

Blue Cypress Subdivision

Variance Request

January 22, 2026

Request

The Applicant requests approval of a variance from the Village of Wellington Land Development Regulations to allow limited flexibility in the application of the required 15-foot rear landscape buffer for Lots 12, 13, and 14 within the Blue Cypress Subdivision.

The Blue Cypress Subdivision was approved as a Planned Unit Development (PUD) consisting of fourteen (14) residential lots intended to function as a cohesive and unified neighborhood. However, due to the approved subdivision layout and perimeter configuration, Lots 12, 13, and 14 contain reduced lot area and altered geometry relative to the other lots within the subdivision. As a result, the uniform application of the rear landscape buffer requirement to these three lots creates a disproportionate limitation on reasonable lot development that is not experienced by other lots within the PUD.

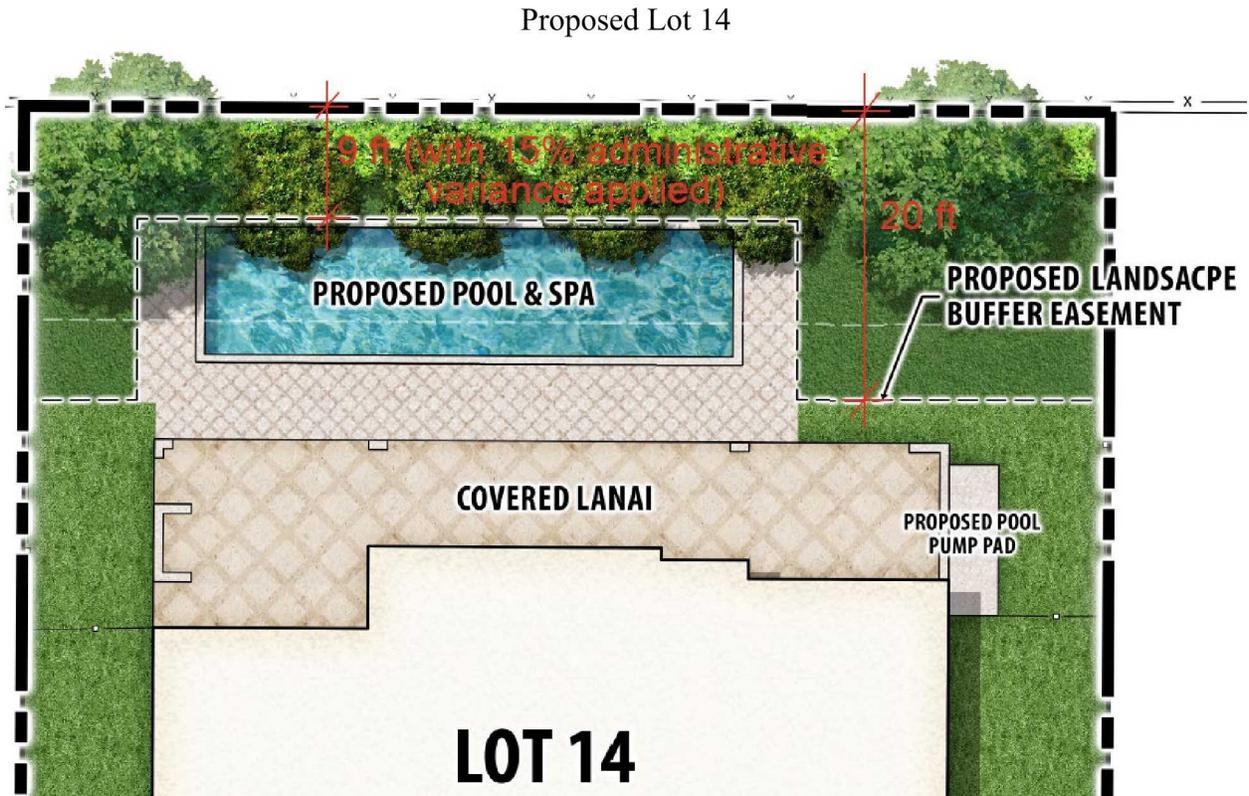
Strict adherence to the rear buffer requirement for the subject lots produces an internal inconsistency within the PUD, undermining the intent of the PUD framework to allow coordinated and equitable development. Without the requested variance, Lots 12, 13, and 14 would be subject to development constraints that are materially different from similarly situated lots, despite being part of the same approved subdivision. The existing 15-foot landscape buffer on these lots create an inconsistency within the subdivision.

The requested variance is narrowly tailored and applies only to Lots 12, 13, and 14. The variance does not eliminate the required rear landscape buffer, nor does it diminish its overall area. To mitigate the reduction of the buffer in specified areas, the project incorporates additional landscape buffering area to make up for the portions of the reduced buffer. It is important to note that approval of this variance will result in no loss in overall landscape buffer area, required landscape plantings, or greenspace.

