



## DESOTO COUNTY DEVELOPMENT DEPARTMENT

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### STAFF REPORT –OFFICIAL ZONING DISTRICT ATLAS AMENDMENT

#### CASE INFORMATION

Application No.:	RZNE-0082-2026
Request:	Rezone from A-5 to RSF-1
Owner/Applicant:	Ronald Lee Brantley and Debra Brantley
Property Address:	2038 SE Hillsborough Avenue, Arcadia FL 34266
Parcel ID No.:	07-38-25-0000-0674-0000
Parcel Size:	1.13 acres
Future Land Use (FLU):	Low Density Residential
Current Zoning:	Agricultural-5
Proposed Zoning:	Residential Single Family-1
Overlay District:	None

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#### EXECUTIVE SUMMARY

The request is for an Official Zoning District Atlas Amendment (Rezone), application (RZNE-0082-2026) filed by the Owners, Ronald Lee Brantley and Debra Brantley, to change the zoning of ±1.13 acres from Agricultural-5 (A-5) to Residential Single Family-1 (RSF-1).

The property is generally located in central DeSoto County on the east side of SW Hillsborough Avenue and in the Low Density Residential Future Land Use Category.

The DeSoto County Land Development Regulations Article XI, Division 7 requires the Planning Commission/Local Planning Agency to hold at least one public hearing with due public notice on a rezoning application and to make a recommendation on the application to the Board of County Commissioners (Board), the authorizing body.

#### I. BACKGROUND

The applicant has filed the rezoning application as a needed step to qualify for a building permit under the Rebuild Florida Housing Repair and Replacement Program, funded by the US Department of Housing and Urban Development (HUD) to help eligible homeowners repair, rebuild, or replace homes damaged by major storms. The owner is receiving assistance from this program. The application for rezone was submitted to the Development Department by Ronald Lee Brantley and Debra Brantley and accepted on February 10, 2026.

The Interim 2040 Future Land Use Map of the Comprehensive Plan shows the subject property is located in the Low Density Residential Future Land Use Category and the Official Zoning District Atlas shows the land is zoned Agricultural-5 (A-5).

The subject property is non-conforming due to the size (5 acres minimum required) but it is unclear when the 1.13-acre parcel was created. Research on the Property Appraiser's website shows the parcel has existed since May 1, 2003, according to a recorded Quit Claim Deed (Book 543 Page 121).

Approval of the proposed rezoning will bring the subject property into compliance with the minimum standards of the Residential Single Family-1 (RSF-1) district and eliminate the non-conformity for the subject property.

## **II. PROPOSED ORDINANCE**

**AN ORDINANCE OF THE DESOTO COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS AMENDING THE OFFICIAL ZONING ATLAS IDENTIFIED IN LAND DEVELOPMENT REGULATIONS ARTICLE 2, ZONING DISTRICTS AND REQUIREMENTS, SECTION 20-31, ESTABLISHMENT OF ZONING DISTRICTS; GRANTING TO THE APPLICANT, DEBRA BRANTLEY, AN OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZNE-0082-2026) BY CHANGING THE ZONING DISTRICT OF +/- 1.13 ACRES FROM AGRICULTURAL - 5 (A-5) TO RESIDENTIAL SINGLE FAMILY-1 (RSF-1) FOR PROPERTY GENERALLY LOCATED IN CENTRAL DESOTO COUNTY, 2038 SE HILLSBOROUGH AVENUE, THE PROPERTY IDENTIFICATION NUMBER BEING 07-38-25-0000-0674-0000; AND PROVIDING FOR AN EFFECTIVE DATE.**

## **II. DATA & ANALYSIS**

In all quasi-judicial proceedings, the applicant shall bear the burden of demonstrating by competent and substantial evidence that the application satisfies the standards and requirements of the LDR and the Comprehensive Plan. LDR Article XI, Administration and Enforcement, Division 7 addresses Official Zoning District Atlas (rezoning) amendment and text amendment applications. LDR Section 20-1650 defines the Official Zoning District Atlas as scaled-based maps of the unincorporated area of the County depicting the land features, roads and property lines overlaid with zoning district boundaries adopted by the DeSoto County Board of County Commissioners, certified and dated by the Board Chairman, as may be amended from time to time. Zoning District symbols are depicted within each boundary.

### **A. Comprehensive Plan Consistency**

The rezoning application can be found to be consistent with the following Comprehensive Plan policies:

**FLUE Objective 1.1: Land Use Categories Established.** The generalized land use categories depicted in the Interim 2040 Future Land Use Map Series are intended to establish varying degrees of environmental protection and intensity of development, transitioning from the

natural environment to the most intense development areas by gradually increasing density and urban character.

