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WHEREAS, the 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, as adopted by Wellington, is authorized and empowered to consider petitions related to Zoning and land development orders; and

WHEREAS, the notice and hearing requirements as provided in Article V of the Land Development Regulations, as adopted by Wellington, have been satisfied; and

WHEREAS, the Ordinance No. 2000-14 designated the subject site as Planned Unit Development (PUD) on the Zoning Map, by Council at a public hearing conducted on July 25, 2000; and

WHEREAS, The Equestrian Club PUD Master Plan was approved by Resolution No. R2000-45 by Council at a public hearing conducted on July 25, 2000; and

WHEREAS, The Equestrian Club PUD Master Plan was modified by Resolution No. R2002-101 to combine two (2) "polo workout areas" into one (1) 5.1 acre community equestrian workout area, known as Tract J-1, with a Council imposed condition that this area be accessible to residents and guests of The Equestrian Club PUD; and

WHEREAS, a previous request to modify the Master Plan designation of Tract J-1 was submitted to the Village in 2012. The Equestrian Preserve and the Planning, Zoning and Adjustment Board heard the request and recommended unanimous approval of the item in April 2012; and

WHEREAS, Council heard the item on April 24, 2012 and denied the request mainly due to lack of documented support from the residents of the PUD (Resolution R2012-26); and

1
2 **WHEREAS**, the applicant has submitted a new request to modify the Master
3 Plan designation with additional community support and documentation for
4 consideration by Council;
5

6 **WHEREAS**, the Council has considered the evidence and testimony presented
7 by the Petitioner and other interested parties and the recommendations of the various
8 Wellington review agencies and staff; and
9

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

- 11 1. The proposed Master Plan Amendment is consistent with the
12 Comprehensive Plan.
13
14 2. The subject request is consistent with the stated purposes and intent of the
15 Land Development Regulations. This request to amend a Council imposed
16 condition restricting Tract J-1 is being processed as an Expedited
17 Application Consideration (EAC) to Council after prior recommendation of
18 approval by the Equestrian Preserve Committee and Planning, Zoning and
19 Adjustment Board.
20
21 3. The requested Master Plan Amendment is consistent with the surrounding
22 land uses and zoning districts. The proposed Master Plan designation of
23 Tract J-1 to one (1) single family dwelling unit with equestrian uses is
24 compatible with uses and density with a Residential B Zoning designation
25 and a PUD/EOZD Future Land Use Map designation.
26
27 4. No adverse impacts to the natural environment are expected to occur as a
28 result of an approval of the Master Plan Amendment.
29
30 5. The additional dwelling unit will not have an impact on the surrounding
31 roadways or turning movements at the project's entrance. The site is served
32 by water, sewer and trash disposal from Wellington.
33

34 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
35 **FLORIDA, THAT:**
36

37 **SECTION 1:** The Equestrian Club PUD Master Plan, for the real property as
38 described in Exhibit "A" is hereby approved subject to the amended and restated
39 conditions contained herein, which are in addition to the general requirements otherwise
40 provided by ordinance:
41

- 42 1. ~~This approval is based on a Master Plan entitled "Master Plan - The Equestrian~~
43 ~~Club" prepared By Julian Bryan and Associates, revised on April 3, 2000, and~~
44 ~~received on April 4, 2000 and revised and received August 8, 2002. The~~
45 Equestrian Club PUD Master Plan shall be consistent with the plans date
46 stamped June 13, 2016 (Exhibit B).
47 2. The following uses are approved:

- 1 a. ~~148 single-family dwelling units and related equestrian uses as contemplated~~
2 ~~by the Master Plan application and related documents. A maximum of 149~~
3 ~~dwelling units per the Master Plan (Exhibit B) with the below limitation:~~
- 4 • 138 Estate single-family lots. No equestrian uses allowed.
 - 5 • 11 Ranchette single-family lots and equestrian uses. A barn/stable is
6 allowed without a single-family dwelling unit.
- 7 b. ~~5.1 acre community equestrian workout area (Parcel J1).~~
8 c. 2.1 acre private recreation area.
9 d. Private equestrian trail.
- 10
- 11 3. ~~Prior to certification of the final site plan for this project, the~~ The equestrian trail
12 ~~depicted on the master plan shall be relocated-located behind the wall/entry~~
13 ~~feature on Lake Worth Road.~~
- 14 4. ~~Prior to November 15, 2002, the Petitioner shall provide an easement to the~~
15 ~~Village of Wellington to permit the installation of a traffic calming device at the~~
16 ~~intersection of Lake Worth Road and 120th Avenue. Prior to December 31, 2002,~~
17 ~~the Petitioner shall either install Equestrian Preserve Entrance Signage~~
18 ~~acceptable to the Village Engineer adjacent to the intersection of Lake Worth~~
19 ~~Road and 120th Avenue or contribute the sum of \$2,000.00 to be held by the~~
20 ~~Village for use in the construction of the signage element of the traffic calming~~
21 ~~device at that intersection. {Condition Completed: A utilities easement was~~
22 ~~dedicated and signage installed}~~
- 23 5. ~~Petitioner shall ensure that the equestrian facilities located on Parcel J1 in the~~
24 ~~western portion of the project are available for use of the owners of property in~~
25 ~~the eastern portion of the project through membership, ownership, leasing or~~
26 ~~other methods.~~
- 27 6. 5. Prior to the issuance of the next certificate of occupancy for structures on
28 Lots 1-4011A or December 31, 2016, whichever occurs first, the petitioner shall
29 provide and the Village shall record, a restrictive covenant, acceptable to the
30 Village Attorney, shall be recorded deleting the covenant that the property
31 designated on the "Master Plan "polo field" can only be used as a polo field (or
32 other equestrian use) and imposing a covenant that Parcel J1 shall be restricted
33 for use as a community equestrian recreation facility, accessible to residents and
34 guests of the Equestrian Club PUD only. Additionally, Petitioner shall provide a
35 restrictive covenant restricting that those portions of the Ranchette lots that are
36 encumbered by the Equestrian Use Area Restriction shown on the replat plat or
37 re-plat shall not contain any residences, barns, stables or other buildings. Lot
38 11A shall provide a minimum one (1) acre dedication toward the Equestrian Use
39 Area. This restrictive covenant shall also require building and/or land
40 development permits for all structures on Lot 11A. However, this This restriction
41 will not prohibit fences, jumps, paddocks, equestrian exercise or training facilities,
42 drainage improvements, irrigation systems, utilities, landscaping, gazebos and
43 other permanent improvement which are similar in nature or are otherwise
44 ancillary to the equestrian use of this area. These restrictive covenants shall not

1 be modified without the prior approval of the Village Council.

2 6. The Equestrian Club PUD re-plat and site plan amendment shall be submitted
3 within 60 days of this approval and shall be approved by the Village prior to the
4 issuance of building or land development permits for Lot 11 (F.K.A. Tract J-1).

5 7. ~~Upon adoption thereof, the Petitioner shall incorporate the~~ The Village's
6 Stormwater Quality Best Management Practices shall be incorporated into the
7 design and operation of the project.

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

12
13 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this
14 Resolution be declared by a court of competent jurisdiction to be invalid, such decision
15 shall not affect the validity of this Resolution as a whole or any portion or part thereof,
16 other than the part so declared to be invalid.

