



DeSoto County

Planning Commission

Meeting Agenda

Tuesday, July 7, 2026

5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

SET OR AMEND THE AGENDA

PUBLIC FORM FOR NON-AGENDA ITEMS

PROOF OF PUBLICATION: MOTION TO FILE PROOF OF PUBLICATION

1. Proof of Publication

[26-1871](#)

Sponsors: Administrator

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

MEETING MINUTES

2. Planning Commission and Board of Adjustment meeting minutes

[26-1872](#)

Sponsors: Administrator

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

DEVELOPMENT DIRECTOR COMMENTS

ACTION ITEMS

3. Data Center Moratorium Ordinance

[26-1874](#)

Sponsors: Administrator

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

4. Ordinance / Joseph Minore / Land Development Regulation amendment (LDR-0010-2025) [26-1870](#)

Sponsors: Administrator

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

5. Ordinance / Vitali Ostrikov / Rezone (RZNE-0081-2026) [26-1869](#)

Sponsors: Administrator

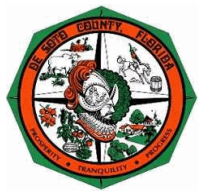
Attachments: [staff report RZNE-0081-2026](#)
[Location Map](#)
[FLU Map](#)
[Zoning Map](#)
[Ordinance RZNE-0081-2026](#)

PLANNING COMMISSION MEMBER REMARKS

NEXT MEETING

ADJOURNMENT

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.



DeSoto County

7/7/2026

Item #: 1.

- ☐ Consent Agenda ☐ Quasi-Judicial Public Hearing
☐ Regular Business 5:30 pm
☒ Public Hearing Proof of Publication

DEPARTMENT: Planning & Zoning
SUBMITTED BY: Laura McClelland
PRESENTED BY: Bill Martin

TITLE & DESCRIPTION:

Proof of Publication

REQUESTED MOTION:

A motion to approve the proof of publication that ran Friday, June 26, 2026.

SUMMARY:

Legal ad ran in the Daily Sun newspaper on Friday, June 26, 2026, noticing the items on the July 7, 2026, Planning Commission agenda.



Ticket: 3993039-1
PC 7.7
3 x 12
Laura McClelland
Publish: 06/26/26
379254 3993040

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

06/26/26

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 29th day of
June, 2026

(Signature of Notary Public)



Personally known X OR Produced Identification

ELECTIONS

Buchanan leads in funds to replace Gruters

Son of longtime US Vern Buchanan aims to move to Florida Senate

NEWS SERVICE OF FLORIDA

TALLAHASSEE — State Rep. James Buchanan in his bid to move into the state Senate didn't post any campaign contributions as the election cycle moved through the qualifying

period but maintained a sizable financial advantage in District 22. Buchanan, a Republican who represents much of Sarasota County, is among four candidates who have qualified to replace Sen. Joe Gruters, R-Sarasota, including Republican Vic Rohe of the Sarasota Memorial Hospital Board. Gruters couldn't run due to term limits and currently serves as the



Buchanan

Buchanan's father, Vern Buchanan. Vern Buchanan is a long-time congressman who represents much of Manatee County and portions of

Pinellas County. Even without reporting contributions between June 1 and June 12 to his campaign account or the political committee Buchanan For Florida, Buchanan had \$158,000 available in his campaign account on June 12 and just over \$1.39 million in the political committee at the same time. Meanwhile, Rohe raised \$100 in the recent filing

period and had nearly \$8,000 available. Democrat Lew Wasserman from Lakewood Ranch reported \$105 in contributions as he awaits the Republican primary winner. Wasserman, an attorney and former University of Texas professor who is a member of the Manatee County Democratic Executive Committee, also loaned his campaign

\$60,000. Also waiting for the general election is Martin Hyde of Sarasota, who is running without a party affiliation. Hyde ran as a Republican in 2022 when he challenged U.S. Rep. Vern Buchanan, R-Sarasota, for Congress. Hyde loaned his campaign \$50,000 after entering the Senate contest on June 8.

IMMIGRATION

'Alligator Alcatraz' officially closed

Governor says facility was never supposed to be a longterm site; more than 21,000 were deported through it

ASSOCIATED PRESS

OCHOPEE — The immigration center built in the Florida swamps known as "Alligator Alcatraz" is closing after nearly a year of holding thousands of immigrant detainees, Gov. Ron DeSantis said Thursday. DeSantis said the center was always supposed to be temporary and now federal officials have enough ability to handle detention and deportation in more permanent facilities. Officials announced a temporary closure of the facility earlier in June, saying hurricane season made it unsafe to keep the detainees in the Florida Everglades. All the of people kept at the isolated airstrip had been sent to other facilities.

Immigration advocates said the tents were never safe or humane to hold people. Detainees at the facility have talked about their difficulty accessing lawyers, and have described poor physical conditions, including worms in the food, toilets that don't flush, flooding floors with fecal waste, and mosquitoes and other insects everywhere. The detention center was built by DeSantis' administration in a matter of days in 2025 and President Trump came to visit site. DeSantis and Trump said the detention center was critical to Republican efforts to return people in the country illegally back to their home countries. The Republican governor said 21,000 people were deported through the facility.

FLORIDA INSURANCE

Citizens Insurance policy count hits all-time low

State insurer is down from 1.41 million in October 2023

JIM TURNER
News Service of Florida

TALLAHASSEE — Efforts to shrink Citizens Property Insurance have brought the policy count for the state-run insurer to what officials herald as a record low. But they also caution that an upturn is bound to occur, though it shouldn't be as dramatic as ones in the past due to new laws approved in 2022 and 2023. Citizens Property Insurance President and CEO Tim Cerio told board members Tuesday in a conference call that depopulation strategies over the past couple of years put the policy count under Citizens at 278,662 as of last Friday.

"It seems that we are really at an all-time low for probable maximum loss for Citizens policy insurance, which is great news, and again attributable to the reforms," Cerio said. The policy count, and any potential exposure risk, is down from 1.41 million in October 2023 as financial problems in the private market caused homeowners to fall into Citizens, which became the state's largest property insurer. With the current numbers, Cerio cautioned that a more measured upturn is expected due to the changes in law that help speed the latest depopulation move. "With the reforms, what we think we are going to see is, instead of a drastic increase if the market really turns south at some point, those increases and decreases would be more

gradual. They wouldn't be as drastic," Cerio said. "That's good news for consumers." The recent legislative changes targeted lawsuit costs incurred by insurers. The state has also benefited from a year without any hurricanes, which officials say has allowed some softening in homeowners insurance prices and growth in new carriers into the state. State leaders have long sought to hold down the number of Citizens policies, at least in part because of financial risks if Florida gets hit by a major hurricane or multiple hurricanes. Citizens was created to provide a haven for homeowners who couldn't find affordable coverage with a private carrier, but its policy counts have fluctuated significantly, depending on private market conditions.

Florida Insurance Commissioner Mike Yaworsky claimed at the June 9 Cabinet meeting the insurance market is the healthiest it's been in at least a decade. "There are well-capitalized companies ready for the oncoming hurricane season, should the worst happen," Yaworsky said. "So, we find ourselves in a really good place." The policy count high in 2023 wasn't the peak for Citizens, which reached 1.48 million policies near the end of 2012. At that time a series of depopulation efforts were implemented, such as the "clearinghouse" where homeowners would be sent to a private firm when their coverage was within 15 percent of the offer by Citizens. By 2019 Citizens had the count just under 420,000 policies. Last week Gov. Ron DeSantis signed a bill (SB 1028) that will create a new clearinghouse for commercial policies and allow surplus lines insurers providing strong financial strength ratings to be considered for the policy take-outs. Surplus lines insurers are companies not licensed in Florida but allowed to operate as an "eligible" insurer.

News Service Assignment Manager Tom Urban contributed to this report.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the below ordinances will be considered at the regularly scheduled Public Hearings/Meetings of the **Planning Commission** ("PC"), sitting as the Local Planning Agency, on **Tuesday, July 7, 2026, at 5:30 PM**, or as soon thereafter, as they may be heard on those dates. All public hearings will be held in the County Commission Meeting **Room 103, Administration Building, 201 E. Oak Street, Arcadia, Florida**. Copies of the applications and staff reports are available at the Development Department Room 204, Administration Building, 201 E. Oak Street, Arcadia, Florida five days prior to the meeting dates and are available on the County's website at www.desotobocc.com under Department News and News & announcements. Members of the public may appear and be heard on the matters to be considered. Pursuant to Section 286.0105, F.S., if you want to appeal any decision of the Planning Commission, you will need a record of the proceedings, and for such purpose, you may need to arrange for a verbatim transcript to be prepared.

PLANNING COMMISSION: (PC) Tuesday, July 7, 2026, at 5:30 PM

- Ordinance, Joseph Minore, Land Development Regulation Amendment (LDR-0010-2025)**
AN ORDINANCE OF DESOTO COUNTY, FLORIDA, AMENDING SECTION 20-126 OF "AGRICULTURAL 10 DISTRICT (A-10)" OF ARTICLE II, DIVISION 4, ZONING DISTRICTS OF CHAPTER 20 OF THE COUNTY'S LAND DEVELOPMENT REGULATIONS TO ALLOW FOR COMMERCIAL PRIMITIVE CAMPING AS A PERMITTED USE IN SAID ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
- Ordinance, DeSoto County, Establish a Temporary one (1) year Moratorium regarding Data Center facilities**
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, ESTABLISHING A TEMPORARY ONE (1) YEAR MORATORIUM ON THE ACCEPTANCE, PROCESSING, REVIEW, OR APPROVAL OF DEVELOPMENT APPLICATIONS, DEVELOPMENT ORDERS, DEVELOPMENT PERMITS, REZONINGS, BUILDING PERMITS, AND OTHER DEVELOPMENT APPROVALS FOR DATA CENTER FACILITIES WITHIN THE UNINCORPORATED AREA OF DESOTO COUNTY; PROVIDING FOR APPLICABILITY; PROVIDING FOR EXCEPTIONS; PROVIDING DIRECTION TO STAFF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
- Ordinance, Vitali Ostrikov, Rezone (RZNE-0081-2026)**
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS FOR A +/- 5.26 ACRE LOT FROM AGRICULTURAL - 5 (A-5) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT SW AGNES STREET EAST OF CR 769, WITH PROPERTY IDENTIFICATION NUMBER BEING 29-39-23-0000-0045-0000; AND PROVIDING FOR AN EFFECTIVE DATE.



