

## RESOLUTION NO. 2025-01

### **A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF DELTONA, FLORIDA; GRANTING A CONDITIONAL USE TO PERMIT A TATTOO SHOP WITHIN THE C-1, RETAIL COMMERCIAL DISTRICT FOR A PROPERTY LOCATED AT 1701 DOYLE ROAD, WITHIN THE CITY OF DELTONA; PROVIDING FOR CONDITIONS, RECORDING, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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**WHEREAS**, pursuant to Section 74-16, “Conditional Uses,” of Article III, “Reserved Development Review Procedures and Criteria,” of Chapter 74, “Administration,” of the Land Development Code of the City of Deltona, Florida, Kusand Properties, LLC (the “Applicant”), has applied to the City of Deltona, Florida (the “City”), for approval of a Minor Conditional Use in accordance with Table 1, “Permitted Uses Table,” of Chapter 110, “Zoning,” to permit a tattoo shop within the C-1, Retail Commercial District on a property located at 1701 Doyle Road, Deltona, Florida and legally described in Exhibit “A” (the “Property”) (Application CU25-0001); and

**WHEREAS**, the Planning and Zoning Board finds that granting the requested Minor Conditional Use is warranted because the application meets the criteria for granting a Minor Conditional Use as required by Section 74-16, “Conditional Uses,” of Article III, “Reserved Development Review Procedures and Criteria,” of Chapter 74, “Administration,” of the Land Development Code of the City of Deltona, Florida; and

**WHEREAS**, staff recommended approval of the requested Minor Conditional Use in its report dated July 16, 2025; and

**WHEREAS**, public notice was provided in accordance with law; and

**WHEREAS**, the Planning and Zoning Board finds that the proposed Conditional Use is consistent with the City’s Code and Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF DELTONA, FLORIDA:**

**Section 1. Findings.** The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

**Section 2. Approval of Conditional Use.** In accordance with Section 74-16, “Conditional Uses,” of Article III, “Reserved Development Review Procedures and Criteria,” of Chapter 74, “Administration,” of the Land Development Code of the City of Deltona, Florida, the Deltona Planning and Zoning Board hereby grants approval of a Minor Conditional Use, CU25-0001, to permit a tattoo shop within the C-1, Retail Commercial District on a property located at 1701 Doyle Road, Deltona, Florida and legally described in Exhibit “A.”

**Section 3. Conditions.** The approvals granted by this Resolution are subject to the Applicant’s compliance with the following conditions, to which the Applicant stipulated at the public hearing:

1. A tattoo shop must obtain all permits and licenses and legally open for business within 12 months of the adoption of this resolution or the minor conditional use shall expire.
2. No neon signs that are visible from the exterior shall be permitted for the building area occupied by the tattoo shop ; and
3. Operating hours shall be between the hours of 10:00 am until 10:00 pm daily; and

**Section 4. Violation of Conditions.** Failure to adhere to the terms and conditions of approval above shall be considered a violation of the City Code and persons found violating the conditions shall be subject to the penalties described by the City Code, including but not limited to, the revocation of the approvals granted by this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the City before it may commence construction or operation, and this Resolution may be revoked by the Planning and Zoning Board or City Commission at any time upon a determination that the Applicant is not in compliance with the City Code.

**Section 5. Recording.** The City, or the Applicant if so requested by the City Clerk, shall record this Resolution at the Applicant’s sole expense in the Public Records of Volusia County, Florida.

**Section 6. Conflicts.** All Resolutions or parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

**Section 7. Severability.** In the event any portion of this Resolution is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portion or sections of the Resolution, which shall remain in full force and effect.

**Section 8. Effective Date.** This Resolution shall become effective immediately upon its adoption. If this resolution does not begin to serve the purpose for which it is granted within 12 months from the date of adoption, or if its use is abandoned for 12 consecutive months from the date of adoption, it shall expire.

**PASSED AND ADOPTED BY THE PLANNING AND ZONING BOARD OF THE  
CITY OF DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2025.**

BY: \_\_\_\_\_  
Andrea Cardo, CHAIR

ATTEST:

\_\_\_\_\_  
Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality  
for use and reliance of the City of  
Deltona, Florida

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TG Law, PLLC, CITY ATTORNEY