



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Anderson, Planner

DEPARTMENT: Community Development

MEETING: Board of Adjustment – 2/17/2026

SUBJECT: Consider a variance to Article 3. Sec. 3.13 - Dimensional Requirements for exceeding 40% lot coverage for a new construction home located at 1516 Pinfish Ln.

Applicant: Floyd Construction Company Inc.

BACKGROUND:

The applicant is requesting a variance from Section Sec. 3.13 - Dimensional Requirements (See Attachment 1). The property is located at 1516 Pinfish Ln. and is in the MH zoning district. The property is 5000 sq ft. The applicant built a new construction duplex on the subject property and is requesting a variance to the 40% lot coverage allowance because the building exceeds 40% the size of the lot (2000 sf). Lot coverage consists of the footprint of the home, covered decks, elevated decks, staircases, and cantilevered architecture. Lot coverage does not include the roof overhang. In this case the house is 2000 sf and there is an additional covered rear porch that is 57 sf, making the total lot coverage 2057 sf.

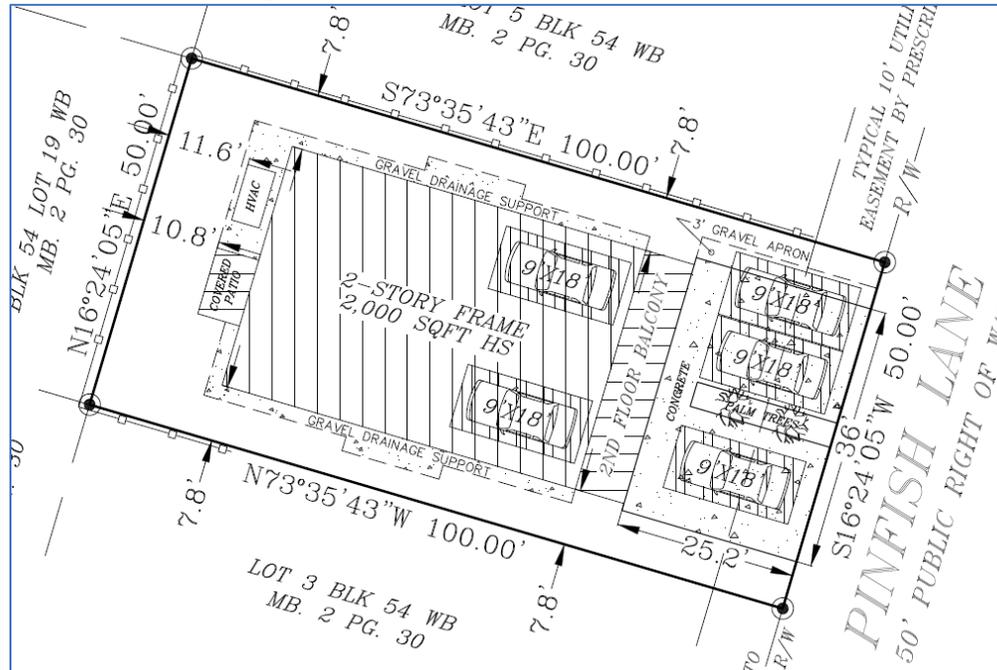
The home was approved at 2,000 sf in size when the permits were issued (Attachment 2). The approved square footage included the footprint of the home and the front covered porch. The approved plans did not include a covered rear porch, which was added later without updating the building permit or notifying the town. The town never received a foundation survey part way through the build and was not aware of the rear covered porch until the final as-built survey was submitted at the end of construction.

CURRENT UDO REGULATIONS:

Table 3.3 Dimensional Standards for Lots and Principal Structures, Residential Districts									
Zoning District	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet)	Min. Side Setback (feet)	Residential Max. Density	Max. Height (feet)	Max. Lot Coverage	Max. Impervious Coverage
MH	5,000	50	20	10	7.5	15 units/acre	50	40%	65%

PROPOSAL:

The applicant built a covered rear porch without permits which caused the home to exceed lot coverage requirements. The applicant is proposing a variance of 57 sf for a total lot coverage of 2,057 sf or 41.14% lot coverage.



REQUIRED FINDINGS:

When unnecessary hardships result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

CONDITIONS:

In granting any variance, the Board may prescribe reasonable and appropriate conditions and safeguards, in conformity with this ordinance. Violation of any such conditions or safeguards, when made part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under the UDO.

ATTACHMENTS:

1. Application
2. Approved building plans and Proposed Site Plan
3. Final As-Built Survey