



## Legislation Details (With Text)

<b>File #:</b>	22-5466	<b>Name:</b>	AN AMENDMENT TO THE RESTRICTIVE COVENANT BETWEEN W&W EQUESTRIAN CLUB, LLC AND WELLINGTON FOR WINDING TRAILS
<b>Type:</b>	Discussion Item	<b>In control:</b>	Village Council
<b>On agenda:</b>	10/11/2022	<b>Final action:</b>	
<b>Title:</b>	AN AMENDMENT TO THE RESTRICTIVE COVENANT BETWEEN W&W EQUESTRIAN CLUB, LLC AND WELLINGTON FOR WINDING TRAILS		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 1. Restrictive Covenant Exhibit A - Second Amendment RC		

Date	Ver.	Action By	Action	Result
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### ITEM: AN AMENDMENT TO THE RESTRICTIVE COVENANT BETWEEN W&W EQUESTRIAN CLUB, LLC AND WELLINGTON FOR WINDING TRAILS

**REQUEST:** Approval of an Amendment to the Restrictive Covenant for Winding Trails, specifically Section 4, to allow adjacent lots 5 and 6 held under unity of title with common ownership to aggregate the sum of each lot's maximum horse stall and stall rental limitation.

**EXPLANATION:** In 2017, the Wellington Council approved a master plan amendment for Winding Trails to allow nine (9) dwelling units, nine (9) barns with grooms quarters, and a maximum of 90 stalls (Resolution No. R2016-17). One of the conditions of approval was the developer's agreement to record Restrictive Covenants with specific provisions, including the limitation of "no more than four [4] horse stalls per acre and no more than ten [10] horse stalls on any lot within the development" and the limitation of "no more than four [4] horse stalls rented to non-occupant third parties on any lot".

In 2021, a Zoning Text Amendment was approved by Wellington Council to modify Section 6.8.9.C of the LDR, to allow properties within Winding Trails held under unity of title with common ownership to aggregate the sum of each lot's maximum horse stall and stall rental limitation. At that time, the Wellington Council approved an amendment to The Winding Trails Restrictive Covenant to address the intended combination of adjacent lots 8 and 9 only. Any other unified lots within Winding Trails would have to amend the Restrictive Covenants. The proposed Second Amended Restrictive Covenants is proposed to be amended to allow lots 5 and 6 to also aggregate the sum of each lot's maximum horse stall and stall rental limitation once the lots are unified.

**BUDGET AMENDMENT REQUIRED:** N/A

**PUBLIC HEARING:** NO **QUASI-JUDICIAL:**

**FIRST READING:** **SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of an Amendment to the Restrictive Covenant for Winding Trails, specifically Section 4, to allow adjacent lots 5 and 6 held under unity of title with common ownership to aggregate the sum of each lot's maximum horse stall and stall rental limitation.