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4 **ORDINANCE NO. 2015-08**  
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7 **AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL**  
8 **AMENDING SECTION 7.7.2.A.1 OF THE WELLINGTON LAND**  
9 **DEVELOPMENT REGULATIONS RELATED TO DRIVEWAYS**  
10 **AND ACCESS REQUIREMENTS TO PROVIDE FOR**  
11 **ADDITIONAL ACCESS WAYS WITHIN THE AERO CLUB**  
12 **SUBDIVISION; PROVIDING A CONFLICTS CLAUSE;**  
13 **PROVIDING FOR CODIFICATION; PROVIDING A**  
14 **SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE**  
15 **DATE; AND FOR OTHER PURPOSES.**  
16

17 **WHEREAS**, Wellington's Council, pursuant to the authority granted to it in Chapters 163  
18 and 166, Florida Statutes, is authorized and empowered to consider changes to its Land  
19 Development Regulations; and  
20

21 **WHEREAS**, the Wellington Council desires to amend Section 7.7.2.A.1 of Wellington's  
22 Land Development Regulations to amend Wellington's driveways and access requirements  
23 within the Aero Club Subdivision; and  
24

25 **WHEREAS**, the unique nature of the Aero Club Subdivision warrants consideration for  
26 an additional driveway be permitted for interior lots to provide access to an accessory structure  
27 such as a garage or an aircraft hangar if the Village Engineer determines that the public health,  
28 safety, and welfare is not adversely impacted; and  
29

30 **WHEREAS**, the Planning, Zoning and Adjustment Board, acting as the Local Planning  
31 Agency, after notice and public hearing on August 5, 2015, has reviewed the proposed  
32 Ordinance and determined that the proposed amendment is consistent with Wellington's  
33 Comprehensive Plan; and  
34

35 **WHEREAS**, the Council has taken the recommendations from the Local Planning  
36 Agency, Wellington staff and the comments from the public into consideration when  
37 considering the amendments to the Land Development Regulations that are the subject of this  
38 Ordinance; and  
39

40 **NOW, THEREFORE, BE IT ORDAINED BY THE WELLINGTON, FLORIDA COUNCIL**  
41 **THAT:**  
42

43 **SECTION 1.** Section 7.7.2.A.1 of Wellington's Land Development Regulations is  
44 hereby amended, as follows [~~strike-through~~ formatted text is to be deleted; underline formatted  
45 text is to be added]:  
46

47 **Section 7.7.2 Driveways**  
48

49 Driveways shall be subject to the following standards.

1  
2 A. Spacing  
3

4 1. Local or residential access streets. Lots located on local or residential access streets  
5 shall have a maximum of two (2) driveways except that the Village Engineer may  
6 approve a third driveway in the following locations if it is determined that the public  
7 health, safety, and welfare is not adversely impacted by such approval:  
8

- 9 a. On lots 1.75 acres or greater; ~~and~~  
10 b. On all corners lots within the Aero Club Subdivision; and  
11 c. For all interior lots located within the Aero Club Subdivision, for which the  
12 third driveway provides access to a permitted accessory structure such as a  
13 detached garage or an aircraft hangar.  
14

15 Driveways for lots located on local or residential access streets at interior locations  
16 shall maintain a minimum setback from a side or rear lot line as follows:  
17

- 18 a. Single Family or Multifamily driveways: two (2) feet  
19 b. Zero Lot Line Driveways: one (1) foot  
20 c. Townhouse Driveways: one (1) foot  
21

22 **SECTION 2.** Should any section, paragraph, sentence, clause, or phrase of this  
23 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
24 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
25 Ordinance shall prevail to the extent of such conflict.  
26

27 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this  
28 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall  
29 not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the  
30 part so declared to be invalid.  
31

32 **SECTION 4.** This Ordinance shall become effective immediately upon adoption of the  
33 Village Council following second reading.  
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38 [This space intentionally left blank.]  
39

1 **PASSED** this 10<sup>th</sup> day of September, 2015 on first reading.

2  
3 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015, on second and final  
4 reading.

5  
6 **WELLINGTON**

7 **FOR**

**AGAINST**

8  
9 BY: \_\_\_\_\_

10 Bob Margolis, Mayor

11  
12 \_\_\_\_\_

13 John Greene, Vice Mayor

14  
15 \_\_\_\_\_

16 Matt Willhite, Councilman

17  
18 \_\_\_\_\_

19 Anne Gerwig, Councilwoman

20  
21 \_\_\_\_\_

22 John T. McGovern, Councilman

23  
24 **ATTEST:**

25  
26  
27 BY: \_\_\_\_\_

28 Awilda Rodriguez, Clerk

29  
30  
31 **APPROVED AS TO FORM AND**  
32 **LEGAL SUFFICIENCY**

33  
34  
35 BY: \_\_\_\_\_

36 Laurie Cohen, Village Attorney