



St. Mary's County  
Department of Land Use and Growth Management  
**Customer Assistance Guide**

9

## Building Permits in the Critical Area

This guide identifies the minimum information that is required to apply for the necessary permits for construction of structures or other lot coverage within the Chesapeake Bay Critical Area. Some properties may have specific characteristics which require more extensive reviews and for which additional information will be requested during the review of the application.

### **STEP 1: Application to the Department of Land Use and Growth Management**

The information in the following check list is necessary in order to apply for a Building Permit in the Critical Area:

1. Completed and signed Permit Application; be thorough. Incomplete applications will not be processed.
2. Name, address and phone for person to be contacted regarding septic system requirements.
3. Lots or parcels created by deed only after 3/15/1978 will have to have an “after-the-fact” subdivision plat before a building permit for a new or replacement home can be issued.
4. If the applicant is not the owner of the property, written and notarized permission from the property owner or a valid contract of sale is required, in order for the applicant to sign the application.
5. **Critical Area Site Plan/Plot Plan**, drawn to scale. A poorly or inaccurate site plan will significantly delay the review and approval of your permit application. Check off each box below to assure that the required minimum information is shown on the plan:
  - Boundary of the entire property
  - Limits of proposed land disturbance (not the area in tenths of acres or square feet)
  - Location of the shoreline (mean high water) if present
  - Location of all streams and wetlands on or adjacent to the parcel if present
  - Location and dimensions for all existing and proposed structures and manmade surfaces<sup>1</sup> with notes or highlighting to indicate which structures are proposed
  - Areas of forest, areas of scrub/shrubs (woody vegetation) and individual landscape trees and shrubs

---

<sup>1</sup> Buildings (houses, sheds, barns, garages, gazebos, porches, stoops, etc.) Paving (decks, patios, steps, walkways, driveways, roads, parking lots, paths) Recreational amenities (swimming pools, tennis courts, basketball courts), etc.

- For new construction on a vacant lot, topography (with a minimum 5-foot contour interval) across the entire proposed limits of disturbance (if present) through the area within 100-feet of the shoreline
- All recorded easements (i.e. slope, forest retention, drainage, access, sewage disposal)
- Health Department requirements (301-475-4321)

6. **Description of the Project.** Provide notes on a copy of the site plan and check off each box below that apply.

- Type of forest cover, size and species of trees and shrubs
- Shoreline condition – How high is the bank? Is it eroding? Is there a revetment, bulkhead, shoreline marsh, or a beach? (Show all on plan)
- Proposed or existing stormwater management measures (required for all projects within the Patuxent River watershed, prior to issuance of a permit)
- Site topography and soil conditions. Note any areas of bare ground, surface erosion or gulling
- Describe proposed clearing, excavation, and grading if applicable. If you can, provide photographs, especially if you are requesting to cut down any trees or shrubs

7. For homes, floor plan drawing of each floor of the house; rooms labeled by use. This does not have to be drawn by a professional and need not be to scale, although it should be dimensioned.

8. Maryland Builder’s Registration Number or Home Improvement License Number.

**Step 2: Review of the Permit Application**

Your application will be entered into the permits database and distributed for Zoning, Critical Area, and other applicable agency reviews. If during the review process, information is determined to be inaccurate or inadequate to complete the review, the applicant will be contacted to provide additional and necessary information to the department.

**Critical Area Review:**

This review involves evaluating the Critical Area Buffer, areas of lot coverage<sup>2</sup>, forest cover, steep slopes, and location of tidal or non-tidal wetlands and buffers, and development of a Critical Area Planting Agreement, if required.

Applicants will be notified if their application is denied for any reason, during the review process.

**Step 3: Approval of Build Permit Application**

The building permit can be issued upon completion of all applicable reviews and approval of the site plan. Applicants will be notified via telephone or e-mail that their permit is ready to be picked up. A placard will be issued for posting on the property during construction. All applicable fees and/or bonds are due when picking up the building permit.

