



Meeting Date: May 7, 2026

**AGENDA MEMORANDUM**

**To:** Board of Adjustment

**From:** Tammy King  
Zoning Manager

**Title:** Request for Approval of Variance from the Minimum Rear Yard Setback  
Zoned PD (PLANNED DEVELOPMENT - SINGLE-FAMILY)

**Subject Property:** 175 W Prestwick Court

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**Summary**

The purpose of this staff memorandum is to seek action by the Board of Adjustment on a request by Joseph and Erin Maronick for variance from the minimum required 25' rear setbacks to re-construct a deck and add a patio cover on a single-family property in the PD (Planned Development - Single Family) The subject property is addressed as 175 W Prestwick Court, also known as LOT 23 BLOCK 1 Plum Creek Fairways Four 1<sup>st</sup> Flg

The applicant has submitted a site plan which will require a nine-foot (9') rear setback variance from the required 25' rear setback for re-construction of a deck and adding a patio cover.

**Background:**

- The existing home was built in 1985
- The Improvement Location Certificate (ILC) for the home showed a deck that encroached into the required 25' rear setback.
- The existing home is 30' from the rear property line.
- The applicants are rebuilding the deck to the same configuration and adding a patio cover.
- HOA approval.
- Petition of support (Attachment A)
- The subject property is located adjacent to Tract A (0.973 acres) of designated open space, with Plum Creek Golf Club situated beyond the tract.
- The required setback:

**Minimum Setbacks:**

Along Plum Creek Blvd & Mt. Royal Drive: 30'

Along Prestwick Way: 15'

Side: 5'; with min 15' bldg separation

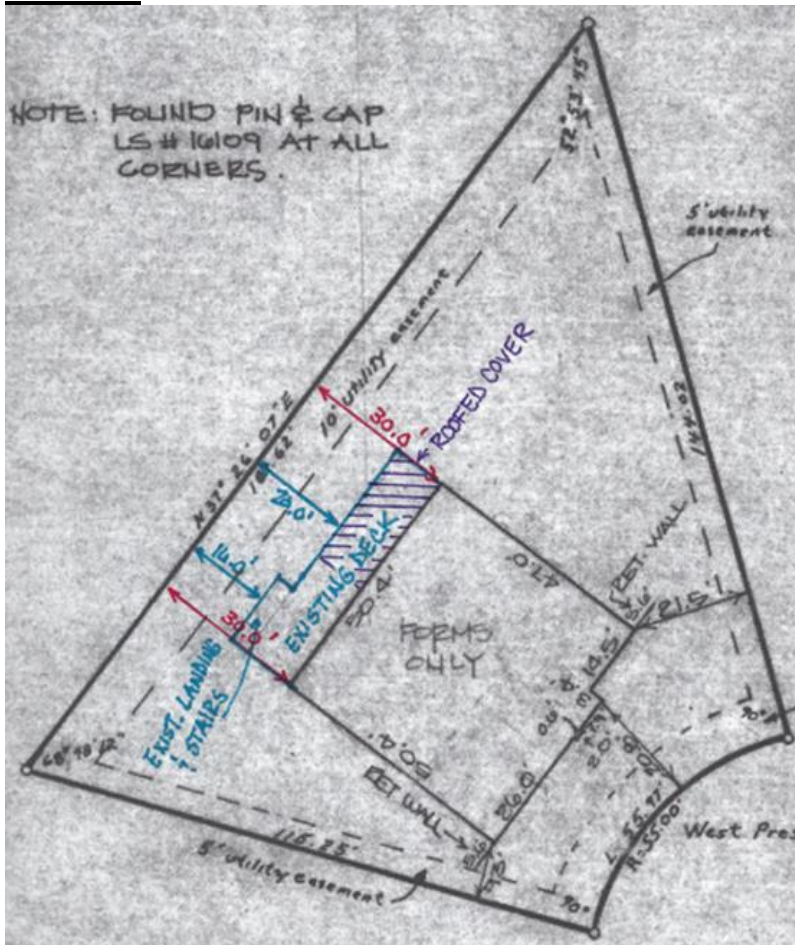
Along golf course boundary: 30'

Rear: 25'

