

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0496

GONZALEZ NIVALDO

Respondents,

TO: GONZALEZ NIVALDO
SE WEST FARMS RD
ARCADIA FL 34266

RE: SE WEST FARMS RD, ARCADIA FL 34266

APN: 19-39-25-0000-0033-0000

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 **April 22, 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: 9589071052700462269110

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0496

GONZALEZ NIVALDO

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: GONZALEZ NIVALDO,
11750 VISTA RIDGE DR, FORT MYERS, FL 33913

1. An inspection on February 11, 2025, Code Enforcement Officer visited your property located at SE WEST FARMS RD, ARCADIA FL 34266 described and zoned as: A-10

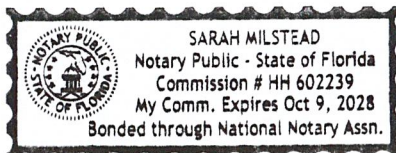
DeSoto County Tax Parcel Number #19-39-25-0000-0033-0000 more particularly described by deed or instrument number #202214005137 of the Official Records of DeSoto County, Florida.
2. **The inspection resulted in the findings that the property is doing remove of dirt from the property with out a excavation permit: Prohibited A-10 , Development Permit Required.**
3. These are direct violation of DeSoto County Land Development Regulations: LDR Sec. 20-126 d , LDR Sec. 20-1342, 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 June 10, 2024 and served by certified receipt requested/posting.
5. You are hereby notified that you must clear the violation(s): Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process. , Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits. 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 19th day of March, 2025 Affiant is
personally known to me.

Sarah
Notary Public



CODE ENFORCEMENT CASE

CASE NUMBER: 0

Name	GONZALEZ NIVALDO
Property Address	0 SE WEST FARMS RD, 19-39-25-0000-0033-0000
Zoning	A-10
Violation (1)	LDR 20-126 d PROHIBITED A-10
Violation (2)	LDR 20-1342 PERMIT REQUIRED

CASE NOTES

6/7/2024	COMPLAINT RECEIVED
6/7/2024	SITE VISIT IN VIOLATION TOOK PHOTOS
6/10/2024	POSTED N2C TOOK PHOTOS
6/14/2024	EMAIL FROM PLANNING
7/23/2024	IN REVIEW WITH DCR
8/20/2024	STILL IN REVIEW DCR
9/19/2024	DCR WILL BE UP ON 11/30/2024
12/4/2024	PER TARA GAVE THEM 30 MORE DAYS
1/7/2025	PER TARAEMAIL THEM UPDATE ON DCR
2/11/2025	SITE VISIT IN <u>VIOLATION</u> TOOK PHOTOS
3/18/2025	PER TARE NO RESPOND FROM OWNER
3/18/2025	REVIEW FOR SPECIAL MASTER HEARING

Special Master Order

_____ Violation founded _____ Owner Present _____
Correct violations within ____ days of date of hearing
C & D for two years: __Yes __ No.
\$ _____ Fine per day, per violation.
Cost of \$ _____ to be paid in _____ days.

CODE ENFORCEMENT COST BREAKDOWN

COPY	Number of copy @ \$.15 per copy	0	\$	-
SERVICE	Number of Certified letters @ \$6.11 per letter	1	\$	9.64
LEGAL SERVICE	Number of Certified letters @ \$6.31 per letter	1	\$	9.64
TOTAL			\$	19.28

X	PROPERTY CARD
X	TAX RECORD
X	DEED

7/12/2024	N2C GREEN CARD RETURN DATE	Accepted	Rejected
	HEARING GREEN CARD RETURN DATE		X

Code Enforcement Case: CE-24-0496

Entered on: 06/07/2024 00:00

Printed on: 03/19/2025

Topic: Prohibited Uses/Structures

Due Date: 03/19/25

Initiated by: Code Enforcement Officer

Hearing Date: 04/22/2025

SM Case No: 24-0496

Status: Open - Turn in for SM

Assigned To: Thomas Turnbull

Area #: A-10

Hearing Time: 11:00 am

Permit

Permit #:

Business name:

License #:

Property Location

Occupant Name:

Address: 0 SE WEST FARMS RD , 34266

Phone:

Cell #:

APN : 19-39-25-0000-0033-0000

Owner Information

Owner Name: GONZALEZ NIVALDO

Address: 11750 VISTA RIDGE DR

FORT MYERS, FL 33913

Phone:

Cell #: 239-318-8392

Actions

Action	By	Date	Time	Note/Observation
Complaint	Sarah Milstead	06/07/2024	8:00 am	From Commissioner Langford.
Inspection / Site Visit	Thomas Turnbull	06/07/2024	8:32 am	They are hailing dirt off the property without a permit. Took photos. Posted a cease and desist.
Notice of Violation	Thomas Turnbull	06/10/2024	8:24 am	> Inspection Time:8:54 am, Send to (Owner - Cert no=9589071052701588386552), Extra days(0)
Mail and Post Notice to Correct Violation	Thomas Turnbull	06/10/2024	10:01 am	Posted the N2C and mail out the letter, Took photos.
E-mail Correspondence	Thomas Turnbull	06/14/2024	2:41 pm	Email from Laura in Planning & Zoning. They turn in an application, number EXCM-21718-2024
Notice Returned unclaimed	Thomas Turnbull	07/12/2024	2:17 pm	The letter was returned and unable to forward.
Case Notes	Thomas Turnbull	07/23/2024	2:14 pm	In review with DCR at this time.
Case Notes	Thomas Turnbull	08/20/2024	8:13 am	Per Laura, it is still in review.
Case Notes	Thomas Turnbull	09/19/2024	1:58 pm	DCR will be up on 11/30/2024.
Case Notes	Thomas Turnbull	12/04/2024	2:33 pm	Per Tara, she gave them 30 more days.
Case Notes	Thomas Turnbull	01/07/2025	8:40 am	Per Tara, she will send they a letter or email to get the DCR update.
E-mail Correspondence	Thomas Turnbull	02/11/2025	8:44 am	Tara emails me a copy of the email that she sent them to recement the application.
Inspection / Site Visit	Thomas Turnbull	02/11/2025	9:51 am	Nobody was at the property; The gate was locked. Took photos. They are still in violation.
Case Notes	Thomas Turnbull	03/18/2025	1:35 pm	Per Tara, no respond from them and the exaction permit has been denied. They are still in violation
Submitted for Special Master Review and approval	Thomas Turnbull	03/18/2025	2:53 pm	Turn in for review for special master hearing

Reviewed and approved for Special Master Herring Submittal	Jorge Hernandez	03/18/2025 4:27 pm	Please prepare an affidavit of violation and Notice of Mandatory Hearing for the April 22, 2025, Special Master Hearing
SM Affidavit of Violation	Thomas Turnbull	03/19/2025 7:42 am	> Instrument No:202214005137,
Notice of Mandatory Hearing	Thomas Turnbull	03/19/2025 7:50 am	Send to (Owner - Cert no=9589071052700462269110)
Proof of Posting	Thomas Turnbull	03/19/2025 7:56 am	Send to (Owner - Cert no=9589071052700462269110)

Violations				
#	Violation Type	Due Date	Status	Closed Date
	LDR Sec. 20-126 d - Prohibited A-10		Open	
1	Corrections Required:Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.			
	LDR Sec. 20-1342 - Development Permit Required		Open	
2	Corrections Required:Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits			

Inspection Notes

Date: Time:

Findings:

DeSoto County Property Appraiser

David A. Williams, CFA

2024 Certified Values

updated: 3/13/2025

Parcel: << 19-39-25-0000-0033-0000 (21514) >>

Owner & Property Info

Result: 1 of 1

Owner	GONZALEZ NIVALDO 11750 VISTA RIDGE DR FORT MYERS, FL 33913		
Site	SE WEST FARMS RD, ARCADIA		
Description*	E 1/2 OF S 1/2 OF NE 1/4 OF SW 1/4 OR 530/133 INST:202014005228 INST:202214005137		
Area	10 AC	S/T/R	19-39-25
Use Code**	VACANT (0000)	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.

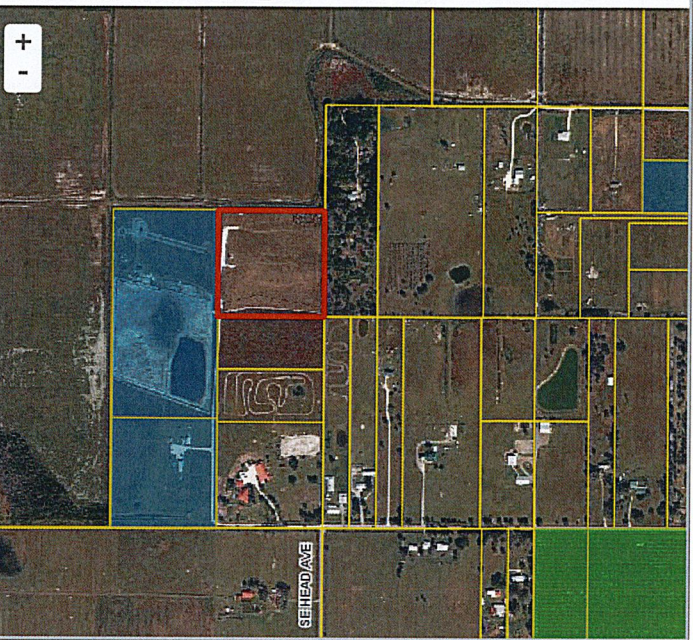
Property & Assessment Values

2023 Certified Values		2024 Certified Values	
Mkt Land	\$175,000	Mkt Land	\$175,000
Ag Land	\$0	Ag Land	\$0
Building	\$0	Building	\$0
XFOB	\$0	XFOB	\$0
Just	\$175,000	Just	\$175,000
Class	\$0	Class	\$0
Appraised	\$175,000	Appraised	\$175,000
SOH/10% Cap	\$0	SOH/10% Cap	\$0
Assessed	\$175,000	Assessed	\$175,000
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$175,000 other:\$175,000 school:\$175,000	Total Taxable	county:\$175,000 other:\$175,000 school:\$175,000

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
6/17/2022	\$215,000	202214005137	WD	V	Q	01
8/31/2020	\$115,000	202014005228	WD	V	Q	01

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
NONE					

Extra Features & Out Buildings (Codes)

Code	Desc	Year Blt	Value	Units	Dims
NONE					

Land Breakdown

Code	Desc	Units	Adjustments	Eff Rate	Land Value	* Zoning
0050	VAC ACRES (MKT)	10.000 AC	1.0000/1.0000 1.0000/ /	\$17,500 /AC	\$175,000	A-10

* 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: 1 of 1

© 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: 3/13/2025 and may not reflect the data currently on file at our office.

GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

19-39-25-0000-0033-0000

[illegible]

Notice Of AD Valorem Taxes & Non-AD Valorem Assessments

Bill # R 1871600 2024

R 19-39-25-0000-0033-0000

REAL ESTATE TAX/NOTICE RECEIPT FOR DESOTO COUNTY

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	TAX AMOUNT
DESOTO COUNTY	.0076153	\$1,332.68
COUNTY LAW ENF	.0024399	\$426.98
SCHOOL LRE	.0030960	\$541.80
SCHOOL DISC	.0022480	\$393.40
SOUTHWEST WATER MGMT	.0001909	\$33.41
TOTAL AD-VALOREM:		\$2,728.27

NON-AD VALOREM ASSESSMENTS

TAXING AUTHORITY	TAX AMOUNT
Asmt - FIRE	\$38.00
TOTAL NON-AD VALOREM:	\$38.00

COMBINED TAXES & ASMTS: **\$2,766.27**

DISCOUNT: **\$0.00**

UNPAID BALANCE: **\$0.00**

Exemptions:

Property Address:

SE WEST FARMS R ARCADIA 34266

GONZALEZ NIVALDO

11750 VISTA RIDGE DR

FORT MYERS , FL 33913

10.000 ACRES

E1/2 OF S1/2 OF NE1/4 OF SW1/4

OR 530/133

INST:202014005228

INST:202214005137

FAIR MKT VALUE	\$175,000.00	DIST	7
ASSESS	\$175,000.00	EXEMPT VALUE	\$0.00
TAXABLE VALUE	\$175,000.00		

**** PAID ****

Last Payment: 01/28/2025 **Receipt Number:** 9801664

Amount Collected: \$2,710.94 **Discount Amount:** \$0.00

Tax Roll Property Summary

Parcel	Roll Type	Year	Original Gross Tax	Original Assessments	Date Paid	Amount Paid	Total Unpaid
193925000000330000	R	2024	\$2,728.27	\$38.00	1/28/2025	\$2,710.94	\$0.00
193925000000330000	R	2023	\$2,779.35	\$38.00	4/2/2024	\$2,817.35	\$0.00
193925000000330000	R	2022	\$42.50	\$0.00	11/28/2022	\$40.80	\$0.00
193925000000330000	R	2021	\$42.48	\$0.00	12/1/2021	\$41.21	\$0.00
193925000000330000	R	2020	\$42.88	\$0.00	12/4/2020	\$41.59	\$0.00

After Recording Return to:
Tosha Morales
Arcadia Abstract & Title Company, Inc.
20 West Oak Street
Arcadia, FL 34266

This Instrument Prepared by:
Tosha Morales
Arcadia Abstract & Title Company, Inc.
20 West Oak Street
Arcadia, FL 34266
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
19-39-25-0000-0033-0000
File No.: 2022-31426

WARRANTY DEED

This Warranty Deed, Made the 17 day of June, 2022, by Giovanni Castellana, whose post office address is: 3150 18th Avenue NE, Naples, FL 34120, hereinafter called the "Grantor", to Nivaldo Gonzalez, whose post office address is: 11750 Vista Ridge Drive, Fort Myers, FL 33913, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of Two Hundred Fifteen Thousand Dollars and No Cents (\$215,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in DeSoto County, Florida, to wit:

The East 1/2 of the South 1/2 of the NE 1/4 of the SW 1/4 of Section 19, Township 39 South, Range 25 East, DeSoto County, Florida.

Together with and subject to reservations for road right-of-way and drainage purposes as described in Deed Book 233, Page 99 and in Official Records Book 8, Page 390, both of the Public Records of DeSoto County, Florida

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

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 Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants 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 2021, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: *Brandi Long* *Giovanni Castellana*
Printed Name: Brandi Long Giovanni Castellana

Witness Signature: *Barbie Hinojosa*
Printed Name: Barbie Hinojosa

State of Florida
County of DeSoto

The foregoing instrument was acknowledged before me this 17 day of June, 2022 by Giovanni Castellana, who is/are personally known to me or has/have produced driver license(s) as identification.

Barbie Hinojosa My Commission Expires: _____
Notary Public Signature (SEAL)
Printed Name: Barbie Hinojosa



Sec. 20-126. - Agricultural 10 District (A-10).

The intent of the Agricultural 10 District (A-10) is primarily agricultural, pastoral, the extraction or processing of non-phosphate minerals, and low-density residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The regulations in this district are intended to permit a reasonable use of the property, at a gross density of one dwelling per ten acres. At the same time, the intent is to prevent the creation of conditions which would endanger damage or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wildlife resources. The first priority of this district is agricultural uses.

- (1) *Uses and structures.* No building or structure, or part thereof, shall be erected, altered or used, or land used, in whole or in part, for other than the following:
 - a. *Permitted uses and structures (allowable without the need for any other use or structure).*
 1. One single-family dwelling or residentially designed manufactured home per parcel; family day care home.
 2. Agricultural uses and related uses, such as, but not limited to: animal breeding, training, stabling; bee keeping; livestock grazing; field crops; fruit and nut production; forestry; gardening; aquaculture and commercial fisheries; aviary; egg and milk production; poultry production; citrus packing; feed lots; livestock sales facilities.
 3. Wildlife management areas, plant and wildlife conservancies, refuges and sanctuaries for domestic or non-exotic animals; botanical gardens.
 4. Wholesale plant nurseries, greenhouses, and accessory of garden supplies.
 5. Sale of agricultural products, roadside produce stands.
 6. Utility grade solar plant solar facility in compliance with F.S. 163.3205, as amended.
 7. Agricultural buildings, such as, but not limited to, barns, feed storage sheds, animal storage buildings, and agricultural equipment storage buildings.
 8. Agricultural support mobile home (one only) on a parcel of land no smaller than 40 acres, having an agricultural classification for ad valorem tax purposes, and occupied by a family supporting the agricultural operation.
 9. Bed and breakfast, agri-tourism related development.
 10. Veterinary hospital and clinic.
 11. Wholesale agricultural produce transfer stations (temporary use or permanent).
 12. Hunting cabin on a parcel of land no smaller than 40 acres.
 13. Private docks.
 14. Primitive tent camping for recreational, noncommercial purposes, that:

- (i) Is provided to the general public without a fee;
 - (ii) Is provided to the general public without any associated water and/or sanitary facilities or improvements;
 - (iii) Has a maximum of two primitive camping sites per acre; and
 - (iv) Is limited to no more than seven days per calendar month per campsite.
- 15. The parking or storage of agricultural equipment and vehicles used for bona fide agricultural purposes by the property owner or lessee.
- 16. A banquet hall provided it is on property with a minimum size of 15-acres.
- 17. Electric substation in compliance with F.S. 163.3208, as amended.
- b. *Accessory uses and structures.*
 - 1. Accessory uses and structures which are incidental to and customarily associated with uses permitted in the district.
 - 2. Home occupations.
 - 3. Country clubs, tennis courts.
 - 4. Temporary occupancy of mobile home, RV, or accessory structure (see Section 20-728(c)).
 - 5. Guest house (see Section 20-660).
 - 6. Medical hardship mobile home (see Section 20-728(e)).
 - 7. Cemeteries, as an accessory use to a place of worship (see Section 20-689 (a), (b) and (c)).
 - 8. Solar facility accessory uses may include administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures.
- c. *Special exception uses and structures.*
 - 1. Agriculturally related processing, canning or packing plant; wineries that sell wine that is fermented on site; slaughterhouses; sawmills; headquarters for off-site agricultural operations; agricultural support housing (see Section 20-664).
 - 2. Aviation facilities.
 - 3. Communication transmitting and receiving facilities, non-occupied; minimum setback from any property boundary line equal to 100 percent of proposed tower height.
 - 4. Drag strips and race tracks.
 - 5. Oil and gas exploration, extraction, production and processing, sanitary landfills.
 - 6. Firing range (indoor or outdoor).
 - 7. Kenneling.

8. Place of worship.
9. Recreation and leisure, such as, but not limited to, parks and playgrounds; sports arenas; community and recreation centers; libraries; museums; marinas and/or boat rental facilities; zoo; sale of alcoholic beverages in connection with a restaurant in a golf course clubhouse.
10. Accessory apartment.
11. Golf course.
12. Excavation (other than phosphate) and related processes, earthmoving.
13. Funeral homes, refrigeration facilities as defined in F.S. § 497.005(68).
14. Parking or storage of commercial vehicles or equipment by a person engaged in the business of commercial repair of such vehicles or equipment in accordance with section 20-98(d).
15. Family cemeteries (see Section 20-689(d)).
16. Other similar uses which are comparable in nature with the foregoing.
- d. *Prohibited uses and structures.* Any use or structure not specifically or by reasonable implication allowed herein.

(2) *Development standards.*

- a. Minimum lot area: ten acres, unless otherwise specified.
- b. Minimum lot width: 300 feet.
- c. Minimum yard requirements:
 1. Front yard: 50 feet.
 2. Side yard: 30 feet.
 3. Rear yard: 50 feet.
- d. Accessory structure setback requirements:
 1. Side yard: five feet.
 2. Rear yard: five feet.
 3. Front yard: Accessory structures are not permitted in the front yard except for solar facility accessory uses.
- e. Maximum density: one dwelling unit per ten acres.
- f. Maximum impervious lot coverage: unrestricted.

(LDR, § 2304; Ord. No. 2012-01, § 2304, 5-22-2012; Ord. No. 2014-05, att. A, § 35, 10-28-2014; Ord. No. 2014-06, § 9, 10-28-2014; Ord. No. 2018-6, § 5, 3-27-2018; Ord. No. 2018-7, § 6, 3-27-2018; Ord. No. 2019-7, § 3, 6-25-2019; Ord. No. 2021-12, § 4, 12-14-2021; Ord. No. 2024-003, § 2, 5-28-2024; Ord. No. 2024-005, § 2, 6-25-2024)

Sec. 20-1342. - Development permit required prior to undertake any development activity.

Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. No development activity shall be undertaken unless authorized by a development order or development permit.

(LDR, § 12002; Ord. No. 2012-01, § 12002, 5-22-2012)



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

GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

RE: 0 SE WEST FARMS RD
PIN #: 19-39-25-0000-0033-0000
Case No: CE-24-0496

Date: June 10, 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. 20-126 d Prohibited A-10: Prohibited uses or structures for A-10 zoning

LDR Sec. 20-1342 Development Permit Required: Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into 3 or more parcels. No development activity shall be undertaken unless authorized by a Development Order or Development Permit

Facts constituting violation (including date, time, and place of violation): On **June 7, 2024** at **8:54 am**, the property located at **0 SE WEST FARMS RD** was visited and revealed the following:

You will need to get a development permit, from the Planning & Zoning Department to get a permit. 863-9934806

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

Cease and desist the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process.

Due by: June 21, 2024

Please contact our office with proof of permit/exception for the development activity being conducted on your property, or obtain the required permits

Due by: June 21, 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

A handwritten signature in blue ink, appearing to read 'T. Turnbull', with a stylized, cursive script.

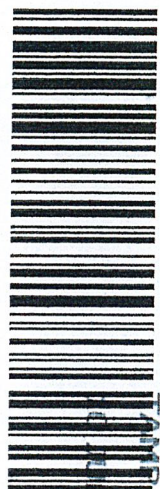
Thomas Turnbull
Code Enforcement Officer

Certified Mailing Number: 9589071052701588386552



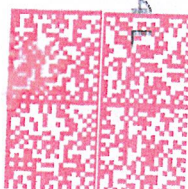
DeSoto County Development
201 East Oak St., Suite 204
Arcadia, FL 34266

CERTIFIED MAIL®



TAMPA FL 335
JUN 10 2024 PM 4:11

9589 0710 5270 1588 3865 52



quadrant
FIRST-CLASS MAIL
IMI
\$008.69
06/10/2024 ZIP 34266
043M31248616

US POSTAGE

GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

RETURN RECEIPT
REQUESTED

34266 USPS

NIXIE 339 DE 1 0007/09/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 34266445154
2101-05013-10-41

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	\$ 4.40
Extra Services & Fees (check box, add fees and postage)	
☒ Return Receipt (hardcopy)	\$ 3.03
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$ 64
Total Postage and Fees	\$ 8.69

Postmark Here

JUN 10 2024

24-0496

GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

25 598E 885T 0225 0710 6856



COUNTY DEVELOPMENT DEPARTMENT

DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34206
Telephone (863) 491-6165
Fax (863) 491-6163

NOTICE to CORRECT VIOLATION

GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

RE: 0 SE WEST FARMS RD
PIN #: 19-39-25-0000-0035-0000
Case No: CE-24-0496

Date: June 10, 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. 20-126 d Prohibited A-10: Prohibited uses or structures for A-10 zoning
LDR Sec. 20-132 Development Permit Required: Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into 3 or more parcels. No development activity shall be undertaken unless authorized by a Development Order or Development Permit.

Facts constituting violation (including date, time, and place of violation): On June 7, 2024 at 8:54 am, the property located at 0 SE WEST FARMS RD, was visited and revealed the following:

You will need to get a development permit, from the Planning & Zoning Department to get a permit. 363-9934806

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

Case and docket the prohibited use for your zoning district and contact the Development Department for assistance in finding a remedy through the permitting and zoning process. **Due by: June 21, 2024**

Please contact our office with proof of permit exception for the development activity being conducted on your property, or obtain the required permits. **Due by: June 21, 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 reoccurs 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 violation, 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 with the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, no fine will be assessed.

If you have any questions concerning this notice, please contact the County Development Department at 201 East Oak Street, Suite 204, Arcadia, FL 34206, Telephone number (863) 491-6165 or (863) 491-6163.

06/10/2024 10:01

TOMMY TURNBULL
SE WEST FARMS RD



06/10/2024 10:01

TOMMY TURNBULL
SE WEST FARMS RD



CODE ENFORCEMENT

NOTICE TO CEASE AND DESIST

LOCATION: SE West Farm Rd
DATE: 6-7-2024

REMARKS:

Removing Dirt from the property.

CODE ENFORCEMENT OFFICER

Tommy Turnbull

ANY UNAUTHORIZED PERSON REPEATING THIS VIOLATION WILL BE PROSECUTED

CONTACT: DENOTO COUNTY CODE ENFORCEMENT
201 E. GARDEN ST., SUITE 204
ARCADIA, FL 32220
(904) 894-6000

Office Details

06/07/2024 08:54

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:54

TOMMY TURNBULL
SE FARMS RD



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 6-10-24 @ 10:01 AM, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
GONZALEZ NIVALDO
11750 VISTA RIDGE DR
FORT MYERS, FL 33913

at the following location(s): 0 SE WEST FARMS RD

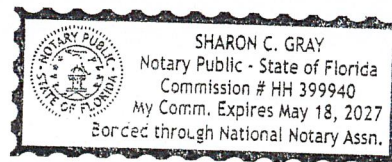
I declare under penalty of perjury that the foregoing is true and correct.

DATE: June 10, 2024

affiant

Sworn to and subscribed before me this 10th day of June, 2024 by
Thomas Turnbull who is personally known OR Produced Identification

Notary Public





02/11/2025 09:51

TOMMY TURNBULL
0 SE WEST FARMS RD



02/11/2025 09:51

TOMMY TURNBULL
0 SE WEST FARMS RD



06/07/2024 08:32

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:32

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:32

TOMMY TURNBULL
SE FARMS RD



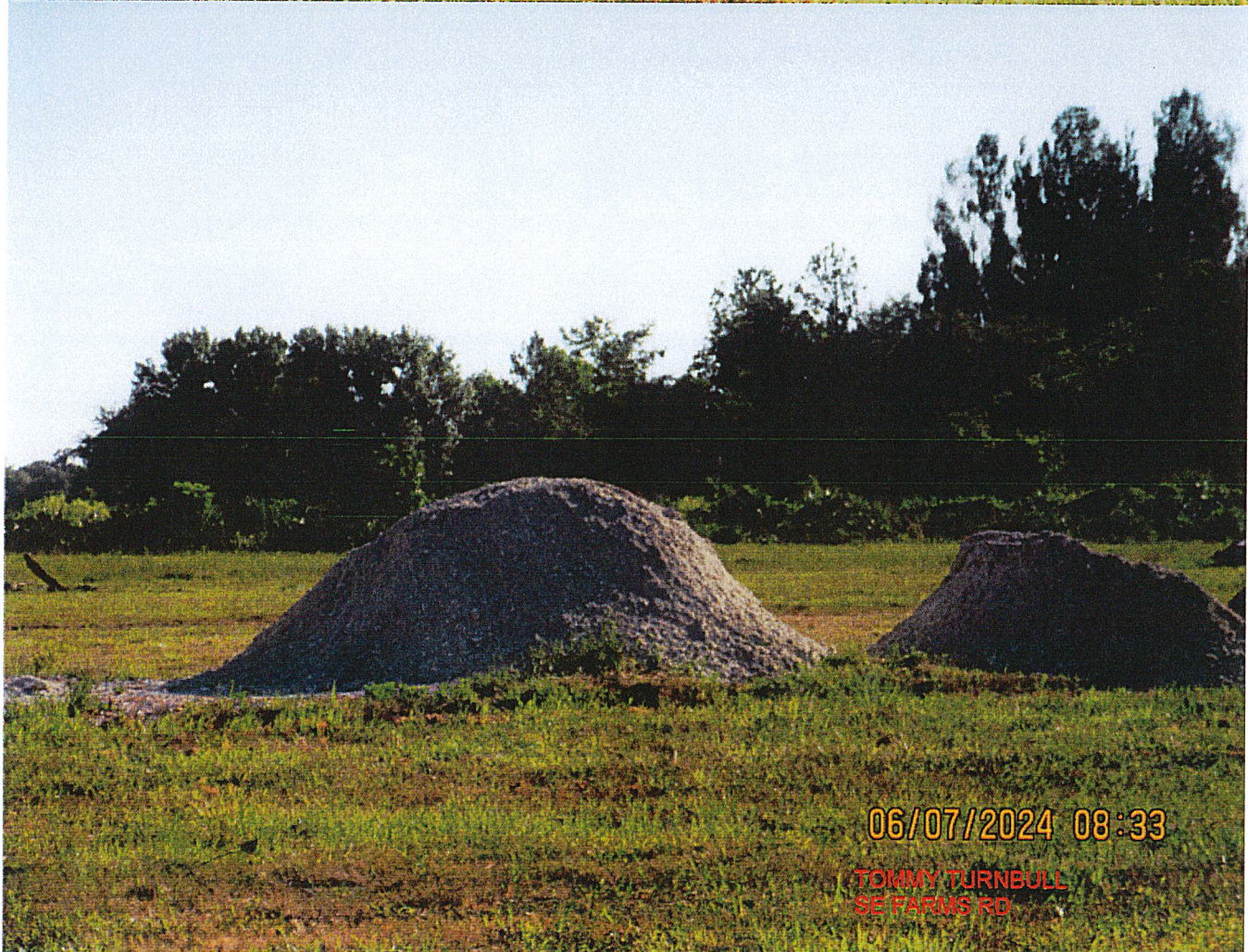
06/07/2024 08:32

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:33

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:33

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:33

TOMMY TURNBULL
SE FARMS RD



06/07/2024 08:33

TOMMY TURNBULL
SE FARMS RD



Pol check
1211

DeSoto County

Board of County Commissioners

Development Department - Planning and Zoning Division

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

Office: 863-993-4806

www.desotobocc.com

For Official Use Only:

EXCM#: 21718-2024

Accepted By: Z. McCalland

Date: 6-14-24

EXCM-21718-2024

Preliminary Type 1 Excavation Application and Checklist

In general, the purpose of a Type 1 Excavation permit is to allow for excavation and removal from the excavation site no more than 8,000 cubic yards cumulatively in less than a six-month period shall be permitted use in all land uses and districts. Additional requirements for a Type 1 Excavation can be found in the [DeSoto County Land Development Regulations](#).

Please include the checklist items on sheet 2 in the order shown. In addition, if any item is not included, please identify the item and the reason for its exclusion in the comments section at the bottom of this sheet.

APPLICANT INFORMATION

Name: NIVALDO GONZALEZ

Company (if any):

Mailing Address: 4480 HORSESHOE RD.

City: PUNTA GORDA

State: FL

Zip: 33982

Phone: (239) 314-8072

Email: nathaly82004@yahoo.com

PROPERTY OWNER INFORMATION (☒ Check if same as Applicant)

Name:

Mailing Address:

City:

State:

Zip:

Phone:

Email:

CONTRACTOR/HAULING OPERATOR INFORMATION

Survey Company Name: FRANK AND SHELLY CORP.

Surveyor's Name: Nivaldo Gonzalez

Surveyor's Phone: (239) 314-8072

Surveyor's Email: nathaly82004@yahoo.com

PROPERTY INFORMATION

Proposed Subdivision Name: ANIMAL POND

Number of Lots:

Existing Parcel ID(s): 19-39-25-0000-0033-0000

Property Address: SE WEST FARMS R. ARCADIA, FL 34266

Comments:

Giovanni
239-318-8392 Castellana

* to call if any questions
owner doesn't speak good English

Type 1 Excavation Permit Checklist

- ☒ 1. APPLICATION: A fully completed Type I excavation permit application form signed by both the owner and any contractor/hauling operator and Check list.
- ☒ 2. APPLICATION FEE: Make checks payable to the DeSoto County Board of County Commissioners. Credit Cards accepted - a 3% fee is applied. Type 1 Excavation Fee is \$100.
- ☒ 3. PROOF OF OWNERSHIP: A copy of the recorded Warranty Deed(s) of the subject property.
- ☒ 4. An aerial photo showing the excavation limits proposed, property boundary, and surrounding property within 500 feet.
- ☒ 5. Plans, drawings, and other submittals demonstrating compliance with the design requirements (engineered construction drawings for any required improvements, where determined necessary by the County Engineer). Length x Width x Depth
- ☐ 6. Any outside agency applications submitted and permits received, if applicable.
- ☒ 7. Payment of all applicable application and review fees and all enforcement fees 100.00
- ☐ 8. Posting of all required sureties satisfactory to the County, for any excavation site reclamation (this shall include an executed assurance agreement for reclamation but this requirement shall not apply for a SWFWMD Facilitating Agricultural Resource Management Systems ("FARMS") project); and.
- ☐ 9. Other supplemental submittals necessary to fully explain the application as determined by the County Engineer.

This is to certify that I am the Owner, or Owner's duly authorized agent, of the property identified herein and all the information filed herewith is true and accurate to the best of my knowledge and belief. I understand that failure to submit a complete application and checklist will be cause for not accepting or returning the application for completion.

Nivaldo Gonzalez

Printed Name of Owner or Agent

[Signature]

Owner or Agent Signature

6-17-24

Date

State of FLORIDA

County of ~~DeSoto~~ CHARLOTTE

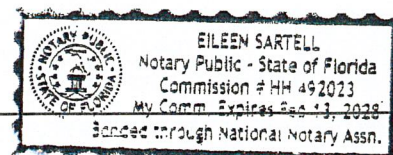
The foregoing instrument, comprised of pages 1 through 3, was acknowledged before me this 12th day of JUNE, 2024 by NIVALDO GONZALEZ who is personally known to me or who has produced FLDL EXP 5/17/2028 as identification and who did not take an oath.

[Signature]

Notary Public State of Florida

02/13/2028

My commission expires



Type 1 Excavation Permit Checklist

Sec. 20-1001. - Type I minimum design standards and requirements.

- a) Minimum standards and requirements. The following standards and requirements shall be considered minimum standards for Type I excavation operations. The Board of County Commissioners hereby delegates authority to the County staff to require additional or stricter standards and requirements in their sole discretion, when a higher standard is necessary to protect the public interest, health, safety, welfare and infrastructure due to the specific facts surrounding a particular application. These facts shall include, but not be limited to, information regarding locations, affected properties and their uses, and other relevant factors. Similarly, County staff in its sole discretion may waive requirements where such standards are not applicable and serve no valid public purpose as indicated by the specific facts related to a particular application. This delegated discretion shall be used on a limited basis and shall be justified in writing on or attached to the permit thereto.
- b) Excavation setbacks. The top of slope of any excavated area, all materials stockpiles, dewatering ponds and all facilities in connection with excavation operations shall be set back 50 feet from all excavation site property lines. This shall not include required buffers and approved entrances/exits, which may be within setbacks. For minor excavations for a pool or footer, this setback shall not apply.
- c) Operational hours. Hours of operation, including all activities associated with construction, preparation, and operation or closing the excavation site and the excavation operations, shall be limited to Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.
- d) Fencing. Silt screen fencing shall be required around the perimeter of the excavation site.
- e) Dewatering pump. No dewatering pumps or similar type pump shall be permitted.
- f) Stormwater management system. All permits from SWFWMD and/or DEP, as well as any other reviewing agency, shall be provided to the County for review prior to final approval of the excavation permit. The Board of County Commissioners hereby delegates authority to the County staff the right to implement more restrictive requirements than State agencies when deemed appropriate to protect the public health, safety and welfare. The system shall be subject to the approval of the County Engineer. Turbidity screens and silt barriers shall be used if required to protect the quality of any discharge outside the excavation site as required by the County Engineer.
- g) Bank slopes. Slopes of the bank of any excavated area shall be one foot vertically to four feet horizontally measured from the final proposed grade of the surrounding excavation site, all the way to the toe of the slope of the excavated area, excluding excavations for specific construction purposes that will be rapidly backfilled such as pools, footers, etc.
- h) Time limits of excavation operations. Excavation operations may be permitted for a Type I permit for a period of up to six months from the date the excavation permit (notice to commence) is issued. If excavation has not begun within three months after the date the excavation permit is issued, the excavation permit shall expire and a new application is required.
- i) Routes. County staff may determine a required haul route to the nearest collector or arterial road. Staff will consider safety, condition of the route, impact to surrounding properties (specifically residences), and other relevant factors in determining this route.
- j) Maximum size and depth. The maximum size of any permitted Type I excavation limit shall be 15 percent of the total excavation site square footage (less jurisdictional wetlands) or four acres, whichever is less. Note that any jurisdictional wetlands must be subtracted from the total excavation site square footage before the percentage is calculated. For example, a Type I excavation limit on a 150,000 square foot excavation site with 50,000 square feet of jurisdictional wetlands would be $(150,000 - 50,000) \times 15 \text{ percent} = 12,500 \text{ square feet}$. The maximum depth of any Type I excavation shall be 20 feet, but in no case shall the excavation penetrate the aquifer-confining layer.
- k) Administration/enforcement fees. Type I permittees are exempt from payment of enforcement fees.

