

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0628

GUTIERREZ ALFREDO & GUTIERREZ ELVA C

Respondents,

_____/

TO: GUTIERREZ ALFREDO & GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA FL 34266

RE: 3268 SW LIVE OAK AVE, 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 **October 28, 2025 at 11:00 am** 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.

Valerie Vicente, County Attorney
Florida Bar Number 71010
201 East Oak Street, Suite 201
Arcadia, Florida 34266
Certified Mailing Number: 9589071052701588386941

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0628

GUTIERREZ ALFREDO & GUTIERREZ ELVA C

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: GUTIERREZ ALFREDO & GUTIERREZ ELVA C, 3268 SW LIVE OAK AVE, ARCADIA FL 34266.

1. An inspection on September 17, 2025, Code Enforcement Officer visited your property located at 3268 SW LIVE OAK AVE, ARCADIA FL 34266 described and zoned as: RMF-M

DeSoto County Tax Parcel Number #13-38-24-0221-00A0-0010 more particularly described by deed or instrument number #Book 460, Page 627 of the Official Records of DeSoto County, Florida.

2. **The inspection resulted in the findings that the property is: Parking and storage of certain vehicles and trailers , Unauthorized dumping and accumulation derelict vehicles prohibited , Parking or storage of vehicles in residential districts.**
3. These are direct violation of DeSoto County Land Development Regulations: LDR Sec 20-97 , DCCO Section 11-302 , LDR Sec. 20-96 , 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 September 2, 2025 and served by certified receipt requested/posting.
5. You are hereby notified that you must clear the violation(s): Ensure that vehicles are properly licensed/Tagged. If a vehicle is untagged it must be stored within an enclosed structure or be removed from the property , Remove all derelict automobiles, boats, trucks and vehicles, garbage, refuse, rubbish, junk, and debris from the property. , Contact the Desoto County Code Enforcement or Development Department Departments to verify if your property qualifies for a Special Exception as provided in Section 2202 B,C and D of the Land Development Regulations. If your property does qualifies you must apply for and receive approval from the County, or remove the commercial vehicle(s) from the property.. 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.

Thomas Turnbull
Code Enforcement Officer
201 E. Oak Street
Arcadia, Florida 34266

Sworn to and subscribed before me this _____ day of _____, _____ Affiant is personally known to me.

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>Gutierrez Alfredo + Gutierrez Elva C</u>	Case # <u>24-0628</u>
	Site Address <u>3268 SW Live Oak Ave</u>	
	Respondent's Mailing Address <u>3268 SW Live Oak Ave</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	
n/a	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:

_____ 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

*Parking Commercial Vehicle and Derelict Vehicles
and/or unlicensed vehicles*

Officers' Name Tommy Turabill

Special Master Hearing on: 10/28/25

Reviewed by: [Signature]

Date: 9/19/25

SMCE 24-0628

Code Enforcement Case: CE-24-0628

Entered on: 07/19/2024 1:37 PM

Printed on: 09/17/2025

Topic: Commercial Vehicle Parking

Due Date: 09/18/25

Initiated by: Building Department

Hearing Date:

SM Case No:

Status: Open - Turn in for SM

Assigned To: Thomas Turnbull

Area #: RMF-M

Hearing Time:

Permit

Permit #:

Business name:

License #:

Property Location

Occupant Name:

Address: 3268 SW LIVE OAK AVE , 34266

Phone:

APN : 13-38-24-0221-00A0-0010

Cell #:

Owner Information

Owner Name: GUTIERREZ ALFREDO &

Address: GUTIERREZ ELVA C

3268 SW LIVE OAK AVE

ARCADIA, FL 34266

Phone:

Cell #: 863-990-6029

Actions

Action	By	Date	Time	Note/Observation
Complaint	Thomas Turnbull	07/15/2024	1:38 pm	Request 4557-LEE GALLAGHER - Commercial vehicle parking.
Inspection / Site Visit	Thomas Turnbull	07/19/2024	1:06 am	There are two commercial vehicles and a trailer. Unlicensed vehicles too. Took photos.
Notice of Violation	Thomas Turnbull	07/23/2024	8:00 am	> Inspection Time:1:06 pm, Send to (Owner - Cert no=9589071052701588388181), Extra days(0)
Mail and Post Notice to Correct Violation	Thomas Turnbull	07/23/2024	9:40 am	Posted the N2C and mail out the letter, took photos.
Meeting / Conference	Thomas Turnbull	08/01/2024	2:25 pm	They came in and meet with Planning & Zoning. They are going to turn in for a special exception.
Case Notes	Thomas Turnbull	09/05/2024	8:10 am	They are doing a special exception, USE-0191-2024.
E-mail Correspondence	Thomas Turnbull	09/11/2024	4:28 pm	Tara with Planning sent the DRC. They have 90 days.
E-mail Correspondence	Thomas Turnbull	12/11/2024	1:24 pm	Laura email, comments were sent to the applicant on 11/8/2024 and they 90 days to response back.
Meeting / Conference	Thomas Turnbull	02/10/2025	9:58 am	Per Tara they are moving forward with their use.
Meeting / Conference	Thomas Turnbull	05/13/2025	8:15 am	Per Tara, soon as staff review the plans it will be going to the board.
Inspection / Site Visit	Thomas Turnbull	05/23/2025	8:52 am	Took update photos for Planning & Zoning Department
E-mail Correspondence	Sarah Milstead	06/06/2025	2:23 pm	FYI: I called the contact person for this project (applicant's daughter?) to notify her that the Planning Commission recommended denial of the Special Exception. I explained that someone should attend the 6/24 Board hearing at 6:30 to respond to questions on the project.

Respectfully,
Misty Servia, AICP
DeSoto County Planning Director

Inspection / Site Visit	Thomas Turnbull	08/14/2025	8:58 am	There are unlicensed vehicles on the property, I did not see a commercial vehicle. Took photos.
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Inspection / Site Visit	Thomas Turnbull	08/29/2025 8:49 am	They are in violation with unlicensed vehicles on the property. Took photos.
Notice of Violation	Thomas Turnbull	09/02/2025 8:02 am	> Inspection Time:8:49 am, Send to (Owner - Cert no=9589071052703206300759), Extra days(0)
Mail and Post Notice to Correct Violation	Thomas Turnbull	09/02/2025 10:19 am	Posted the N2C and mail out the letter, took photos.
Return Receipt Received	Sarah Milstead	09/15/2025 2:30 pm	Green card received back into the office.
Inspection / Site Visit	Thomas Turnbull	09/17/2025 9:04 am	They have brought back the commercial vehicle, and the derelict vehicles are still there. Took photos.
Submitted for Special Master Review and approval	Thomas Turnbull	09/17/2025 4:16 pm	Turn in for review for special master hearing.

<i>Violations</i>				
#	Violation Type	Due Date	Status	Closed Date
	LDR Sec 20-97 - Parking and storage of certain vehicles and trailers		Open	
1	Corrections Required:Ensure that vehicles are properly licensed/Tagged. If a vehicle is untagged it must be stored within an enclosed structure or be removed from the property			
	DCCO Section 11-302 - Unauthorized dumping and accumulation prohibited		Open	
2	Corrections Required:Remove all derelict automobiles, boats, trucks and vehicles, garbage, refuse, rubbish, junk, and debris from the property.			

<i>Additional Addresses</i>
Address Type:Complainant Name:LEE GALLAGHER Address:201 East oak St., Suite 204 Arcadia, FL 34266 Phone: Cell #:

<i>Inspection Notes</i>

Date: _____ Time: _____

Findings: _____

CODE ENFORCEMENT COST BREAKDOWN

COPY	Number of copy @ \$.15 per copy	45	\$	6.75
SERVICE	Number of Certified letters @ \$10.44 per letter	1	\$	10.44
LEGAL SERVICE	Number of Certified letters @ \$10.44 per letter	1	\$	10.44
TOTAL			\$	27.63

X	PROPERTY CARD
X	TAX RECORD
X	DEED

	Accepted	Rejected
N2C GREEN CARD RETURN DATE		
HEARING GREEN CARD RETURN DATE		

DeSoto County Property Appraiser

David A. Williams, CFA

Parcel: << 13-38-24-0221-00A0-0010 (10867) >>

2025 Preliminary Values
updated: 9/11/2025

Owner & Property Info

Result: 3 of 4

Owner	GUTIERREZ ALFREDO & GUTIERREZ ELVA C 3268 SW LIVE OAK AVE ARCADIA, FL 34266		
Site	3268 SW LIVE OAK AVE, ARCADIA		
Description*	LIVE OAK ESTATES LOT 1 BLK A OR 460/627		
Area	0.511 AC	S/T/R	13-38-24
Use Code**	MOBILE HOME (0200)	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.			

