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## MEMORANDUM

**TO:** Howey-in-the-Hills Planning Board  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas A. Harowski, AICP, Planning Consultant  
**SUBJECT:** Dreamfinder Homes House Design Waiver  
**DATE:** October 11, 2023

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The Town has received a request from Dreamfinder Homes for permission to construct a residential unit within the minimum spacing distance for separation of designs. A waiver is permitted by code when a subdivision is within the last 10% of the available lots. The specific code section is 4.06.02 A and reads as follows:

### **4.06.02 Residential Developments**

In order to promote architectural character, the Town shall require new housing developments to offer a variety of architectural styles and elevations. These regulations promote both diversity in the exterior elevations of neighboring homes, as well as individual character in the design of each residence.

A. For new single-family residential developments or infill single family development with six (6) or more adjacent lots:

1. The same house model may not be used more than three times within a single block face. For purposes of this requirement, a different house model is a different floor plan, not the same floor plan flipped in a different direction and not the same floor plan with a different exterior treatment. **When less than ten (10%) percent of the lots in a subdivision remain to be developed, the Planning Board may approve a home design to be used more than three times within a single block face. This option is intended to provide some flexibility in finishing the subdivision development while maintaining diversity in building design.**
2. Front porches shall be a required component on at least one quarter of the house models offered in a development. These porches shall be at least 6 feet deep and 10 feet wide.
  - a. Front porches may encroach into the front setback up to five (5) feet in Single Family Residential and Medium Density Residential developments.
  - b. Front porches may be screened, provided that the screen is located behind the railings.

3. Recessed garages or side entry garages shall be a required component on at least one quarter of the house models offered in a development. To be considered recessed, the garage shall be set back a minimum of ten (10) feet from the main building face, or five (5) feet if the house has a front porch.

The applicant has provided a report which identifies 111 lots of 113 total lots in Talichet Phase 1 and Phase 2 have been constructed or permitted for construction. The number of committed lots which have passed the design spacing requirement is 98% of the proposed project, so the application meets the final 10% test.

The block face for this subdivision is defined as 300 feet, so the proposal is to allow a fourth unit of this design within the defined block area. The other units approved for the same model are on lots 94, 99, and 113. The requested lot is 95. The following graphic shows the lot numbers for Talichet Phase 2. The approval will result in a small cluster of these models with lots 94 and 95 adjacent and lot 113 across the street. The fourth unit is four lots down on the west side of the street. The proposed unit is the Avalon with Bonus which was approved as an accepted design in October, 2020. The staff report with the model design (page 12 of that report) is provided in the packet.

Lot 95, along with all of the lots on the west side of Via Bella Court, will back up to units 456 through 460 in the Hillside Groves subdivision. These lots have been approved as 50 x 115 so they are reasonably consistent with the 60 x 120 lots in Talichet Phase 2. The proposed units in Hillside Groves are currently designated for construction in Phase 3. There is no time frame currently for construction of that phase.

### **Recommendation**

The purpose of this provision is to allow for full development of the subdivision when few lots are left and the range of house model options is restricted by prior design choices. The waiver allows a prospective homeowner to purchase his desired unit when there may not be another viable option in the subdivision. It also helps the builder complete the subdivision. The only criterion for granting the approval for the added design is that the subdivision be within the final 10% of the lots available for construction. Staff recommends approval.

