

ORDINANCE NO. 2016-20

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL  
AMENDING SECTION 6.10.6-TABLE B OF THE WELLINGTON  
LAND DEVELOPMENT REGULATIONS RELATED TO THE  
DEVELOPMENT STANDARDS (BUILDING HEIGHT) IN THE  
EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING A  
CONFLICTS CAUSE; PROVIDING A SEVERABILITY CLAUSE  
AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Wellington's Council, pursuant to the authority granted to it in Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations; and

**WHEREAS**, the Wellington Council desires to amend 6.10.6 -Table B of Wellington's Land Development Regulations related to building height limitations; and

**WHEREAS**, The Equestrian Preserve Committee recommended approval of the amendment at the August 3, 2016 meeting with a unanimous vote (7-0); and

**WHEREAS**, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on August 10, 2016 has reviewed the proposed Ordinance and determined that the proposed amendment is consistent with Wellington's Comprehensive Plan and recommended approval of the amendment with a unanimous vote (6-0); and

**WHEREAS**, the Council has taken the recommendations from the Local Planning Agency, Wellington staff and the comments from the public into consideration when considering the amendments to the Land Development Regulations that are the subject of this Ordinance.

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

**SECTION 1.** Section 6.10.6 – Table B of Wellington's Land Development Regulations is hereby amended as follows [~~strike-through~~ formatted text is to be deleted; underline formatted text is to be added]:

**Table B.**  
**Development Standards for Principal and Accessory Uses**

Development Standard	Minimum Dimension or Standard
Minimum Lot Width	300 feet, or as otherwise provided in a current, valid development order.
Minimum Lot Depth	300 feet, or as otherwise provided in a current, valid development order.

Maximum Floor Area Ratio	20%, or as otherwise provided in a current, valid development order or as otherwise provided in the Future Land Use Element of the Comprehensive Plan.
Maximum Building Height*	35 feet.
Maximum Lot Coverage	20%, or as otherwise provided in a current, valid development order.

\*Note: Subarea A, C, D and E of the EOZD: Principal and accessory structures are limited in height to 35 feet in accordance with the method of calculating maximum building height as set forth in section 6.5.8 of the LDRs. Residential properties proposed to have architectural features (including but not limited to chimneys, cupolas, parapets, towers and turrets) as part of the principal or accessory structures may exceed the 35 foot height limitation provided the architectural feature meets all of the following standards:

- a) The lot must be five (5) acres in size or greater;
- b) The architectural feature does not include habitable room(s);
- c) The architectural feature may exceed the roof line by 25% with a maximum building height of the feature not to exceed 50 feet;
- d) The architectural feature does not exceed ten (10) percent of the ground level floor area or roof area, whichever is less, of the principal/accessory structure; and
- e) The architectural feature shall be setback one (1) additional foot for each additional foot of height above 35 feet.

Subarea B of the EOZD: Principal and accessory structure shall maintain the maximum building height of 35 feet as set forth in section 6.5.8 of the LDRS. Non-habitable architectural features proposed on lots five (5) acres or greater shall be subject to the height limitations set forth in the regulations for Subarea A, C, D and E above.

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

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

**SECTION 4:** This Ordinance shall become effective immediately upon adoption by the Village Council following second reading.

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**PASSED** this 23 day of August 2016, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2016, on second and final reading.

**WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
BY: _____ Anne Gerwig, Mayor	_____	_____
_____	_____	_____
John T. McGovern, Councilman	_____	_____
_____	_____	_____
Michael Drahos, Councilman	_____	_____
_____	_____	_____
Michael J. Napoleone, Councilman	_____	_____
_____	_____	_____
Tanya Siskind, Councilwoman	_____	_____

**ATTEST:**

BY: \_\_\_\_\_  
Rachel Callovi, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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