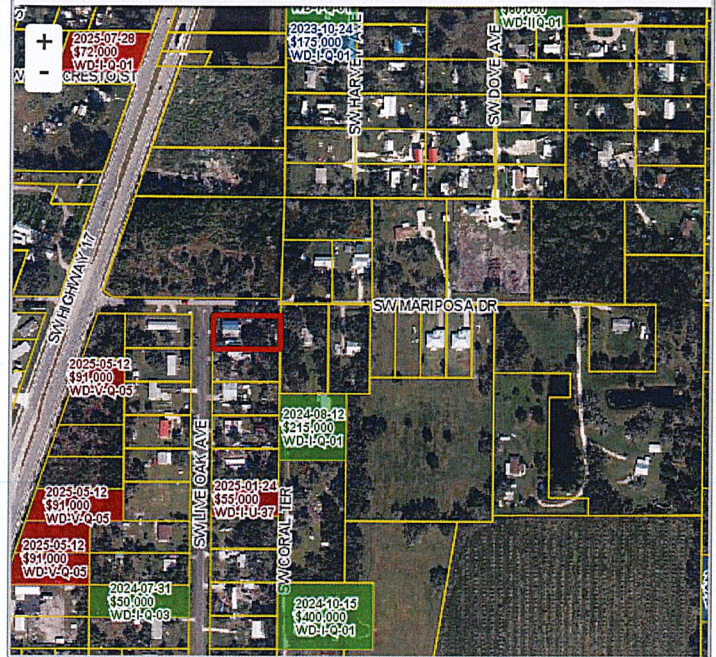
Property & Assessment Values

2024 Certified Values		2025 Preliminary Values	
Mkt Land	\$30,000	Mkt Land	\$30,000
Ag Land	\$0	Ag Land	\$0
Building	\$94,503	Building	\$104,289
XFOB	\$10,183	XFOB	\$9,956
Just	\$134,686	Just	\$144,245
Class	\$0	Class	\$0
Appraised	\$134,686	Appraised	\$144,245
SOH/10% Cap	\$87,666	SOH/10% Cap	\$95,861
Assessed	\$47,020	Assessed	\$48,384
Exempt	HX HB	Exempt	HX HB
Total Taxable	county:\$22,020 other:\$22,020 school:\$22,020	Total Taxable	county:\$23,384 other:\$23,384 school:\$23,384

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
8/10/2000	\$42,000	460 / 627	WD	I	Q	
3/27/1988	\$8,500	246 / 578	WD	V	Q	
1/1/1985	\$7,500	209 / 537	WD	V	Q	

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	MOBILE HM (0800)	1990	1178	1840	\$104,289

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

Extra Features & Out Buildings (Codes)

Code	Desc	Year Blt	Value	Units	Dims
1775	MH-CONN	1985	\$2,850.00	1.00	0 x 0
2003	SIDEWALK	1990	\$48.00	30.00	0 x 0
0860	DRVWY CONC	1990	\$1,128.00	705.00	0 x 0
1400	FNC CH L3/4	2003	\$1,628.00	532.00	0 x 0
2003	SIDEWALK	2005	\$91.00	42.00	0 x 0
1961	PUMP HS	1995	\$123.00	45.00	9 x 5
1450	FENCE WD	2015	\$744.00	72.00	x
2003	SIDEWALK	2015	\$1,162.00	484.00	x
1999	SHED-UC	2010	\$1,053.00	846.00	47 x 18
1999	SHED-UC	2015	\$353.00	64.00	8 x 8
1455	FENCE VINYL	2015	\$776.00	45.00	x

Land Breakdown

Code	Desc	Units	Adjustments	Eff Rate	Land Value	* Zoning
0102	SFR/MH (MKT)	1.000 LT (0.511 AC)	1.0000/1.0000 1.0000/ /	\$30,000 /LT	\$30,000	RMF-M

* 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: 3 of 4

© DeSoto County Property Appraiser | David A. Williams, CFA | Arcadia, Florida | 863-993-4866

by: GrizzlyLogic.com

The information presented on this website was derived from data which was compiled by the DeSoto County Property Appraiser solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. The GIS Map image is not a survey and shall not be used in a Title Search or any official capacity. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. This website was last updated: 9/11/2025 and may not reflect the data currently on file at our office.

LIVE OAK ESTATES
LOT 1 BLK A
OR 460/627

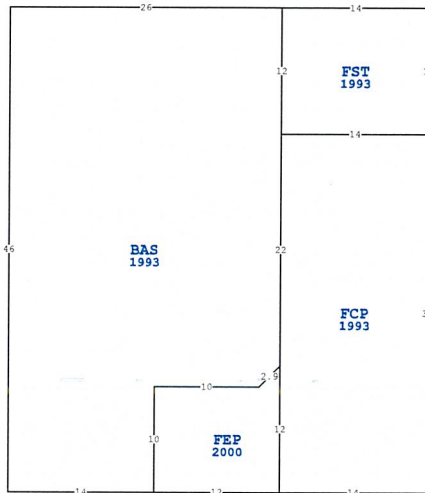
GUTIERREZ ALFREDO &/GUTIERREZ ELVA C
GUTIERREZ ELVA C, 3268 SW LIVE OAK AVE
ARCADIA, FL 34266

2025

13-38-24-0221-00A0-0010

BUILDING CHARACTERISTICS	
ELEMENT	CD
Exterior Wall	28 VIN SIDING 100
Roof Structure	03 GABLE/HIP 100
Roof Cover	12 METAL 100
Interior Wall	05 DRYWALL 100
Interior Floor	14 CARPET 100
Air Condition	02 WINDOW 100
Heating Type	04 AIR DUCTED 100
Bedrooms	2 100
Bathrooms	2 100
Units	0 100

MARKET ADJUSTMENTS													
TYPE	MDL	EFF. AREA	TOT ADJ PTS	EFF. BASE RATE	REPL. COST NEW	AYB	EYB	ECON	FNCT	NORM	% COND		
0800	02	1,387	103.0000	103.00	142,861	1990	1990	0	0	0	27.00	73.00	
1 MOBILE HM 100% - 2001 Heated Area: 1178 HX Base Yr 2001													



Quality		03 AVERAGE			
DOR CODE		0200 MOBILE HOME			
MAP NUM		MKT AREA			03
NEIGHBORHOOD/LOC		300004.00 1.00/			
AREA TYPE	TOTAL GROSS AREA	PCT OF BASE	YEAR	TOT ADJ AREA	SUBAREA MARKET VALUE
BAS	1,074	100	1993	1,074	80,754
FCP	476	25	1993	119	8,948
FEP	122	90	2000	110	8,271
FST	168	50	1993	84	6,316

EXTRA FEATURES									
L N	OB/XF CODE	DESCRIPTION	BLD CAP	L	W	UNITS	UT	Adj R	ADJ UNIT PRICE
1	1775	MH-CONN	0	100	0	1.00	UT	9,500.00	9,500.00
2	2003	SIDEWALK	0	100	0	30.00	SF	2.50	2.50
3	0860	DRVMY CONC	0	100	0	705.00	SF	2.50	2.50
4	1400	FNC CH L3/	0	100	0	532.00	LF	6.00	6.00
5	2003	SIDEWALK	0	100	0	42.00	SF	2.50	2.50
6	1961	PUMP HS	0	100	9	45.00	SF	3.75	3.75
7	1450	FENCE WD	0	100	0	72.00	LF	13.25	13.25
8	2003	SIDEWALK	0	100	0	484.00	SF	2.50	2.50
9	1999	SHED-UC	0	100	47	846.00	SF	1.50	1.50
10	1999	SHED-UC	0	100	8	64.00	SF	6.00	6.00

