



**DIVISION OF PLANNING AND PERMITTING
FREDERICK COUNTY, MARYLAND
*Department of Permits and Inspections***

30 North Market Street • Frederick, Maryland 21701
Phone (301) 600-2313 • Fax (301) 600-2309

**RESIDENTIAL BUILDING PERMIT INFORMATION
ACCESSORY DWELLING UNIT**

We have gone paperless!! This application should be submitted electronically via the citizen portal at
<https://planningandpermitting.frederickcountymd.gov/>

Accessory Dwelling Unit is defined as: An independent, self-contained dwelling unit located within a single-family dwelling, or within an accessory structure, or built as a separate accessory structure or an addition to a single family dwelling and located on the same lot as a single family dwelling. An accessory dwelling unit that does not exceed 1000 square feet must be approved in accordance with Section 1-19-8.212. An accessory dwelling unit greater than 1000 square feet must be approved as a special exception by the Board of Appeals in accordance with Section 1-19-8.321.

Types of Accessory Dwelling Units:

- Within A Single-Family Dwelling
- Addition to a Single-Family Dwelling
- Within An Accessory Structure
- Stand Alone Separate Accessory Structure

Submittal Requirements

- 1. Plot plan. See example, Attachment. When at all possible, a legal survey should be used. If a survey is not being used, the plot plan can be drawn by hand. It must be legible and drawn to scale. Plot plan must be on letter or legal-size paper, and must include the following:
 - All property lines and property line dimensions
 - Square footage or acreage of the property
 - Building Restriction Lines (BRL) and utility easements
 - North direction arrow
 - Scale of drawing
 - Property Owner name(s)
 - Street Address of property
 - Existing dwelling and any other existing structures
 - Provide a narrative description and map identifying the location of cemeteries and known historic and archaeological resources on the site. [Cemetery Protection Policy](#)
- 2. Construction plans. Construction drawings shall be drawn to an appropriate scale; written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit.
- 3. Grading Permit- if applicable.

- 4. If the proposed Accessory Dwelling Unit is less than 1000sf and does not require Board of Appeals Approval; please submit the Affidavit for Accessory Dwelling Units Not Exceeding 1000 Square Feet as part of your initial submission.
- 5. Driveway Entrance Apron Permit. Open section driveway entrances only. Must include copy of recorded plat. Driveway apron must be inspected and approved prior to issuance of certificate of occupancy for the dwelling unit.
- 6. When a property is within an incorporated town, paperwork from the town is required before a permit application may be submitted. Contact the town for details.
- 7. **Fees are due at the time of application, with the exception of impact fees and tap fees, when applicable.**

Procedures

STEP ONE – APPLY FOR THE PERMIT

Who can apply:

- A Registered Homebuilder must submit the application for the stand alone separate accessory structure, or the Affirmation of Landowner form must be completed when the property owner will reside within the accessory structure.
- An MHIC contractor must submit the application for all other accessory dwelling unit types when the property owner will not reside in the accessory dwelling unit.

Where to apply: Applications should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>.

When Applications Are Accepted: Applications can be submitted electronically 24/7 via the citizen portal.

STEP TWO – OBTAIN REVIEW APPROVALS

Intake staff will review your application submission, once accepted fees will be generated and applied to your portal account. If you wish to submit payment via cash or check you may make payment via the Treasury drive-thru window located at 30 North Market Street, Frederick, MD 21701. (Fee payment **cannot** be accepted until your application has been processed and approved.)

After initial fee payment, the permit application will be reviewed by various agencies for their approval. It is important that you check status of the application and address any concerns or requests for additional information promptly.

Plan Review Timeframes:

- The review timeframe of the application by Plan Review is two weeks for their initial review comments for this type of application.

Agency Review Status: Review timeframes for agencies outside of the Division of Planning and Permitting may vary. If additional information is requested by any reviewing agency during processing, a notification is mailed to the applicant. Up-to-date review status may also be obtained via the Frederick County Government website <https://planningandpermitting.frederickcountymd.gov/> by using the lookup feature.

Permit Issuance:

- When all reviews are completed, the approved permit notifications will be sent via email to the applicant for download of the official issuance documentation, approved placard for posting onsite and approved set of plans.
- Additional information and inspection procedures can be found on our website at <https://www.frederickcountymd.gov/7974/Permits-and-Inspections>.

STEP THREE – OBTAIN INSPECTION APPROVALS

Inspections: Inspections can be requested and tracked via the citizen portal.

Certificate of Occupancy: The end result of the permitting process is the issuance of the Certificate of Occupancy. The Certificate of Occupancy is issued when all final inspections have been approved and the construction has been approved for use. It will be available for download on the portal.

OTHER GENERAL INFORMATION REGARDING BUILDING PERMITS

- Only one (1) accessory dwelling unit may be created on a lot.
- An accessory dwelling unit shall be allowed within single family dwellings or in an accessory structure or built as a separate accessory structure on a single family lot.
- **Short-term rental of Accessory Dwelling Units in the nature of extended stay hotels, Airbnbs, or seasonal temporary housing is not permitted.**
- The property owner must reside in the principle dwelling unit or in the accessory dwelling unit.
- There must be at least one (1) additional parking space provided for the accessory dwelling unit.
- The owner of the principle residence shall file an annual statement with the Zoning Administrator verifying that the conditions remain the same.
- If the ownership of the lot changes, the subsequent owner must provide a statement to the Zoning Administrator as to the continuing use and eligibility of the accessory dwelling unit.
- Accessory Dwelling Units may not be placed in the required front yard.
- Building Permits are non-transferable and non-assignable.
- Electrical and Plumbing work require separate permits obtained by Frederick County licensed contractors.
- Sprinkler requirements: Principle dwellings with existing sprinkler fire suppression systems will require a separate sprinkler fire suppression system application for the new accessory dwelling unit. A sprinkler fire suppression system application will be required for all accessory dwelling units within an accessory structure or built as an accessory structure on a single-family lot.
- Time Limitation of Application: An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Administrative Authority is authorized to grant 1 or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.
- Extensions: The fee to extend a permit application or a building permit is the minimum permit fee. Extension requests can be submitted via the citizen portal and must be made in advance of the permit expiration.
- Refunds: Filing fees are non-refundable and non-transferable. In the case of an abandonment or discontinuance of a project that has been made and, upon cancellation, 50 percent of the fee paid, less the minimum fee may be refunded, provided (1) No construction has occurred, and (2) The request for

refund is received prior to the expiration date of the permit. The request must be made on a form provided by the County. Revoked, suspended, expired or invalid permits are not eligible for refunds.

➤ *Revisions:* A revision fee will be assessed for resubmissions or amendments to all applications and permits.

CONTACTS FOR BUILDING PERMIT APPLICATIONS

General Information.....	301-600-2313
Customer Service Supervisor, Building Permits (processing or fee questions)	301-600-1095
Plan Reviewer (for construction plans).....	301-600-3353
Zoning Reviewer (plot plans, setbacks, use, flood plain, building height).....	301-600-1143
Environmental Compliance Sections (ECS)	301-600-3507
Environmental Health (well and septic information)	301-600-1726
Division of Utilities and Solid Waste Management (DUSWM)	301-600-1179
Manager of Permitting Services.....	301-600-6727

AFFIDAVIT FOR ACCESSORY DWELLING UNITS NOT EXCEEDING 1000 SQUARE FEET

I/We the undersigned owner(s) of the property located at _____, _____ MD, 217 _____ (the "Property") hereby agree and confirm that the Accessory Dwelling Unit under Building Permit No. _____ does comply with Frederick County, Maryland Code of Ordinances Section § 1-19-8.212 as listed below.

Please check the box or provide a response under each section stating how the criteria is being met.

§ 1-19-8.212 LIMITED ACCESSORY DWELLING UNITS IN THE RC, A, R1, R3, R5, R8, R12, R16, VC, MXD, PUD, AND MX DISTRICTS.