PUBLISH: AS DISPLAY AD Friday, June 26, 2026

adno=3993039-1



PUBLIC HEARING NOTICE OF INTENT TO CONSIDER ADOPTION OF CITY OF NORTH PORT ORDINANCE NO. 2026-19

NOTICE IS HEREBY GIVEN that the City Commission of the City of North Port, Florida will hold a public hearing beginning at **6:00 p.m.** or shortly thereafter, on **Tuesday, July 7, 2026** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon the adoption of the following proposed City **Ordinance No. 2026-19:**

ORDINANCE NO. 2026-19

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE NON-DISTRICT BUDGET AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2025-2026 TO INCREASE THE WARM MINERAL SPRINGS BUILDING REHABILITATION PROJECT WM19BR IN THE AMOUNT OF \$4,082,133; PROVIDING FOR FINDINGS; PROVIDING FOR POSTING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance is on file in the Office of the City Clerk for inspection by the public between the hours of 8 a.m. to 4 p.m., Monday through Friday.

All interested parties may attend the meeting and be heard with respect to the proposed Ordinances.

This public hearing may be continued from time to time.

No stenographic record by a certified court reporter is made of these meetings. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the meeting(s) or hearing(s) noticed herein, he/she will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The North Port City Hall is accessible in accordance with the Americans with Disabilities Act (ADA). Designated, accessible parking is available on the west side of City Hall, with building access from the parking area. Any person requiring a reasonable accommodation to participate in this meeting is asked to contact the City Clerk's Office at least 48 hours in advance by email at cityclerk@northportfl.gov or by telephone at (941) 429-7270. Persons using TTY/TDD may access this number via the Florida Relay Service by dialing 711. Accommodations are provided at no cost. Translation services are available at no cost. We ask that requests be made at least 48 hours in advance by email at cityclerk@northportfl.gov or by telephone at (941) 429-7270.

/s/
Heather Faust, MMC
City Clerk

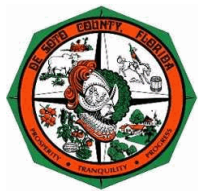
Publish: Friday June 26, 2026

adno=3993039-1



Remember
to recycle your
newspapers!





DeSoto County

7/7/2026

Item #: 2.

- ☐ Consent Agenda ☐ Quasi-Judicial Public Hearing
☐ Regular Business 5:30 pm
☒ Public Hearing Minutes

DEPARTMENT: Planning & Zoning
SUBMITTED BY: Laura McClelland
PRESENTED BY: Bill Martin

TITLE & DESCRIPTION:

Planning Commission and Board of Adjustment meeting minutes

REQUESTED MOTION:

A motion to approve the Planning Commission and Board of Adjustment meeting minutes from the June 2, 2026, meetings.



DeSoto County

Board of Adjustment

Meeting Minutes - Final

Tuesday, June 2, 2026

5:30 PM

CALL TO ORDER

Vice Chairman Allen Ressor called the meeting to order at 5:30pm.

PLEDGE OF ALLEGIANCE

Vice Chairman Allen Ressor led the Pledge of Allegiance.

ROLL CALL

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

SET OR AMEND THE AGENDA

A motion was made by Council Member Howard, seconded by Council Member Collins-Hill, to set the agenda . The motion carried by the following vote:

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

PUBLIC FORM FOR NON-AGENDA ITEMS

PROOF OF PUBLICATION: MOTION TO FILE PROOF OF PUBLICATION

1. Proof of Publication

Attachments: [Publisher Affidavit BOA 6-2-26](#)
 [Tear Sheet BOA 6-2-26](#)

A motion was made by Council Member Collins-Hill, seconded by Council Member Howard, to approve the Proof of Publication. The motion carried by the following vote:

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

DEVELOPMENT DIRECTOR COMMENTS

ACTION ITEMS

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.

2. Resolution / Southwest Land Developers (DeSoto Sand & Fill) VAR-0004-2025

Attachments: [VAR-0004-2025 DeSoto Sand Fill SR - tc \(cao\) jo FINAL - cao tc \(final\)](#)
[Location Map](#)
[FLU Map](#)
[Zoning Map](#)
[Flood Map](#)
[Wetlands Map](#)
[Resolution VAR-0004-2025 DeSoto Sand Fill - tc \(cao\) FINAL v2 cao tc V3 \(final\)](#)

John Osborne presented a request on behalf of Southwest Land Developers, Inc. for multiple variances related to the continuation of excavation operations at an existing Type IV borrow pit located at 3511 SW Dishong Avenue. The approximately 95.92-acre site has operated under excavation permits originally issued in 2004 and amended in 2007 and 2014, but the permit expired in 2018. The applicant is seeking relief from several current Land Development Regulations in order to continue and expand excavation activities despite changes to County regulations that occurred after the site was originally approved. County staff reviewed the request and noted that the site was cited by Code Enforcement in June 2024 for operating without a valid permit. The applicant requested variances related to excavation setbacks, maximum excavation area, excavation timing and quantity limitations, roadway improvement requirements, and access standards. Staff supported reduced setbacks due to the site's unique conditions, long history of excavation activity, and the hardship that strict application of current regulations would create on an already excavated property. However, staff recommended that issues involving excavation size, timing, and quantity be addressed through the standard Land Development Regulation process rather than through variances. Staff also indicated that roadway improvements could potentially be addressed through a proportionate share agreement subject to Board of County Commissioners approval and that access requirements had largely been resolved through revised site plans. During the public hearing, the applicant explained that the excavation operation has served the county since 2007 by providing fill material for residential and commercial construction, county road repairs, landfill operations, septic system installations, and public infrastructure projects. Representatives argued that the operation became nonconforming because regulations changed over time and that enforcing current standards would significantly reduce the usable excavation area, making the site economically impractical. They emphasized that no expansion of the excavation footprint was proposed and that the request primarily sought to recognize existing site conditions and allow continued operations. Several neighboring residents expressed concerns regarding flooding, groundwater impacts, wetland degradation, water quality, wildlife habitat, and the proximity of excavation activities to nearby homes. Board members discussed whether the requested variances met the legal standards for approval, balancing concerns about permit compliance and potential impacts against the site's long-standing operation and

the hardships created by subsequent regulatory changes. Commissioner Howard made a motion to close the public hearing, seconded by Commissioner Banish, the motion carried unanimously. After discussion, the Board found that the property's unique circumstances and existing conditions justified granting relief from certain regulations. The Board approved Variance Requests 1 through 4, allowing the application to move forward, while determining that Variance Request 5 was unnecessary. Board members emphasized that approval of the variances does not constitute final authorization for mining operations, as the project must still undergo additional site plan review and permitting processes addressing stormwater management, environmental impacts, traffic, roadway improvements, and other regulatory requirements before receiving final consideration by the Planning Commission and the Board of County Commissioners.

A motion was made by Council Member Howard, seconded by Council Member Banish, that this Resolution be adopted. The motion carried by the following vote:

Aye: Council Member Banish, Council Member Reesor, and Howard

Nay: Council Member Collins-Hill

Absent: Chairperson Martin

Enactment No: 2026-001

3. Resolution / Repeal of Resolution 2023-01 for a Variance (VAR-0002-2023) granted to Craig's RV Park Inc.

Attachments: [BOA Reso Repealing Reso 2023-01 - variance VAR 0002-2023 Craigs RV DRAFT Staff Report jwg edits RESOLUTION 2023-01-VARIANCE CRAIG'S RV](#)

Planning Director Misty Servia presented a request to repeal Resolution 2023-01 for a property located on Northeast Highway 17 between Northeast Cubitis Avenue and Highway 17. The 8.28-acre parcel is zoned A-10 (Agricultural-10). The original resolution, approved by the Board of Adjustment on November 7, 2023, granted a variance to allow construction of a single-family residence and a livestock barn. However, no building permits were ever issued and the approved use was never established. County staff explained that the property owner has since abandoned those plans and submitted an application for a communications tower, which will be considered separately through a special exception process. Because the previously approved residential and agricultural variance would conflict with the proposed tower use, staff requested repeal of the resolution to eliminate conflicting land-use entitlements on the property. Applicant representative Michael Hahn of Hahn Towers confirmed that the original plans for a residence, barn, and livestock were no longer being pursued and supported the repeal request. No public comments were received, and some brief discussion.

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

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

Absent: Chairperson Martin
Enactment No: 2026-002

PLANNING COMMISSION MEMBER REMARKS

NEXT MEETING

ADJOURNMENT

Being no further business before the Planning Commission, Chairperson Martin adjourned the meeting at 6:58PM

ACTING CHAIRPERSON
ALLEN RESSOR

DATE
06-02-2026

Supplemental Documents 06-02-2026

Attachments: BOA speaker cards
BOA supplemental document
BOA Supplemental Document 2
BOA 1
BOA 2

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.