3268 SW LIVE OAK AVE, ARCADIA

BLD DATE
XF DATE
INC DATE

LGL DATE
LAND DATE
AG DATE

06/17/2022 MLU

BUILDING NOTES									
RP# 464446/447									

BUILDING DIMENSIONS									
BAS=[YR=1993;ORIG=-14,0] W26 S46 E14 N10 E10 U2R2 N22 W12 S									
FCP=[YR=1993;ORIG=-14,46] E14 N34 W14 S22 S12 S									
FST=[YR=1993;ORIG=0,0] W14 S12 E14 N12 S									
FEP=[YR=2000;ORIG=-26,46] E12 N12 D2L2 W10 S10 S									

LAND DESCRIPTION										TOTAL OB/XF										9,180									
L N	USE CODE	CLS	LAND USE DESCRIPTION	CAP	R D	LOC ZONE	FRONT	DEPTH	TOT LND UTS	UNIT TYPE	D T	DPH FACT	% COND	TOT ADJ	UNIT PRICE	ADJ UNIT PRICE	LAND VALUE	OTHER ADJUSTMENTS AND NOTES	YEAR	DENSITY	DECL	FRZ	YR	CONSRV					
1	0102	C	SFR/MH	100		RMF-M106.00	210.00		1.00	LT		1.00	1.00	1.00	30,000.00	30,000.00	30,000												

13-38-24-0221-00A0-0010

[illegible]

Notice Of AD Valorem Taxes & Non-AD Valorem Assessments**Bill # R 979900 2024****R 13-38-24-0221-00A0-0010****REAL ESTATE TAX/NOTICE RECEIPT FOR DESOTO COUNTY****AD VALOREM TAXES**

TAXING AUTHORITY	MILLAGE RATE	TAX AMOUNT
DESOTO COUNTY	.0076153	\$167.69
COUNTY LAW ENF	.0024399	\$53.73
SCHOOL LRE	.0030960	\$68.17
SCHOOL DISC	.0022480	\$49.50
SOUTHWEST WATER MGMT	.0001909	\$4.20
TOTAL AD-VALOREM:		\$343.29

NON-AD VALOREM ASSESSMENTS

TAXING AUTHORITY	TAX AMOUNT
Asmt - EMS	\$80.00
Asmt - FIRE	\$118.00
Asmt - SOLID WASTE	\$45.50
Asmt - SOLID WASTE COLLECT	\$228.13
TOTAL NON-AD VALOREM:	\$471.63

COMBINED TAXES & ASMTS: \$814.92**DISCOUNT: \$0.00****UNPAID BALANCE: \$0.00****Exemptions: HX HB****Property Address:
3268 SW LIVE OAK AVE ARCADIA 34266****GUTIERREZ ALFREDO &
GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA , FL 34266****0.511 ACRES
LIVE OAK ESTATES
LOT 1 BLK A
OR 460/627**

FAIR MKT VALUE	\$134,686.00	DIST	7
ASSESS	\$47,020.00	EXEMPT VALUE	\$25,000.00
TAXABLE VALUE	\$22,020.00		

**** PAID ******Last Payment: 11/04/2024** **Receipt Number: 1000029****Amount Collected: \$782.32** **Discount Amount: \$0.00****Tax Roll Property Summary**

Parcel	Roll Type	Year	Original Gross Tax	Original Assessments	Date Paid	Amount Paid	Total Unpaid
133824022100A00010	R	2024	\$343.29	\$471.63	11/4/2024	\$782.32	\$0.00
133824022100A00010	R	2023	\$276.72	\$464.82	12/5/2023	\$719.29	\$0.00
133824022100A00010	R	2022	\$259.55	\$454.67	11/7/2022	\$685.65	\$0.00
133824022100A00010	R	2021	\$254.68	\$448.16	11/17/2021	\$674.73	\$0.00
133824022100A00010	R	2020	\$237.95	\$442.81	11/2/2020	\$653.53	\$0.00
133824022100A00010	R	2019	\$224.59	\$438.38	12/30/2019	\$643.08	\$0.00
133824022100A00010	R	2018	\$213.33	\$432.50	11/19/2018	\$620.00	\$0.00
133824022100A00010	R	2017	\$194.32	\$390.50	11/14/2017	\$561.43	\$0.00
133824022100A00010	R	2016	\$185.01	\$390.50	12/16/2016	\$558.24	\$0.00
133824022100A00010	R	2015	\$193.76	\$311.50	12/18/2015	\$490.10	\$0.00
133824022100A00010	R	2014	\$171.93	\$287.50	12/15/2014	\$445.65	0.00

This Instrument Prepared by & return to:
Name: KIM K. PROPP
GULF COAST TITLE INSURANCE AGENCY, INC.
Address: 2301 TAMiami TRAIL UNIT D
PT. CHARLOTTE, FL 33952
00-7329
Parcel I.D. #: #13-38-24-0221-00A0-0010

Return To:
Gulfcoast Title
2301 Tamiami Trail, Suite D
Port Charlotte, FL 33952

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 10th day of August, 2000 A.D., by ANNA S. JACOBY, A SINGLE PERSON AND SURVIVING SPOUSE OF RALPH E. JACOBY, DECEASED, hereinafter called the grantor, to

ALFREDO GUTIERREZ and ELVA C. de GUTIERREZ, HUSBAND AND WIFE

whose address is P.O. BOX 2897, Arcadia, FL 34265

FL#2000006988 B 460 P 527
REC NO. 01023402192

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument, singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in DESOTO County, State of FL, viz:

LOT 1, BLOCK "A", OF LIVE OAK ESTATES, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 39, OF THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA.

Subject to, covenants, restrictions, easements of record and taxes for the current year.

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 grantors hereby covenant with said grantees that they are lawfully seized of said land in fee simple; that they have good right and lawful authority to sell and convey said land, and hereby fully warrant 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 December 31, 1999

In witness Whereof, the said grantors have signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

Billie Jo Jacoby
Witness #1 Signature

Billie Jo Jacoby
Witness #1 Print Name

Franklin C. Longenebach
Witness #2 Signature

FRANKLIN C. LONGENEBACH
Witness #2 Print Name
(2 Separate Witnesses Required) DOC STAMPS
INTANG TAX

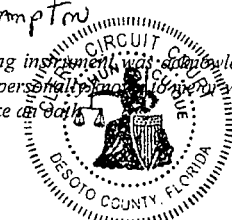
State of PENNSYLVANIA

County of Northampton

The foregoing instrument was acknowledged before me this 10 day of AUGUST, 2000, by ANNA S. JACOBY, who are personally known to me, and who have produced DR. Lic. as identification and who did (did not) take an oath.

(Notary Seal)

My Commission Expires:



NOTARIAL SEAL
LILLIAN I. ANDREAS, Notary Public
Northampton Boro, Northampton County, PA
My Commission Expires Aug. 20, 2002
Member, Pennsylvania Association of Notaries

Anna S. Jacoby L.S.
ANNA S. JACOBY
624 WALNUT DRIVE, NORTHAMPTON, PA 18067

FILED AND RECORDED
DATE 08/21/2000 TM 09:15
MITZIE W. MCGAVIC CLERK
CO: DESOTO ST: FL
294.00
.00 KR

Lillian I. Andreas
Notary Public Signature

Lillian I. Andreas
Notary Public Print Name

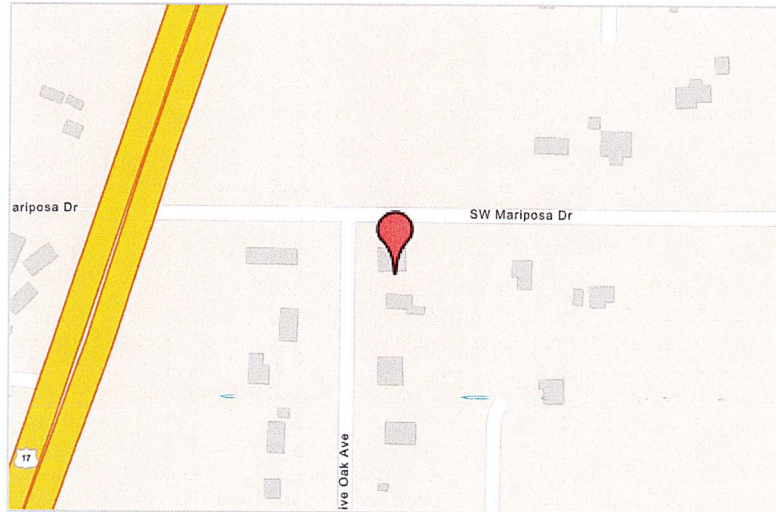
Customer Information

Name: LEE GALLAGHER
Address: 201 East oak St., Suite 204
Arcadia, FL 34266

Phone:
Alt. Phone:
Email:

Request Classification

Topic: Commerical Vehicle Parking
Status: Closed
Assigned to: Thomas Turnbull
Property Address: 3268 SW 8th Ave
Request type: Complaint
Priority: Normal
Entered Via: Phone



Property APN: 13-38-24-0221-00A0-0010

Retention Disposition Date
Date File Scanned into DocuShare:

Description

Commercial vehicle parking.