- (A) Only 1 limited accessory dwelling unit ("ADU") may be created on a lot. *Please check the box to confirm that only one ADU exists on the Property.*
- (B) A limited accessory dwelling unit shall be allowed within single-family dwellings, in an accessory structure, or built as a separate accessory structure on a single-family lot. *Please indicate the location of the ADU on the property based on these options.*

- (C) The owner of the property must reside in the principal dwelling or in the accessory dwelling unit. *Please state whether the owner(s) of the Property live in the principal dwelling unit or in the ADU.*

- (D) There must be at least 1 additional parking space provided for the limited accessory dwelling unit. On-street parking may be utilized to meet this requirement. *Please check the box if additional parking is provided for the ADU, either on the property or on the street.*
- (E) The limited accessory dwelling unit shall not exceed 1,000 square feet in size, excluding decks, porches, patios or other items that are not part of the primary footprint of the accessory dwelling unit. An accessory dwelling unit greater than 1,000 square feet shall be reviewed as a special exception under § 1-19-8.321. *Please check the box to indicate that the ADU on the Property does not exceed 1,000 square feet.*
- (F) A limited accessory dwelling unit located in an accessory structure or built as a separate accessory structure must comply with the accessory structure requirements of § 1-19-8.240(B). *Please check the box to indicate that the ADU complies with § 1-19-8.240(B).*

§ 1-19-8.240. ACCESSORY USES ON RESIDENTIAL PROPERTIES.

- (B) An accessory structure shall be limited in size when located on a residentially zoned property to the following:
 - (1) The total square footage of all floors of the accessory structure shall not exceed that of the dwelling;
 - (2) Except as provided in subsection (B)(3) below, the footprint of an accessory structure may not exceed the greater of:
 - (a) One-half of the footprint of the principal dwelling; or
 - (b) Six hundred square feet.

(3) One (1) accessory structure located on a Residential-1 (R-1) zoned property may exceed the footprint limits of subsection (B)(2) above, provided that the footprint of that accessory structure does not exceed 2000 square feet, and provided that the lot size equals or exceeds 20,000 square feet.

(4) The square footage allowed for business purposes in an accessory structure shall be 600 square feet.

(G) ADUs are intended to serve ongoing housing needs of county residents. Short term rental of ADUs in the nature of extended stay hotels, Airbnbs, or seasonal temporary housing is not permitted. *Please check the box to indicate that the ADU is not being used for short term rentals, such as the examples listed above.*

(H) The owner of the principal residence shall file an annual statement with the Zoning Administrator verifying that conditions under which the limited accessory dwelling unit was granted remain the same. *Please check the box to confirm you understand the requirement to file annually.*

(I) If the ownership of the lot changes, the subsequent owner must provide a statement as to the continued use and eligibility of the accessory dwelling unit. *Please check the box if you agree to this condition.*

(J) If the Zoning Administrator, after consultation with appropriate County staff, determines that the limited accessory dwelling unit is not in compliance with the above provisions as well as all safety, health, and environmental standards, approval of the accessory dwelling unit may be revoked pursuant to § 1-19-2.210. *Please check the box to indicate that you understand the possible consequences of failing to comply with these requirements.*

I/we will provide a copy of this Affidavit to future owners of the subject property, to notify them that these restrictions apply to all current and future owners of the subject property.

Signature of Affiant

Signature of Affiant

SUBSCRIBED AND SWORN BEFORE ME

THIS ____ DAY OF _____, 20 ____.

Notary Public

My Commission Expires: _____

(Name of Notary, typed, stamped, or printed)

Fee Worksheet for a Accessory Dwelling Unit

Fill in applicable fees in the boxes below to determine fee due at time of application.

1) Automation Enhancement fee	\$ 11.00		All Building Permits
2) Filing fee	\$ 32.00		All Building Permits
3) Zoning fee	\$ 86.00		Each New Dwelling Unit All permits with the exception of Incorporated Towns
4) Health Department Review fee	\$ 75.00		Charged only when property served by well or individual septic
5) Home Builder Guaranty Fund fee	\$ 50.00		This fee is applicable when a licensed Home Builder applies for the stand alone accessory dwelling permit.
6) Driveway Permit fee	\$ 97.00		Charged for new apron on County-maintained road, open section (no curb & gutter) only
7) Minor Grading fee	\$ 120.00		When the grading permit calculations qualify grading as minor. When the grading permit calculations exceed those for a minor permit, do not include this fee. A major grading permit will be a separate fee assessed with the application for the Major Grading Permit.
8) Soil Conservation fee	\$ 78.00		This fee is applicable when the above Minor Grading fee is applicable.
10) Septic fee (select one)	\$ 200.00 \$ 300.00 \$ 60.00		Charged only when property served by well or individual septic New Conventional Septic New Sand Mound Septic Connect to existing septic - check with Health Dept.
11) Building fee (select one)	\$ 264.00 \$ 997.00 \$ 1,193.00 \$ 1,593.00 \$ 732.00 \$ 861.00		ADU within a SFD or within an Accessory Structure Stand Alone separate Accessory Structure 4,000sf or less Stand Alone separate Accessory Structure 4,000sf to 6,500sf Stand Alone separate Accessory Structure 6,500sf or more Addition to SFD 3,000sf or less Addition to SFD 3,000sf or more
12) School Impact fee	\$ 9,110.00		A) Accessory dwelling units that do not exceed 800 square feet in size are exempt from payment of public school developmental impact fees. B) Public school developmental impact fee for accessory dwelling units greater than 800 square feet in size shall pay the impact fee amount listed in item 12.
13) Library Impact fee	\$ 534.00		Paid at time of permit issuance.
TOTAL OF ALL BOXES FILLED IN			Properties within Incorporated Towns - do not include fees with *
TOTAL OF ALL LESS 12, 13			This fee amount must be paid at time of application.



DIVISION OF PLANNING AND PERMITTING

FREDERICK COUNTY, MARYLAND

Department of Permits and Inspections

30 North Market Street • Frederick, MD 21701
Phone (301) 600-3507 • Fax (301) 600-2309

APPLICATION INFORMATION MINOR GRADING & STORMWATER MANAGEMENT STANDARD PLAN AGREEMENTS

We have gone paperless!! This application should be submitted electronically via the citizen portal at
<https://planningandpermitting.frederickcountymd.gov/>

Submission Requirements

- 1. Copy of the plot plan. A hand drawn plan may be used, but a legal survey is preferred. In all cases, the plans must be legible and include the following:
 - Property Owner name(s) Street Address of property Acreage of the property
 - Limits of disturbed area Entrance to the property North direction arrow
 - Existing & Proposed drainage paths Existing & Proposed impervious areas
 - Shape and size of property, including all property lines (and property line dimensions if possible)
 - All natural resources, including; streams, floodplains, ponds, wetlands, etc.
- 2. Fees are due at the time of application. (*Fees are non-refundable*)
 - Minor Grading / Standard Plan Agreement for Sediment Control
 - Review / Inspection Fee ----- \$120.00
 - Soil Conservation District Review Fee ----- \$78.00
 - Total Due **WITHOUT** SWM ----- **\$198.00**
 - Minor SWM / Standard Plan Agreement for Stormwater ¹
 - Review Fee ----- \$74.00
 - Total Due **WITH** SWM ----- **\$269.00**

¹ The Standard Plan Agreement for Stormwater Management is ONLY required if the disturbed area is over 5,000 square feet.

MINOR GRADING & STORMWATER MANAGEMENT STANDARD PLAN AGREEMENTS (*Continued*)

PROCEDURES

STEP ONE - APPLY FOR THE MINOR GRADING / SWM PERMIT(S)

Where to apply: Applications should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>.

When Applications Are Accepted: Applications can be submitted electronically 24/7 via the citizen portal.

STEP TWO - OBTAIN REVIEW APPROVALS

The Minor Grading & Stormwater Management Standard Plan Agreement Applications will be reviewed by Environmental Compliance Section (ECS), P&I Engineering, Soil Conservation District (SCD) and Zoning. If there are questions or additional information required, you will receive a HOLD notice via email.

ISSUANCE: The Minor Grading Permit package will be emailed to the applicant usually within 24-hours of approval.

STEP THREE - PROVIDE REQUIRED NOTIFICATIONS

- PRIOR TO START: Notice shall be provided to ECS staff at least 24-hours prior to any earth disturbance.
- AT PROJECT COMPLETION: Notice shall be provided to ECS staff within 5 days of completing and stabilizing the earth disturbance. Failure to provide proper notice and receiving a PASSED inspection could result in a permit renewal fee.

