



TMHConsulting@cfl.rr.com
97 N. Saint Andrews Dr.
Ormond Beach, FL 32174
PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Town Council
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: 120 East Holly Variance Application
DATE: February 7, 2024

Bradley and Lisa Smith, property owners of 120 East Holly Street have applied for a variance from the side yard setback to allow a swimming pool to be constructed in the side yard. The regulations for swimming pools are presented in Section 5.01.08 of the land development code. Subsection F includes the setbacks for pools and pool decks, and reads as follows:

- F. Pools and pool decks shall meet the following setbacks:
1. All pools and pool decks shall not be located in the front yard;
 2. The minimum side setback shall be ten (10) feet from the side lot line; and
 3. The minimum rear setback shall be not less than ten (10) feet from the rear lot line.

The applicants are proposing to construct a 10 foot by 16 foot swimming pool on the west side of the house behind the front façade of the house. The distance between the end of the house and the property line is 21.67 feet and the applicants are requesting a variance of five feet to allow the edge of the pool and pool deck to be placed five feet from the property line. This placement will leave 6.67 feet between the pool and the existing garage. The applicants did not indicate if they intend to construct a screen enclosure or fence the pool area to meet the swimming pool code.

The full staff report to the Planning Board is attached for your consideration. After conducting a public hearing on the application, the Planning Board recommended the Town Council grant the requested variance.