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RESOLUTION NO. R2008-111

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING THE DEVELOPMENT ORDER AMENDMENT FOR PETITION NUMBER 2007-023 DOA 1, ALSO KNOWN AS COUNTRY PLACE PLANNED UNIT DEVELOPMENT POD F LOT 1 AND A PORTION OF LOT 2; FOR THE 13-ACRE PROPERTY LOCATED APPROXIMATELY ½ MILE SOUTH OF PIERSON ROAD AND ONE MILE WEST OF SOUTH SHORE BOULEVARD, AS DESCRIBED MORE PARTICULARLY HEREIN, TO MODIFY THE PREVIOUSLY APPROVED MASTER PLAN TO VACATE RESOLUTION 98-76 WHICH RESTRICTS THE SUBJECT SITE TO COMMERCIAL EQUESTRIAN USE AND TO RESTORE TO THE RESIDENTIAL USES ALLOWED BY THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village 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 Village of Wellington Land Development Regulations are authorized and empowered to consider petitions related to zoning and development orders; and

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

WHEREAS, the subject site is designated on the Wellington Country Place PUD for residential use;

WHEREAS, the subject site possess a zoning designation of AR/SE/PUD/EOZD (Agriculture Residential with a Special Exception for a Planned Unit Development within the Equestrian Overlay Zoning District); and

WHEREAS, the Village Council has considered the evidence and testimony presented by the Petitioner and other interested parties and the recommendations of the various Village of Wellington review agencies and staff; and

WHEREAS, the Village Council has made the following findings of fact:

1. The request is consistent with the Comprehensive Plan.
2. The request is consistent with the stated purposes and intent of the Land Development Regulations.

3. The request is consistent with the surrounding land uses and zoning districts.
4. No adverse impacts to the natural environment are expected to occur as a result of the approval of the request.
5. The subject site will have adequate public services and facilities in place to support the anticipated impact of the proposed use, with impacts on traffic, water and sewer services.

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

SECTION 1. The Development Order Amendment of FNS2, LLC owner and Chickering South, LLC owner and O'Dell, Inc. agent, is hereby APPROVED on the following property as noted in Exhibit "A", subject to the conditions of approval contained herein, which are in addition to the general requirements otherwise provided by this ordinance

SECTION 2. Village of Wellington Resolution No.98-76 is hereby vacated and is of no further force and effect.

SECTION 3. The subject site shall be subject to the following:

1. Maintain a berm at a minimum of three feet in height along the entire easterly side of the property adjacent to the bridle path.
2. Install hedges, bushes, shrubs and trees, or combination thereof, along the crown of the berm. The landscape materials shall be approved by the Planning and Zoning Manager prior to issuance of a building permit for any permanent structures on the site.
3. The berm and landscape materials shall be installed prior to issuance of a certificate of occupancy or a certificate of completion for any permanent structure on the site.
4. ~~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.~~
5. Use of the property shall comply with all applicable requirements of the Comprehensive Plan, Land Development Regulations and Code of Ordinances.
6. All conditions of approval in effect with Wellington Country Place PUD not amended by this resolution remain in full force and effect.

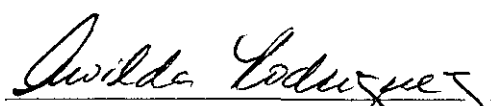

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4 **PASSED AND ADOPTED** this 9th day of December 2008.
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7 **ATTEST:**

8 **VILLAGE OF WELLINGTON, FLORIDA**
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11 BY:

12  
13 Awilda Rodriguez, Village Clerk Darell Bowen, Mayor
14

15 **APPROVED AS TO FORM AND**
16 **LEGAL SUFFICIENCY:**

17
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19 BY:

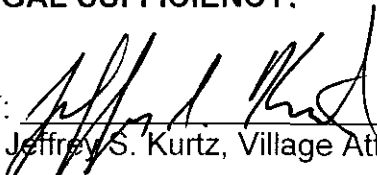
20 
Jeffrey S. Kurtz, Village Attorney

Exhibit "A"

DESCRIPTION

A PARCEL OF LAND IN THE EAST ONE HALF OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

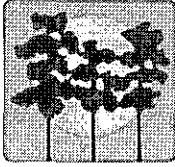
BEGINNING AT THE SOUTHWEST CORNER OF PARCEL "A" OF PALM BEACH POLO EQUESTRIAN CLUB PLAT NO.2, AS RECORDED IN PLAT BOOK 61, PAGES 112 THROUGH 113 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00°50'56" WEST, ALONG THE WEST LINE OF THE EAST ONE HALF OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, A DISTANCE OF 948.24 FEET; THENCE SOUTH 89°09'04" EAST, ALONG A LINE PERPENDICULAR TO THE SAID WEST LINE OF THE EAST ONE HALF OF SECTION 20, A DISTANCE OF 701.13 FEET; THENCE NORTH 00°50'56" EAST, ALONG A LINE PARALLEL WITH THE SAID WEST LINE OF THE EAST ONE HALF OF SECTION 20, A DISTANCE OF 151.34 FEET TO A POINT IN THE WESTERLY BOUNDARY OF EQUESTRIAN CLUB ESTATES PLAT NO.2 OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON COUNTRYPLACE-P.U.D. AS RECORDED IN PLAT BOOK 64, PAGES 190 THROUGH 192 OF SAID PUBLIC RECORDS; THENCE NORTH 22°09'04" WEST ALONG SAID WESTERLY BOUNDARY OF EQUESTRIAN CLUB ESTATES PLAT NO.2, A DISTANCE OF 425.17 FEET; THENCE NORTH 00°50'56" EAST, ALONG SAID WESTERLY BOUNDARY OF EQUESTRIAN CLUB ESTATES PLAT NO.2, A DISTANCE OF 410.00 FEET TO THE INTERSECTION WITH THE SOUTH BOUNDARY OF SAID PALM BEACH POLO EQUESTRIAN CLUB PLAT NO.2; THENCE NORTH 89°37'49" WEST ALONG SAID SOUTH BOUNDARY OF PALM BEACH POLO EQUESTRIAN CLUB PLAT NO. 2, A DISTANCE OF 535.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 566,155.79 SQUARE FEET OR 13.00 ACRES MORE OR LESS.

NOTES

1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO A BEARING OF S.00°50'56"W. ALONG THE WEST LINE OF THE EAST ONE-HALF OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST.
2. ■ DENOTES PERMANENT REFERENCE MONUMENT.
● DENOTES IRON ROD.
3. DATE OF LAST FIELD WORK - 9/20/94.
4. PHYSICAL IMPROVEMENTS HAVE NOT BEEN SHOWN.

SCALE: 1" = 200'	NICK MILLER, INC. Surveying Planning & Development Consultants	DRAWN BY:
DATE: 9-20-94		CHK
BOUNDARY SURVEY PREPARED FOR: PALM BEACH POLO HOLDINGS, INC.		
2560 RCA Blvd. • Suite 105 Palm Beach Gardens, Florida 33410 (407) 627-5200		DRAWING NUMBER 94040



Village of Wellington
Planning & Zoning Division

MEMO

Date: December 18, 2008
To: Rachel Callovi
From: Olga M. Prieto *omp*
Re: Polaski DOA 2007-023 DOA1 H T E 07-1006

Please replace the Exhibit "A" Location Map included in Resolution R2008-111 with the enclosed Exhibit "A."

Thanks,