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**MEETING MINUTES
WELLINGTON
PLANNING, ZONING AND ADJUSTMENT BOARD
August 10, 2016; 7:00 PM
Wellington Village Hall
12300 Forest Hill Boulevard
Wellington, FL 33414**

Pursuant to the public notice, a meeting of Wellington Planning, Zoning and Adjustment Board was held on August 10, 2016 at 7:00 p.m. at the Village Hall, 12300 Forest Hill Boulevard, Wellington, Florida 33414.

I. CALL TO ORDER/ PLEDGE OF ALLEGIANCE

Elizabeth Mariaca called the meeting to order at 7:00 p.m.

Members present: Elizabeth Mariaca; Carol Coleman; Jeffrey Robbert; Alan Shullman; Tommy Bueno and Stephen A. Levin.

Members Absent: Kenneth Kopp.

Staff present: Robert Basehart, Planning, Zoning and Building Director; Laurie Cohen, Village Attorney; Cory Lyn Cramer, Development Review Coordinator and Ryan Harding, Associate Planner.

Pledge of Allegiance was done.

II. REMARKS BY THE CHAIRMAN

Ms. Mariaca thanked the Village for sending her and Mr. Levin to a Planning Workshop.

III. APPROVAL OF MINUTES – July 13, 2016

A motion was made by Alan Shullman, seconded by Stephen A. Levin, unanimously approved by the Board (6-0), to approve the July 13, 2016 minutes.

IV. ADDITIONS/DELETIONS/REORDERING OF AGENDA

None.

V. SWEARING IN OF SPEAKERS

Laurie Cohen advised no declaration of ex-parte and swearing of speakers is not required due to the requests being Legislative in nature.

VI. DECLARATION OF EX-PARTE COMMUNICATION

Not required.

VII. NEW BUSINESS

- A. PZ-0091 ORDINANCE NO. 2016-07 (BED AND BREAKFAST ZONING TEXT AMENDMENT) AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, PROPOSING A ZONING TEXT AMENDMENT (PETITION NUMBER 16-010/2016-001ZTA) AMENDING SECTION 6.4.4.20 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO BED AND BREAKFAST ESTABLISHMENTS; AMENDING SECTION 6.10.7.B.4 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO BED AND BREAKFAST ESTABLISHMENTS IN THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Cory Lyn Cramer clarified the petition for the Bed and Breakfast was discussed at the May 24, 2016 Council meeting. The Council requested it be remanded back to the Planning, Zoning and Adjustment Board (PZAB) to receive their comments and recommendations. Ms. Cramer advised staff has modified from the first presentation. Ryan Harding, Associate Planner explained the modification applies to Section 6.4.4.20 and 6.10.7.B.4 of the Land Development Regulations (LDRs). One section 6.4.4.20 is Village wide and the other is specific to the Equestrian Overlay Zoning District (EOZD). Mr. Harding reviewed the changes, for the Village the changes would include approval by Development Review Committee (DRC), not by a special use permit; minimum lot size 2 acres, maximum guest rooms shall be eight; ADA alterations; signage with limitations; public water and wastewater connection required; long term rentals not permitted; additional parking requirements and a 30 day maximum stay. The proposed changes to the EOZD would include; increase maximum occupancy from five rooms to eight rooms; decrease minimum lot size from three acres to two acres; be located within 1,320 feet from a collector or arterial road; public water and wastewater connect required and only permanent stables/barns, no temporary tents. Mr. Harding reviewed the recommendations from staff and the recommendations from the Equestrian Preserve Committee (EPC). Staff is available for questions.

Mr. Robbert inquired on the owner/operator being a full-time resident and the definition. Ms. Cramer stated they would have to occupy the resident. Mr. Basehart pointed out they would have to live there. Ms. Cramer pointed out the EPC had requested additional changes one being to make the request a conditional use. Ms. Cramer advised Bed and Breakfast are currently allowed in the Village. These regulations give a little more flexibility. It also creates more restrictive regulations in addressing issues up front by being presented to DRC.

Mr. Levin inquired on why the previous PZAB denied the request. Ms. Cramer stated there were concerns that staff has addressed. Some of the concerns from the previous Board was code compliance and the business plan that was why there was no motion from the Board.

