



## DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

**CASE #:** RZNE 0069-2025 (Rezoning)

**REQUEST:** Rezone from Planned Unit Development (PUD) to Agriculture - 5 (A-5)

**APPLICANT:** DR Horton/Charlotte Harbour Landing, LLC

**PROPERTY OWNER:** EAR Property Co, 5348 Vegas Dr., PMB 33, Las Vegas, NV 89108

**ATTORNEY/AGENT:** Neale Montgomery, Esquire, Pavese Law Firm / Tom Sacharski, RVi Planning + Landscape Architecture, c/o Pavese Law Firm, PO Box 1507, Ft Myers, FL 33905-1507

**PROPERTY ID:** 35-39-23-0000-0090-0000; located at 8355 SW Liverpool Road

**TOTAL PARCEL SIZE:** +/- 0.43 acres

**FUTURE LAND USE DESIGNATION:** Low Density Residential – 2 dwelling units per acre

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### DEVELOPMENT REVIEW REPORT

The rezoning request is to correct the zoning for a parcel that was inadvertently rezoned to PUD with the Harbour Lakes PUD (Planned Unit Development) application. The +/- 0.43-acre parcel is located at 8355 SW Liverpool Road (Parcel ID 35-39-23-0000-0090-0000). The subject parcel was previously sold, but the Harbour Lakes rezoning application incorrectly included the Parcel ID number. The parcel was not included on the Harbour Lakes PUD Concept Plan or the boundary survey; however, it was included in the PUD rezoning ordinance. The proposed rezoning is from PUD to Agricultural 5 (A-5), and if approved, will restore the original zoning to the parcel.

Authorization documents to proceed with this corrective rezoning have been provided by EAR Property Co. Prior to the erroneous rezone to PUD, the parcel was zoned A-5 with a future land use (FLU) designation of Low Density Residential.

The DeSoto County Land Development Regulations (LDR) Article XI, Division 7 requires the Planning Commission/Local Planning Agency to hold at least one public hearing with due public notice on a rezoning application and to make a recommendation on the application to the Board of County Commissioners (Board).

## **I. BACKGROUND**

The application is a request to amend the Official Zoning District Atlas by changing the zoning district of the +/- 0.43-acre property from PUD to A-5. The Interim 2040 Future Land Use Map shows the property is designated as Low-Density Residential Land Use. Future Land Use Element Objective 1.4 defines the Low-Density Residential category.

The Official Zoning District Atlas shows the property is located within the PUD zoning district. The General Development Order application states the Applicant for this Official Zoning District Atlas amendment is D.R. Horton, a national homebuilder, on behalf of the property owner, EAR Property Co.

## **II. PROPOSED ORDINANCE**

An Ordinance of the DeSoto County, Florida Board of County Commissioners amending the Official Zoning Atlas for a +/- 0.43-acre parcel from Planned Unit Development (PUD) to Agricultural 5 (A-5) for property generally located in southwest DeSoto County at 8355 SW Liverpool Road; the Property Identification Number being 35-39-23-0000-0090-0000 , for EAR Property Co ; providing for an effective date.

### **III. DATA & ANALYSIS**

In all quasi-judicial proceedings, the applicant shall bear the burden of demonstrating through competent and substantial evidence that the application satisfies the standards and requirements of the LDR's and the Comprehensive Plan.

LDR Article XI, Administration and Enforcement, Division 7 addresses Official Zoning District Atlas (rezoning) amendment and LDR text amendment applications. LDR Section 20-1650 defines Official Zoning District Atlas as scaled-based maps of the unincorporated area of the County depicting the land features, roads and property lines overlaid with Zoning District boundaries adopted by the DeSoto County Board of Commissioners and certified and dated by the Chairman, as may be amended from time to time. Zoning District symbols are depicted within each boundary.

**A. Application requirements.** Land Development Regulations Section 20-1496 establishes two prerequisites for the filing of an Official Zoning District Atlas amendment as shown below.

1. Initiation. Section 20-1496(a) restricts the persons who may initiate an Official Zoning District Atlas amendment to the following:

- Board of County Commissioners;
- Planning Commission;
- Board of Adjustment;
- Any other department of agency of the County; or
- Any person other than those listed above; provided, however, that no person shall propose an amendment for the rezoning of property (except as agent or attorney for an owner) which he does not own. The name of the owner shall appear on each application.