CONTACT INFORMATION

Schedule Inspections & General Information	-----	(301) 600-3507
Permits & Inspections Engineering Staff	-----	(301) 600-1560
Zoning Planner	-----	(301) 600-1143
Soil Conservation District	-----	(301) 695-2803 x3

Grading Quick Calculations

New Dwelling

Disturbed Area

Overall dimensions of house X 2.5

Driveway length X 10' width

Septic area (if applicable) 3300

Any other grading area

Add the above to get total Disturbed Area

Cut or Fill (calculations need to include both)

Overall dimensions of house X 6 / 27

Other disturbed area X depth of cut or fill / 27

Add the above to get total Cut/Fill

Inground Pools

Disturbed Area

Overall dimensions of pool X 2.5

Cut or Fill (calculations need to include both)

Overall dimensions of pool X 9 / 27



FREDERICK COUNTY, MARYLAND DIVISION OF PLANNING AND PERMITTING

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30 North Market Street • Frederick, MD 21701
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APPLICATION INFORMATION DRIVEWAY ENTRANCE APRON PERMIT

We have gone paperless!! This application should be submitted electronically via the citizen portal at
<https://planningandpermitting.frederickcountymd.gov/>

Submission Requirements

Residential, Non Residential, Farm and Common Entrance

- 1. Financial Security Requirements
 - 2-A. **A Financial Security IS NOT required IF:** The approval of a Building Permit or Project Review depends on the construction of an acceptable Driveway Entrance Apron.
 - The associated Building Permit may not receive a Use and Occupancy until the Driveway Entrance Apron is installed and passes inspection. **Building Construction cost must exceed \$3,675.00*
 - The pending project approval and/or plat recordation may not occur until the Driveway Entrance Apron is installed and passes inspection.
 - The proposed entrance apron is already secured as part of a current Public Improvement Agreement and permit.
 - 2-B. **A Financial Security IS required IF:** There is no Building Permit or Project Review approval that can be made subject to the acceptable Driveway Entrance Apron construction.
- 2. One copy of a plan: *(See Minimum Plan Requirements on Page #2)*
 - 3-A. **Residential and Farm Entrance Aprons** *(New Homes, Garages, Circle, Barns, Field etc.)*.
 - New Primary or Secondary Entrances and Upgraded *(Widened)* Existing Entrances: One copy of a Final Recorded Plat *(if available)*. If a record plat is not available a drawing that conforms to the minimum plan requirements on Page 2, may be used.
 - Common *(Shared)* Driveway - New Entrance: Proposed common driveway plan that is currently pending approval **Must reference the Project ID Number*).
 - 3-B. **Non-Residential Entrance Apron.**
 - New Primary or Secondary Entrances where shown on an approved Public Improvement Plan. A single sheet from the approved plan that shows the proposed entrance location(s) **Must reference the Project ID Number*.
 - New Entrance NOT shown on an approved Public Improvement Plan. A revised Site Plan and/or Improvement Plan may be required. Contact Development Review Engineering for determination.

DRIVEWAY ENTRANCE APRON PERMIT APPLICATION (Continued)

Minimum Plan Requirements:

<input type="checkbox"/> Property Owner name(s)	<input type="checkbox"/> Street Address of property
<input type="checkbox"/> Acreage of the property	<input type="checkbox"/> North direction arrow
<input type="checkbox"/> Proposed Entrance Apron clearly identified	<input type="checkbox"/> Existing Entrance Apron(s) clearly identified
<input type="checkbox"/> Shape and size of property, including all property lines (and property line dimensions if possible)	
<input type="checkbox"/> The visual site distance, left and right, of the proposed entrance (as viewed 7' back from the edge of the road in a seated position)	
<input type="checkbox"/> The location and distance of surrounding entrance aprons within 100 yards of the proposed entrance.	
<input type="checkbox"/> Provide a narrative description and map identifying the location of cemeteries and known historic and archaeological resources on the site. <u>Cemetery Protection Policy</u>	
<input type="checkbox"/> 3. Fees are due at the time of application. (<i>Fees are non-refundable</i>)	
<input type="checkbox"/> Driveway Entrance Apron Fee (<i>Residential & Non-Residential</i>) • Filing Fee (<i>Each</i>) ----- \$32.00	
• Review/Inspection Fee (<i>Each</i>) ----- \$97.00	
• Total Due ----- \$129.00	
<input type="checkbox"/> Security (<i>If Required</i>) shall be in the form of CASH or Check which will be deposited in the County Treasury in an escrow account.	
• Residential ----- \$3,675.00	
• Non-Residential ----- \$7,350.00	

***NOTE:**

- Upon receiving a *PASSING* inspection of the constructed entrance apron, a refund of the escrowed funds will be mailed to the applicant in about 30-days.
- The application will expire 6 months from the date of application unless the driveway permit has been issued or an extension has been requested, justified, paid for, and approved.
- The fee to extend a permit application or a driveway permit is the minimum permit fee. Each request to extend shall be made in writing with justification and received in advance of expiration date.
- This Entrance Apron permit does not authorize any earth disturbance over 5,000 square feet or cut/fill over 100 cubic yards. A separate grading permit is required if either of these limits are expected to be exceeded. Working without a Grading Permit can result in civil penalties.

DRIVEWAY ENTRANCE APRON PERMIT APPLICATION (Continued)

PROCEDURES

STEP ONE - APPLY FOR THE DRIVEWAY ENTRANCE APRON PERMIT

Where to apply: Applications should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>.

When Applications Are Accepted: Applications can be submitted electronically 24/7 via the citizen portal.

STEP TWO – OBTAIN REVIEW APPROVALS

The Entrance Apron application will be reviewed by Permits & Inspections Engineering staff. If additional information is required from you, you will receive a HOLD notice via email.

ISSUANCE: The approved Driveway Entrance Apron Permit will be emailed to the applicant usually within 24 hrs of approval.

STEP THREE – OBTAIN INSPECTION APPROVALS

INSPECTIONS:

- There is a non-mandatory pre-installation inspection, if desired.
- There is a mandatory Final Inspection following the completion of the Driveway Entrance Apron. If PASSED, any approvals subject to the successful construction will be satisfied.¹ If applicable, any associated security will be released.

¹ Driveway Entrance Aprons that were **not** subject to a monetary security will receive a CERTIFICATE OF COMPLETION as notice of approval and the closing of the permit.

