



DEPARTMENT OF PLANNING AND ZONING
MEMORANDUM

TO: All Surveyors, Engineering firms and Land Development Companies
FROM: Maurice Lusby, Chairman, Planning Commission
DATE: November 14, 2007
SUBJECT: Changes to Site Plans After Planning Commission Approval

Increasingly, the Planning Commission has been asked to approve modifications to previously approved site plans after construction is nearing completion. This has resulted in significant delays and cost to applicants when they seek approval of a Use and Occupancy (U&O) Certificate. This also puts the Planning Commission in the unfortunate position of denying constructed changes which they would not have approved if submitted for prior review.

Per Article 4-2, Calvert County Zoning Ordinance (CCZO), the Planning Commission is required to review site plans "for conformance with the Comprehensive Plan, Calvert County Zoning Ordinance, Subdivision Regulations, Town Center Master Plans and Zoning Ordinances, and design standards." Per Article 1-7.01.B, CCZO, The Zoning Officer cannot issue a U&O Certificate for any property which "exceeds the scope of, or is not in compliance with, any order or action of the Planning Commission or Board of Appeals", or "is otherwise not in compliance with this Ordinance."

The Planning Commission and its staff take great care to insure that approved site plans meet Calvert County development regulations. The Zoning Officer and his inspectors spend considerable time and effort to insure that what is built by applicants match the site plans which are approved. All rely on these approvals and inspections to insure that the County's development regulations are being followed.

Article 4-2.05, CCZO, sets out the procedures for modifying existing site plans. Generally, changes need to be submitted for review by all approving agencies of the original site plan. These procedures need to be followed prior to amending a building permit and constructing the change. Failure to do so will delay the approval of a U&O for a project until what was constructed is modified to match the approved site plan, or the final site plan approval can be modified.

Please make every effort to inform your clients that building projects that do not conform to the approved final site plan cannot be granted a U&O by the Zoning Officer, and that the Planning Commission will not be able to accommodate modifications which do not meet Calvert County development requirements.