

# Village of Wellington

12300 Forest Hill Blvd  
Wellington, FL 33414



## Meeting Agenda - Final

Wednesday, March 18, 2026

7:00 PM

Village Hall

### Planning, Zoning and Adjustment Board

*Michael Drahos - Chair*  
*Jeffery Robbert - Vice Chair*  
*John Bowers*  
*Elizabeth Mariaca*  
*Johnny Meier*  
*Ryan Mishkin*  
*Tatiana Yaques*

**I. CALL TO ORDER**

**II. REMARKS BY CHAIRMAN**

**III. PLEDGE OF ALLEGIANCE**

**IV. APPROVAL OF MINUTES**

[PZ-0418](#) February 18, 2026 Planning, Zoning and Adjustment Board Meeting  
Minutes

Attachments: [2.18.26 PZAB Minutes Final \(2\)](#)

**V. ADDITIONS/DELETIONS/REORDERING OF AGENDA**

**VI. SWEARING IN OF SPEAKERS**

**VII. OLD BUSINESS**

**VIII. NEW BUSINESS**

[PZ-0419](#) RESOLUTION NO. PZAB2026-01 (Tract B of Blue Cypress Landscape Buffer Variance)

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.

- Attachments:** [Location Map](#)  
[Resolution No. PZAB 2026-01](#)  
[Resolution No. PZAB 2026-01 Exhibit B Easement Exhibit](#)  
[Staff Report](#)  
[Exhibit A Site Plan](#)  
[Exhibit B Approved Landscape Plan](#)  
[Exhibit C Blue Cypress Plat](#)  
[Exhibit D Proposed Easement Exhibit](#)  
[Exhibit E Lot 14 Layout](#)  
[Exhibit F Justification Statement](#)  
[Exhibit G Encroachment Agreement](#)  
[Legal Ad Proof- Blue Cypress](#)

**IX. COMMENTS FROM THE PUBLIC**

**X. COMMENTS FROM STAFF**

**XI. COMMENTS FROM THE BOARD**

**XII. ADJOURN**

*If a person decides to appeal any decision with respect to any matter considered at such hearing, he/she will need a record of the proceedings and for such purpose may, need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. All appeals must be filed in accordance with the applicable provisions of Wellington Land Development Regulations.*

## NOTICE

*If a person decides to appeal any decision made by the Village Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).*

*Pursuant to the provision of the Americans With Disabilities Act: any person requiring special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Village Manager's Office (561) 791-4000 at least five calendar days prior to the Hearing.*



## Legislation Text

---

**File #:** PZ-0418, **Version:** 1

---

**ITEM:** February 18, 2026 Planning, Zoning and Adjustment Board Meeting Minutes

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

**EXPLANATION:** Review and approve the February 18, 2026, Planning, Zoning, and Adjustment Board Meeting Minutes.

**SUMMARY:** Review and approve the February 18, 2026, Planning, Zoning, and Adjustment Board Meeting Minutes.



**MEETING MINUTES**  
**PLANNING, ZONING AND ADJUSTMENT BOARD**  
**February 18, 2026**  
**7:00 PM**  
**Wellington Village Hall**  
**12300 Forest Hill Boulevard**  
**Wellington, FL 33414**

Pursuant to the public notice, a meeting of Wellington's Planning, Zoning and Adjustment Board held on February 18, 2026, at 7:00 PM at Village Hall, 12300 Forest Hill Boulevard, Wellington, Florida 33414.

**I. CALL TO ORDER/ROLL CALL**

Michael Drahos called the meeting to order at 7:00 PM.

**Members present:** Michael Drahos, Jeffrey Robbert, John Bowers, Tatiana Yaques, Elizabeth Mariaca, Ryan Mishkin, and Johnny Meier.

**Staff present:** Cory Lyn Cramer, Planning and Zoning Manager; Kelly Ferraiolo, Senior Planner; Tim Stillings, Planning, Zoning, and Building Director; Laurie Cohen, Wellington Attorney.

**II. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was done.

**III. REMARKS FROM THE CHAIRMAN**

None.

**IV. APPROVAL OF MINUTES**

Meeting minutes for January 2026 were presented at the February PZAB Meeting.

**PZ-0414 January 21, 2026, PLANNING, ZONING AND ADJUSTMENT BOARD MINUTES**

A motion was made by John Bowers, seconded by Jeffrey Robbert, to approve the January 21, 2026, PZAB Meeting Minutes. The motion passed unanimously (7-0).

**V. ADDITIONS/DELETIONS/REORDERING OF AGENDA**

None.