**Vicinity Map:**



**Plot Plan:**



**Existing:**





**Elevations:**



## **Town of Castle Rock Municipal Code 17.06.020 Powers and Duties**

### B. Variances

1. Following proper notice; the Board shall hear and decide an appeal on specific cases for a variance to the following: *Minimum front and rear yard.*
2. In making its decision on a variance application, the Board shall consider the following and find:
  - a. The strict enforcement of the provisions of this Code will result in practical difficulties or unnecessary hardship to the applicant, inconsistent with the intent and purpose of this Code;
  - b. The practical difficulties or unnecessary hardship were not created by the applicant;
  - c. Unique physical conditions or exceptional topography exist on the subject property and similar unique conditions do not exist on neighboring properties;
  - d. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography;
  - e. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property; and
  - f. The variance, if granted, will not create an adverse effect on public health, safety and welfare or cause harm to adjacent properties.
3. The Board may impose reasonable conditions on the grant of a variance. In addition, upon approval of a variance, the Board shall determine whether the variance is limited to the condition existing on the property at the time of approval, or whether the variance runs with the land regardless of whether the conditions on the property change.
4. The decision of the Board shall be final, subject to judicial review.

### **Staff Findings**

- A. The strict enforcement of the provisions of this Code will result in practical difficulties or unnecessary hardship to the applicant, inconsistent with the intent and purpose of this Code:  
**Staff finds** that strict enforcement of the Code may result in practical difficulties inconsistent with the intent and purpose of the Code due to fact the existing deck was not in compliance with the rear setback.
- B. The practical difficulties or unnecessary hardship **were not** created by the applicant:  
**Staff finds** that the practical difficulties or unnecessary hardship were not created by the applicant, but rather are the result of the existing construction.
- C. Unique physical conditions or exceptional topography exist on the subject property and similar, unique conditions do not exist on neighboring properties:  
**Staff finds** that unique physical conditions exist on the subject property are due the existing deck encroachment on the rear setback. This condition is not specific to this property and are not generally applicable to neighboring properties.
- D. The property is unable to be reasonably developed in conformity with the provisions of

this Code due to unique physical conditions or exceptional topography:

**Staff finds** that, due to the existing encroachment into the setback for the deck, and the desire to rebuild for safety and esthetics conforms to the physical condition.

- E. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property:  
**Staff finds** that the variance, if granted, will not substantially alter the character of the surrounding neighborhood. The proposed re-construction of the deck and addition of the cover to the single-family residence will be generally harmonious with other nearby properties.
- F. The variance, if granted, will not create an adverse effect on public health, safety and welfare, or cause harm to adjacent properties:  
**Staff finds** that the variance, if granted, will not create an adverse effect on public health, safety, or welfare, nor cause harm to adjacent properties, provided that all new construction complies with current building and safety code requirements.

### **Staff Recommendation**

Staff recommends APPROVAL due to:

- The existing home was built in 1985
- The Improvement Location Certificate (ILC) for the home showed a deck that encroached into the required 25' rear setback.
- The existing home is 30' from the rear property line.
- The applicants are rebuilding the deck to the same configuration and adding a patio cover.
- HOA approval.
- Petition of support (Attachment A)
- The subject property is located adjacent to Tract A (0.973 acres) of designated open space, with Plum Creek Golf Club situated beyond the tract.

### **Motion Options**

**In accordance with criteria as stated in the Town of Castle Rock Municipal Code Section 17.06.020 BOARD OF ADJUSTMENT:**

Option 1

**I MOVE THAT THE BOARD OF ADJUSTMENT APPROVE** Joseph and Erin Maronick's request for approval of a variance from the minimum required rear setback to re-construct a deck and add a patio cover on an existing single-family home, as shown in the attached plot plan in the PD zone; based upon the required hardship has been demonstrated.

Option 2

**I MOVE THAT THE BOARD OF ADJUSTMENT DENY** Joseph and Erin Maronick's request for approval of a variance from the minimum required rear setback to re-construct a deck and add a patio cover on an existing single-family home, as shown in the attached plot plan in the PD zone; based on the required hardship has not been demonstrated.

Option 3

**I MOVE THAT THE BOARD OF ADJUSTMENT CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON JUNE 4, 2026.**

### **Attachments:**

Attachment A: Petition of support