

RESOLUTION NO. R2022-65

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN AMENDMENT (PETITION NUMBER 2022-0003-MPA) AMENDING THE WELLINGTON PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR A CERTAIN PARCEL KNOWN AS PALM BEACH LITTLE RANCHES EAST OPEN SPACE AND RECREATION (A.K.A. 977 CINDY DRIVE), TOTALING 0.23-ACRE, MORE OR LESS, LOCATED APPROXIMATELY A HALF-MILE SOUTH OF ACME ROAD AND CINDY DRIVE INTERSECTION AT 977 CINDY DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ADD ONE (1) DWELLING UNIT WITH SITE SPECIFIC DEVELOPMENT STANDARDS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Wellington's Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR) is authorized and empowered to consider petitions related to zoning and development orders; and

**WHEREAS**, the notice and hearing requirements, as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

**WHEREAS**, the current Wellington Future Land Use Map designation for the Palm Beach Little Ranches East Subdivision is Residential B; and

**WHEREAS**, the current Wellington Zoning Map designation for the Palm Beach Little Ranches East Subdivision is Planned Unit Development (PUD); and

**WHEREAS**, the subject parcel (977 Cindy Drive) is within the Palm Beach Little Ranches East Subdivision, which is a part of the Wellington PUD, and is designated as Open Space and Recreation Area on the recorded Palm Beach Little Ranches East Plat; and

**WHEREAS**, the applicant is requesting to amend the Wellington PUD Master Plan by increasing the number of units within the Palm Beach Little Ranches East pod from 34 to 35 dwelling units, and site-specific development standards to allow for development of the subject parcel as a single-family residential lot; and

**WHEREAS**, the Equestrian Preserve Committee (EPC) recommended denial of the request at the October 6, 2022 meeting with a 4 – 0 vote; and

**WHEREAS**, the Planning, Zoning and Adjustment Board (PZAB), sitting as the Local Planning Agency, after notice and public hearing on October 19, 2022, recommended denial of the request with a 6 – 0 vote; and

**WHEREAS**, the Wellington Council has taken the recommendations from Wellington staff, EPC, and PZAB, and the comments from the applicant and public into

consideration when considering the proposed amendments that are the subject of this Resolution; and

**WHEREAS**, the Wellington Council has made the following findings of fact:

1. The request to allow the 0.23-acre subject parcel to be converted from an Open Space and Recreation Area tract to a single-family residential lot is consistent with the single-family residential nature of the Palm Beach Little Ranches pod and will not negatively impact the character of the Palm Beach Little Ranches neighborhood.
2. The site-specific development standards for the subject parcel will not negatively impact the character of the Palm Beach Little Ranches neighborhood and are consistent with the residential development standards for similarly situated lots in the Wellington PUD.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON, FLORIDA, THAT:**

**SECTION 1.** The subject parcel (977 Cindy Drive) as legally described in Exhibit A, is approved to allow development as a residential lot subject to the following conditions of approval:

1. The subject parcel shall be limited to one (1) single-family dwelling unit. (PLANNING)
2. A replat of Palm Beach Little Ranches East Plat is required to re-designate the subject parcel from Open Space and Recreation Area to a residential lot. The replat application shall be submitted within 60 days of this resolution approval. The replat shall be approved and recorded, within one (1) year of this resolution approval or prior to the sale of the subject parcel, whichever comes first, and prior to the issuance of any development permits. (ENGINEERING/ PLANNING)
3. A Land Development Permit, issued by the Village of Wellington Engineering Department, is required prior to any earthwork or construction taking place. The Land Development Permit must be closed out before any Temporary Certificates of Occupancy (TCO) or Certificates of Occupancy (CO) are issued for the subject parcel. (ENGINEERING)
4. The conversion of the Palm Beach Little Ranches East Plat Open Space and Recreation Area to a residential lot shall require a payment in-lieu of the land area dedication of \$50,000 per acre (\$11,500 for the 0.23-acre subject parcel) or the fair market value per acre, whichever is greater. The fair market value shall be based on the average appraised land value within Palm Beach Little Ranches East and be submitted by the applicant/owner prior to the issuance of the Plat/Land Development Permit Technical Compliance letter. The in-lieu payment shall be submitted to Wellington prior to recording of the required Palm Beach Little Ranches East Replat. (PLANNING)

- 98 5. Building Permit application(s) for development of the subject parcel with a single-  
99 family residential building shall be submitted within one (1) year of this resolution  
100 approval. (PLANNING)  
101  
102 6. If connection to the public water system is required for the subject parcel by the  
103 Palm Beach County (PBC) Health Department, a temporary or final certificate of  
104 occupancy shall not be issued for the property until the connection requirement has  
105 been met (and all capacity fees paid). The applicant/owner shall confirm connection  
106 requirements with the PBC Health Department prior to submitting a Building Permit  
107 application for single-family residential building. (UTILITIES)  
108  
109 7. Development of the subject parcel shall be per the below regulations.  
110

Standards	Subject Parcel
Lot Size	0.23 Acre
Lot Width	50 ft.
Lot Depth	212 ft.
Building Coverage (Max.)	25%
	Principal/Accessory
Front Setback	50 ft./100 ft.
Side (Interior) Setback	15 ft.
Rear Setback	25 ft.

- 111  
112 8. All previous conditions of approval not amended by this Resolution are still in effect.  
113 (PLANNING)  
114

115 **SECTION 2:** The Wellington PUD Master Plan (Exhibit B) is hereby amended to  
116 increase the Palm Beach Little Ranches East pod to 35 dwelling units.  
117

118 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this  
119 Resolution conflict with any section, paragraph, clause or phrase of any prior  
120 Ordinance, Resolution, or municipal Code provision, then in that event the provisions  
121 of this Resolution shall prevail to the extent of such conflict.  
122

123 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of this  
124 Resolution be declared by a court of competent jurisdiction to be invalid, such decision  
125 shall not affect the validity of this Resolution as a whole or any portion or part thereof,  
126 other than the part to be declared invalid.  
127

128 **SECTION 5:** This Resolution shall become effective immediately upon approval.  
129

130 *[This section is intentionally left blank]*

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**WELLINGTON**

BY: \_\_\_\_\_  
Anne Gerwig, Mayor

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle Addie, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney