



April 1, 2025

Mr. Timothy Stillings, Director
Planning, Zoning and Building Department
Village of Wellington
Via Email: tstillings@wellingtonfl.gov

**SUBJ: Appeal of Type A1 Administrative Application to Planning, Zoning and
Adjustment Board
Administrative Withdrawal of Application for Plan Number: 2025-0012-SPU**

Dear Mr. Stillings:

This appeal is submitted on behalf of Hollow Tree Show Jumpers, LLC, the owner of a 5-acre property located within the Equestrian Preserve Area, Equestrian Overlay Zoning District-Rustic Rances, at 16311 Hollow Tree Lane.

This is an appeal from the administrative withdrawal of Hollow Tree Show Jumpers' Seasonal Use Permit (Equestrian) application. The Planning, Zoning and Adjustment Board hears appeals from decisions Type A1 administrative applications. Per the Development Review Manual, such applications shall be reviewed and a decision shall be made within ten business days of a sufficient application, including resubmittals as required. The final decision shall be provided to the applicant within five business days of the decision.

The SUP-Equestrian application's history is as follows:

Application Submitted- February 7, 2025
Administrative Checklist Review- February 13, 2025 (Passed)
Collect Fees and Escrow Deposit- February 13 (Passed)
DM Sufficiency Review- February 14, 2025 (Passed)
Notification of Administrative Withdrawal Emailed- March 3, 2025
Refund of \$600.00 Application Payment Mailed- March 13, 2025
Appeal of Decision to Director of Planning, Zoning, and Building Emailed- April 1, 2025

The March 3, 2025 letter from Kelly Ferraiolo is attached. The basis for the decision is as follows:

The request for an Equestrian Permit for Occupation of Recreational Vehicles (RVs) as a Temporary Residence for the property located at 16311 Hollow Tree Lane has been

reviewed. The property has a zoning designation of Rustic Ranches Overlay Zoning District/Equestrian Overlay Zoning District (RROZD/EOZD) and is in Subarea E. Both Chapters 8 and 10 in Article 6 of Wellington's Land Development Regulations apply to this property. Both chapters have regulations on recreational vehicles as temporary residences (Section 6.8.9.P and Section 6.10.6), however, pursuant to Section 6.10.2, RROZD Applicability and Conflicts, in the event of any conflict between the regulations of the chapter and the other regulations in the LDR, Chapter 10 shall govern.

Per Section 6.10.6 of Wellington's LDR, the use of RVs, travel trailers, campers or similar vehicles as a temporary residence is permitted, but shall not exceed two (2) consecutive weeks during a calendar year.

The undersigned respectfully requests that this appeal be placed on the agenda for consideration by the Planning, Zoning and Appeals Board at its next meeting. The requested relief sought is a determination by the Board that the plain language of the Land Development Regulations be given effect, specifically, that Chapter 8 applies to Rustic Ranches, and any conflicts between Chapter 8 and Chapter 10 must be governed by Chapter 8, per Sec. 6.8.2. Accordingly, Hollow Tree Shower Jumpers was eligible to apply for a SUP-Equestrian Permit for one (1) RV in conjunction with its stable.

CHAPTER 8. - EQUESTRIAN OVERLAY ZONING DISTRICT (EOZD)

This section ***shall*** apply to ***all*** land located within the EPA, as identified in the Comprehensive Plan and on the future land use map. The Equestrian Overlay Zoning District (EOZD), Palm Beach Little Ranches Overlay Zoning District (LROZD) ***and Rustic Ranches Overlay Zoning District (RROZD)*** correspond with the boundaries on the official zoning map. (Emphasis added.)

Sec. 6.8.2. - Conflicts.

In the event of conflicts between this section ***and other requirements of the LDR, this section shall*** govern. (Emphasis added.)

Sec. 6.8.4. - Uses and property development regulations for the EOZD.

A. All uses within the EPA shall comply with the use regulations table of Article 6, the principal and accessory use standards, supplementary standards of the EOZD, and all other applicable sections of the LDR or valid development order(s).

B. The following development standards shall be the minimum requirements for all principal and accessory uses/structures within the EPA. These uses/structures are also subject to all applicable sections of the LDR, development review manual and standards manuals.

Sec. 6.8.9. - Supplementary standards for principal and accessory equestrian uses.

The following equestrian use regulations **shall** apply to **all** uses and structures within the EPA.

P. Recreational vehicles as temporary residences:

1. The use of recreational vehicles as a temporary overnight residence on residential lots **in the EZOD is allowed with an approved equestrian permit between the months of November and April in accordance with the following:**

- a. Lots that are less than five acres are not eligible for temporary overnight RV usage.
 - b. Lots five acres to nine and nine-tenths acres in size shall be permitted to have one RV for temporary overnight usage.
 - c. Lots ten acres or greater shall be permitted to have two RVs for temporary overnight usage.
2. The use of recreational vehicles as temporary residences **shall be in conjunction with a permanent residence or stable type structure(s)**, shall comply with the building setbacks applicable to principal structures and shall be screened from view of adjacent roads and private properties.
3. The individual recreational vehicle shall be provided electrical, potable water and sanitary collection or sewer service as indicated below:
- a. Electrical service connections shall comply with all manufacturer's specifications and the Florida Building Code, including Chapter 1 Amendments;
 - b. Water service connections shall comply with all requirements of the Florida Building Code, including Chapter 1 Amendments, Wellington standards and those of other appropriate agencies including the Palm Beach County Health Department (PBCHD); and
 - c. Connections to the wastewater treatment system or a septic system in compliance with the PBCHD regulations shall be provided.

Furthermore, there is no "Declaration of Restrictions" for Rustic Ranches, as stated in Chapter 10, Sec. 6.10.1(C). Rustic Ranches was already made a part of the EOZD after its annexation into the Village. The language contained in Chapter 8, Section 6.10.1 is taken from a neighborhood plan adopted by reference in 2005. This language is obsolete, and the neighborhood plan that resulted in charettes from 2004- over twenty years ago- is attached for reference.

Additionally, it is not clear when the residents of Rustic Ranches petitioned the Village Council to exempt Subarea C/EOZD-RR from the ability to apply for and obtain a SUP-Equestrian in accordance with Chapter 8, Sec. 6.8.9.P.

Chapter 10, Sec. 6.10.2 states:

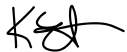
In the event of any conflict between the regulations of this chapter and the other regulations in the LDR, this chapter shall govern. In the absence of any conflict, the regulations in the underlying zoning district, the EOZD and the LDR shall be applicable and supplement the regulations in this chapter.

Sec. 6.10.6. - Recreational vehicles.

The use of recreational vehicles, travel trailers, campers or similar vehicles as a temporary residence is permitted, but shall not exceed two consecutive weeks during a calendar year. Water and wastewater connections are required and shall comply with Palm Beach County Health Department regulations.

Without a record of findings of fact or record to resolve any discrepancy concerning the use of RVs in Rustic Ranches, the plain language of Chapter 8 should be given its plain meaning and effect, allowing Hollow Tree Lane Show Jumpers, LLC to enjoy its property in accordance with the equestrian use regulations that ***shall*** apply to ***all*** uses and structures within the EPA.

Sincerely,



Katie Edwards-Walpole, Esq.

FOR THE FIRM

Cc: Randall and Christine Fick, Hollow Tree Show Jumpers, LLC
Kerry Hitt, President, Pine Tree Water Control District

Attachments