Approval of the variance is necessary to restore consistency, equity, and functional parity within the PUD, while preserving the intent and purpose of the Village's landscape buffer regulations and ensuring compatibility with surrounding development. This is a necessary modification to the landscape buffer to ensure the three subject lots maintain a similar property valuation as the rest of the blue cypress subdivision.

Technical Summary

- ❖ Reduced Landscape Buffer Easement width (Proposed) = 9 ft to property line
- ❖ Expanded Landscape Buffer Easement width (Proposed) = 20 ft to property line
- ❖ No loss of landscape buffer easement area.
- ❖ No loss of landscaping.



Variance Criteria

Please see the applicants' responses to the variance criteria outlined in the Village of Wellington land development code:

1. *That special conditions and circumstances exist which are peculiar to the land, building or structure involved and which are not applicable to other lands, structures, or buildings in the same district.*

Response: Special conditions and circumstances exist which are peculiar to Lots 12, 13, and 14 within the Blue Cypress Subdivision. These lots differ from other lots in the Planned Unit Development (PUD) in that they contain reduced lot area and unique perimeter configuration resulting from the approved subdivision layout. As a result, the uniform application of the required 15-foot rear landscape buffer imposes a disproportionate limitation on buildable area (pool) for these lots that is not experienced by other properties within the same zoning district or within the PUD.

- 2. That special conditions and circumstances do not result from actions of the applicant.*

Response: The special conditions and circumstances necessitating the requested variance do not result from the actions of the Applicant. The reduced lot area and buffer constraints affecting Lots 12, 13, and 14 are the result of the approved subdivision design, including roadway alignment, lot configuration, and landscape placement, and are inherent to the site. These conditions were established through the coordinated subdivision approval process, prior to lot specific floor plans being prepared for consistency amongst the neighborhood. It has now come to our attention that the subject landscape buffer would result in the subject three lots becoming inconsistent with the rest of the subdivision and would reduce property values.

- 3. That granting the variance request will not confer on the applicant any special privilege that is denied by the Comprehensive Plan and Zoning Code to other lands, buildings or structures in the same zoning district.*

Response: Granting the requested variance will not confer a special privilege on the Applicant that is denied by the Comprehensive Plan or Land Development Regulations to other lands, buildings, or structures in the same zoning district. Instead, the variance allows Lots 12, 13, and 14 to achieve development potential comparable to other lots within the PUD, thereby restoring equity and consistency across the subdivision rather than providing preferential treatment. It is important to note that the applicant is the developer of the blue cypress subdivision and currently owns all 14 lots. Approval of this application does not provide any special privilege to other property owners.

- 4. That literal interpretation and enforcement of the provisions of the LDR would deprive the applicant of rights commonly enjoyed by the other properties in the same district under the terms of the LDR and would work and unnecessary and undue hardship.*

Response: Literal interpretation and enforcement of the rear landscape buffer provisions of the Land Development Regulations would deprive the Applicant of rights commonly enjoyed by other properties within the same zoning district and PUD. Strict application of the buffer requirement results in an unnecessary and undue hardship by restricting reasonable placement of accessory elements such as a pool and hardscape areas on the subject lots in a manner not experienced elsewhere in the subdivision, despite all lots being intended to function as part of a unified residential development.

- 5. That the variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.*

Response: The requested variance represents the minimum variance necessary to make reasonable use of the land. The variance is narrowly limited to allowing measured dimensional flexibility associated with the rear landscape buffer for only Lots 12, 13, and 14. The request does not eliminate the buffer requirement and is further mitigated through the provision of additional landscape buffering and a dedicated landscape easement, ensuring that the overall buffer is preserved.

6. *That the granting of the variance is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan and the LDR.*

Response: The granting of the variance is consistent with the purposes, goals, objectives, and policies of the Village's Comprehensive Plan and the Land Development Regulations. The variance supports orderly development, promotes equitable treatment of lots within a PUD, and allows flexibility where strict dimensional standards would otherwise create internal inconsistencies, while maintaining required landscaping and neighborhood compatibility.

7. *That the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Response: The requested variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The variance does not increase density, alter permitted uses, or intensify development. The functional intent of the rear landscape buffer is preserved through revised landscape design and the establishment of a landscape easement, ensuring continued visual screening, compatibility with surrounding development, and protection of neighborhood character.

Conclusion

The requested variance for Lots 12, 13, and 14 within the Blue Cypress Subdivision satisfies all applicable variance criteria of the Village of Wellington Land Development Regulations. The variance is narrowly tailored, mitigated through enhanced landscape buffering, and necessary to maintain consistency and equity within the approved Planned Unit Development.

Approval of the variance will preserve the intent of the Village's landscape buffer regulations, support orderly and coordinated development, and allow reasonable use of the subject lots without adverse impact to surrounding properties or the public welfare. Accordingly, approval of the requested variance is respectfully requested.