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RESOLUTION NO. R2018-67

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A DEVELOPMENT ORDER AMENDMENT TO DELETE CONDITION NO. 4 OF RESOLUTION R2008-111, FOR CERTAIN PROPERTY KNOWN AS WELLINGTON COUNTRYPLACE PLANNED UNIT DEVELOPMENT, POD F, TO ALLOW THE CONSTRUCTION OF PERMANENT ROAD AND BRIDLE TRAIL IMPROVEMENTS FOR GENE MISCHÉ WAY PRIOR TO THE APPROVAL AND RECORDATION OF THE RELATED PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council, as the governing body of the Village of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulation 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 Land Development Regulation, as adopted by Wellington, have been satisfied; and

WHEREAS, Resolution No. R2008-111 Section 3, Condition No. 4 stated "Construction of permanent improvements, including structures fencing, roads, utilities stormwater management system and similar improvements are prohibited until a plat for the property is approved and recorded;" and

WHEREAS, the Land Development Regulation Article 8 already provides standards for the timing for road, utilities, stormwater and similar improvements required; and

WHEREAS, the proposed roadway, bridle trail and landscape buffer are within the proposed parcels to be platted, but are not an individual lot improvement such as a house, barn or other similar structure. The improvements are for the north/south connectivity between Pierson Road and 40th Street. No individual lot improvements shall be permitted until such time the plat is approved by Village Council and recorded in the public records of Palm Beach County; and

WHEREAS, the applicant is aware that when the road improvements are completed the related improvements required by Resolution No. R2014-37 Section 2, Condition No.'s 8 and 9 shall be required to be satisfied prior to the closing of the Land Development Permit; and

45 **WHEREAS**, the Council has taken the recommendations from Wellington
46 staff and the comments from the public into consideration when considering the
47 proposed amendment; and
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49 **WHEREAS**, The Council has made the following findings of fact:
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- 51 1. The Development Order Amendment is consistent with the
52 Comprehensive Plan;
- 53 2. The subject request is consistent with the stated purposes and
54 intent of the Land Development Regulations;
- 55 3. The request is consistent with the surrounding Land Uses and
56 Zoning Districts;
- 57 4. No adverse impacts to the natural environment are expected to
58 occur as a result of the approval of the request;
- 59 5. The request does not change the previously approved Master Plan
60 and will result in a logical and orderly development pattern; and
61 6. The subject site complies with Article 11, Adequate Public
62 Facilities.

63 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF**
64 **WELLINGTON, FLORIDA, that:**
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66 **SECTION 1.** The Development Order Amendment request for the
67 Wellington CountryPlace Planned Unit Development, Pod F, is hereby
68 approved subject to the following:
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- 70 1. All conditions of approval in effect for the Wellington CountryPlace
71 Planned Unit Development, not amended by this resolution remain
72 in full force and effect; and
- 73 2. The required landscape buffer along the west side of Gene Mische
74 Way shall be installed in accordance with the approved Alternative
75 Landscape Plan.

76 **SECTION 2:** This Resolution shall become effective upon adoption.
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78 **PASSED AND ADOPTED** this _____ day of _____, 2018.
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ATTEST:

WELLINGTON

BY: _____
Chevelle D. Nubin, Village Clerk

BY: _____
Anne Gerwig, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie S. Cohen, Village Attorney