

## Accessory Dwelling Units (ADU's) Frequently Asked Questions

This is a summary of the Ordinance G-21-15. Please read the entire ordinance to understand all the requirements of creating an Accessory Dwelling Unit.

ADU's are permitted in the following RO, R4, R6, R8, R12, R16, R20, DBO, and DR residential zoning districts.

ADU's are permitted in single family, duplex or townhouse units as integrated ADUs or as separate structure on single family, duplex, or townhouse lots.

Only one ADU is permitted per lot.

Unless the lot has excess parking, a parking space for the new unit will be required.

The owner must live in either the primary residence or the ADU and the non-owner occupied unit cannot be rented for less than 90 days.

A Declaration of Restriction must be recorded with the ADU.

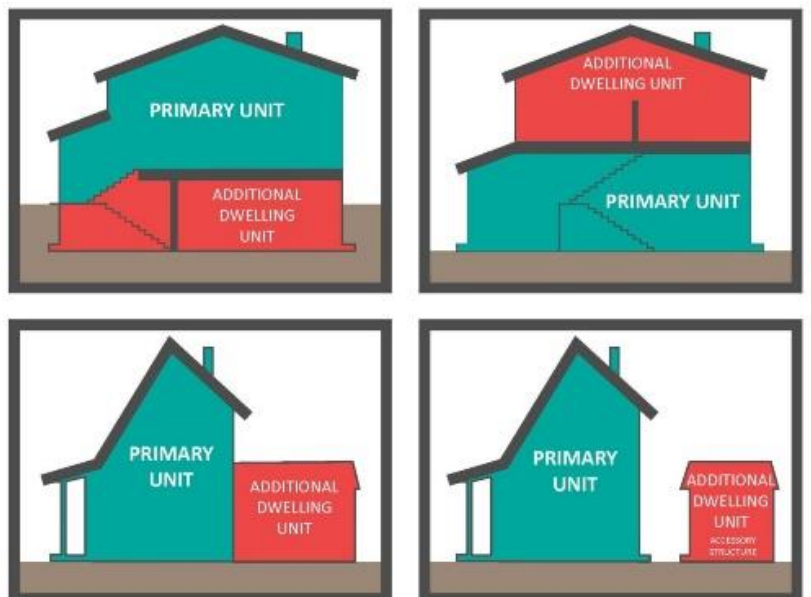
### **ADU's within existing primary residence**

Can't exceed 35% of the floor area of the primary residence itself.

Any new entrance must be in the rear or the non street side of the primary residence .

### **ADU's detached from the primary residence**

Can be either in an existing accessory structure or in a new accessory structure. The regulations, including height limitations and setbacks, are different for new structures versus conversion of existing structures, however, neither may exceed 800 square feet in size.



### **New construction:**

- Can only be located in the rear yard of the primary residence and as such, are not permitted on corner lots or other lot types with no rear yard.
- Is subject to architectural standards.
- Must meet the setbacks for the primary residence if within 6' of the primary residence or if greater than 6', must provide setbacks equal to ½ the distance of those required for the primary residence, not to be less than 3'.
- Cannot exceed 25' in height or the height of the primary residence, whichever is less.

### **Other Items to Consider**

- If you live in a development that has a Homeowner's Association (HOA), please check with your HOA to see if a ADU is permitted in your development.
- How will water and sewer be provided to the ADU:
  - Are existing lines adequate to serve the primary residence and ADU?
  - For detached ADU's, how will lines be installed to service the ADU?
- Ensuring that Fire Codes for the ADU are being met:
  - Will sprinklers be required?
  - What type of fire separation will be required?
- Ensuring that Building Codes for the ADU are being met.
- The following Impact Fees are applicable on all ADU's:
  - Parkland
  - Water
  - Sewer
  - County School
  - County Library
- Your property's value may increase. Please check with the State Assessment Office to determine how the ADU will add value to your primary residence. You can contact the State Assessment Office at

E-mail: [sdat.fred@maryland.gov](mailto:sdat.fred@maryland.gov)

### **Questions about:**

Zoning & Setbacks please contact 301-600-1499

Building Codes please contact 301-600-3816 or 301-600-3817



## BUILDING PERMIT APPLICATION REQUIREMENTS FOR ACCESSORY DWELLING UNIT (ADU)

(Effective October 18, 2021)

