

Staff Report Exhibit C - Applicant Justification Statement

Little Ranches Polo Trust
Neil Winer, Trustee
10299 Southern Blvd., Unit 210452
Royal palm Beach, FL 33414

May 23, 2022

Planning & Zoning:

Letter of Request for Master Plan Amendment
at 977 Cindy Drive, Wellington, FL 33414

This letter is intended to request a master plan amendment on the property referenced above. The intention since the beginning of my purchasing this piece of land is to build my dream home where my son and I can live bringing enjoyment to our lives. Unfortunately in the pursuing of this so many hardships had happened.

This property was dedicated as park and recreation and I have been trying for the past 15+ years to change the use in order to meet my initial intention. It has been a hardship with this situation as every attempt to move forward has been verbally denied by Wellington officials.

It is my belief that with this request I am not creating any burden on any neighboring residence. The proposed style and structure of the house will be in line with the existing neighborhood. And last but not least, the proposed project will be an improvement to the neighborhood. I'm proposing to make an exemption with only the side setbacks as the table attached is shown.

I'm basically asking to allow to build a single family home in the referenced piece of land with setback requirements as per the width of the land allow me only 5' setbacks at each side of the property. The proposed floor area ratio will be only 47% of the net land use of the property.

Attached is a survey with the proposed side setbacks and some renderings with a foot print and images of the initial concept as well as the master plan location and Little Ranches Situation.

Thank you for your consideration and attention to this matter.

Respectfully submitted,



Little Ranches Polo Trust
Neil Winer, Trustee

Cindy Drive (2022-0003-MPA) Revised Side Setback of 15 ft. (10 ft. Reduction)
Received 10/17/2022

Damian Newell,

Would you be kind enough to distribute this updated information to the planning and zoning members that will hear my case this week. If it needs to be uploaded to my account on the Village application website would you be able to upload and place it in the appropriate needed area for all parties concerned.

The current terms cause the area within the side setbacks to be too small to build a house on. However, complying with the literal terms of the current ordinance prevents me, the applicant from securing a reasonable return from, or make reasonable use of this property. The Village of Wellington (Wellington) is claiming the property to be open space and recreation. And due to limited side setbacks have given a recommendation for denial. No one from the community has used this land for over 15+ years.

This hardship or practical difficulties of which are cited do not result from the unique characteristics related to the land such as natural features or topography. The hardships are the result of the lot per Wellington being unbuildable due to its opinion the land is open space and recreation along with the lot size not meeting the side setbacks for a buildable lot. I am updating my request to propose only a 10' reduction on the sides. The home will be 20' wide. In addition, the home will look like a barn from the outside. There are houses and barns on both sides of the property. We simply want to build a new house with the exterior appearance of a barn to match the other neighbors. Currently with the restrictions Wellington has placed upon the lot renders the lot pretty much useless.

The hardship is not a result of our own actions. We relied on Wellington's published documentation that there were no open space and recreation areas in Little Ranches. And the side setback restriction for this 50' wide property allows a home width of zero feet making it impossible to place a home upon the property.

If granted, this amendment of the PUD will be in harmony with the general purpose and intent of the ordinance and preserve its spirit. It will be characteristic of the other structures on either side of the property.

If granted this amendment of the PUD will secure the public safety and welfare and do substantial justice. The vacant lot becomes a new home and trespassers that do not belong in the neighborhood will no longer be able to hang out upon the vacant property. It will help the appearance of the neighborhood. This will put an empty lot to use and bring in more revenue for Wellington.



RESPONSES;

1R

1. Because a government agency sold me this piece of land. I was sold this land for private use to build my home not for public use.
2. Because after 16 years of hardships trying to build my dream home I have the right of enjoyment with my land.
3. Last but not least, the future land use is in line with our request, obtainable with the amendment of the PUD.

Little Ranches Polo Trust by Neil Winer, Trustee
Neil Winer Trustee 8/23/2022

2R

According to the Wellington Future Land Use Map, the land use subarea is "B" for said parcel.

