

NOTICE OF APPEAL TO THE DESOTO COUNTY BOARD OF ADJUSTMENT

NOTICE IS GIVEN that, pursuant to LDR Sec. 20-1523, M. Lewis Hall, III, Trustee, ("Applicant:") appeals to the Desoto County Board of Adjustment, the denial of the application for a certified lot split (CLS-0009-2025) by the Planning Director of Desoto County entered on November 18, 2025. A copy of the letter denying the application is attached hereto as Exhibit "A".

The letter denying the application states "[T]he existing paved private driveway (identified on the Property Appraiser's website as "SE Hall Drive") is shown as access to the proposed lot, but the access was not approved as a public or private street and does not meet the Desoto County Engineering Standards for a street." SE Hall Drive meets or exceeds all Desoto County Engineering Standards for a private roadway. The denial letter also states: "the LDR requires all lots to have a minimum amount of frontage on a street, based on the required lot width. Your Applicant requested clarification of this ground for denial and the clarification from the Director argued the travel way appears to be a driveway rather than a road. See Exhibit "B." Applicant's proposed lot split has 300-feet frontage on SE Hall Drive, a private road.

WILLIAMS, PARKER, HARRISON,
DIETZ & GETZEN

/s/ M. Lewis Hall, III

M. LEWIS HALL, ESQUIRE

Florida Bar No. 0249513

50 Central Avenue, Eighth Floor

Sarasota, Florida 34236

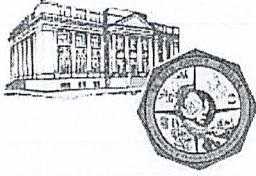
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Attorneys for M. Lewis Hall, III, Trustee



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

November 18, 2025
Revised Letter

M. Lewis Hall, III Trustee
Lewis Hall, III U/A dated March 23, 2015
8637 SE Bull Road
Arcadia, FL 34266

Sent via email to: lhall@williamsparker.com

RE: Certified Lot Split (CLS-0009-2025) – Denial
Parent Parcel ID Number: 08-39-26-0000-0010-0000

Dear Mr. Hall

This letter has been revised to correct a typo in the LDR reference in the third paragraph below. Section 20-231(c)(s) should have been Section 20-231(c)(2). This letter serves as denial of the above-referenced application for a Certified Lot Split.

The application is inconsistent with Desoto County Ordinance No. 2025-010 regarding the required access for certified lots. The existing paved private driveway (identified on the Property Appraiser's website as "SE Hall Drive") is shown as access to the proposed lot, but the access was not approved as a public or private street and does not meet the Desoto County Engineering Standards for a street.

Pursuant to Section 20-231(c)(2) of the Land Development Regulations (LDR), a Certified Lot Split can be approved when the proposed lot has *"...existing access to a public or private street constructed in conformance with the Desoto County or State of Florida Engineering Standards or is listed in the official inventory of County maintained streets."*

Additionally, the LDR requires all lots to have a minimum amount of frontage on a street, based on the required lot width.

A private street can be approved with an Improvement Plan.

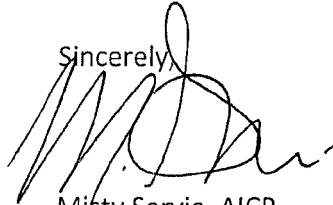
Should you want to convert the existing driveway to a street, LDR Section 20-445(a)(2) allows the Board of County Commissioners to approve exceptions to the adopted engineering standards that cannot be reasonably achieved, through the Development Plan process.



Please also note for your information that a majority of the proposed Certified Lot Split is within the Conservation Overlay District, indicating the potential for wetlands. The State of Florida regulates the protection of wetlands.

The two applications mentioned above are included with this letter for your convenience. Please don't hesitate to contact me via email at planning@desotobocc.com with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Misty Servia', written over the word 'Sincerely,'.

Misty Servia, AICP
Planning Director

Attachments:
Boundary Survey
Development Plan and Improvement Plan applications

Wengerd, Mindy

Subject: FW: Certified Lot Split - CLS-0009-2025

From: Misty Servia <m.servia@desotobocc.com>
Sent: Tuesday, November 18, 2025 3:04 PM
To: HALL, III, M. LEWIS <lhall@williamsparker.com>
Cc: Planning <Planning@desotobocc.com>; jclyatt@30south.net
Subject: RE: Certified Lot Split - CLS-0009-2025

Good afternoon, Mr. Hall,

Please give Charlie my regards – I always loved working with him! I imagine his daughter is all grown up! I remember when she was born.

Thank you for identifying a typo in the letter. The LDR reference should have been, 20-231(c)(2) instead of 20-231(c)(s). I have attached a corrected letter to this email.

I have also attached the adopted ordinance 2025-010 for you, as Muni-code has not yet processed the amendment into our online LDR.

Regarding the SE Hall Drive – I don't find records that show the street was ever approved through the county and the travel way appears to be a driveway, rather than a road. Please share any records that you may have to the contrary.

In DeSoto County, each lot must have frontage on a road (public or private), and the amount of frontage is based on the required lot width for the zoning district. Eighty percent of the required lot width is required along the street for standard lots and 60% is required when a lot fronts a cul-de-sac. The proposed certified lot showed 300' of frontage on a *driveway*, not a *road*.

New private streets are considered "major developments" and are reviewed with an Improvement Plan to ensure they are designed and constructed to county standards. New public streets are reviewed with a major plat application.

The engineering standards for local roads (private and public) require 60' in width. The Board can authorize deviations to engineering standards with a Development Plan.

An appeal can be filed within 60 days, to be heard by the Board of Adjustment, per LDR Section 20-1523. The fee is \$150.

Hope this is helpful. Please let me know if you have any additional questions.



Respectfully,
Misty Servia, AICP



DeSoto County Planning Director

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