

DEPARTMENT OF PLANNING AND ZONING
CUSTOMER ASSISTANCE GUIDE

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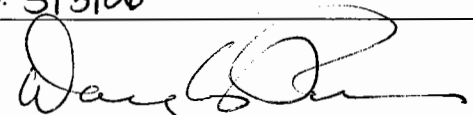
ACCESSORY APARTMENT REGULATIONS

REVISED MAY 2006

Accessory Apartments, sometimes referred to as "In-Law Apartments" or "Granny Flats", are permitted in most Zoning Districts, subject to the following conditions:

1. In the I-1 and EC Districts, accessory apartments shall only be permitted on properties on which a house existed as of the effective date of this condition (05/01/06) unless the house and apartment are constructed on an approved family conveyance lot; and
2. In all Districts, only one accessory apartment shall be created on each single-family lot. See Section 8-1.05.D.3 for provisions regarding accessory apartments in the Critical Area; and
3. the accessory apartment shall be clearly subordinate to the single-family dwelling.
 - a. If the apartment is not a part of the dwelling, it shall be within 100 feet of the dwelling. In no case shall it contain more than 900 square feet gross floor area of enclosed space, including enclosed porches.
 - b. If the apartment is contained within the dwelling (i.e., as an addition or wing), then it shall contain no more than 40 percent of the total square footage of the building.
 - c. If the apartment is located in the basement of the dwelling, then it can consist of the entire basement; and
4. An owner of the lot shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences as determined by the Zoning Officer; and
5. at least two off-street parking spaces shall be available for each unit; and
6. the owner shall obtain Health Department approval; and
7. the accessory apartment shall be located within the building restriction lines required for the principal dwelling; and
8. only one kitchen shall be permitted within the accessory apartment.

If the above conditions can be met, a building permit is required prior to construction of the accessory apartment. Floor plans must be submitted with the building permit application. See the Customer Assistance Guide Entitled, "Accessory Structures & Additions" for more information. Accessory apartments may also be eligible for "fast-tracking", which is a "while you wait" permitting process for residential additions and accessory structures not located in the Critical Area. Contact the Division of Inspections & Permits for more information about this process.

This publication has been approved by:	Date: 5/3/06
 Gregory A. Bowen, Director Planning and Zoning	 Douglas A. Parrar County Administrator

Note: No building, grading, electrical or plumbing permits shall be approved if a zoning violation is pending on the property. See Section 1-7.01.G of the Zoning Ordinance.

Calvert County Critical Area Form

If your property is located within the Critical area (land within 1,000 feet of the mean high water line of the Chesapeake Bay, Patuxent River, or their tributaries, or the landward boundary of tidal wetlands or heads of tide), please complete the following information. Supplying this information is required and will greatly expedite the processing time of your permit.

Date: _____ **Tax ID #:** _____

Tax Map #	Parcel #	Block #	Lot #	Section

Project Name/Location:
Address:

Applicant's Information:

Last Name:	First Name:
Phone:	Email:
Address:	

Agent's Information:

Last Name:	First Name:
Phone:	Email:
Address:	

Application Type (check all that apply):

Building Permit	<input type="checkbox"/>	Grading Exemption	<input type="checkbox"/>	Variance	<input type="checkbox"/>
Buffer Cutting Permit	<input type="checkbox"/>	Grading Permit	<input type="checkbox"/>	Other	<input type="checkbox"/>
Buffer Management Plan	<input type="checkbox"/>	Site Plan	<input type="checkbox"/>	Specify:	
Clearing Outside of Buffer	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>		

Describe Proposed Project:

Site Information (Check box if applicable)

Intrafamily Transfer Lot (Minor Subdivisions Only)	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	Residential - new build	<input type="checkbox"/>
Lot Created Prior to 12-13-88	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Residential – Addition, Accessory Structure, etc	<input type="checkbox"/>
Growth Allocation	<input type="checkbox"/>	Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Buffer Exemption Area	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>	Water-Dependant Facility	<input type="checkbox"/>
Variance Required	<input type="checkbox"/>	Recreational	<input type="checkbox"/>	Other	<input type="checkbox"/>