Reason Closed

Turn into a code case, number CE 24-0628

Date Expect Closed: 07/25/2024

Date Closed: 07/19/2024 1:38 PM **By:** Thomas Turnbull

Enter Field Notes Below

Notes:

Sec. 20-96. - Parking or storage of vehicles in residential districts.

- (a) *Residential district commercial vehicle parking prohibited.* Except as provided in Subsections (b) through (d) of this section, parking, storing, repairing or keeping of one or more commercial vehicle and equipment regulated by this section on any lot or parcel within a residential district (RSF, RM, RMF, RMF-M and ROI zoning districts) is prohibited.
- (b) *Residential district commercial vehicle parking allowed for lots meeting minimum lot size.* The following shall be allowed to be parked or stored in a residential district on property meeting the minimum lot size as follows:
 - (1) The temporary parking or storage of construction equipment, vehicles or shipping containers, which are not affixed to the ground on private land in residential districts where construction is underway, and for which a current and valid building permit or other development permit has been issued by the County and is displayed on the premises, or involves improvements allowed by the LDR.
 - (2) Any vehicle owned by a public or private utility provider when used in the event of emergencies requiring immediate attention.
 - (3) The parking or storage of agricultural equipment and vehicles on private land used for bona fide agricultural purposes by the property owner or lessee.
 - (4) The parking or storage of one commercial vehicle, one piece of equipment or one shipping container.
 - (5) The parking or storage and routine maintenance of one commercial vehicle where the commercial vehicle is used by a resident of the premises if the commercial vehicle has a load capacity of less than two tons, is less than nine feet high (including the load, bed and box) and is less than 30 feet long.
 - (6) For RM zoning districts whose principal use is residential, two commercial vehicles may be parked or stored on the property, and routine maintenance performed, if they are used by a resident of the premises, if each commercial vehicle is parked a minimum of 20 feet from all property boundaries and if the commercial vehicles each have a load capacity of less than two tons, are each less than nine feet high (including the load, bed and box) and are each less than 30 feet long. Upgrades to the culvert, driveway and apron may be required at the discretion of the County Engineer.
- (c) *Special exceptions for lots not meeting minimum lot size.* The parking of a commercial vehicle with a load capacity of less than two tons, less than nine feet high (including the load, bed and box) and less than 30 feet long, in residential zoning districts on property not meeting minimum lot size may be approved as a special exception provided the requirements listed below are met.

Applications for a special exception pursuant to this section are to be reviewed in accordance with the criteria and procedures for special exceptions set forth in Article XI, Division 5, of this chapter.

- (1) Only one commercial vehicle, one piece of equipment or one shipping container, as regulated by this division, shall be parked on any residential lot or parcel.
- (2) Commercial vehicles shall be currently registered or licensed.
- (3) The parking of said vehicle does not have a negative impact to the health, safety or welfare of adjacent properties.
- (4) Commercial vehicles must be parked on the same property occupied by the owner or operator of the vehicle.
- (5) The vehicle shall not be parked in the front yard of the residence.
- (6) The parking area shall be at least 20 feet from all property boundaries.
- (7) The vehicle shall park in a manner so that the minimum amount of vehicle surface is facing the road adjacent to the property.
- (8) All driveway improvements are the responsibility of the property owner. A commercial driveway, apron, and culvert upgrades may be required at the discretion of the County Engineer.
- (9) Refrigerator units on vehicles shall not be operated on the site.
- (10) For RM zoning districts whose principal use is residential, two commercial vehicles may be parked or stored on the property, and routine maintenance performed, if they are used by a resident of the premises, if each commercial vehicle is parked a minimum of 20 feet from all property boundaries and if the commercial vehicles each have a load capacity of less than two tons, are each less than nine feet high (including the load, bed and box) and are each less than 30 feet long. Upgrades to the culvert, driveway and apron may be required at the discretion of the County Engineer.
- (11) Approvals shall be valid for one year, or for a shorter period as specified by the Board of County Commissioners. Approvals may be administratively renewed, with proper application, following notice provided to the Development Director no less than 30 days prior to the expiration date, if the commercial vehicle location is consistent with the land development regulations and conditions of approval. The applicant shall bear the burden in demonstrating that the vehicle parking still meets the criteria of the approved special exception and this section.

(d) *Special exceptions for larger commercial vehicles.*

- (1) Commercial vehicles with a load capacity of more than two tons, and/or are more than nine feet high (including the load, bed and box), and/or are more than 30 feet long, may be allowed in residential zoning districts by special exception provided that they meet the criteria

and follow the procedure for special exception approval provided in Article XI, Division 5, of this chapter.

- (2) Approvals shall be valid for one year, or for a shorter period as specified by the Board of County Commissioners. Approvals may be administratively renewed, with proper application, following notice provided to the Development Director no less than 30 days prior to the expiration date, if the commercial vehicle location is consistent with the land development regulations and conditions of approval. The applicant shall bear the burden in demonstrating that the vehicle parking still meets the criteria of the approved special exception and this section.

(LDR, § 2202; Ord. No. 2012-01, § 2202, 5-22-2012; Ord. No. 2014-06, § 15, 10-28-2014)

Sec. 20-97. - Parking and storage of certain vehicles and trailers.

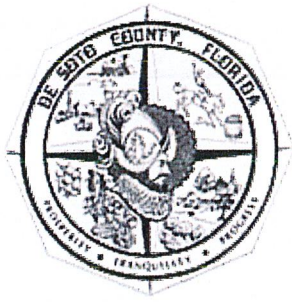
- (a) Motor vehicles, recreational vehicles or trailers, of any type, without current license plates, or which appear to be abandoned or in significant disrepair, shall not be parked or stored outdoors in any district that allows residential use.
- (b) Other than as authorized in zoning districts TTRVC and RVC, or for medical hardship under Section 20-728(e), a recreational vehicle, trailer or travel trailer is prohibited unless it is parked on property with a dwelling or is stored in an enclosed structure, and is owned by the owner or occupant of that property; provided, however, that other than as authorized in zoning districts TTRVC and RVC, or for medical hardship under Section 20-728(e), said recreational vehicle, trailer or travel trailer may not be connected to any water utility or well, wastewater utility or septic tank, occupied or used for storage.

(LDR, § 2203; Ord. No. 2012-01, § 2203, 5-22-2012; Ord. No. 2014-05, att. A, § 16, 10-28-2014)

Sec. 11-302. - Unauthorized dumping and accumulation prohibited.

No person shall dump or cause to be dumped, or place or cause to be placed, leave or permit to accumulate any garbage, refuse, rubbish, junk, debris, furniture, appliances, inoperative and derelict automobiles, boats, trucks, and vehicles of like nature, or trash or weeds, debris and any obnoxious material of any kind or any used or scrap building materials on any lands or premises, improved or unimproved, within the County.

(Code 2007, § 9.13; Ord. No. 1987-7, § 2, 3-24-1987)



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

GUTIERREZ ALFREDO &
GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA, FL 34266

RE: 3268 SW LIVE OAK AVE
PIN #: 13-38-24-0221-00A0-0010
Case No: CE-24-0628

Date: July 23, 2024

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. 20-96 Parking or storage of vehicles in residential districts: Residential district commercial vehicle parking prohibited. Except as provided in Subsections (b) through (d) of this section, parking, storing, repairing or keeping of one or more commercial vehicle and equipment regulated by this section on any lot or parcel within a residential district (RSF, RM, RMF, RMF-M and ROI zoning districts) is prohibited.

