DENIAL

RESOLUTION NO. R2022-64

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 an 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 approve 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 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 Council has made the following findings of fact:

1. The proposed amendment to add a single-family residential lot for the subject parcel within Wellington PUD Palm Beach Little Ranches East pod is not consistent with the characteristics and lot size of the Palm Beach Little Ranches East neighborhood as stated in Wellington's Comprehensive Plan future land use map designation or the Palm Beach Little Ranches Overlay Zoning District.

2. The proposed amendment and site-specific development standards are not compatible with the Palm Beach Little Ranches neighborhood and is not consistent with the stated purposes and intent. Palm Beach Little Ranches was developed as a residential equestrian neighborhood with platted lot size from two (2) to 10 acres.

3. The subject parcel shall remain an Open Space and Recreation Area as designated on the Palm Beach Little Ranches East of Wellington Plat.

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

SECTION 1. The request to amend the Wellington PUD Master Plan to add one (1) dwelling unit and allow site-specific development standards for development of the subject parcel (977 Cindy Drive), as legally described in Exhibit A, is hereby denied and the site shall remain Open Space and Recreation Area as designated on the Palm Beach Little Ranches East Plat.

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this Resolution conflict with any section, paragraph, clause or phrase of any prior Ordinance, Resolution, or municipal Code provision, then in that event the provisions of this Resolution shall prevail to the extent of such conflict.

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

SECTION 4. This Resolution shall become effective immediately upon approval.

[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