DeSoto County

Planning Commission

Meeting Minutes - Final

Tuesday, June 2, 2026

5:30 PM

CALL TO ORDER

ROLL CALL

Present	Council Member Erik Howard, Council Member Lynn Banish, Council Member Allen Reesor, Council Member Theresa Collins-Hill, and Kelly Mercer
Excused	Ex officio LPA school board appointee Jami Schueneman
Absent	Chairperson Bill Martin

SET OR AMEND THE AGENDA

A motion was made by Council Member Howard, seconded by Council Member Collins-Hill, to set the agenda . The motion carried by the following vote:

Aye:	Council Member Howard, Council Member Banish, Council Member Reesor, and Council Member Collins-Hill
Excused:	Ex officio LPA school board appointee Schueneman, and Mercer
Absent:	Chairperson Martin

PROOF OF PUBLICATION: MOTION TO FILE PROOF OF PUBLICATION

1. Proof of publication

Attachments: [Publisher Affidavit PC 6-2-26](#)
 [Tear Sheet PC 6-2-26](#)

A motion was made by Council Member Collins-Hill, seconded by Council Member Howard, to approve the Proof of Publication. The motion carried by the following vote:

Aye:	Council Member Howard, Council Member Banish, Council Member Reesor, and Council Member Collins-Hill
Excused:	Ex officio LPA school board appointee Schueneman, and Mercer
Absent:	Chairperson Martin

MEETING MINUTES

2. Planning Commission Meeting Minutes from May 5, 2026

Attachments: [5-5-2026 PC Meeting Minutes-Draft](#)

A motion was made by Council Member Collins-Hill, seconded by Council Member Howard, to approve the Minutes. The motion carried by the following vote:

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

Excused: Ex officio LPA school board appointee Schueneman, and Mercer

Absent: Chairperson Martin

ACTION ITEMS

3. Ordinance / RD Welch / Rezone (RZNE0080-2026)

Attachments: [2026-04-28 Staff Report RZNE-0080-2026 for PC](#)
[Location Map](#)
[FLU Map](#)
[Zoning Map](#)
[2026-04-28 Ordinance RZNE-0080-2026 for PC](#)

Laura McClelland presented a request from R.D. Welch Company to rezone approximately 5.07 acres on Southwest Rees Street from A-5 (Agriculture) to RSF-2 (Residential Single Family 2). Staff found the request consistent with the property's Low Density Residential future land use designation and compatible with nearby residential development. Several residents opposed the rezoning, citing concerns about flooding, drainage, wetlands, wildlife impacts, septic systems near the river, increased density, and the loss of the area's rural character. Neighbors also expressed concerns that the rezoning could allow multiple homes on the property and negatively affect surrounding properties. Ms. McClelland explained that the request was only for a zoning change and that issues such as drainage, environmental impacts, utilities, and site design would be evaluated during any future development review. The applicant stated his intention was to develop larger residential lots rather than maximize density. A motion was made by Commissioner Howard to close the public hearing, seconded by Commissioner Hill. The motion carried unanimously. After discussion, commissioners acknowledged the residents' concerns but noted that the property is surrounded by existing residential zoning and that the request is consistent with the Comprehensive Plan.

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

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

Excused: Ex officio LPA school board appointee Schueneman, and Mercer

Absent: Chairperson Martin

4. Resolution / Craig's RV Park Inc. (Hahn Towers Inc.) / Special Exception (USE-0215-2025)

Attachments: [2026-05-15 USE-0215-2024 Cell Tower \(Craig's RV Park\) SR Fin for PC](#)
[FLUM](#)
[Zoning Map](#)
[Exhibit D Special Exception Concept Plan](#)
[Exhibit E RESOLUTION 2023-01-VARIANCE CRAIG'S RV](#)
[Exhibit F LOR Map 71](#)
[Exhibit G Planning Director Waiver](#)
[2026-05-15 USE-0215-2025 Craigs RV Resolution Final for PC](#)

Misty Servia presented a request for a special exception request from Hahn Towers, Inc. to construct a 195-foot telecommunications monopole tower on an 8.28-acre parcel located between Northeast Highway 17 and Northeast Cubitis Avenue. The property, while smaller than the current minimum lot size requirement, qualifies as a non-conforming lot of record and was eligible for consideration after the repeal of a previously approved variance earlier in the meeting. County staff found the proposal consistent with the Comprehensive Plan and Land Development Regulations, subject to several conditions including construction of an access drive and turnaround for emergency vehicles, recording of access and utility easements, submission of a lighting plan, and completion of required development approvals. The proposed tower would be located on previously disturbed land, outside of wetland areas, and would meet all setback requirements. The applicant explained that the tower is needed to address significant cellular coverage gaps in the Brownville and Highway 17 corridor, improve call reliability, expand data service, and enhance emergency 911 communications for residents, travelers, and first responders. The tower is designed as a monopole to minimize visual impacts and accommodate multiple wireless carriers in the future. Commissioner Howard made a motion to close the public hearing, seconded by Commissioner Banish. The Motion carried unanimously.

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

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

Excused: Ex officio LPA school board appointee Schueneman, and Mercer

Absent: Chairperson Martin

PLANNING COMMISSION MEMBER REMARKS

NEXT MEETING

ADJOURNMENT

Being no further business before the Planning Commission, Chairperson Martin adjourned the meeting at 8:03PM

ACTING CHAIRPERSON
ALLEN RESSOR

DATE
06-02-2026

Supplemental Documents

Attachments: Planning Commission 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.



DeSoto County

7/7/2026

Item #: 3.

- ☐ Consent Agenda ☐ Quasi-Judicial Public Hearing
☐ Regular Business 5:30 pm
☒ Public Hearing Other

DEPARTMENT: Planning & Zoning
SUBMITTED BY: Laura McClelland
PRESENTED BY: Valerie Vicente

TITLE & DESCRIPTION:

Data Center Moratorium Ordinance

REQUESTED MOTION:

Move to recommend to the Board approval of the Data Center Moratorium Ordinance as presented.

SUMMARY:

Pursuant to the Board direction given at the June 23, 2026 public meeting, the attached ordinance was prepared establishing a temporary one (1) year moratorium on the acceptance, processing, review, and approval of development applications for Data Center Facilities within the unincorporated areas of DeSoto County. The moratorium is intended to preserve the status quo while the County evaluates the unique land use, infrastructure, utility, environmental, emergency services, and compatibility impacts associated with modern large-scale data center facilities and considers appropriate amendments to the Comprehensive Plan and Land Development Regulations. The ordinance recognizes recent state legislation acknowledging these unique planning considerations and allows the County time to review the forthcoming OPPAGA study and develop appropriate regulatory standards. The ordinance exempts the previously approved data center PUD (RZNE-0077-2025) and the two pending rezoning applications (RZNE-0086-2026 and RZNE-0087-2026), which will continue to be processed under existing County procedures.

DESOTO COUNTY, FLORIDA
ORDINANCE 2026- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, ESTABLISHING A TEMPORARY ONE (1) YEAR MORATORIUM ON THE ACCEPTANCE, PROCESSING, REVIEW, OR APPROVAL OF DEVELOPMENT APPLICATIONS, DEVELOPMENT ORDERS, DEVELOPMENT PERMITS, REZONINGS, BUILDING PERMITS, AND OTHER DEVELOPMENT APPROVALS FOR DATA CENTER FACILITIES WITHIN THE UNINCORPORATED AREA OF DESOTO COUNTY; PROVIDING FOR APPLICABILITY; PROVIDING FOR EXCEPTIONS; PROVIDING DIRECTION TO STAFF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 1(f), Florida Constitution, and Chapter 125, Florida Statutes, grant counties broad home rule authority to protect the public health, safety, and welfare and to enact land development regulations; and

WHEREAS, the Board of County Commissioners is authorized to adopt and enforce comprehensive planning and land development regulations pursuant to Chapter 163, Florida Statutes; and

WHEREAS, Chapter 2026-65, Laws of Florida (CS/CS/SB 484), created section 163.326, Florida Statutes, wherein the Legislature expressly found that certain land uses, including data centers and other large load customers, may present unique planning, infrastructure, utility, environmental, and compatibility considerations; and

WHEREAS, section 163.326, Florida Statutes, further provides that such considerations are appropriately addressed through local comprehensive planning and land development regulations, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services; and

WHEREAS, the Legislature expressly recognized that local governments maintain authority to exercise their comprehensive planning and land development regulatory powers with respect to data centers and other large load customers; and

WHEREAS, Chapter 2026-65, Laws of Florida, further directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to contract for an independent interdisciplinary study regarding the construction and operation of large-scale data centers and to submit such study to the Governor, President of the Senate, and Speaker of the House of Representatives by July 1, 2027; and

WHEREAS, the Legislature's direction to OPPAGA demonstrates that the statewide impacts, infrastructure demands, environmental considerations, utility requirements, and policy implications associated with large-scale data centers remain the subject of ongoing evaluation and study; and

WHEREAS, Data Center Facilities may require substantial and continuous electric demand, water supply, reclaimed water infrastructure, wastewater capacity, cooling infrastructure, stormwater systems, backup generation facilities, emergency services planning, fire protection infrastructure, fuel storage, transmission facilities, and related public infrastructure; and

WHEREAS, DeSoto County presently lacks comprehensive plan policies and land development regulations specifically addressing the siting, compatibility, utility demand, infrastructure capacity, water consumption, reclaimed water use, wastewater impacts, emergency service impacts, environmental impacts, noise impacts, security infrastructure, and fiscal impacts associated with Data Center Facilities; and

WHEREAS, local governments may enact temporary development moratoria where reasonably related to legitimate planning objectives and where necessary to preserve the status quo while studying and implementing appropriate land use regulations; and

