



DeSoto County

Board of Adjustment

Meeting Minutes - Draft

Tuesday, February 17, 2026

4:00 PM

CALL TO ORDER

Chairperson Bill Martin called the meeting to order at 4:00PM.

ROLL CALL

Present Chairman Bill Martin, Council Member Lynn Banish, Council Member Allen Reesor, and Council Member Theresa Collins-Hill

Excused Ex officio LPA school board appointee Jami Schueneman

Absent Council Member Erik Howard

SET OR AMEND THE AGENDA

A motion was made by Council Member Reesor, seconded by Council Member Banish, to set the agenda . The motion carried by the following vote:

Aye: Chairman Martin, Council Member Banish, Council Member Reesor, and Council Member Collins-Hill

Absent: Council Member Howard

PUBLIC FORM FOR NON-AGENDA ITEMS

PROOF OF PUBLICATION: MOTION TO FILE PROOF OF PUBLICATION

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

Aye: Chairman Martin, Council Member Banish, Council Member Reesor, and Council Member Collins-Hill

Absent: Council Member Howard

1. Proof of Publication

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

DEVELOPMENT DIRECTOR COMMENTS

In lieu of Directors comments Valerie Vicente, County Attorney provided preliminary comments regarding procedural matters related to the hearing and introduced Derrick Rooney as legal counsel for the Board of Adjustments for the purposes of the hearing.

ACTION ITEMS

- Hearing for the M. Lewis Hall, III, Trust appeal (APPL-0011-2025) of Development Director decision re: certified lot split (CLS-0009-2025)**

Attachments: [Applicant request for Appeal](#)
[Development Director's Position Statement](#)
[Exhibit A-Denial Letter & Survey](#)
[Exhibit B-Quit Claim Deed](#)
[Exhibit C-Application with attachments](#)
[Exhibit D-Ordinance 2025-010](#)
[Exhibit E-ingress egress easement](#)
[Exhibit F-GIS Map of Driveway distance](#)
[Exhibit G-Picture of driveway from Pine Island Rd](#)
[Exhibit H-Engineering Detail D-3A](#)
[Exhibit I-Engineering Detail D-17C](#)
[Individual Mailed Notice - Hall Appeal](#)

The Board of Adjustment considered an appeal filed by Mr. Lewis Hall regarding the Development Director's denial of his Certified Lot Split application (CLS-0009-2025) for property zoned A-10. Ms. Servia provided a presentation and indicated the application had been denied based on inconsistency with Desoto County Ordinance No. 2025-010 and Section 20-231(C)(2) of the Land Development Regulations, which require that a proposed lot have existing access to a public or private street constructed in conformance with County engineering standards, as well as not meeting the lot frontage requirements of the Land Development Regulations. Ms. Servia determined that access via SE Hall Drive had not been approved as either a public or private street meeting those standards. Misty Servia stated that based upon the information provided by the applicant Southeast Hall Drive measures approximately 12 feet in width and does not meet the County's minimum 20-foot roadway standard. Mr. Hall, on behalf of the applicant provided a presentation in support of his appeal. The Board discussed the engineering requirements, noting whether access must conform to Desoto County or State of Florida Engineering Standards, whether private streets require an approved Improvement Plan, and the issue of minimum lot frontage meeting required lot width. Mr. Hall disputed staff's interpretation of the ordinance, arguing that the existing agricultural roadway satisfies the access requirement. Over the County attorney's objection, Commissioner Hill moved to accept Mr. Hall's submitted materials in to the record, seconded by Commissioner Ressor. The motion carried 4-1. Thereafter Mr. Hall presented documentation into the record, including his application, the denial letter, and other supporting materials, including correspondences, definitions, and two engineering reports (1) Lomski Engineering dated January 16, 2026 and (2) HAAS Engineering dated February 3, 2026. Board discussion included the distinction between a driveway and a private road, frontage requirements, alternative application pathways, and the Board's authority when hearing an appeal. Chairman Martin requested that the County's Engineer Mike Giardullo, respond to questions from the Board. Mike Giardullo answered the Board's inquires and provided requested clarification. A private road was described as a roadway owned and maintained by a private individual or entity rather than the County or another governmental agency, serving one or more properties. Private Ingress/Egress Easements and Private Access Easements are considered private roads. A road or roadway was defined as the surface on which vehicles and pedestrians travel, typically located within a

public right-of-way or private access easement. County counsel clarified that the Board’s role was to determine whether the Development Director correctly interpreted and applied the Land Development Regulations and advised that the applicant retains the right to pursue other application options or appeal to the Board of County Commissioners.

A subsequent motion was made by Commissioner Banish and seconded by Commissioner Ressor to affirm the Development Director’s denial. The vote on the motion was 2-2. The motion failed to achieve the required majority due to a split vote, resulting in no formal Board action. Accordingly, the Development Director’s denial remained in effect and is eligible for appeal to the Board of County Commissioners.

Aye: Council Member Banish, and Council Member Ressor

Nay: Chairman Martin, and Council Member Collins-Hill

Absent: Council Member Howard

ADJOURNMENT

Being no further business before the Planning Commission, Chairperson Martin adjourned the meeting at 7:00PM

CHAIRPERSON
BILL MARTIN

DATE
02-17-2026

Board Documents 02-17-2026 Board of Adjustments

Attachments: Supplemental Documents 02-17-2026

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