

Memorandum

To: Margaret Emblidge, AICP

From: Alexis Crespo, AICP

Date: November 16, 2019

Subject: Montura Ranch Estates Land Use Study - Kick-Off Meeting Summary

Waldrop Engineering, P.A., and Hendry County Staff conducted a Kick-Off Meeting for the Montura Ranch Estates Land Use Study (Project) on Saturday, November 16, 2019. The meeting was held at 10:00 a.m. at the Central County Water Control District (CCWCD) Meeting Room at 475 S. Cabbage Palm Street, Clewiston, Florida, 34134.

The sign-in sheets are attached as Exhibit "A" and demonstrate approximately 20 attendees came to the meeting. The agenda distributed to attendees is attached as Exhibit "B". The agenda and meeting was translated from English to Spanish by an interpreter.

Margaret Emblidge, Hendry County Planning & Community Development Director, provided introductions and explained the purpose of the Land Use Study. She introduced Fred Drovdljic, Alexis Crespo and Lindsay Robin with Waldrop Engineering. She also introduced Myra Johnson and Emily Hunter with Hendry County. She noted Mr. Juan Mata with the CCWCD Board was in attendance.

Fred Drovdljic presented a PowerPoint presentation attached as Exhibit "C" outlining the purpose of the Land Use Study; general information on community planning; discussion on land uses and the community survey; and closed on an explanation of the project schedule moving forward.

Following the Consultant's presentation, the meeting was opened up to attendees to make comments and ask the County questions regarding the project. The following is a summarized list of the questions asked and responses given.

Question/Comment 1: What brought all this to happen. Why is this (study) being conducted and why now?

- **Response: Margaret advised that Hendry County has been asking for grants to fund a study of Montura for several years, adding that Hendry County Staff time and funding is limited. The County has requested grant funding 3 times from the state and not been approved. This year the County was able to budget the funds and secure the support of the CCWCD to start the effort and hire Waldrop Engineering. The County has pursued similar land use studies in other areas of the County, such as Wheeler Estates, located in the far west side of the County. She noted the County had a great result from this effort, which included amendments to the Comprehensive Plan and Land Development Code. It was noted that the project was supported by the community. This is a good**

example for Montura and Staff can provide copies of the Wheeler Estates study if anyone is interested.

Question/Comment 2: Does this project have anything to do with the Airglades Airport expansion.

- **Response: No, that is a separate study. The area around the airport has similar issues to Montura in that there are not services for all the land uses needed, but it is a different study entirely.**

Question/Comment 3: Will this study impact our taxes?

- **Response: No, the changes that will come from this study will not impact taxes.**

Question/Comment 4: Thank you for the information and coming to the community. We are concerned the County is taking away our ability to ride ATVs in the community.

- **Response: Margaret asked Mr. Mata to respond to this comment. She noted the use of ATVs is not regulated by the County. Mr. Mata noted he met with Sheriff Whidden last week about 4-wheeling and security in the community. He said when someone is driving their 4-wheeler on private property that is legal. Once an ATV is driven off of private property onto public property and roads, this is illegal. Enforcement is up to the deputy, but he clarified that the use of ATVs off of private property is at your own risk.**

Question/Comment 5: What about (driving ATVs) parallel to canals?

- **Response: Unless it is private property, it is illegal. Mr. Mata offered his phone number to be contacted if there are other questions on this matter.**

Question/Comment 6: On CR 833, I was told property is zoned commercial. However, the Property Appraiser does not list it as commercial. Do I need to rezone property in that area for commercial use?

- **Response: Margaret confirmed that a rezoning will be required to develop commercial uses in the community. She also noted that through the land use study the County will examine where those commercial uses should be located. Rezoning all the property on CR 833 to commercial could be problematic due to the traffic generated by non-residential uses. Additional access or frontage roads would be needed to avoid traffic congestion on CR 833. She asked attendees to provide their input through the survey on where commercial uses should go.**

Question/Comment 7: In the future are you trying to incorporate Montura into Hendry County?

- **Response: Montura is already in unincorporated Hendry County. The 298 special district is an additional entity that is responsible for infrastructure in the community.**

Question/Comment 8: What is a 298 district?

- **Response: A 298 district is a special district established by the legislature that allowed for the creation of the CCWCD. The district boundaries were shown on the presentation slide to clarify the area in question.**

Question/Comment 9: Do you have plans to incorporate Montura Ranch Estates?

- **Response: No, that is not part of this effort. Mr. Mata added that it is important to keep the Montura area as a special district and there are no intentions to incorporate. Margaret added that there are limitations on the ability to incorporate, such as a minimum number of dwellings and residents.**

Question/Comment 10: What are the rules on sheds, barns and “outbuildings”?

- **Response: Margaret clarified that these structures are allowed as long as the property has a residence built on it. These structures are subject to setbacks and permitting through Hendry County.**

Question/Comment 11: Some properties are covered with outbuildings. I believe these are violations.

- **Response: We will have code enforcement come and look at those properties. Please provide Myra with addresses of properties you believe are in violation.**

Question/Comment 12: Also, people are dumping trash on their properties. That is a violation.

- **Response: Margaret noted that Montura is scheduled to have a code enforcement “sweep” in coming months as part of Hendry County’s larger code enforcement efforts. The County appreciates information and tips from the community on code enforcement issues due to limited staff and time. She asked attendees to let her staff know the properties that have issues.**

Fred added that code enforcement efforts and this land use study are happening concurrently but are not directly related. The amendments from the land use study are long-term fixes for the community and are not intended to address immediate violations of the code. Staff and the consultant team will do our best to clarify the difference between planning and code enforcement activities as we move forward.

Question/Comment 13: Do you know how close the new toll road (Heartland Expressway) is to the Montura community?

- **Response: We don’t know the exact alignment at this point. We are watching the discussions on the roadway. Emily Hunter noted that Commissioner Wills is on the state task force for the planning of the road. She clarified there is no route confirmed and the County is watching the project closely. The County can provide additional information in future meetings.**

Question/Comment 14: Do you know what is happening with telephone companies? We have no signals.

- **Response: The County cannot answer that question. We don’t know anything about the phone service.**

Question/Comment 15: In reference to the new zoning under this study. What happens to the farm animals and fish farms that are in violation?

- **Response: Margaret noted there was a recent amendment to the zoning code that removed commercial agriculture as a permitted use in the area. Existing commercial agriculture is grandfathered though.**

Question/Comment 16: If you live next to a pig farm now, who is in charge if pigs are escaping? Is that a code enforcement issue?

- **Response: Please call the Sheriff's Office. They have an agricultural department in charge of assisting with those issues.**

Question/Comment 17: I own property on CR 833 that is zoned residential. If someone tries to rezone property on CR 833 to commercial usage, do the surrounding property owners get notified of these requests?

- **Response: Yes. Notifications are sent to owners 750 feet around the property proposed for rezoning. It was clarified that no one can request to rezone someone else's property to commercial unless the property owner provides authorization.**

There were no further questions or comments. Margaret noted that Staff and Waldrop representatives would stay for a while to discuss any further questions. She asked that everyone continue to participate, fill out the surveys and tell their neighbors about the meetings. The surveys were distributed in English and Spanish languages. The meeting concluded at approximately 11:30 a.m. The meeting was recorded per the CD attached as Exhibit "D".