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2015-34

A Resolution approving a re-zoning (RZ/PUD 2015-01) re: a 99 lot motor coach community.

Adopted March 24, 2015

**DESOTO COUNTY, FLORIDA**

**RESOLUTION NO. 2015 - 34**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, APPROVING A REZONING, RZ/PUD 2015-01, FROM PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) TO DEVELOPMENT WITH A CONCEPT DEVELOPMENT PLAN FOR A 99 LOT MOTOR COACH COMMUNITY ON 50.2+/- ACRES, IDENTIFIED AS ALL OR PORTIONS OF TAX ID 26-39-23-0000-0063-0000 AND 35-39-23-0000-0070-0000 LOCATED IN SECTIONS 26 AND 35, TOWNSHIP 39, RANGE 23 IN DESOTO COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, requested approval of a rezoning from Planned Unit Development to Planned Unit Development for the development of a 99 lot motor coach resort community on 50.2+/- acres and identified as all or a portion of tax id numbers 26-39-23-0000-0063-0000 AND 35-39-23-0000-0070-0000; and

**WHEREAS**, approval of the requested rezoning to PUD with a Concept Development Plan supersedes, replaces and voids the previous PUD and Concept Development Plan approvals authorized under Resolution 2013-58, as applicable to the land described by the associated legal description for this application; and

**WHEREAS**, notice of this public hearing was published according to law and proof of publication has been provided to the County Administrator, serving as Clerk to the Board of County Commissioners; and

**WHEREAS**, public hearings on the proposed Rezoning have been held by the DeSoto County Planning Commission, on March 17, 2015; and

**WHEREAS**, the DeSoto County Planning Commission, serving as the Local Planning Agency, approved said Rezoning at a public hearing held on March 24, 2015, after considering the Rezoning's consistency with the DeSoto County Comprehensive Plan and compliance with the DeSoto County Land Development Regulations; and

**WHEREAS**, the DeSoto County Board of County Commissioners, having considered the Staff presentation, and the testimony and evidence at the public hearing on March 24, 2015, finds that the proposed Rezoning, is consistent with the applicable elements of the DeSoto County Comprehensive Plan, complies with Sections 12504(A) (1-15), (5), (6), (8) (9) and (11) and Sections 2322(F)(1-13) of the Land Development Regulations; and

**WHEREAS**, the Board finds that Approval of this Rezoning is in the best interest of the residents of DeSoto County, Florida.

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

**Section 1.** The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.


**Section 2.** The Application for Rezoning to Planned Unit Development, RZ/PUD 2015-01, is hereby APPROVED subject to the conditions, uses and Concept Development Plan attached in Exhibits 1, 2, 2A, 3 and 4.

**Section 3.** Approval of this resolution supersedes, replaces and voids Resolution 2013-58 in its entirety, and the Concept Development Plan approved thereby.

**Section 4.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this 24th day of March, 2015.

ATTEST:

  
Mandy Hines  
County Administrator

BOARD OF COUNTY COMMISSIONERS  
OF DESOTO COUNTY, FLORIDA

By:   
Gabriel Quave  
Chairman

Approved as to form and legal sufficiency:

  
Donald D. Conn  
County Attorney

Filed with the Clerk to the  
Board of County Commissioners:



Date: 3/26/15

**EXHIBIT 1**  
**Conditions of Approval**  
**Planned Unit Development 2015-01**

1. Development on the subject property shall occur as generally illustrated in the Planned Unit Development (PUD) Concept Development Plan submitted by the applicant, prepared by Banks Engineering, dated February 2, 2015, except for such modifications as may be required to the conditions of this PUD zoning district. Also, the site plan review conditions of approval are required to be met.
2. All conditions of approval may be enforced by the DeSoto County Code Enforcement Officer.
3. The subject property shall be developed as a "motor coach resort" and must meet the proposed PUD standards, except where the PUD conditions or PUD Concept Development Plan may establish higher standards. Further use requirements include:
  - a) Resort occupancy shall be limited to Class "A" or Type "A" recreational vehicles as shown on Exhibit 2;
  - b) Park model recreational vehicles, towable recreational vehicles, including but not limited to travel trailers, fifth-wheel trailers, pop-up or folding trailers and truck campers and tent and other forms of outdoor camping shall be prohibited (as shown on Exhibit 2A);
  - c) The occupancy of any RV lot by an individual or group of individuals shall be limited to 180 days, and no individual or group of individuals may re-establish occupancy of any RV lot until at least 30-days following their departure.
  - d) No "rental pool" shall be established or implemented for the RV lots within the project.
  - e) The applicant shall comply with all State and County statutes and regulations regarding the operation of RV parks.
  - f) The use of on-site facilities shall be limited to residents and their invited guests.
  - g) In-ground campfires, fire pits and other open (non-grill) fires shall be prohibited. Outdoor fireplaces, fire pit tables, above ground free-standing covered fire pits, and other similar devices will be permitted.
  - h) No commercial activity shall be permitted on any motor coach site.
  - i) Construction of companion cabins (which may contain one bathroom), screened enclosures and outdoor kitchens shall be permitted as accessory structures on all lots. Additionally, companion cabins (which