Table 6.8-1. EOZD Property Development Regulations

Overlay District/Subarea	Maximum Density	Minimum lot Size	Width	Depth	Maximum FAR	Maximum Building Cov
LROZD/A (required)	0.2 DU / AC	5 acres	300 ft	300 feet	0.20	20%
977 Cindy Dr. Parcel (proposed)	1.0 DU / 1/4 AC	1/4 acre	50 ft	212 feet	0.25	25%

Above is referenced from the Wellington Future Land Use Map. Land use designation B, TractID R1, Land Use Description B.0.1 d.u./acre – 1.0 d.u./acre, Land Use Category Residential.

Table 6.8.1 EOZD Property Development Regulations from Wellington Website attached.

Below are references of other lots not meeting the EOZD regulations.

Neighboring homes in this subdivision are below the "5 acre" land use requirements as follows;

- 879 Cindy Drive – Craig Shoemaker 3 acres
- 729 Cindy Drive – Elaine + Todd Perry 3 acres
- 667 Cindy Drive – Michael Barnum 3 acres
- 607 Cindy Drive – Lisa Foreman 3 acres

3R

3. I have spoken to people in the Little Ranches community since I have purchased the land on Cindy Drive. I have received positive feedback and several people I have spoken with are listed below;

<u>DATE</u>	<u>PERSON</u>	<u>ADDRESS</u>	<u>CONTACT#</u>
08/09/2022	Butch Waller	11781 West Rambling Drive	561-644-5478
08/10/2022	Olga Montalvo	11875 S Rambling Drive	561-906-2501
08/10/2022	Maria Barrera+Mauricio Rivadeneira	835 W Rambling Drive	561-667-0695
08/10/2022	Drew Golden	967 W Rambling Drive	561-644-1449
08/11/2022	Harry Knopp	361 Cindy Drive	724-689-9088
08/11/2022	Christine Wodka (behind prop)	1136 Summerwood Cir	561-317-3864
08/11/2022	John Aristizabal	793 W Rambling Drive	786-247-2730
08/13/2022	Steve Hainline (HOA President)	11949 Acme Road	561-308-0217

I reached out to the Mayor and council members on August 19 and again on Monday, August 22, 2022. As of today I have not heard back. I am expecting their feedback in order to attend a council meeting and explain my request.

6R

According to Neighborhood Plan For Palm Beach Little Ranches, prepared by Planning, Zoning & Building Department Village of Wellington, Florida, May 2003, section 8, Open Space and Recreation; "There are no dedicated public open space or recreation areas within Palm Beach Little Ranches. The open space and recreation areas are provided privately on the large residential lots in the neighborhood." And, if approved, I will abide with the minimum payment in lieu of the land dedication.

NEIGHBORHOOD PLAN FOR PALM BEACH LITTLE RANCHES



Prepared by:
Planning, Zoning & Building Department
Village of Wellington, Florida

