

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 25-0084

ROCK WISE LLC

Respondents,

TO: ROCK WISE LLC
2789 SE HWY 31
ARCADIA FL 34266

RE: 2789 SE HWY 31, ARCADIA FL 34266

NOTICE OF MANDATORY HEARING

1. You are hereby notified that the DeSoto County Development Department has filed an Affidavit of Violation (copy attached) against you for violation of DeSoto County Land Development Regulations, as shown on the Affidavit of Violation.
2. The Special Master hearing has been set for **May 22, 2025 at 11:00 A.M.** or as soon thereafter as this case may be heard, in Room 103, First Floor of the DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida 34266.
3. If you have cleared the violation by the time stated in the Affidavit of Violation AND have received written notification from the Director of the Department that all the violations have been cleared, the hearing will be canceled and you will not be required to appear.
4. **IT IS YOUR RESPONSIBILITY TO CONTACT THE DESOTO COUNTY CODE ENFORCEMENT DIVISION TO ARRANGE FOR A REINSPECTION OF THE PROPERTY IN ORDER TO VERIFY THAT THE VIOLATIONS HAVE BEEN CORRECTED AND THAT THE PROPERTY HAS BEEN BROUGHT IN TO COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE DESOTO COUNTY LAND DEVELOPMENT REGULATIONS.**
5. Otherwise, you must be present at this hearing to avoid an order being entered against you solely on the evidence to be presented by the petitioner **AND A LIEN BEING RECORDED AGAINST YOUR PROPERTY.** Violations may be fined at the rate of \$250.00 per day of violation.
6. **If the Affidavit of Violation charges you with a Repeat Violation, the matter may be presented to the Special Master even if the repeat violation has been corrected prior to the hearing.** If a violation is found to be a repeat violation, the Special Master may increase the fine to \$500.00 for each day of the repeat violation.
7. In addition to any fines, the amount of the lien may include the costs incurred in prosecuting the case pursuant to Section 162.07(2), F.S., and the reasonable costs which are required to bring the property into compliance pursuant to Section 162.09(1), F.S.
8. If you have witnesses or other evidence bearing on this matter, you should bring them with you at the time of the hearing.
9. If you wish to have witnesses subpoenaed, see the Clerk at once at the DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida, for assistance.
10. If you wish, you may file an answer denying the allegations of the Affidavit of Violation or alleging substantial facts which would constitute an affirmative defense. Failure to answer shall constitute a denial of the allegations of the Affidavit of violation but shall bar the presentation of evidence of an affirmative defense.
11. If you decide to appeal any decision made by the Special Master, you will need a record of the proceedings, and, for such purpose, you 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.
12. You may come with or without an attorney.

Dated at Arcadia, DeSoto County, Florida, this _____ day of _____ 2025.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of this notice was mailed to the above Respondent as addressed by: (check one that applies) _____ Certified Mail, Return Receipt Requested/ or _____ Regular U.S Mail on this _____ day of _____, 2025.

Certified Mailing Number: 9589071052701588384381

Valerie Vicente, County Attorney
Florida Bar Number 71010
201 East Oak Street, Suite 201
Arcadia, Florida 34266

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 25-0084

Mark Mullins

Respondents,

TO: Mark Mullins
2789 SE HWY 31
ARCADIA FL 34266

RE: 2789 SE HWY 31, ARCADIA FL 34266

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11. If you decide to appeal any decision made by the Special Master, you will need a record of the proceedings, and, for such purpose, you 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.
12. You may come with or without an attorney.

Dated at Arcadia, DeSoto County, Florida, this _____ day of _____ 2025.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of this notice was mailed to the above Respondent as addressed by: (check one that applies) _____ Certified Mail, Return Receipt Requested/ or _____ Regular U.S Mail on this _____ day of _____, 2025.

Certified Mailing Number: 9589071052701588384374

Valerie Vicente, County Attorney
Florida Bar Number 71010
201 East Oak Street, Suite 201
Arcadia, Florida 34266

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 25-0084

ROCK WISE LLC

Respondents,

AFFIDAVIT OF VIOLATION
(LDR Sect. 20-1581(b))

STATE OF FLORIDA)
COUNTY OF DESOTO)

Before me, the undersigned authority authorized to administer oaths, personally appeared the undersigned Code Enforcement Officer, who, being first duly sworn, deposes and says the following is true to the best of his/her information and belief:

TO: ROCK WISE LLC, 2789 SE HWY 31, ARCADIA FL 34266.
Mark Mullins, 2371 Hwy 31 Lot 41, Arcadia FL 34266

1. An inspection on April 15, 2025, Code Enforcement Officer visited your property located at 2789 SE HWY 31, ARCADIA FL 34266 described and zoned as: CE

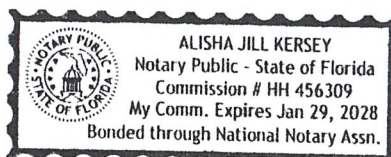
DeSoto County Tax Parcel Number #08-38-25-0355-00A0-0010 more particularly described by deed or instrument number #202314004280 of the Official Records of DeSoto County, Florida.

2. **The inspection resulted in the findings that the property is: Development Permit Required , Prohibited CE.**
3. These are direct violation of DeSoto County Land Development Regulations: LDR Sec. 20-1342 , LDR Sec. 20-138 d, copies of which are attached hereto.
4. You were previously notified of these violation(s) of the DeSoto County Land Development Regulations by a notice dated April 10, 2025 and served by certified receipt requested/posting.
5. You are hereby notified that you must clear the violation(s): Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits , Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.. Please contact our office to get this issue resolved 863-491-6165.
6. Your failure to comply with the terms of this Notice will result in this matter being heard before a Special Master of DeSoto County at the time and place shown on the attached Notice of Mandatory Hearing. Correction delayed until immediately prior to the hearing will not result in cancellation of this hearing. If you fail to correct the violation or if the violation is corrected and recurs, the case may be presented to the Special Master even if the violation has been corrected prior to the hearing.

Sharon Gray
Sharon Gray
Code Enforcement Officer
201 E. Oak Street
Arcadia, Florida 34266

Sworn to and subscribed before me this 17th day of April, 2025 Affiant is personally known to me.

Jill Kersey
Notary Public



Special Master Mandatory Hearing Case Checklist

**** This checklist must be completed and accompany each case being turned in for Special Master Mandatory Hearing****

✓ or N/A	Respondents Name <u>Rock Wise LLC</u>	Case # <u>25-0084</u>
	Site Address <u>2789 SE Hwy 31</u>	
	Respondent's Mailing Address <u>2789 SE Hwy 31</u>	
✓	Case Notes in date order	
✓	Case Cost to date	
✓	Property card	
✓	Tax Record	
✓	Deed Information	
✓	Complaint/Request	
✓	Copy of LDR or DCCO section to be cited on Notice of Mandatory Hearing	
✓	Notice of Mandatory Hearing (file copy)	
✓	Green Card if received, and or Track and Confirm information from the USP website	
✓	Original Notice to Correct in the envelope with green card attached if unclaimed	
✓	Copy of Notice to Correct that was posted and sent by regular Mail	
✓	Photograph of posting, if applicable	
✓	Affidavit of posting or hand delivery	
✓	Photographs of site visits in support of the case	
✓	Any correspondence to or from the Respondent or the Respondent's representative	
✓	Any other supporting documentation (e.g., Division of Corporation information, Certificate of Use issued by Planning and Zoning, copies of permits, R.O.W. forms, etc.)	

Information: *Any special instructions (IE, if posting affidavit is required, if some of the violations listed on the original Notice have been corrected, if the Hearing Notice needs to be sent to more than one person)*

Only the following violations will be referenced in the Notice of Mandatory Hearing:
LDR Sec 20-1342 Development Permit Required
LDR Sec 20-138 d Prohibited CE

Will have to be posted and sent by regular mail in addition to the Certified Mail with return receipt.
 Will need an Affidavit of posting

Special Instructions

Officers' Name Sharon Gray

Special Master Hearing on: May 22, 2025

Reviewed by: [Signature]

Date: 4/16/25

SMCE 25-0084

CODE ENFORCEMENT CASE

CASE NUMBER: 25-0084

Name	ROCK WISE LLC	
Property Address	2789 SE HWY 31	
Zoning	CE	
Violation (1)	LDR SEC 20-1342 DEVELOPMENT PERMIT REQ	0
Violation (2)	LDR SEC 20-138 D PROHIBITED CE	0
Violation (3)	0	0

CASE NOTES

1/14/2025	COMPLAINT RECEIVED
1/24/2025	SITE VISIT, PHOTOS TAKEN, IN VIOLATION
2/4/2025	NOTICE TO CORRECT, POSTED & MAILED, PHOTOS TAKEN
2/21/2025	EMAILED THE ENGINEER & OWNER ON FILE
2/24/2025	CALLED THE ENGINEER TO VERIFY THAT HE RECEIVED THE EMAIL
2/24/2025	POSTED STOP WORK ORDER
2/25/2025	EMAILED LAURA TO CHECK TO SEE IF THEY HAVE SUBMITTED A THEIR IMPROVEMENT PLAN
3/6/2025	EMAILED LAURA TO CHECK TO SEE IF THEY HAVE SUBMITTED A THEIR IMPROVEMENT PLAN
3/7/2025	LAURA'S RESPONSE: WE HAVE A RESUBMITTAL IN REVIEW
3/12/2025	INQUIRED ON HOW LONG IT TAKES FOR THE RESUBMITTAL PROCESS
3/12/2025	LAURA'S RESPONSE: TARA SENT THE RESUBMITTAL OUT ON FEBRUARY 28TH AND REQUESTED COMMENTS BACK BY MARCH 18TH.
3/18/2025	CALLED AND SPOKE TO THE OWNER MARK MULLINS AT 276-393-2947. I LET HIM KNOW THAT THEY NEED TO SHUT DOWN THE OPERATION UNTIL THERE IS A NOTICE TO PROCEED.
3/20/2025	NOTICE RETURNED
4/2/2025	SITE VISIT, PHOTOS TAKEN, IN VIOLATION

Special Master Order

_____ Violation founded Owner Present _____
Correct violations within ____ days of date of hearing
C & D for two years: __Yes __ No.
\$ _____ Fine per day, per violation.
Cost of \$_____ to be paid in _____ days.

4/8/2025 WHILE PREPPING THIS CASE FOR SPECIAL MASTERS I FOUND THAT THEY
ARE STILL OPERATING AFTER BEING TOLD TO STOP.

4/10/2025 NOTICE TO CORRECT, POSTED & MAILED, PHOTOS TAKEN

4/15/2025 SITE VISIT, PHOTOS TAKEN, IN VIOLATION

4/15/2025 EMAILED TARA: CHECKING ON THE STATUS OF THE IMPROVEMENT PLAN
HAS A NOTICE TO PROCEED BEEN ISSUED?

4/15/2025 TARA'S RESPONSE: WE HAVE RECEIVED A RESUBMITTAL, THE COMMENTS
ARE DUE BACK ON 5/6.

4/15/2025 EMAIL FROM TARA: ATTACHED ARE THE ORIGINAL AND SECOND ROUND
OF COMMENTS, DATES ARE ON THEM WHEN THEY WERE SENT.

