

DESOTO COUNTY, FLORIDA
ORDINANCE 2025- _____

AN ORDINANCE OF THE DESOTO COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS AMENDING THE OFFICIAL ZONING ATLAS IDENTIFIED IN LAND DEVELOPMENT REGULATIONS ARTICLE 2, ZONING DISTRICTS AND REQUIREMENTS, SECTION 20-31, ESTABLISHMENT OF ZONING DISTRICTS; GRANTING TO THE APPLICANT, DR HORTON, INC., AN OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZNE-0061-2024) BY CHANGING THE ZONING DISTRICT OF +/- 124.07 ACRES FROM RESIDENTIAL MULTIFAMILY 6 (RMF-6) TO PLANNED UNIT DEVELOPMENT (PUD) ON PROPERTY GENERALLY LOCATED IN SOUTHWEST DESOTO COUNTY, SOUTH OF SW LIVERPOOL ROAD, THE PROPERTY IDENTIFICATION NUMBERS BEING 25-39-23-0000-0118-0000 AND 25-39-23-0000-0116-0000; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is owned by Robert M Tiffany & Barbara G Tiffany CO-TRS, and consists of a +/- 124.07 acre property located in southwest DeSoto County, south of SW Liverpool Road, Arcadia, FL, the Property Identification Numbers being 25-39-23-0000-0118-0000 and 25-39-23-0000-0116-0000 (Exhibit A); and

WHEREAS, the Interim 2040 Future Land Use Map shows the +/- 124.07 acre parcel is designated Low-Density Residential Land Use (Exhibit B); and

WHEREAS, an Official Zoning District Atlas amendment application was filed with the Development Department, to change the zoning district of the property from Residential Multifamily 6 (RMF-6) to Planned Unit Development (PUD); and

WHEREAS, consistent with LDR Sections 20-1497 and 20-1498, the Development Director prepared a Development Review Report addressing the factors the Planning Commission must consider when making a recommendation to the Board of County Commissioners on an Official Zoning District Atlas amendment application; and

WHEREAS, consistent with LDR Section 20-1502, the Development Director caused a duly noticed public hearing to be published at least ten calendar days before the September 2, 2025, Planning Commission meeting; and

WHEREAS, at the September 2, 2025, Planning Commission hearing, the Commission entered into the record the Development Review Report and all other competent substantial evidence presented at the hearing, adopted the findings and conclusions contained therein, and forwarded the record to the Board of County Commissioners with a recommendation that the proposed Ordinance be adopted as presented with conditions; and

WHEREAS, on September 23, 2025, the DeSoto Board of County Commissioners (Board) held a duly noticed public hearing on application number RZNE-0061-2024, and the Board considered the Development Review Report and recommendation, the Planning Commission recommendation and all substantial competent evidence presented at the Planning Commission hearing, all other competent substantial evidence presented at the Board public hearings, and determined that the application complies with the DeSoto County Comprehensive Plan, the Land Development Regulations and all other applicable regulations provided conditions are imposed; and

WHEREAS, the Board finds adoption of this Ordinance is in the best interest of the residents of DeSoto County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. *Incorporation.* The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Ordinance. In addition, the Development Review Report is the findings and conclusions to support the adoption of this ordinance and is incorporated herein by reference.

Section 2. *Property description.* A +/- 124.07 acre property located in southwest DeSoto County, south of SW Liverpool Road, Arcadia, FL, the Property Identification Numbers being 25-39-23-0000-0118-0000 and 25-39-23-0000-0116-0000.

Section 3. *Rezoning approval.* Robert M Tiffany & Barbara G Tiffany CO-TRS, owner, is hereby granted an Official Zoning District Atlas amendment (RZNE-0061-2024) changing the +/- 124.07 acres from Residential Multifamily 6 (RMF-6) to Planned Unit Development (PUD), which owner shall be bound by the Concept Development Plan attached hereto and incorporated herein as Exhibit “C” and

further agree to be bound by the following conditions:

1. The applicant shall enter into a capacity reservation agreement with the County facilitated through the DeSoto County Utilities department. Capacity for this project cannot be guaranteed until the capacity reservation agreement is fully executed, and all fees have been paid. The capacity reservation agreement must be approved by the Board of County Commissioners prior to any construction of any on- or off-site utility improvements.
2. The applicant shall provide a traffic study with the Improvement Plan submittal to address turn lane needs and the effect of the project on the intersection of SW Liverpool Road and SW Highway 17. These off-site improvements design details and any required safety and operational analysis shall be provided with the Improvement Plan.
3. The applicant shall provide a Type A buffer at a minimum adjacent to the Seminole Gulf Railroad corridor to reduce potentially adverse impacts such as noise or appearance and illustrated on the Improvement Plan.
4. The applicant shall provide design details for the amenity center, including parking, landscaping, and lighting, with the Improvement Plan submittal.
5. The applicant shall illustrate on the Improvement Plan and construct a 5' wide sidewalk on the perimeter of the project on SW Liverpool Road prior to plat approval.
6. The applicant shall secure any SWFWMD Environmental Resource Permits and ACOE permits with the Improvement Plan.
7. The 6 deviations from the Code are approved as follows and shall be illustrated on the Improvement Plan:
 - (1) Deviation from Section 20-504(C) to eliminate all street shoulder requirements where a closed drainage system is present.
 - (2) Deviation from Section 20-537(A)(5) to allow for each regular parking space to be not less than 9 feet in width and 18 feet in length.
 - (3) Deviation from Section 20-503 to allow the minimum centerline radii to comply with the State of Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as the "Florida Greenbook") as follows:

