

**RESOLUTION NO. 2024-65**

**A RESOLUTION OF CITY OF DELTONA, FLORIDA;  
GRANTING A VARIANCE TO ALLOW FOR AN INCREASE  
IN MAXIMUM LOT COVERAGE TO ACCOMMODATE AN  
APPROXIMATE 798 SQUARE FOOT IN-GROUND POOL,  
DECK, AND SCREEN ENCLOSURE ON AN  
APPROXIMATE 7,209 SQUARE FOOT LOT WITHIN THE  
R1, SINGLE-FAMILY RESIDENTIAL ZONING  
CLASSIFICATION, WITHIN THE CITY OF DELTONA;  
PROVIDING FOR CONDITIONS, CONFLICTS,  
SEVERABILITY, AND AN EFFECTIVE DATE.**

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**WHEREAS**, pursuant to Chapter 100 “Zoning,” Article XI “Official Zoning Map Amendments, Conditional Use Review and Variances,” Section 110-1103 “Variances” of the City Code, Vikki Bailey (the “Applicant”), has applied to the City of Deltona, Florida (the “City”), for approval of a Variance from Section 110-307(e) “Dimensional Requirements,” which provides that properties within the R-1, Single-Family Zoning District shall have a maximum lot coverage not to exceed 35%, to permit a maximum lot coverage of 44% in order to accommodate a +/- 798 square foot in-ground pool, deck, and screen enclosure to be permitted on a +/- 0.14-acre property, as depicted in Exhibit “B” and legal described in Exhibit “A” (the “Property”) (Application VAR24-0009); and

**WHEREAS**, the City Council finds that granting the requested Variance is not warranted because the application does not meet the criteria for granting a Variance as required by Section in Section 110-1103 of the City of Deltona Land Development Code; and

**WHEREAS**, staff recommended denial of the requested Variance in its report dated November 21, 2024; and

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

**WHEREAS**, the City Council finds that the proposed Variance is consistent with the City’s Code and Comprehensive Plan

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION 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 Variance.** In accordance with the Code of the City of Deltona, Section 110-1103, the Deltona City Commission hereby grants approval of a Variance, VAR24-0009, to allow an increase in maximum lot coverage to accommodate a +/- 798 square foot in-ground pool, deck, and screen enclosure to be permitted on a +/- 0.14-acre property located at 3469 Berkshire Woods Terrace

**Section 3. 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 4. 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 5. 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 6. 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 CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

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.

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CITY ATTORNEY