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RESOLUTION NO. PZAB2026-01

A RESOLUTION OF THE PLANNING, ZONING AND ADJUSTMENT BOARD OF WELLINGTON, FLORIDA, GRANTING A VARIANCE (PETITION 2026-0001-VAR) FROM TABLE 7.8-1, LANDSCAPE BUFFER APPLICATION, OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS (LDR) FOR A REDUCED WIDTH OF A TYPE B LANDSCAPE BUFFER LOCATED ON THE EASTERN BOUNDARY OF TRACT B OF BLUE CYPRESS OF PALM BEACH POLO AND COUNTRY CLUB, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Table 7.8-1, Landscape Buffer Application, requires a 15-foot-wide Type B landscape buffer when a property with a Residential E Future Land Use Map (FLUM) Designation abuts a property with a Commercial Recreation FLUM designation; and

WHEREAS, a Variance is a deviation from bulk regulations of the Land Development Regulations (LDR) to allow the development of a property where such variance will not negatively impact public interest, would allow the property owner to develop the property in the same manner as other similar properties, and where existing conditions peculiar to the property are not the result of the actions of the applicant, and a literal enforcement of the regulations would result in an undue hardship to the property owner; and

WHEREAS, the Planning, Zoning and Adjustment Board shall determine if an application for a variance meets the intent of the LDR and those applicable standards listed in the Development Review Manual to be considered for approval; and

WHEREAS, the notice and hearing requirements as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, at a regular meeting of the Planning, Zoning and Adjustment Board on March 18, 2026, a public hearing was held to hear testimony, review the staff report findings, and receive evidence related to the request to grant a variance for the reduced width of a Type B Landscape Buffer to accommodate swimming pools within Lots 12 – 14 of Tract B of Blue Cypress of Palm Beach Polo and Country Club; and

WHEREAS, a quorum of the Planning, Zoning and Adjustment Board was present at the public hearing held on March 18, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING, ZONING AND ADJUSTMENT BOARD OF WELLINGTON, FLORIDA, AS FOLLOWS:

SECTION 1: After consideration of all testimony, exhibits, and review of the staff report findings, the Planning, Zoning and Adjustment Board determines the standards for granting a variance, as set forth in Section 5.3.8 of Wellington's LDR and the Development Review Manual have been satisfied and hereby grants the requested variance for the real property, as described in Exhibit A and subject to the following Conditions of Approval:

- 50 1. The landscape buffer is reduced to 7.5 feet within Lots 12 – 14 in the areas
51 depicted in Resolution No. PZAB2026-01. A Minor Site Plan Amendment to the
52 Blue Cypress site plan and a replat to the Blue Cypress of Palm Beach Polo and
53 Country Club Plat will be required for the adjusted landscape buffer consistent
54 with Exhibit B before the issuance of a building permit for the pool.
55
56 2. Granting of the variance does not allow a reduced quantity of landscape material
57 required within the landscape buffer.
58

59 **SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of this
60 Resolution conflict with any section, paragraph, clause or phrase of any prior Ordinance,
61 Resolution, or municipal Code provision, then in that event the provisions of this Resolution
62 shall prevail to the extent of such conflict.
63

64 **SECTION 3:** Should any section paragraph, sentence, clause, or phrase of this
65 Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall
66 not affect the validity of this Resolution as a whole or any portion or part thereof, other than
67 the part to be declared invalid.
68

69 **SECTION 4:** This Resolution shall become effective immediately upon approval.
70

71 **IN WITNESS WHEREOF,**
72

73 The Planning, Zoning and Adjustment Board Chairman has executed this Resolution
74 granting a variance for Petition Number 2026-0001-VAR on this 18th day of March, 2026.
75
76
77