**FLUE Policy 1.1.2:** *Land Use Categories.* The County shall implement the following land use categories as shown on the Future Land Use Map.

Land Use Categories	Base Density/Intensity
Low Density Residential	Up to 2 du/acre

*Consistency analysis: The property is currently designated Low Density Residential Land Use on the Future Land Use Map and the proposed rezone to RSF-1 will allow one residence on the property, consistent with the density limitations.*

*Based on the above findings, it is concluded the application can be found to be **consistent** with this policy.*

**Policy 1.1.11: Rezoning.** The zoning amendment criteria in the Land Development Regulations shall be used to determine if a rezoning request to a new district is appropriate for a given property, in accordance with the comprehensive plan. The following general criteria, at a minimum, will be considered as part of the rezoning review process:

- (1) Location, availability and capacity of public services and facilities.
- (2) Proximity to similar densities/intensities.
- (3) Location within transportation network.
- (4) Environmental protection.

*Consistency analysis: The rezoning review process has considered the above criteria. Public utilities are not available to this site. There does not appear to be a negative impact to existing or planned public infrastructure. The proximity of potential development to the surrounding area has been considered and can be found to be compatible in terms of similar density. The area to the north is developed with the El Dorado Mobile Home Park containing very small lots. There is a single-family subdivision (Ambra Kay) located to the west with lots that average 0.5 acre. The proposed rezone to RSF-1 is more consistent with the established development patterns than the existing A-5 zoning. The subject property is acceptably located within the transportation network with access available to SW Hillsborough Avenue. The site is not located in the Conservation Overlay Designation (COD) and therefore environmental issues are not an issue for consideration of the rezone. The rezoning review has considered LDR Section 20-128 Residential Single-Family District standards and the requirements therein.*

*Based on the above findings, it is concluded the application can be found to be **consistent** with this policy.*

**Objective 1.4: Low-Density Residential Use Category Defined.** The Low Density Residential Use category consists of low-density residential uses in progressive degrees of urban intensity with higher density in areas adjacent to the Medium Density Residential, Mixed Use Centers, General Mixed Use Centers and less density/intensity in areas adjacent to the Rural/Agricultural categories.

**B. Compatibility Analysis**

<b>Directions</b>	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Types of Land Uses</b>
<b>Site</b>	Low Density Residential	Agricultural-5 (A-5)	Single-family home
<b>North</b>	Low Density Residential	Residential Multi Family Mixed (RMF-M)	Mobile homes
<b>South</b>	Low Density Residential	Agricultural-5 (A-5)	Nursery
<b>East</b>	Low Density Residential	Agricultural-5 (A-5)	Nursery
<b>West</b>	Low Density Residential	Residential Multi Family-6 (RMF-6)	Single family home & Tri-plex

The Compatibility Analysis Table illustrates that the surrounding uses can be found to be generally consistent with the Low Density Residential Future Land Use Category. The LDR provides specific minimum lot area and lot width, maximum density, minimum yard requirements, and maximum impervious lot coverage for the Residential Single Family zoning district to help to ensure compatibility between uses.

*Consistency analysis: The proposed zoning generally aligns with the range of permitted uses allowed in the proposed zoning and uses in the area.*

*Based on the above findings, it is concluded the application can be found to be **consistent** with this policy.*

**C. Rezoning Criteria**

Planning Commission Report. LDR Section 20-1498(a) provides that the report and recommendations of the Planning Commission to the Board of County Commissioners shall

show that the Planning Commission has studied and considered the proposed change in relation to the 15 factors listed below and staff offers a consistency analysis of each.

<b>Criteria</b>	<b>Details</b>	<b>Yes Consistent for Approval</b>	<b>No Inconsistent Does not support approval</b>
(1) Whether the proposed change would be consistent with the Comprehensive Plan.	The rezone to RSF-1 is consistent with the Low Density Residential Future Land Use category, which is the first step in evaluating the rezone request.	X	
(2) The existing land use pattern.	The compatibility table shows the existing land use pattern is comprised of smaller residential lots to the north and west, zoned RMF-M, & RMF-6, and larger lots to the south and east, zoned A-5. The rezoning of this property to RSF-1 can be found to be an appropriate extension of the existing land use pattern.	X	
(3) The creation of an isolated district unrelated to adjacent and nearby districts.	While there is no RSF-1 zoning contiguous to this site, the site is adjacent to residential zoning, located to the north and west. The RMF- M and the RMF-6 zoning requires a minimum lot size of 7,260 square feet and permits single family, duplexes, and multi-family residential. The RSF-1 district required a larger minimum lot size (43,560 square feet) and allows a single-family home. The proposed zoning can be found to be more consistent with the nearby districts than the existing A-5 zoning. Approval of the rezone to RSF-1	X	