WHEREAS, the Board finds that a temporary one-year moratorium is reasonable in duration and necessary to allow staff sufficient time to review the forthcoming OPPAGA study, evaluate the impacts of such facilities, prepare draft Comprehensive Plan and Land Development Regulation amendments, and complete the public hearing process required by Florida law; and

WHEREAS, on March 24, 2026, the Board approved Ordinance No. 2026-004, Application RZNE-0077-2025, rezoning approximately 34.22 acres to Planned Unit Development (PUD) for a data center facility subject to specific conditions and development limitations and finds it appropriate to exempt development activity

associated with RZNE-0077-2025 from the provisions of this Ordinance; and

WHEREAS, the Board further acknowledges that two (2) rezoning applications have already been filed with the County seeking to rezone certain parcels to Planned Unit Development (PUD) to allow development of data center facilities on said parcels (to wit, applications RZNE-0087-2026 and RZNE-0086-2026) (the “Pending Applications”), and given the timing of those applications, finds it appropriate to exempt the Pending Applications from the provisions of this Ordinance, which shall continue to be processed pursuant to the County’s normal procedures; and

WHEREAS, on June 23, 2026, the Board by a vote of 4-0, directed the County Attorney to prepare this Ordinance enacting a moratorium as provided for herein; and

WHEREAS, on July 7, 2026, at a duly noticed and advertised public hearing, the Planning Commission, which also serves as the County’s Local Planning Agency, held a public hearing on this Ordinance and recommended approval; and

WHEREAS, on July 28, 2026, after conducting the requisite public hearings, the Board finds that such a temporary moratorium is consistent with the County’s Comprehensive Plan, serves a legitimate public purpose, is reasonable in time and is in the best interest of the health, safety and welfare of the citizens, visitors and business residents of DeSoto County.

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

SECTION 1. FINDINGS. The foregoing recitals are adopted and incorporated herein as legislative findings.

SECTION 2. DEFINITIONS.

- A. “Data Center Facility” shall mean a building, a dedicated space within a building, or group of buildings housing computer systems and associated components, such as telecommunication and data processing systems, to be used for remote storage, processing, or distribution of large amounts of data. Examples of such data, include but are not limited to, computationally intensive applications such as cryptocurrency mining, artificial intelligence (A.I.) computing, weather modeling, genome sequencing, application hosting, cloud storage, video and

technical streaming services, etc. Such facilities may include air handlers, power generators, water cooling and storage facilities, utility substations, and other infrastructure to support operations. The term shall not include server rooms and computer rooms typically used to house IT and related network equipment located internally to a building where such rooms are incidental to the primary use in the building or on the site. As used herein, Data Center Facility shall also include facilities that fall within the definition of Data Center and Large-Scale Data Center as those terms are defined in section 373.203, Florida Statutes.

- B. "Development Approval" means any rezoning, special exception, conditional use, variance, site plan approval, development order, development permit, building permit, comprehensive plan amendment, concurrency approval, utility approval, construction plan approval, or other County approval required to establish, construct, expand, or intensify a Data Center Facility.

SECTION 3. MORATORIUM. For a period of one (1) year following the effective date of this Ordinance, the County shall not accept, process, review, approve, issue, or grant any Development Approval for the construction, expansion, or operation of Data Center Facilities within the unincorporated areas of DeSoto County.

SECTION 4. APPLICABILITY. The moratorium established herein applies to all applications for Development Approval relating to Data Center Facilities filed with the County on or after **June 23, 2026**, whether such applications were pending on the effective date of this Ordinance or are submitted thereafter, except as expressly provided in Section 5.

SECTION 5. EXEMPTION. This Ordinance shall not apply to:

- A. Ordinance No. 2026-004 (PUD Rezoning RZNE-0077-2025) approved by the Board of County Commissioners on March 24, 2026, and any future applications or approvals necessary to implement the development approved under RZNE-0077-2025.
- B. the Pending Applications (RZNE-0087-2026 and RZNE-0086-2026), which shall continue to be processed pursuant to the County's normal procedures.

SECTION 6. STAFF DIRECTION. County staff are directed during the moratorium period to:

- A. Evaluate infrastructure, water, wastewater, transportation, emergency service,

environmental, ecological, noise, building scale & massing, and fiscal impacts associated with Data Center Facilities. Said review shall include, at a minimum:

- i. Identification of appropriate zoning districts and future land use categories, if any;
- ii. zoning performance standards;
- iii. conditional use or special exception criteria;
- iv. minimum and maximum parcel size;
- v. setbacks; building height; buffers; screening; landscaping;
- vi. noise; vibration; lighting; thermal impacts;
- vii. water supply; reclaimed water; wastewater; stormwater; cooling systems; water conservation;
- viii. electric infrastructure coordination; backup generators; fuel storage; battery storage; fire suppression;
- ix. traffic and road impacts;
- x. emergency response and public safety capacity;
- xi. environmental resources;
- xii. wetlands; floodplain and floodway impacts; habitat impacts;
- xiii. security; fencing; access control;
- xiv. compatibility with residential, rural, agricultural, conservation, and public uses;
- xv. decommissioning or adaptive reuse standards; and
- xvi. application submittal requirements, including technical studies.

B. Prepare Comprehensive Plan amendments as appropriate;

C. Prepare Land Development Regulation amendments as appropriate;

D. Review the findings and recommendations of the OPPAGA study; and

E. Return proposed regulations to the Board for consideration before expiration of the moratorium.

SECTION 7. DURATION. Unless sooner repealed, extended, or superseded by subsequent ordinance, this moratorium shall automatically expire one (1) year after its effective date.

SECTION 8. SEVERABILITY. It is the intent of the Board of County Commissioners

of, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 9. CONFLICTS. All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This ordinance shall become effective immediately upon filing with the Secretary of State.

PASSED AND DULY ADOPTED in DeSoto County, Florida this ____ day of July, 2026.

ATTEST:

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

By: _____
Mandy J. Hines
County Administrator

By: _____
Steve Hickox, Chair
Board of County Commissioners

Approved as to Form and Correctness:

By: _____
Valerie Vicente,
County Attorney



DeSoto County

7/7/2026

Item #: 4.

- ☐ Consent Agenda ☐ Quasi-Judicial Public Hearing
☐ Regular Business 5:30 pm
☒ Public Hearing Other

DEPARTMENT: Planning & Zoning
SUBMITTED BY: Laura McClelland
PRESENTED BY: Laura McClelland

TITLE & DESCRIPTION:

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

REQUESTED MOTION:

A motion to recommend to adopt/deny the Ordinance amending the LDRs to permit commercial primitive camping in A-10 Zoning.

SUMMARY:

The applicant requests changing LDR Sec. 20-126 (1). a. 14. To include for-profit / commercial primitive tent camping as well as free camping in the A-10 zoning district.

BACKGROUND:

DeSoto County's Land Development Regulations (LDR) provide for specific zoning in the unincorporated portions of the County. This includes various zoning districts that provide for specific permitted uses and those available by special exception application, which have additional criteria and regulations. Primitive tent camping is a permitted use in the Agricultural 10 (A-10) zoning district.

Specifically, included in the permitted uses listed in Section 20-126 (1) a.14 of the A-10 zoning district is

14. *Primitive tent camping for recreational, noncommercial purposes, that:*

- (i) Is provided to the general public without a fee;***
- (ii) Is provided to the general public without any associated water and/or sanitary facilities or improvements;***
- (iii) Has a maximum of two primitive camping sites per acre; and***
- (iv) Is limited to no more than seven days per calendar month per campsite.***

The requirements appear to restrict the size of primitive campgrounds to align with the intent of the A-10 zoning district by limiting the potential impacts to neighboring properties and helping to prevent incompatible uses.

The applicant is requesting to amend this language to allow commercial primitive tent camping (charge fees) on eligible properties within the A-10 zoning district.

ITEM #: 4.



DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

CASE INFORMATION

Application No.: LDR-0010-2025

Request: Privately Initiated Amendment to the Land Development Regulations (LDR) to allow commercial camping in the Agricultural 10 (A-10) zoning district.

Applicant: Joseph Minore
5587 NE River Ridge Ave.
Arcadia, FL 34266

DEVELOPMENT REVIEW REPORT

The applicant requests changing LDR Sec. 20-126 (1).a. 14. to include for-profit / commercial primitive tent camping as well as free camping in the A-10 zoning district.

I. OVERVIEW

DeSoto County's Land Development Regulations (LDRs) provide for specific zoning in the unincorporated portions of the County. This includes various zoning districts that provide for specific permitted uses and those available by special exception application, which have additional criteria and regulations. Primitive tent camping is a permitted use in the Agricultural 10 (A-10) zoning district.

Specifically, included in the permitted uses listed in Section 20-126 (1) a.14 of the A-10 zoning district is

14. *Primitive tent camping for recreational, noncommercial purposes, that:*

- (i) *Is provided to the general public without a fee;*
- (ii) *Is provided to the general public without any associated water and/or sanitary facilities or improvements;*
- (iii) *Has a maximum of two primitive camping sites per acre; and*
- (iv) *Is limited to no more than seven days per calendar month per campsite.*

The requirements appear to restrict the size of primitive campgrounds to align with the intent of the A-10 zoning district by limiting the potential impacts to neighboring properties and helping to prevent incompatible uses.

The applicant is requesting to amend this language to allow commercial primitive tent camping (charge fees) on eligible properties within the A-10 zoning district.

II. DATA & ANALYSIS

The following are the applicants' proposed amendments to the DeSoto County Land Development Regulations and are shown in a strike-thru and underline format.

Sec. 20-126. - Agricultural 10 District (A-10).