78 _____
79 Michael Drahos, Chairman
80

81 **WITNESS:**
82
83
84
85

86 _____
87 Cory Lyn Cramer, Planning and Zoning Manager
88

89 **APPROVED AS TO LEGAL FORM**
90 **AND LEGAL SUFFICIENCY**
91
92

93 _____
94 Laurie Cohen, Board Attorney
95
96
97
98

Exhibit A – Tract B of Blue Cypress Legal Description

99
100
101
102 A PARCEL OF LAND IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 41 EAST,
103 VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA BEING ALL OF TRACT
104 "B", BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB,
105 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 163
106 TO 165, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING
107 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
108
109 BEGIN AT THE SOUTHWEST CORNER OF LOT 2, OF BLACK WATCH FARM PLAT NO.
110 2 OF PALM BEACH POLO AND COUNTRY CLUB OF WELLINGTON P.U.D.,
111 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 76, PAGE 174,
112 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
113 THENCE NORTH 01°03'34" EAST, ALONG THE WEST LINE OF SAID LOT 2, A
114 DISTANCE OF 545.89 FEET TO THE SOUTHEAST CORNER OF TRACT "A", OF BLUE
115 CYPRESS OF PALM BEACH POLO AND COUNTRY CLUB, WELLINGTON P.U.D.,
116 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 90, PAGE 3, OF
117 THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
118 THENCE NORTH 88.56'26" WEST, ALONG THE SOUTH LINE OF SAID TRACT "A", A
119 DISTANCE OF 78.00 FEET TO THE SOUTHEAST CORNER OF TRACT "G-2" OF SAID
120 PLAT;
121
122 THENCE SOUTH 89.44'07" WEST, ALONG THE SOUTH LINE OF SAID TRACT "G-2", A
123 DISTANCE OF 154.11 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE
124 CONCAVE TO THE NORTHWEST:
125 THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, TO
126 THE RIGHT, HAVING A CENTRAL ANGLE OF 13.29'10" AND A RADIUS OF 60.00 FEET
127 FOR AN ARC DISTANCE OF 14.12 FEET TO A POINT ON THE ARC OF A NON-
128 TANGENT CURVE CONCAVE TO THE SOUTHWEST, A RADIAL LINE OF SAID CURVE
129 THROUGH SAID POINT HAVING A BEARING OF SOUTH 13°12'20" WEST;
130 THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF
131 SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 81°13'34" AND A RADIUS
132 OF 30.00 FEET FOR AN ARC DISTANCE OF 42.53 FEET TO A POINT OF COMPOUND
133 CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;
134 THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A
135 CENTRAL ANGLE OF 09°58'54" AND A RADIUS OF 475.00 FEET FOR AN ARC
136 DISTANCE OF 82.75 FEET TO A POINT OF TANGENCY:
137 THENCE SOUTH 11°59'52" WEST, ALONG A LINE TANGENT TO THE LAST
138 DESCRIBED CURVE, A DISTANCE OF 74.18 FEET TO A POINT OF CURVATURE OF A
139 TANGENT CURVE CONCAVE TO THE NORTHWEST;
140 THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO
141 THE RIGHT, HAVING A CENTRAL ANGLE OF 42°52'26" AND A RADIUS OF 318.81 FEET
142 FOR AN ARC DISTANCE OF 238.56 FEET TO THE NORTHEAST CORNER OF LOT 11,
143 OF BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB,
144 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 163,
145 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

146 THE LAST FIVE (5) COURSES BEING COINCIDENT WITH THE EASTERLY RIGHT OF
147 WAY LINE OF BLUE CYPRESS LANE OF PLAT BOOK 116, PAGES 163 TO 165, OF THE
148 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
149 THENCE SOUTH 00°22'12" WEST, ALONG THE EAST LINE OF SAID LOT 11, A
150 DISTANCE 181.24 FEET TO THE NORTH LINE OF TRACT "H" OF SAID PLAT;
151 THENCE SOUTH 89°37'48" EAST, ALONG THE NORTH LINE OF SAID TRACT "H", A
152 DISTANCE OF 439.82 FEET TO THE POINT OF BEGINNING.
153 SAID LANDS SITUATE, LYING AND BEING IN THE VILLAGE OF WELLINGTON, PALM
154 BEACH COUNTY, FLORIDA AND CONTAINING 4.62 ACRES (201,189 SQUARE FEET),
155 MORE OR LESS.
156 HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON
157 AND DOES HEREBY DEDICATE AS FOLLOWS:

158
159 1. TRACT "A" AS SHOWN HEREON IS HEREBY DEDICATED TO THE BLUE
160 CYPRESS HOMEOWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND
161 ASSIGNS, FOR PRIVATE STREET PURPOSES AND OTHER PURPOSES NOT
162 INCONSISTENT WITH THIS DEDICATION AND IS THE PERPETUAL
163 MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND
164 ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF WELLINGTON,
165 FLORIDA.