DESIGN SPEED	CENTERLINE RADIUS
15	50'
20	95'

25	180'
30	300'

- (4) Deviation from Section 20-504(A)(10) to allow for two streets to intersect on the same side of any other street at a minimum centerline to centerline distance of 300 feet.
- (5) Deviation from Section 20-600 which requires a Type B buffer for residential uses adjacent to land designated, approved, or development with residential uses to allow for a shared Type B buffer between the Liverpool and Harbour Lakes PUDs.
- (6) Deviation from Section 20-505 which requires residential projects with more than 51 units to provide two points of access to a public right-of-way to allow for a shared access point with the Harbour Lakes PUD, to the south of the Liverpool project.

Section 4. The Development Department is hereby directed to amend the Official Zoning District Atlas to codify the change approved by this Ordinance.

Section 5. This Ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED in DeSoto County, Florida this 23rd day of September, 2025.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA**

By: _____
Mandy J. Hines
County Administrator

By: _____
J.C. Deriso, Chairman
Board of County Commissioners

Approved as to Form and Correctness:

By: _____
Valerie Vicente,
County Attorney

Exhibit A; General Location Map:

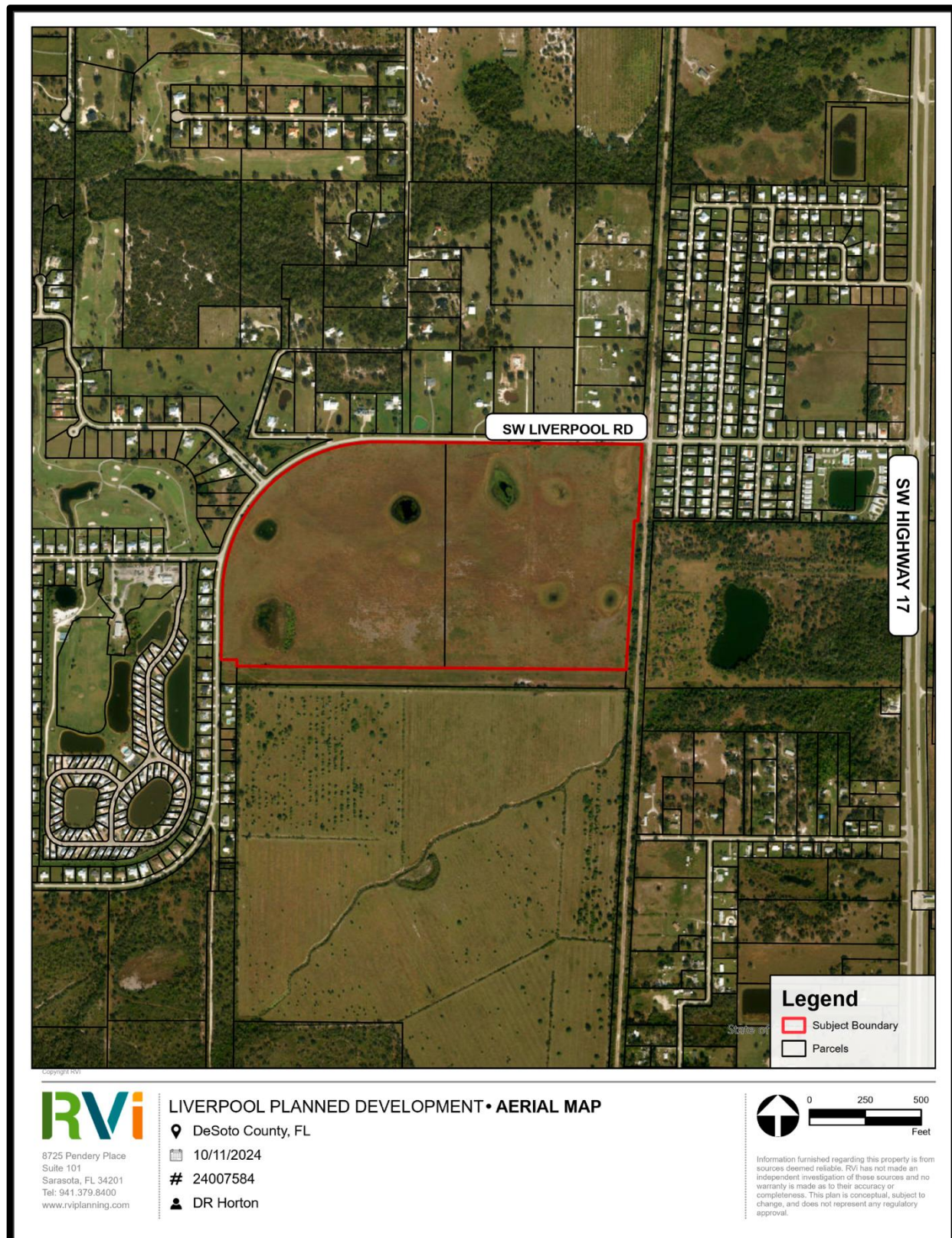


Exhibit B; Future Land Use Map:

