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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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35
36
37

38 [This space intentionally left blank.]
39

1 **PASSED** this ____ day of _____, 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