



DESOTO COUNTY DEVELOPMENT DEPARTMENT

STAFF REPORT –OFFICIAL ZONING DISTRICT ATLAS AMENDMENT

CASE INFORMATION

Application No.:	RZNE-0081-2026
Request:	Rezone from A-5 to CG
Owner/Applicant:	Vitali Ostrikov
Property Address/Location:	No Assigned Address/SW Agnes Street east of CO RD 769, Arcadia FL 34266
Parcel ID No.:	29-39-23-0000-0045-0000
Parcel Size:	5.26 acres
Future Land Use (FLU):	Commercial
Current Zoning:	Agricultural-5
Proposed Zoning:	Commercial General
Overlay District:	None

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EXECUTIVE SUMMARY

The request is for an Official Zoning District Atlas Amendment (Rezone), application (RZNE-0081-2026) filed by the Owner, Vitali Ostrikov, to change the zoning of a ±5.26 acre lot from Agricultural-5 (A-5) to Commercial General (CG).

The property is generally located in the southwest portion of DeSoto County on SW Agnes Street and designated with the Commercial Future Land Use Category. The site is vacant as shown on the boundary survey.

The DeSoto County Land Development Regulations 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), the authorizing body.

I. BACKGROUND

The application is a request to amend the Official Zoning District Atlas by changing the zoning district of ±5.26 acres from Agricultural-5 (A-5), 1 dwelling unit per 5 acres, to

Commercial General (CG) which provides for a variety of commercial uses. The application for rezone was submitted to the Development Department by Vitali Ostikov and accepted on February 4, 2026.

The Interim 2040 Future Land Use Map of the Comprehensive Plan shows the subject property designated as Commercial, and the Official Zoning District Atlas shows the subject property is currently located within the Agricultural-5 (A-5) zoning district.

II. PROPOSED ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS FOR A +/- 5.26 ACRE LOT FROM AGRICULTURAL – 5 (A-5) TO COMMERCIAL GENERAL (CG) FOR PROPERTY LOCATED AT SW AGNES STREET EAST OF CR 769, WITH PROPERTY IDENTIFICATION NUMBER BEING 29-39-23-0000-0045-0000; AND PROVIDING FOR AN EFFECTIVE DATE.

III. DATA & ANALYSIS

In all quasi-judicial proceedings, the applicant shall bear the burden of demonstrating by competent and substantial evidence that the application satisfies the standards and requirements of the LDR and the Comprehensive Plan. LDR Article XI, Administration and Enforcement, Division 7 provides the procedures for rezoning. Section 20-1498 contains 15 criteria that shall be considered when evaluating the rezone. LDR Section 20-1650 defines the 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 County Commissioners, certified and dated by the Board Chairman, as may be amended from time to time. Zoning District symbols are depicted within each boundary.

A. Comprehensive Plan Consistency

The rezoning application has been evaluated and can be found to be consistent with the following Comprehensive Plan policies:

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
Commercial	Non-residential- Up to 0.25

Consistency analysis: The property is currently designated Commercial on the Future Land Use Map and the proposed rezone to Commercial General, if approved will allow up to 0.25 FAR.

Policy 1.1.11: Rezoning. The zoning amendment criteria in the Land Development Regulations 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: Staffs has considered the above criteria. The lot has frontage on a public road and adjacent to lots zoned Commercial Neighborhood and Commercial General to the East, developed per the commercial zoning standards. Public utilities are not available in the area. Environmental protection will be considered with a future development application, subject to State standards. The rezoning review has also considered the 15 rezoning criteria contained in Section 20-1498. LDR Section 20-137 Commercial General District standards were reviewed for any possible conflicts, and these standards will be applied at the development/improvement plan stage.

Objective 1.7: Commercial Category Defined. DeSoto County shall recognize existing “Commercial” corridors by their designation and mapping on the Future Land Use Map as Commercial (COMM) and shall promote the infilling of such areas through the establishment of criteria for the development of lands within the Commercial designations and limitations to the expansion such areas.

MEASURABLE TARGET: Development Plans issued, plans reviewed and checks for business tax certificates issued or renewed.

Policy 1.7.1: Characteristics. Commercial corridors are characterized by linear concentrations of all types of commercial, office, and institutional uses along a roadway. Some linear Commercial corridors may contain existing industrial uses.

Policy 1.7.2: Designation and Mapping. Existing linear commercial areas shall be designated and mapped on the Future Land Use Map Series as "Commercial" (COMM).