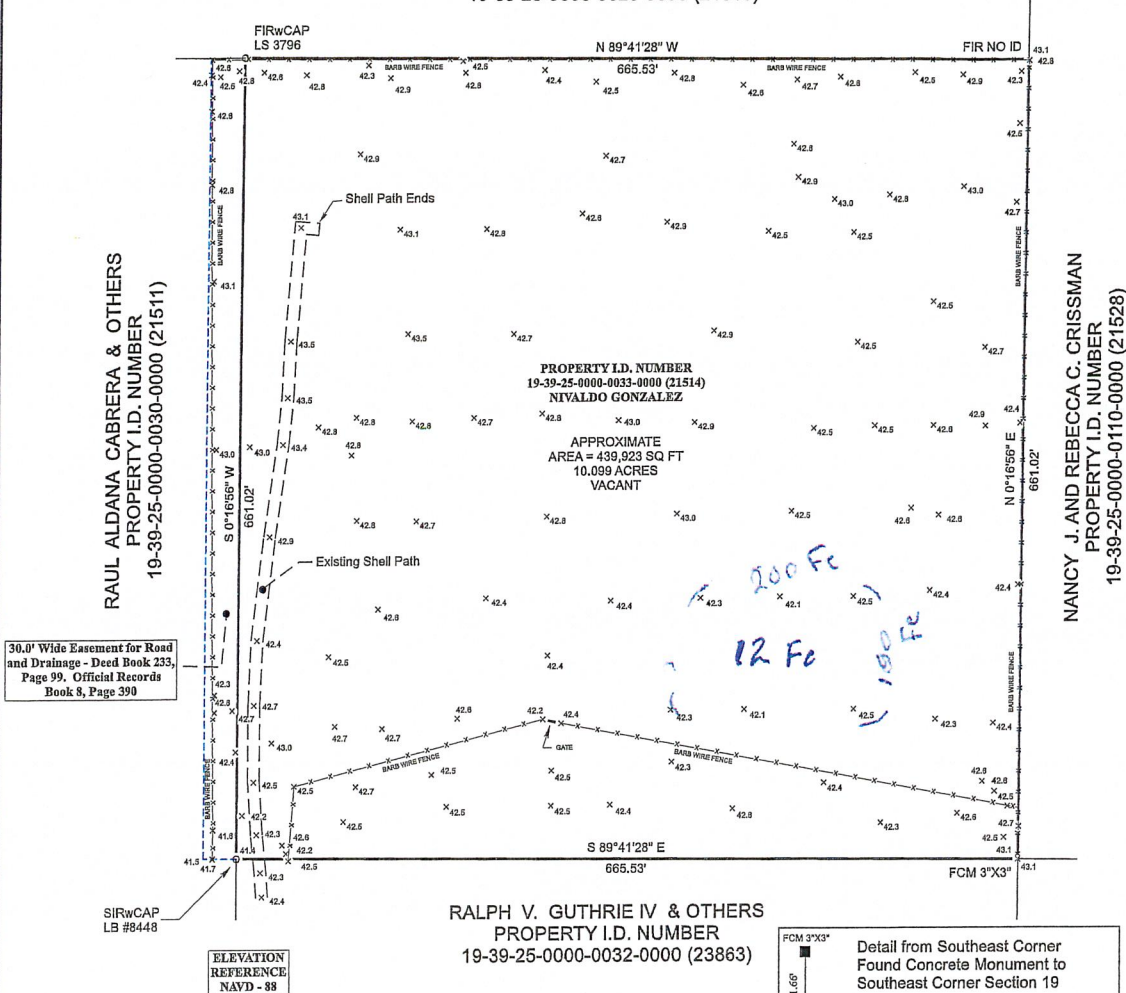
BOUNDARY & TOPOGRAPHY SURVEY
SE WEST FARMS ROAD ARCADIA, FL 34266

LEGAL DESCRIPTION:

The East 1/2 of the South 1/2 of the NE 1/4
of the SW 1/4 of Section 19, Township 39 South,
Range 25 East, DeSoto County, Florida.
Instrument Number: (202214005137)

THE NATIONAL FLOOD INSURANCE:
MAP NUMBER: 12027C0305C
COMMUNITY NUMBER: 120072
PANEL NUMBER: 0305 SUFFIX: C
EFFECTIVE DATE: 11/6/2013
FIRM ZONE: X B.F.E. = (N/A)
AREA OF MINIMAL FLOOD HAZARD
(FIRM PANEL LISTED ABOVE SHOULD BE
CONSULTED FOR VERIFICATION OF ALL
FLOOD RELATED INFORMATION).

FLORIDA POWER & LIGHT COMPANY
PARCEL I.D. NUMBER
19-39-25-0000-0020-0000 (21510)





DeSoto County Property Appraiser

David A. Williams, CFA | Arcadia, Florida | 863-993-4866

PARCEL: 19-39-25-0000-0033-0000 (21514) | VACANT (0000) | 10 AC

E1/2 OF S1/2 OF NE1/4 OF SW1/4 OR 530/133 INST:202014005228 INST:202214005137

GONZALEZ NIVALDO

Owner: 11750 VISTA RIDGE DR
FORT MYERS, FL 33913

Site: SE WEST FARMS RD,
ARCADIA

Sales 6/17/2022 \$215,000 V (Q)
Info 8/31/2020 \$115,000 V (Q)

2023 Certified Values

Mkt Lnd	\$175,000	Appraised	\$175,000
Ag Lnd	\$0	Assessed	\$175,000
Bldg	\$0	Exempt	\$0
XFOB	\$0	Total	county:\$175,000
Just	\$175,000	Taxable	other:\$175,000
			school:\$175,000

NOTES:

DeSoto County, FL

The information presented on this website was derived from data which was compiled by the DeSoto County Property Appraiser Office 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. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. This website was last updated: 6/13/2024 and may not reflect the data currently on file at our office.

