



Myersville Town Hall
301 Main Street
P.O. Box 295
Myersville, MD 21773

TOWN OF MYERSVILLE
BOARD OF ZONING APPEALS

Phone: (301) 293-4281
Fax: (301) 293-3080
Hours 8:00 am – 4:00pm
www.Myersville.org

STAFF REPORT

Board of Zoning Appeals Case # MY-BA-24-01

Applicant:

Susan & Roland Eccard
15 Main Street
Myersville, MD 21773

Property Owner:

Susan & Roland Eccard
PO Box 241
Myersville, MD 21773

Agent:

None

Property:

15 Main Street
Myersville, MD 21773

Request:

Variance of 4' from the required 8' side-yard minimum distance in the VC district to erect a deck

Zoning:

VC – Village Center

Comp. Plan Designation:

Residential

Lot Dimensions:

80' +/- x 180' +/-

Applicable Sections of Code:

- §165-71, Article X Village Center District, Lot Area, Width and Yard Minimum Requirements
- §165-89, Article VIII Board of Appeals, Variances

Hearing Date:

October 15, 2024

Background:

The applicant requests a variance of 4' from the required 8' side-yard minimum distance in the VC district to erect a deck on an existing home located on Main Street. The home was completed in 1971.

Case Considerations:

When considering granting the variance, the Board must determine that there is just cause for a variance as outlined in §165-89 of Town Code. In this case, there are unique circumstances regarding the topography of the lot beyond the control of the applicant. The grade in the rear area of the home requires a deck to be erected from the side yard to accommodate the door from the garage to the remainder of the proposed deck in the rear in order to avoid multiple structures and stairs. The wooden deck is replacing hard concrete stairs and a patio, which would not require a zoning certificate, building permit, or variance. The existing structure was erected and placed prior to current zoning regulations, organized in 1976. Therefore, a variance of 4' should be granted to accommodate for the minimum amount of relief required to accomplish the project.

Staff Recommendation:

Staff recommends approval of the application for a variance for a distance of 4' and believes that the request meets the requirements and intent of the Code.

Action(s) Required:

1. Conduct public hearing.
2. Make objective facts and findings.
3. Determine eligibility pursuant to §165-89.

4. If eligibility for a variance is determined, consider request for variance.