Policy 1.7.3: Location Criteria. Expansion of any Commercial area shall be limited to infill development. Infilling of an existing Commercial corridor shall be limited to a depth which corresponds to the typical depth of existing development within the

general area of the infill development. The extension (along the road) or establishment of new Commercial strips shall not be permitted, except to recognized legitimate errors made during the original mapping process. Any such map-error corrections shall require that a Plan amendment be processed consistent with requirements of this policy and Chapter 163, FS. The following factors shall be taken into consideration when evaluating whether an error was made during the original mapping process and shall be used as the basis for the review of the associated plan amendment required to correct the error:

- (1) Uses of the land and development of the parcel, and surrounding land, existing as of adoption of this plan: The use of the land and existing development of the subject parcel and the surrounding area as of the adoption of the Plan would be taken into consideration when determining an error. Land that was vacant, or developed in some other manner than that of the claimed error, would be determined not to be an error.
- (2) Zoning of the parcel and surrounding land, as of adoption of this plan: The existing zoning of a parcel and surrounding area, as of the Plan's adoption date, would be considered in determining an error. However, the property's zoning would not be a factor, in and of itself, when the subject property is vacant.
- (3) Existing property lines as of adoption of this plan: Parcels existing as of the adoption date of the Plan would be considered in determining an error. Lands added to a parcel, or parcel under one ownership, since the adoption would not be considered.
- (4) Consistency with the plan: Was the subject property consistent with the Plan's criteria for the claimed land use category at the time of Plan adoption? Is the claimed designation consistent with the Plan's overall objective to control urban sprawl and to not degrade the County's overall growth management program? Isolated development and/or spot zonings would not be considered an error.
- (5) Other factors: Environmental constraints, availability of infrastructure at acceptable levels of service, and the Plan's Capital Improvement Program (CIP) at the time of adoption would be considered.

Policy 1.7.4: Development Criteria. Development or redevelopment within a Commercial corridor shall conform to the following criteria:

- (1) Permitted uses include all types of commercial, office, and institutional uses typically located along a roadway.
- (2) New development or redevelopment within a linear Commercial corridor shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment adjacent to existing uses shall be compatible with each other without allowing a higher intensity of development.
- (3) Step-down uses shall be encouraged between different intensity uses as in-fill and

shall be lower in intensity than the highest existing intensive use. Step-down uses shall be contiguous to an intensive land use, and shall not be separated from that use by an arterial road, or a natural or man-made barrier which makes the step-down use unnecessary.

(4) New development or redevelopment within a linear Commercial corridor shall incorporate the use of frontage roads wherever there is adequate public right-of-way or there is property available for the expansion of the right-of-way or the establishment of frontage-road easements to facilitate such roads in accordance with recognized highway safety standards. Whenever the placement of frontage roads is not practical, shared ingress/egress facilities shall be used.

(5) Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.

(6) Where the Commercial corridor abuts residential areas, uses should be limited to a size, scale, and intensity necessary to provide the residents of the community and surrounding area with retail, personal, and community services. New development or redevelopment adjacent to residential areas shall be compatible with adjacent existing uses without allowing a higher intensity of development.

(7) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

(8) The maximum floor area ratio shall not exceed 0.35.

Policy 1.7.5: Adjacent Development. Development adjacent to a Commercial corridor may include the following uses: Office, Residential, Institutional, Employment Center or Open Space.

B. Compatibility Analysis

Directions	Future Land Use	Zoning District	Types of Land Uses
Site	Commercial	Agricultural-5 (A-5)	Vacant
North	Commercial	Planned Unit Development,	Vacant
South	Low Density Residential	Agricultural-5 (A-5), Residential Multifamily Mixed,	Mobile homes & Single family homes
East	Commercial	Agricultural-5 (A-5)	Single Family home & Vacant
West	Commercial	Commercial General (CG) and Commercial Neighborhood (CN)	CF Movers and shed sales

The Compatibility Analysis Table illustrates that the surrounding area has some commercial zoning and uses, consistent with the Commercial Future Land Use Category. The area is slowly transitioning from agricultural to commercial along the CR 769 corridor.

Consistency analysis: The proposed zoning can be found to align with the existing zoning and uses in the area.

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

C. Rezoning Criteria

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 and staff offers a consistency analysis of each.

Criteria	Details	Yes Consistent for Approval	No Inconsistent Does not support approval
(1) Whether the proposed change would be consistent with the Comprehensive Plan.	The rezone to Commercial General is consistent with the applicable policies of the Comprehensive Plan, including the Commercial Future Land Use category.	X	
(2) The existing land use pattern.	The existing land use pattern contains a variety of residential uses and Commercial uses. The rezoning of this property to Commercial General can be considered to be compatible with the existing land use pattern.	X	
(3) The creation of an isolated district unrelated to adjacent and nearby districts.	Approval of the rezone to Commercial General will not create an isolated district, this property abuts CN, CG and PUD zoning districts and can be found to be a logical expansion.	X	
(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 County concurrency regulations.	The rezoning to Commercial General should not adversely impact the availability of adequate public facilities consistent with the level of service standards. All future developments will be evaluated for LOS standards.	X	
(5) Whether the existing district	The zoning district boundaries were not illogically drawn and the rezone can be	X	