LDR Sec 20-97 Parking and storage of certain vehicles and trailers: Motor vehicles, recreational vehicles or trailers, of any type, without current license *plates*, or which appear to be abandoned or in significant disrepair, shall not be parked or stored outdoors in any district that allows residential use.

Facts constituting violation (including date, time, and place of violation): On **July 19, 2024** at **1:06 pm**, the property located at **3268 SW LIVE OAK AVE** was visited and revealed the following:

Parking Commercial vehicles and trailer, and unlicensed vehicles.

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

Contact the Desoto County Code Enforcement or Development Department Departments to verify if your property qualifies for a Special Exception as provided in Section 2202 B,C and D of the Land Development Regulations. If your property does qualifies you must apply for and receive approval from the County, or remove the commercial vehicle(s) from the property.

Due by: August 5, 2024

Ensure that vehicles are properly licensed/Tagged. If a vehicle is untagged it must be stored within an enclosed structure or be removed from the property

Due by: August 5, 2024

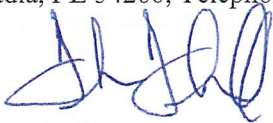
Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then recurs or if the violation 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



Thomas Turnbull
Code Enforcement Officer

Certified Mailing Number: 9589071052701588388181





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

GUTIERREZ ALFREDO &
GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA, FL 34266

RE: 3268 SW LIVE OAK AVE
PIN #: 13-38-24-0221-00A0-0010
Case No: CE-24-0628

Date: September 2, 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 20-97 Parking and storage of certain vehicles and trailers : Motor vehicles, recreational vehicles or trailers, of any type, without current license *plates*, or which appear to be abandoned or in significant disrepair, shall not be parked or stored outdoors in any district that allows residential use.

DCCO Section 11-302 Unauthorized dumping and accumulation prohibited:

No person shall dump or cause to be dumped, or place or cause to be placed, leave or permit to accumulate any garbage, refuse, rubbish, junk, debris, furniture, appliances, inoperative and derelict automobiles, boats, trucks, and vehicles of like nature, or trash or weeds, debris and any obnoxious material of any kind or any used or scrap building materials on any lands or premises, improved or unimproved, within the County.

(Code 2007, § 9.13; Ord. No. 1987-7, § 2, 3-24-1987)

Facts constituting violation (including date, time, and place of violation): On August 29, 2025 at 8:49 am, the property located at 3268 SW LIVE OAK AVE was visited and revealed the following:

There are derelict vehicles and unlicensed vehicles on the property that need to be removed and/or licensed.

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

Ensure that vehicles are properly licensed/Tagged. If a vehicle is untagged it must be stored within an enclosed structure or be removed from the property

Due by: September 15, 2025

Remove all derelict automobiles, boats, trucks and vehicles, garbage, refuse, rubbish, junk, and debris from the property.

Due by: September 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, appearing to read 'T. Turnbull', written over the word 'Sincerely'.

Thomas Turnbull
Code Enforcement Officer

Certified Mailing Number: 9589071052703206300759



Tracking Number:

Remove X

9589071052701588388181

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 12:19 pm on July 25, 2024 in ARCADIA, FL 34266.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

ARCADIA, FL 34266

July 25, 2024, 12:19 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Feedback

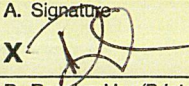
Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
■ 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: GUTIERREZ ALFREDO & GUTIERREZ ELVA C 3268 SW LIVE OAK AVE ARCADIA, FL 34266  9590 9402 9567 5121 7542 60	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery <u>AMARIS GUTIERREZ</u> <u>9-11-25</u> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No												
2. Article Number (Transfer from service label) 9589 0710 5270 3206 3007 59	3. Service Type <table style="width: 100%;"> <tr> <td>☐ Adult Signature</td> <td>☐ Priority Mail Express®</td> </tr> <tr> <td>☐ Adult Signature Restricted Delivery</td> <td>☐ Registered Mail™</td> </tr> <tr> <td>☒ Certified Mail®</td> <td>☐ Registered Mail Restricted Delivery</td> </tr> <tr> <td>☐ Certified Mail Restricted Delivery</td> <td>☒ Signature Confirmation™</td> </tr> <tr> <td>☐ Collect on Delivery</td> <td>☐ Signature Confirmation Restricted Delivery</td> </tr> <tr> <td>☐ Collect on Delivery Restricted Delivery</td> <td></td> </tr> </table> Mail Mail Restricted Delivery (0)	☐ Adult Signature	☐ Priority Mail Express®	☐ Adult Signature Restricted Delivery	☐ Registered Mail™	☒ Certified Mail®	☐ Registered Mail Restricted Delivery	☐ Certified Mail Restricted Delivery	☒ Signature Confirmation™	☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery	☐ Collect on Delivery Restricted Delivery	
☐ Adult Signature	☐ Priority Mail Express®												
☐ Adult Signature Restricted Delivery	☐ Registered Mail™												
☒ Certified Mail®	☐ Registered Mail Restricted Delivery												
☐ Certified Mail Restricted Delivery	☒ Signature Confirmation™												
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery												
☐ Collect on Delivery Restricted Delivery													

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

9589 0710 5270 3206 3007 59

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$ <u>5.30</u>	
Extra Services & Fees (check box, add fee as appropriate) ☒ Return Receipt (hardcopy) \$ <u>4.40</u> ☐ Return Receipt (electronic) \$ _____ ☐ Certified Mail Restricted Delivery \$ _____ ☐ Adult Signature Required \$ _____ ☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ <u>.74</u>	
Total Postage and Fees \$ <u>10.44</u>	
GUTIERREZ ALFREDO & GUTIERREZ ELVA C 3268 SW LIVE OAK AVE ARCADIA, FL 34266	

Postmark Here

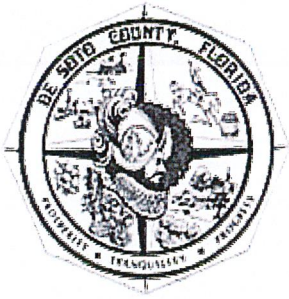

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions



TOMMY TURNBULL
3268 SW LIVE OAK AVE

TOMMY TURNBULL
3268 SW LIVE OAK AVE



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, Thomas Turnbull, duly sworn, deposes and says: That on 7-23-24 @ 9:40 Am, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
GUTIERREZ ALFREDO &
GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA, FL 34266

at the following location(s): 3268 SW LIVE OAK AVE

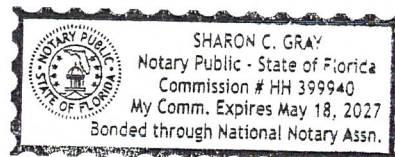
I declare under penalty of perjury that the forgoing is true and correct.

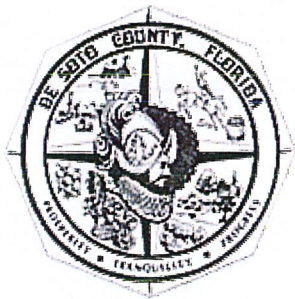
DATE: July 23, 2024

affiant

Sworn to and subscribed before me this 23rd day of July, 2024 by
Thomas Turnbull who is personally known OR Produced Identification

Notary Public





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, Thomas Turnbull, duly sworn, deposes and says: That on 9-2-25 @ 10:19 Am, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
GUTIERREZ ALFREDO &
GUTIERREZ ELVA C
3268 SW LIVE OAK AVE
ARCADIA, FL 34266

at the following location(s): 3268 SW LIVE OAK AVE

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

DATE: September 2, 2025

affiant

Sworn to and subscribed before me this 2nd day of September 2025 by
Thomas Turnbull who is personally known OR Produced Identification