may contain one bathroom), screened enclosures and outdoor kitchens shall be permitted as accessory structures on all lots. Additionally, companion cabins (which may contain one bathroom and one kitchen) shall be permitted as accessory structures on lots 42 – 53.

- j) The applicant shall provide a "B" type buffer along the east, south and west perimeter of the project site adjacent to residential areas. The "B" type buffer shall be a minimum of 30-feet in width, consist of a minimum 6-foot wall, berm or combination thereof, and shall contain a total of 4.5 trees and 20 shrubs for every 100 linear feet. Landscape materials shall be planted on both sides of the berm and/or wall; where there is a wall, the landscaping will be placed on the side of the adjoining property owner instead of the interior to the development. The applicant shall place the berm and/or wall so that maintenance can be provided on each side of the screening buffer. The applicant shall provide a landscape plan to Planning and Zoning which delineates the location and type of physical buffer (i.e. berm and/or wall) being proposed, the enhanced planting layout including size, type and planting schedule, location and type of irrigation proposed. Also the landscape plan should include all common and water management areas that will be maintained by the Home Owners Association.
- k) A homeowners or property owners association shall be created for maintenance of all common elements including, but not limited to, landscaping, roads, lighting and stormwater management.
- l) The applicant shall submit to the County a draft copy of deed restrictions prior to plat approval.
- m) All on-site lighting shall be restricted to low pathway lights or low-profile (no higher than 10-feet) shielded and directed lighting so that the light does not shine beyond the boundaries of the subject property.
- n) The applicant shall provide the County with the appropriate permits and development conditions from SWFWMD, FWC or other appropriate agency.
- o) Each lot shall have full electrical hook-up with a minimum of 50 ampere service.
- p) There shall not be any permanent or temporary attachments to the motor coach.
- q) All motor coach pads shall only be constructed of reinforced concrete or pavers (as approved by the County Engineer).
- r) The developer and later the Home Owners Association shall keep a log that records and maintains the name, arrival and departure dates of Motor Coach property owners.
- s) The outside storage area shall be enclosed by at least a seven (7) foot opaque fence and gate. All security lighting shall meet the standards described in condition "m".
- t) All Class "A" Motor Coaches staying within the development shall have a minimum length of 34-feet and shall not be older than 12 years old.

## EXHIBIT 2 INCLUDED RECREATIONAL VEHICLE CLASS "A" MOTOR COACH

### Definition

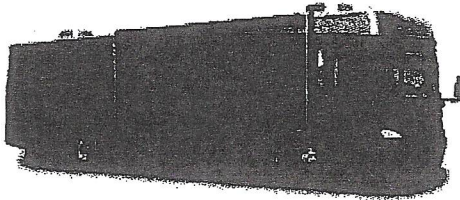


Photo courtesy of Gulf Stream Coach

The Class A motor home is a recreational vehicle built on a stripped truck chassis where the driving compartment is an integral part of the RV interior. Class A motor homes look like busses.

Unlike the Class C motor home, the chassis of a Class A does not come from the factory with a driving compartment (or cab). The chassis includes the following major components: frame, engine, fuel tank, axles, drive train, wheels, tires, steering column, engine and braking controls, and dashboard instruments.

Other terms used for Class A motor home:

- Coach
- Motor coach

## Exhibit 2A

### Excluded Recreation Vehicles Types

## RV TYPES, TERMS & PRICES

**Recreation Vehicle (RV)** - A motorized or towable vehicle that combines transportation and temporary living quarters for travel, recreation and camping. RVs do not include mobile homes, off-road vehicles, snowmobiles and conversion vehicles. RVs are sold by recreation vehicle dealers.