boundaries are illogically drawn in relation to existing conditions on the property proposed for changes.	found to be a reasonable expansion of the Commercial zoning located to the east.		
(6) Whether changed or changing conditions make the passage of the proposed amendment necessary.	The property is located in a rural area with single family and commercial uses. The proposed rezoning to Commercial General can be found to be generally consistent with nearby zoning and land uses.	X	
(7) Whether the proposed change will adversely influence living conditions in the area.	The rezoning is not expected to adversely influence living conditions in the area. The site is compatible with the area.	X	
(8) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.	The rezoning from A-5 to CG will not excessively impact traffic congestion or affect public safety. All future development applications will be evaluated for traffic.	X	
(9) Whether the proposed change will create a drainage problem.	The rezoning will not have an impact drainage. Future development on the site will be evaluated for stormwater and drainage. The FEMA flood map for this area is number 12027C0267D, effective on 10/07/2021. Based upon the flood maps, the property is located in Zone X.	X	

(10) Whether the proposed change will seriously reduce light and air to adjacent areas.	The rezoning will not seriously reduce light and air to adjacent areas. The CG zoning district provides development standards, including a minimum lot size of 20,000 sq ft, minimum setbacks, and limits the amount of impervious lot coverage to 70%. These regulations will help to ensure that future development does not negatively impact light and air to the nearby parcels.	X	
(11) Whether the proposed change will adversely affect property values in the adjacent area.	Absent an analysis from a certified property appraiser, it is difficult to understand how the proposed CG rezoning will impact area property values. However generally commercially zoned property has a higher assessed value than agricultural property and therefore an adverse impact on property values is not expected.	X	
(12) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.	Changing the zoning to CG should not be detrimental to the improvement or development of adjacent property.	X	
(13) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.	The proposed change, as evaluated pursuant to the Comprehensive Plan and LDR will not grant a special privilege to an individual owner as contrasted to the public welfare.	X	

(14) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.	The property can continue to be used under the existing A-5 zoning should the Board decide to deny the rezoning.	X	
(15) Whether the change suggested is out of scale with the surrounding area.	The proposed rezone to CG is not expected to create development that is out of scale with the surrounding area.	X	

IV. FINDINGS & CONCLUSIONS

1. The subject property consists of a 5.26-acre site located in southwest DeSoto County, off SW Agnes Street east of CR 769.
2. The Interim 2040 Future Land Use Map shows the subject property is designated Commercial.
3. The Official Zoning District Atlas shows the subject property is currently zoned Agricultural-5 (A-5), 1 dwelling unit per 5 acres.
4. On February 4, 2026, an Official Zoning District Atlas amendment application (RZNE-0081-2026) was filed by the owner, Vitali Ostrikou, which application proposes to change the zoning district to Commercial General (CG), consistent with the Commercial future land use category.
5. LDR Section 20-1345 requires the application to be complete and in writing. The Development Director found the filed application was submitted in writing and complete.
6. LDR Sections 20-1345(c) provides that the complete application should be distributed to the Development Review Committee (DRC) for comments. The Development Director finds the application was distributed to the DRC February 4, 2026.
7. 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 July 7, 2026.
8. LDR Section 20-1498(a) requires consistency with the Comprehensive Plan. The application has been reviewed against the Comprehensive Plan, and it is concluded the application is consistent with the Comprehensive Plan.
9. LDR Division 7 establishes an adoption process, and the Development Director concludes the application has been processed in conformance with that requirement because the application has been scheduled for Planning Commission and Board of County Commissioners public hearings.

10. LDR Section 20-1498 also includes criteria that must be considered when reviewing the application. The Development Director finds and concludes the application meets those requirements and can be recommended for approval.
11. The LDR establishes specific public notice requirements for an Official Zoning District amendment application. The Development Director finds and concludes the application has been noticed in conformance with the zoning amendment public hearing requirements and public hearings have been scheduled before the Planning Commission and Board of County Commissioners.

In summary, the rezoning application can be found to be consistent with the 15 factors contained in Section 20-1498(a) of the Land Development Regulations.

V. ALTERNATIVE ACTIONS

1. Motion to enter into the record the staff report and all competent substantial evidence introduced at the hearing and adopt the Ordinance approving the rezone.
2. Motion to enter into the record the staff report and all competent substantial evidence introduced at the hearing and deny the Ordinance approving the rezone.

VI. HEARING SCHEDULE

- Planning Commission: July 7, 2026 – Recommendation of Approval by a vote of 4-0.
- Board of County Commissioners: Scheduled for July 28, 2026

ATTACHMENTS

- Exhibit A – Location Map
- Exhibit B – FLU Map
- Exhibit C – Zoning Atlas Map