



MEMORANDUM

DATE: September 17, 2025

TO: Planning and Zoning Board

FROM: Brandon Hatch, Planner I

THRU: Jordan Smith, AICP, PP Planning and Development Services Director

SUBJECT: Resolution No. 2025-116, granting a Major Variance to reduce the required street frontage from 150 feet to 100 feet for a quick service oil change facility within the C-1, Retail Commercial District for a property located at 3150 Howland Boulevard. Applicant: Keith Trace (Public Hearing) (Brandon Hatch, Project Manager)

REFERENCES: City Comprehensive Plan, Code of Ordinances.

REQUEST: The applicant is requesting a variance to reduce the street frontage required for a quick service oil change facility.

The tax parcel number for the subject property is 8108-00-00-0057.

DISCUSSION:

Location and History: The subject property is located west of Roseapple Avenue. The future land use is Commercial (C), and the zoning is Retail Commercial (C-1).

Project Description: The 1.37-acre property is currently vacant. The property owner requests a variance to allow for a reduction in the required 150-foot frontage for oil change facilities. The property owner plans to subdivide the lot, which will still meet the zoning requirement of 100-feet of frontage for both properties once split. This will allow the oil change facility to be conforming after the lot split. The potential users of the property intend to have individual lots with a shared entrance on Howland Boulevard.

VARIANCES: The applicant has applied for a variance to the following section of the Code:

1. *Section 110-315 - Except 150 feet shall be required along all abutting street frontages for land uses with drive through service or windows, and all three types of automobile service stations.*

MAJOR VARIANCE CRITERIA (Section 74-22):

The Planning and Zoning Board shall make a written recommendation to the City Commission that all of the following criteria have been met:

CRITERIA NO. 1:

That the variance shall not be contrary to the public interest.

FINDING OF FACT NO. 1: Granting the variance will not be contrary to the public interest. The shared entrance design along Howland Boulevard advances the City's access management objectives, reduces traffic conflicts, and provides for safe, efficient movement along the corridor.

CRITERIA MET: YES

CRITERIA No. 2:

That the variance is required owing to special conditions peculiar to the property.

FINDING OF FACT No. 2: The subject property is uniquely affected because it meets the base zoning frontage requirement of 100 feet, but Section 110-315 imposes a 150-foot requirement solely due to the proposed oil change facility use. This creates a condition peculiar to the property not shared by parcel pursuing other commercial uses.

CRITERIA MET: YES

CRITERIA No. 3:

That identifies the special conditions and circumstances that exist which are peculiar to the land, structures, or required improvements involved.

FINDING OF FACT NO. 3: The proposed subdivision and shared access design create a special circumstance. While each subdivided lot would meet the 100-foot zoning standard, the additional 50 foot requirement for this specific use introduces a hardship not tied to the property's inherent dimensions but to the type of development proposed.

CRITERIA MET: YES

CRITERIA No. 4:

That the special conditions are not the result of the actions of the applicant.

FINDING OF FACT No. 4: The need for a variance arises from the Land Development Code's use specific frontage requirement, not from any action by the applicant. The property owner's subdivision plan produces conforming lots under the zoning district requirements. The additional burden is imposed solely by Section 110-315.

CRITERIA MET: YES

CRITERIA No. 5:

That explains how the special conditions and circumstances do not result from the actions of the applicant.

FINDING OF FACT No. 5: The special condition is not self-created. The applicant is following standard requirements for subdivision. The imposition of the 150-foot frontage requirement is due to the proposed use, not the applicant's actions.

CRITERIA MET: YES

CRITERIA No. 6:

That a literal enforcement of the provisions of this LDC would result in unnecessary and undue hardship on the land;

FINDING OF FACT No. 6: Literal enforcement of the 150-foot frontage rule would result in unnecessary hardship by prohibiting the use of the site for an oil change facility, even though the base zoning requirement is met. This would deny the applicant a reasonable development option along a major arterial corridor.

CRITERIA MET: YES

CRITERIA No. 7:

That explains or illustrates how a literal interpretation of the provisions of this LDC would deprive the applicant of reasonable use of the applicant's property.

FINDING OF FACT No. 7: Strict application of the code would deprive the applicant of a reasonable use of the property consistent with its commercial designation. The variance allows the site to be developed in a way that is typical for the corridor, while still ensuring compliance with safety and design standards through shared access.

CRITERIA MET: YES

CRITERIA No. 8:

That explains why the granting of the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required improvements under similar conditions. No pre-existing conditions on neighboring lands, which are contrary to these regulations, shall be considered grounds for the issuance of a variance.

FINDING OF FACT No. 8: The variance does not confer a special privilege. Other commercial sites with shared entrances have developed along Howland Boulevard under similar conditions. The relief requested is narrowly tailored and consistent with broader planning policies.

CRITERIA MET: YES

CRITERIA NO. 9:

That the variance requested is the minimum variance necessary to make any reasonable use of the property.

FINDING OF FACT No. 9: The applicant is requesting only the minimum variance necessary. Each lot will continue to meet the 100-foot frontage required by zoning. Relief is sought only from the additional 50 feet required by Section 110-315 for this specific use.

CRITERIA MET: YES

CRITERIA No. 10:

That, with respect to a right-of-way or improvement requirement, explains how such requirement does not bear a reasonable relationship or rational nexus between the need for additional capital facilities and the demands generated by the development along with other development within the area.

FINDING OF FACT No. 10: The additional 50 feet of frontage is intended to manage traffic impacts from drive-through uses. However, the shared access arrangement accomplishes this

objective. There is no increase burden on public capital facilities beyond what is typical for such a use.

CRITERIA MET: YES

CRITERIA No. 11:

That describes how the proposed variance is determined to be consistent with the goals, objectives, policies and guiding principles of the comprehensive plan.

FINDING OF FACT No. 11: This request is consistent with the City's Comprehensive Plan by promoting efficient land use, supporting economic development, and encouraging access management along major corridors. The design aligns with the long-term goals for orderly development along Howland Boulevard.

CRITERIA MET: YES

FINDING OF FACT: Staff finds that the applicant's proposal to subdivide the property and provide shared access adequately addresses the intent of the code. The criteria for granting a variance are satisfied. Staff finds that all criteria have been met for granting approval of the variance to reduce the frontage from 150 feet to 100 feet and recommends approval.

NEXT STEPS: The Chair will sign the Resolution, and the item will be recorded with Volusia County Clerk of Court. Following recordation, the applicant may apply for building permits.

LEGAL DESCRIPTION: BEGIN at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 18 South, Range 31 East, Volusia County, Florida; thence run North 88 degrees 46 minutes 08 seconds East 294.68 feet to the Point of Beginning; thence continue North 88 degrees 46 minutes 08 seconds East 200 feet; thence run South 01 degrees 16 minutes 00 seconds East 299.17 feet to the North right-of-way line of State Road No. 444; thence South 88 degrees 44 minutes 00 seconds West along said Right-of-Way line 200 feet; thence North 01 degrees 16 minutes 00 seconds West 299.29 feet to the POINT OF BEGINNING, inclusive, of the Public Records of Volusia County, Florida.

ATTACHMENTS:

- Letter
- Maps
- Concept Plan

WILLIAM E BARFIELD, P.A.

225 S. WESTMONT AVE., SUITE 2010
ALTAMONTE SPRINGS, FL 32771.

WILLIAM E. BARFIELD, ESQUIRE
DIRECT LINE (407) 478-1866
FACSIMILE # (866) 473-0427

April 7, 2025

Jordan Smith, Planning Director
City of Deltona Planning and Development Services
2345 Providence Boulevard
Deltona, FL 32725

RE: Variance Request for 3150 Howland Boulevard

Dear Jordan,

On behalf of my client, Deltona Capital Group, LLC, the owner of the property located at 3150 Howland Blvd, I respectfully submit this letter requesting a variance from the dimensional standards outlined in the City of Deltona's Land Development Code (LDC).

The property lies within the C-1 zoning district and has received approval for a conditional use to permit an oil change facility. We request a variance from the minimum lot width requirement of 150 feet for automotive uses, to allow for development of the site with a 100-foot lot width, which is the standard minimum for all other commercial uses within the C-1 zoning designation.

This request reflects changes in the nature of modern automotive service facilities. The proposed oil change operation is designed such that customers remain in their vehicles throughout the duration of service. This operational model reduces the need for pedestrian access points, staging areas, or customer parking, thereby minimizing the spatial impact traditionally associated with automotive uses.

