

MIDDLETOWN BOARD OF APPEALS
Middletown, Maryland 21769

Board of Appeals Minutes

June 25, 2013

The Middletown Board of Appeals met on Monday, June 24, 2013 at 7:00 p.m. at the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769. Present were Chairman Fred Rudy, Kenneth Kyler, Tommy Routzahn and staff planner Cindy Unangst.

Minutes – Chairman Rudy asked if there were any corrections to the May 8, 2013 minutes. Mr. Routzahn motioned to accept the minutes as submitted, seconded by Mr. Kyler and passed unanimously.

Case MT-B-13-5 (Tim Warner, 212 Layla Drive) – asking for a variance of 10’ from the required rear yard setback for a deck.

Commission member Kyler asked for more information regarding the claims of there being a hardship. Mr. Warner responded that due to the regulations a deck could only be 6-foot wide at the back of his house. After looking at deck tables he and his wife determined that at 6-feet, a deck would really not be usable space and not worth the expense; a 6-foot wide deck would not be a financially smart decision. The other item they looked at were cost savings in terms of the length of the boards, etc needed for construction of a deck. Initially they wanted a screen porch in addition to a deck, but were notified that a screen porch could not be approved due to setback issues. In light of the hardship discussion, and the fact that the plans for the back of the house were scaled back, Commission Kyler decided that the reasons for hardship did justify the request for approval.

As there were no comments received from the neighbors and a determination was made as to the hardship, there was a motion by Routzahn to approve the variance request of 10’ as requested, seconded by Kyler. Motion carried (3-0).

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Cynthia K. Unangst, AICP
Zoning Administrator