*The Development Director finds that on March 26, 2025, a General Development Order application and an Official Zoning District Atlas amendment application (RZNE-0069-2025) and fee were filed with the Development Department. The Development Director finds the General Development Order application was executed by Neale*

*Montgomery, Esquire, Pavese Law Firm and Tom Sacharski with RVi Planning + Landscape Architecture, as authorized agent for the property on behalf of D.R. Horton (applicant) and EAR Property Co (owner). Based on the above findings, it is concluded the application can be found in **conformance** with this requirement.*

2. Filing requirements. Section 20-1496(b) provides that all proposals for zoning amendments shall be submitted in writing to the Development Department, accompanied by all pertinent information required by the LDR and the application along with payment of the application fee.

*The written General Development Order application and Official Zoning District Atlas application and fees were filed with the Development Department on March 26, 2025.*

*Based on the above findings, the Development Director concludes the application can be found **in conformance** with the filing requirements in LDR Section 20-1496(b).*

**B. The Development Director review.** LDR Section 20-1497 addresses the Development Director review.

1. Section 20-1497(a) provides that upon receipt of an application; the Development Director shall determine whether the application is complete. If the application is complete, it will be accepted for review. If the application is incomplete, the Development Director shall specify in writing the additional information required in order for the application to be processed. No further action shall be taken on the application until the additional information is submitted and determined to be complete.

*The Development Director provided notice that the rezone application was complete on March 26, 2025. The Director finds that the Planning & Zoning Division of the Development Department processed the application in **conformance** with LDR Section 20-1497(b).*

2. Section 20-1497(b) provides that after receipt of a complete application; the Development Director shall distribute the application for review by the Development Review Committee (DRC).

*The Development Director finds the application package was distributed to DRC members after each filing. Due to the nature of the application, the application went directly to staff report review. Thus, the Director finds the Planning & Zoning Division of the Development Department has processed the application in **conformance** with the requirements of LDR Section 20-1497(b).*

3. Section 20-1497(c) provides that upon completion of review; the Development Department shall prepare a staff report and schedule review of the application at a public hearing by the Planning Commission.

*The Development Review Report was provided to the authorized agent for review and comment. Thus, the Director finds the Planning & Zoning Division of the Development Department has processed the application in **conformance** with LDR Section 20-1497(c).*

- C. Planning Commission Report.** LDR Section 20-1498(a) provides that the report and recommendations of the Planning Commission to the Board of County Commissioners shall show that the Planning Commission has studied and considered the proposed change in relation to the 15 factors listed below.

1. Whether the proposed change would be consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

*The Development Director has reviewed the application against the Comprehensive Plan and finds and concludes as follows:*

**FLUE Objective 1.1: Land Use Categories Established.** The generalized land use categories depicted in the Interim 2040 Future Land Use Map Series are intended to establish varying degrees of environmental

protection and intensity of development, transitioning from the natural environment to the most intense development areas by gradually increasing density and urban character.

**FLUE Policy 1.1.2: *Land Use Categories.*** The County shall implement the following land use categories as shown on the Future Land Use Map.

Land Use Categories	Base Density/Intensity	Bonus**(Policy 1.1.3)
Low Density Residential	Residential – up to 2.0 du/acre	3.5 du/ac maximum*

*Consistency analysis: The property currently is designated Low-Density Residential Land Use on the Future Land Use Map, and the existing use (single-family residence) is permitted.*

*Based on the above findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.1.9: Zoning District Application Table.** The County shall amend its Land Development Regulations to include land use/zoning regulations/tables establishing zoning districts that implement current and future land use categories.

*Consistency analysis: The existing PUD zoning district is consistent with the Low Density Residential Future Land Use designation. The request to rezone to A-5 is also consistent with the existing Future Land Use designation, with conformance to Comprehensive Plan policies 1.4.1 through 1.4.6 and LDR Section 20-127, Agricultural-5 (A-5) District standards. Based on these findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.1.11: Rezoning.** The zoning amendment criteria in the LDR shall be used to determine if a rezoning request to a new district is appropriate for a given property, in accordance with the

Comprehensive Plan. The following general criteria, at a minimum, will be considered as part of the rezoning review process:

- (1) Location, availability and capacity of public services and facilities.
- (2) Proximity to similar densities/intensities.
- (3) Location within transportation network.
- (4) Environmental protection.