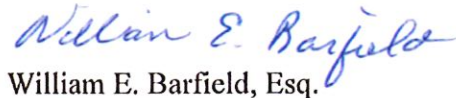
Accordingly, the necessity of a 150-foot minimum lot width is diminished. The proposed use aligns more closely with lower-intensity commercial activities, which are permitted on 100-foot-wide parcels. The reduced scale and impact of this service format meet the spirit and intent of the land development standards while allowing for the efficient use of the property.

Deltona Capital Group, LLC is committed to developing this site in a manner consistent with the City's planning objectives and is prepared to work with staff to ensure compliance with all other applicable codes and standards.

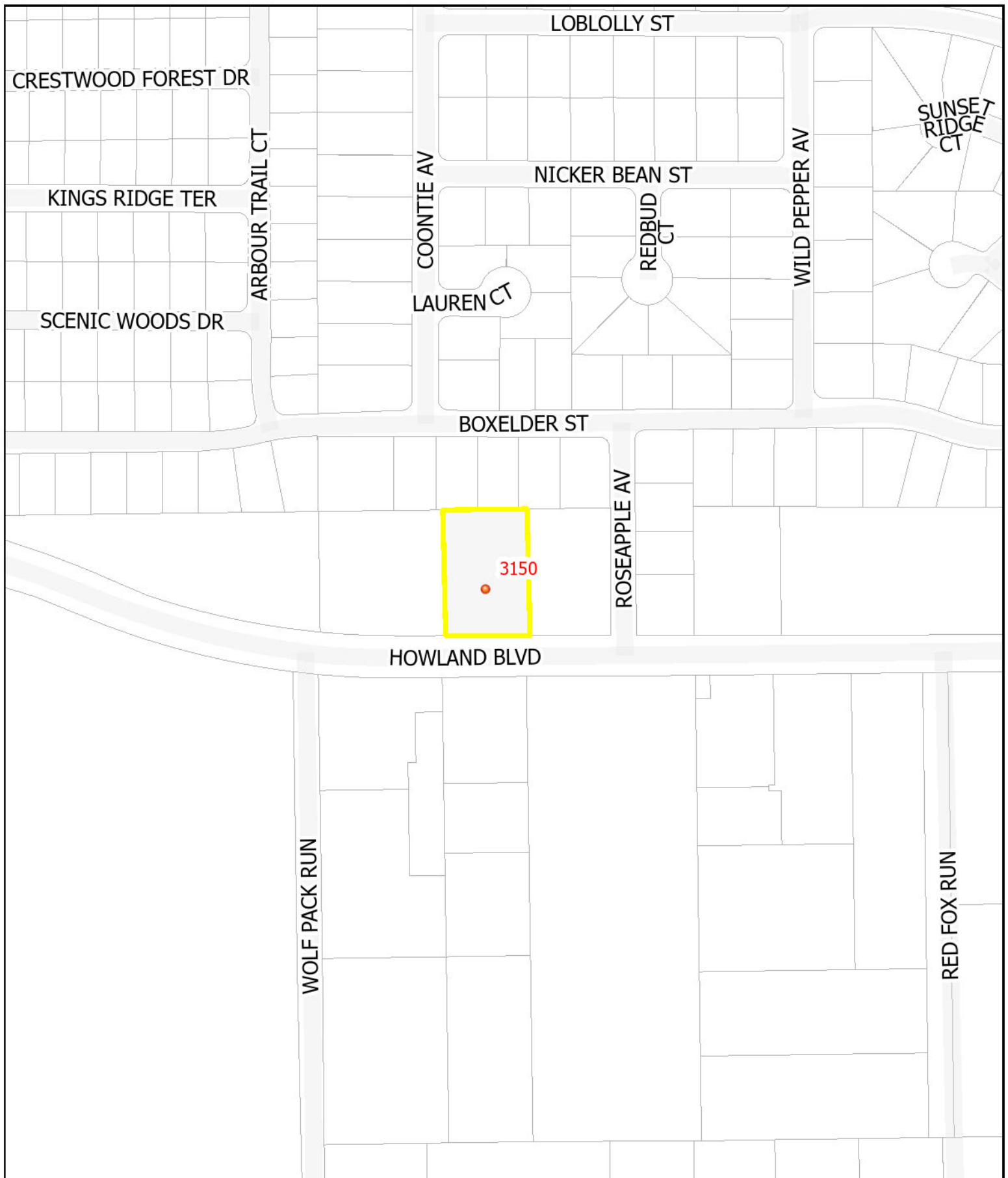
We appreciate your consideration of this request and welcome the opportunity to discuss it further at your convenience. Please do not hesitate to contact me should you require any additional materials or clarifications.