Critical Area Zoning District:	Acres	or Square Feet
Critical Area Overlay: - IDA		
- LDA		
- RCA		
Total Area:		

Forest and Lot Coverage:	In Buffer (sq ft)	Outside Buffer (sq ft)
Existing Forest/Woodland/Trees		
Created Forest/Woodland/Trees		
Removed Forest/Woodland/Trees		
Total Forest/Woodland/Trees to Remain		
Total Forest/Woodland/Trees to be Planted		
Existing Lot Coverage		
New Lot Coverage		
Removed Lot Coverage		
Total Lot Coverage		

Trees and/or shrubs must cover or be established to cover 15% of the lot or parcel area. Lot coverage limits are as given in Section 8-1.04.G.1.f of the Zoning Ordinance including Table 8-1.01 repeated below. Lot coverage is any man-made surface except decks with spaced boards.

Lot/Parcel Size (in square feet)	Lot Coverage Limit
0 – 8,000	25% of parcel plus 500 square feet*
8,001 – 21,780	31.25% of parcel*
21,781 – 36,300	5,445 square feet*
Greater than or equal to 36,301	15% of parcel

*(i) the property owner shall perform mitigation as per Section 8-1.04.G.3 for the square feet of lot coverage added above 15 percent of the parcel or shall use Best Management Practices approved by the Department of Public Works to offset potential adverse water quality impacts from the lot coverage surfaces, or

*(ii) if paragraph (i) is not feasible, the property owner may pay a fee-in-lieu of performing the on-site mitigation equal to \$0.80 multiplied by the area in square feet of the new lot coverage that exceeds 15 percent of the parcel. All fees-in-lieu collected under this Section will be placed in the Critical Area fees-in-lieu fund to support projects that improve water quality.

If the property has an IDA designation, then Section 8-1.03 of the Zoning Ordinance needs to be addressed. The 10% reduction in pollution requirements must be met.

Attach a plat showing structures, water dependent facilities (piers, revetments, etc.), lot coverage, waterways, streams, wetlands, forest protection areas and areas to be planted. In general, clearing or cutting of existing vegetation (not lawns) requires mitigation.

Variations are required for any proposed activity that would not be allowed by the Zoning Ordinance such as building non-water-dependent structures in the 100 ft or extended Critical Area Buffer, Building on slope > 15%, or exceeding the clearing or lot coverage limits.

Addition information required for water dependent structures is given below.

The scaled drawings/plats submitted with the building permit application must include the following:

- A. Existing and proposed water dependent facilities,
- B. Lateral lines and adjacent property shorelines (must stay 25ft from each lateral line) and
- C. Harbor line if applicable (See Harbor Line Map in Office of Planning and Zoning).

Proposed activities below mean high water, in tidal or nontidal wetlands, or within 25' of a wetland require review and approval from Maryland Department of the Environment, the Army Corp of Engineers and Calvert County. A copy of all federal and state permits or letters of exemption must accompany permit applications to the County. For all proposed water dependent structures, a building permit is required. If the activity requires ground disturbance in the 100 ft. buffer, a grading permit is required.

I hereby certify that I have the authority to make this application and the information given is correct.

Date:	Signature (property owner or authorized agent):
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See the Calvert County Zoning Ordinance (Article 8-1) for additional information and requirements.

Total Lot Size = 29,900 s.f.

This lot is 45% wooded

No trees to be removed for proposed addition.

Proposed area of disturbance = 300 s.f.

No slopes greater than 15% to be disturbed.