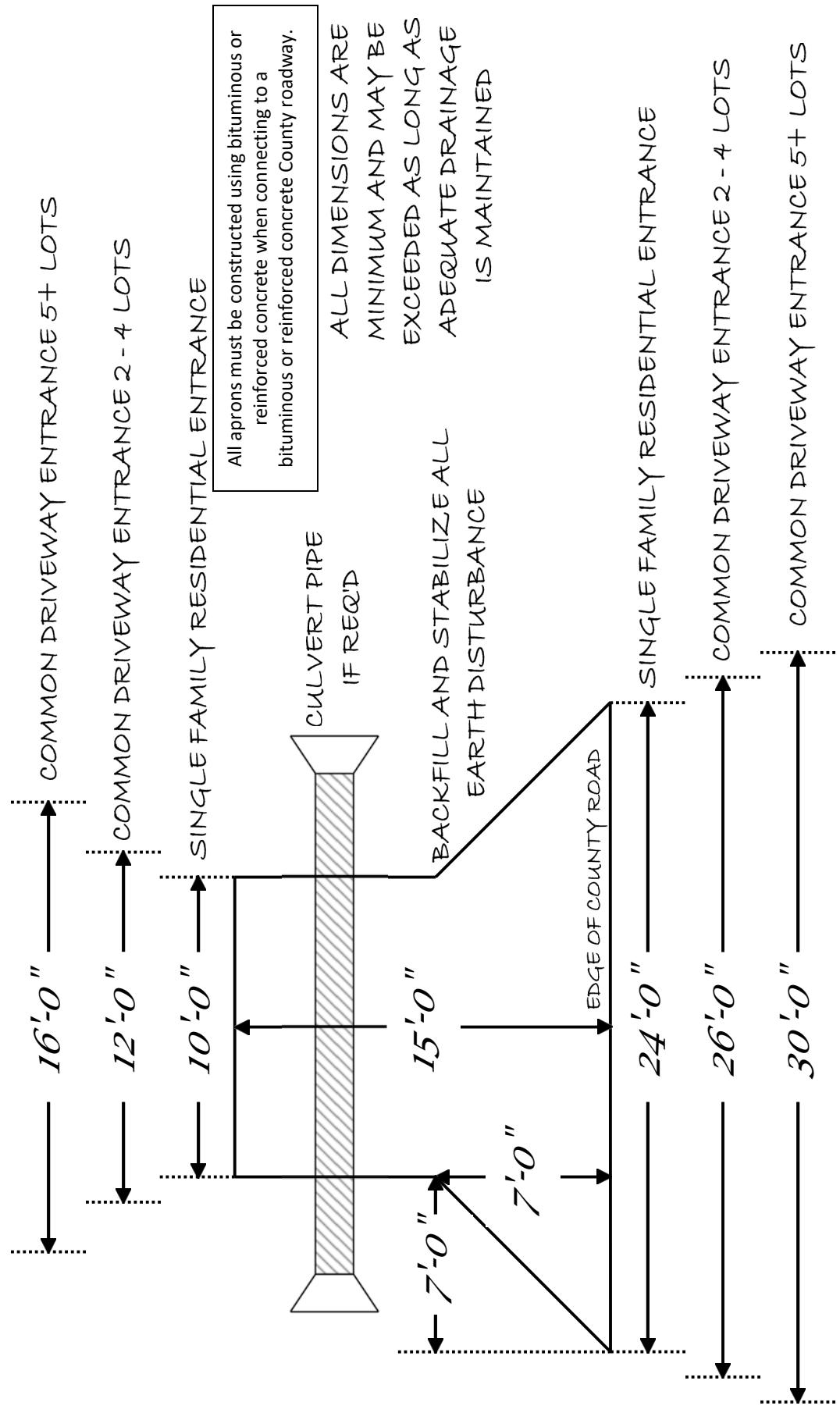
CONTACT INFORMATION

Inspections and General Information ----- (301) 600-3507

Permits & Inspections Engineering Staff ----- (301) 600-1560

OPEN SECTION (GRASSED DITCH-LINE)
DRIVeway APRON CONSTRUCTION SPECIFICATIONS

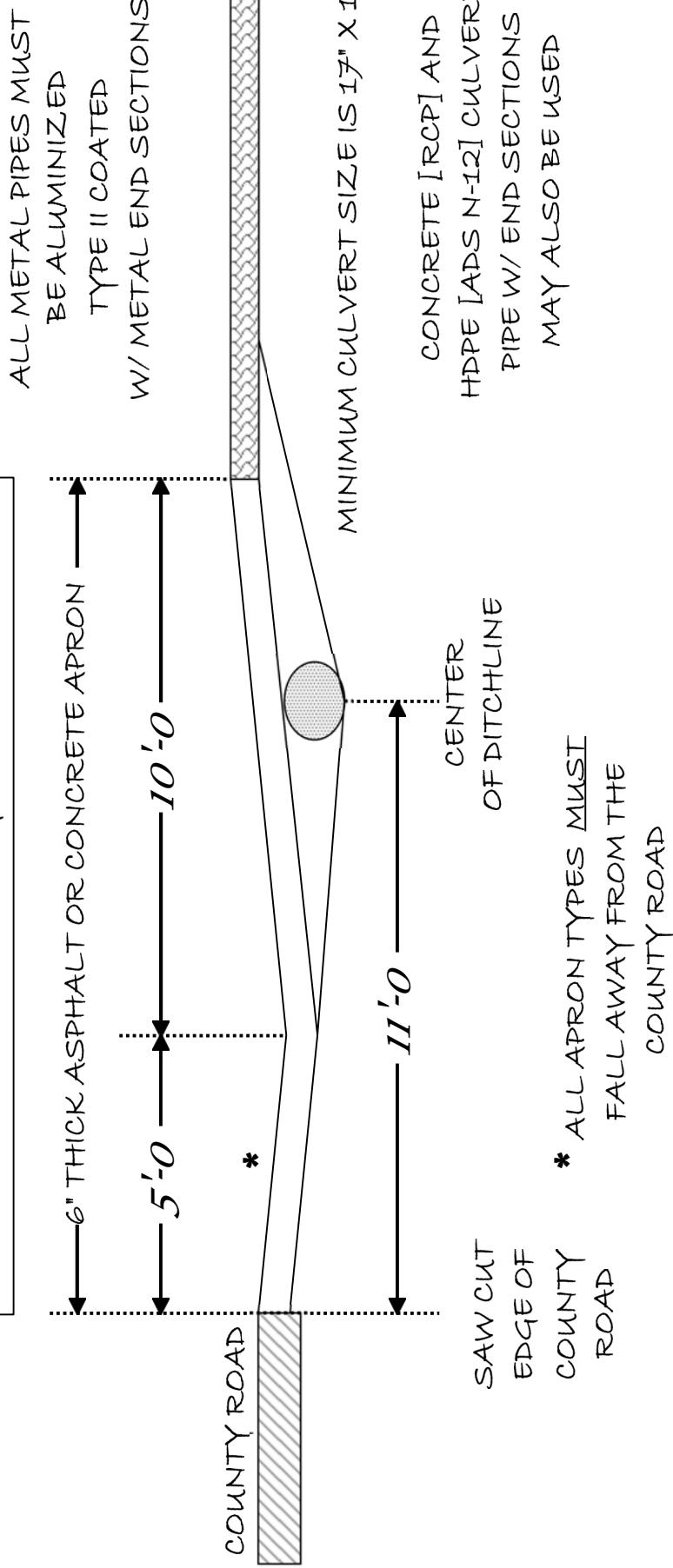
The following drawings and specifications represent optimum conditions of the roadway ditchline. If conditions exist that will not allow you to follow these specifications, you **MUST** request a **WAIVER** (included with this package).



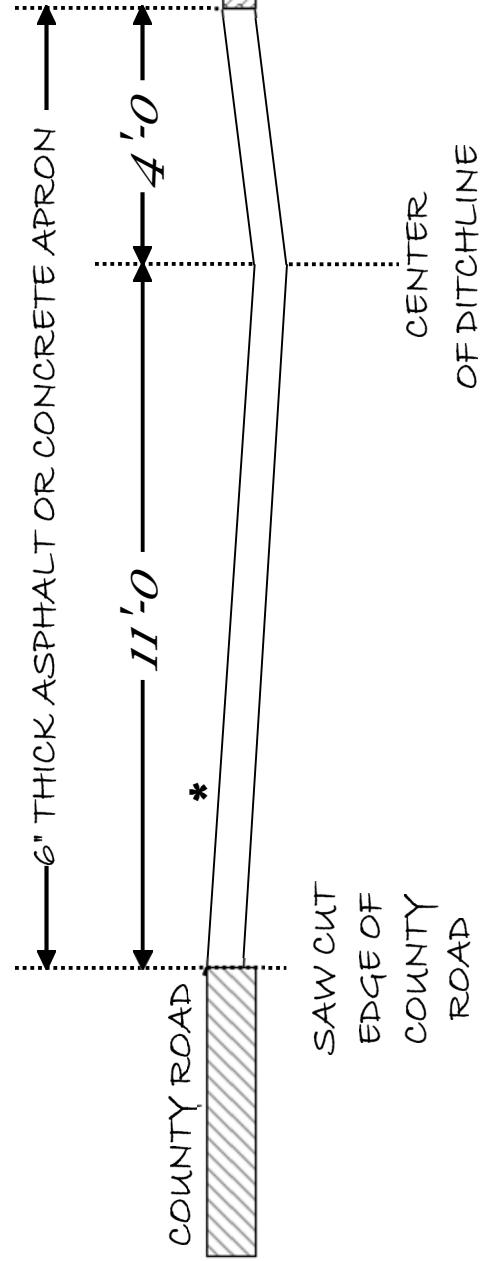
PLAN VIEW

PAGE 1 OF 2

CROSS SECTION USING CULVERT PIPE



CROSS SECTION USING SWALE





DRIVEWAY ENTRANCE APRON

REQUEST FOR WAIVER FROM STANDARDS

Permit No: _____

Request Date: _____ / _____ / _____

Requestor's Name: _____

Submit Waiver Request To:
Division of Public Works - Utility Coordinator
355 Montevue Lane
Frederick, MD 21702
301-600-1669
UtilityCoordinator@FrederickCountyMD.Gov

Contact Info: _____

Owner

Contractor

Other

Applicant requests a waiver from the standards and specifications for the driveway entrance apron...

