



Legislation Details (With Text)

**File #:** PZ-0165      **Name:** ADMINISTRATIVE APPEAL PETITION 17-107 (2017-061AA) AN APPEAL BY KELLY JACOBS, APPEALING THE ADMINISTRATIVE DETERMINATION MADE BY PLANNING, ZONING AND BUILDING DEPARTMENT STAFF RELATING TO PERMITTED USES ON PROPERTY LOCATED AT 14785 HAYMARKET COURT.

**Type:** PZ-Appeals      **In control:** Planning, Zoning and Adjustment Board

**On agenda:** 12/13/2017      **Final action:** 12/13/2017

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**Code sections:**

**Attachments:** 1. Appeal Staff Report, 2. Exhibit A, 3. Exhibit B, 4. Exhibit C, 5. Legal Ad - Appeal

Date	Ver.	Action By	Action	Result
12/13/2017	1	Planning, Zoning and Adjustment Board	denied	

**ITEM: ADMINISTRATIVE APPEAL PETITION 17-107 (2017-061AA) AN APPEAL BY KELLY JACOBS, APPEALING THE ADMINISTRATIVE DETERMINATION MADE BY PLANNING, ZONING AND BUILDING DEPARTMENT STAFF RELATING TO PERMITTED USES ON PROPERTY LOCATED AT 14785 HAYMARKET COURT.**

**PUBLIC HEARING: YES**

**QUASI-JUDICIAL: YES**

**EXPLANATION:** The appellant has filed this appeal, based on the provisions of Article I, Chapter 12 of the LDR, to challenge the Staff’s interpretation related to provisions of the Wellington LDR’s involving a Notice of Violation (NOV) for keeping horses and other livestock on the subject property. Challenges to staff interpretations are considered by the PZAB, whose decisions are final, unless appealed to Circuit Court. The specific challenges are discussed in the SUMMARY section below, and in the attached Staff report.

**SUMMARY:** The subject appeal challenges the staff interpretation and application of Section 6.8. (Planned Unit Development Regulations) of the Wellington Land Development Regulations, arguing that the current LDR provisions do not apply to properties in Paddock Park 1 because keeping and stabling of horses was permitted by Palm Beach County prior to Wellington’s adoption of our own Code provisions in 2002/2003; and are permitted by the covenants and deed restrictions adopted with the subdivision plat. The appellant believes that an exemption exists under the provisions of Article 1, Section 1.5.1. Staff does not agree that there is a valid exemption claim because there was no active equestrian or livestock use on the property when this owner acquired the property and no

valid development order to be preserved.