

DESOTO COUNTY, FLORIDA
ORDINANCE 2025- _____

AN ORDINANCE OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE OFFICIAL ZONING ATLAS IDENTIFIED IN LAND DEVELOPMENT REGULATIONS ARTICLE 2, ZONING DISTRICTS AND REQUIREMENTS, SECTION 2001, ESTABLISHMENT OF ZONING DISTRICTS; GRANTING TO THE OWNER, TMV PROPERTIES INC & MCALPINE (BRIARWOOD) INC., AN OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZNE-0062-2025) BY CHANGING THE ZONING DISTRICT OF +/- 29.61 ACRES ON SIX (6) CONTIGUOUS PARCELS FROM COMMERCIAL NEIGHBORHOOD (CN) AND RESIDENTIAL MULTIFAMILY MIXED DISTRICT (RMF-M) TO PLANNED UNIT DEVELOPMENT (PUD) WITH A CONCEPT DEVELOPMENT PLAN, FOR 49 ATTACHED AND DETACHED SINGLE-FAMILY HOMES, WITH CONDITIONS, GENERALLY LOCATED IN SOUTHWEST DESOTO COUNTY, ALONG SW HIGHWAY 17 AND SOUTH OF SW OGDEN ACRES ROAD. THE PROPERTY IDENTIFICATION NUMBERS BEING 36-39-23-0000-0060-0000; 36-39-23-0000-0061-0000; 36-39-23-0254-0000-0121; 36-39-23-0000-0110-0000; 36-39-23-0000-0100-0000; AND 36-39-23-0000-0101-0000; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is owned by TMV Properties Inc & McAlpine (Briarwood) Inc., and consists of a +/- 29.61 acre property located in southwest DeSoto County, along SW-Highway 17 and south of SW Ogden Acres Road, Arcadia, FL, the Property Identification Numbers being 36-39-23-0000-0060-0000; 36-39-23-0000-0061-0000; 36-39-23-0254-0000-0121; 36-39-23-0000-0110-0000; 36-39-23-0000-0100-0000; and 36-39-23-0000-0101-0000 (Exhibit A); and

WHEREAS, the Interim 2040 Future Land Use Map shows the +/- 29.61-acre parcel is designated Low-Density Residential Land Use (Exhibit B); and

WHEREAS, an Official Zoning District Atlas amendment application was filed with the Development Department, to change the zoning district of the property from Commercial Neighborhood (CN) and Residential Multifamily Mixed District (RMF-M) to Planned Unit Development (PUD); and

WHEREAS, consistent with LDR Sections 20-1497 and 20-1498, the Development Director prepared a Development Review Report addressing the factors the Planning Commission must consider when making a recommendation to the Board of County Commissioners on an Official Zoning District Atlas amendment application; and

WHEREAS, consistent with LDR Section 20-1502, the Development Director caused a duly noticed public hearing to be published at least ten calendar days before the October 7, 2025, Planning Commission meeting; and

WHEREAS, at October 7, 2025, Planning Commission hearing, the Commission entered into the record the Development Review Report and all other competent substantial evidence presented at the hearing, adopted the findings and conclusions contained therein, and forwarded the record to the Board of County Commissioners with a recommendation that the proposed Ordinance be adopted as presented with conditions; and

WHEREAS, on October 28, 2025, the DeSoto Board of County Commissioners (Board) held a duly noticed public hearing on application number RZNE-0062-2025, and the Board considered the Development Review Report and recommendation, the Planning Commission recommendation and all substantial competent evidence presented at the Planning Commission hearing, all other competent substantial evidence presented at the Board public hearings, and determined that the application complies with the DeSoto County Comprehensive Plan, the Land Development Regulations and all other applicable regulations provided conditions are imposed; and

WHEREAS, the Board finds adoption of this Ordinance is in the best interest of the residents of DeSoto County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. *Incorporation.* The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Ordinance. In addition, the Development Review Report is the findings and conclusions to support the adoption of this ordinance and is incorporated herein by reference.

Section 2. *Property description.* A +/- 29.61-acre property located in southwest DeSoto County, along SW Highway 17 and south of SW Ogden Acres Road, Arcadia, FL, the Property Identification Numbers being 36-39-23-0000-0060-0000; 36-39-23-0000-0061-0000; 36-39-23-0254-0000-0121; 36-39-23-0000-0110-0000; 36-39-23-0000-0100-0000; and 36-39-23-0000-0101-0000.

Section 3. *Development order approval*, TMV Properties Inc & McAlpine (Briarwood) Inc., owner, is hereby granted an Official Zoning District Atlas amendment (RZNE-0062-2025) changing the +/- 29.61 acres from Commercial Neighborhood (CN) and Residential Multifamily Mixed District (RMF-M) to Planned Unit Development (PUD); TMV Properties Inc & McAlpine (Briarwood) Inc. shall be bound by the Concept Development Plan attached hereto and incorporated herein as Exhibit "C" and further agree to be bound by the following conditions:

1. All environmental permitting requirements shall be reflected on the Improvement Plan and copies of any required State and Federal permits or a letter of exemption shall be provided to the Development Department prior to issuance of the Notice to Proceed.
2. Landscape buffers shall be consistent with Section 20-600 Buffer Matrix or Sec. 20-603 Alternative Buffer Proposals and approved by the Development Department with the Improvement Plan.
3. A detailed transportation and access analysis, including safety and operational improvements needed shall be approved by the County Engineer with the Improvement Plan.
4. Stormwater engineering design and copies of State or Federal permit applications shall be provided with the Improvement Plan. The approved permits or letters of exemption shall be provided prior to issuance of the Notice to Proceed.
5. The Improvement Plan shall designate and provide usable open space per Section 20-144(f)(6) for Planned Unit Development projects and be approved by the Development Department.
6. The Improvement Plan shall show an internal neighborhood sidewalk extended to Lexington Place to the west and approved by the county engineer.