- Completed Accessory Dwelling Unit Application.
- Three (3) sets of construction plans (for building). These construction plans must be signed and sealed by a MD registered Architect or Engineer, **unless the plans are for the developer's, builder's or contractor's own construction.** (However, any elements of construction that are beyond the scope of the building code must still be designed, sealed and signed by a MD licensed Engineer).
- Five (5) copies of site plan showing grades, water and sewer connections/cleanout, house setbacks, driveway location, sidewalks (for building).
- Two (2) copies of REScheck.
- New Residential Dwelling Assessment Worksheet.
- One (1) copy of **Declaration of Restriction.**
- One (1) copy of **recorded** plat.
- Residential Water and Sewer Allocation Application (w/copy of approved Exhibit #1 of Water Service Contract if applicable).
- Print out from the Maryland Department of Assessments and Taxation website [www.dat.state.md.us](http://www.dat.state.md.us) from [Real Property Data Search](#) (If the ownership is different, you will need to provide Proof of Ownership with signature (i.e., recorded deed or HUD1 closing statement)).
- Monocacy Sewer System County Form – **This is ONLY REQUIRED IF ON COUNTY SEWER** (see \*Note below).

**NOTE: City fees are payable by cash, credit card or check payable to The City of Frederick**

<b>BUILDING APPLICATION FEE</b>	Required with the permit application submittal	\$ 400.00
<b>ELECTRICAL WORK</b>	Requires separate permit	See fee schedule
<b>PLUMBING/GAS WORK</b>	Requires separate permit obtained by a Frederick City licensed contractor	See fee schedule
<b>FIRE SUPPRESSION SYSTEMS (SPRINKLERS)</b>	Requires separate permit obtained by a licensed contractor	See fee schedule

**Once the City has completed review of the permit application, you will receive a statement of all applicable fees.  
Payment of these fees are due PRIOR to the permit being issued.**

WATER IMPACT FEE	\$ 1,872.75
SEWER IMPACT FEE (*If on COUNTY sewer system, refer to note below)	\$ 1,644.00
PARK FACILITIES DEVELOPMENT IMPACT FEE (HOA = Homeowner's Association)	\$ 304.00 not under HOA or a HOA with <b>NO</b> swimming pool <b>OR</b> \$ 199.00 for HOA <b>WITH</b> swimming pool
WATER CONNECTION, WATER METER - Upgrades	Refer to Water/Sewer Connection & Meter Fee schedule

**\*NOTE:** If the property is located in Ballenger Creek, Cannon Bluff, Clover Ridge, Dearbought, Main Farm, North Crossing, Tuscarora Creek, Tuscarora Knolls, Willowbrook, Worman's Mill (**or on Frederick County Sewer System**), **this fee will not be charged by the City of Frederick.** Contact Lauren Englar with the Frederick County Division of Utilities at 301-600-1179. Please complete and submit the **Monocacy Sewer System Form** with your building application packet.

### FREDERICK COUNTY FEES ARE PAID DIRECTLY TO FREDERICK COUNTY PRIOR TO PERMIT ISSUANCE

Once the City has completed review of the permit application, the County payment form along with instructions on making payment will be provided to you.

FREDERICK COUNTY SCHOOL & LIBRARY IMPACT FEES	ADU LESS THAN / EQUAL TO 800 SF	ADU GREATER THAN 800 SF
SCHOOL IMPACT FEE PER ADU	EXEMPT	\$7,462.00
LIBRARY IMPACT FEE PER ADU	\$409.00	\$ 409.00
<b>TOTAL COUNTY IMPACT FEES</b>	<b>\$409.00</b>	<b>\$7,871.00</b>



FREDERICK MARYLAND

The City of Frederick, Maryland
Building Department
140 W. Patrick Street, Frederick MD 21701 / 301-600-3808 / FAX 301-600-3826
www.cityoffrederick.com

BUILDING / ZONING PERMIT APPLICATION

Accessory Dwelling Unit

FOR OFFICE USE ONLY
Appl. #
App. Type Code
Tax ID 02 -
App. Date

SECTION I - Complete in its entirety. Application will NOT be accepted unless all spaces are FULLY completed.