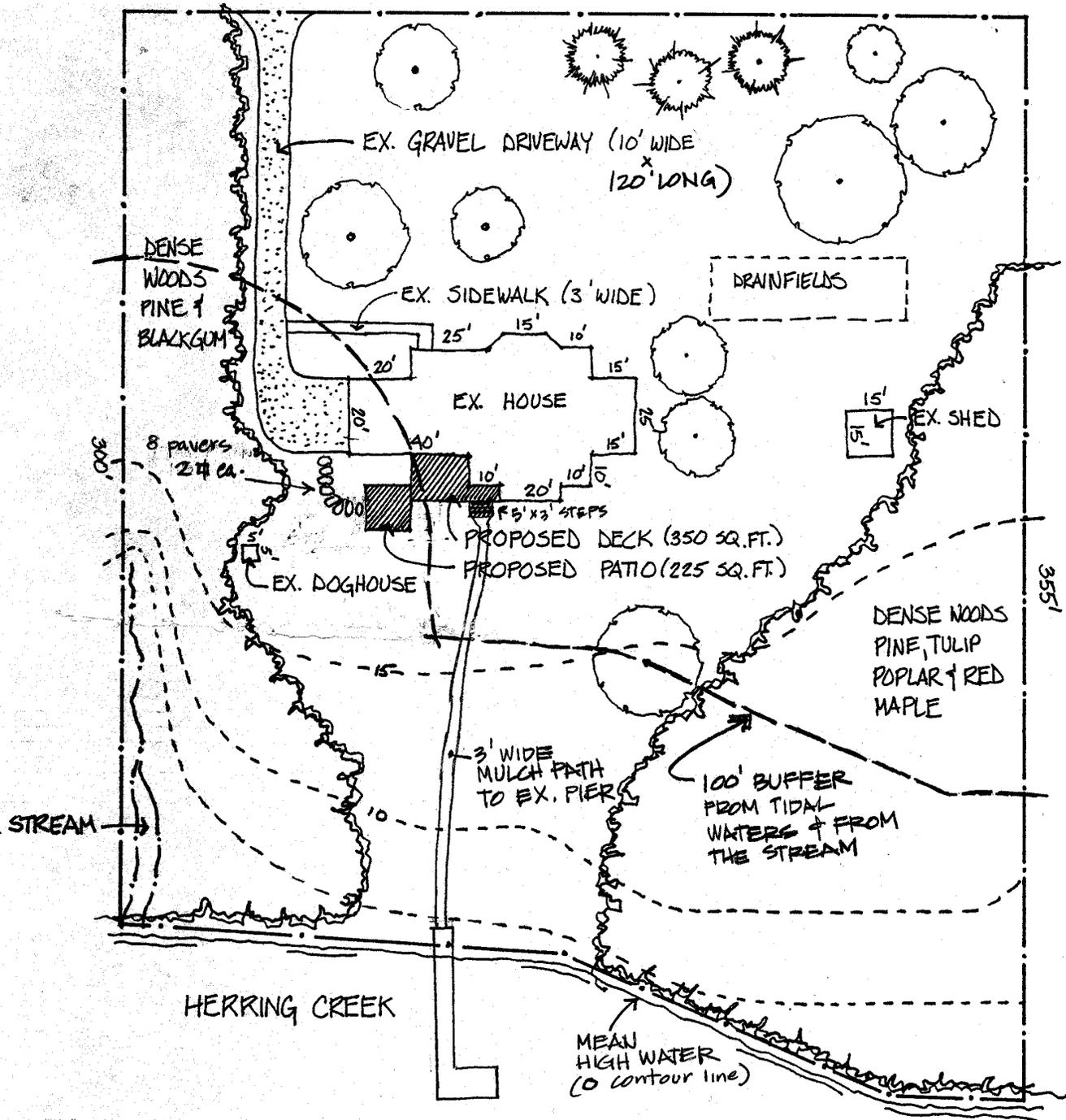
For more information about Building Permits in the Critical Area, please contact the Permits Office at 301-475-4200 ext. 1500.

---

<sup>2</sup> All buildings, roads, parking areas and driveways, paving, patios, sidewalks, stoops, porches, steps, walkways, piers, pools.

This sample site plan shows the information needed by the County to review projects for Critical Area compliance. If you need assistance in determining if your plan meets the criteria for review, contact the Environmental Planner or the Permits Coordinator at 301-475-4200, Ext 1581.

If the Plan is not drawn to scale, then everything must be dimensioned including distances between structures and distances to property lines and to the shoreline.



## CRITICAL AREA SITE PLAN

SCALE: 1" = 50'-0"

NOTE: THIS PROPOSAL REQUIRES A VARIANCE. STAFF WOULD REQUIRE THE APPLICANT TO REDESIGN DECK, PATIO, AND PAVERS TO REMOVE THEM FROM THE BUFFER.