166
167 TRACT "A" IS FURTHER DEDICATED IN PERPETUITY TO THE VILLAGE OF
168 WELLINGTON, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION,
169 OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF
170 POTABLE WATER PIPELINES, WASTEWATER PIPELINES, RAW WATER
171 PIPELINES, RECLAIMED WATER PIPELINES, AND APPURTENANCES. THE
172 MAINTENANCE OF THE LAND UNDERLYING THIS TRACT SHALL BE A
173 PERPETUAL OBLIGATION TO THE PROPERTY OWNER. NO BUILDINGS,
174 STRUCTURES, IMPROVEMENTS, TREES, WALLS, OR FENCES SHALL BE
175 INSTALLED WITHIN 7.5 FEET OF A VILLAGE OWNED UTILITY WITHOUT PRIOR
176 WRITTEN APPROVAL OF THE VILLAGE OF WELLINGTON UTILITIES
177 DEPARTMENT, ITS SUCCESSORS AND ASSIGNS. THE VILLAGE OF
178 WELLINGTON, ITS SUCCESSORS AND ASSIGNS SHALL HAVE CLEAR
179 VEHICULAR AND PEDESTRIAN ACCESS OVER ALL PUBLICALLY ACCESSIBLE
180 AREAS OF THIS PLAT FOR THE PURPOSES OF INGRESS, EGRESS, AND
181 ACCESS TO ALL VILLAGE OF WELLINGTON UTILITIES. ALL OTHER UTILITY
182 PROVIDERS SHALL ONLY LOCATE FACILITIES WITHIN THE 1 OFT UTILITY
183 EASEMENTS ADJACENT TO TRACT A, AND NOT WITHIN SAID TRACT A
184 EXCEPT WHERE NECESSARY FOR PERPENDICULAR CROSSING POINTS
185 .

186 2. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED IN
187 PERPETUITY FOR THE ACCESS, CONSTRUCTION, OPERATION AND
188 MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION. THE
189 INSTALLATION OF CABLE TELEVISION SYSTEMS AND OTHER
190 TELECOMMUNICATION SERVICES SHALL NOT INTERFERE WITH THE
191 CONSTRUCTION AND MAINTENANCE OF OTHER FACILITIES.

192
193 3. THE DRAINAGE EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO
194 THE BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC., ITS SUCCESSORS

195 AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF
196 DRAINAGE FACILITIES. THE MAINTENANCE OF ALL FACILITIES LOCATED
197 THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID
198 ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO
199 THE VILLAGE OF WELLINGTON, FLORIDA.
200

- 201 4. THE VILLAGE OF WELLINGTON, ITS SUCCESSORS AND ASSIGNS, SHALL
202 HAVE THE RIGHT, BUT NOT THE OBLIGATION TO MONITOR, INSPECT AND
203 MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY
204 THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PRIVATE
205 STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY
206 AND ALL DRAINAGE EASEMENTS ASSOCIATED WITH SAID DRAINAGE
207 SYSTEM.
208
- 209 5. THE BUFFER EASEMENTS AND BUFFER ACCESS EASEMENTS AS SHOWN
210 HEREON ARE HEREBY DEDICATED TO THE BLUE CYPRESS HOMEOWNERS'
211 ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION,
212 OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES. THE
213 MAINTENANCE OF ALL FACILITIES LOCATED THEREIN SHALL BE THE
214 PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS
215 SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF
216 WELLINGTON, FLORIDA.
217
- 218 6. THE LIMITED ACCESS EASEMENT AS SHOWN HEREON IS HEREBY
219 DEDICATED IN PERPETUITY TO THE VILLAGE OF WELLINGTON, FLORIDA
220 FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS
221 RIGHTS.
222