The intent of the Agricultural 10 District (A-10) is primarily agricultural, pastoral, the extraction or processing of non-phosphate minerals, and low-density residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The regulations in this district are intended to permit a reasonable use of the property, at a gross density of one dwelling per ten acres. At the same time, the intent is to prevent the creation of conditions which would endanger damage or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wildlife resources. The first priority of this district is agricultural uses.

(1) Uses and structures. No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

a. Permitted uses and structures (allowable without the need for any other use or structure).

14. Primitive tent camping for recreational, noncommercial purposes, that:

(i) Is provided to the general public without a fee;

Is provided to the general public with a fee;

(ii) Is provided to the general public without any associated water and/or sanitary

facilities or improvements;

(iii) Has a maximum of two primitive camping sites per acre; and

(iv) Is limited to no more than seven days per calendar month per campsite; -

(v) Is provided to the general public with a fee, Peace River Flood Plain Zone only. Proof of liability and property damage insurance required.

Definitions

The following are relevant definitions from the LDRs, which provide some background on how campgrounds and campsites are defined:

Campground means land containing two or more campsites which are located, established, or maintained for use or occupancy by people in temporary living quarters, such as tents, recreational vehicles, or cabins, for recreation, education, or vacation purposes, with water and/or sanitary facilities, and for which a fee may be charged for such use or occupancy.

Campsite means a plot of ground within a campground intended for the exclusive occupancy by a cabin, recreational vehicle, or tent but which is not intended for permanent living quarters.

Staff Recommendation

Whether or not to allow camping in these areas for pecuniary gain is a policy decision of the Board. Should the Board agree with the applicant's desire to collect a fee for camping, staff recommends the following language:

14. Primitive tent camping for recreational, commercial or noncommercial purposes, that:

(i) Is provided to the general public with or without a fee;

Any sanitary facilities needed will be regulated by the Florida Department. of Health, and staff recommends the following:

(ii) Is provided to the general public ~~without any~~ meeting any associated water and/or sanitary facilities or improvements required by the Florida Department of Health;

(iii) Has a maximum of two primitive camping sites per acre; ~~and~~

(iv) Is limited to no more than seven days per calendar month per campsite;

The Applicant's proposed new language for Section 14.(v) suggests limiting all primitive tent camping in the A-10 district to the "Peace River Flood Plain Zone" only. It is staff's opinion that the focus should be on the safety of all campers and nearby residents, and recommends the following language:

(v) Must conform to all Federal, State, and County zoning, flood, environmental, and open burning (campfire) regulations.

Add the following definition to Chapter 20, Article XII, Section 20-1650 of the DeSoto County Code of Ordinances:

Primitive Camping means overnight occupancy of tents at designated primitive campsite facilities. Primitive campsite facilities are sites that are only accessible by non-motorized or minimally powered means, and contain only basic site improvements, such as fire rings, cleared tent pads, and picnic tables.

Other Jurisdictions

As a part of reviewing the application, staff compared primitive camping regulations in other jurisdictions; however, it was challenging assessing an apples-to-apples comparison:

- Charlotte County
 - Campgrounds allowed in Ag zoning by Special Exception and Concept Plan via Board of Zoning Appeals (hearing)
 - Campgrounds are considered 2 or more tent sites
 - Clarifies these are for profit businesses
 - Defines primitive campground to include office, general storage (convenience food store) and central bathhouse with utilities
- Hardee County
 - 5 or more tent sites must be in RV Park district
 - RV Park / Campground not permitted in Agriculture zoning district
- Hendry County
 - Hunting camp permitted in Ag zoning
 - RV parks are considered commercial uses and include camping
 - Camping not clearly defined as a recreational use
- Highlands County
 - No campsites in Agriculture zoning
- Hillsborough County
 - Camps allowed in Agriculture zoning district

- 10 campers = one dwelling unit; must be large enough parcel to meet the density requirements of the Comprehensive Plan for the equivalent number of dwelling units or the minimum requirements of the Zoning District in which it is located.
- Manatee
 - Campgrounds are considered commercial uses (includes RV parks in definition)
 - Allowed in Agricultural zoning but must be located on thoroughfare road within 1,500 feet of intersection of another thoroughfare road
 - Passive recreation includes low impact camping and is allowed in Ag zoning.
 - More than twenty-five (25) spaces for park trailers, recreational vehicles, and/or camping sites require the provision of an emergency storm shelter building.

Development Review Process for a Campground

It is also important to note the development review process for any proposed campgrounds.

Any proposed campground today is required to receive Board of County Commissioners development plan approval in addition to any specific permits (e.g., ROW, fire, building, FEMA Floodplain, etc.). Approval of the LDR amendment will not change this procedure.

If the subject amendment is adopted to allow for commercial primitive camping in the A-10 district, approval of a Development Plan by the Board will be required followed by an administratively approved Improvement Plan. Both applications will be reviewed by the staff at the county and applicable state departments, including the County Engineer, Utilities Dept., Planning & Zoning Division, Public Safety, Building Dept., Code Enforcement, FDOT, County Floodplain Manager, and the Health Dept.

If the property is located within the Conservation Overlay District or has onsite wetlands, an Environmental Report will be required which includes wetland delineation and a listed species analysis.

III. MOTIONS FOR CONSIDERATION

1. Motion to adopt the Land Development Regulations amendment, as requested by the applicant.

2. Motion to adopt the Land Development Regulations amendment, as recommended by staff.
3. Motion to deny the Land Development Regulations amendment.

IV. PUBLIC HEARING SCHEDULE

-
- Planning Commission: July 7, 2026
- Board of County Commissioners: July 28, 2026

DESOTO COUNTY, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF DESOTO COUNTY, FLORIDA, AMENDING SECTION 20-126 OF "AGRICULTURAL 10 DISTRICT (A-10)" OF ARTICLE II, DIVISION 4, ZONING DISTRICTS OF CHAPTER 20 OF THE COUNTY'S LAND DEVELOPMENT REGULATIONS TO ALLOW FOR COMMERCIAL PRIMITIVE CAMPING AS A PERMITTED USE IN SAID ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes, authorize counties of the State of Florida to adopt and enforce regulations in the interest of public health, safety and welfare; and

WHEREAS, the DeSoto County ("County") Board of County Commissioners ("Board") is authorized to adopt ordinances regulating the use of land in the County through the adoption of Land Development Regulations; and

WHEREAS, the purpose of this ordinance is to amend the County Land Development Regulations to include for-profit commercial primitive camping uses in the A-10 zoning district, provided there is compliance with the State Department of Health for water and sanitary facilities; and

WHEREAS, the Board further finds that adoption of this ordinance is in the best interest of the residents of the County and serves a proper public purpose; and

WHEREAS, the Board has properly noticed and held public hearings in accordance with law prior to adopting this Ordinance.

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

Section 1. Incorporation of Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment to Section 20-126 of the Land Development Regulations of the DeSoto County Code of Ordinances. Chapter 20, Article II, Division 4, Section 20-126 of the DeSoto County Code of Ordinances is hereby amended as follows:

ARTICLE II. – Zoning Districts and Requirements

DIVISION 4. – ZONING DISTRICTS

Sec. 20-126. - Agricultural 10 District (A-10). The intent of the Agricultural 10 District (A-10) is primarily agricultural, pastoral, the extraction or processing of non-phosphate minerals, and low-density residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The regulations in this district are intended to permit a reasonable use of the property, at a gross density of one dwelling per ten acres. At the same time, the intent is to prevent the creation of conditions which would endanger damage or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wildlife resources. The first priority of this district is agricultural uses.

(1) Uses and structures. No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:

a. Permitted uses and structures (allowable without the need for any other use or structure).

14. *Primitive tent camping for recreational, commercial and noncommercial purposes, that:*

- (i) Is provided to the general public with or without a fee;*
- (ii) Is provided to the general public ~~without any~~ meeting any associated water and/or sanitary facilities or improvements required by the Florida Department of Health;*
- (iii) Has a maximum of two primitive camping sites per acre; ~~and~~*
- (iv) Is limited to no more than seven days per calendar month per campsite; -*
- (v) Must conform to all Federal, State, and County zoning, flood, environmental, and open burning (campfire) regulations.*

Section 3. Amendment to Section 20-1650 of the Land Development Regulations of the DeSoto County Code of Ordinances. Chapter 20, Article XII, Section 20-1650 of the DeSoto County Code of Ordinances is hereby amended to add the following definition:

Primitive Camping means overnight occupancy of tents at designated primitive campsite facilities. Primitive campsite facilities are sites that are only accessible by non-motorized or minimally powered means, and contain only basic site improvements, such as fire rings, cleared tent pads, and picnic tables.

Section 4. Severability. If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity

of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 5. Codification. It is the intent of the Board and is hereby provided that the provisions of this Ordinance shall become and be made a part of the DeSoto County Code of Ordinances, and that the sections for the Ordinance may be renumbered or lettered to accomplish such intention, and that the word “ordinance” may be changed to “section” or “article” or other appropriate designation in order to accomplish such intention.

Section 6. Effective Date. This ordinance shall become effective immediately upon filing with the Secretary of State.

**DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA, THIS 28TH DAY OF JULY, 2026.**

ATTEST:

DESOTO COUNTY BOARD OF COUNTY
COMMISSIONERS

By: _____
Mandy Hines,
County Administrator

By: _____
Steve Hickox,
Chairman

Approved as to form and legal sufficiency:

By: _____
Valerie Vicente,
County Attorney



DeSoto County

7/7/2026

Item #: 5.