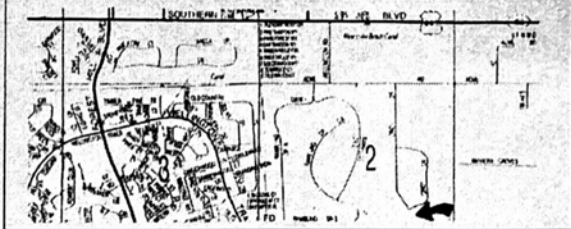
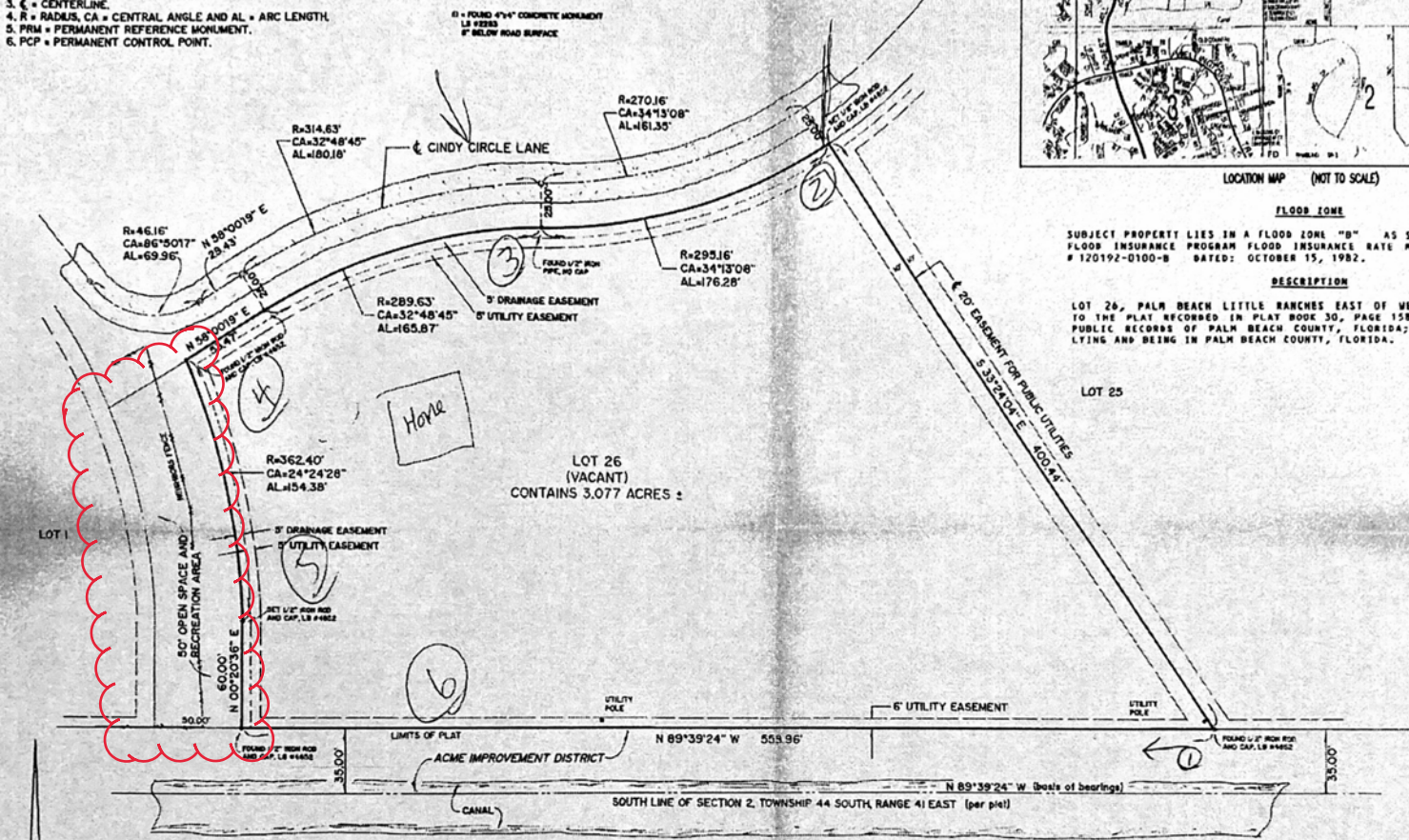
May 2003

8. Open Space and Recreation

There are no dedicated public open space or recreation areas within Palm Beach Little Ranches. The open space and recreation areas are provided privately on the large residential lots in the neighborhood.

SURVEYOR'S NOTES:

1. DESCRIPTION PROVIDED BY CLIENT'S AGENT.
2. BEARINGS SHOWN HEREON ARE PLAT BEARINGS.
3. ϵ = CENTERLINE.
4. R = RADIUS, CA = CENTRAL ANGLE AND AL = ARC LENGTH.
5. PRM = PERMANENT REFERENCE MONUMENT.
6. PCP = PERMANENT CONTROL POINT.



LOCATION MAP (NOT TO SCALE)

FLOOD ZONE

SUBJECT PROPERTY LIES IN A FLOOD ZONE "B" AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL # 120192-0100-B DATED: OCTOBER 15, 1982.

DESCRIPTION

LOT 26, PALM BEACH LITTLE RANCHES EAST OF WELLINGTON, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 30, PAGE 158 AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

LOT 25

LOT 26
(VACANT)
CONTAINS 3.077 ACRES ±

I HEREBY CERTIFY TO: FIRSTAR TRUST COMPANY OF FLORIDA N.A., TRUSTEE
WILLIAM McEACHERN, TRUSTEE

THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON, AND THAT THIS SKETCH OF SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN OR STATED HEREON, AND THAT THIS SURVEY COMPLIES WITH THE HIGHEST TECHNICAL STANDARDS ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

Peter J. Erick
PETER J. ERICK, P.L.S.
FLA. CERT. NO. 3748
DATE: 02-29-96

Unless it bears the signature and the original raised seal of a Florida Licensed Surveyor and Mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.