4/16/2025 TURN IN FOR SPECIAL MASTERS

CODE ENFORCEMENT COST BREAKDOWN

PHOTOS/COPIES	Number of photos @ \$.15 per photo	81	\$	12.15
SERVICE	Number of Certified letters	2	\$	19.28
LEGAL SERVICE	Number of Certified letters	1	\$	9.64
		TOTAL	\$	41.07

<u>x</u>	PROPERTY CARD
<u>x</u>	TAX RECORD
<u>x</u>	DEED

Accepted	Rejected
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<u> </u>	N2C GREEN CARD RETURN DATE
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<u> </u>	HEARING GREEN CARD RETURN DATE
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Code Enforcement Case: CE-25-0084

Entered on: 01/14/2025 00:00

Printed on: 04/17/2025

Topic: Development without Permit

Status: Open - N2C issued/Posted

Due Date: 04/16/25

Assigned To: Sharon Gray

Initiated by: Planning and Zoning

Area #: CE

Hearing Date: 05/22/2025

Hearing Time: 11:00 am

SM Case No: 25-0084

Permit

Permit #:	Business name:	License #:
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Property Location

Occupant Name:

Address: 2789 SE HWY 31 , 34266

Phone:

Cell #:

APN : 08-38-25-0355-00A0-0010

Owner Information

Owner Name: ROCK WISE LLC

Address: 2789 SE HWY 31

ARCADIA, FL 34266

Phone:

Cell #:

Actions

Action	By	Date	Time	Note/Observation
Complaint	Sharon Gray	01/14/2025	3:50 pm	Request 4941-TARA PLANNING AND ZONING - They're doing work without the go from the Development Department.
Inspection / Site Visit	Sharon Gray	01/24/2025	10:14 am	Site visit photos taken they have installed a fence, they have materials on the property, as well as equipment and a shipment container.
Case Notes	Sharon Gray	02/03/2025		They have an approved development plan but there improvement plan has not been through the planning process or approved. They haven't been given a notice to proceed and are not allowed to have a fence or anything set up on the property yet. The right of way inspector said they also haven't applied for or obtained a right of way permit for the site.
Notice of Violation	Sharon Gray	02/04/2025	8:33 am	> Inspection Time:10:14 am, Send to (Owner - Cert no=9589071052701588383704), Extra days(0)
Mail and Post Notice to Correct Violation	Sharon Gray	02/04/2025	1:19 pm	Posted and mailed notice to correct photos taken
E-mail Correspondence	Sharon Gray	02/21/2025	8:59 am	Emailed the owner and the engineer on file.
Phone Call	Sharon Gray	02/24/2025		Called Bumper to verify that he received the email on Friday.
Inspection / Site Visit	Sharon Gray	02/24/2025	2:20 pm	Posted a stop work order since they continued to work after the notice to correct. Also spoke to someone on site.
E-mail Correspondence	Sharon Gray	02/25/2025	8:37 am	Emailed Laura to check to see if they have submitted their improvement plan.

E-mail Correspondence	Sharon Gray	03/06/2025 3:57 pm	Laura, Just checking on the status of Rock Wise LLC at 2879 SE Hwy 31. Best Regards, Sharon Sharon Gray Code Enforcement Officer
E-mail Correspondence	Sharon Gray	03/07/2025 8:02 am	We have a resubmittal in review. Laura McClelland Planner I
E-mail Correspondence	Sharon Gray	03/12/2025 9:09 am	Laura, We are y'all at with the resubmittal ? Approximately how long should this process take? Best Regards, Sharon Sharon Gray Code Enforcement Officer
E-mail Correspondence	Sharon Gray	03/12/2025 1:03 pm	Tara sent the resubmittal out on February 28 and requested comments back by March 18. Laura McClelland Planner I
Phone Call	Sharon Gray	03/18/2025 4:38 pm	Called and spoke with the owner Mark Mullins at 276-393-2947. I let him know that they need to shut down the operation until there is a notice to proceed.
Notice Returned unclaimed	Sharon Gray	03/20/2025	Notice returned
E-mail Correspondence	Sharon Gray	03/27/2025 9:24 am	Good Morning, Please see the attached signed resolution that was sent on 9/4/2024 (see below email), there are 15 conditions stated. Please re-review these. All work on the property has been done without proper approval. There is a stop work order from Code Enforcement, no other work can be done. And this site cannot be open for business. Tara Wilson Associate Planner
Inspection / Site Visit	Sharon Gray	04/02/2025 12:54 pm	Site visit photos taken in violation they are still operating after being told to stop.
Case Notes	Sharon Gray	04/08/2025	While prepping this case for Special Masters I found that they are now on Sunbiz.
Notice of Violation	Sharon Gray	04/10/2025 8:47 am	> Inspection Time:12:54 pm, Send to (Owner - Cert no=9589071052701588384848,Agent

of Process - Mark Mullins - Cert
no=9589071052701588384824),
Extra days(0)

Mail and Post Notice to Correct Violation	Sharon Gray	04/10/2025 1:34 pm	Posted and mailed notice to correct photos taken
Inspection / Site Visit	Sharon Gray	04/15/2025 9:29 am	Site visit photos taken in violation.
E-mail Correspondence	Sharon Gray	04/15/2025 10:48 am	Tara, Checking on the status of the Improvement Plan? Has a notice to proceed been issued? Best Regards, Sharon Sharon Gray Code Enforcement Officer
E-mail Correspondence	Sharon Gray	04/15/2025 1:24 pm	We have received a resubmittal, the comments are due back on 5/6. Tara Wilson Associate Planner
E-mail Correspondence	Sharon Gray	04/15/2025 3:56 pm	Attached are the original and second round of comments, dates are on them when they were sent. Tara Wilson Associate Planner
Return Receipt Received	Sharon Gray	04/16/2025	Received signed green card from the agent
Turn in for Special Master Hearing	Sharon Gray	04/16/2025 9:04 am	Turn in for Special Masters
Submitted for Special Master Review and approval	Sharon Gray	04/16/2025 9:14 am	
Reviewed and approved for Special Master Herring Submittal	Jorge Hernandez	04/16/2025 1:27 pm	Please prepare an affidavit of violation and Notice of Mandatory Hearing for May 22, 2025, Special Master Hearing, and submit for entry into Granicus/Legistar for the County Attorney to review

Violations

#	Violation Type	Due Date	Status	Closed Date
	LDR Sec. 20-1342 - Development Permit Required		Open	
1	Corrections Required:Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits			
	LDR Sec. 20-138 d - Prohibited CE		Open	
2	Corrections Required:Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.			

Additional Addresses

Address Type:Complainant Name:TARA PLANNING AND ZONING Address:201 East Oak St Suite 201 Arcadia, FL 34266 Phone:(863) 993-4800 Cell #:	Address Type:Agent of Process Name:Mark Mullins Address:2371 Hwy 31 Lot 41 Arcadia, FL 34266 Phone: Cell #:
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Inspection Notes

Date: _____ Time: _____

Findings: _____

DeSoto County Property Appraiser

David A. Williams, CFA

2024 Certified Values

updated: 4/3/2025

Parcel: << 08-38-25-0355-00A0-0010 (20263) >>

Owner & Property Info

Result: 6 of 8

Owner	ROCK WISE LLC 2789 SE HWY 31 ARCADIA, FL 34266		
Site	2789 SE HWY 31, ARCADIA		
Description*	SANDALWOOD ESTATES LOTS 1 2 & 3 BLK A INST:201714006002 INST:201914003760 INST:202314002211 INST:202314004280		
Area	2.007 AC	S/T/R	08-38-25
Use Code**	VACANT COMMERCIAL (1000)	Tax District	7

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.
**The Use Code is a FL Dept. of Revenue (DOR) code and is not maintained by the Property Appraiser's office. Please contact your city or county Planning & Zoning office for specific zoning information.

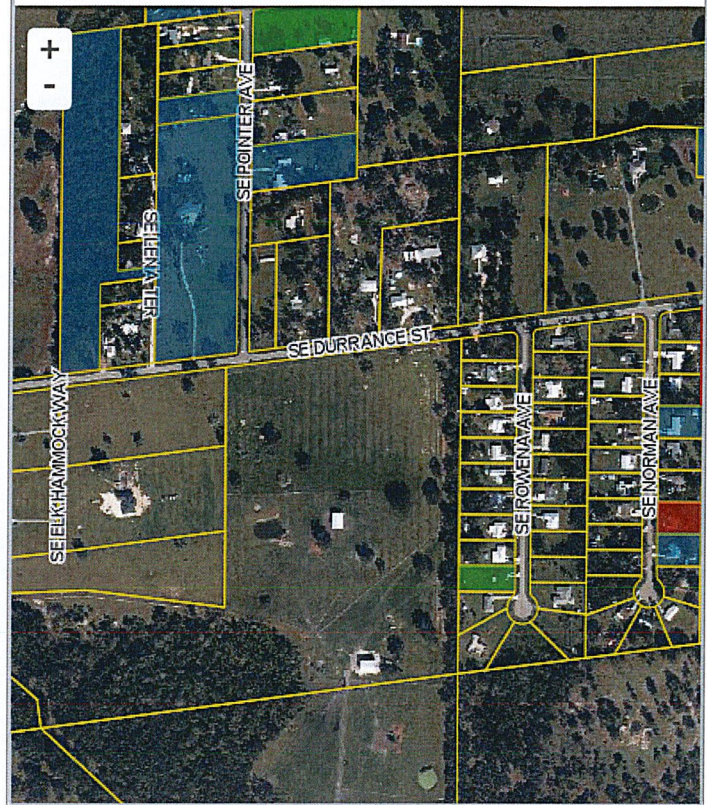
Property & Assessment Values

2023 Certified Values		2024 Certified Values	
Mkt Land	\$87,455	Mkt Land	\$100,573
Ag Land	\$0	Ag Land	\$0
Building	\$0	Building	\$0
XFOB	\$0	XFOB	\$0
Just	\$87,455	Just	\$100,573
Class	\$0	Class	\$0
Appraised	\$87,455	Appraised	\$100,573
SOH/10% Cap	\$51,263	SOH/10% Cap	\$0
Assessed	\$87,455	Assessed	\$100,573
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$36,192 other:\$36,192 school:\$87,455	Total Taxable	county:\$100,573 other:\$100,573 school:\$100,573

NOTE: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

Aerial Viewer Building Photo Google Maps

2024 2023 2020 2017 Sales



Sales History

Show Similar Sales within 1/2 mile Fill out Sales Questionnaire

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
4/11/2023	\$125,000	202314004280	WD	V	Q	01
2/24/2022	\$100	202314002211	WD	V	U	11
6/10/2019	\$100	201914003760	QC	V	U	11
11/22/2017	\$35,000	201714006002	WD	V	Q	05 (Multi-Parcel Sale) - show
7/26/2005	\$150,000	566 / 2468	WD	V	Q	
1/3/2003	\$55,000	524 / 128	WD	V	Q	

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
NONE					

Extra Features & Out Buildings (Codes)

Code	Desc	Year Blt	Value	Units	Dims
NONE					

Land Breakdown

Code	Desc	Units	Adjustments	Eff Rate	Land Value	* Zoning
1000	VAC COMM (MKT)	87,455.000 SF (2.007 AC)	1.0000/1.0000 1.0000/ /	\$1 /SF	\$100,573	CE

* The Property Appraiser's Office is NOT responsible for the zoning codes. For more information about Zoning, please contact the appropriate Planning & Zoning office for your area. City of Arcadia office: 863-494-4114 -or- DeSoto County office: 863-993-4806

Search Result: 6 of 8

2024

08-38-25-0355-00A0-0010

[illegible]

Notice Of AD Valorem Taxes & Non-AD Valorem Assessments

Bill # R 1748100 2024

R 08-38-25-0355-00A0-0010

REAL ESTATE TAX/NOTICE RECEIPT FOR DESOTO COUNTY

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	TAX AMOUNT
DESOTO COUNTY	.0076153	\$765.89
COUNTY LAW ENF	.0024399	\$245.39
SCHOOL LRE	.0030960	\$311.37
SCHOOL DISC	.0022480	\$226.09
SOUTHWEST WATER MGMT	.0001909	\$19.20
TOTAL AD-VALOREM:		\$1,567.94

ROCK WISE LLC
2789 SE HWY 31
ARCADIA , FL 34266

2.007 ACRES
 SANDALWOOD ESTATES
 LOTS 1 2 & 3 BLK A
 INST:201714006002
 INST:201914003760

NON-AD VALOREM ASSESSMENTS

TAXING AUTHORITY	TAX AMOUNT
Asmt - FIRE	\$38.00
TOTAL NON-AD VALOREM:	\$38.00

FAIR MKT VALUE	\$100,573.00	DIST	7
ASSESS	\$100,573.00	EXEMPT VALUE	\$0.00
TAXABLE VALUE	\$100,573.00		

COMBINED TAXES & ASMTS: \$1,605.94
DISCOUNT: \$0.00
UNPAID BALANCE: **\$1,654.12**

Exemptions:

Property Address:
2789 SE HWY 31 ARCADIA 34266

Delinquent Tax History

Year	Roll	Bill #	Outstanding Tax	Accrued Penalties	Total Due	Reference
2023	R	1741600-I	\$987.73	\$89.91	\$1,077.64	1422 I
			Total Due		\$1,077.64	

Tax Roll Property Summary

Parcel	Roll Type	Year	Original Gross Tax	Original Assessments	Date Paid	Amount Paid	Total Unpaid
083825035500A00010 R		2024	\$1,567.94	\$38.00	N/A	\$0.00	\$1,654.12
083825035500A00010 R		2023	\$848.18	\$38.00	N/A	\$0.00	\$1,077.64
083825035500A00010 R		2022	\$825.57	\$38.00	11/13/2022	\$829.03	\$0.00
083825035500A00010 R		2021	\$588.30	\$38.00	11/30/2021	\$601.25	\$0.00
083825035500A00010 R		2020	\$564.39	\$38.00	11/9/2020	\$578.29	\$0.00
083825035500A00010 R		2019	\$541.88	\$38.00	2/14/2020	\$574.08	\$0.00
083825035500A00010 R		2018	\$389.97	\$38.00	5/13/2019	\$444.11	\$0.00
083825035500A00010 R		2017	\$378.86	\$28.00	11/28/2017	\$390.59	\$0.00
083825035500A00010 R		2016	\$385.86	\$28.00	11/21/2016	\$397.31	\$0.00
083825035500A00010 R		2015	\$413.66	\$30.00	11/16/2015	\$425.91	\$0.00
083825035500A00010 R		2014	\$377.13	\$30.00	12/1/2014	\$390.84	0.00

After Recording Return to:
Diana L. Heitman
Arcadia Abstract & Title Company, Inc.
20 West Oak Street
Arcadia, FL 34266

This Instrument Prepared by:
Diana L. Heitman
Arcadia Abstract & Title Company, Inc.
20 West Oak Street
Arcadia, FL 34266
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
08-38-25-0355-00A0-0010
File No.: 2023-31965

WARRANTY DEED

This Warranty Deed, Made the 11 day of April, 2023, by **Brian St. Moritz, a single man**, whose post office address is: **3336 SE County Road 760, Arcadia, FL 34266**, hereinafter called the "Grantor", to **Rock Wise, LLC, a Virginia limited liability company**, whose post office address is: **2789 SE Highway #31, Arcadia, FL 34266**, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **One Hundred Twenty Five Thousand Dollars and No Cents (\$125,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **DeSoto** County, Florida, to wit:

LOTS 1, 2 AND 3, BLOCK "A", SANDALWOOD ESTATES, as per map or plat thereof recorded in the Office of the Clerk of the Circuit Court in and for DeSoto County, Florida, in Plat Book 9, Page 57.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2022, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

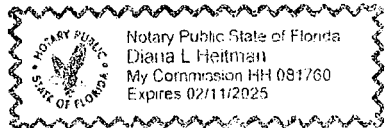
Witness Signature: *Diana L. Heitman* *Brian St. Moritz*
Printed Name: Diana L. Heitman Brian St. Moritz

Witness Signature: *Ramona Guzman*
Printed Name: Ramona Guzman

State of Florida
County of DeSoto

The foregoing instrument was acknowledged before me this 11 day of April, 2023 by Brian St. Moritz, a single man, who is/are personally known to me or has/have produced driver license(s) as identification.

Diana L. Heitman My Commission Expires: *2/11/2025*
Notary Public Signature (SEAL)
Printed Name: Diana L. Heitman





DESOTO
COUNTY

NADIA K. DAUGHTREY
CLERK OF THE CIRCUIT COURT



clericus **KORI**
POWERED BY CIVITEK

[Search Again](#)

Your results are shown below. You may click a column heading to sort that column. Clicking the same heading again will reverse the order of the search.

Page Size:

2 items found, displaying all items.

1

Party Name	Party Type	Date	Document Type	Instrument Number	Book/Page	Pages	Consideration Amount	Description
ROCK WISE LLC	T	04/18/2023	D	202314004280	0/0	2	\$125,000.00	LTS 1, 2 & 3, BLK 'A', SANDALWOOD ESTATES... View Image
ROCK WISE LLC	F	04/18/2023	MTG	202314004281	0/0	12	\$125,000.00	SEE EXHIBIT 'A' View Image

2 items found, displaying all items.

1



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
ROCK WISE, LLC

Filing Information

Document Number L25000144045
FEI/EIN Number NONE
Date Filed 03/25/2025
Effective Date 03/20/2025
State FL
Status ACTIVE

Principal Address

2789 SOUTHEAST HWY 31
ARCADIA, FL 34266

Mailing Address

2371 HWY 31 LOT 41
ARCADIA, FL 34266

Registered Agent Name & Address

MULLINS, MARK
2371 HWY 31 LOT 41
ARCADIA, FL 34266

Authorized Person(s) Detail

Name & Address

Title AP

MULLINS, LORETTA
2371 HWY 31 LOT 41
ARCADIA, FL 34266

Annual Reports

No Annual Reports Filed

Document Images

[03/25/2025 -- Florida Limited Liability](#)

[View image in PDF format](#)

Florida Department of State, Division of Corporations



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search By Entity Name](#) /

[Next List](#)

ROCK WISE LLC

Entity Name List

Corporate Name	Document Number	Status
ROCKWISE, LLC	L20000136583	INACT
ROCK WISE, LLC	L25000144045	Active
ROCK WITH THE CROCS, INC.	P07000128698	INACT
ROCK WITH U ENTERTAINMENT, INC.	P06000065016	Active
ROCK WITH U ENTERTAINMENT LOS ANGELES LLC	L19000179898	Active
ROCK WITH U PRODUCTIONS, INC.	P18000070787	Active
ROCKWITHUS ENT., INC.	P10000031187	INACT
ROCKWOOD INC	289642	INACT
ROCKWOOD LIMITED, INC.	538731	INACT
ROCKWOOD & CO	811444	INACT
ROCKWOOD	910319	INACT
ROCKWOOD, LLC	L01000018709	INACT
ROCKWOOD, LLC	L05000094307	INACT
ROCKWOOD, LLC	L24000294801	Active
ROCKWOOD, INC.	P02000060164	INACT
ROCKWOOD INC.	P94000015579	INACT
ROCKWOOD-ADC, LLC	M11000002190	INACT
THE ROCKWOOD ASSOCIATION, INC.	M92671	INACT
ROCKWOOD CAPITAL CORP.	P97000062950	INACT
ROCKWOOD CAPITAL PARTNERS, LLC	L15000169796	INACT

[Next List](#)

ROCK WISE LLC

Request: 4941 Entered on: 01/14/2025 3:50 PM By: Sarah Milstead

Customer Information

Name: TARA PLANNING AND ZONING
Address: 201 East Oak St Suite 201
Arcadia, FL 34266

Phone: (863) 993-4800
Alt. Phone:
Email:

Request Classification

Topic: Other - Code Enforcement
Status: Open
Assigned to: Sharon Gray
Property Address: 2789 SE HWY 31
Property APN: 08-38-25-0355-00A0-0010

Request type: Complaint
Priority: Normal
Entered Via: Email

Description

They're doing work without the go from the Development Department.

Reason Closed

Date Expect Closed: 01/31/2025

Enter Field Notes Below

Notes:

Notes Taken By: _____ Date: _____

Improvement Plan

Plan Number: SITE-0152-2024

[Plan Details](#) | [Tab Elements](#) | [Main Menu](#)

Type: Site Plan - Improvement Plan

Status: Submitted

Project Name: ROCK WISE LLC

Applied Date: 11/05/2024

Expiration Date:

District: DeSoto County

Completion Date: 11/05/2024

Description: 8 x 40 office, 16 x 40 storage shed, 4 parking spaces, 1 loading space, 9 rock bins, and crushed gravel for traffic flow

Summary

[Locations](#)

[Fees](#)

[Reviews](#)

[Inspections](#)

[Attachments](#)

[Contacts](#)

[Sub-Records](#)

Progress



100%
Completed

- Completed
- In Progress
- Not Started

Fees

\$0.00

[View Details](#)

Workflow

- Confirm Application Complete - Passed: 11/05/2024
- DRC Review - Not Passed: 12/10/2024
- Completeness Letter Issued
- DRC Review
- Staff report prepared and distributed
- Report sent to applicant
- Prepare Applicable Hearing Notice
- Prepare Applicable Resolution & Agenda Request
- Post Public Hearing Signs

Available Actions

No Actions

Development Plan

Plan Number: SITE-0136-2024

[Plan Details](#) | [Tab Elements](#) | [Main Menu](#)

Type: Site Plan - Development Plan

Status: Approved

Project Name: ROCK WISE LLC

Applied Date: 03/14/2024

Expiration Date:

District: DeSoto County

Completion Date: 03/14/2024

Description: 8 x 40 office, 16 x 40 storage shed, 3 parking spaces, 9 rock bins, and crushed gravel for traffic

[Summary](#)

[Locations](#)

[Fees](#)

[Reviews](#)

[Attachments](#)

[Contacts](#)

[Sub-Records](#)

[Meetings](#)

Progress



100%
Completed

- Completed
- In Progress
- Not Started

Fees

\$0.00

[View Details](#)

Workflow

- ✓ Staff report prepared and distributed - Passed: 09/04/2024
- ✓ Post Public Hearing Signs - Passed: 09/04/2024
- ✓ Report sent to applicant - Passed: 09/04/2024
- ✓ Prepare Applicable Resolution & Agenda Request - Passed: 09/04/2024
- ✓ Publish / Post Public Hearing Notification - Passed: 09/04/2024
- ✓ Decision - Passed: 09/04/2024
- ✓ Prepare Adoption Notice - Passed: 09/04/2024
- ✓ Publish Notice / Resolution - Passed: 09/04/2024

Available Actions


No Actions

Project: ROCK WISE LLC (PR-0165-2024)

[Project Details](#) | [Tab Elements](#) | [Main Menu](#)

Project Name: ROCK WISE LLC

District: DeSoto County

Type: Commercial

Status: In Application

Start Date:

Expected End Date:

Completed Date:

Description: 8 x 40 office, 16 x 40 storage shed, 3 parking spaces, 9 rock bins, and crushed gravel for traffic

Summary

[Locations](#)

[Fees](#)

[Attachments](#)

[Contacts](#)

Project Case Progress

SITE-0152-2024

Site Plan - Improvement Plan
(Plan, Updated 12/13/2024)

100%

SITE-0136-2024

Site Plan - Development Plan
(Plan, Updated 09/04/2024)

100%

Fees

\$0.00

[View Details](#)

Project Name

2024-057

A resolution granting Rock Wise LLC, Development Plan Application (SITE-0136-2024)
Approval on a 2.0 acre parcel, zoned commercial established (CE) district and located
at 2789 SE Highway 31 and providing for an effective date.

Adopted August 27, 2024

DESOTO COUNTY, FLORIDA

RESOLUTION NO. 2024 - 057

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, GRANTING TO ROCK WISE LLC, DEVELOPMENT PLAN APPLICATION (SITE-0136-2024) APPROVAL ON A 2.0 ACRE PARCEL, ZONED COMMERCIAL ESTABLISHED (CE) DISTRICT AND LOCATED AT 2789 SE HIGHWAY 31 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 14, 2024, a Development Plan application and fee was submitted to the Development Department for a development plan with improvements associated with retail sales (open to public) to include the sale of lawn and garden supplies and includes an 8'x40' (320 s.f.) office, 16'x40' (640 s.f.) storage shed, 3 parking spaces, and 9 rock bins. (Exhibit A: Location Map); and

WHEREAS, Land Development Regulations (LDR) Section 20-1345(d)(1) requires all development plans be reviewed by the Development Department and then submitted to the Board of County Commissioners (Board) for its review and approval or disapproval at a quasi-judicial public hearing; and

WHEREAS, the Development Department has reviewed the Development Plan application and concludes the application is in conformance with the LDR provided conditions are imposed; and

WHEREAS, on August 27, 2024, the DeSoto Board of County Commissioners held a duly noticed public hearing on the Development Plan application (SITE-0136-2024) and determined that the application complies with the DeSoto County Comprehensive Plan (Exhibit B: Comprehensive Plan), the Land Development Regulations (Exhibit C: Zoning), and all other applicable regulations provided conditions to ensure conformance are imposed; and

WHEREAS, the Board finds adoption of this resolution will not adversely affect the public interest and is in the best interest of the residents of DeSoto County, Florida.