*Consistency analysis: The rezoning review process has considered the location, availability and capacity of public services and facilities and the applicant has not submitted a TIA, given the nature of the application, size, and existing use. The staff finds there are no negative impacts to existing or planned public infrastructure. The proximity of the potential development to the surrounding area, has been considered and can be found to be compatible in terms of density/intensity; the subject site is acceptably located within the transportation network; and, environmental protection has been considered per the LDR standards at this stage of development. The rezoning review has considered LDR Section 20-127 for the proposed A-5 zoning district standards and the requirements therein. Based on these findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Objective 1.4:** Low-Density Residential Use Category Defined. The Low Density Residential Use category consists of low-density residential uses in progressive degrees of urban intensity with higher density in areas adjacent to the Medium Density Residential, Mixed Use Centers, General Mixed Use Centers and less density/intensity in areas adjacent to the Rural/Agricultural categories.

**MEASURABLE TARGET:** Location and total acreage added to the Low Density Residential Use category.

*Consistency analysis: The proposed rezoning to A-5 is generally consistent with the above referenced Comprehensive Plan policy. The subject property is currently developed with one single-family residence and is contiguous to (and within an area) developed with A-*

5 and RSF.

*The subject property is in the Low Density Residential Future Land Use Category. While the subject parcels and adjacent parcels have this future land use, the adjacent parcels to the west and south are generally consistent in size with A-5 and RSF zoning. Properties to the north and east have been rezoned to PUD for residential development. It can be found that rezoning the parcel back to the A-5 District makes the parcel more consistent with the adjacent parcels to the west and south. Based on the above, it is concluded the application can be found **consistent** with Objective 1.4.*

**FLUE Policy 1.4.2:** Low Density Residential Use Category Uses. The primary use of this category shall be residential, in a variety of low densities and styles. A sustainable mix of neighborhood scale commercial uses may be introduced only as a part of the PUD process for developments of 1000 dwelling units or greater. The commercial area shall be located at the intersections of collector and/or arterial roads and shall be separated approximately 2 miles from other existing and/or future commercial designated areas. Schools and other public facilities shall be permitted with appropriate buffering. The zoning district uses, and development standards contained in the Land Development Regulations shall carry out the specific intent of this land use category.

*Consistency analysis: The existing single-family detached use on +/- 0.43 acres is consistent with the allowable uses in this land use category. Based on the above, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.4.3:** Low Density Residential Use Category Sustainability. The minimum density permitted within this category will be two dwelling units per acre.

*Consistency analysis: The existing single-family detached use is consistent with the allowable uses in this land use category. Based on*



*the above, it is concluded the application can be found **to be consistent** with this policy.*

**FLUE Policy 1.4.6:** Utilities. All development within the Low Density Residential category shall connect to existing centralized public water and wastewater systems.

*Consistency analysis: This location is not served by County water and sewer. Based on the above findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.14.2: Use compatibility.** Compatibility between uses will be defined by level of density and intensity rather than by use, with the exception of large-scale public uses such as airports, regional hospitals, refineries and correctional institutions.

*Consistency analysis: The Comprehensive Plan defines “compatibility” as “(a) condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion such that no use or condition is negatively impacted directly or indirectly by another use or conditions.”*

*Table 1 provides a description of the Future Land Use Categories, Zoning Districts, and specific types of land uses surrounding the proposed A-5 parcel:*

**TABLE 1**  
**USE COMPATIBILITY ANALYSIS**

Directions	Future Land Use	Zoning District	Types of Land Uses
Site	Low Density Residential	PUD	Pastureland/vacant
North	Low Density Residential	PUD	Vacant, approved for development

Directions	Future Land Use	Zoning District	Types of Land Uses
South	Low Density Residential	A-5	Single-family residential
East	Low Density Residential	PUD	Vacant, approved for development
West	Low Density Residential	RSF-3	Single-family residential

*The above table illustrates that the surrounding uses are developing in a fashion consistent with the Low Density Residential Future Land Use Category. The Land Development Code provides specific height, bulk, setback, density, buffering, and other regulations to ensure compatibility between uses.*

*The existing parcel and use are consistent with the standards established by the Comprehensive Plan and Land Development Code. Based on the above, it is concluded the application can be found **consistent** with FLUE Policy 1.14.2.*

**FLUE Policy 1.14.8: Buffers.** Increased buffering and landscape standards shall be maintained or expanded in the County's Land Development Regulations to protect various types of development from the impact of others.

*Consistency analysis: The site has an existing single-family use. No buffers are required. Based on the above findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.16.2:** The County shall direct development to areas where services and facilities are available to accommodate additional growth.

*Consistency analysis: The property and existing use is located in area*

*that has the Low Density Residential Future Land Use Category, where the County is planning for growth consistent with that designation. This is an area where County services and facilities are available. Based on the above findings, it is concluded the application can be found **consistent** with this policy.*

**FLUE Policy 1.17.2:** Land uses that generate high traffic counts shall be encouraged to locate adjacent to arterial and collector roads.

*Consistency analysis: The property and existing single-family residential use will not impact traffic more than it does currently. Based on the above, it is concluded the application can be found **to be consistent** with this policy.*

**Policy 1.5.3: Analysis of FLUM and Zoning Amendments.** The County shall consider the potential maximum impacts of all Future Land Use map and zoning amendments on the LOS for all roadways directly and indirectly affected by the amendment when making such decisions. However, specific impacts and any required roadway improvements shall only be determined based on the submittal of a defined development proposal as part of the County's overall concurrency system.

*Consistency analysis: The property and existing single-family residential use will not impact traffic more than it does currently. Based on the above, it is concluded the application can be found **to be consistent** with this policy.*

**Based upon the analysis above, the Development Director concludes the rezoning application can be found to be consistent with the Comprehensive Plan.**

2. The existing land use pattern.

*Consistency analysis: **Table 1** shows the existing land use pattern. The table illustrates that the surrounding uses are developing in a fashion consistent with the Low Density Residential Future Land Use Category.*

*To the north and east there are two different residential developments that have been approved by the Board. Other adjacent properties to the south and west are existing single family residential uses.*

*The LDR provides specific height, bulk, setback, density, buffering, and other regulations for the A-5 zoning district to help to achieve compatibility between uses. Any future land development must conform to all required Federal, State, and County permitting requirements. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

3. The creation of an isolated district unrelated to adjacent and nearby districts.

*Consistency analysis: The project is located in a residential area, primarily developed with single-family uses, and subject to other zoning district requirements in the LDR for setbacks, buffers, and open space.*

*The proposed rezone will not create an isolated district unrelated to adjacent and nearby districts. The subject property is surrounded by RSF, A-5, and PUD zoning and the existing area development pattern is consistent with the standards of the A-5 and RSF zoning districts. The proposed rezoning to A-5 can be found to be generally consistent with nearby uses and development trends.*

*Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

4. The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the comprehensive plan, and as defined and implemented through the DeSoto County concurrency regulations.

*Consistency analysis: The subject property and existing single-family residential use will not impact on the availability of adequate public*

*facilities consistent with the level of service standards adopted in the Comprehensive Plan. Based on the above findings and recommended conditions, it is concluded the application can be found **in conformance** with this policy.*

5. Whether the existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for changes.

*Consistency analysis: The property is within a developing residential area and the existing zoning district contiguous to the site is PUD, A-5, and RSF. Both the existing and proposed zoning are compatible with the development in the area and consistent with the Comprehensive Plan, and the change in district boundaries can be found to be appropriate. The Board may consider the requested A-5 zoning as more consistent for this site given that the site was previously zoned A-5 and rezoning it to PUD was in error. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

6. Whether changed or changing conditions make the passage of the proposed amendment necessary.

*Consistency analysis: The property is within a developing residential area and the existing zoning district contiguous to the site is PUD, A-5, and RSF. The area has experienced growth over the last couple years with the property to the north and east being approved for residential development. The Future Land Use Category, Low Density Residential, guides development potential in the area and may include additional residential development in the area over the life of the Comprehensive Plan. The proposed A-5 zoning district will allow uses such as, single-family residential and related agricultural uses, which can be found to be generally consistent with the area. The proposed zoning generally aligns with the existing uses and development anticipated by the Future Land Use Category. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