Notary Public









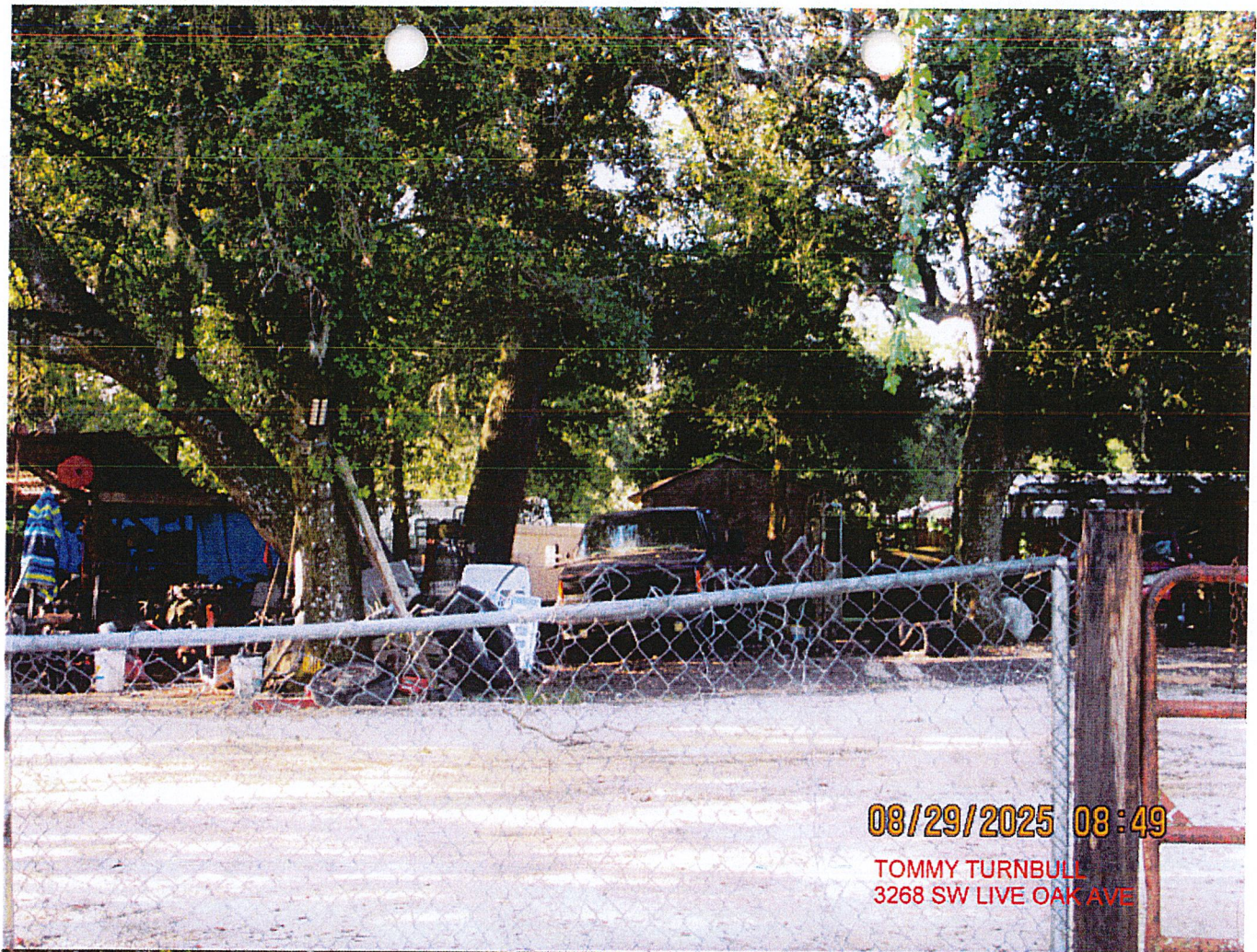
08/29/2025 08:49

TOMMY TURNBULL
3266 SW LIVE OAK AVE



08/29/2025 08:49

TOMMY TURNBULL
3268 SW LIVE OAK AVE



08/29/2025 08:49

TOMMY TURNBULL
3268 SW LIVE OAK AVE



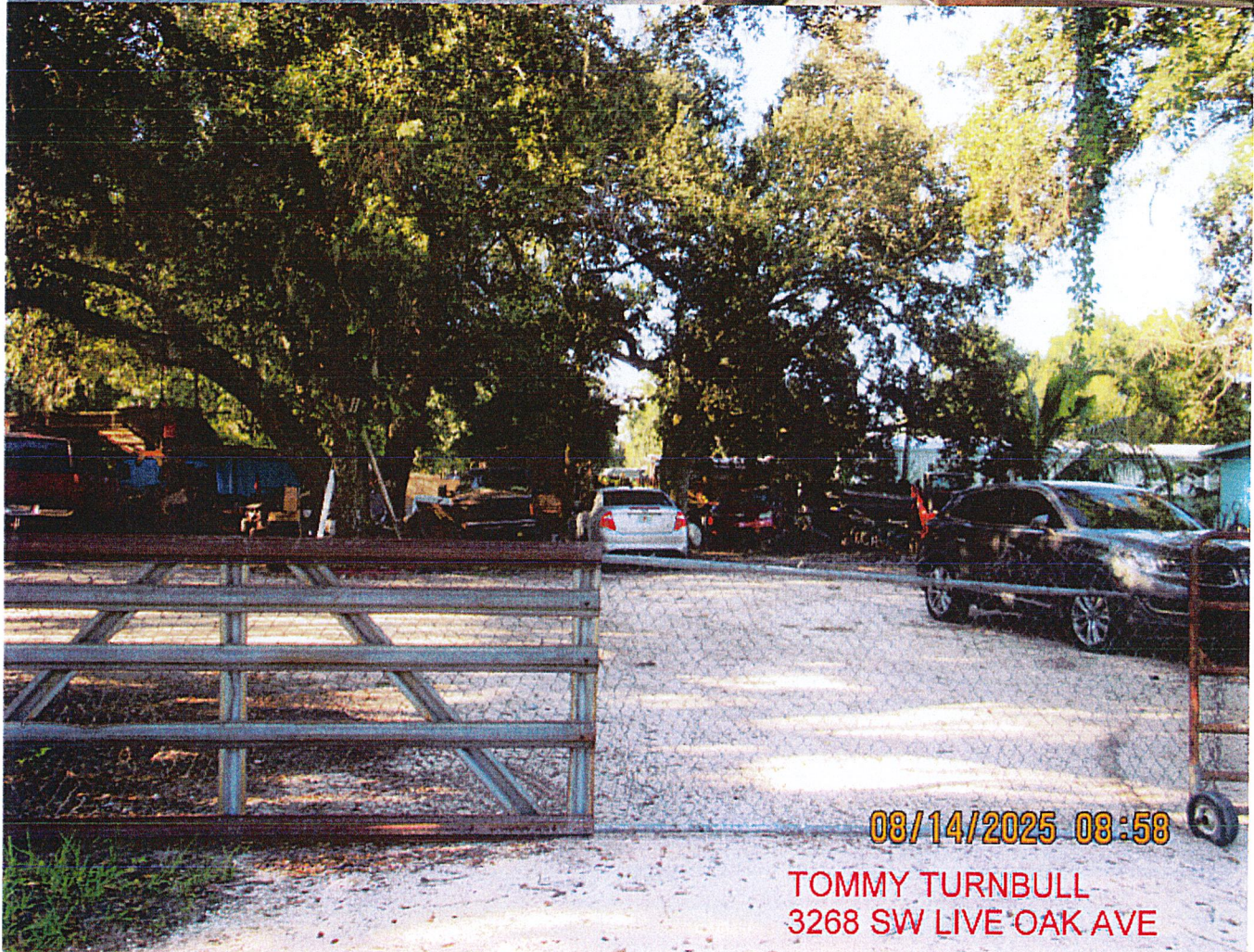
08/29/2025 08:49

TOMMY TURNBULL
3268 SW LIVE OAK AVE



08/29/2025 08:50

TOMMY TURNBULL
3268 SW LIVE OAK AVE





08/14/2025 08:58

TOMMY TURNBULL
3268 SW LIVE OAK AVE

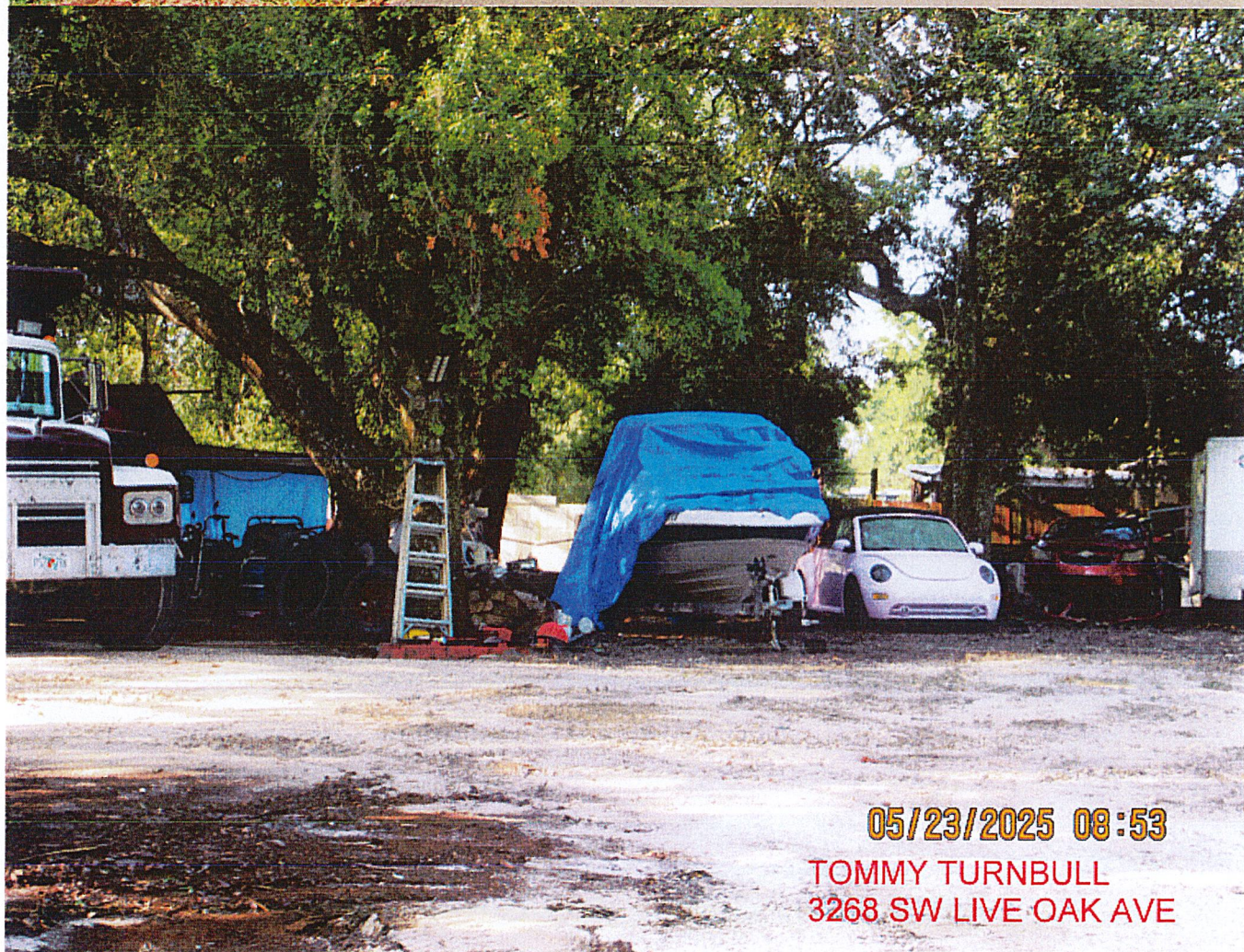


08/14/2025 08:59

TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:52
TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:53
TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:53
TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:52
TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:52