Already Installed

-OR-

Proposed at the following location:

Location/Address:

Reason for Request:

Additional description, drawings or pictures may be submitted with request

OFFICE USE ONLY

Highway Operations Representative: _____

Date Reviewed: _____ / _____ / _____

WAIVER APPROVED: Due to extenuating circumstances, such as; existing road and/or drainage conditions, the aforementioned non-conforming existing or proposed driveway entrance apron is hereby acceptable by Frederick County Highway Operations.

WAIVER DIS-APPROVED: There is no viable reason to waiver from the standard driveway entrance profile or specifications.

Comments: _____

Residential Driveway Permit Applications

In reviewing applications for a residential driveway permit (not associated with a subdivision of land), the reviewer needs to balance the needs and wants of the applicant with the responsibility to provide a safe and efficient public street access. It is well documented that driveways with inadequate sight distance have a greater probability of crashes and the more the access points along a stretch of road, the greater the potential for crashes along that stretch.

The best approach a reviewer can take is to weigh the factors associated with the application and work collaboratively with the applicant to locate the optimal location(s). If this cannot be accomplished, then the reviewer, in consultation with key P&P staff and management, must impose a decision on the applicant as to the location for access.

It is important to know that all lots of record, unless specifically noted otherwise, and parcels, have a right to access the public street system. However, there is no legal right of a landowner to have full access (as opposed to limited, such as right-in/right-out) or more than one access. Should an applicant request a second point of access, the burden of proof is on the applicant to demonstrate the need.

Unless a residential access is to a low speed subdivision street, all driveways must have a turnaround area to prevent backing into or out of driveways. If this cannot reasonably be accomplished, say because of environmental, topographic, cost or space limitations, a circular/half-moon driveway with two access points may actually be preferred, to one access.

In reviewing requests for access, first and foremost, all driveways must achieve AASHTO (Chapter 3) intersection SSD standards. Every effort must be made to conform to County spacing guidelines (simplified chart attached from the unpublished Draft LDM), either providing driveways opposite each other or with sufficient distance from other nearby private or public intersections, but never to the detriment of causing inadequate or approaching inadequate SSD.

When an applicant requests more than one access, the following considerations need to be weighed:

- Adequate intersection SSD can be maintained
- Reasonability of an on-site turnaround
- Applicant's justification of need
- Facility type
- Road ADT (<400 considered low volume by AASHTO)
- Property frontage length
- Previous subdivision plat or site plan access restrictions, such as denied access locations, required shared drives/entrances, etc.

All multiple access points must be recommended for approval by the reviewer based on weighing the above factors, and approved by the Deputy Director or his/her designee.

Procedurally the process to accomplish the task is as follows:

IN ALL CASES:

- Provide pre-application feedback to the property owner to work out any issues/concerns/alternatives before they commit to paying fees and hiring consultants.

FOR DRIVEWAY REQUESTS ON LOTS OF RECORD THAT HAVE NOT BEEN SUBJECT TO SUBDIVISION OR SITE PLAN REVIEW:

- Permit Reviews will be accomplished by DRE/Zoning (to be added as new reviewer) in consultation with DRTE when needed
- Zoning will be reviewing for Planning related issues (pull plat, examine existing and approved use, denied access notes and spacing policy etc.)
- DRE will be reviewing for engineering related issues (Adequate SSD (or ISD) can be maintained, Reasonability of an on-site turnaround, Applicant's justification of need – generally for a circular driveway multiple uses, Facility type, Road ADT (<400 considered low volume by AASHTO), Property frontage length etc.)
- While Subdivisions and site plans must meet FCPC spacing policy, as discussed above, driveway permits would not be required to obtain FCPC mod approval, unless there are unusual circumstances that the staff and department director does not feel comfortable approving

FOR DRIVEWAY REQUESTS ON LOTS THAT ARE SUBJECT TO PREVIOUS SUBDIVISION OR SITE PLAN REVIEW:

- Zoning will be reviewing for Planning related issues (pull plat, examine existing and approved use, denied access notes and spacing policy etc.) In the case where the new entrance/driveway is contrary to the approved access layout (such as eliminating the use of a common drive/entrance, violates previously approved entrance spacing, located in an area labeled denied access, etc.) then a Correction Plat must be filed prior to the approval of the entrance/driveway permit.
- Permit Reviews will be accomplished by DRE/Zoning (to be added as new reviewer) in consultation with DRTE when needed
- DRE will be reviewing the permit for engineering related issues (Adequate intersection SSD can be maintained, Reasonability of an on-site turnaround, Applicant's justification of need – generally for a circular driveway multiple uses, Facility type, Road ADT (<400 considered low volume by AASHTO), Property frontage length etc.)
- Subdivisions and site plans must meet FCPC spacing policy. Changes to the previously approved access point(s) that do not meet all codes or policies may require FCPC approval.

**DIVISION OF PLANNING AND PERMITTING
FREDERICK COUNTY, MARYLAND
SIGHT DISTANCE ANALYSIS**

PROJECT NAME _____
MAJOR ROAD _____
MINOR ROAD(DRIVEWAY) _____
INTERSECTION DRAWING:



VICINITY MAP

MAJOR ROAD POSTED SPEED _____

MAJOR ROAD SPEED _____ CALCULATED ESTIMATED 85th PERCENTILE SPEED

ACTUAL (MEASURED) SIGHT DISTANCE **: LEFT _____ FT., RIGHT _____ FT.

"MOST LIMITING -HORIZONTAL AND/OR VERTICAL

INTERSECTION SIGHT DISTANCE (ISD)

MINOR ROAD DRIVEWAY APPROACH GRADE _____

NUMBER OF LANES LEFT TURNING VEHICLE MUST CROSS _____

DESCRIPTION OF SUBSTANTIAL VOLUME OF MAJOR ROAD TRAFFIC MAKE-UP _____

REQUIRED (CALCULATED) SIGHT DISTANCE: LEFT _____ FT., RIGHT _____ FT.

Notes:

I, _____, certify that the proposed entrance described above meets AASHTO standards for intersection sight distance.

Signed _____ PE/PLS/ MD Reg. No. _____ Date _____

STOPPING SIGHT DISTANCE (SSD)

REQUIRED (CALCULATED) SIGHT DISTANCE: LEFT _____ FT.; RIGHT _____

Notes:

I, _____, certify that the proposed entrance described above meets AASHTO standards for intersection sight distance.

Signed _____ PE/PLS/ MD Reg. No. _____ Date _____

SIGHT DISTANCE STANDARDS

(Applies to Full Movement Access on Undivided Highways with Nominal Truck Usage)

Actual Posted Speed (mph)	Assumed Design Speed (mph)	Stopping Sight Distance Required (ft)	Intersection Sight Distance Required (ft)		
			One Lane	Two Lanes Crossed	Three Lanes Crossed
25	35	250	390	415	440
30	40	305	445	475	500
35	45	360	500	530	565
40	50	425	555	590	625
45	55	495	610	650	690
50	60	570	665	710	750
55	65	645	720	765	815

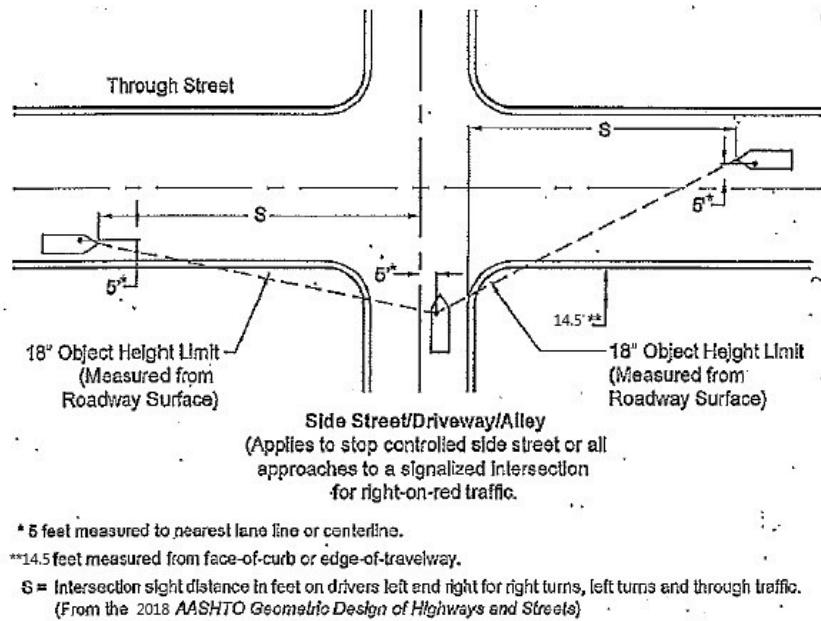
Notes:

1. *Values and methodology based on A Policy on Geometric Design of Highways and Streets, AASHTO, 2018 for the design speeds shown. Intersection sight distance values shown are governed by the left turn movement from the access point onto the state highway (Case B1, p. 9-44).*
2. **Assumes passenger vehicle for design purposes and level grade $\pm 3\%$ maximum.**
3. *Refer to AASHTO guidelines to address different conditions (e.g. access limited to specific turning movements, more than two opposing lanes of traffic to be crossed, steep grade, median crossover, other design vehicles, etc.).*
4. *Sight distance measurement most conform to the AASHTO models.*
5. *Refer to p3-4 for discussion of sight distance requirements and any substandard conditions.*

INTERSECTION AND DRIVEWAY SIGHT DISTANCE (ISD)

In order to provide the opportunity for vehicles at an intersection to safely cross or make left or right turns onto a through street, adequate sight distance must be provided. Sight distance should be based on the design speed for roadway. The sight distance requirements outlined below are required for all public street intersections and at all intersections of commercial driveways onto public streets generating more than 5 trips/hour. Internal driveway intersections on private property and residential driveways are excluded from these requirements.

The figure below depicts the technique used to determine the driver's eye location and an approaching vehicle; a line is then drawn to connect these 2 points. Continuous unobstructed line of sight must be provided along this and throughout the approach to the intersection, providing an unobstructed line of sight triangle to the side street driver. Sight lines are to be drawn on roadway and landscaping plans to represent the areas that must be free of all objects and topography in excess of 18 inches above the roadway surface, however, certain vegetation will be allowed. Vegetation placed within the sight triangle will be of a low variety that remains below 18 inches when mature. Trees within the triangle may be considered as long as the canopies are above 8 feet, they are a single trunk variety, and they are not spaced in a configuration that created a visually obstructive "picket fence" effect.



Intersection sight distance (ISD) is calculated as follows:

$$S = 1.47 * V_{major} * t_g; \quad \text{Where } t_g = \text{time gap for major road}$$

See AASHTO p9-44

$$V_{major} = 85^{\text{th}} \text{ percentile speed (mph)} **$$

$$t_g = 7.5/6.5 \text{ sec for Passenger Cars; left/right turn, respectively}$$

9.5 sec for Single Unit Trucks
11.5 sec for Combination Trucks
(add 0.5 sec for each extra lane traversed for passenger cars)

** 85th percentile speed may be different in each direction due to grade, alignment, etc. Please calculate separately.

If grades are in excess of 3%, consult AASHTO for additional factors.

STOPPING SIGHT DISTANCE (SSD)

The minimum stopping sight distance (SSD) is the roadway distance required by the driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the road becomes visible, in this case a vehicle crossing the roadway or stopped in the thru lane to make a left turn . Stopping sight distance is therefore measured from the driver's eyes, 3.5 feet above the pavement surface, to an object (another vehicle) 3.5 feet high on the roadway. If grades are in excess of 3%, consult AASHTO for additional factors.

SSD is calculated as follow:

$$S = 1.47 * V * t + 1.075 * \frac{V^2}{a}$$

Where: $V = 85^{\text{th}}$ Percentile Speed

$t = 2.5 \text{ sec}$

$a = 11.2 \text{ ft/sec}^2$

See AASHTO p.3-5



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Department of Permits & Inspections

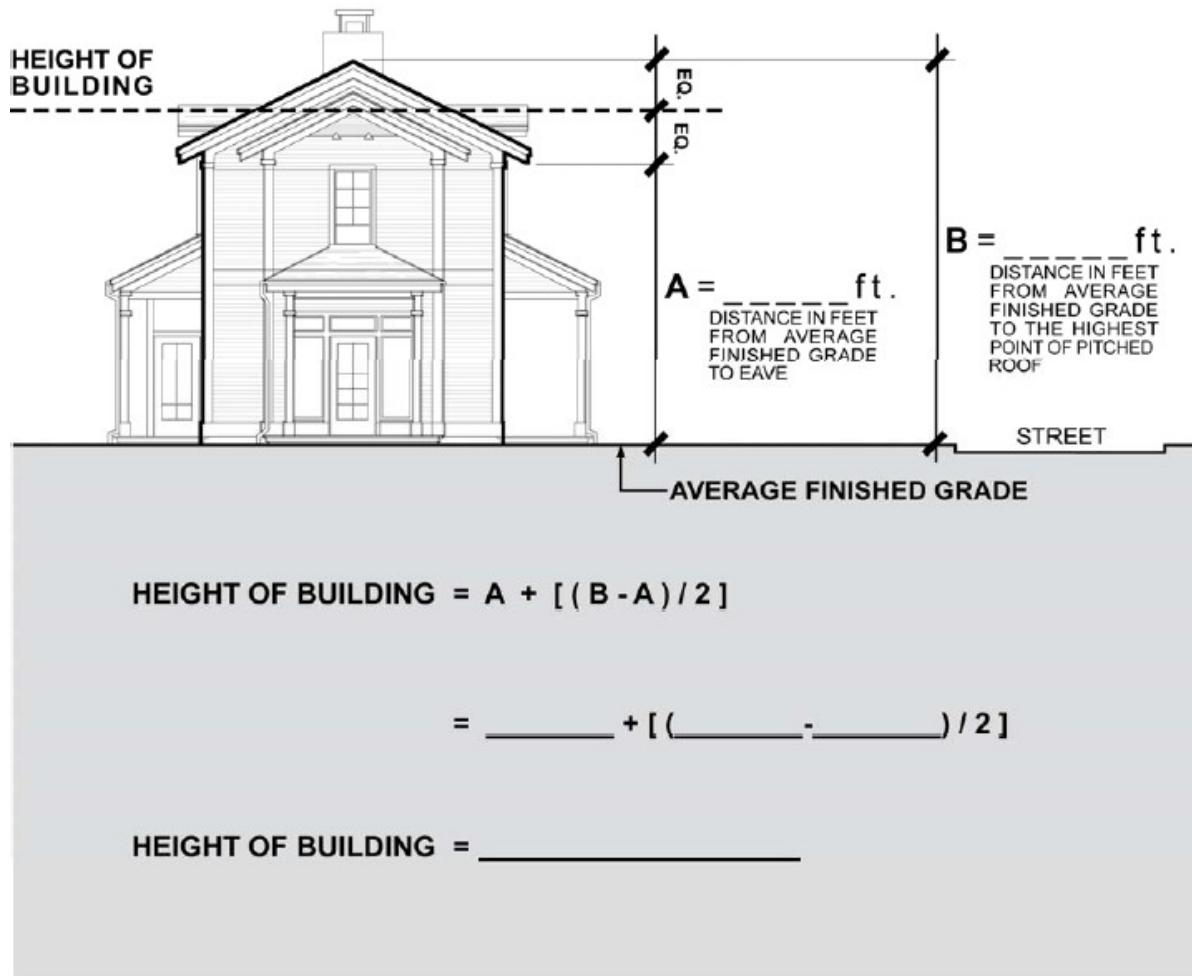
Jessica Fitzwater
County Executive

Deborah A. Carpenter, AICP, Division Director

Ashlye B. Bonomo, Director

DETERMINING "HEIGHT OF BUILDING"

The height is measured from the average finished grade ground level along the side of the building nearest the street to either the highest point of a flat roof or to the point one-half the distance between the eaves and the highest point of a pitched roof. (Frederick County Zoning Ordinance Definitions 1-19-11.100)



FREDERICK COUNTY HEALTH DEPARTMENT
Environmental Health Services
Procedures and Policies for Expediting Building Permit Approval
(For Properties Served by Individual Wells and /or Septic Systems)

New Residential Construction

1. Property corners, house corners, septic area corners, and center of driveway need to be staked and flagged so they can be seen at the time of the preliminary inspection. Tall grass, weeds and brush may need to be removed. All new home permits will have a site visit within 10 business days (typically does not take that long unless there is a staff shortage or extreme weather conditions) prior to approval by Environmental Health. It is suggested that the staking be completed prior to building permit application or within the next business day to avoid a reinspection fee. If a site visit is made and there is no staking or the staking is incorrect or not visible a reinspection fee of \$75 will be imposed.
2. If the property is to be served by a septic system, the applicant must provide the name of a Licensed Septic Installer/Master Plumber in Frederick County at the time of building permit application. If the installer is not provided, the permit will not be approved until such time as one is selected.
3. If the property is to be served by an individual water well, the well must be drilled and the completion report must be submitted to and reviewed by the Health Department prior to building permit approval.
4. Foundations must be a minimum of 30 feet from the well.
5. No permanent or physical objects can be located within the designated septic areas. Septic areas are reserved for the initial installation and future repairs of the septic system.
6. Proposed houses should be located where a gravity flow septic system can be installed. The elevation of the sewer pipe exiting the house must be higher in elevation than the highest point of the designated septic area. (This item is particularly important if your desire is to have a basement bathroom without using a pump.)
7. Contact with Health Department is always important if there are questions or concerns that you would like to discuss at any point during the permit or building process.
8. A final septic inspection is required through the Well & Septic Office prior to a Use and Occupancy Certificate being issued. The septic installer is responsible for making sure that this process is completed.

Accessory Permits

1. Proposed additions (pool, shed, addition, etc.) must be staked prior to Health Department site visit. It is suggested that the staking be completed prior to building permit application or within the next business day. If additions are not staked when the site visit is made, the permit will be placed on hold until contact is made to let the Sanitarian know this has been done. If a site visit is made and there is no staking or the staking is incorrect or not visible a reinspection fee of \$75 will be imposed. This fee will be paid at the Health Department prior to a reinspection taking place.
2. Proposed additions and/or accessory structures cannot be located within designated septic areas. Properties that were subdivided after 1972 have designated septic areas.
3. Additions and accessory structures cannot be located over principal parts (septic tank, distribution box, leaching area) of the septic system. An addition without a basement can be located up to the septic tank and leaching area but not over them. An addition or accessory structure with a basement must maintain a minimum of 10 feet from the septic tank, leaching area and septic area. If your addition requires a connection to the septic system more than 5 feet from the foundation, a septic repair permit will be needed (\$60.00 fee). Repair permits can be applied for at the Health Department.
4. Foundations within 30 feet of the well are not permitted unless a well variance is requested and granted by the Health Department.
5. Please restrain dogs and other animals since the Health Department will try to make a site visit within 5 business days of receipt of permit application.
6. If you void your permit or have further questions, please call 301-600-1726.



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

**effective Oct. 1
Roadside Tree Law - Changes to Permit**

Passed in 1914, the Roadside Tree Law and its regulations were developed to protect Maryland's roadside trees by ensuring their proper care and protection and to ensure their compatibility with the public utility system.

Before a roadside tree* is trimmed or cared for in any way including removed, a **Tree Care Permit must be obtained from the Maryland DNR Forest Service**. A roadside tree is any tree that grows all or in part within a public road right-of-way**. A permit is also needed to plant a tree within the public road right-of-way. Any work (including removals) performed on a roadside tree, 20 feet or greater in height, must be done by a licensed tree expert. If tree care or removal is performed on a roadside tree without a permit, a fine or more severe actions may be assessed by the Maryland DNR Forest Service.

During the 2009 Legislative Session, the Roadside Tree Law (NRA §5-401—5-406, Annotated Code of Maryland) was amended to state: "**A county or municipality may not issue a building permit** to an applicant for any clearing, construction, or development that will result in the trimming, cutting, removal, or injury of a roadside tree **until the applicant first obtains a permit from the Department** in accordance with this section." [NRA 5-406(D)] **emphasis added**

* a roadside tree is defined as a plant that has a woody stem or trunk that grows all, or in part, within the right-of-way of a public road. [COMAR 08.07.02.02.B.(10)]

** right-of-way of a public road is defined as that land the title to which, or an easement for which, is held by the State, county, or a municipality for use as a public road. [COMAR 08.07.02.02.B.(8)] Right-of-ways of a public road that has not been surfaced with either stone, shell, concrete, brick, asphalt, or other improved surface material is exempt. [COMAR 08.07.02.03A.(2)]

To determine if a permit has been issued:

A website query is currently being developed which will allow the public to query an address or the city to determine if a permit has been issued. This will be located on the MD Forest Service website. The query can only indicate if a permit has been issued. *A negative response from the Roadside Tree Permit Query may indicate that either a roadside tree permit was not requested at this address or that there are no roadside trees at this address (and no permit is required).* Please remember that all applicants receive a paper permit and can submit these as requested.

If the applicant needs a roadside tree permit, a permit can be obtained at:

To obtain a permit: https://dnr.maryland.gov/forests/Documents/RST_ProjectPermit.pdf
Mail the completed form to: http://www.dnr.state.md.us/forests/art/county_map.asp

To learn more about Roadside Tree Law: <https://dnr.maryland.gov/forests/Pages/programapps/newrtlaw.aspx>

For further information, please contact:

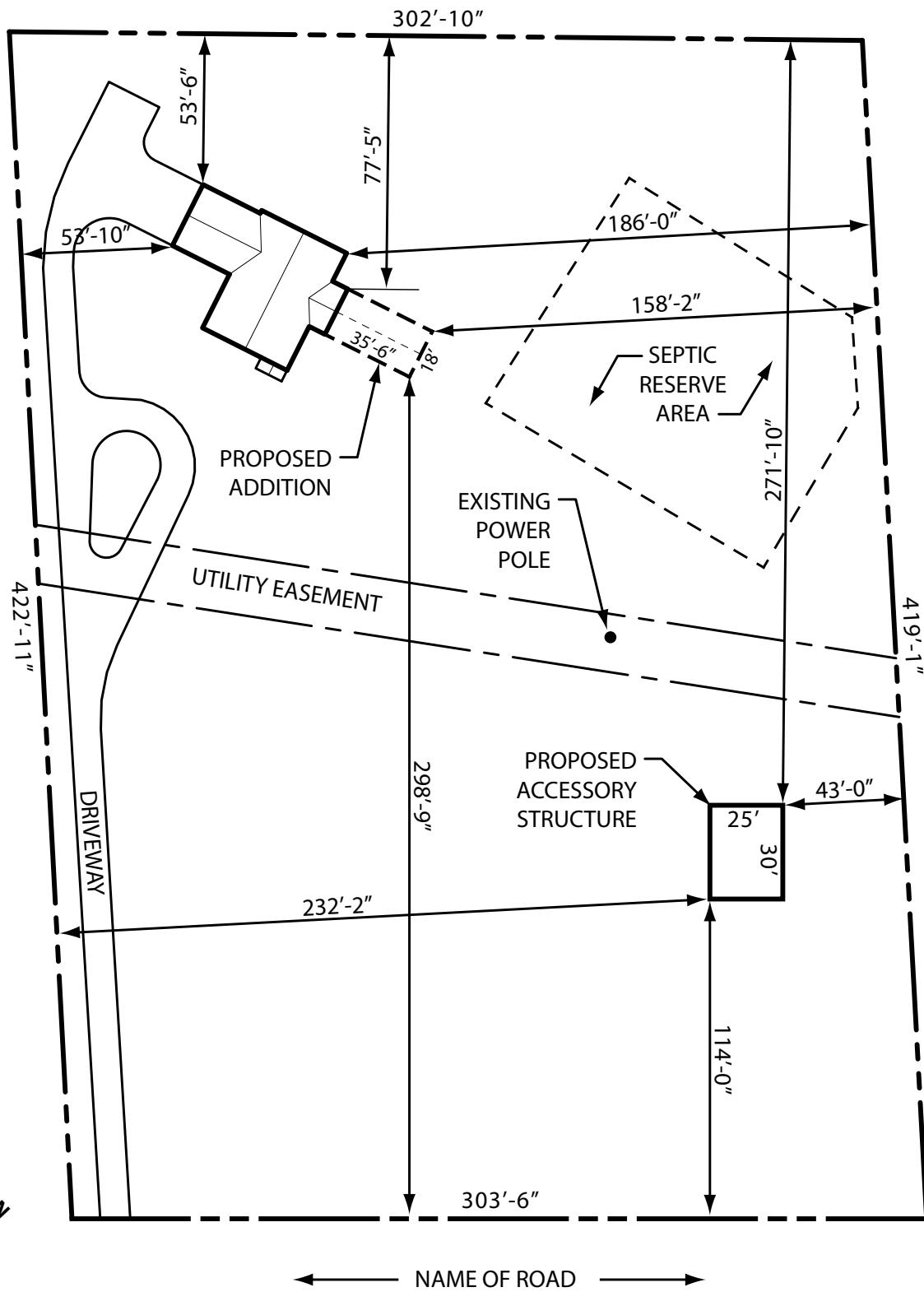
Eastern Region: (Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties)	Central Region: (Baltimore, Carroll, Cecil, Harford, Howard, and Montgomery Counties)	Southern Region: (Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's Counties)	Western Region: (Allegany, Frederick, Garrett, and Washington Counties)
Kathy Kronner MD Forest Service (410)-543-1950 kkronner@dnr.state.md.us	Tod Ericson MD Forest Service (410) 836-4578 tericson@dnr.state.md.us	Horace Henry MD Forest Service (410) 360-9774 hhenry@dnr.state.md.us	Becky Wilson MD Forest Service (301) 777-5591 bwilson@dnr.state.md.us