7. Whether the proposed change will adversely influence living conditions in the area.

*Consistency analysis: The property is within an existing residential area and the existing zoning districts contiguous to the site are PUD, A-5, and RSF. The proposed A-5 zoning district will allow uses such as, single-family residential and related agricultural uses, which can be found to be generally consistent with the area. The change in zoning is not expected to adversely affect the living conditions in the area and can be found to generally align with the existing uses in the area. Based on the above it is concluded the application can be found in **conformance** with this factor.*

8. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

*Consistency analysis: The property and existing single-family residential use will not impact traffic more than it does currently. Due to the nature of the application, no traffic analysis is required. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

9. Whether the proposed change will create a drainage problem.

*Consistency analysis: The subject property is within the Low Density Residential Future Land Use Category and requires a minimum 25 percent open space. Based on the above, it is concluded the application can be found in conformance with this factor.*

10. Whether the proposed change will seriously reduce light and air to adjacent areas.

*Consistency analysis: The reduction of light and air to the adjacent areas is a function of total development vs. open space, building height, and building setbacks. Any future redevelopment or building permits shall be consistent with these standards and include minimum*

*open space and setbacks. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

11. Whether the proposed change will adversely affect property values in the adjacent area.

*Consistency analysis: The existing zoning of the site is PUD, with properties contiguous to the site, zoned PUD, A-5 and RSF. The change in zoning can be found to be consistent with the Future Land Use Category and the other uses in the overall area, as well as the area development patterns. The proposed zoning is also compatible with the contiguous uses, which are consistent with their respective A-5 and RSF zoning standards for lot size as the adjacent PUD is approved for residential development, but not yet constructed.*

*Therefore, the proposed change in zoning should not adversely affect property values in the immediate area. The findings in the draft ordinance conclude the application can be found in **conformance** with this factor, by the Board of County Commissioners .*

12. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

*Consistency analysis: With the LDR standards for setbacks and open space, the proposed change can be found not to be a deterrent to the improvement or development of adjacent property, in accordance with existing regulations. The application can be found in **conformance** with this factor.*

13. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

*Consistency analysis: It can be found that the proposed change does not grant a special privilege to an individual owner as compared to the public welfare.*

*The public's health, safety, and welfare has been considered and the change in zoning will not grant privilege to the applicant over the public welfare and can be found to be in **conformance** with this factor.*

14. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

*Consistency analysis: The property is not buildable under the existing PUD zoning, as it was mistakenly included in a rezoning application to PUD as previously stated in this staff report. It can be found that the requested zoning is consistent with the Low Density Residential Future Land Use Category and the zoning in the area and is an equally appropriate zoning district. The subject property is surrounded by the PUD, A-5, and RSF zoning districts. Existing and future residential uses are located to the north, east, south, and west, and the requested zoning is consistent with the Comprehensive Plan and LDR, and therefore appropriate. Thus, it is concluded that the application can be found in **conformance** with this factor.*

15. Whether the change suggested is out of scale with the surrounding area.

*Consistency analysis: It can be found that the proposed rezone to A-5 will allow for development at an appropriate scale, consistent with the contiguous residential uses and development trends in the surrounding area. The LDR provide specific regulations for the A-5 zoning district to ensure compatibility between uses and the scale of a project on this site will not be detrimental to the surrounding area. Thus, the Board may find that the application can be found in **conformance** with this factor.*

***In summary, the Development Director finds that the application is in conformance with the Comprehensive Plan and the 15 factors found in LDR Section 20-1498(a).***



**D. Conditions and Safeguards.** LDR Section 20-1449 allows the imposition of conditions to safeguard surrounding areas from potential incompatibilities generated by the application.

1. The Planning Commission may recommend that a rezoning application or an application to amend the LDRs be approved subject to conditions and safeguards, including but not limited to limiting the use of the property to certain uses provided for in the requested zoning district.

