

Variance - 2420 Greenbriar Boulevard

STAFF REPORT

Petition Number(s)/Types: 2024-0001 VAR

Resolution(s): PZAB R2025-01

Owner: Mark and Patricia Holloway
 2420 Greenbriar Boulevard
 Wellington, FL 33414

Agent: Matt Wojciechowski
 Schmidt Nichols
 1551 N Flagler Dr
 Suite 102
 West Palm Beach, FL 33401

Site Address: 2420 Greenbriar Boulevard

PCN(s): 73-41-44-18-01-019-0100

Future Land Use Designation:
 Residential B (0.1 du/ac – 1.0 du/ac)

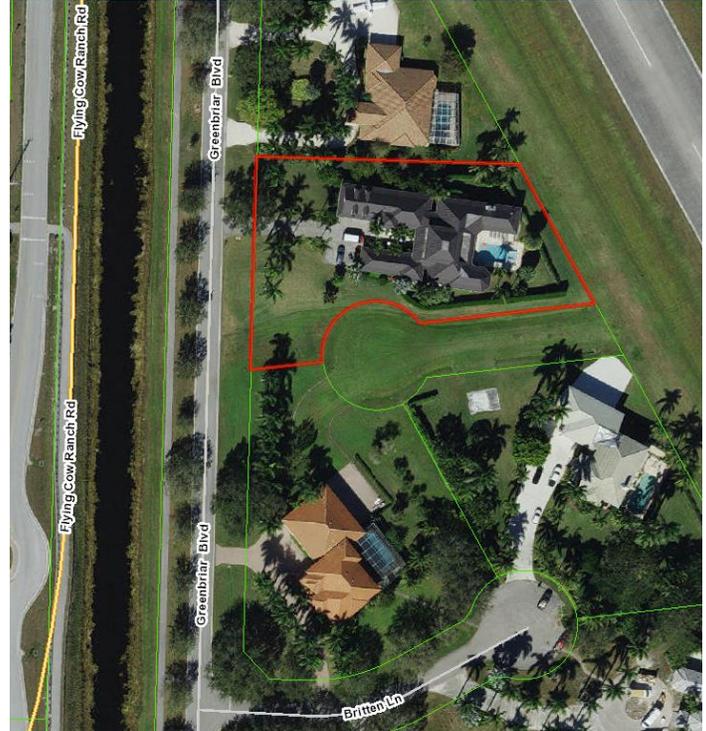
Zoning Designation:
 Planned Unit Development (PUD)

Acreage: 0.97

Request: Matt Wojciechowski, agent, on behalf of Mark and Patricia Holloway, owners, is seeking a variance to reduce the front setback from 50 feet to 25 feet to accommodate an airplane hangar for the property located at 2420 Greenbriar Boulevard within the Aero Club subdivision.

Project Manager:
 Kelly Ferraiolo, Senior Planner
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Location Map:



Adjacent Property	FLUM	Zoning
North	Residential B	PUD
South	Residential B	PUD
East	Residential B	PUD
West	Canal/Stormwater Treatment Area (STA)	

Boards and Council:

	Notice Date	Meeting Date	Vote
PZAB	12/31/2024	01/15/2025	Pending

Site History and Current Request:

The subject property is located within the Aero Club Subdivision, a private aeronautical community. The owner purchased the property in January 2014 and constructed a single-family residence and pool in 2015 (Exhibit A – Survey).

The Aero Club subdivision consists of 248 single-family lots. Aero Club has a 4,000 linear foot, lit, runway (Runway 16) with various taxi-ways that reach most of the properties to allow for residents to have their own private hangars and easy access to the runway. The property is located to the

PLANNING, ZONING AND ADJUSTMENT BOARD

Planning and Zoning Division

January 15, 2025



The applicant is requesting a variance from Table 6.3-1 and Ordinance No. 99-04 from the front setback for the construction of a 3,457 square foot airplane hangar shown in blue above and in Exhibit B – Proposed Site Plans and Floor Plans. The applicant also applied for an Administrative Variance for a reduced side setback from 15 feet to 13.5 feet. Per Section 5.3.8.F of Wellington’s LDR, an administrative variance may be granted by the PZB Director or designee to allow for a structural encroachment into a setback of no more than 15% of the setback. The variance requests are shown in the chart below:

	Type	Required	Requested	Variance	Approved by
1	Front Setback	50’	25’	-25’	PZAB
2	Side Setback	15’	13.5’	-1.5’	Administrative

Summary:

A Variance is a deviation from bulk regulations of the Land Development Regulations (LDR) to allow the development of a property where such variance will not negatively impact public interest, would allow the property owner to develop the property in the same manner as other similar properties, and where existing conditions peculiar to the property are not the result of the actions of the applicant, and literal enforcement of the regulations would result in an undue hardship to the property owner. The decision-making body must be able to look at the request comprehensively and determine if the relevant and applicable criteria have been met.

To approve any variance, the Planning, Zoning and Adjustment Board is tasked with reviewing the request and determining if the request complies with the standards listed below:

- 1. That special conditions and circumstances exist that are peculiar to the land, building, or structure involved and that are not applicable to other lands, structures, or buildings in the same district.***

The property has a unique shape with a cul-de-sac style taxi-way adjacent to the property creating a circular shape to the southern property line impacting the side setback. If the cul-de-sac was not adjacent to the property, it is likely that a variance for the front or side would not be required as it reduces the buildable area of the lot.

The property orientation places the proposed hangar in a location that does not face any other structures or residences but faces the C-1 Canal, Flying Cow Ranch Road, and the Stormwater Treatment Area (STA) to the west of Greenbriar Boulevard. The property is also setback approximately 30 feet from Greenbriar Boulevard, which would make the proposed hangar 50 feet from the edge of the pavement. Only three (3) properties (2400 and 2420 Greenbriar Boulevard and 15925 Britten Lane) within Aero Club are uniquely situated facing the STA where no structure or building will ever be built. If the variance is granted, any precedence would be minimal considering there are only a few lots with similar characteristics. The two (2) other lots that might be affected currently have hangars on the property. As mentioned in the staff report below, 2400 Greenbriar was constructed with a front setback of 25 feet and is a legal non-conforming structure. 15925 Britten Lane is



constructed on a corner lot with Greenbriar Boulevard as the side corner with a setback of 25 feet. This request is asking for the same setback as the two (2) others mentioned above. Consequently, of the three (3) lots faced with the unique circumstances at hand, only the subject property is penalized by the code amendment that occurred after the hangers were built on the other two (2) properties.

2. *That special conditions and circumstances do not result from the actions of the applicant.*

Aero Club's runway was paved in 2012 to allow for the landing of jet-type aircrafts. Jets have a much larger wing span than piston-engine aircrafts. Most of the hangars within Aero Club are not large enough to store the jet-type aircrafts. As a result, there have been increased requests for new construction of larger hangars, demolition of existing hangars to build larger hangars, or expansion of existing hangars. There has been an increase in requests for administrative variances as well for the same reason.

The residence was constructed by the owner in 2015 after the runway was paved and jets were allowed. The residence was designed to be setback approximately 75 feet from the front setback and 25 – 38 feet from the side setback. A hanger was illustrated on the building permit for the house but was not part of the permit review. The zoning reviewer made a note that any future hangar would require a separate permit. Since the hanger was being reviewed, setbacks for the hangar were not required or requested. Although the existing setbacks were in place and the lot can accommodate a smaller hangar for a smaller plane, but not a large hangar for a larger aircraft. Accommodations for a larger hangar were not considered in 2015. A larger hangar may have been accommodated at the time of site design by the applicant, however, larger hangars for the larger aircrafts were not the trend at the time. The reality of this situation is that the applicant is somewhat victimized by changed trends for development and enjoyment of properties in aeronautical communities, caused by changing nature of the aircraft that are desired by their residents.

3. *That granting the variance request will not confer on the applicant any special privilege that is denied by the Comprehensive Plan and Zoning Code to other lands, buildings, or structures in the same zoning district.*

The granting of this variance does not confer upon the applicant a special privilege as no other property within Aero Club has the unique size and configuration limitations that the subject property has. Administrative Variances for up to a 15% reduction for single-family residences and hangars have been approved within the Aero Club subdivision, however, variance requests for reduced setbacks larger than 15% of the required setbacks have not. There are structures within Aero Club that were legally permitted before incorporation that have lesser setbacks than what is required today. These structures are considered legal non-conforming structures and if they were to be rebuilt, they would have to meet the setbacks that were in place today and the adoption of the setbacks specifically adopted for Aero Club in 1999. However, these numerous nonconforming structures exist and are not likely to be removed for many years. It can be argued that the proposed setback is not inconsistent with the character of the neighborhood.