Marian Honeczy, Supervisor Urban & Community Forestry, (410) 260-8511 or via email at mhoneczy@dnr.state.md.us

Tawes State Office Building • 580 Taylor Avenue • Annapolis, Maryland 21401

410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay

SAMPLE PLOT PLAN



SUBDIVISION NAME:		OWNER/APPLICANT NAME:	DRAWING SCALE:
LOT #:	LOT SIZE:	PROPERTY ADDRESS:	PROPERTY TAX ID #:

Addressing Request Form Frederick County, Maryland

Division of Planning & Permitting, 30 North Market Street, Frederick, MD 21701

****Required Information***

****Type of Request (check all that apply):***

New Construction Existing Verification Suite Assignment Single Family Multi-Family
 Tenant House Duplex Commercial Industrial Change of Address Other: _____

****Reason for Request:***

Property Information:

*Current or Parent Parcel Address: _____

*Parcel Tax Identification Number (Available from MD Dept. of Assessments 301-815-5350): _____

*Property Parcel Number: _____

*Lot Number (If applicable): _____

*Subdivision Name (If applicable): _____

*Adjoining or nearby addresses: _____

*A building location plan showing the entrance to the lot and/or structure to be addressed and/or site plan for address determination.

Please Note: A copy of the requesting property's deed may assist in expediting the process of address assignment.

Requestor Contact Information:

*Name: _____ *Phone: (_____) _____ - _____

*E-mail: _____

*Current Mailing Address: _____

*Signature of Requestor: _____ *Date: ____ / ____ / ____

Submission: Addressing requests may be submitted by email (gis_enterprise@frederickcountymd.gov), Fax (301) 600-2054, or in person to the Division of Planning & Permitting located at 30 North Market Street, Frederick, MD 21701.

Addresses will be issued 2-10 County business days.

For addressing questions please call 301-600-6750.

OFFICIAL USE ONLY

Date Received by IIT/GIS: ____ / ____ / ____

Date Entered into GIS DB for Attribution: ____ / ____ / ____

Address to be assigned by parcel/lot number referenced above: _____

Date of Notification: ____ / ____ / ____

Date of Permit Address Changed: ____ / ____ / ____

NOTE: The new address is to be displayed and posted in accordance with Section 05-01-362 of the Frederick County Fire Prevention Code (copy of requirements attached).



DIVISION OF PLANNING AND PERMITTING
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections

30 North Market Street • Frederick, Maryland 21701
Phone (301) 600-2313 • Fax (301) 600-2309

MARYLAND HOME BUILDER REGISTRATION LAW

Who is required to provide a homebuilder registration?

- Any person/company constructing a new home or replacement home for someone other than themselves
- Any person/company constructing a duplex, townhouse, or condominium building
- Any person/company installing a mobile home
- Any person/company attaching a modular dwelling to a foundation

Can property owners apply for the building permit themselves, and list a homebuilder?

No, when a homebuilder is involved the homebuilder must make the application. It is the law! The purpose of the law is to protect the property owner.

Can a property owner act as his or her own contractor?

Yes, if they have not entered into an agreement with a person/company to construct the dwelling or manage, oversee, or supervise in anyway the construction of the home. A property owner constructing a dwelling for him/herself must complete an "Affirmation of Landowner" form. A property owner may not apply for a modular dwelling permit because the property owner does not affix the dwelling to the foundation.

Can a person without a registration apply for a building permit for a property owner with a notarized letter of permission?

No, the property owner must make the application if acting as general contractor. The state law does not allow for a person other than a homebuilder to apply on behalf of a property owner.

Can a permit service apply for a new dwelling permit?

Yes, if they are applying on behalf of a homebuilder and have a notarized letter of permission to act as the agent for the homebuilder. A permit service may not apply on behalf of a property owner.

Can a property owner acting as their own contractor apply for a building permit when they have not yet gone to settlement to become the legal owner of the property?

Yes, however, a "hold" will be placed on the application for a copy of the signed deed and the "affirmation of landowner" form. The permit may not be issued until those items have been received.

For information concerning the Home Builder Registration law, please visit the following website: <https://www.marylandattorneygeneral.gov/Pages/CPD/Homebuilder/default.aspx> or contact:

Home Builder Registration Unit

Consumer Protection Division

200 St. Paul Place, Baltimore, MD 21202

(410) 576-6573 / Toll Free: (877) 259-4525

Fax: (410) 576-6566 / Email: homebuilder@oag.state.md.us

AFFIRMATION OF LANDOWNER

NAME OF LANDOWNER _____ PERMIT # _____

ADDRESS OF PROPERTY
COVERED BY PERMIT _____

The Maryland Home Builder Registration Act, which took effect January 1, 2001, prohibits the issuance of building permits unless the home builder is registered with the State and the builder's registration number is included on the building permit. The purpose of this Act is to protect consumers when they are purchasing new homes. A builder can lose its registration if it violates the Act.

The Act does permit a landowner to obtain a building permit for construction to be performed directly by the landowner solely for the landowner's own use. In order to obtain a permit that does not contain the registration number of a builder, the landowner has to affirm as follows:

1. I understand that the Maryland Home Builder Registration Act was passed to provide landowners like me with certain protections and that I could lose the benefits of those protections if I ever entered into a contract with an unregistered builder.
2. I understand that builders of new homes in the State of Maryland must be registered with the Home Builder Registration Unit of the Consumer Protection Division of the Office of the Attorney General.
3. I have title to property located in the State of Maryland and am seeking a building permit for that land.
4. I am requesting this building permit for construction to be performed directly by me on my own land, solely for my own use.
5. I have not entered into a contract with any person or company to erect or otherwise construct the new home covered by this permit, including a contract for somebody to manage, oversee, or supervise in anyway the construction of the home. I will not enter into such a contract without first notifying [the building permit office] of the name of the person or company so that its builder registration status can be determined and, if registered, the builder's name and registration number can be added to the building permit. I understand that a builder cannot perform any work on the new home until this information has been added to the permit.

6. I understand that I may be deemed to have violated the Home Builder Registration Act if I enter into any contract for the sale of the new home covered by this permit under circumstances indicating that it was never my intention to use the completed home as my own.
7. To the extent known, the name of the primary subcontractors who will be working on my home and the areas in which they will be providing improvement, i.e. plumbing, electrical, roofing, etc. are as follows:

Company

Improvement

I, _____, of _____,
(Landowner's name – print) (Address)

hereby certify under personal knowledge and under penalty of perjury, that these affirmations are complete, accurate, and true.

Signature

Date