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

Section 1. *Whereas clauses incorporated.* The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.

Section 2. *Property description.* The 2.0 acre parcel is located at 2789 SE Highway 31, the Property Identification Number being 08-38-25-0355-00A0-0010.

Section 3. *Development Plan approved.* Rock Wise LLC is granted Development Plan application (SITE-0136-2024) approval as displayed in the site plan (Exhibit D: Site Plan), subject to the following conditions:

1. All internal drive aisles will need to be a full 20' wide surface capable of supporting fire apparatus.

2. Water supply will have to be displayed at Improvement Plan or coordinate with the Public Safety Department on how water will be supplied for fire protection.
3. Any gates will need to be 20 feet wide and show a Knox box in accordance with Public Safety standards prior to approval of the Improvement Plan.
4. A 6' high opaque privacy fence (allowed by Sec. 20-659 (b) (1) a. of the LDR for commercial properties) shall be provided along the property boundary in addition to a type B landscaping buffer. The fence shall be located inside of the landscaping on the applicant's side of the property. The mature trees running along the south side of the property shall not be removed or adversely impacted and will be considered as part of the buffer requirements. Buffering shall be illustrated on the Improvement Plan prior to approval.
5. SW HWY 31 is a minor arterial roadway. Per LDR Section 20-505 (2), the separation between access point and the intersection of the minor arterial roadway shall be a minimum of 250 feet. The site access shall be on Durrance Street and maximize the separation between access points and the intersection at Durrance St and SE HWY 31 shall be meet FDOT standards and be approved with the Improvement Plan.
6. The proposed conceptual plan does not depict any areas for stormwater management. This will be required as part of the Improvement Plan application. This project will require a State stormwater permit through either the SWFWMD or FDEP (10-2). The applicant will provide any State-approved permits with the Improvement Plan.
7. A commercial driveway per the DeSoto County Engineering Standard Details will be required.
8. The applicant will be required to ensure that the ADA parking space with access aisle and compliant access to the office is shown on the Improvement Plan.
9. Water and sewer are available in the ROW of SR 31 and this project is required to connect if any water using fixtures are proposed.
10. The maximum impervious lot coverage is not to exceed 70%, in accordance with Section 20-138(2) and will be required to be demonstrated on the Improvement Plan.
11. Comp Plan policy 1.4.4 requires 25% of a site be provided as open space in the Low Density Residential future land use designation and will be required to be demonstrated on the Improvement Plan.
12. The proposed loading space is not dimensioned. It shall not be less than ten feet wide and 25 feet long with 14 feet of vertical clearance but for tractor trailer parking, a minimum 12 feet wide by 50 foot long with 16 feet clearance is recommended, per Section 20-537(f)(1) and will be required to be demonstrated on the Improvement Plan.
13. The retail store hours of operation are not to exceed beyond 8:00 am to 5:00 pm Monday through Friday, 8:00 am to 3:00 pm Saturday and shall be closed on Sunday.
14. Back-up beepers on all equipment used on site during operations must be muted (dampened if some sound is required by OSHA).
15. Tractor trailers shall not be allowed to park in the designated parking area or any other place on site.

Section 4. *Effective date.* This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 27th day of August 2024. .

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA

By: Mandy Hines
Mandy Hines
County Administrator

By: Jerod Gross
Jerod Gross, Chairman
Board of County Commissioners

APPROVED AS TO LEGAL FORM

By: Donald D. Conn
Donald D. Conn
County Attorney

Exhibit A



Exhibit B

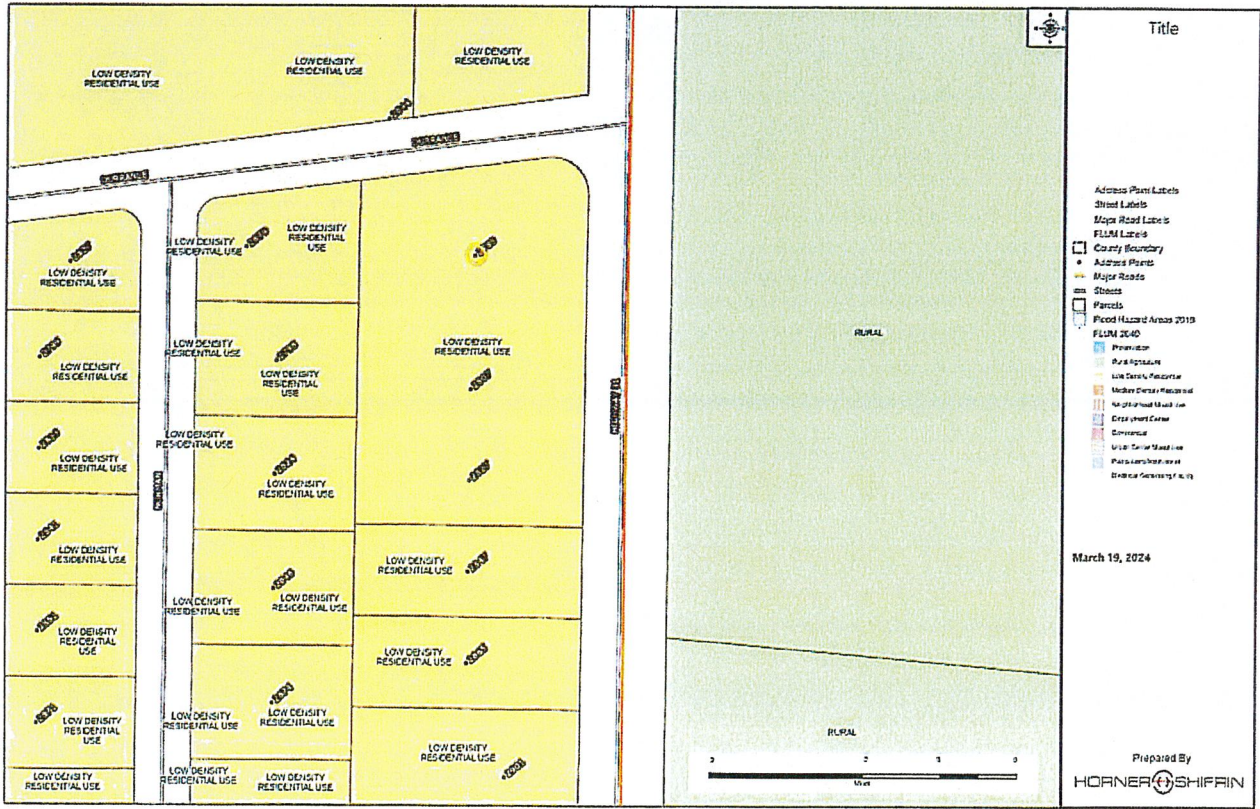
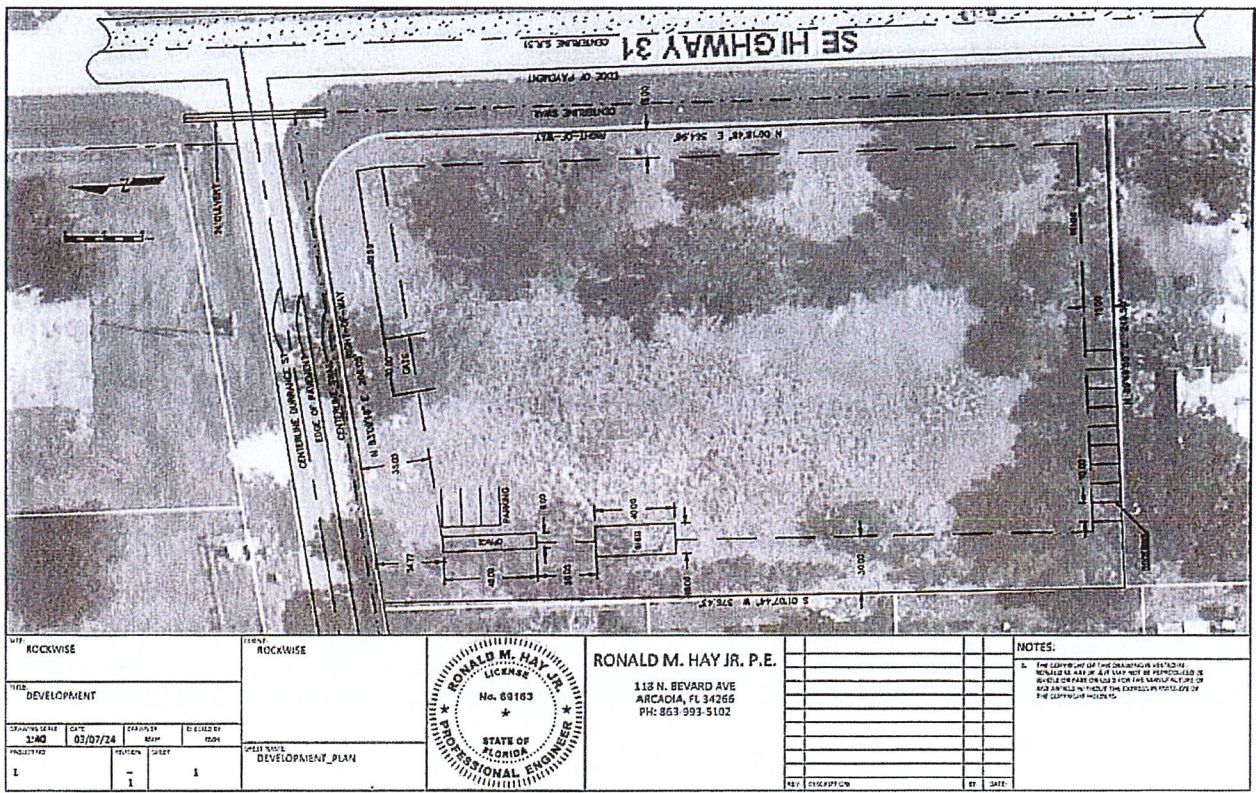


Exhibit C



Exhibit D



Public Information

Search

All

for

08-38-25-0355-00A0-0010

Exact Phrase

Search Reset Export

Found 6 results

Next () Top () ☒ Paging Options () Filter Options () Main Menu ()

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an Number SITE-0136-2024

plied Date 03/14/2024

pe Site Plan - Development Plan

ompletion Date

piration Date

atus Approved

in Parcel 08-38-25-0355-00A0-0010

ject Name ROCK WISE LLC

dress 2789 SE HIGHWAY 31 ARCADIA FL

SITE - 0136 - 2024

Previous () Next () ☒ Top () ☒ Paging Options () Filter Options () Main Menu ()

0

n Number SITE-0152-2024

plied Date 11/05/2024

re Site Plan - Improvement Plan

ompletion Date

piration Date

atus Submitted

in Parcel 08-38-25-0355-00A0-0010

ject Name ROCK WISE LLC

dress 2789 SE HIGHWAY 31 ARCADIA FL

SITE - 0152 - 2024

Previous () Next () Top () ☒ Paging Options () Filter Options () Main Menu ()

ject Number PR-0165-2024

rt Date

re Commercial

ected End Date

ject Name ROCK WISE LLC

npleted Date

atus In Application

n Parcel 08-38-25-0355-00A0-0010

ress 2789 SE HIGHWAY 31 ARCADIA FL

PR - 0165 - 2024

Sec. 20-1342. - Development permit required prior to undertake any development activity.

Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. No development activity shall be undertaken unless authorized by a development order or development permit.

(LDR, § 12002; Ord. No. 2012-01, § 12002, 5-22-2012)

Sec. 20-138. - Commercial Established District (CE).