Sincerely yours,

William E. Barfield, P.A.



William E. Barfield, Esq.



LOCATION MAP

3150 Howland Blvd. Variance



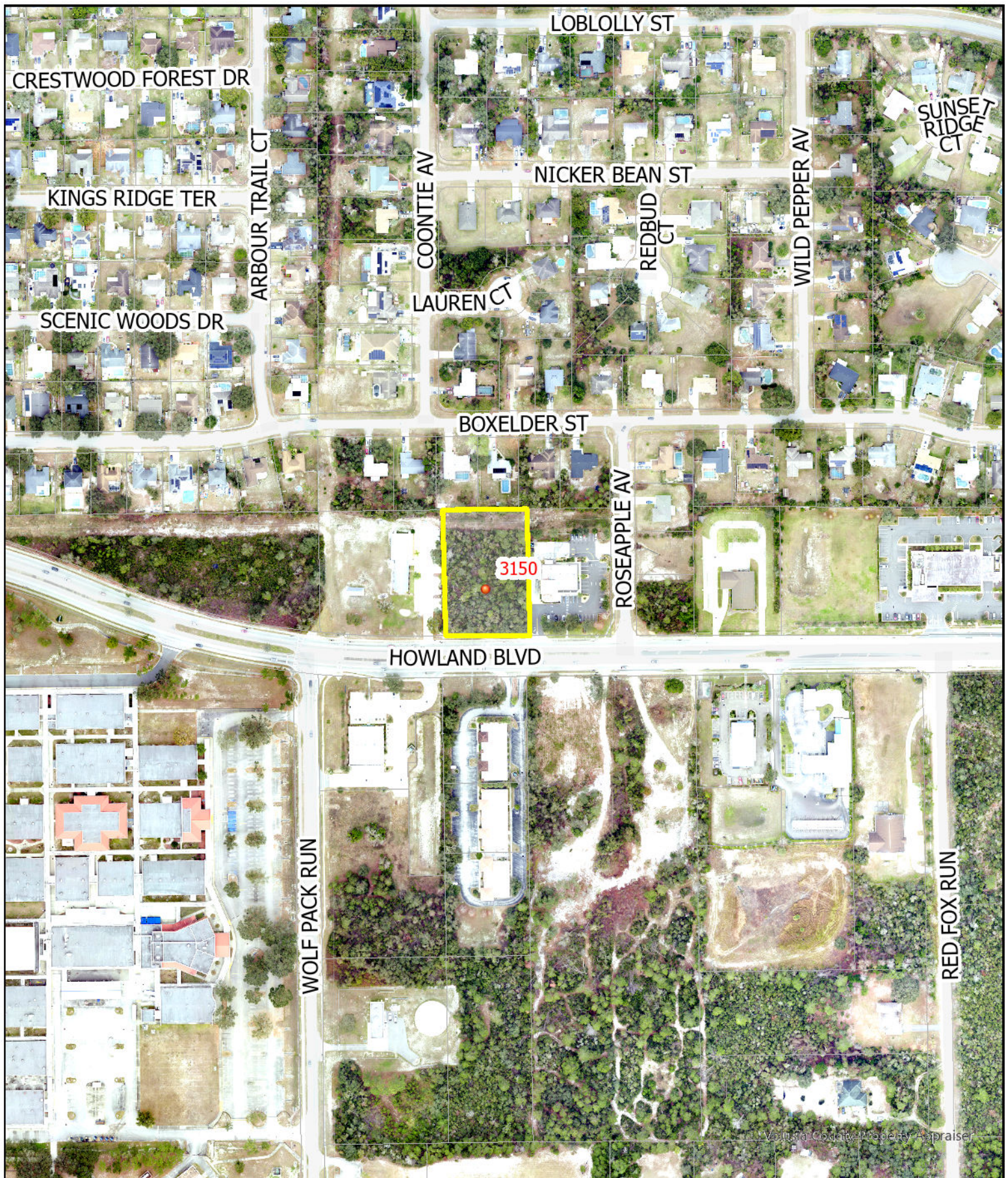
CITY OF DELTONA PLANNING AND
DEVELOPMENT SERVICES
2345 PROVIDENCE BLVD.,
DELTONA, FL, 32725
PHONE: (386) 878-8600 FAX: (386) 878-8601



