



DeSoto County

Planning Commission

Meeting Minutes - Final

Tuesday, July 7, 2026

5:30 PM

CALL TO ORDER

Chairman Bill Martin called the meeting to order at 5:30pm.

PLEDGE OF ALLEGIANCE

Chairman Bill Martin led the Pledge of Allegiance.

ROLL CALL

Present	Chairperson Bill Martin, Council Member Erik Howard, Council Member Lynn Banish, and Council Member Theresa Collins-Hill
Absent	Council Member Allen Reesor

SET OR AMEND THE AGENDA

A motion was made by Council Member Howard, seconded by Council Member Collins-Hill, that this be approved. The motion carried by the following vote:

Aye:	Chairperson Martin, Council Member Howard, Council Member Banish, and Council Member Collins-Hill
Absent:	Council Member Reesor

PUBLIC FORM FOR NON-AGENDA ITEMS

PROOF OF PUBLICATION: MOTION TO FILE PROOF OF PUBLICATION

1. Proof of Publication

Attachments: [Publishers Affidavit](#)
 [Tear Sheet](#)

A motion was made by Council Member Collins-Hill, seconded by Council Member Howard, that this Proof of Publication be approved. The motion carried by the following vote:

Aye:	Chairperson Martin, Council Member Howard, Council Member Banish, and Council Member Collins-Hill
Absent:	Council Member Reesor

MEETING MINUTES

2. Planning Commission and Board of Adjustment meeting minutes

Attachments: [6-2-2026 BOA Meeting Minutes](#)
 [6-2-2026 PC Meeting Minutes](#)

A motion was made by Council Member Banish, seconded by Council Member Collins-Hill, that this Minutes be approved. The motion carried by the following vote:

Aye: Chairperson Martin, Council Member Howard, Council Member Banish, and Council Member Collins-Hill

Absent: Council Member Reesor

DEVELOPMENT DIRECTOR COMMENTS

Misty Servia, Planning Director, asked the Board to confirm their availability for the August 4, 2026 Planning Commission Meeting to ensure that a quorum will be present.

ACTION ITEMS

3. Data Center Moratorium Ordinance

Attachments: [2026-06-29 Ordinance - Data Center Moratorium \(final\) v2](#)

County Attorney Valerie Vicente explained that the proposed ordinance would impose a one-year pause on the acceptance, processing, review, and approval of new data center applications. She emphasized that the moratorium is intended to give the County time to study the potential impacts of data centers and develop Comprehensive Plan policies and Land Development Regulations addressing issues such as appropriate zoning districts, minimum parcel sizes, setbacks, buffering, infrastructure capacity, emergency services, water consumption, wastewater, environmental impacts, noise, security, and fiscal impacts. During the moratorium, staff will conduct technical studies, seek public input, and prepare recommended regulations for future consideration. Public comment was overwhelmingly in support of the moratorium, with many residents urging the County to strengthen the proposal by extending it to two years or adopting a permanent prohibition on industrial-scale data centers. Speakers raised concerns about groundwater consumption, drought conditions, protection of the Floridan Aquifer, wastewater, air emissions, noise, heat generation, emergency response capabilities, and the limited number of permanent jobs such facilities provide relative to their size and infrastructure demands. Several residents cited Florida water statutes, questioned whether sufficient environmental protections currently exist, and encouraged the County to establish enforceable standards for setbacks, emissions monitoring, infrasound, noise limits, and ongoing compliance. Others urged the County to hold public workshops throughout the ordinance development process. Several speakers questioned how the previously approved 34-acre data center project advanced when the County now acknowledges it lacks regulations specifically addressing data centers. Residents also raised concerns regarding transparency, ethics, and potential conflicts of interest surrounding previous approvals. One speaker formally requested an independent investigation into conflict-of-interest disclosures related to earlier votes and argued that a moratorium excluding pending applications would provide little practical protection because the largest of the proposed projects would continue moving through the approval process. Speakers emphasized that development applications are not vested rights and encouraged the County to use its authority to deny future Comprehensive Plan amendments that would facilitate large-scale

data center expansion. During Commission discussion, members expressed concern that one year might not provide enough time for staff to complete the extensive technical work necessary to develop appropriate regulations. County Attorney Vicente explained that the one-year timeframe was intentionally selected because it is generally more legally defensible under Florida's Bert Harris Act, which protects private property rights. She advised that extending the moratorium beyond one year or adopting a permanent ban could increase the County's exposure to litigation. However, She noted that the ordinance allows the Board of County Commissioners to extend the moratorium if additional time is needed, provided the County demonstrates it is actively conducting studies and developing regulations. The County Attorney further explained that the proposed moratorium intentionally exempts applications already filed before its adoption to reduce legal risk. As a result, the two pending rezoning applications totaling approximately 800 acres for a proposed data center expansion would continue through the existing review process and receive separate quasi-judicial hearings before both the Planning Commission and the Board of County Commissioners, where each application would be evaluated under the current Comprehensive Plan and Land Development Regulations. Before final action, Commissioner Howard recused himself from voting due to the appearance of a potential conflict of interest involving his firm's consulting relationship with the County. Following discussion, the remaining commissioners voted to recommend that the Board of County Commissioners amend the proposed ordinance by extending the moratorium from one year to two years and by applying the moratorium to the two pending rezoning applications associated with the proposed approximately 800-acre data center expansion.