The residence located directly north of the subject property (2400 Greenbriar Boulevard) has a hangar that has a front setback of 25 feet. It was originally constructed in 1996, which was before the adoption of the setback regulations for Aero Club in 1999 and before Wellington's incorporation. The structure is a legal non-conforming structure. Per Section 1.3.3.A.2, a non-conforming structure shall not be enlarged or expanded. The hangar was expanded in 2020 and was approved erroneously at the reduced setback.

In the Justification Statement, the applicant identified properties that have structures that have a 25-foot setback. These properties were identified as corner lots that have more restrictive setbacks as compared to the subject property which is an internal lot. The subject property has a side setback on both sides of 15 feet, whereas a corner lot has an interior side setback at 15 feet and a corner setback of 25 feet. Properties located on a corner lot are permitted to have structures that have a 50-foot front setback, and a 25-foot side corner setback for single-family residences and hangars. These structures that are setback 25 feet from the right-of-way have posed no issues within the Aero Club community.

- 4. *That literal interpretation and enforcement of the provisions of the LDR would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the LDR and would create an unnecessary and undue hardship.***

The interpretation of the code and the requirement for the hangar to meet minimum setbacks for Aero Club would limit the size hangar that could be built on the property and deprive the applicant of the rights commonly enjoyed by other properties. Part of the character of Aero Club is having a private hangar for personal aircrafts, including jets. Approval of the request to reduce the setbacks would allow the property owner to construct a larger hanger on the lot to accommodate a larger aircraft, which seems to be the growing trend in the Aero Club community. Further, it is in Wellington's best interest that neighborhoods be allowed and encouraged to remain contemporary. In this case the property in question is within a unique neighborhood centered around aviation. It would be adverse to the quality and character of the neighborhood to prohibit property owners from constructing hangars that do not accommodate the type of aircraft that is dominant in the market today.

- 5. *That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.***

The owner is requesting a variance to accommodate a large hangar that does not fit on the property because of the configuration of the lot and the existing residence. However, since the paving of the runway, the growing trend in Aero Club is the operation of larger aircrafts which means larger hangars to house them. The proposed hangar is the minimum needed for the potential aircraft for the owner. The location also plays a part in the minimum variance standards because it takes into consideration the surrounding properties and the impact the request may have on them. In this case, the fact that the lot faces the STA and the properties on either side have similar setbacks, be it side or front, this request does not exceed what is built on the adjacent lots and has no negative impact on these lots.

- 6. *That the granting of the variance is consistent with the purposes, goals, objectives***



and policies of the Comprehensive Plan and the LDR.

The Comprehensive Plan does not regulate setbacks and therefore consistency with the Comprehensive Plan is not applicable in this request. The LDR provides setbacks, which is the subject of this request and the variance application complies with Article 5 related to the variance process.

7. That the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting of the variance will not be injurious to the area involved or detrimental to the public welfare as the property faces a canal, two (2) roadways (Greenbriar Boulevard and Fly Cow Ranch Road), and the Stormwater Treatment Area. In addition, the Aero Club Property Owners Association (POA) has approved the location of the proposed hangar (Exhibit E).

FINDINGS OF FACT

All required application documentation has been reviewed by the Development Review Manager to determine compliance with the Land Development Regulations and Comprehensive Plan, subject to conditions, as presented.

Based on the findings contained within this staff report and consistency with both Wellington's Comprehensive Plan and the variance criteria of the Land Development Regulations, staff recommends the following conditions of approval if the request is approved by PZAB:

1. The minimum front setback for the proposed airplane hangar at 2420 Greenbriar Boulevard shall be 25 feet.
2. This approval is for the airplane hangar only. All other buildings/structures shall meet the setback requirements within the LDR and are not part of this approval.

Exhibits:

Exhibit A	Survey
Exhibit B	Proposed Site Plan and Floor Plan
Exhibit C	Proposed Architectural Drawings
Exhibit D	Justification Statement
Exhibit E	Aero Club POA Approval Letter