



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Public Hearing-ZTA-2026-01

ITEM SUMMARY:

At the May 5, 2026 Town Council meeting, Council tabled their decision on ZTA-2026-01, a Zoning Text Amendment application submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. The proposed amendments would allow pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) to be at least 10 ft from side property lines and 20 ft. from rear property lines instead of at least 15 ft. from side property lines and 25 ft. from rear property lines in the RS-1 zoning district.

Council also directed Town Staff to draft a Zoning Text Amendment that accompanies ZTA-2026-01 that includes generators, 144 square foot accessory structures, and other service equipment that Town Staff recommends. As a result, Town Staff drafted ZTA-2026-04, which includes proposed amendments to Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district.

STAFF RECOMMENDATION:

At the May 5, 2026 Town Council meeting, Town Staff recommended approval of the application with amendments. However, Town Staff now recommends denial of the application and approval of ZTA-2026-04 with the exception of establishing a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for generators. The Town Planning Board unanimously (5-0) recommended approval of the application with amendments at the April 20, 2026 Planning Board meeting with amendments. However, the Board also recommended approval of ZTA-2026-04 at the May 18, 2026 Planning Board meeting with the exception of establishing a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for accessory structures up to 144 square feet.

REQUESTED ACTION:

Motion to deny ZTA-2026-01.