GrizzlyLogic.com

[illegible]

- West Farms Rd
- SE County Rd 763
- Se Highway 31

American Land Title Association

ALTA Settlement Statement - Combined
Adopted 05-01-2015

File Number: 2022-31426
Print Date & Time: 6/15/2022 3:46 PM
Escrow Officer: Tosha Morales
Settlement Location: 20 West Oak Street
Arcadia, FL 34266

Arcadia Abstract & Title Company,
Inc.
20 West Oak Street
Arcadia, FL 34266

Property Address: SE West Farms Road Arcadia, Florida 34266

19-39-25-0000-0033-0000

Buyer: Nivaldo Gonzalez - 11750 Vista Ridge Drive, Fort Myers, FL 33913
Seller: Giovanni Castellana - 3150 18th Avenue NE, Naples, FL 34120
Lender: Giovanni Castellana - 3150 18th Avenue NE, Naples, FL 34120

Settlement Date: 6/17/2022
Disbursement Date: 6/17/2022
Additional dates per state requirements: 6/17/2022

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		Financial		
	\$215,000.00	Sales Price of Property	\$215,000.00	
		Deposit		\$10,000.00
		Loan Amount		\$35,000.00
		Prorations/Adjustments		
\$19.44		County Taxes 1/1/2022 to 6/17/2022		\$19.44
		Title Charges & Escrow/Settlement Charges		
		Title - Lender's Policy \$35,000.00 Premium - \$25.00 to Arcadia Abstract & Title Company, Inc.	\$25.00	
\$875.00		Title - Owner's Policy \$215,000.00 Premium - \$875.00 to Arcadia Abstract & Title Company, Inc.		
		E-recording Fees to Clerk of the Court	\$9.50	
\$200.00		Title - Closing Fee to Arcadia Abstract & Title Company, Inc.	\$200.00	
\$150.00		Title - Examination Fee to Arcadia Abstract & Title Company, Inc.		
		Title Service Fee to Arcadia Abstract & Title Company, Inc.	\$150.00	
		Commission		
\$10,750.00		Real Estate Commission Seller's Broker \$10,750.00 to The Williamson Group Realty Inc.		
		Government Recording and Transfer Charges		
		Intangible Tax to Clerk of the Court	\$70.00	
\$14.75		Record Satisfaction of Mortgage to Clerk of the Court		
		Recording Fees Deed: \$18.50 Mortgage: \$27.00 to Clerk of the Court	\$45.50	
\$1,505.00		Tax Stamp for State Deed to Clerk of the Court		

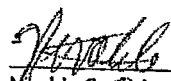
		Tax Stamp for State Mortgage to Clerk of the Court	\$122.50	
		Payoff(s)		
\$85,868.94		Payoff Mortgage to Bert Cornett Principal Balance Good Through 5/4/2022 \$84,923.27 Interest on Payoff 8.000000% Good Through 6/22/2022 (\$18.61331945/day) \$930.67 wire \$15.00		
\$35,000.00		Seller Held Mortgage to Giovanni Castellana		
Seller			Borrower/Buyer	
Debit	Credit		Debit	Credit
\$134,383.13	\$215,000.00	Subtotals	\$215,622.50	\$45,019.44
		Due From Borrower/Buyer		\$170,603.06
\$80,616.87		Due To Seller		
\$215,000.00	\$215,000.00	Totals	\$215,622.50	\$215,622.50

Title Insurance – Simultaneous Rate Premiums
The Owner's and Lender's title insurance premiums set out above represent the actual rates filed with the Florida Department of Insurance. The Owner's and Lender's title insurance premiums shown on the Closing Disclosure were calculated and disclosed in the manner required by Federal regulation as required by the Consumer Financial Protection Bureau (CFPB). Despite the difference in the breakdown of premiums disclosed, the total combined premiums as required to be disclosed by the CFPB equals the total combined premiums calculated above using the current rules and rates of this State.

SUBSTITUTE FORM 1099 SELLER STATEMENT: The information contained herein is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. **SELLER INSTRUCTIONS:** If this real estate was your principal residence, file form 2119, Sale or Exchange of Principal Residence, for any gain, with your income tax return; for other transactions, complete the applicable parts of form 4797, Form 6252 and/or Schedule D (Form 1040). This transaction does not need to be reported on Form 1099-S if you sign a certification containing assurances that any capital gain from this transaction will be exempt from tax under new IRS Code Section 121. You are required by law to provide the Settlement Agent with your correct taxpayer identification number. If you do not provide the Settlement Agent with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law.

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Arcadia Abstract & Title Company, Inc. to cause the funds to be disbursed in accordance with this statement.


Nivaldo Gonzalez

Giovanni Castellana

6-17-22
Date
6-17-22
Date



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
FRANK & SHELLY CORP

Filing Information

Document Number	P14000024596
FEI/EIN Number	46-5166726
Date Filed	03/18/2014
Effective Date	03/17/2014
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	08/13/2014
Event Effective Date	NONE

Principal Address

11750 vista ridge dr
fort myers, FL 33913

Changed: 04/20/2019

Mailing Address

11750 vista ridge dr
fort myers, FL 33913

Changed: 04/20/2019

Registered Agent Name & Address

GONZALEZ POLO, NIVALDO
11750 vista ridge dr
fort myers, FL 33913

Address Changed: 04/20/2019

Officer/Director Detail

Name & Address

Title P

GONZALEZ POLO, NIVALDO

11750 vista ridge dr
fort myers, FL 33913

Annual Reports

Report Year	Filed Date
2022	04/22/2022
2023	04/12/2023
2024	03/08/2024

Document Images

03/08/2024 -- ANNUAL REPORT	View image in PDF format
04/12/2023 -- ANNUAL REPORT	View image in PDF format
04/22/2022 -- ANNUAL REPORT	View image in PDF format
02/09/2021 -- ANNUAL REPORT	View image in PDF format
06/19/2020 -- AMENDED ANNUAL REPORT	View image in PDF format
06/01/2020 -- ANNUAL REPORT	View image in PDF format
04/20/2019 -- ANNUAL REPORT	View image in PDF format
04/16/2018 -- ANNUAL REPORT	View image in PDF format
03/28/2017 -- ANNUAL REPORT	View image in PDF format
05/06/2016 -- ANNUAL REPORT	View image in PDF format
04/22/2015 -- ANNUAL REPORT	View image in PDF format
08/13/2014 -- Amendment	View image in PDF format
08/01/2014 -- Amendment	View image in PDF format
05/20/2014 -- Amendment	View image in PDF format
03/31/2014 -- Amendment	View image in PDF format
03/18/2014 -- Domestic Profit	View image in PDF format



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

Phone: (863) 993-4806
Fax: (863) 491-6163

08/30/2024

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.

Nivaldo Gonzalez– DRC Comments – EXCM-21718-2024 – 1st Resub Type 1 Excavation

I. Planner Kathy Heitman, Comments:

1. The volume exceeds the requirements for a Type 1 excavation. Suggest the dimensions of the excavation be revised on the plan to comply with the threshold for Type 1 unless a lower slope is being proposed. Please see Engineering comments also.

