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RESOLUTION NO. R2008-75

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING A MASTER PLAN AMENDMENT APPLICATION KNOWN AS GRAND PRIX ACRES PETITION NO. 2003-014 MPA2 TO AMEND THE SOUTHERN 82 ACRES OF THE GRAND PRIX ACRES MASTER PLAN TO DEPICT A REDUCTION OF DWELLING UNITS FROM 64 UNITS TO NOT MORE THAN 25 UNITS, FOR THE PROPERTY LOCATED ON THE SOUTH SIDE OF PIERSON ROAD AND ON THE NORTH SIDE OF 40TH STREET SOUTH ONE MILE WEST OF SOUTH SHORE BOULEVARD, AS DESCRIBED MORE PARTICULARLY HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council, as the governing body of the Village of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations, as adopted by the Village of Wellington, is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, the notice and hearing requirements as provided in Article V of the Land Development Regulations, as adopted by the Village of Wellington, have been satisfied; and

WHEREAS, the subject site has been zoned to Residential "B" by the Village; and

WHEREAS, the Equestrian Preserve Committee, after notice and public hearing has considered the petition of 2004-001 MPA, at their July 9, 2008 and August 13, 2008 public hearings; and

WHEREAS, the Planning, Zoning and Adjustment Board, after notice and public hearing has considered the petition of 2004-001 MPA, at their July 10, 2008 and August 14, 2008 public hearings; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the Petitioner and other interested parties and the recommendations of the various Village of Wellington agencies and Village Consultants; and

WHEREAS, The Village Council has determined that the proposed master plan amendment is consistent with the current Village of Wellington Comprehensive Plan designation of Residential "B" and with the Equestrian Overlay Zoning District.

WHEREAS, The Village Council has made the following findings of fact:

- 1 1. The proposed Master Plan Amendment is consistent with the Comprehensive
2 Plan.
- 3 2. The subject request is consistent with the stated purposes and intent of the
4 Code.
- 5
- 6 3. The requested Master Plan Amendment is consistent with the surrounding
7 land uses and zoning districts.
- 8
- 9 4. No adverse impacts to the natural environment are expected to occur as a
10 result of an approval of the Master Plan Amendment request.
- 11

12 **NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE**
13 **VILLAGE OF WELLINGTON, FLORIDA THAT:**

14
15 **SECTION 1:** The Master Plan Amendment Application of Far Niente Stables, VI, LLC
16 owner, is hereby approved for real property as described in Exhibit "A" subject to
17 subject to the conditions of approval contained herein, which are in addition to the
18 general requirements otherwise provided by ordinance:
19

- 20 1. All previous conditions not amended by this petition shall remain in effect.
21 **(PLANNING & ZONING)**
- 22 2. A roadway connection between the existing terminus of Lake Worth Road and
23 South Road must be provided utilizing one of the following:
 - 24 a. an approved route through Wellington Country Place PUD;
 - 25 b. a route utilizing the Lake Worth Road right-of-way;
 - 26 c. a route utilizing 40th Street; or
 - 27 d. a route utilizing some combination of the above or other approved route. .
28 **(PLANNING & ZONING/VILLAGE ENGINEER)**
- 29 3. The specific route for creation of the roadway identified in Condition #2 shall
30 be approved by the Village Engineer, the alignment shall consider and
31 incorporate, if necessary, alternate adequate bridle paths. **(VILLAGE**
32 **ENGINEER)**
- 33 4. Prior to abandonment of the Lake Worth Road right of east of South Road,
34 the applicant shall either:
 - 35 a. Provide surety, right-of-way and construction documents for the east-west
36 roadway which documents shall be subject to approval by the Village
37 Engineer and Village Attorney;
 - 38 b. Complete construction of the east-west roadway; or
 - 39 c. Execute a development agreement by the Village Council that provides for
40 the construction of the roadway, including identification of the specific
41 right-of-way for the roadway, a construction schedule, and method of
42 providing surety for completion of construction. **(PLANNING & ZONING)**
- 43 5. The Master Plan, as amended by this application, is subject to applicable
44 density requirements of the Comprehensive Plan and the Equestrian Overlay

1 Zoning District:. Density shall not exceed a maximum of 25 units: (1) not
2 more than 15 dwelling units in the "Phase II" portion of the site located west of
3 south road; and (2) not more than 10 units in the "Future Development"
4 Portion of the site, located east of South Road.
5 (PLANNING & ZONING)
6

7 **SECTION 2:** This Resolution shall take effect immediately upon adoption.
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10 **PASSED AND ADOPTED** this 9th day of September, 2008.
11

12 **VILLAGE OF WELLINGTON**

13
14 BY: 
15 Darell Bowen, Mayor

16
17
18 **ATTEST:**

19
20 BY: 
21 Awilda Rodriguez, Village Clerk
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23
24 **APPROVED AS TO FORM AND**
25 **LEGAL SUFFICIENCY**

26
27
28 BY: 
29 Jeffrey S. Kurtz, Village Attorney
30
31

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Exhibit "A"
Legal Description

GRAND PRIX FARMS – PHASE II

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE WEST ONE HALF OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH ONE QUARTER CORNER OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE NORTH 00°50'56" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 170.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°28'02" WEST, PARALLEL WITH AND 170.00 FEET NORTH OF THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 20; A DISTANCE OF 2627.51 FEET TO A POINT 50.00 FEET EAST OF THE WEST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 20; THENCE NORTH 00°50'05" EAST, 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 1200.00 FEET TO THE SOUTHWEST CORNER OF GRAND PRIX FARMS PLAT NO. 1, P.R.D., AS RECORDED IN PLAT BOOK 67, PAGES 14-17, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°28'02" EAST ALONG THE SOUTH LINE OF SAID GRAND PRIX FARMS, PLAT NO. 1, A DISTANCE OF 2627.89 FEET TO THE SOUTHEAST CORNER OF SAID GRAND PRIX FARMS PLAT NO. 1, SAID POINT ALSO BEING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 00°50'56" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 1200.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

AND

LAKE WORTH ROAD TRACT 2:

A PARCEL OF LAND IN THE WEST ONE HALF OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 120.00 FEET OF THE SOUTH 170.00 FEET OF THE SOUTHWEST ONE QUARTER OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAY OF RECORD.

CONTAINING 79.63 ACRES MORE OR LESS

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