The intent of the Commercial Established District (CE) is to recognize those commercial land uses which have developed under previous County regulations, but are located in areas of the County in which the commercial zoning district shall not be expanded in accordance with the Comprehensive Plan. The intent is to zone these properties to a Commercial Established District (CE) to continue to allow the property to be used for any permitted CE district uses. Expansion of the CE district is not permitted, unless the Board of County Commissioners determines an adjacent property cannot be developed for residential purposes.

(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).*

1. Retail stores such as drug stores, food stores, delicatessens, pet stores, hardware stores, building supply, lawn and garden supplies, green houses and nurseries, car dealership, etc.
2. Services such as restaurants, banks, commercial schools, hotels and motels, theaters, barber and beauty shops, coin operated laundry.
3. Automobile service and repair, car wash, car rental, contractors.
4. Service clubs.
5. Indoor commercial recreation.
6. Rehabilitation centers, rest homes, hospices.
7. Parking lot.
8. Child care center.
9. All permitted uses in the CN district.
10. Electric substation in compliance with F.S. 163.3208, as amended.
11. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

b. *Accessory uses and structures.* Accessory uses and structures customarily associated with the uses permitted in this district.

1. Tennis courts, parks and playgrounds.
2. Outside storage as accessory use enclosed by opaque fence not visible from the street.

c. *Special exception uses and structures.*

1. Detached residence in conjunction with a business; one per business.
 2. Light equipment rentals.
 3. Place of worship.
 4. Light manufacturing, processing, packaging, or fabricating in a completely enclosed building.
 5. Wholesale, warehousing, and mini-warehousing.
 6. Any other use which is comparable in nature with the foregoing uses and which the Development Director determines to be compatible with the district.
- d. *Prohibited uses and structures.* Any use or structure not specifically or by reasonable implication allowed herein.

(2) *Development standards.*

- a. Minimum lot area: 20,000 square feet.
- b. Minimum lot width: 100 feet directly abutting upon the highway which generated the CE zoning.
- c. Minimum yard requirements:
 1. Front yard: 40 feet.
 2. Side yard: ten feet with unobstructed passage from front to rear yard.
 3. Rear yard: 25 feet
 4. From railroad right-of-way: none.
 5. Waterfront: 25 feet for all uses except marinas.
- d. Maximum impervious lot coverage: 70 percent.
- e. Minimum off-street parking: See Section 20-536.

(LDR, § 2316; Ord. No. 2012-01, § 2316, 5-22-2012; Ord. No. 2014-05, att. A, § 35, 10-28-2014; Ord. No. 2024-003, §§ 2, 3, 5-28-2024)



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

COPY

NOTICE to CORRECT VIOLATION

ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

RE: 2789 SE HWY 31
PIN #: 08-38-25-0355-00A0-0010
Case No: CE-25-0084

Date: February 4, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-1342 Development Permit Required: Development is the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-138 d Prohibited CE: Prohibited Uses and Structures, CE zoning.

Facts constituting violation (including date, time, and place of violation): On **January 24, 2025** at **10:14 am**, the property located at **2789 SE HWY 31** was visited and revealed the following:

Materials, equipment, a cargo trailer and a fence was installed without an approved Improvement plan. Please cease & desist from bringing any more materials or equipment on the property until you have a Notice to Proceed from the Planning Department. Please stay on top of the Improvement Plan with Planning or you will have to remove what was brought onto the property.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits
Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.

Due by: February 19, 2025

Due by: February 19, 2025

Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violation has been corrected prior to the Hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violator, and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to this department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266, Telephone number (863) 491-6165 or (863) 993-4806.

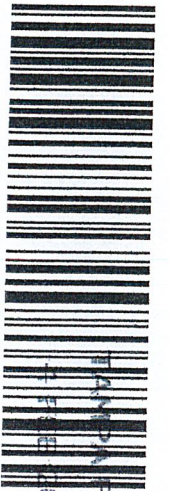
Sincerely



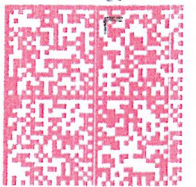
Sharon Gray
Code Enforcement Officer

Certified Mailing Number: 9589071052701588383704

DeSoto County Development
201 East Oak St., Suite 204
Arcadia, FL 34266



9589 0710 5270 1588 3837 04



quadrant
FIRST-CLASS MAIL
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02/04/2025 ZIP 34266
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US POSTAGE

Rock Wise LLC
2789 SE Hwy 31
Arcadia, FL 34266

NMR AS 08
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3/2/2025

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339 DE 1

0003/18/25

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UNABLE TO FORWARD

SC: 34266445154

*2701-07938-04-44

34266-4451
34266-757489

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Extra Services & Fees (check box, add fee as appropriate)		
☒ Return Receipt (hardcopy) \$ <u>2.80</u>		
☐ Return Receipt (electronic) \$		
☐ Certified Mail Restricted Delivery \$		
☐ Adult Signature Required \$		
☐ Adult Signature Restricted Delivery \$		
Postage \$ <u>0.69</u>		
Total Postage and Fees \$ <u>9.64</u>		
Rock Wise LLC 2789 SE Hwy 31 Arcadia, FL 34266		

Reverse for Instructions

40 289E 885T 0225 0710 6856



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY
201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

NOTICE to CORRECT VIOLATION

ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

RE: 2789 SE HWY 31
PIN #: 08-38-25-0355-00A0-0010
Case No: CE-25-0084

Date: February 4, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-134 Development Permit Required: Development is the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-135 d Prohibited CE: Prohibited Uses and Structures, CE zoning.

Facts constituting violation (including date, time, and place of violation): On February 24, 2025 at 10:14 am, the property located at 2789 SE HWY 31 was visited and revealed the following:

Materials, equipment, a cargo trailer and a fence was installed without an approved improvement plan. Please cease & desist from bringing any more materials or equipment on the property until you have a Notice to Proceed from the Planning Department. Please stay on top of the improvement plan with Planning as you will have to remove what was brought onto the property.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit exception for the development activity being conducted on your property, or obtain the required permits. Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.

Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county circuit judge or violators as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then occurs or if the violation is not corrected by the time specified in connection by this notice, the case may be presented to the Special Magistrate if the violation has been corrected prior to the hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violation and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to the Department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266. Telephone number (863) 491-6165 or (863) 491-6163.

Date by: February 19, 2025

Date by: February 19, 2025

02/04/2025 13:19

SHARON GRAY
2789 SE HWY 31



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY
201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

NOTICE to CORRECT VIOLATION

RE: 2789 SE HWY 31
PIN #: 08-38-25-0355-00A0-0010
Case No: CE-25-0084

Date: February 4, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-134 Development Permit Required: Development is the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-135 d Prohibited CE: Prohibited Uses and Structures, CE zoning.

Facts constituting violation (including date, time, and place of violation): On February 24, 2025 at 10:14 am, the property located at 2789 SE HWY 31 was visited and revealed the following:

Materials, equipment, a cargo trailer and a fence was installed without an approved improvement plan. Please cease & desist from bringing any more materials or equipment on the property until you have a Notice to Proceed from the Planning Department. Please stay on top of the improvement plan with Planning as you will have to remove what was brought onto the property.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit exception for the development activity being conducted on your property, or obtain the required permits. Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.

Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county circuit judge or violators as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then occurs or if the violation is not corrected by the time specified in connection by this notice, the case may be presented to the Special Magistrate if the violation has been corrected prior to the hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violation and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to the Department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266. Telephone number (863) 491-6165 or (863) 491-6163.

02/04/2025 13:19

SHARON GRAY
2789 SE HWY 31



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

**STATE OF FLORIDA
COUNTY OF DESOTO**

I, Sharon Gray, duly sworn, deposes and says: That on 2/4/2025 @ 1:19 PM, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

at the following location(s): 2789 SE HWY 31

I declare under penalty of perjury that the forgoing is true and correct.

DATE: February 4, 2025

affiant Sharon Gray

Sworn to and subscribed before me this 4th day of February, 2025 by
Sharon Gray who is personally known OR Produced Identification

Sarah Milstead
Notary Public





CODE ENFORCEMENT STOP WORK ORDER

LOCATION: 2789 SE Hwy 31

DATE: 2/24/2025

WORK BEING PERFORMED:

No approved Improvement Plan
has been issued for this property.
There is no notice to Proceed.
Please stop working.

Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into (2) or more parcels.

No development activity shall be undertaken unless authorized by A development order or permit.

The owner, his agent, or any party performing the work described above on a building or structure on this property is hereby notified that such work is being performed contrary to provisions of the DeSoto County Land Development Regulations, Building or Fire Codes of DeSoto County, Florida or in a dangerous or unsafe manner. Such work is hereby ordered to cease. Work may not resume until such time as provisions of the DeSoto County Land Development Regulations, Building and/or Fire Codes have been complied with and any unsafe conditions have been remedied to the satisfaction of the Code Enforcement office. Failure to comply with this Stop Work Order is a violation of the Codes and subject to the penalties as provided therein.

CODE ENFORCEMENT OFFICER

Sharon Gray

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED

02/24/2025 14:20

SHARON GRAY
2789 SE HWY 31



CODE ENFORCEMENT STOP WORK ORDER

LOCATION: 2789 SE Hwy 31

DATE: 2/24/2025

WORK BEING PERFORMED:

No approved Improvement Plan
has been issued for this property.
There is no notice to Proceed.
Please stop working.

Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into (2) or more parcels.

No development activity shall be undertaken unless authorized by A development order or permit.

The owner, his agent, or any party performing the work described above on a building or structure on this property is hereby notified that such work is being performed contrary to provisions of the DeSoto County Land Development Regulations, Building or Fire Codes of DeSoto County, Florida or in a dangerous or unsafe manner. Such work is hereby ordered to cease. Work may not resume until such time as provisions of the DeSoto County Land Development Regulations, Building and/or Fire Codes have been complied with and any unsafe conditions have been remedied to the satisfaction of the Code Enforcement office. Failure to comply with this Stop Work Order is a violation of the Codes and subject to the penalties as provided therein.

CODE ENFORCEMENT OFFICER

Sharon Gray

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED

STATE OF FLORIDA - DEPT. OF TRANSPORTATION

DOT 2-1000-1000-0000

DOT 2-1000-1000-0000

DOT 2-1000-1000-0000

02/24/2025 14:20

SHARON GRAY
2789 SE HWY 31



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

COPY

NOTICE to CORRECT VIOLATION

ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

RE: 2789 SE HWY 31
PIN #: 08-38-25-0355-00A0-0010
Case No: CE-25-0084

Date: April 10, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-1342 Development Permit Required: Development is the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-138 d Prohibited CE: Prohibited Uses and Structures, CE zoning.

Facts constituting violation (including date, time, and place of violation): On April 2, 2025 at 12:54 pm, the property located at 2789 SE HWY 31 was visited and revealed the following:

Materials, equipment, a cargo trailer and fence was installed without an approved Improvement plan. Please cease & desist from bringing in anymore materials or equipment onto the property until you have a approved Notice to Proceed from the Planning Department. Please stop operating the business until the Improvement plan has been approved and a notice to proceed has been issued.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits **Due by: April 15, 2025**

Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process. **Due by: April 15, 2025**

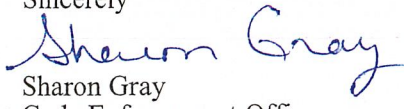
Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violation has been corrected prior to the Hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violator, and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to this department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266, Telephone number (863) 491-6165 or (863) 993-4806.

Sincerely

A handwritten signature in blue ink that reads "Sharon Gray". The signature is fluid and cursive, with the first name "Sharon" and last name "Gray" clearly distinguishable.

Sharon Gray
Code Enforcement Officer

Certified Mailing Number: 9589071052701588384848



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

COPY

NOTICE to CORRECT VIOLATION

Mark Mullins
2371 Hwy 31 Lot 41
Arcadia, FL 34266

RE: 2789 SE HWY 31
PIN #: 08-38-25-0355-00A0-0010
Case No: CE-25-0084

Date: April 10, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-1342 Development Permit Required: Development is the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-138 d Prohibited CE: Prohibited Uses and Structures, CE zoning

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Materials, equipment, a cargo trailer and fence was installed without an approved Improvement plan. Please cease & desist from bringing in anymore materials or equipment onto the property until you have a approved Notice to Proceed from the Planning Department. Please stop operating the business until the Improvement plan has been approved and a notice to proceed has been issued.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits **Due by: April 15, 2025**

Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process. **Due by: April 15, 2025**

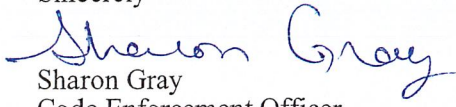
Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violation has been corrected prior to the Hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violator, and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to this department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266, Telephone number (863) 491-6165 or (863) 993-4806.