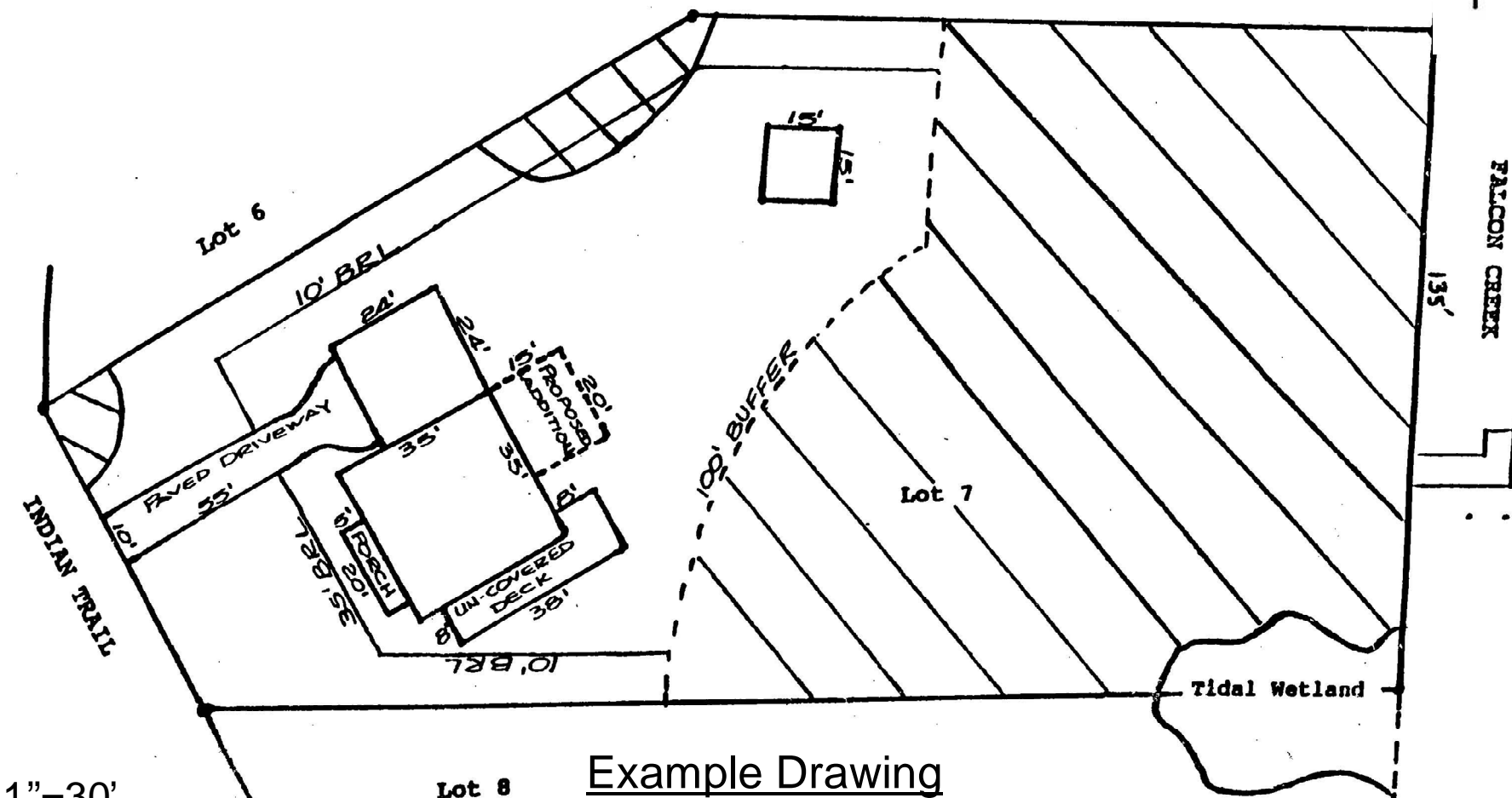
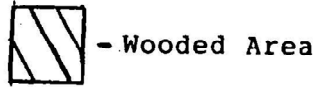
Lot Coverage Area: (allowed = 15% = 4,485 s.f.)

Existing:

House =	1,225 s.f.
Garage =	574 s.f.
Porch =	100 s.f.
Driveway =	610 s.f.
Shed =	225 s.f.
Deck =	336 s.f.
TOTAL =	3,070 s.f.

Proposed:

Addition = 300 s.f.
 Lot coverage area for
 entire lot = 3,370 s.f. or
 11.3 %



Example Drawing

1"=30'