17
18 **SECTION 4:** This Resolution shall become effective immediately upon adoption.
19
20
21

22 **PASSED AND ADOPTED** this _____ day of _____, 2016.
23
24

25 **ATTEST:**

WELLINGTON, FLORIDA

26
27
28 BY: _____
29 Rachel Callovi, Clerk

BY: _____
Anne Gerwig, Mayor

30
31
32 **APPROVED AS TO FORM AND**
33 **LEGAL SUFFICIENCY**
34
35
36

37 BY: _____
38 Laurie Cohen, Attorney
39

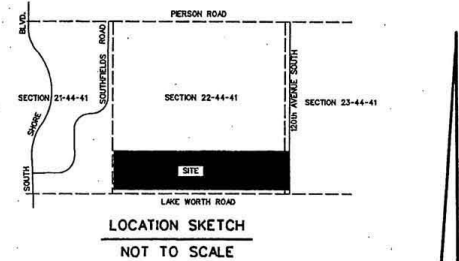
Exhibit A

Legal Description

A PORTION OF SECTION 22 AND SECTION 23, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE N01°09'43"E, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 130.01 FEET TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY LINE OF LAKE WORTH ROAD AS DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10116, PAGE 1222, PALM BEACH COUNTY, FLORIDA; THENCE N89°28'32"W, ALONG THE AFOREMENTIONED WESTERLY PROLONGATION OF LAKE WORTH ROAD, A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF ACME IMPROVEMENT DISTRICT RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1037, PAGE 686 AND OFFICIAL RECORDS BOOK 1130, PAGE 466, PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE N01°09'43"E, ALONG SAID EAST LINE (50.00 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SECTION 22-44-41), A DISTANCE OF 1207.69 FEET TO A POINT ON THE SOUTH LINE OF A PARCEL DESCRIBED ON EXHIBIT "A" IN OFFICIAL RECORDS BOOK 9991, PAGE 1838, PALM BEACH COUNTY, FLORIDA (THE FOLLOWING THREE COURSES ARE ALONG SAID SOUTH LINE); THENCE S89°28'48"E A DISTANCE OF 110.00 FEET; THENCE N01°09'43"E A DISTANCE OF 3.97 FEET, THENCE S89°27'30"E A DISTANCE OF 5259.88 FEET, CROSSING INTO SECTION 23, TO THE WEST LINE OF A 75 FEET WIDE ACME IMPROVEMENT DISTRICT RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1548, PAGE 388, PALM BEACH COUNTY, FLORIDA; THENCE S01°20'16"E, ALONG SAID WEST LINE, A DISTANCE OF 1190.89 FEET TO THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF LAKE WORTH ROAD; THENCE S89°15'05"W, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 889.04 FEET; THENCE N89°28'32"W, STILL ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 4533.25 FEET TO THE POINT OF BEGINNING.

Exhibit B
The Equestrian Club PUD Master Plan



RESIDENTIAL DATA

PARCEL	LOTS	NET AC.	DENSITY	HOUSING TYPE
A	11	47.65	0.23 U/A	RANCHETTES
(2.5 Ac. minimum lot, 4.33 Ac. average lot)				
B	138	55.0	2.51 U/A	ESTATES
(15,000 sq. ft. minimum lot, 17,361 sq. ft. average lot)				

* That portion of lot not subject to equestrian use only.

REGULATING CHART

	RANCHETTE	ESTATES
Min. Lot Size	2.5 acres	15,000 sq. ft.
Min. Lot Width (at setback)	190'	100'
Typical Lot	N/A	100' x 150'
Front Setback	50'	30'
Side Setback, interior*	25'	12.5'
Side Setback, corner	50'	20'
Rear Setback*	50'	25'
Building Coverage	20% Max.	35% Max.

* Setbacks are measured from platted lot lines however, per Master Plan Amendment, buildings may not be placed in the Equestrian Use Area. See more specific language under General Notes taken from Village Council approval.

PLANNED DEVELOPMENT TABULAR DATA									
POD TYPE AND NAME	ACRE	LATEST APPROVAL	CURRENT DISC APPROVAL			NEW SUBMITTAL			CHANGE
			TYPE	UNIT	DENSITY	TYPE	UNIT	DENSITY	
			OR GROSS FLOOR AREA			OR GROSS FLOOR AREA			
A	47.52	SP	MF	-	-	SP	MF	0.23	SP MF
B	55.0	-	-	-	-	SP	MF	2.51	
				</					