



JUSTIFICATION STATEMENT
Flying Cow Ranch
Rezoning
Village of Wellington, Florida
Initial Submittal: August 11, 2016
Revised: November 3, 2016
Revised: June 7, 2017
Revised: October 1, 2018

REQUEST

On behalf of the Petitioner, Wantman Group, Inc. is requesting a rezoning of Parcel 1 from Palm Beach County AR to PUD/EOZD, and a rezoning of Parcel 2 from AR/EOZD to PUD/EOZD. The entire 147 acre property is then proposed to be incorporated into the newly created EOZD Subarea "G".

SITE CHARACTERISTICS

The subject site is approximately 147 acres and is located northwest of the corner of Flying Cow Ranch Road and 160th Trail S, approximately 4 miles south of Southern Boulevard. The property is known as the following Property control Numbers (PCNs):

- 73-40-44-24-00-000-5010 (4153 160th Ave N) – Parcel 1
- 73-40-44-25-00-000-1040 (4153 160th Trail S) – Parcel 2

The properties are currently zoned EOZD (Equestrian Overlay Zoning District) and AR (Agricultural Residential), with a Future Land Use of RES B (Residential Low Density). According to Palm Beach County Property Appraiser the properties are currently owned by Timothy and Mark McCarthy as Trustees for the McCarthy Land Trust.

SURROUNDING USES

The following is a description of the Zoning and Future Land Uses for the surrounding properties:

North: To the north are equestrian properties, which are located within the Village of Wellington, zoned as AR (Agricultural Residential) with a Future Land Use designation of Residential B.

South: To the south is property that is designated conservation, which is zoned PC (Preservation/Conservation) with a Future Land Use of CON (Conservation). This land is situated in Unincorporated Palm Beach County and includes the South Florida Water Management District (SFWMD) Canal L-40 and the Loxahatchee National Wildlife Refuge.

East: To the east are equestrian properties, which are located within the Village of Wellington, zoned as AR/EOZD (Agricultural Residential/Equestrian Overlay Zoning District) with a Future Land Use designation of Residential A.

West: To the west is property that is designated conservation, which is zoned PC (Preservation/Conservation) with a Future Land Use of CON (Conservation). This land is situated in Unincorporated Palm Beach County and includes the South Florida Water Management District (SFWMD) Canal L-40 and the Loxahatchee National Wildlife Refuge.

APPROVAL HISTORY

Ordinance No. 2010-07 was approved by the Village Council on April 13, 2010 designating +/- 147 acres (Parcels 1 and 2) with a Residential B Future Land Use Map (FLUM) designation limited to 30 residential units and incorporating the subject property into the Equestrian Preserve Area (EPA).

An Annexation Agreement for +/- 147 acres (Parcels 1 and 2) was made and entered into on January 11, 2005 by and between the McCarthy Land Trust and the Village of Wellington. Said agreement is recorded and found under ORB 19528, PGS 1958-1978.

Palm Beach County Resolution R-2003-0755 was approved by the Board of County Commissioners (BCC) on May 22, 2003 to delete conditions of approval contained in Resolution R-81-58 (Petition 80-192) that were no longer applicable.

Palm Beach County Resolution R-81-58 was approved by the Board of County Commissioners (BCC) on November 20, 1980 for a Special Exception (SE) to allow a private airplane landing strip on the subject property.

CONFORMANCE

The Village of Wellington identifies certain criteria that the request must conform to when reviewing a Rezoning application. The following are the Applicant's responses to these standards:

A. That the proposed request is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan.

The proposed rezoning request is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan. The proposed rezoning request identifies all of the Flying Cow Ranch property within the EOZD consistent with the Equestrian Preserve Area (EPA) and the goals, objectives and policies of the Equestrian Element of the adopted Wellington Comprehensive Plan.

B. That the proposed request is not in conflict with any portion of Wellington's LDR and is consistent with the purpose and intent of the LDR.

The proposed rezoning request is not in conflict with any portion of Wellington's LDRs and is consistent with the purpose and intent of the LDRs. The proposed rezoning request provides for compatible zoning with the Wellington land uses. The concurrent ZTA identifying property development regulations for the new Subarea G for the Flying Cow Ranch properties, identifies development regulations consistent with the purpose of the EOZD and the surrounding communities.

C. That the proposed request is compatible and consistent with existing uses and the zoning surrounding the subject land and is the appropriate zoning district for the land.

The proposed rezoning request is compatible and consistent with the existing uses and zoning surrounding the subject properties. A large portion of the subject parcel is already identified with an AR/EOZD zoning designation that is compatible with the Residential B/EPA land use and consistent with the zoning surrounding the subject property. While the underlying AR zoning designation is requested to be amended to PUD, the PUD zoning designation offers additional recreational and civic benefits to the proposed community and Wellington as a whole beyond those required in the AR zoning district. The remaining portions of the property are currently identified with Palm Beach County zoning designations, thus the rezoning request is for a compatible Wellington zoning designation of PUD (AR)/EOZD consistent with the remainder of the subject property and the surrounding community.

D. That there are changed conditions that require the rezoning.

There are changed conditions that require the rezoning. The rezoning request for the northern Parcel 1 is required to modify the existing Palm Beach County zoning designation of AR to a Wellington zoning designation of PUD/EOZD. As stated above, the entire 147 acre Flying Cow Ranch development is proposed to be designated with the newly created EOZD Subarea G that is specific to the Flying Cow Ranch properties with development regulations in the EOZD.

E. That the proposed request would not result in significantly adverse impacts on the natural environment, including, but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The proposed request does not result in significantly adverse impacts on the natural environment. See enclosed Environmental Report for additional information.

F. That the proposed request would result in a logical and orderly development pattern.

The proposed request results in a logical and orderly development pattern. The project is proposed to be developed in one phase including the residential lots and accessory private landing strip.

G. That the proposed request is consistent with applicable neighborhood plans.

The proposed request is consistent with the EPA and EOZD and the newly created Subarea G regulations for the Flying Cow Ranch properties.

H. That the proposed request complies with Article 11, Adequate Public Facilities.

The proposed request complies with Article 11, Adequate Public Facilities.

Based on the above and attached information, the Petitioner respectfully requests the approval of the Rezoning Application.