

Case ZA-515

**Official Decision  
Zoning Administrator  
Carroll County, Maryland**

**APPLICANT:** Duke A. Swackhammer  
1409 Copper Beech Court  
Eldersburg, MD 21784

**REQUEST:** A variance to reduce the minimum required  
rear yard setback from 26-1/4 feet to 21  
feet for a deck

**LOCATION:** 1409 Copper Beech Court  
Eldersburg, MD 21784, E.D. 5

**APPLICABLE REGULATIONS:** Article 8, Section 8.5, Article 14, Division  
VIII, Section 14.8 (j), Article 15, Section  
15.5; Zoning Ordinance 1E

**HEARING HELD:** August 2, 2000

**FINDINGS & CONCLUSIONS**

Based on the testimony and evidence presented at the hearing, the variance is granted.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a reduction to the rear yard setback from 26-1/4 feet to 21 feet for a deck, are as follows:

The applicant's property is located in a Planned Unit Development (PUD) which is zoned R-10,000 and consists of small lots on about one quarter acre or slightly less. Builders and developers tend to put as large a dwelling as possible on these lots leaving very little room for expansion. This particular property is located on a cul-de-sac and to the rear is a 20-foot common area with trees and a stream that flows through the subdivision know as Hunter's Crossing.

The applicants are asking for a variance for a 14-x 27 foot deck off the back of their house. The property owners next to the applicants are situated as such that they will not be affected by this variance.

The granting of this variance will have no adverse effect on any adjoining property owners.

**NOTE:**

Appeals of decision made pursuant to Section 15.5 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Section 17.4 of the Carroll County Zoning Ordinance 1E.

A decision of the Zoning Administrator made pursuant to Section 15.5 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

August 11, 2000

Date

*Karl V. Reichlin*

Karl V. Reichlin  
Zoning Administrator's Designee

cc: Zoning Enforcement