	will not create an isolated district and can be found to be appropriate.		
(4) The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the comprehensive plan, and as defined and implemented through the County concurrency regulations.	The rezoning of an existing lot will not impact the availability of adequate public facilities, nor negatively impact the level of service standards.	X	
(5) Whether the existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for changes.	The existing A-5 zoning district boundaries that encompass the subject property are illogically drawn and the site is non-conforming in size due to the existing zoning. Rezoning the property to RSF-1 will correct this inconsistency.	X	
(6) Whether changed or changing conditions make the passage of the proposed amendment necessary.	While it is unclear when the subject lot was created, rezoning the property will rectify the existing non-conformity and allow the improvements to the property. The area has continued to transition from agricultural uses to a residential pattern supporting the change in zoning. There is currently a single-family residence on the property that has significant hurricane damage; and rezoning the land to RSF-1 will allow the replacement of the home.	X	
(7) Whether the proposed change will adversely influence living	The rezoning will not adversely influence living conditions in the area, RSF-1 zoning is compatible with the	X	

conditions in the area.	area and consistent with the established development pattern.		
(8) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.	The rezoning will not negatively impact traffic or public safety, as development will not be intensified on the property.	X	
(9) Whether the proposed change will create a drainage problem.	The rezoning will not impact drainage and is exempted from any State permitting from the Department of Environmental Protection.  The FEMA flood map for this area is number 12027C0178C, effective on 11/06/2013. Based upon the flood maps, the property is located in Zone X.	X	
(10) Whether the proposed change will seriously reduce light and air to adjacent areas.	The rezoning will not have an impact on reducing light and air to adjacent areas	X	
(11) Whether the proposed change will adversely affect property values in the adjacent area.	The rezone to RSF-1 will not adversely affect property values.	X	
(12) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.	Changing the zoning to RSF-1 will not be detrimental to the improvement or development of adjacent property.	X	

<p>(13) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.</p>	<p>The proposed change will not grant a special privilege to an individual owner as contrasted to the public welfare. The rezoning has been reviewed against the standard requirements of the Comprehensive Plan and Land Development Regulations and found to be appropriate.</p>	<p>X</p>	
<p>(14) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.</p>	<p>The property cannot receive a building permit to replace the hurricane damaged home onsite because the lot size is inconsistent with the minimum standard of the A-5 district. Rezoning the site to RSF-1 can be found to be appropriate based on an evaluation of the rezoning criteria contained in the LDR and will allow the property owner to rebuild their home.</p>	<p>X</p>	
<p>(15) Whether the change suggested is out of scale with the surrounding area.</p>	<p>The proposed rezone to RSF-1 is not out of scale with the surrounding area and approval of the RSF-1 zoning allows for development that is at an appropriate scale for the area. An RSF-1 zoned lot will provide a good transition in lot size from the smaller lots located to the north and west to the larger parcels zoned A-5, located to the east.</p>	<p>X</p>	

#### IV. FINDINGS & CONCLUSIONS

1. The subject property consists of a 1.13-acre site located in central DeSoto County, on the east side of SE Hillsborough Avenue.
2. The Interim 2040 Future Land Use Map shows the subject property is designated Low Density Residential.
3. The Official Zoning District Atlas shows the subject property is currently zoned Agricultural-5 (A-5), 1 dwelling unit per 5 acres.

4. On February 10, 2026, an Official Zoning District Atlas amendment application (RZNE-0082-2026) was filed by the owners, Ronald Lee Brantley and Debra Brantley, which application proposes to change the zoning district to Residential Single Family-1 (RSF-1), 1 dwelling units per acre.
5. Public notice was provided in accordance with LDR Section 20-1496(b) for the Planning Commission/LPA public hearing on May 5, 2026.
6. The application has been reviewed against the Comprehensive Plan and can be found to be consistent with the applicable policies.

## **V. STAFF EVALUATION**

In summary, the rezoning application can be found to be consistent with the 15 factors contained in Section 20-1498(a) of the Land Development Regulations.

## **VI. ALTERNATIVE ACTIONS FOR THE PLANNING COMMISSION**

1. Motion to enter into the record the staff report, and all other competent substantial evidence submitted at the hearing and recommend approval the application for rezone.
2. Motion to enter into the record the staff report, and all other competent substantial evidence submitted at the hearing and recommend denial the application for rezone.

## **VII. HEARING SCHEDULE**

- Planning Commission: Scheduled for May 5, 2026.
- Board of County Commissioners: Scheduled for May 26, 2026.

## **ATTACHMENTS**

- Exhibit A – Location Map
- Exhibit B – FLU Map
- Exhibit C – Zoning Atlas Map