.
  - b. Applicable sections(s) of the Zoning Ordinance, which applicant is appealing.
  - c. Describe the nature and size of the desired variance from such Ordinance requirements(s).
  - d. Particular requirement(s) from which a variance is desired.
  - e. Describe the difficulty or hardship upon the owner if the requested variance is not granted.
  - f. Describe any slope, shape or significant lot characteristics.
  - g. Other information relevant to appeal request.
3. Concept Plan & Illustrative Notes and other supporting documents to include the building restriction lines (BRL's). (Showing the variance area required BRL and the requested BRL)

ZONING Fee	\$739.00
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**PAYMENTS:** Payment may be made online using the Application Portal. You may also mail a check to the Department of Development Review and Planning, 30 North Market Street, Frederick, Maryland, 21701 or in person. Please make check payable to Frederick County and reference the Project Number. Fees may not be paid until notice to pay fees is received.



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### Board of Appeals Process

- All Applications for the Board of Appeals are submitted online.
- The submission must include all required information at the time of Application. There are no exceptions to this.
- An initial review, confirming required information is provided or you still need to provide additional information or documentation.
- Once all information is provided, you will receive notice that the submission includes the needed documentation and to make payment.
- You will also be notified when to pick up your BOA sign that must be posted on your property. The BOA process typically takes about 90 days.
- Check on the status of your application through the permit portal. It is not unusual for an Applicant to not submit all required information the first time using the system.
- Please review the schedule below to understand when your application will be presented to the Board of Appeals (BOA).
- Staff may contact you during the review process and request additional information based on your specific BOA application.