



DEPARTMENT OF
**PLANNING
& ZONING**

Administrative Variance Information

150 Main Street, 3rd Floor, Prince Frederick, MD 20678

410-535-1600, ext. 2356

MD Relay: 800-735-2258 | Fax: 410-414-3283

Email: PZ@calvertcountymd.gov

Application Submittal:

- Upon referral by a planner, an application will be provided. One complete Administrative Variance application must be filed for a variance case to be created and reviewed. The completed application shall be submitted to the Department of Planning & Zoning.
- Application fees will only be refunded if written notice of withdrawal of the application is received in the Department of Planning & Zoning prior to the review of the application.
- Applications and plans that are incomplete, are not considered to have been properly submitted and will be returned to the applicant.

2025 Zoning Ordinance 30-4.D.

2. An administrative variance application shall contain the following:
 - a. A completed application form and application fee.
 - b. A scale-drawing of the property showing the location and size of proposed structures and any additions to existing structures, as well as the distance between those structures or additions and all property boundaries.
 - c. A written justification stating why the variance request meets the criteria established in Section 30-4.D.3 below. The burden of establishing whether the application meets the administrative variance criteria under the provisions of this Ordinance is the responsibility of the applicant or the property owner.
3. The decision on an administrative variance application shall be made based on the following criteria:
 - a. An administrative variance may only be granted if peculiar and unusual practical difficulties or unwarranted hardships exist on a parcel, and such difficulties and hardships are created by exceptional narrowness, shallowness, or shape of the parcel, by reason of exceptional topographical conditions, or by other extraordinary situations or conditions affecting the property. Unwarranted hardship means that without an administrative variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.
 - b. An administrative variance may only be granted if the applicant demonstrates, and the Zoning Officer or its designee finds that:
 - i. The administrative variance will not result in injury to the public interest.
 - ii. Granting the administrative variance will not adversely affect the implementation of the Comprehensive Plan.
 - iii. The administrative variance is the minimum adjustment necessary to afford relief from the regulations.
 - iv. The administrative variance request is not based upon conditions or circumstances which are the result of actions by the applicant.
 - c. In addition, an administrative variance to the forest conservation priority retention requirements is subject to the requirements of Section 20-18 of this Ordinance. An administrative variance for disturbance of steep slopes for the purpose of slope stabilization in the Critical Area is subject to the standards of Section 22-9.D of this Ordinance.
4. Unless delayed by actions of the applicant or affected property owners, the Zoning Officer or its designee shall decide whether to grant or deny the request in the application after 20 calendar days



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from the date of the confirmatory notice letters in Section 30-D.1.a. The decision shall be in writing and shall include findings of fact that support the decision.

5. In granting an administrative variance, the Zoning Officer or its designee may impose conditions that are reasonable or necessary for the protection of surrounding and neighboring properties. When appropriate, the Zoning Officer or its designee may require that a written agreement be recorded among the land records maintained by the Clerk of the Circuit Court stipulating these conditions or restrictions. Any violation of conditions imposed by the Zoning Officer or its designee shall be a violation and subject to the enforcement provisions of this Ordinance. In addition, the Zoning Officer may rescind its approval of the variance under the provisions of this Article (See Section 30-8 below).
6. If the application is denied, all future variance applications involving substantially the same proposal on the same property shall be submitted to the Board of Appeals.
7. Appeals on decisions are allowed as follows:
 - a. Any applicant aggrieved by an administrative variance decision may apply for a variance from the Board of Appeals.
 - b. Any person or persons, other than the applicant, aggrieved by an administrative variance decision may file an appeal with the Board of Appeals Administrator or its designee no later than 30 days from the date of the administrative variance decision. The Board of Appeals Administrator or its designee will schedule the appeal for the next available Board of Appeals public hearing. Such an appeal will be heard de novo in accordance with Section 30-6 of this Article.
 - c. Within 30 days after the date the Critical Area Commission receives an order or decision, the Commission may file a petition for Board of Appeals review of that decision. The County may not issue a permit for the activity that was the subject of the order or decision until the Commission's 30-day appeal period has elapsed. However, administrative variances for the disturbance of steep slopes for the purposes of slope stabilization where there is an imminent danger of loss of life or property may be exempted from this requirement.



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Office Use Only

Date Filed: _____
Fees Paid: _____
Receipt No.: _____
Rec'd by: _____
Case #: AV-_____

Note: In submitting this application, you grant the administrative variance officer and staff the right of unscheduled entry onto the property for purposes of obtaining information and photographs for a staff report.

Number of Administrative Variances requests: _____

Subject Property Information

Address: _____ City: _____ Zip: _____

Property Owner(s) Information

Name(s): _____

Phone: _____ Email: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Applicant (if different from Owner)

Name(s): _____

Phone: _____ Email: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Purpose of Variance

Describe in specific detail the reason each item is requested. Building Restriction Line (BRL) variances must state which BRL is at issue (i.e., front/side/rear) and indicate distances required and proposed (Example: A variance in the front setback from 60 feet to 30 feet for construction of a garage). Sign height variances must state the permitted height as well as the proposed height. Parking variances shall state the number of required and proposed parking spaces. Forest Conservation variances require a plan to delineate the disturbance of priority trees, shrubs and plants.

Justification:

Owner's Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____

Note: The attached Affidavit of Signposting should NOT be submitted with the application; the affidavit shall be submitted once the signposting criteria have been met.

(Office Use Only)

Zoning Ordinance Section: _____



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Administrative Variance Affidavit of Signposting

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When your Administrative Variance application has been accepted, you will also be given a printed sign that must be placed on your property as described below. If you are not given a sign, please ask for one. The Administrative Variance application fee includes the cost of one printed sign. Should you need another sign for any reason, the charge is \$5.00 per sign.

You must use the information contained in this letter to complete the sign. Upon completion of posting the sign for ten days, the signed affidavit must be submitted to the Review Planner.

Signposts must meet the height requirements noted below.

Sign Posting Procedure

1. Obtain a sign from the Department of Planning & Zoning.
2. Obtain or construct a signpost that allows the sign to be posted no less than 2 feet and no more than 5 feet above ground level.
3. You must post the sign on the subject property for at least 10 days. The sign shall be posted within 15 feet of the boundary line of the property that abuts the most traveled County, State or private road. If no such road abuts the property, then the sign must be posted facing in such a manner as may be most readily seen by the public.
4. The sign must remain continuously posted on the subject property until the Administrative Variance Officer has rendered a decision on the case.
5. After the sign has been posted, you must sign and return the attached affidavit along with a photo of the posted sign to the Department of Planning & Zoning for the variance request to be reviewed by the Administrative Variance Officer.
 - a. Notice to Applicant: This signed and dated Affidavit of Sign Posting along with a photo of the posted sign must be included in the final package presented to the Administrative Variance Officer. Failure to present the Affidavit will result in denial of the application. If the application is denied, resubmittal of the application will require an additional fee.

Your application will not be considered properly advertised if the sign posting requirements noted above are not met. The Administrative Variance Officer cannot act on your request until the requirements are met.

Case Number: AV- _____

Applicant(s): _____

Subject Property Address: _____

City: _____ Zip: _____

I have posted the Administrative Variance sign on the above-named property in accordance with Section 30-4.D. of the Calvert County 2025 Zoning Ordinance, which has been provided to me. The sign was posted at least 10 days prior to submitting this form.

I solemnly affirm under penalty of perjury that the contents of this affidavit are true and correct to the best of my knowledge and belief.

Print Name: _____ Signature: _____ Date: _____