

ORDINANCE NO. 19 -2025

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-600 “TYPES OF NONCONFORMITY,” OF ARTICLE VI, “NONCONFORMITY” AND SECTION 70-30 “DEFINITIONS” TO INCLUDE REGULATION UPDATES, OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 166, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, pursuant to its home rule powers, the City of Deltona may regulate rules for nonconforming lots within the City limits through the adoption of CITY regulations; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA AS FOLLOWS:

SECTION 1 – Section 70-30, of Article II, of Chapter 110, of the Land Development Code, is hereby amended as follows:

See **Exhibit A**, Section 70-30 Amendment, attached hereto shows the underline for new verbiage, adding a definition for “Lot of Record”.

SECTION 2 – Section 110-600(a), of Article VI, of Chapter 110, of the Land Development Code, is hereby amended as follows:

See **Exhibit B**, Section 110-600 Amendment, attached hereto shows the underline for new verbiage, adding allowances for a “Lot of Record” to be exempt from minimum lot area and minimum lot width at the building line

SECTION 3.- Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. It is the intention of the City Commission of the City of Deltona, Florida that the provisions of this Ordinance shall become and be made a part of the City of Deltona Code of Ordinances. The Exhibit of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict here within be, and the same are hereby repealed to the extent of such conflict.

SECTION 6. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 8. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Deltona, Florida.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA THIS _____ DAY OF _____, 2025.**

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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

Gemma Torcivia, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Lulli		
Santiago		
Avila		

EXHIBIT A

Adding the following subsection (5) to section 110-600(a) Nonconforming lots.

- (5) In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected, expanded, or altered on any single lot of record at the effective date of adoption or amendment of these zoning regulations, notwithstanding limitations imposed by other provisions of these zoning regulations. The lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though the lot fails to meet the requirements for area or width, or both that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, shall conform to the regulations for the district in which the lot is located. Variance(s) to yard requirements shall be obtained only through action of the Planning and Zoning Board.

EXHIBIT B

Adding the following definition to Section 70-30, of Article II, of Chapter 110

"LOT OF RECORD."

- (1) A lot which is part of a subdivision recorded in the office of the Clerk of the Circuit Court of Volusia County on or before November 16, 1998; or
- (2) A lot or parcel described by metes and bounds, the description of which has been recorded on or before the effective date of these zoning regulations ***[November 16, 1998]*** or amended or of prior zoning and subdivision regulations governing the creation of lots.