

Written Petition for Variance

To Whom it may Concern,

I (Jacob Schnepf) respectfully request that the zoning board grant a variance to allow the construction of a pool. I have lived on this property in Deltona for the past 7 years and wish to continue living in the community. I want to invest in my property and make an upgrade that many of my neighbors already have today. The granting of this variance will allow my family and myself to enjoy the property for years to come in a manner consistent with other properties in the area. Please see below detailed information on why this variance is needed.

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, sign or building involved and which are not applicable to other lands, structures, signs or buildings in the same zoning classification.**
 - a. The city is aware of the special circumstances and in 2008 approved a zoning variance for the Arbor Ridge community which increased the lot coverage requirements from 35% to 40% in Phase 4 of the neighborhood. (Resolution No. 2007-46, Project No. VR07-009) These homes are located within a few hundred feet of the applicants home and share similar sized lots. (See appendix A below)
 - b. Nearby homes have lot sizes large enough to support a pool and fall below the minimum 35% lot coverage requirement. Due to the unique position of the lot and home, there is not enough area to accommodate the lot coverage requirement. (See appendix B below)
- 2. The special conditions and circumstances do not result from the actions of the applicant.**
 - a. The unique shape of the lot was not a result of any action taken by the homeowner.
 - b. The only principal structure is the home and the only accessory structure other than the proposed pool would be the sidewalk and driveway.
- 3. Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classifications, under the terms of the chapter, and would work an unnecessary and undue hardship on the applicant.**
 - a. In the Arbor Ridge Community 42 homes currently have inground pools based on satellite imagery. Many of these homes are located in the same area of the neighborhood as the property in this application. (See appendix C below)
 - b. Literal interpretation would prevent the homeowner from improving the property while neighboring properties would not be under the same restrictions.
- 4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, structure or sign.**
 - a. Plans were altered to accommodate the minimum variance possible. The original plans included decking and would have been within 10' of the back property line. The design was changed to the minimal size in order to get as close as possible to the required lot coverage requirements.
 - b. There is no opportunity to remove other structures on the property to meet the requirements.
 - c. Based on generally accepted standards the pool is classified as small but would still exceed the requirements.

5. The grant of the variance will be in harmony with the general intent and purpose of this chapter and the City of Deltona Comprehensive Plan, as it may be amended from time to time, and that such variance will not be injurious to the area involved.

- a. The plan has already been approved by the HOA and will not impact any offset requirements. (See attached approval letter)
- b. The lot is not in a flood zone and has an elevation of 75', the approval of this plan will not have any impact on drainage or flood risk.
- c. All safety and code requirements will be followed during construction and inspections completed.

In conclusion the upgrades proposed in this request will increase the property value and benefit the overall community. The variance is needed due to the unique size of the lot, the circumstances in which it was built and were not caused by any actions taken by the homeowner. I wish to use my property in a manner consistent with other properties in the area and request a small variance so I may make reasonable use of my property and enjoy it for years to come.

Thank you for your time considering this matter.

Best,

Jacob Schnepf

Appendix A:

Below you can see a map of all 104 properties in Phase 4 of Arbor Ridge, all of these properties were given a variance of 40% for lot coverage requirements in 2008. Many of these lots are larger than applicants and have pools already built. (Resolution No. 2007-46, Project No. VR07-009)