A motion was made by Council Member Collins-Hill, seconded by Council Member Banish, that this Moratorium be recommended for approval. The motion carried by the following vote:

Aye: Chairperson Martin, Council Member Banish, and Council Member Collins-Hill

Absent: Council Member Reesor

Recused: Council Member Howard

4. Ordinance / Joseph Minore / Land Development Regulation amendment (LDR-0010-2025)

Attachments: [2026-05-22 Staff Report LDR Amen Joseph Minore Final for PC](#)
[CAO 2026-05-21 Ord Primitive Camping](#)

Misty Servia presented a proposed amendment to the Land Development Regulations, recommending that primitive tent camping be permitted for recreational, commercial, or noncommercial purposes in the A-10 Agricultural zoning district. The proposed standards would allow camping with or without a fee, require compliance with Florida Department of Health requirements for any necessary sanitary facilities, limit camping to two campsites per acre and no more than seven days per calendar month per campsite, and require compliance with all applicable federal, state, and local zoning, floodplain, environmental, and campfire regulations. Applicant Joseph Minore spoke in support of the

amendment, explaining that he unknowingly operated a primitive tent campground on his five-acre property for more than a year before receiving a zoning violation. He stated that the campground attracted more than 300 visitors from across Florida and other states, generated approximately \$14,000 in revenue, and brought additional tourism dollars to local businesses. He emphasized that his guests were tent campers seeking a quiet, nature-based experience and argued that allowing commercial primitive camping could promote agri-tourism, preserve rural land, and provide supplemental income for property owners while benefiting the local economy. Planning Commission members questioned staff and the applicant about the proposal, including whether it would allow RVs (it would not), sanitary facility requirements, parking, compatibility with agricultural zoning, taxation, and the distinction between primitive camping and commercial campgrounds. Ms. Servia clarified that the amendment would apply countywide to all A-10 properties, not just the applicant's property, and reviewed other uses currently permitted in the zoning district. Following discussion, Commissioner Banish made a motion to recommend denial, expressing concerns about introducing commercial uses into agricultural zoning. The motion failed for lack of a second.

A motion was made by Council Member Howard, seconded by Council Member Collins-Hill, that this Ordinance be recommended for approval. The motion carried by the following vote:

Aye: Chairperson Martin, Council Member Howard, and Council Member Collins-Hill
Nay: Council Member Banish
Absent: Council Member Reesor

QUASI-JUDICIAL PUBLIC HEARING

Valerie Vicente County Attorney explained county procedures for Quasi-Judicial and Ex Parte Communication. The Clerk administered the Oath to all who wished to speak at the hearing.

5. Ordinance / Vitali Ostrikov / Rezone (RZNE-0081-2026)

Attachments: [staff report RZNE-0081-2026](#)
[Location Map](#)
[FLU Map](#)
[Zoning Map](#)
[Ordinance RZNE-0081-2026](#)

Misty Servia presented a request for a rezoning application (RZNE-0081-2026) submitted by Vitali Ostrikov to rezone a 5.26-acre vacant parcel located east of CR 769 on SW Agnes Street in Arcadia from Agricultural-5 (A-5) to Commercial General (CG). The request is consistent with the property's Commercial Future Land Use designation and was found to meet all applicable Comprehensive Plan policies and rezoning criteria. Staff recommended approval, noting the rezoning is compatible with surrounding land uses and is not expected to adversely impact public facilities, traffic, drainage, or neighboring properties. The applicant was present to answer questions and stated that the property has been cleaned up and may be used for an automotive-related business in the future. Commissioner Howard made a motion to close the public hearing, seconded by Commissioner

Hll. The motion carried unanimously. Following discussion, the Planning Commission recommended approval of the rezoning request.

A motion was made by Council Member Howard, seconded by Council Member Banish, that this Ordinance be recommended for approval. The motion carried by the following vote:

Aye: Chairperson Martin, Council Member Howard, Council Member Banish, and Council Member Collins-Hill

Absent: Council Member Reesor

PLANNING COMMISSION MEMBER REMARKS

NEXT MEETING

ADJOURNMENT

Being no further business before the Planning Commission, Chairperson Martin adjourned the meeting at 7:45PM

CHAIRPERSON
BILL MARTIN

DATE
07-07-2026

Supplemental Documents 07-07-2026

Attachments: PC Supplemental Documents
Planning Commission public speaker cards

NOTE: For quasi-judicial matters, any party desiring a verbatim record of the proceeding of this hearing for the purpose of an appeal is advised to make private arrangements for the production of a record and anyone wishing to present documents or other written evidence to the Board must provide eight (8) copies of the written material. If special accommodations are required in accordance with the Americans with Disabilities Act, individuals should contact the County Administrator's Office by calling 863-993-4800 at least forty-eight hours prior to the hearing.