Subject to all easements, reservations, restrictions, and rights-of-way of record, if any. Survey is based upon description as furnished by client or client's agent. No search of the public records has been done by this office.

(VACANT) CINDY CIRCLE LANE
STREET ADDRESS: WELLINGTON, FL

BOUNDARY SURVEY PREPARED FOR FIRSTAR TRUST COMPANY OF FLORIDA N.A., TRUSTEE AND WILLIAM McEACHERN, TRUSTEE

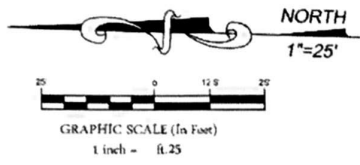
K & N SURVEYORS, INC.

P.O. BOX 210334
West Palm Beach, FL 33421-0334

2045 Davison Ave., West Palm Beach, FL 33411 - Tele (407) 738-5000

REV.	REVISION	DATE	BY	FB

DATE: 2-09-96 DRAWN: P.T.K. FIELD: P.S.G. REF: 30-189 JOB NO: 02-012-96
SCALE: 1" = 40' DESIGN: C.W. JOB NO: C-388



LEGEND

- EL ELEVATION
- FF FINISHED FLOOR
- I.D. IDENTIFICATION
- L LENGTH
- LB LICENSED BUSINESS MEASURED
- N A V D NORTH AMERICAN VERTICAL DATUM
- O R B OFFICIAL RECORDS BOOK
- P PLAT
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- P.R.M. PERMANENT REFERENCE MONUMENT
- PG PAGE
- P.B. PLAT BOOK
- PK PARKER KYLON NAIL
- R RADIUS
- R.W. RIGHT OF WAY
- C.L. CENTERLINE
- AND NUMBER
- DELTA OR CENTRAL ANGLE
- CONCRETE
- CHAIN LINK FENCE
- WOOD FENCE
- MISCELLANEOUS FENCE

ORIGINAL FIELD WORK
COMPLETED BY:
TARGET SURVEYING, LLC
DATED: 06-28-2006
SURVEY #103722

FLOOD ZONE: X
COMMUNITY NUMBER: 125157
PANEL: 12099C0561
SUFFIX: D
BASE FLOOD ELEVATION: N.A.V.D. 88
FIRM DATE: 10-05-2017



CURVE DATA
C-1
R=312.40'
Δ=23°07'41"
L=126.10'
C-2
R=362.40'
Δ=24°24'28"
L=154.38'
C-3
R=312.40'
Δ=12°22'21"
L=67.46'



CERTIFIED TO:
LITTLE RANCHES POLO TRUST

ZONING: AR- AGRICULTURAL RESIDENTIAL (73-WELLINGTON)

LEGAL DESCRIPTION:
OPEN AREA AND RECREATION AREA, PALM BEACH LITTLE RANCHES EAST OF WELLINGTON ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGE 159, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LOT CONTAINS: 10,012 sq.ft. or 0.23 Acres more or less

NOTES:

1. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
2. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
3. ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
4. THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY PROPERTY LINE, HAVING A PLATTED BEARING OF N58°00'19\"/>

REVISIONS:

1. ADDITIONAL FENCE TIES: 12-30-2021
2. SURVEY UPDATE: 04-29-2022
3. ADD FENCE TIES: 05-11-2022

Digitally signed
by Kenneth
Osborne
Date: 2022.05.16
12:21:21 -04'00'
Kenneth J. Osborne PSM #6415
THIS SURVEY IS NOT VALID WITHOUT
THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BOUNDARY SURVEY OF
977 CINDY DRIVE
WELLINGTON, FL 33414
PREPARED FOR
NEIL WINER

Project
C-18589
Start Date
04-29-2022
Scale
1" = 25'
1 of 1

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net

COMPASS SURVEYING

LB: 7463 PHONE: 561.640.4800 FAX: 561.640.0576





