

RESOLUTION NO. 2026-01

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA;
GRANTING A CONDITIONAL USE TO PERMIT A HOUSE
OF WORSHIP WITHIN THE R-1, RESIDENTIAL ZONING
DISTRICT FOR THE PROPERTY LOCATED AT 590 FORT
SMITH BOULEVARD, WITHIN THE CITY OF DELTONA;
PROVIDING FOR CONDITIONS, RECORDING,
CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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, Solange Dao, P.E. (the "Applicant"), has applied to the City of Deltona, Florida (the "City"), for approval of a Major Conditional Use in accordance with Table 1, "Permitted Uses Table," of Chapter 110, "Zoning," to permit a house of worship within the R-1, Residential Zoning District on a property located at 590 Fort Smith Boulevard, Deltona, Florida and legally described in Exhibit "A" (the "Property") (Application CU25-0005); and

WHEREAS, the Conditional Use CU18-020 to permit a house of worship within the R-1, Residential Zoning District on the Property was approved on November 19, 2018, and expired on November 19, 2020; and

WHEREAS, the City Commission of the City of Deltona, Florida (the "City Commission") finds that granting the requested Major Conditional Use is warranted because the application meets the criteria for granting a Major Conditional Use as required by Section 74-16, "Conditional Uses," of Article III, "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 Major Conditional Use in its report dated January 21, 2026; and

WHEREAS, Planning and Zoning Board held a public hearing on January 21, 2026, and forwarded its recommendations to the City Commission; and

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

WHEREAS, the City Commission finds that the proposed Major Conditional Use 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 Conditional Use. In accordance with Section 74-16, "Conditional Uses," of Article III, "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 Major Conditional Use, CU25-0005, to permit a house of worship within the R-1, Residential Zoning District on a property located at 590 Fort Smith Boulevard, 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 required under Section 110-817(d), Code of Ordinances, and those to which the Applicant stipulated at the public hearing:

- 1) No principal or accessory building shall be located less than fifty (50) feet from any property line.
- 2) Off-street parking areas meeting the requirements of [section 110-828](#) and landscaped buffer areas meeting the requirements of [section 110-808](#) shall be constructed. Notwithstanding the provisions of [section 110-828\(b\)\(2\)](#), off-street parking and loading areas shall be surfaced with brick, asphalt, bituminous, concrete or packed shell or marl material and shall be maintained in a smooth, well-graded condition.
- 3) The site will be developed in conformance with the concept plan attached hereto and incorporated herein as Exhibit "B" (the "Concept Plan").
- 4) A Certificate of Occupancy shall be obtained within two (2) years of the date of adoption of this Resolution. Upon a showing of good cause, the Planning and Zoning Director may, in his sole and absolute discretion, grant extension to this deadline not to exceed one (1) year.

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 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 24 months from the date of adoption, unless extended as otherwise provided herein, 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 _____, 2026.**

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

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

TG Law PLLC, CITY ATTORNEY

EXHIBIT "A" – LEGAL DESCRIPTION

34-18-31 East 312.81 Feet of East 1/2 of the Southeast 1/4 Southeast 14 Lying north of Fort Smith Boulevard as recorded in the Volusia County public records. (34-18-31 E 312.81 FT OF E 1/2 OF SE 1/4 SE /14 LYING N OF FORT SMITH BLVD PER OR 2537 PG 1529 PER OR 4213 PG 1058 PER OR 5802 PG 0110 PER OR 6514 PG 0164 PER OR 6769 PG 0517 & PER OR 7398 PG 1553)

EXHIBIT “B” – CONCEPT PLAN