0 0.06 0.11 Miles

Legend

 3150 Howland Blvd.



AERIAL MAP

3150 Howland Blvd. Variance



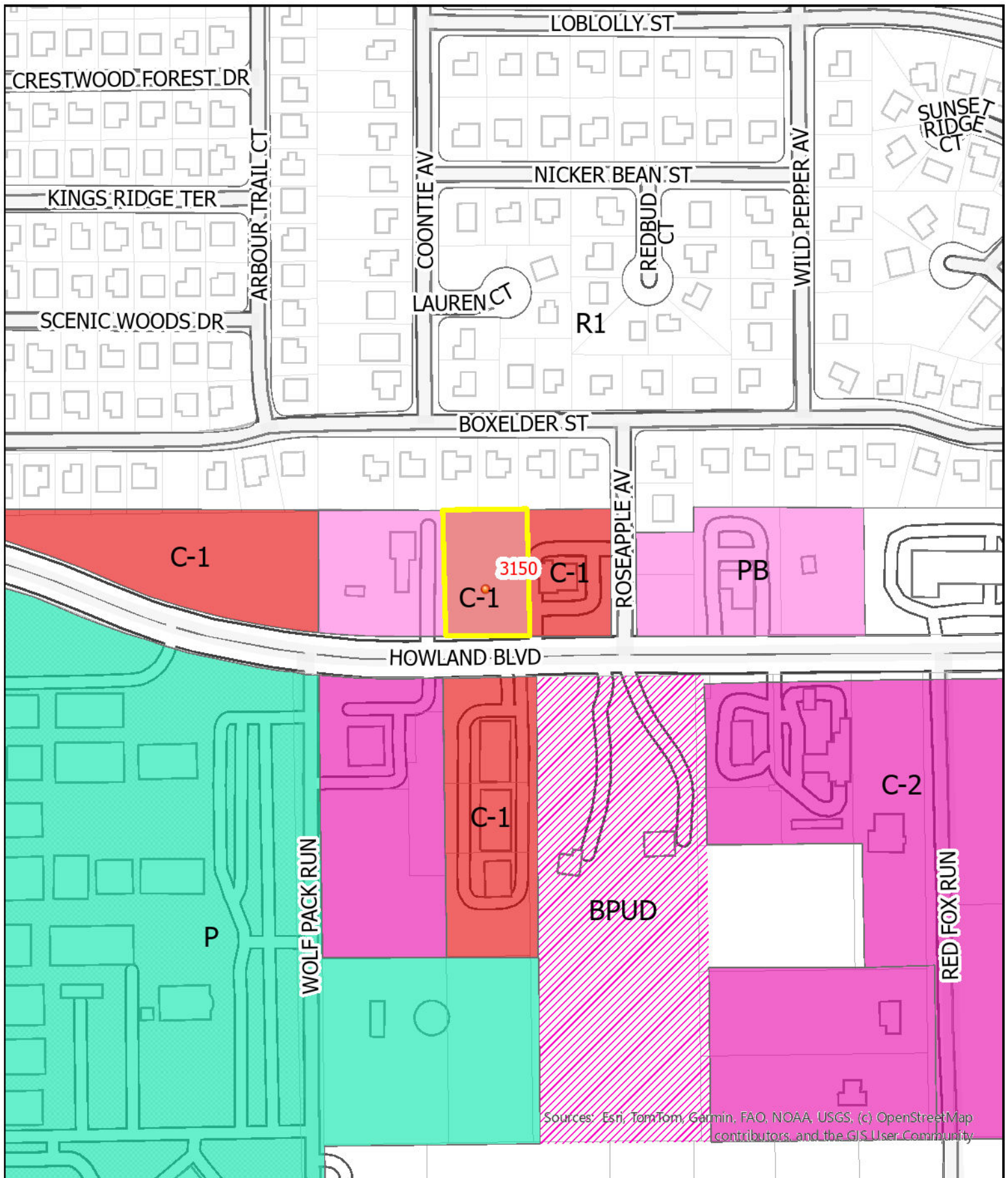
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Legend