Sincerely

A handwritten signature in blue ink that reads "Sharon Gray". The signature is fluid and cursive, with the first name "Sharon" and the last name "Gray" clearly distinguishable.

Sharon Gray
Code Enforcement Officer

Certified Mailing Number: 9589071052701588384824

9589 0710 5270 1588 3848 24

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
25-0084

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$ 4.85

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy)	\$ 4.10
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage
\$.69

Total Postage and Fees
\$ 9.64

Postmark Here
APR 10 2025
34266-USPS

Mark Mullins
2371 Hwy 31 Lot 41
Arcadia, FL 34266

PS Form 3800, January 2013 See Reverse for Instructions

9589 0710 5270 1588 3848 48

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
25-0084

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$ 4.85

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy)	\$ 4.10
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage
\$.69

Total Postage and Fees
\$ 9.64

Postmark Here
APR 10 2025
34266-USPS

Rock Wise LLC
2789 SE Hwy 31
Arcadia, FL 34266

PS Form 3800, January 2013 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark Mullins
2371 Hwy 31 Lot 41
Arcadia, FL 34266



9590 9402 8961 4064 9550 81

2. Article Number (Transfer from)

9589 0710 5270 1588 3848 24

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Address

B. Received by (Printed Name)

andrew

C. Date of Deliv

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collection Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restr
Delivery
☒ Signature Confirmatic
☐ Signature Confirmatic
Restricted Delivery

☐ Insured Mail Restricted Delivery
(over \$500)



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY
201 East Oak Street, Suite 300
Arcadia, Florida 34266
Telephone (363) 491-4165
Fax (363) 491-6166

NOTICE to CORRECT VIOLATION

ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

RE: 2789 SE HWY 31
PIN #: 08-18-25-008-00000
Case No: CE-25-0084

Date: April 10, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or a routine area patrol and was found to be in violation of the below listed Ordinance(s).

LDR Sec. 20-134.2 Development Permit Required: Development is the carrying out of an building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

LDR Sec. 20-138 of Prohibited Use: Prohibited Uses and Structures, CE 2006.

Facts constituting violation (including date, time, and place of violation): On April 10, 2025, the property located at 2789 SE HWY 31 was visited and revealed the following:

Materials, equipment, a cargo trailer and fence was installed without an approved development plan, cease & desist from bringing in anymore materials or equipment onto the driveway and the fence & equipment Notice is Priced from the Planning Department. Please stop operating the business until the development plan has been approved and a notice to proceed has been issued.

You must correct the violation(s) by taking the appropriate steps.

Please contact our office with proof of permit exception for the development activity being conducted on your property, or obtain the required permits. *Due by April 15, 2025*

Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the planning and zoning process. *Due by April 15, 2025*

Failure to correct the violations may result in a citation being issued to you for a violation which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and that occurs or if the violation is not corrected by the date specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violator has been contacted prior to the hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violation and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to the department or a hearing to the Special Magistrate. If, as a result of the hearing, it is determined that your property is in violation, the hearing would not be required.

If you have any questions concerning this notice, please contact Code Enforcement at 363-491-4165 or 363-963-4000.

04/10/2025 13:34

SHARON GRAY
2789 SE HWY 31



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

NOTICE TO CORRECT VIOLATION

RE: 2789 SE HWY 31
PIN #: 08-18-25-008-00000
Case No: CE-25-0084

Date: April 10, 2025

Please be advised that this letter serves as notice that your property was visited due to a complaint or a routine area patrol and was found to be in violation of the below listed Ordinance(s).

LDR Sec. 20-134.2 Development Permit Required: Development is the carrying out of an building activity, the making of any material change in the use or appearance of any structure or land. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

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Failure to correct the violations may result in a citation being issued to you for a violation which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and that occurs or if the violation is not corrected by the date specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violator has been contacted prior to the hearing.

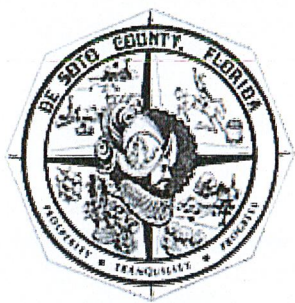
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If you feel that you are not in violation, you may submit a request in writing to the department or a hearing to the Special Magistrate. If, as a result of the hearing, it is determined that your property is in violation, the hearing would not be required.

If you have any questions concerning this notice, please contact Code Enforcement at 363-491-4165 or 363-963-4000.

04/10/2025 13:34

SHARON GRAY
2789 SE HWY 31



COUNTY DEVELOPMENT DEPARTMENT

DESOTO COUNTY

201 East Oak Street, Suite 204

Arcadia, Florida 34266

Telephone (863)491-6165

Fax (863)491-6163

STATE OF FLORIDA COUNTY OF DESOTO

I, Sharon Gray, duly sworn, deposes and says: That on 4/10/2025 @ 1:34 PM, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
ROCK WISE LLC
2789 SE HWY 31
ARCADIA, FL 34266

Agent of Process
Mark Mullins
2371 Hwy 31 Lot 41
Arcadia, FL 34266

at the following location(s): 2789 SE HWY 31

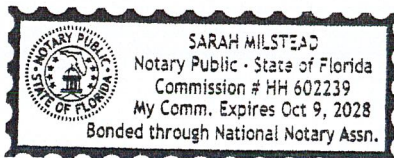
I declare under penalty of perjury that the forgoing is true and correct.

DATE: April 10, 2025

affiant Sharon Gray

Sworn to and subscribed before me this 10th day of April, 2025 by
Sharon Gray who is personally known OR Produced Identification