- ☐ Consent Agenda ☒ Quasi-Judicial Public Hearing
☐ Regular Business 5:30 pm
☐ Public Hearing Other

DEPARTMENT: Planning & Zoning
SUBMITTED BY: Laura McClelland
PRESENTED BY: Laura McClelland

TITLE & DESCRIPTION:

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

REQUESTED MOTION:

A motion to enter into the record the staff report and all competent substantial evidence introduced at the hearing and make a recommendation to adopt/deny the Ordinance approving the rezone.

SUMMARY:

The request is for an Official Zoning District Atlas Amendment (Rezone), application (RZNE-0081-2026) filed by the Owner, Vitali Ostrikov, to change the zoning of a ±5.26 acre lot from Agricultural-5 (A-5) to Commercial General (CG).

The property is generally located in the southwest portion of DeSoto County on SW Agnes Street and designated with the Commercial Future Land Use Category. The site is vacant as shown on the boundary survey.

BACKGROUND:

The application is a request to amend the Official Zoning District Atlas by changing the zoning district of ±5.26 acres from Agricultural-5 (A-5), 1 dwelling unit per 5 acres, to Commercial General (CG) which provides for a variety of commercial uses. The application for rezone was submitted to the Development Department by Vitali Ostikov and accepted on February 4, 2026.

The Interim 2040 Future Land Use Map of the Comprehensive Plan shows the subject property designated as Commercial, and the Official Zoning District Atlas shows the subject property is currently located within the Agricultural-5 (A-5) zoning district.



DESOTO COUNTY DEVELOPMENT DEPARTMENT

STAFF REPORT –OFFICIAL ZONING DISTRICT ATLAS AMENDMENT

CASE INFORMATION

Application No.:	RZNE-0081-2026
Request:	Rezone from A-5 to CG
Owner/Applicant:	Vitali Ostrikov
Property Address/Location:	No Assigned Address/SW Agnes Street east of CO RD 769, Arcadia FL 34266
Parcel ID No.:	29-39-23-0000-0045-0000
Parcel Size:	5.26 acres
Future Land Use (FLU):	Commercial
Current Zoning:	Agricultural-5
Proposed Zoning:	Commercial General
Overlay District:	None

EXECUTIVE SUMMARY

The request is for an Official Zoning District Atlas Amendment (Rezone), application (RZNE-0081-2026) filed by the Owner, Vitali Ostrikov, to change the zoning of a ±5.26 acre lot from Agricultural-5 (A-5) to Commercial General (CG).

The property is generally located in the southwest portion of DeSoto County on SW Agnes Street and designated with the Commercial Future Land Use Category. The site is vacant as shown on the boundary survey.

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 application is a request to amend the Official Zoning District Atlas by changing the zoning district of ±5.26 acres from Agricultural-5 (A-5), 1 dwelling unit per 5 acres, to Commercial General (CG) which provides for a variety of commercial uses. The application

for rezone was submitted to the Development Department by Vitali Ostikov and accepted on February 4, 2026.

The Interim 2040 Future Land Use Map of the Comprehensive Plan shows the subject property designated as Commercial, and the Official Zoning District Atlas shows the subject property is currently located within the Agricultural-5 (A-5) zoning district.

II. PROPOSED ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS FOR A +/- 5.26 ACRE LOT FROM AGRICULTURAL – 5 (A-5) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT SW AGNES STREET EAST OF CR 769, WITH PROPERTY IDENTIFICATION NUMBER BEING 29-39-23-0000-0045-0000; AND PROVIDING FOR AN EFFECTIVE DATE.

III. 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 provides the procedures for rezoning. Section 20-1498 contains 15 criteria that shall be considered when evaluating the rezone. 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 has been evaluated and 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
Commercial	Non-residential- Up to 0.25

Consistency analysis: The property is currently designated Commercial on the Future Land Use Map and the proposed rezone to Commercial General, if approved will allow up to 0.25 FAR.

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: Staffs has considered the above criteria. The lot has frontage on a public road and adjacent to lots zoned Commercial Neighborhood and Commercial General to the East, developed per the commercial zoning standards. Public utilities are not available in the area. Environmental protection will be considered with a future development application, subject to State standards. The rezoning review has also considered the 15 rezoning criteria contained in Section 20-1498. LDR Section 20-137 Commercial General District standards were reviewed for any possible conflicts, and these standards will be applied at the development/improvement plan stage.

Objective 1.7: Commercial Category Defined. DeSoto County shall recognize existing “Commercial” corridors by their designation and mapping on the Future Land Use Map as Commercial (COMM) and shall promote the infilling of such areas through the establishment of criteria for the development of lands within the Commercial designations and limitations to the expansion such areas.

MEASURABLE TARGET: Development Plans issued, plans reviewed and checks for business tax certificates issued or renewed.

Policy 1.7.1: Characteristics. Commercial corridors are characterized by linear concentrations of all types of commercial, office, and institutional uses along a roadway. Some linear Commercial corridors may contain existing industrial uses.

Policy 1.7.2: Designation and Mapping. Existing linear commercial areas shall be designated and mapped on the Future Land Use Map Series as "Commercial" (COMM).

Policy 1.7.3: Location Criteria. Expansion of any Commercial area shall be limited to infill development. Infilling of an existing Commercial corridor shall be limited to a depth which corresponds to the typical depth of existing development within the

general area of the infill development. The extension (along the road) or establishment of new Commercial strips shall not be permitted, except to recognized legitimate errors made during the original mapping process. Any such map-error corrections shall require that a Plan amendment be processed consistent with requirements of this policy and Chapter 163, FS. The following factors shall be taken into consideration when evaluating whether an error was made during the original mapping process and shall be used as the basis for the review of the associated plan amendment required to correct the error:

- (1) Uses of the land and development of the parcel, and surrounding land, existing as of adoption of this plan: The use of the land and existing development of the subject parcel and the surrounding area as of the adoption of the Plan would be taken into consideration when determining an error. Land that was vacant, or developed in some other manner than that of the claimed error, would be determined not to be an error.
- (2) Zoning of the parcel and surrounding land, as of adoption of this plan: The existing zoning of a parcel and surrounding area, as of the Plan's adoption date, would be considered in determining an error. However, the property's zoning would not be a factor, in and of itself, when the subject property is vacant.
- (3) Existing property lines as of adoption of this plan: Parcels existing as of the adoption date of the Plan would be considered in determining an error. Lands added to a parcel, or parcel under one ownership, since the adoption would not be considered.
- (4) Consistency with the plan: Was the subject property consistent with the Plan's criteria for the claimed land use category at the time of Plan adoption? Is the claimed designation consistent with the Plan's overall objective to control urban sprawl and to not degrade the County's overall growth management program? Isolated development and/or spot zonings would not be considered an error.
- (5) Other factors: Environmental constraints, availability of infrastructure at acceptable levels of service, and the Plan's Capital Improvement Program (CIP) at the time of adoption would be considered.

Policy 1.7.4: Development Criteria. Development or redevelopment within a Commercial corridor shall conform to the following criteria:

- (1) Permitted uses include all types of commercial, office, and institutional uses typically located along a roadway.
- (2) New development or redevelopment within a linear Commercial corridor shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment adjacent to existing uses shall be compatible with each other without allowing a higher intensity of development.
- (3) Step-down uses shall be encouraged between different intensity uses as in-fill and

shall be lower in intensity than the highest existing intensive use. Step-down uses shall be contiguous to an intensive land use, and shall not be separated from that use by an arterial road, or a natural or man-made barrier which makes the step-down use unnecessary.

(4) New development or redevelopment within a linear Commercial corridor shall incorporate the use of frontage roads wherever there is adequate public right-of-way or there is property available for the expansion of the right-of-way or the establishment of frontage-road easements to facilitate such roads in accordance with recognized highway safety standards. Whenever the placement of frontage roads is not practical, shared ingress/egress facilities shall be used.

(5) Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.

(6) Where the Commercial corridor abuts residential areas, uses should be limited to a size, scale, and intensity necessary to provide the residents of the community and surrounding area with retail, personal, and community services. New development or redevelopment adjacent to residential areas shall be compatible with adjacent existing uses without allowing a higher intensity of development.

(7) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

(8) The maximum floor area ratio shall not exceed 0.35.

Policy 1.7.5: Adjacent Development. Development adjacent to a Commercial corridor may include the following uses: Office, Residential, Institutional, Employment Center or Open Space.

B. Compatibility Analysis

Directions	Future Land Use	Zoning District	Types of Land Uses
Site	Commercial	Agricultural-5 (A-5)	Vacant
North	Commercial	Commercial Neighborhood, Planned Unit Development, Industrial Light	Vacant & Commercial Business
South	Low Density Residential	Agricultural-5 (A-5), Residential Multifamily Mixed, Planned Unit Development	Mobile homes & Single family homes
East	Commercial & Preservation	Agricultural-5 (A-5)	Single Family home & Vacant
West	Commercial, Low Density Residential	Mobile Home Park (MHP) & Agricultural-5 (A-5)	Mobile homes & single family home

The Compatibility Analysis Table illustrates that the surrounding uses are 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, as required by Objective 1.14 of the Comprehensive Plan to help to ensure compatibility between uses.

Consistency analysis: The proposed zoning can be found to align with the existing 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.