*Consistency analysis: The Land Development Code provides specific height, bulk, setback, density, and other regulations for the A-5 zoning district to ensure compatibility between uses.*

2. The Board of County Commissioners, after receiving the recommendation from the Planning Commission on an application for rezoning or an application to amend the LDRs, may grant or deny such rezoning or amendment and may make the granting conditional upon such conditions and safeguards as it may deem necessary to ensure compliance with the intent and purposes of the Comprehensive Plan.

*Consistency analysis: The Board of County Commissioners is scheduled tentatively to consider the application at their duly noticed September 23, 2025, public hearing.*

**J. Public notice requirements.** LDR Section 20-1502 requires notice of the date, time and place of the public hearings by the Planning Commission and Board of County Commissioners shall:

1. Be sent at least 10 days in advance of the hearings by mail to ten surrounding property owners or all owners of property within 1,000 feet of the property line of the land subject to the special exception use application; and
2. Have at least one sign posted on each road frontage; and

3. Be advertised in a newspaper of general circulation in DeSoto County at least 10 days prior to each public hearing.

The Development Director caused written notice of the hearings to be mailed to all property owners within 1,000 ft and such notice is on file.

#### **IV. ATTACHMENTS**

Exhibit A: General Location Map

Exhibit B: Interim 2040 Future Land Use Map (FLUM), Excerpt

Exhibit C: Official Zoning District Atlas amendment application, Excerpt

Exhibit D: Proposed Ordinance

#### **V. FINDINGS AND CONCLUSIONS**

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

- A. The subject property consists of a +/- 0.43 acre site located in southwest county at 8655 SW Liverpool Road.
- B. The Interim 2040 Future Land Use Map shows the property is designated Low-Density Residential (LDR).
- C. The Official Zoning District Atlas shows the property is currently zoned the Planned Unit Development (PUD) district.
- D. On March 26, 2025, an Official Zoning District Atlas amendment application (RZNE-0069-2025) was filed by the Applicant, D.R. Horton, Inc., on behalf of the Owner, EAR Property Co, which requests to change the zoning district from PUD to Agricultural - 5 (A-5).

- E. LDR Section 20-1345 requires that the application be complete and in writing. The Development Director found the filed application was submitted in writing and complete.
- F. LDR Sections 20-1345(c) provides the complete application should be distributed to the Development Review Committee (DRC) for comments, and the application was distributed to the DRC.
- G. LDR Section 20-1496(b) requires the Planning Commission to review the application at a public hearing and a duly noticed quasi-judicial Planning Commission public hearing that is scheduled for September 2, 2025.
- H. LDR Section 20-1498(a) requires consistency with the Comprehensive Plan. The application has been reviewed against the Comprehensive Plan and it can be found to be consistent with the Comprehensive Plan.
- I. LDR Division 7 establishes an adoption process and the application has been scheduled for Planning Commission and Board of County Commissioners public hearings in accordance with the LDR procedure.
- J. LDR Section 20-1498 includes criteria that must be considered when reviewing the application. The staff report shows that the application can be found to meet those requirements by the Board of County Commissioners.
- K. The LDR establishes specific public notice requirements for an Official Zoning District Amendment Development Order Application. The Development Director concludes the application has been duly noticed in conformance with the public hearing requirements and public hearings have been scheduled before the Planning Commission and Board of County Commissioners.

## **VI. PLANNING COMMISSION ALTERNATIVE ACTIONS**

The DeSoto County Planning Commission/Local Planning Agency may take one of the following alternative actions:

- A. Enter into the record the Development Review Report and all other competent substantial evidence presented at the hearing and recommend to the Board of County Commissioners to adopt the findings and conclusions contained herein, and adopt the proposed Ordinance as presented.
- B. Enter into the record the Development Review Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein, and recommend to the Board of County Commissioners to deny the proposed Ordinance.

## **VII. RECOMMENDED CONDITIONS FOR APPROVAL**

Not applicable

## **VIII. BOARD MOTIONS FOR CONSIDERATION**

- A. Approval: I move to adopt proposed Ordinance (RZNE-0069-2025), approving the rezone amendment and enter into the record the Development Review Report, findings and conclusions, and all other competent and substantial evidence presented at the hearing.
- B. Denial: I move to deny the proposed Ordinance (RZNE-0069-2025) and enter into the record the Development Review Report, findings and conclusions, and all other competent and substantial evidence presented at the hearing.