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MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: 602 Napoli Way Shed Variance
DATE: June 4, 2024

The applicant at 602 Napoli Way is requesting relief from the Town's location requirements for sheds. Section 5.01.09 K of the land development code allows the Planning Board to grant relief if conditions warrant. The code language is as follows:

K. The Planning Board may approve the placement of a shed in another location on the subject property based upon a finding that a location complying with Subsections B and C above is not practical due to specific site conditions such as steep slopes, tree preservation, site access limitations or other conditions that the Planning Board finds relevant. In no case shall the Planning Board approve a shed location in any front yard. This section is not intended to prohibit a property owner from seeking variance to the code using the procedures set forth in Chapter 4.

This application is the second waiver request from the property owner at this location. In July 2022, the applicant requested a waiver for a 120 square foot shed to be located to the side of the house as shown in the survey submitted with that application. According to the Lake County Property Appraiser records the shed actually located on the property is 130 square feet. The application for the waiver for the first shed was to preserve trees planted behind the house. The Planning Board at that time granted the waiver.

The application before the Board is to approve a second shed located in the far southwestern corner of the property as shown on the survey document submitted with the application. The requested shed size is 12 x 16 or 192 square feet. At this size, the shed is required to be painted to match the primary house color. The survey submitted with the application does not show the initial shed, but a review of the aerial photos for the property clearly show the shed as the only accessory structure. Single-family residences are permitted to have a maximum of two accessory structures, so the second shed would be allowed. In the application, the property owner does not state any reason for requesting the waiver, but presumably the grounds for the waiver would be to avoid removal of the trees behind the residence. Tree preservation is one of the conditions

listed as a qualifying consideration. The trees are relatively new additions having been planted to meet the Town's landscape requirements.

The property is fully enclosed with a 6-foot-high fence which is also shown on the survey submittal. The fence will mitigate most of the visual impact of the shed to residences in the cul-de-sac. The subject property borders Revels Road on the south with the planned Watermark subdivision located opposite the property. There is a small, landscaped buffer along the south fence line, and the Watermark subdivision would provide a landscaped buffer as well. The proposed location as shown on the survey places the proposed shed outside the recorded drainage and utility easements. This placement should allow adequate room to maintain the shed, fence, and grounds.

Factors to Consider

- In 2022 the Planning Board found sufficient evidence to grant the waiver, and the lot conditions remain the same today.
- The proposed shed placement will preserve the platted easements and allow adequate area for maintenance of structures and grounds.
- The proposed shed size in excess of 144 square feet requires the shed to be painted the same color as the primary house color.
- The proposed site for the shed is reasonably screened from adjacent properties and nearby homes.
- The second shed will max out the opportunity for additional accessory structures on the parcel.
- While not enforced by the Town, the applicant should be aware that approval for the shed may also be required by the Venezia Property Owners Association.
- The applicant's calculation of impervious area in the application appears to be too small. The application claims lot coverage at 11.5% with the second shed. Our calculation based on the available data is 15.4% but still below the maximum lot coverage threshold.
- The property owner should review the Property Appraiser's records and verify they are correct for the site. Information in the records appears to be different than what is on the ground according to the aerial photos.

602 Napoli Way Location Map



602 Napoli Way Aerial View



602 Napoli Way Proposed Shed Location