Ms. Coleman inquired on the owner and excluding corporations and LLC. Mr. Basehart stated it should not be the Village's business. Mr. Basehart pointed out anyone doing business would from a LLC or corporation. Ms. Cohen agreed with that and cannot restrict to an individual. If the individual is a managing member or an officer it would satisfy the corporate requirement. Mr. Basehart pointed out many of the properties in the EOZD are owned by corporations. Ms. Coleman inquired on the acreage. Ms. Cramer presented an illustration on lot sizes. Ms. Coleman inquired on the bedroom having a bathroom. Ms. Cramer stated unknown but it would be reviewed at the DRC. It is not related to the Bed and Breakfast. Ms. Coleman inquired on the parking spaces and a permanent stables. Ms. Coleman pointed out the stables are rented for several months, can they still rent the stable and not stay at the Bed and Breakfast. Mr. Basehart stated the stabling would be available for the people staying at the Bed and Breakfast. Mr. Shullman inquired on limitation of the number of Bed and Breakfast. Ms. Cramer stated the separation requirement and location would be a factor. Ms. Cramer presented a map of the potential sites. Mr. Shullman inquired on the where the separation is taken from. Ms. Cramer stated it would be better from the property line.

Ms. Mariaca pointed out the good work from staff. Ms. Mariaca believes staff recommendations are important, pointing out several of the recommendations are currently not addressed in our code. Ms. Mariaca believes it is important for the Village to offer.

A motion was made by Carol Coleman, seconded by Stephen A. Levin, unanimously approved by the Board (6-0), to open public hearing.

A motion was made by Carol Coleman, seconded by Stephen A. Levin, unanimously approved by the Board (6-0), to close public hearing.

Ms. Cramer pointed out when making the motion to clarify the recommendations. Ms. Cohen asked for a voice vote. A motion has been made any discussion on the motion to give Ms. Coleman to express her concerns.

Ms. Coleman stated on two acres to have eight room, the parking would be an issue. Ms. Coleman expressed the concern of the septic system capability.

A motion was made by Jeffrey Robbert, seconded by Tomas Bueno, unanimously approved by the Board (5-1) with Carol Coleman dissenting, to approve with staff recommendations, Ordinance No. 2016-07.

B. PZ-0094 | ORDINANCE NO. 2016-20 AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.5.8.B OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO BUILDING HEIGHT LIMITATIONS; AMENDING SECTION 6.10.6- TABLE B OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO THE DEVELOPMENT STANDARDS IN THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING A CONFLICTS CAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Ms. Cramer reviewed the building height request, explaining the background of the request. Staff believes it should only be applied to the EOZD, not to the entire Village. Ms. Cramer explained there have been many unification of lots. Ms. Cramer reviewed the request with the Board.

Ms. Coleman inquired on the structure and the additional height above the 35 feet meeting the setback. Ms. Cramer stated from the architectural feature. If the design was to have some type of tower and meets the additional setback. The house can be built at the existing setback. Mr. Basehart stated if used as an entry feature would require the house to meet the setback unless not part of the house.

A motion was made by Tomas Bueno, seconded by Stephen A. Levin, unanimously approved by the Board (6-0), to open public hearing.

Ms. Cramer pointed out the request is staff initiated, and would benefit Mr. Kurtz's client.

Jeff Kurtz, attorney representing Cedar Crest Stables, pointed out he has been in discussion with staff and is supportive of the amendment. Mr. Shullman inquired if the appeal would be satisfy with these amendments. Mr. Kurtz stated if approved his client could submit building plans the next day and the appeal would be withdrawn.

A motion was made by Allan Shullman, seconded by Stephen A. Levin, unanimously approved by the Board (6-0), to close public hearing.

A motion was made by Jeffrey Robbert, seconded by Carol Coleman, unanimously approved by the Board (6-0), to approve Ordinance No. 2016-20 that staff is recommending.

VIII. COMMENTS FROM THE PUBLIC

None.

IX. COMMENTS FROM STAFF

Ms. Cramer advised of the potential applications coming to the Board.

X. COMMENTS FROM THE BOARD

Stephen A. Levin spoke on the Planning Workshop and enjoyed the grand opening of the Community Center. Mr. Bueno agreed with the enjoying the grand opening of the Community Center. Ms. Mariaca thanked staff for their work.

XI. ADJOURN

A motion was made by Tomas Bueno, seconded by Stephen A. Levin to adjourn.

The meeting adjourned at 7:50 p.m.

APPROVED: _____
Date

Elizabeth Mariaca-Chairperson

DRAFT