TOMMY TURNBULL
3268 SW LIVE OAK AVE



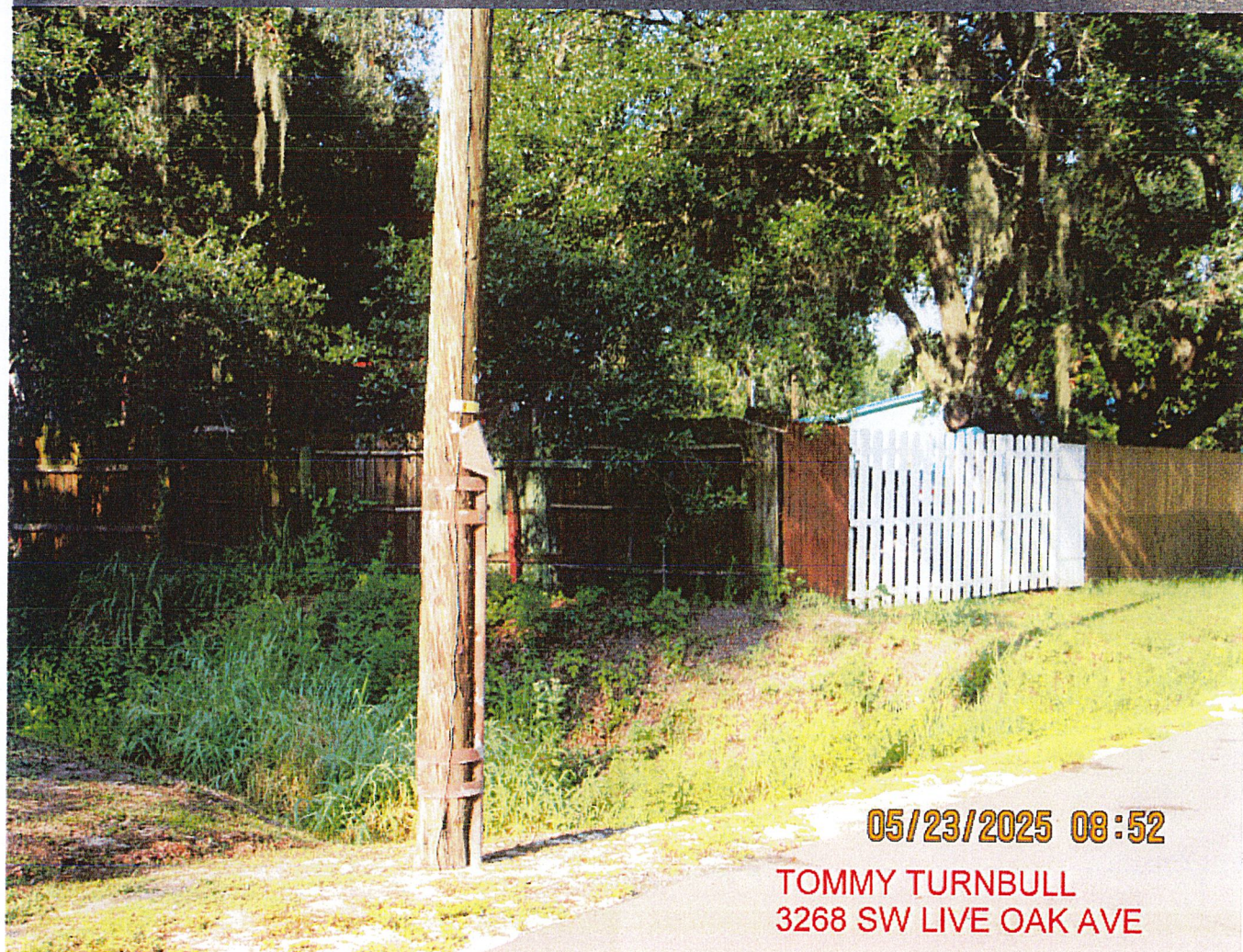
05/23/2025 08:53

TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:53

TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:52

TOMMY TURNBULL
3268 SW LIVE OAK AVE



05/23/2025 08:53

TOMMY TURNBULL
3268 SW LIVE OAK AVE

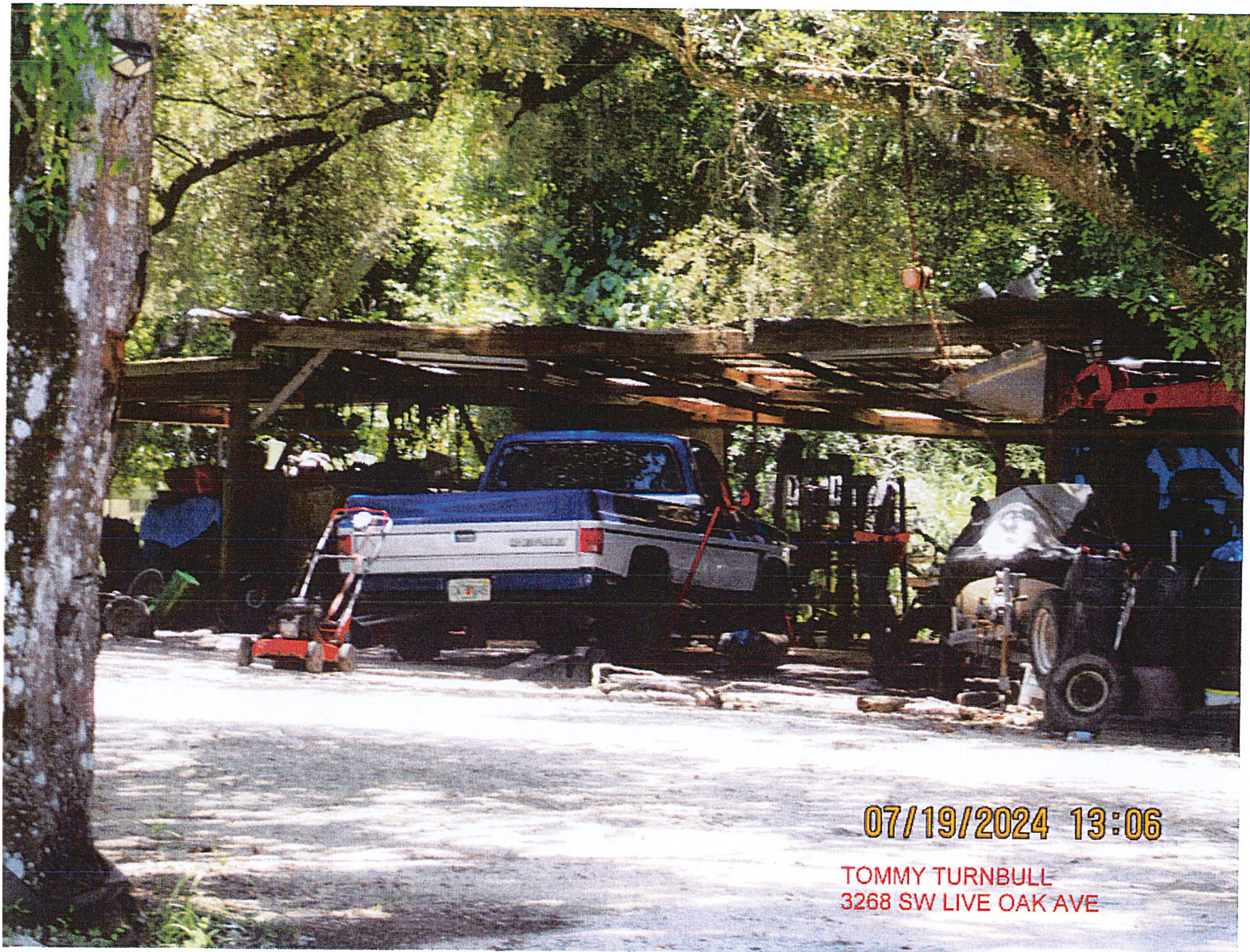


05/23/2025 08:53

TOMMY TURNBULL
3268 SW LIVE OAK AVE







07/19/2024 13:06

TOMMY TURNBULL
3268 SW LIVE OAK AVE

Thomas Turnbull

From: Sarah Milstead
Sent: Tuesday, September 2, 2025 2:59 PM
To: Thomas Turnbull
Subject: In office (CE #24-0628) @3268 SW LIVE OAK AVE

This email originated inside of Desoto County BOCC.

Thomas,

A lady named Damaris came into the office wanting to see what she has to do to come into compliance. She said that the vehicles are tagged she will turn the cars around and show you. Her phone number is (863) 990-6029.

Regards,

Sarah Milstead

Code Enforcement Administrative Assistant

DeSoto County Board of County Commissioners

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

Desk: (863) 491-6165 EXT #247

Fax: (863) 491-6163

s.milstead@desotobocc.com

www.desotobocc.com



Thomas Turnbull

From: Laura McClelland
Sent: Wednesday, December 11, 2024 1:24 PM
To: Code Enforcement Dept
Cc: Planning Dept
Subject: 3268 SW Live Oak Ave.

This email originated inside of Desoto County BOCC.

Tommy,

Per your request I am providing and update on Alfredo Gutierrez, 3268 SW Live Oak Ave.

Comments were sent to the applicant on November 8, 2024, requested comment response back within 90 days.

Thanks.

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.

Thomas Turnbull

From: Tara Wilson
Sent: Wednesday, September 11, 2024 4:28 PM
To: AMIS85@CENTURYLINK.NET
Cc: Planning Dept; Code Enforcement Dept
Subject: USE-0191-2024 SPECIAL EXCEPTION / ALFREDO GUTIERREZ(DAMARIS RAMIREZ)
Attachments: DRC Comments.pdf

This email originated inside of Desoto County BOCC.

Good Afternoon,

See attached DRC comments.

Thank you

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

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Desoto County
Board of County Commissioners
Planning and Zoning Division
Development Department
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09/11/2024

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.

Alfredo Gutierrez (Damaris Ramirez) – DRC Comments – USE-0191-2024 – Special Exception

I. John Osborne, Planning comments:

1. The DeSoto County Land Development Regulations is unclear in Section 20-96(d)(1) if more than 1 commercial vehicle with a load capacity of more than two tons, and/or are more than nine feet high, (including the load, bed and box), and/or are more than 30 feet long, may be allowed in residential zoning districts. The applicant will need to make the case for two commercial vehicles before the Board hearing for approval of the Special Exception use.
2. Each vehicle must be parked a minimum of 20 feet from all property boundaries. Please show this on the site plan.