Location of Work
Address of Principal Structure:
Address of Proposed ADU:
Gross Sq. Ft. of Lot:

Builder Applicant
Contact Person:
Contractor:
Address:
Phone:
E-Mail:
MHIC#

IMPROVEMENT COST = \$ (DO NOT include Plumbing, Electric, Land)

Description of Work
Is there a Homeowner's Association community swimming pool?
Number of parking spaces on lot: Existing Proposed
Gross Sq. Ft. of Existing Dwelling: Gross Sq. Ft. of ADU:
Number of ADU's on property: Existing Proposed
Current use of principal structure: Residential Non-Residential
Gross Sq. Ft. of impervious surface on lot: Existing Proposed
Height of principal structure: Height of proposed ADU:
Does the principal structure have fire sprinklers?
Are fire sprinklers proposed for the ADU?
Brief Description of Work:

Proposed Setbacks of ADU
Distance from rear of property:
Distance from front property line:
Distance from right property line: (Looking at property from street)
Distance from left property line: (Looking at property from street)

Water
Is an increase in water service required?
Does the existing water meter need to be upgraded?

Sewer
Is Sewer Served by: Frederick City Frederick County Septic

Public Right-of-Way Will any work associated with this permit be performed within the City's Right-of-Way?
Is Public Works Agreement & Surety in Place?
Is Property located in the Historic District?
Is Property located in the Flood Plain?
A Declaration of Restriction is required with this application, Copy Attached

*The City of Frederick, Maryland*  
**BUILDING / ZONING PERMIT APPLICATION**  
**Accessory Dwelling Unit**  
**(Page Two)**

*FOR OFFICE USE ONLY*  
 Appl. # \_\_\_\_\_

**APPLICANT/OWNER CERTIFICATION: The Applicant/Owner hereby certifies and agrees as follows:**

That I am the owner, or authorized by the owner to act in their behalf as the owner's agent to make this Application. That the information given herein is true and correct and that all work being done under this application will comply with all applicable Federal, State and Local regulations. That work will be in accordance with and as indicated on the approved site and building plans, review comments, agreements, specifications, etc. unless otherwise approved by the Division Manager of Permits and Inspections. That the Division Manager of Permits and Inspections can revoke the building permit or stop work being done under the building permit for non-compliance with this agreement in part or in whole. Please be advised if the Building Permit is revoked **all fees are non-refundable and non-transferable**. I further understand and agree that plans will be reviewed, inspections made, and occupancy certificates issued, however, I assume ultimate responsibility for compliance of all codes, regulations, etc.

**\*PROPERTY OWNER SIGNATURE:** \_\_\_\_\_ **PRINT** \_\_\_\_\_ **TITLE** \_\_\_\_\_  
**\*MUST PROVIDE AGENT LETTER FROM PROPERTY OWNER if signed by anyone other than Property Owner**

**Property Owner Name (as listed on Deed):** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_

**Cell #** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**105.3.2 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 building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**SECTION II (For Office Use Only)**

Building Permit Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Park Facilities Dev Impact Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Water Impact Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Sewer Impact Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Water & Sewer Allocation Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Water Connection Fee	\$ _____	Date Paid: _____	Rec'd by: _____
Meter/Kornerhorn & Console	\$ _____	Date Paid: _____	Rec'd by: _____
Other _____	\$ _____	Date Paid: _____	Rec'd by: _____
Other _____	\$ _____	Date Paid: _____	Rec'd by: _____

***Frederick County Fees:***

Impact Fee - (School/Library) \$ \_\_\_\_\_ Receipt Due - Date Rec'd: \_\_\_\_\_ Rec'd by: \_\_\_\_\_

**SECTION III (For Staff Use Only) - REVIEW COMMENTS (Please write legibly)**

Rev. Site Plan Attached     Rev. Construction Plan Attached     Fee Calculations attached     \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**REVIEWED BY:** \_\_\_\_\_ **APPROVAL DATE:** \_\_\_\_\_

Building (Blue)     Planning (Green)     Engineering (Salmon)     Fire Code Review (Yellow)     Other \_\_\_\_\_     Other \_\_\_\_\_