II. FDOT Permit Coordinator Donna Carver, comments:

Any material on roadway (safety and operational hazards), will be the responsibility of the pit owner to remove as soon as possible

III. DeSoto County Engineer Mike Giardullo, PE comments:

1. The slope of the excavation is not noted on the site plan. The maximum allowable slope is 4:1 (horizontal to vertical). It is recommended that the slope of the excavation be depicted on the plan. **AUGUST UPDATE: Outstanding**
2. The plan depicts an excavation LxWxD of 200' x 180' x 12'. With 4:1 side slopes, the volume exceeds 8,000 CY by approximately 25%. Suggest the dimensions of the excavation be revised on the plan to comply with the threshold for Type 1 unless a lower slope is being proposed. **AUGUST UPDATE: Outstanding**
3. Setbacks are not shown on the plan. It is recommended that they be shown or included as a condition of approval. **AUGUST UPDATE: Resolved.**
4. The plan does not show the location of the silt fences. It is recommended that they be shown or included as a condition of approval. **AUGUST UPDATE: Outstanding**
5. The applicant is responsible for ensuring they have legal access for the dump trucks and excavation equipment through private properties as needed. **AUGUST UPDATE: Outstanding**
6. It is recommended that a condition be included stating that any damage to the County roadways shall be repaired in compliance with the DeSoto County Engineering Standard Details at the applicant's expense. **AUGUST UPDATE: Outstanding**

7. **AUGUST 2024 NEW COMMENT:** The parcel shown on the application (19-39-25-0000-0033-0000) which is shown to be owned by Nivaldo Gonzalez on the property appraiser's website, is not the same parcel which is illustrated on the newly provide project location map. Please review and clarify. Additional information on the route and temporary drive maybe required based on the response.

Thomas Turnbull

From: Tara Wilson
Sent: Tuesday, February 11, 2025 8:44 AM
To: Code Enforcement Dept
Cc: Planning Dept
Subject: FW: EXCM-21718-2024 TYPE 1 EXCAVATION NIVALDO GONZALEZ
Attachments: APPLICATION.PDF; DRC Comments- original submittal 7-2-24.pdf; DRC Comments- 1st resub 8-30-24.pdf; Excavation-Development Application with Operator Signature.pdf

The Development Department will be closed Monday February 17th in observance of Presidents Day.

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

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson <T.wilson@desotobocc.com>
Sent: Wednesday, January 22, 2025 11:16 AM
To: info@moradesigns.net
Cc: Planning Dept <Planning@desotobocc.com>
Subject: FW: EXCM-21718-2024 TYPE 1 EXCAVATION NIVALDO GONZALEZ

See below.

The original application is attached, along with both set of comments that were sent.

If he wants to reapply I have also attached our updated application.

Have a good day

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
www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson
Sent: Wednesday, January 22, 2025 10:00 AM
To: NATHALY82004@YAHOO.COM
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: EXCM-21718-2024 TYPE 1 EXCAVATION NIVALDO GONZALEZ

Good Morning,

This application has been closed.
Have a good day

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
www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson <T.wilson@desotobocc.com>
Sent: Wednesday, December 4, 2024 11:12 AM
To: NATHALY82004@YAHOO.COM
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: EXCM-21718-2024 TYPE 1 EXCAVATION NIVALDO GONZALEZ

Good Morning,

You are past the 90 day deadline to resubmit, we need a resubmittal by Friday the 6th or this application will be closed and code enforcement will move forward.

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

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

From: Tara Wilson <T.wilson@desotobocc.com>

Sent: Friday, August 30, 2024 2:16 PM

To: NATHALY82004@YAHOO.COM

Cc: Planning Dept <Planning@desotobocc.com>

Subject: EXCM-21718-2024 TYPE 1 EXCAVATION NIVALDO GONZALEZ

This email originated inside of Desoto County BOCC.

Good Afternoon,

See attached DRC comments.

Thank you

Have a great weekend

**The Development Department will be closed Monday September 2nd
in observance of Labor Day.**

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

www.desotobocc.com



Please send all emails to planning@desotobocc.com to ensure they are received.

Thomas Turnbull

From: Kathy Heitman
Sent: Monday, February 10, 2025 5:00 PM
To: Thomas Turnbull
Cc: Jorge Hernandez
Subject: Fire at The Truck Stop 4135 SW HWY 17.

This email originated inside of Desoto County BOCC.

Tommy,

On Saturday 2/8/2025 there was a fire at this location. It was a camper/fifth wheel and someone was living in it at this location. Everyone got out but caught other trailers on fire. The information was given to our Battalion Chief was they had permission to live there behind the building. I know there has been issues like this before and not sure if they have cleared up all the code cases.

Please let me know if you have any questions.

Regards,

Kathy Heitman

Fire Inspector & CFM

DeSoto County Board of County Commissioners

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

Phone: 863-993-4842

Cell: 863-993-5848

Fax: 863-491-6163

k.heitman@desotobocc.com

www.desotobocc.com



Thomas Turnbull

From: Laura McClelland
Sent: Friday, June 14, 2024 2:41 PM
To: Code Enforcement Dept
Cc: Planning Dept
Subject: SE West Farms Rd.

This email originated inside of Desoto County BOCC.

FYI

Mr. Nivaldo Gonzalez has submitted the Type I Excavation application. The application number is EXCM-21718-2024.

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: Laura McClelland
Sent: Friday, August 2, 2024 10:37 AM
To: nathaly82004@yahoo.com
Cc: Planning Dept; Code Enforcement Dept
Subject: RE: Excavation - SE West Farms Road

Good morning,

One more follow up on the emails below. In order for this application to move forward, we will need a legible copy of the plans. You can reach out to your surveyor that prepared the plans and have them send us either the CAD or a PDF of the plans. **This must be received by August 15th**. If not received, the application will be processed as a denial.

Thank you

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.

From: Laura McClelland
Sent: Friday, July 26, 2024 12:31 PM
To: 'nathaly82004@yahoo.com' <nathaly82004@yahoo.com>
Cc: Planning Dept <Planning@desotobocc.com>
Subject: RE: Excavation

Good afternoon,

I am following up on the email below.

We are waiting on the CAD file for the plan that was dropped off to our department on 7/12/2024 from your survey company. The application cannot go out for the 2nd DCR review until this is received. Please contact your survey company and ask them to email the CAD to planning@desotobocc.com

Thank you.

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.

From: Laura McClelland

Sent: Monday, July 15, 2024 12:42 PM

To: 'nathaly82004@yahoo.com' <nathaly82004@yahoo.com>

Cc: Planning Dept <Planning@desotobocc.com>

Subject: Excavation

We received the attached plan for the Type 1 excavation application. However, when we scan it to send it out for review it is not legible (as you can see). Please get with your engineer and have them forward us the AutoCAD file so it can be sent for review.

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.

Special Master Case Checklist

** This checklist must be completed and accompany each case being turned in for Special Master Hearing **

✓ or N/A	Respondents Name <u>Gonzalez Nivaldo</u>
	Address <u>0 SE West Farm Rd 19-39-25-0000-0033-0000</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 sited on Notice of Hearing
✓	Notice to correct (file copy)
N/A	Green Card if Received and or Track and confirm information from USP website
✓	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 case
✓	Any correspondence to or from Respondent or Respondents representative
✓	Any other supporting documentation (IE: InCode Information, Division of corporation info, Local Business Tax info, copies of permits, R.O.W forms, ECT.)

Information Legal needs to know: Any special instructions to the Legal department (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 then one person)

_____ Only reference the following violations on 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 to Legal Department

Doing Excavation, Excavation Permit was Denied
They Did not finish the Application

Officers Name Tammy Turnbull

Special Master Hearing on: 4-22-25

Reviewed by: [Signature]

Date: 3/15/25

SM CE 24-0496