Criteria	Details	Yes Consistent for Approval	No Inconsistent Does not support approval
(1) Whether the proposed change would be consistent with the Comprehensive Plan.	The rezone to Commercial General is consistent with the applicable policies of the Comprehensive Plan, including the Commercial Future Land Use category.	X	
(2) The existing land use pattern.	The existing land use pattern contains a variety of residential uses and Commercial uses. The rezoning of this property to Commercial General can be considered to be compatible with the existing land use pattern.	X	
(3) The creation of an isolated district unrelated to adjacent and nearby districts.	Approval of the rezone to Commercial General will not create an isolated district, this property abuts CN, CG and PUD zoning districts and can be found to be a logical expansion.	X	
(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 to Commercial General should not adversely impact the availability of adequate public facilities consistent with the level of service standards. All future developments will be evaluated for LOS standards.	X	
(5) Whether the existing district	The zoning district boundaries were not illogically drawn and the rezone can be	X	

boundaries are illogically drawn in relation to existing conditions on the property proposed for changes.	found to be a reasonable expansion of the Commercial zoning located to the east.		
(6) Whether changed or changing conditions make the passage of the proposed amendment necessary.	The property is located in a rural area with single family and commercial uses. The proposed rezoning to Commercial General can be found to be generally consistent with nearby zoning and land uses.	X	
(7) Whether the proposed change will adversely influence living conditions in the area.	The rezoning is not expected to adversely influence living conditions in the area. The site is compatible with the area.	X	
(8) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.	The rezoning from A-5 to CG will not excessively impact traffic congestion or affect public safety. All future development applications will be evaluated for traffic.	X	
(9) Whether the proposed change will create a drainage problem.	The rezoning will not have an impact drainage. Future development on the site will be evaluated for stormwater and drainage. The FEMA flood map for this area is number 12027C0267D, effective on 10/07/2021. 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 seriously reduce light and air to adjacent areas. The CG zoning district provides development standards, including a minimum lot size of 20,000 sq ft, minimum setbacks, and limits the amount of impervious lot coverage to 70%. These regulations will help to ensure that future development does not negatively impact light and air to the nearby parcels.	X	
(11) Whether the proposed change will adversely affect property values in the adjacent area.	Absent an analysis from a certified property appraiser, it is difficult to understand how the proposed CG rezoning will impact area property values. However generally commercially zoned property has a higher assessed value than agricultural property and therefore an adverse impact on property values is not expected.	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 CG should not be detrimental to the improvement or development of adjacent property.	X	
(13) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.	The proposed change, as evaluated pursuant to the Comprehensive Plan and LDR will not grant a special privilege to an individual owner as contrasted to the public welfare.	X	

(14) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.	The property can continue to be used under the existing A-5 zoning should the Board decide to deny the rezoning.	X	
(15) Whether the change suggested is out of scale with the surrounding area.	The proposed rezone to CG is not expected to create development that is out of scale with the surrounding area.	X	

IV. FINDINGS & CONCLUSIONS

1. The subject property consists of a 5.26-acre site located in southwest DeSoto County, off SW Agnes Street east of CR 769.
2. The Interim 2040 Future Land Use Map shows the subject property is designated Commercial.
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 4, 2026, an Official Zoning District Atlas amendment application (RZNE-0081-2026) was filed by the owner, Vitali Ostrikou, which application proposes to change the zoning district to Commercial General (CG), consistent with the Commercial future land use category.
5. LDR Section 20-1345 requires the application to be complete and in writing. The Development Director found the filed application was submitted in writing and complete.
6. LDR Sections 20-1345(c) provides that the complete application should be distributed to the Development Review Committee (DRC) for comments. The Development Director finds the application was distributed to the DRC February 4, 2026.
7. LDR Section 20-1496(b) requires the Planning Commission to review the application at a public hearing and a duly noticed quasi-judicial Planning Commission public hearing that is scheduled for July 7, 2026.
8. LDR Section 20-1498(a) requires consistency with the Comprehensive Plan. The application has been reviewed against the Comprehensive Plan, and it is concluded the application is consistent with the Comprehensive Plan.
9. LDR Division 7 establishes an adoption process, and the Development Director concludes the application has been processed in conformance with that requirement because the application has been scheduled for Planning Commission and Board of County Commissioners public hearings.

10. LDR Section 20-1498 also includes criteria that must be considered when reviewing the application. The Development Director finds and concludes the application meets those requirements and can be recommended for approval.
11. The LDR establishes specific public notice requirements for an Official Zoning District amendment application. The Development Director finds and concludes the application has been noticed in conformance with the zoning amendment public hearing requirements and public hearings have been scheduled before the Planning Commission and Board of County Commissioners.

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.

V. ALTERNATIVE ACTIONS

1. Motion to enter into the record the staff report and all competent substantial evidence introduced at the hearing, and adopt the Ordinance approving the rezone.
2. Motion to enter into the record the staff report and all competent substantial evidence introduced at the hearing, and deny the Ordinance approving the rezone.

VI. HEARING SCHEDULE

- Planning Commission: Scheduled for July 7, 2026
- Board of County Commissioners: Scheduled for July 28, 2026

ATTACHMENTS

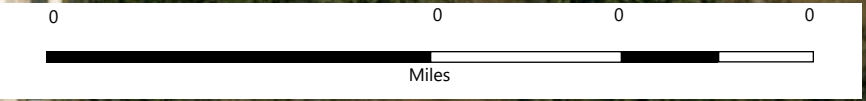
- Exhibit A – Location Map
- Exhibit B – FLU Map
- Exhibit C – Zoning Atlas Map

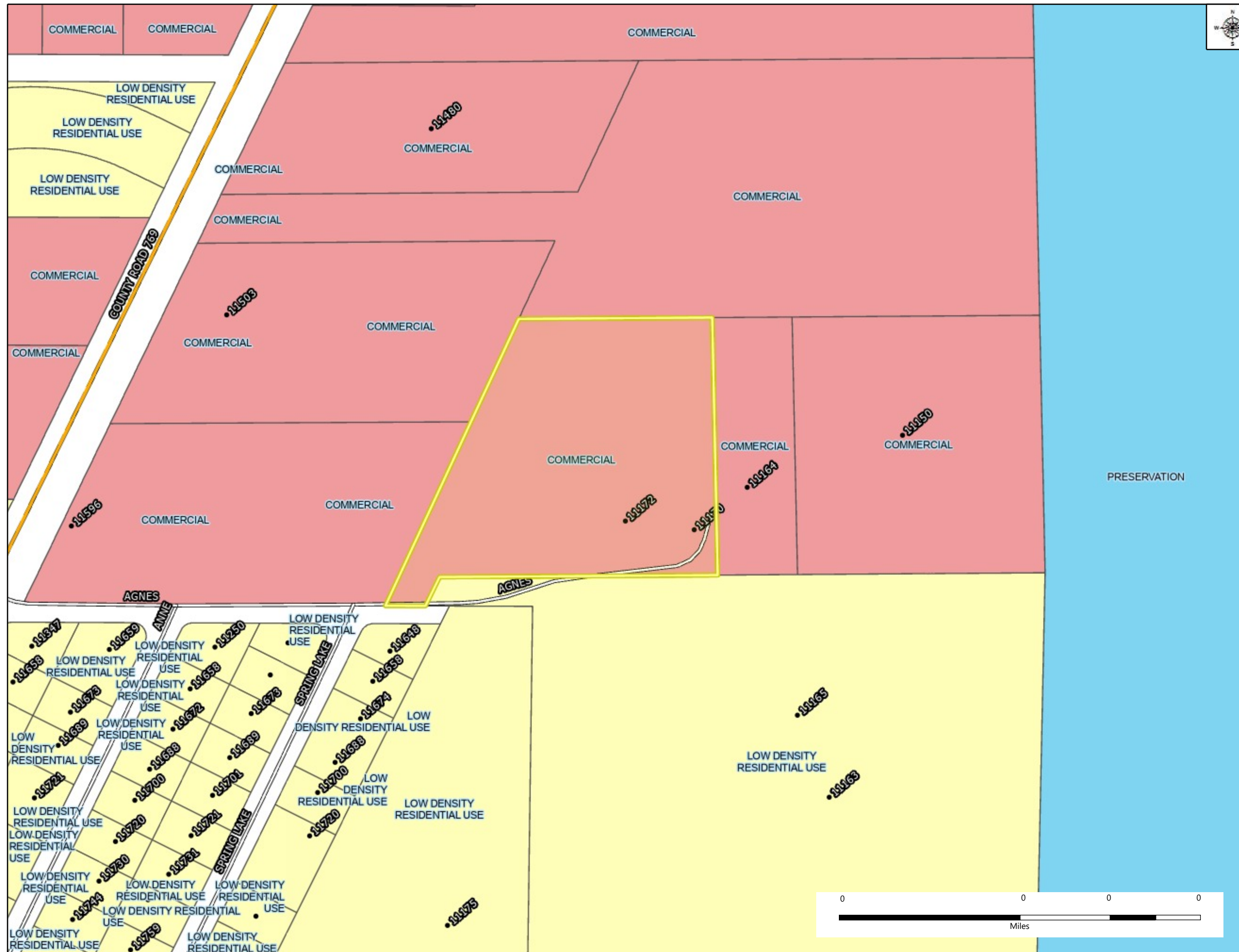


Location Map

- Street Labels
- Major Road Labels
- County Boundary
- Major Roads
- Streets
- Parcels

