

## RESOLUTION NO. 2021-36

**A RESOLUTION OF CITY OF DELTONA, FLORIDA;  
AMENDING THE CONDITIONAL USE APPROVED BY THE  
CITY COMMISSION UNDER RESOLUTION NO. 2020-01  
FOR A COMMUNITY RESIDENTIAL HOME WITHIN AN R1-  
A, SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT  
FOR THE PROPERTY LOCATED AT 2001 DALTON  
AVENUE, WITHIN THE CITY OF DELTONA; PROVIDING  
CONDITIONS, CONFLICTS, SEVERABILITY, AND AN  
EFFECTIVE DATE.**

---

**WHEREAS**, the owner has submitted an application to amend an existing Conditional Use approved by the City Commission under Resolution No. 2020-01, which permits a Community Residential Home within an R1-A, Single-Family Residential zoning district; and

**WHEREAS**, in accordance with Section 110-1102 of the City of Deltona Land Development Code, the City of Deltona held public hearings after due public notice to review the proposed amendment under the Conditional Use Application CU21-0001.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

**Section 1.** In accordance with the Code of the City of Deltona, Section 110-1102, the Deltona City Commission hereby grants approval of Conditional Use Amendment, CU21-0001, for a community residential home located at 2001 Dalton Avenue consistent with Section 110-814(c) and subject to the following conditions:

- 1) The dwelling shall serve no more than six residents within the dwelling.
- 2) All residents and related service shall be directly associated with and regulated by the Florida Agency for Persons with Disabilities (APD).
- 3) The CRH remains under Exceptional Care Within Your Reach management and ownership.
- 4) ~~The CRH is used only to serve minimal to moderate developmentally disabled adults as defined and regulated by the Florida Agency for Persons with Disabilities.~~

4) The CRH may serve adults in accordance to APD's established Residential Habilitation Levels of supports, as may be amended from time to time.

5) No signage shall be allowed besides what is allowed for a home occupation.

**Section 2.** The Conditional Use will be for the property as follows: LOT 1, BLOCK 353, DELTONA LAKES UNIT EIGHT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 25, PAGES 165-177, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

**Section 3. 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parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.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 4. 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 5. 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 twelve (12) months from the date of adoption, or if its use is abandoned for twelve (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 \_\_\_\_\_, 2021.**

BY: \_\_\_\_\_  
Heidi K. Herzberg, MAYOR

ATTEST:

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

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

\_\_\_\_\_  
CITY ATTORNEY