3150 Howland Blvd.

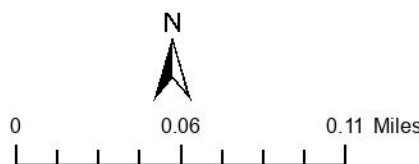


ZONING MAP

3150 Howland Blvd. Variance

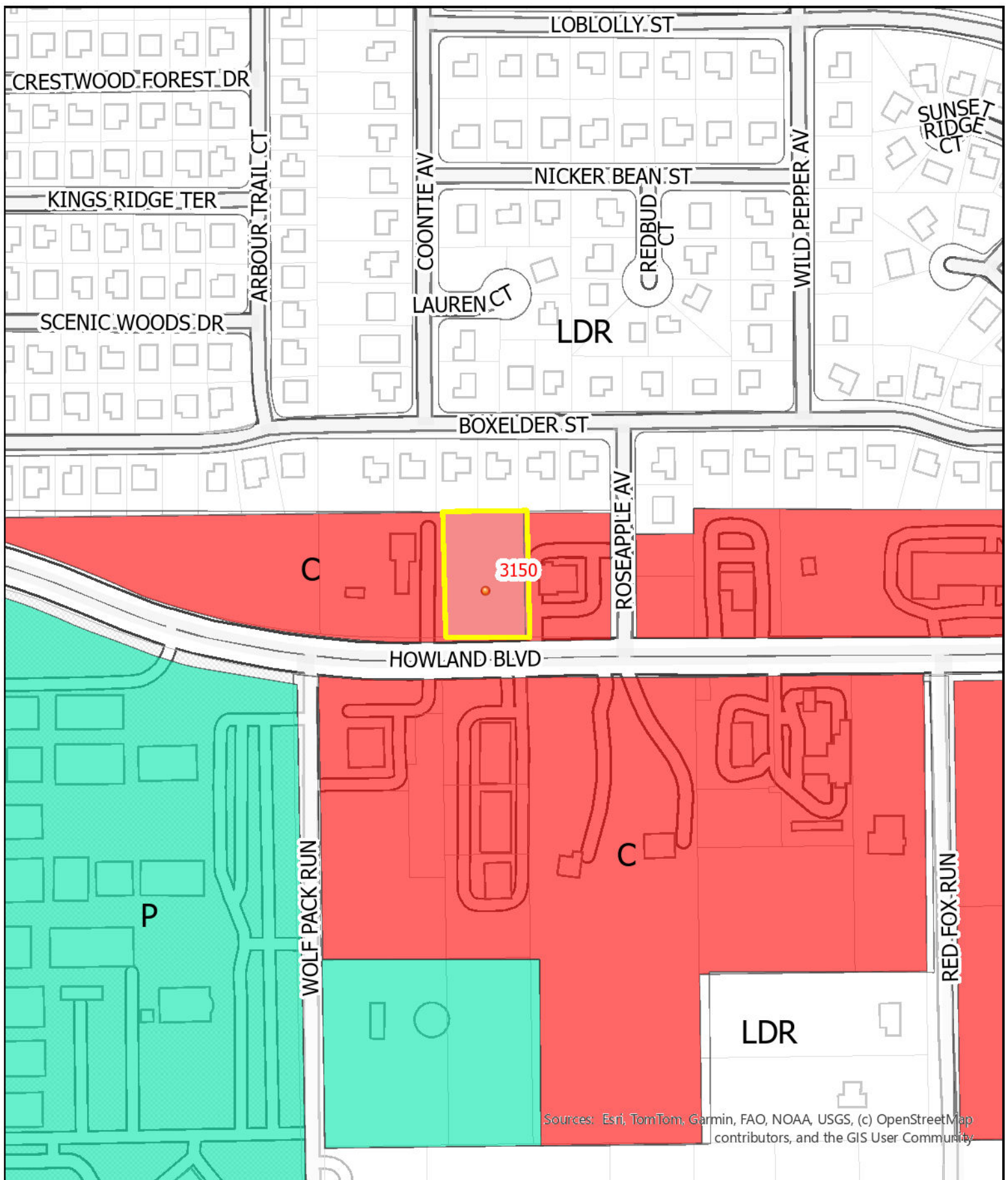


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Legend

- 3150 Howland Blvd.
- Deltona City Boundary
- BPUD
- C-1
- C-2
- P
- PB
- R1



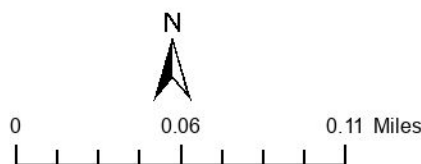
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

FUTURE LAND USE MAP

3150 Howland Blvd. Variance



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Legend

- 3150 Howland Blvd.
- Deltona City Boundary
- COMMERCIAL
- PUBLIC / SEMI-PUBLIC / CONSERVATION
- RESIDENTIAL LOW DENSITY (0 - 6 UNITS / ACRE)

RESOLUTION NO. 2025-116

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF DELTONA, FLORIDA; GRANTING A MAJOR VARIANCE TO REDUCE THE REQUIRED STREET FRONTAGE FROM 150 FEET TO 100 FEET FOR A QUICK SERVICE OIL CHANGE FACILITY WITHIN THE C-1, RETAIL COMMERCIAL DISTRICT FOR A PROPERTY LOCATED AT 3150 HOWLAND BOULEVARD, DELTONA, FLORIDA; PROVIDING FOR RECORDING, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 74-22, “Major Variances,” of Chapter 74, “Administration” of the Land Development Code of the City of Deltona, Florida (the “LDC”), Deltona Capital Group, LLC (the “Owner”) has submitted an application for a Major Variance, VAR25-0001, to allow for a quick service oil change facility to reduce the required 150-foot street frontage required by Section 110-315(c), “Dimensional Requirements,” of Chapter 110, “Zoning” of the LDC to 100 feet for the property located at 3150 Howland Boulevard (the “Subject Property”); and

WHEREAS, the City Commission of the City of Deltona, Florida approved Resolution 2024-42 granting a Conditional Use to allow a quick service oil change facility at the Subject Property; and

WHEREAS, staff recommended approval of the requested Major Variance in its report dated September 17, 2025; and

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