The following LDR deviations have been recommended for approval by the county engineer and are included as conditions of approval, to be shown on the Improvement Plan:

7. Deviation from Section 20-504(C) to eliminate all street shoulder requirements where a closed drainage system is present.
8. Deviation from Section 20-503 to allow for private residential rights-of-way to have a minimum width of 40 feet.
9. Deviation from Section 20-503 to allow the minimum centerline radii to comply with the State of Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and

Highways (commonly known as the “Florida Greenbook”) as

DESIGN SPEED	CENTERLINE RADIUS
15	50’
20	50’
25	180’
30	300’

Section 4. The Development Department is hereby directed to amend the Official Zoning District Atlas to codify the change approved by this Ordinance.

Section 5. This Ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED in DeSoto County, Florida this 28th day of October 2025.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA**

By: _____
Mandy J. Hines
County Administrator

By: _____
J.C. Deriso, Chairman
Board of County Commissioners

Approved as to Form and Correctness:

By: _____
Valerie Vicente,
County Attorney

Exhibit A; General Location Map:



RVi
8725 Penderly Place
Suite 101
Sarasota, FL 34231
Tel: 941.379.8400
www.rvplanning.com

MCALPINE PLANNED DEVELOPMENT • AERIAL MAP

📍 DeSoto County, FL

📅 09/04/2024

24006510

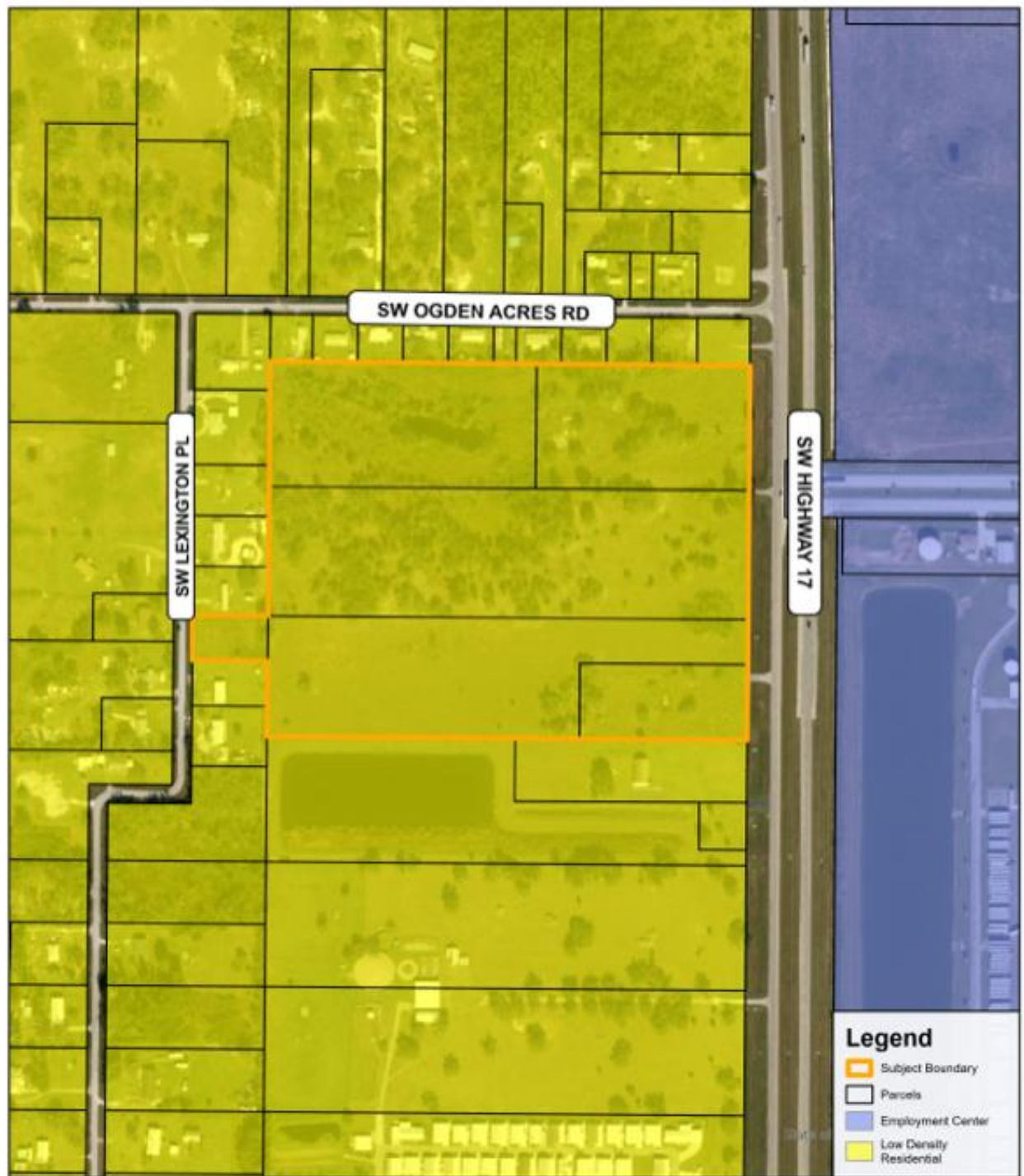
👤 Maronda Homes



0 250 500
Feet

Information contained regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit B; Future Land Use Map:



8725 Pendery Place
Suite 101
Sarasota, FL 34201
Tel: 941.379.6400
www.rvplanning.com

MCALPINE PLANNED DEVELOPMENT- FUTURE LAND USE MAP

DeSoto County, FL

10/24/2024

24006510

Maronda Homes



0 250 500
Feet

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