Sarah Milstead
Notary Public





04/15/2025 09:29

SHARON GRAY
2789 SE HWY 31



04/15/2025 09:29

SHARON GRAY
2789 SE HWY 31



04/15/2025 09:29

SHARON GRAY
2789 SE HWY 31



04/15/2025 09:29

SHARON GRAY
2789 SE HWY 31





04/10/2025 13:32

SHARON GRAY
2789 SE HWY 31



04/10/2025 13:32

SHARON GRAY
2789 SE HWY 31



04/10/2025 13:33

SHARON GRAY
2789 SE HWY 31



04/10/2025 13:33

SHARON GRAY
2789 SE HWY 31



04/10/2025 13:33

SHARON GRAY
2789 SE HWY 31





04/02/2025 12:54

SHARON GRAY
2789 SE HWY 31



04/02/2025 12:54

SHARON GRAY
2789 SE HWY 31



04/02/2025 12:54

SHARON GRAY
2789 SE HWY 31



04/02/2025 12:54

SHARON GRAY
2789 SE HWY 31





04/02/2025 12:55

SHARON GRAY
2789 SE HWY 31



04/02/2025 12:55

SHARON GRAY
2789 SE HWY 31



02/24/2025 14:20

SHARON GRAY
2789 SE HWY 31



02/24/2025 14:20

SHARON GRAY
2789 SE HWY 31

MONDAY 8-5
TUESDAY 8-5
WEDNESDAY 8-5
THURSDAY 8-5
FRIDAY 8-5
SATURDAY 8-2
SUNDAY-CLOSED

02/24/2025 14:20

SHARON GRAY
2789 SE HWY 31



01/24/2025 10:14

SHARON GRAY
2789 SE HWY 31



01/24/2025 10:15

SHARON GRAY
2789 SE HWY 31



01/24/2025 10:14

SHARON GRAY
2789 SE HWY 31

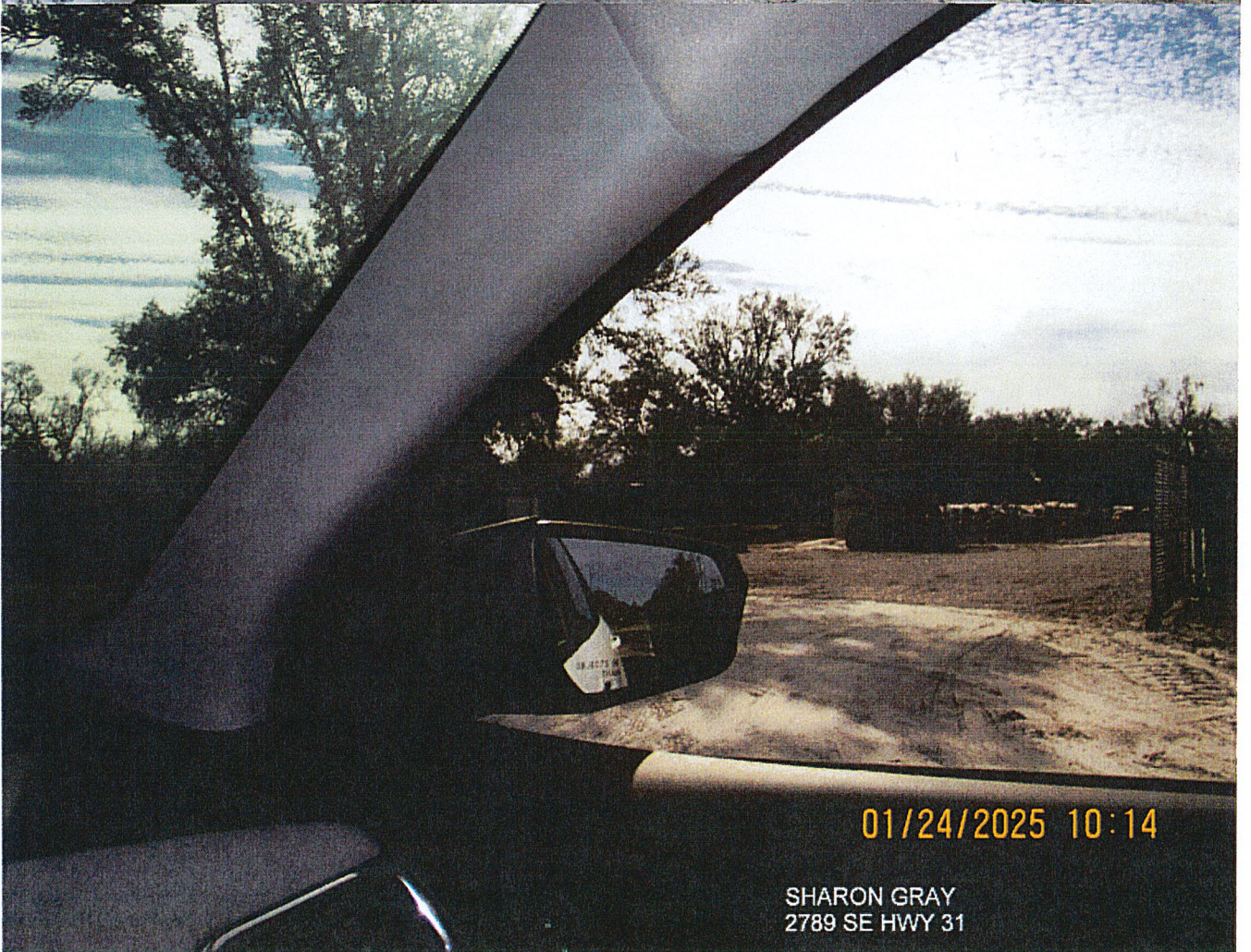


01/24/2025 10:14

SHARON GRAY
2789 SE HWY 31



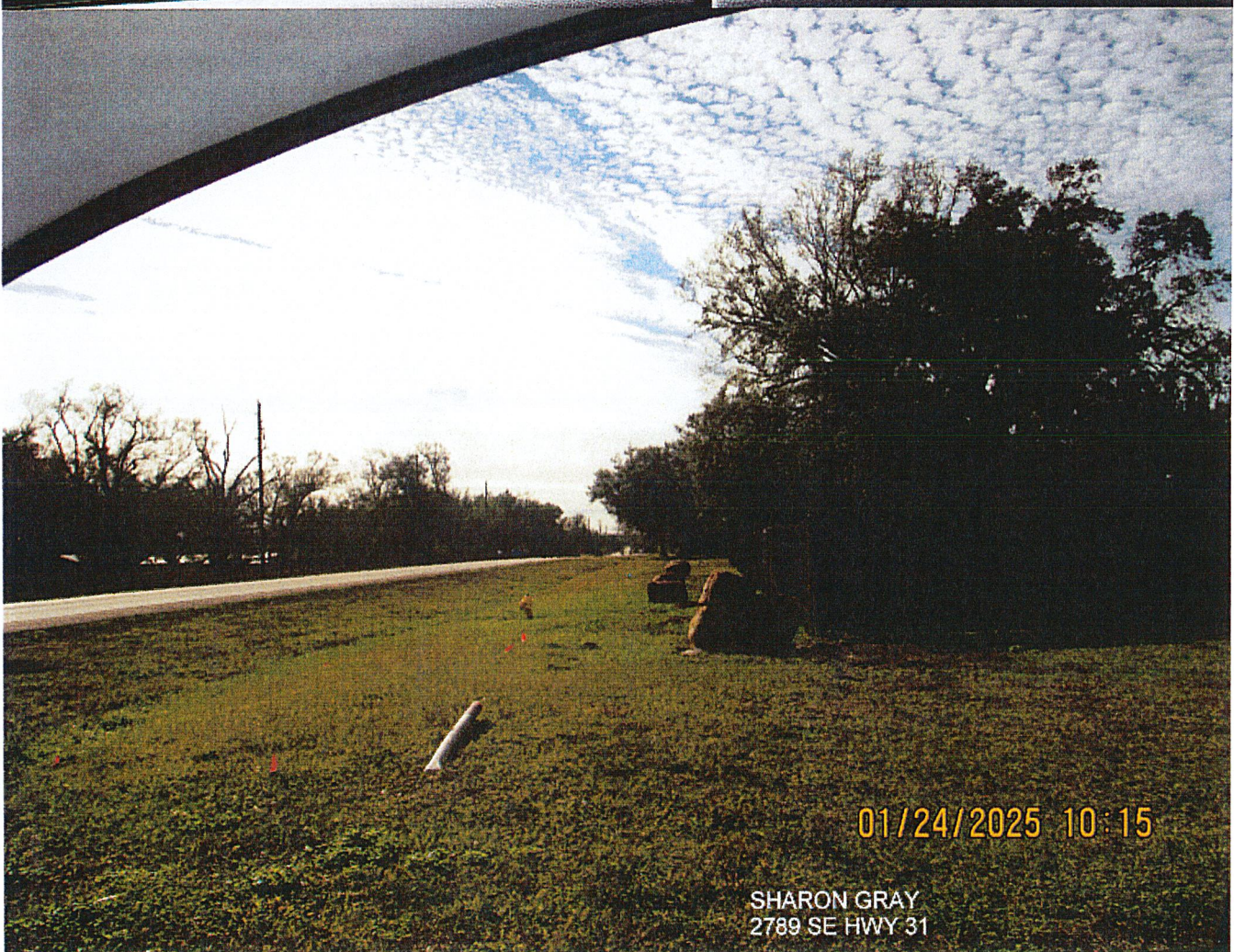
SHARON GRAY
2789 SE HWY 31



SHARON GRAY
2789 SE HWY 31



01/24/2025 10:15
SHARON GRAY
2789 SE HWY 31



01/24/2025 10:15
SHARON GRAY
2789 SE HWY 31

Sharon Gray

From: Tara Wilson
Sent: Tuesday, April 15, 2025 1:24 PM
To: Sharon Gray; Code Enforcement Dept
Cc: Planning Dept
Subject: RE: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN

We have received a resubmittal, the comments are due back on 5/6.

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners

201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Sharon Gray <s.gray@desotobocc.com>
Sent: Tuesday, April 15, 2025 10:48 AM
To: Tara Wilson <T.wilson@desotobocc.com>
Subject: FW: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN

Tara,

Checking on the status of the Improvement Plan? Has a notice to proceed been issued?

Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

DeSoto County Board of County Commissioners

201 E. Oak Street, Suite 204, Arcadia, FL 34266

Desk: 863-491-6165

s.gray@desotobocc.com

www.desotobocc.com



From: Tara Wilson
Sent: Thursday, March 27, 2025 9:24 AM
To: MMARK1@VERIZON.NET; BUMPERHAY@YAHOO.COM
Cc: Planning Dept <Planning@desotobocc.com>; Code Enforcement Dept <Code@desotobocc.com>
Subject: RE: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN

Good Morning,

Please see the attached signed resolution that was sent on 9/4/2024 (see below email), there are 15 conditions stated. Please re-review these.

All work on the property has been done without proper approval.

There is a stop work order from Code Enforcement, no other work can be done. And this site **cannot** be open for business.

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson <T.wilson@desotobocc.com>
Sent: Wednesday, September 4, 2024 11:38 AM
To: MMARK1@VERIZON.NET; BUMPERHAY@YAHOO.COM
Cc: Planning Dept <Planning@desotobocc.com>
Subject: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN

This email originated inside of Desoto County BOCC

Good Morning,

See attached signed resolution for the Rockwise LLC development plan.

Have a great day

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners

201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

Sharon Gray

From: Tara Wilson
Sent: Tuesday, April 15, 2025 3:56 PM
To: Code Enforcement Dept
Cc: Planning Dept
Subject: ROCKWISE LLC
Attachments: DRC Comments.pdf; DRC Comments.pdf

This email originated inside of Desoto County BOCC.

Attached are the original and second round of comments, dates are on them when they were sent.

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners

201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

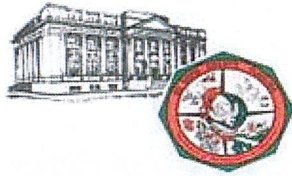
Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.



Desoto County
Board of County Commissioners
Planning and Zoning Division
Development Department
201 East Oak Street; Suite 204
Arcadia, Florida 34266

Phone: (863) 993-4806
Fax: (863) 491-6163

12/13/2024

Development Department recommendation: Based on the conclusion of the DRC review the application is **not in conformance** with the LDR, please resubmit a revised plan set and response letter that address the deficiencies identified by the Development Review Committee within 90 days to keep the application active.

Rockwise – DRC Comments – SITE-0152-2024 – Improvement Plan

I. Planning Comments:

1. Please provide the following details on the Improvement Plan for reference: zoning district (CE), Future Land Use designation (Low Density Residential), zoning district setbacks (40' front, 10' side), and percent impervious coverage (max allowed in CE is 70%).
2. Please provide the State stormwater permit for the site.
3. Please indicate the height of the proposed opaque fence on the Improvement Plan, consistent with condition #4 of DP approval 2024-057.
4. It appears that the Type B landscape buffer along the west property line is located within the proposed stormwater area. Please note that Section 20-602 (a)(3) states that the buffer "may contain stormwater retention or detention areas, so long as the required buffer plantings are provided and the design and landscaping of the buffer does not interfere with proper functioning of the drainage system and the design water depth does not harm the viability of the plantings."
5. Section 20-536 (b)(1)c requires that all landscaped areas shall be protected from encroachment by a barrier such as curbs, wheel stops, or similar devices. Please demonstrate compliance with the Code on the Improvement Plan.
6. Please show provision for utilities on the Improvement Plan. DP approval 2024-057 condition #9 states that water and sewer are available in the ROW of SR 31 and this project is required to connect if any water using fixtures are proposed.
7. Condition #2 states that the water supply will have to be displayed at Improvement Plan or coordinate with the Public Safety Department on how water will be supplied for fire protection.
8. Please provide a note on the Improvement Plan demonstrating consistency with Condition #11 which states Comp Plan policy 1.4.4 requires 25% of a site be provided as open space in the Low Density Residential future land use designation and will be required to be demonstrated on the Improvement Plan.
9. It appears that there is approximately 25 feet from the gate to the nearest parking space. Please demonstrate compliance with Section 20-537(a)(8) which states "All off-street parking areas shall be designed to permit convenient maneuvering of vehicles and each space shall be accessible without driving over or through any other parking space." (For example, can a fire truck access the site?)
10. Please provide Parking Area Interior Landscaping consistent with Section 20-537(e)(1).
11. Condition #7 states that a commercial driveway per the DeSoto County Engineering Standard Details will be required.

12. Please note on the Improvement Plan that the retail store hours of operation are not to exceed beyond 8:00 am to 5:00 pm Monday through Friday, 8:00 am to 3:00 pm Saturday and shall be closed on Sunday, consistent with Condition #16.
13. Please note on the Improvement Plan that Back-up beepers on all equipment used on site during operations must be muted (dampened if some sound is required by OSHA), consistent with Condition #17.
14. Please note on the Improvement Plan that Tractor trailers shall not be allowed to park in the designated parking area or any other place on site, consistent with Condition #18.

II. FDOT Permit Coordinator Donna Carver, comments:

No access from SR 31 only from Durrance. A drainage permit will be required for this site.

III. Legal Don Conn, comments:

Conditions of DP approval include connecting County water and sewer utilities and meeting fire department water requirements. What is the status of complying with these conditions?

IV. Fire comments:

*I spoke with the engineer about this comment and he was onboard with the comment.

Fire Comment December 2024:

A man gate will need to be installed next to the Fire Hydrant along Highway 31 at this site to provide water supply for this location.

Maintain clear traffic circulation within the site for Fire Department apparatus.

V. Building Official Lester Hornbake, Jr. comments:

No comments

VI. DeSoto County Engineer Mike Giardullo, PE comments:

1. A paving grading and drainage plan must be supplied to demonstrate the location of stormwater management facilities and discharge location and onsite grading. The applicant must also demonstrate that no adverse effects to adjacent properties will result from the proposed activities by showing site and perimeter grading.
2. Will the opaque fence obstruct stormwater flow in the proposed stormwater area?
3. The applicant is required to obtain a site stormwater permit from SWFWMD or FDEP and provide to the County. This can be a condition of approval.
4. A driveway culvert is required. Please specific size, material and inverts. Please also show the grading of the driveway within the ROW.
5. Please dimension the driveway radii. The radii must be sufficient to handle the expected types of traffic.
6. Please specify the material for the proposed ADA parking space and accessible route to the office.
7. Please provide a Best Management Practices Plan with the location of BMPs to be used during construction.

8. Engineering Standard Detail D-17A is not permissible for the driveway in the County ROW. A commercial driveway is required.
9. Please provide MOT Plans or note specific FDOT Standard Plan Indices to be followed for work in County ROW.
10. The dumpster detail is included in the set, but a dumpster location could not be located on the Site Plan.
11. The applicant shall obtain a ROW permit from the DeSoto County Engineering Division prior to Construction. This permit is separate from the Improvement Plan review and typically is obtained after approval of the Improvement Plan. This can be a condition of approval. For additional information about the ROW permit, please contact the Engineering Division at 863-491-7543 or Jill Kersey at j.kersey@desotobocc.com.

VII. County Surveyor comments:

See attached.

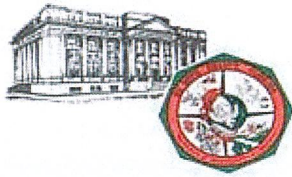
VIII. Code Enforcement Jorge Hernandez, comments:

Code Enforcement does not have any records of code issues on this property.

IX. Utilities Director Greg Harris, comments:

1. Utilities Plans have not been supplied for review by DCU. Please provide these plans. Water and sewer are available in the ROW of SR 31 and this project is required to connect.
2. Please contact the Utilities Division at 863-491-7500 or g.harris@desotobocc.com to discuss capacity reservation.

X. Womack Sanitation owner Robert Womack, comments:



Desoto County
Board of County Commissioners
Planning and Zoning Division
Development Department
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Arcadia, Florida 34266

Phone: (863) 993-4806
Fax: (863) 491-6163

03/24/2025

Development Department recommendation: Based on the conclusion of the DRC review the application is **not in conformance** with the LDR, please resubmit a revised plan set and response letter that address the deficiencies identified by the Development Review Committee within 90 days to keep the application active.