May 13, 2026

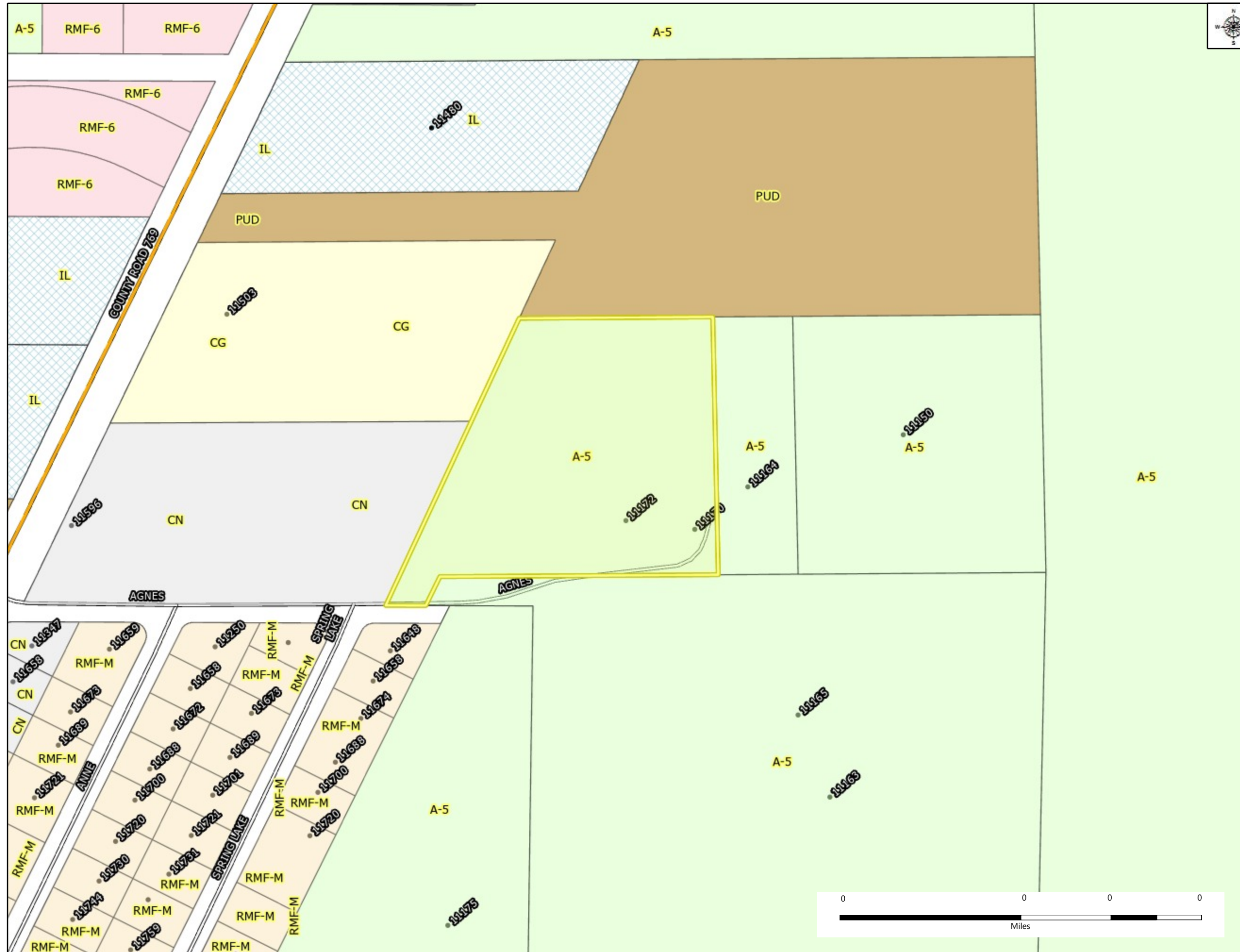




FLU Map

- Address Point Labels
- Street Labels
- Major Road Labels
- FLUM Labels
- County Boundary
- Address Points
- Major Roads
- Streets
- Parcels
- FLUM 2040
 - Preservation
 - Rural/Agriculture
 - Low Density Residential
 - Medium Density Residential
 - Neighborhood Mixed Use
 - Employment Center
 - Commercial
 - Urban Center Mixed Use
 - Public Land/Institutional
 - Electrical Generating Facility

February 4, 2026



Zoning Map

- Address Point Labels
- Street Labels
- Major Road Labels
- Zoning Labels
- Zoning Designation
 - A-10
 - A-5
 - CE
 - CG
 - CITY
 - CN
 - IH
 - IL
 - ILE
 - MHP
 - MHS
 - P/I
 - PM-I
 - PUD
 - RM
 - RMF-12
 - RMF-6
 - RMF-8
 - RMF-M
 - ROI

February 4, 2026

DESOTO COUNTY, FLORIDA
ORDINANCE 2026- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS FOR A +/- 5.26 ACRE LOT FROM AGRICULTURAL – 5 (A-5) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT SW AGNES STREET EAST OF CR 769, WITH PROPERTY IDENTIFICATION NUMBER BEING 29-39-23-0000-0045-0000; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is owned by Vitali Ostrikov and consists of a +/- 5.26-acre property generally located in southwest DeSoto County, located SW Agnes Street east of CR 769, the Property Identification Number being 29-39-23-0000-0045-0000 (Exhibit A); and

WHEREAS, the Interim 2040 Future Land Use Map shows the +/- 5.26-acre parcel is designated Commercial Future Land Use Category (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 Agricultural -5 (A-5) to Commercial General (CG) (Exhibit C); 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 July 7, 2026, Planning Commission meeting; and

WHEREAS, at the July 7, 2026 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; and

WHEREAS, on July 28, 2026, the DeSoto Board of County Commissioners

(Board) held a duly noticed public hearing on application number RZNE-0081-2026, 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; 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 +/- 5.26-acre property generally located in southwest DeSoto County, on SW Agnes Street east of CR 769, the Property Identification Number being 29-39-23-0000-0045-0000.

Section 3. *Rezoning approval.* Vitali Ostrikov, owner, is hereby granted an Official Zoning District Atlas amendment (RZNE-0081-2026) changing the zoning district of the aforementioned +/- 5.26-acre property from Agricultural -5 (A-5) to Commercial General (CG).

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 July 2026.

ATTEST:

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

By: _____
Mandy J. Hines
County Administrator

By: _____
Steve Hickox, Chair
Board of County Commissioners

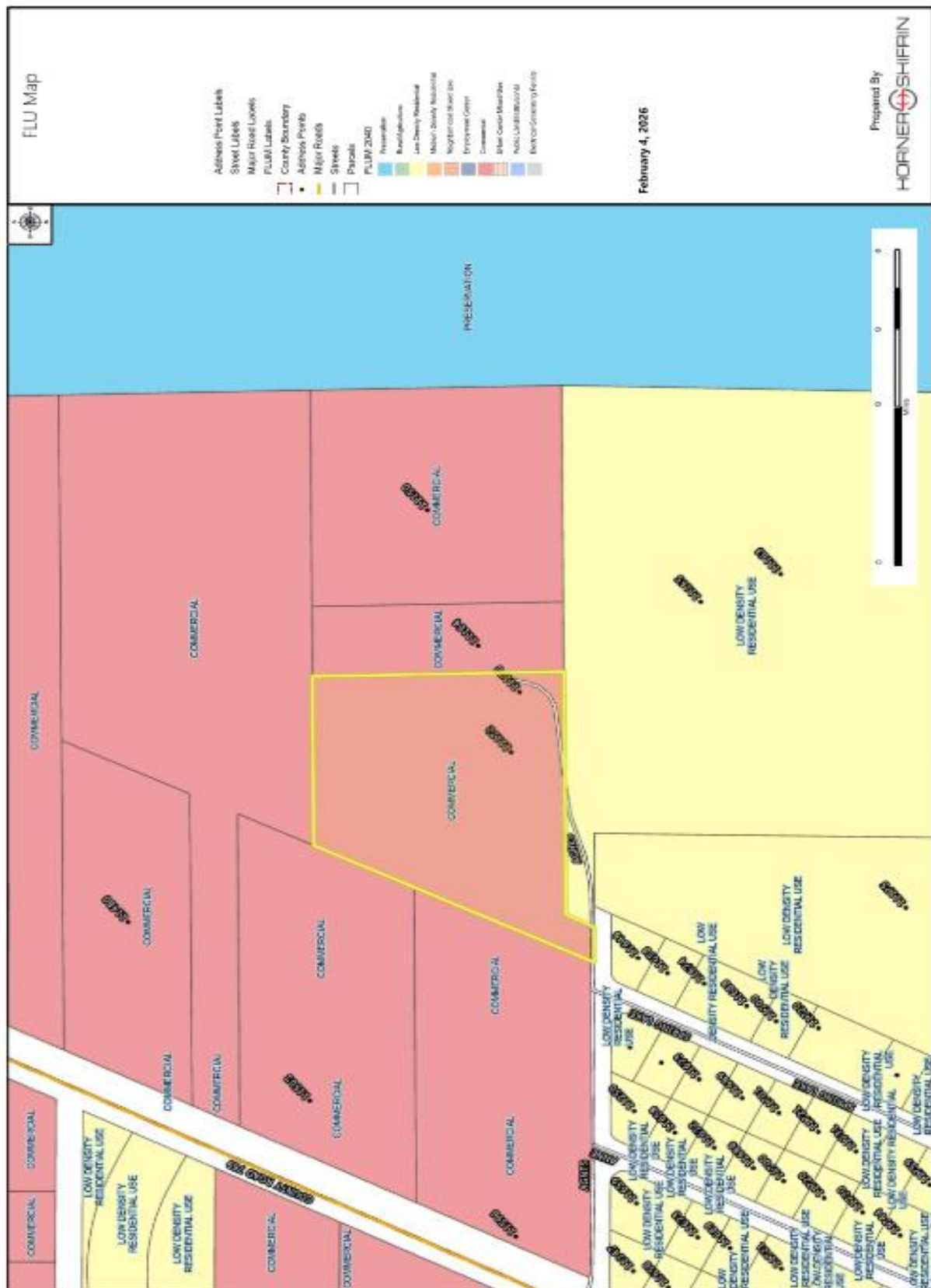
Approved as to Form and Correctness:

By: _____
Valerie Vicente,
County Attorney

Exhibit A: Location Map



Exhibit B: FLUM 2040



[illegible]