### Towable RVs

*Designed to be towed by family car, van or pickup truck. Can be unloaded and left at the campsite while you explore in your auto.*

#### **TRAVEL TRAILERS**

**Conventional Travel Trailer**  
Wide range of floor plans and sizes  
Affordable homelike amenities  
Sleep up to 10  
Typically \$8,000 to \$95,000 new



**Fifth-Wheel Travel Trailers**  
Spacious two-level floor plans  
Towed with a pickup truck  
Sleep up to six  
Typically \$18,000 to \$160,000 new



**Travel Trailers with Expandable Ends**  
Ends pull out for roomy sleeping  
Lightweight towing  
Sleep up to eight  
Typically \$10,000 to \$30,000 new



**FOLDING CAMPING TRAILERS**  
Fold for lightweight towing  
Fresh-air experience with RV comfort  
Sleep up to eight  
Typically \$3,000 to \$22,000 new



**TRUCK CAMPERS**  
Mount on pickup bed or chassis  
Go wherever your truck can go  
Sleep up to six  
Typically \$6,000 to \$55,000 new



### Motorized RVs

**Type B Motorhomes**  
Commonly called van campers  
Drive like the family van  
Sleep up to four  
Typically \$60,000 to \$130,000 new



**Type C Motorhomes**  
Similar amenities to Type A's  
Optional sleeping space over the cab  
Sleep up to eight  
Typically \$45,000 to \$200,000 new



**SPORT UTILITY RVs**  
Available motorized and towable (as travel trailers or fifth-wheelers).  
Built-in garage for hauling cycles,  
ATVs, and other sports equipment  
Sleep up to eight  
Typically \$10,300 to \$170,000 new



**RECREATION VEHICLE INDUSTRY ASSOCIATION**  
1895 Preston White Drive • Reston, VA 20191  
Phone: (703) 620-6003 Fax: (703) 620-6071 [www.RVIA.org](http://www.RVIA.org)

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## **Exhibit 3**

### **A. USES AND STRUCTURES**

#### **1. Permitted Uses and Structure**

- a. Lots for Class A motor coaches and Bus Conversion motor coaches, i.e motor coaches built on either a truck chassis or a bus chassis where the driving compartment is an integral part of the vehicle interior: One (1) per lot

#### **2. Accessory Uses and Structures**

- a. Accessory uses and structure customarily associated with motor coach resorts, including open patios, outdoor kitchens, recreational facilities, clubhouse and utilities.
- b. Dead storage area subject to the following requirements:
  - (1) Such use shall not occupy more than one (1) acre.
  - (2) The area shall be screened from adjacent residentially zoned property by as visual buffer and enclosed by an opaque fence and gate.
- c. Community and recreation centers, golf courses, driving range.
- d. Individual storage cabin which may also contain on bathroom; with the exception of cabins on Lots 42-53, which may contain one (1) bathroom and one (1) kitchen.

### **B. DEVELOPMENT STANDARDS**

- 1. Minimum lot size: 5000 square feet
- 2. Minimum impervious lot coverage: 70%
- 3. Minimum Yards:
  - a. Within lots: No required minimum
  - b. From exterior boundary of the community or any required buffer area: 10 feet



- c. From public right-of-way: 25 feet
- d. From private right-of-way: 25 feet
- e. Separation between structures: 10 feet
- f. Accessory companion cabins
  - (1) Side: 5 feet
  - (2) From right-of-way: 25 feet

4. Standards for operation

- a. All lots shall have direct access to an internal street for safe and convenient access to a public street.

- b. No motor coach shall be occupied for a period exceeding 180 consecutive days in a 12 month period. The motor coach or motor coach site must be unoccupied for 30 days prior to being occupied for an additional period. The intent of this provision is to prohibit the use of the lot for permanent use as a dwelling.

5. Minimum off-street parking:

- a. One (1) automobile parking space per lot shall be provided. Such space may be located within the paved area of a lot.
- b. All other uses accessory to the park shall comply with Section 7300 of the DeSoto County Land Development Regulations.
- c. No trailers or motor coaches are permitted to be stored on a lot.

# EXHIBIT 4 CONCEPT DEVELOPMENT PLAN