Rockwise LLC – DRC Comments – SITE-0152-2024 – Improvement Plan 1st Resub

I. Planning Comments:

1. The previously submitted Improvement Plan showed the setbacks for the proposed structures but were removed from the more recently submitted IP. Please provide this information for consistency.
2. The parking and loading dimensions were removed from the previously submitted Improvement Plan. Please provide this information for consistency.
3. The buffer detail on Sheet C-6 is for a Type D buffer. Please provide the buffer detail for the Type B buffer that is required along the west property line (Sec. 20-604(b) Figure 7-5).
4. 2ND REQUEST (the site appears to be vacant, but if utility connections have already been established, please note that water and sewer provided by DeSoto County and show existing connections): Please show provision for utilities on the Improvement Plan. DP approval 2024-057 condition #9 states that water and sewer are available in the ROW of SR 31 and this project is required to connect if any water using fixtures are proposed.
5. 2ND REQUEST (understood that muting is not permitted by OSHA, but back-up beepers should be dampened): Please note on the Improvement Plan that Back-up beepers on all equipment used on site during operations must be muted (dampened if some sound is required by OSHA), consistent with Condition #17.
6. Parking area perimeter landscaping is only required for parking abutting the ROW. Parking Area Interior Landscaping is required consistent with Section 20-537(e)(2). Section 20-537(e)(4) does offer some parking area landscape flexibility.
(2) Parking area interior landscaping.
 - a. A minimum ten percent of the gross parking area, excluding perimeter landscaping, is to be devoted to living landscape, which includes grass, ground cover, plants, shrubs and trees. The gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks extended five feet in all directions, but is not to include any area enclosed by the building or covered by a building overhead.
 - b. Every 11th consecutive parking space, and at the end of every parking strip or row, shall have a landscaped island five feet in width and 20 feet in depth. Each island shall contain one tree, and grass or ground cover, said island to be protected from vehicular encroachment by means of a six-inch vertical curbing or other barrier acceptable to the County Engineer.

II. FDOT Permit Coordinator Donna Carver, comments:

No comments received - Contact FDOT

III. Legal Valerie Vicente, comments:

No comment

IV. Fire comments:

These comments are for the site only, therefore building issue will be addressed at a later date (examples).

- a. May or may not need to have Fire sprinkler.
- b. May or may not need a Fire alarm.

A man gate will need to be installed next to the Fire Hydrant along Highway 31 at this site to provide water supply for this location.

MARCH 2025 UPDATE: Resolved

Maintain clear traffic circulation within the site for Fire Department apparatus.

MARCH 2025 UPDATE: Resolved.

V. DeSoto County Engineer Mike Giardullo, PE comments:

A paving grading and drainage plan must be supplied to demonstrate the location of stormwater management facilities and discharge location and onsite grading. The applicant must also demonstrate that no adverse effects to adjacent properties will result from the proposed activities by showing site and perimeter grading.

MARCH 2025 UPDATE: A control structure detail with outfall is shown on Sheet C-5 but the location could not be found on the Site Plan. Please depict the location on Sheet C-3.

Will the opaque fence obstruct stormwater flow in the proposed stormwater area?

MARCH 2025 UPDATE: Comment response indicates a note will be added to the plans, yet the note could not be found. Please point out the location or include in the plans.

The applicant is required to obtain a site stormwater permit from SWFWMD or FDEP and provide to the County. This can be a condition of approval.

MARCH 2025 UPDATE: Applicant has acknowledged. The following condition is recommended unless the permit is supplied prior to issuing the NTP:

The applicant shall supply a stormwater permit from SWFWMD or FDEP.

A driveway culvert is required. Please specific size, material and inverts. Please also show the grading of the driveway within the ROW.

MARCH 2025 UPDATE: Unresolved. Please include a sheet number for the Sheet between Sheets C-5 and C-6. From the Driveway section on this sheet, it appears a trench drain is proposed. Please provide dimensions, upstream and downstream inverts and product material for review of the trench drain proposed in the County right of way. Note, the inverts shown on Sheet C-3 do not appear to be realistic based on the site grades and driveway section. Please review and update.

Please dimension the driveway radii. The radii must be sufficient to handle the expected types of traffic.

MARCH 2025 UPDATE: Please indicate the largest type of vehicle expected to access the site. The plans contain a note about tractor trailers. If tractor trailers are expected to access the site, the proposed 25' radii will likely need to be increased. A turning movement diagram maybe required to demonstrate that the driveway can handle the expected types of vehicles (i.e. dump trucks or tractor trailers). Note, County Detail D-25 on Sheet C-6, calls for commercial driveway radii to be between 25' and 50'. 25' is applicable to site only expecting passenger vehicles. Larger radii up to 50' is expected for sites with larger commercial vehicles up to tractor trailers.

Please specify the material for the proposed ADA parking space and accessible route to the office.

MARCH 2025 UPDATE: The plans depict concrete. Note the applicant is responsible for providing an ADA accessible path of travel from the ADA parking space to the office entrance.

Please provide a Best Management Practices Plan with the location of BMPs to be used during construction.

MARCH 2025 UPDATE: Resolved.

Engineering Standard Detail D-17A is not permissible for the driveway in the County ROW. A commercial driveway is required.

MARCH 2025 UPDATE: Resolved.

Please provide MOT Plans or note specific FDOT Standard Plan Indices to be followed for work in County ROW.

MARCH 2025 UPDATE: Resolved.

The dumpster detail is included in the set, but a dumpster location could not be located on the Site Plan.

MARCH 2025 UPDATE: Response indicates that a dumpster is not required and a roadside can will be used. This response is acceptable to engineering, provided the County's solid waste franchisee accepts.

The applicant shall obtain a ROW permit from the DeSoto County Engineering Division prior to Construction. This permit is separate from the Improvement Plan review and typically is obtain after approval of the Improvement Plan. This can be a condition of approval. For additional information about the ROW permit, please contract the Engineering Division at 863-491-7543 or Jill Kersey at j.kersey@desotobocc.com.

MARCH 2025 UPATE: The applicant has acknowledged. The following condition is recommended:

The applicant shall obtain a Right-of-Way Permit from the County Engineering Department prior to initiating any work within the County right-of-way.

VI. County Surveyor comments:

Approved

VII. Code Enforcement Jorge Hernandez, comments:

Open unadjudicated Code Case 25-0084:

They have an approved development plan, but their improvement plan has not been through the planning process or approved. They haven't been given a notice to proceed and are not allowed to have a fence or anything set up on the property yet. The right-of-way inspector said they also haven't applied for or obtained a right-of-way permit for the site.

VIII. Utilities Director Greg Harris, comments:

Utilities Plans have not been supplied for review by DCU. Please provide these plans. Water and sewer are available in the ROW of SR 31 and this project is required to connect.

MARCH 2025 UPATE: Unresolved. Plans depicting the proposed utility connections were not included in the Improvement Plan set. Please provide.

IX. Womack Sanitation owner Robert Womack, comments:

No comments received – contact Womack

Sharon Gray

From: Tara Wilson
Sent: Thursday, March 27, 2025 9:24 AM
To: MMARK1@VERIZON.NET; BUMPERHAY@YAHOO.COM
Cc: Planning Dept; Code Enforcement Dept
Subject: RE: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN
Attachments: Resolution #2024-057.pdf

Good Morning,

Please see the attached signed resolution that was sent on 9/4/2024 (see below email), there are 15 conditions stated. Please re-review these.

All work on the property has been done without proper approval.

There is a stop work order from Code Enforcement, no other work can be done. And this site **cannot** be open for business.

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson <T.wilson@desotobocc.com>
Sent: Wednesday, September 4, 2024 11:38 AM
To: MMARK1@VERIZON.NET; BUMPERHAY@YAHOO.COM
Cc: Planning Dept <Planning@desotobocc.com>
Subject: ROCKWISE LLC SITE-0136-2024 DEVELOPMENT PLAN

This email originated inside of Desoto County BOCC.

Good Morning,

See attached signed resolution for the Rockwise LLC development plan.
Have a great day

Tara Wilson

Associate Planner

DeSoto County Board of County Commissioners

201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

Fax: 863-491-6163

t.wilson@desotobocc.com

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

Sharon Gray

From: Laura McClelland
Sent: Wednesday, March 12, 2025 1:03 PM
To: Sharon Gray
Cc: Planning Dept
Subject: RE: Rock Wise LLC

Tara sent the resubmittal out on February 28 and requested comments back by March 18.

Laura McClelland

Planner I

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

l.mcclelland@desotobocc.com

www.desotobocc.com



Please send all Planning and Zoning emails to planning@desotobocc.com to ensure our office receives them.

From: Sharon Gray
Sent: Wednesday, March 12, 2025 9:09 AM
To: Laura McClelland <l.mcclelland@desotobocc.com>
Subject: RE: Rock Wise LLC

Laura,

We are y'all at with the resubmittal ? Approximately how long should this process take?

Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Desk: 863-491-6165

s.gray@desotobocc.com

www.desotobocc.com



From: Laura McClelland
Sent: Friday, March 7, 2025 8:02 AM
To: Sharon Gray <s.gray@desotobocc.com>
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: Rock Wise LLC

We have a resubmittal in review.

Laura McClelland

Planner I

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Phone: 863-993-4806

l.mcclelland@desotobocc.com

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Please send all Planning and Zoning emails to planning@desotobocc.com to ensure our office receives them.

From: Sharon Gray
Sent: Thursday, March 6, 2025 3:57 PM
To: Laura McClelland <l.mcclelland@desotobocc.com>
Subject: FW: Rock Wise LLC

Laura,

Just checking on the status of Rock Wise LLC at 2879 SE Hwy 31.

Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Desk: 863-491-6165

s.gray@desotobocc.com

www.desotobocc.com



From: Laura McClelland
Sent: Tuesday, February 25, 2025 11:25 AM
To: Sharon Gray <s.gray@desotobocc.com>
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: Rock Wise LLC

Yes, it was submitted November 5, 2024 (SITE-0152-2024).

February 20, 2025 they turned in a resubmittal.

Thanks.

Laura McClelland

Planner I

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Phone: 863-993-4806

l.mcclelland@desotobocc.com

www.desotobocc.com



Please send all Planning and Zoning emails to planning@desotobocc.com to ensure our office receives them.

From: Sharon Gray
Sent: Tuesday, February 25, 2025 8:37 AM
To: Laura McClelland <l.mcclelland@desotobocc.com>
Subject: Rock Wise LLC

This email originated inside of Desoto County BOCC.

Laura,

Have they submitted an improvement plan for Rock Wise LLC at 2789 SE Hwy 31?

Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Desk: 863-491-6165

s.gray@desotobocc.com

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Sharon Gray

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Laura McClelland

Planner I

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Subject: FW: Rock Wise LLC

Laura,

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Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

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s.gray@desotobocc.com

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From: Laura McClelland
Sent: Tuesday, February 25, 2025 11:25 AM
To: Sharon Gray <s.gray@desotobocc.com>
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: Rock Wise LLC

Yes, it was submitted November 5, 2024 (SITE-0152-2024).

February 20, 2025 they turned in a resubmittal.

Thanks.

Laura McClelland

Planner I

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Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

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Desk: 863-491-6165

s.gray@desotobocc.com

www.desotobocc.com



Sharon Gray

From: Sharon Gray
Sent: Friday, February 21, 2025 8:59 AM
To: 'mmark10@verizon.net'; 'bumper hay'
Cc: Planning Dept
Subject: Rockwise 2789 SE Hwy 31

Mark,

A notice to correct was mailed out and the property was posted on February 4, 2025 due to the property being developed without an approved improvement plan and a notice to proceed. There shouldn't be anything on the property yet unless there is an issued notice to proceed. There also shouldn't be any activity going on the property. Please cease & desist from doing any activity or bringing anything else onto the property. I am aware that your engineer has submitted the improvement plan resubmittal. If you have any further questions please contact myself or the Planning Department.

Best Regards,
Sharon

Sharon Gray

Code Enforcement Officer

DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204, Arcadia, FL 34266

Desk: 863-491-6165

s.gray@desotobocc.com

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