



MEMORANDUM

DATE: June 2, 2025

TO: City Commission

FROM: Matthew West, AICP, Planning Manager

THRU: Doc Dougherty, City Manager

SUBJECT: Ordinance No. 19-2025 Amendment to Section 70-30, of Article II, and Section 110-600(a) of Article VI of Chapter 110 "Zoning", of the Land Development Code. (Legislative – Public Hearing) (Matthew West, Project Manager)

REFERENCES: City Comprehensive Plan, Code of Ordinances.

REQUEST: Updating Section 70-30 of Article II and Section 110-600(a) of Article VI of Chapter 110 "Zoning" in the Land Development Code.

BACKGROUND: On June 17, 2013, the City Commission adopted Ordinance No. 16-2013, establishing Section 110-600(a) of the Land Development Code to regulate nonconforming lots. The proposed Ordinance No. 19-2025 updates and clarifies these provisions, enhancing flexibility for the development of legally established but substandard single-family lots of record.

VARIANCE HISTORY:

- 2022 – 3602 Apple Orchard Drive (R1- Zone)
The applicant requested a variance to reduce the minimum required lot area from 7,400 square feet to 5,000 square feet, and to reduce the minimum lot width from 75 feet to 50 feet. The variance was denied by the City Commission. Following this decision, several prospective applicants for similar non-conforming lots opted to withdraw their applications prior to formal review.
- 2023 – 728 Riggs Avenue (RE-1 Zone)
The lot in question measured 0.92 acres, short of the 1-acre minimum required in the RE-1 Zone. The applicant sought a variance for development on the undersized parcel. The variance was approved by a 4-2 vote of the City Commission.
- 2024 – 3394 St. James Avenue (R1 Zone)
The applicant submitted a request for a variance to allow development on a 4,987 square foot lot, which is below the R1 minimum lot size of 7,400 square feet. Despite the smaller size compared to the previously denied 2022 application, this variance was approved by a 5

to 1 vote of the City Commission.

Key Proposed Changes to Ordinance No. 19-2025:

- 1) Definition Added - “Lot of Record” defined as a recorded platted lot or a recorded metes and bounds lot legally existing prior to November 16, 1998.
- 2) Development Flexibility - Allows construction of a single-family home on a single-lot record even if the lot does not meet minimum lot area or width requirements, provided all other dimensional standards (i.e. setbacks, height) are met.
- 3) Ownership Requirement – Lot must be held in separate ownership and not part of a continuous frontage of lots under common ownership.
- 4) Streamlined Process - Reduces the need for variances for substandard single-family lots, streamlining the permitting process.

Approximately 78 vacant, single-family zoned lots in the City may become eligible for development under these revised standards (See Exhibit A). This supports infill development and responsible land use while maintaining zoning integrity.

COMPREHENSIVE PLAN CONSISTENCY: Ordinance No. 19-2025 is consistent with the City of Deltona Comprehensive Plan, specifically the Future Land Use, Housing, and Transportation Elements. The proposed amendments support infill development by enabling the construction of single-family homes on legally established but substandard lots of record, streamlining permitting, and reducing the need for variances. This aligns with the Comprehensive Plan’s goals to promote compact, efficient land use; provide diverse and affordable housing options; and ensure development is served by existing infrastructure and multi-modal transportation systems. These changes advance the City’s objectives to manage growth responsibly, reduce urban sprawl, and meet current and future housing needs.

PLANNING AND ZONING BOARD: At their regular meeting on May 21, 2025, the Planning and Zoning Board vote unanimously, 7 to 0, to recommend that the Mayor and City Commission approve Ordinance No. 19-2025.

STAFF RECOMMENDATION: Staff recommends approval of Ordinance No. 19-2025.

NEXT STEPS: The Mayor and Commission will hold the first reading on June 2, 2025, and the second reading on July 7, 2025.

ATTACHMENT:

Ordinance No. 19-2025