Source: <https://vcpa.vcgov.org/search/map>

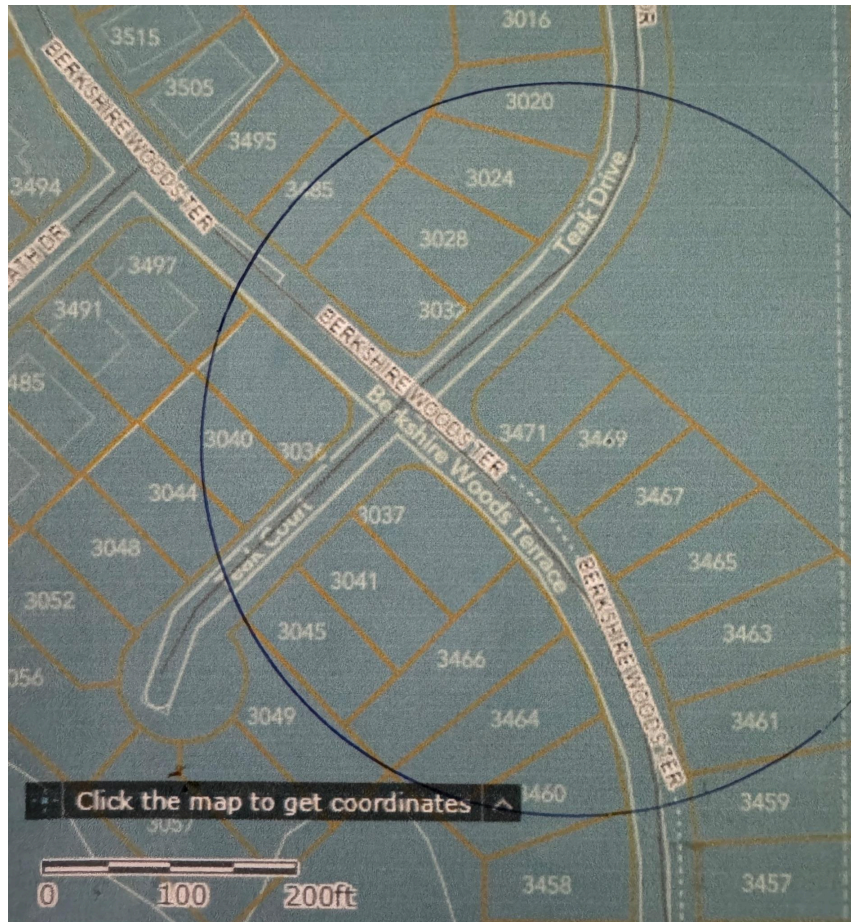
Appendix B:

The picture below shows every property within 300 feet of the applicant's home. The average lot size for the 22 surrounding properties is 8,491 sq ft (Source: Volusia County Property Appraiser). The surrounding lots are 39% larger (2,396 sq ft) than the applicant's lot on average when looking at the 22 homes within 300 feet.

One home within 300 feet of the applicant's lot already has an inground swimming pool. 21 of the 22 surrounding lots are larger than the applicant's lot and would have likely been eligible to build the same pool in the request. The only lot smaller contains a home that is smaller than the home in the application and is not the same floor plan.

Average Size: 8,491 sq ft

| LOT | SIZE (sq ft) |
|-------------|--------------|
| 3037 | 5,487 |
| 3469 | 6,095 |
| 3041 | 6,900 |
| 3045 | 6,900 |
| 3040 | 7,080 |
| 3044 | 7,080 |
| 3032 | 7,110 |
| 3459 | 7,261 |
| 3497 | 7,345 |
| 3471 | 7,395 |
| 3467 | 8,178 |
| 3036 | 8,184 |
| 3461 | 8,215 |
| 3020 | 8,249 |
| 3049 | 8,280 |
| 3463 | 8,798 |
| 3028 | 9,450 |
| 3465 | 9,672 |
| 3458 | 10,062 |
| 3024 | 10,800 |
| 3460 | 11,400 |
| 3464 | 12,567 |
| 3466 | 12,784 |



Source: <https://vcpa.vcgov.org/search/map>

Appendix C:

Source:

https://www.google.com/maps/place/Arbor+Ridge,+Deltona,+FL/@28.9576504,-81.2498554,1712m/data=!3m2!1e3!4b1!4m6!3m5!1s0x88e719fa721044cf:0x2cfc22171620647e!8m2!3d28.9538269!4d-81.2422458!16s%2Fg%2F1trprm9?entry=tu&g_ep=EgoyMDI0MDkwNC4wIjKXMDSoASAFQAw%3D%3D