WHEREAS, the Planning and Zoning Board finds that granting the requested Major Variance is warranted because the application meets the criteria for granting a Major Variance as required by Section 74-22, “Major Variances,” of the LDC.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD 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 Major Variance. In accordance with Section 74-22, “Major Variances,” of Chapter 74, “Administration” of the Land Development Code of the City of Deltona, Florida the Planning and Zoning Board of the City of Deltona, Florida hereby grants approval of a Major Variance, VAR25-0001, to allow for a quick service oil

change facility to reduce the required 150-foot street frontage required by Section 110-315(c), "Dimensional Requirements," of Chapter 110, "Zoning" of the Land Development Code to 100 feet for the property located at 3150 Howland Boulevard and legally described in Exhibit "A."

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 PLANNING AND ZONING BOARD OF THE
CITY OF DELTONA, FLORIDA, THIS _____ DAY OF _____,
2025.**

BY: _____
Andrea Cardo, CHAIR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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

TG Law PLLC, CITY ATTORNEY

EXHIBIT A – LEGAL DESCRIPTION

BEGIN at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 18 South, Range 31 East, Volusia County, Florida; thence run North 88 degrees 46 minutes 08 seconds East 294.68 feet to the Point of Beginning; thence continue North 88 degrees 46 minutes 08 seconds East 200 feet; thence run South 01 degrees 16 minutes 00 seconds East 299.17 feet to the North right-of-way line of State Road No. 444; thence South 88 degrees 44 minutes 00 seconds West along said Right-of-Way line 200 feet; thence North 01 degrees 16 minutes 00 seconds West 299.29 feet to the POINT OF BEGINNING, inclusive, of the Public Records of Volusia County, Florida.