3. Upgrades to the culvert, driveway and apron may be required at the discretion of the County Engineer.
4. Upon approval of the special exception by the BOCC, per Section 20-96(d)(2), approvals shall be valid for one year, or for a shorter period as specified by the Board of County Commissioners. Approvals may be administratively renewed, with proper application, following notice provided to the Development Director no less than 30 days prior to the expiration date, if the commercial vehicle location is consistent with the land development regulations and conditions of approval. The applicant shall bear the burden in demonstrating that the vehicle parking still meets the criteria of the approved special exception and this section.

II. FDOH Environmental Services, comments:

Desoto Dept. of Health has no comment.

III. Legal Don Conn, comments:

This SE application can be approved if it complies with LDR 20-96. The first question is whether the parcel meets the minimum lot size . If it does, then subsection (b)(6) applies and the requirements set forth must be met. If it does not, then subsection (c) applies and those requirements must be met

IV. Fire comments:

Fire has no comments.

V. **Building Official Lester Hornbake, Jr. comments:**

No comments

VI. **DeSoto County Engineer Mike Giardullo, PE comments:**

Based on the application, this property is zoned RMF-M and complies with the minimum lot size under code Sec. 20-131, therefore, I am reviewing based on code Sec 20-96(b)(6) for parking or storage of vehicles in residential districts.

The code restricts the owner in RM zoning districts with residential principal use to two commercial vehicles. To be sure, the applicant indicates the improvements are "1 dump truck, 1 semi w/ trailer, park two commercial vehicles". Am I correct in understanding it is two commercial vehicles total?

The diagram is not clear, I recommend they demonstrate that they can fit both vehicles at least 20' from the property line. Based on review of the site, this may be challenging given existing trees on site. The parking location of the vehicles should reflect the actual size.

This code section requires that each vehicle has a load capacity of less than two tons. The types of vehicles indicated typically have a greater load capacity. I Recommend the applicant review and comment whether they are able to comply with this section.

Although a recently constructed driveway exists, it is not compliant with County requirements for commercial traffic. Upgrades will be required and the driveway will have to be resurfaced in accordance with the County commercial driveway standards or an agreed upon alternative. The applicant should demonstrate how they can access and exit the site with the commercial vehicles without off-tracking from the roadway/driveway. The applicant should be aware that backing out commercial vehicles into the County roadway is not typically allowed.

VII. **Code Enforcement Jorge Hernandez, comments:**

Existing code case