**VI. SWEARING IN OF SPEAKERS**

**VII. OLD BUSINESS**

None.

**VIII. NEW BUSINESS**

**EX-PARTE COMMUNICATIONS**

Tatiana Yaques spoke with staff and Councilwoman Maria Antuña, Councilman John McGovern, and Councilwoman Amanda Silvestri.

**RESOLUTION NO. R2026-08 Wellington Village (FKA K Park) Conditional Use for Building Height**

**A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL, APPROVING A CONDITIONAL USE (PETITION 2026-0002-CU) FOR CERTAIN PROPERTY KNOWN AS WELLINGTON VILLAGE MIXED USE PLANNED (MUPD) (FKA K PARK), TOTALING APPROXIMATELY 71.27 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF STRIBLING WAY AND US441/SR7, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO ALLOW A MAXIMUM BUILDING HEIGHT OF 86 FEET FOR BUILDING H (HOTEL), 42 FEET FOR BUILDINGS D1 AND D2 (MIXED USE), AND 47 FEET FOR BUILDING G4 (RESTAURANT) WITHIN POD B; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Applicant Lentzy Jean-Louis, with Urban Design Studio, presented the conditional use request for approval of building heights exceeding 35 feet within Pod B of Wellington Village. The request includes the following proposed building heights: Building D1 at 42 feet, Building D2 at 42 feet, Building G4 at 46.38 feet, and Building H at 86 feet.

Kelly Ferraiolo, Senior Planner, presented the request for approval of the building height for K Park. Mrs. Ferraiolo noted that the applicant has met the increased setback requirements that would apply to the property for the building heights being requested. She also explained that the Land Development Regulations require the use of taller palm trees to help soften the visual impact of taller structures. Additionally, she stated that all required landscaping is included as a condition of approval and must be maintained for the life of the building. Staff has determined that the applicant meets the necessary criteria for the request.

Johnny Meier inquired about Life Church’s perspective on the Hotel Project. Kevin Ryan, representing, with Related Ross, responded that they are on very good terms with Life Church. He noted that they have met numerous times throughout the course of the project and remain in regular communication. According to Mr. Ryan, Life Church is enthusiastic about the project and has not expressed any concerns.

**A motion was made by John Bowers, seconded by Jeffrey Robbert, to open public comment. The motion passed unanimously (7-0).**

**A motion was made by John Bowers, seconded by Jeffrey Robbert, to close public comment. The motion passed unanimously (7-0).**

**A motion was made by John Bowers, seconded by Elizabeth Mariaca, to approve Resolution No. R2026-08. The motion passed (7-0).**

**IX. COMMENTS FROM PUBLIC**

None.

**X. COMMENTS FROM STAFF**

Cory Lyn Cramer noted that the next PZAB meeting is scheduled for March 18.

**XI. COMMENTS FROM THE BOARD**

None.

**XII. ADJOURN**

**The meeting adjourned at 7:31 pm.**

**APPROVED:** \_\_\_\_\_  
Date

\_\_\_\_\_  
**Michael Drahos - Chair**

\_\_\_\_\_  
**Recording Secretary**



Legislation Text

---

File #: PZ-0419, Version: 2

---

**ITEM: RESOLUTION NO. PZAB2026-01 (Tract B of Blue Cypress Landscape Buffer Variance)**

**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.**

**PUBLIC HEARING:** YES

**QUASI-JUDICIAL:** YES

**EXPLANATION:** Zach Ciciera, agent, on behalf of T & R, owners, is seeking a variance to reduce the width of the landscape buffer on the east property lines within Lots 12 - 14 of Tract B of Blue Cypress to accommodate swimming pools.

**SUMMARY:** Based on the findings contained within this Staff Report and consistency with both Wellington's Comprehensive Plan and the variance criteria of the Land Development Regulations, the following conditions of approval are recommended if PZAB approves the request:

1. The landscape buffer is reduced to 7.5 feet within Lots 12 - 14 in the areas depicted in Exhibit D. A Minor Site Plan Amendment to the Blue Cypress site plan and a replat to the Blue Cypress of Palm Beach Polo and Country Club Plat will be required for the adjusted landscape buffer consistent with Exhibit D before the issuance of a building permit for the pool.
2. Granting of the variance does not allow a reduced quantity of landscape material required within the landscape buffer.



 THE VILLAGE OF  
WELLINGTON

**Tract B of Blue Cypress**

**Location Map**

 **Subject Property**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

**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 18<sup>th</sup> 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

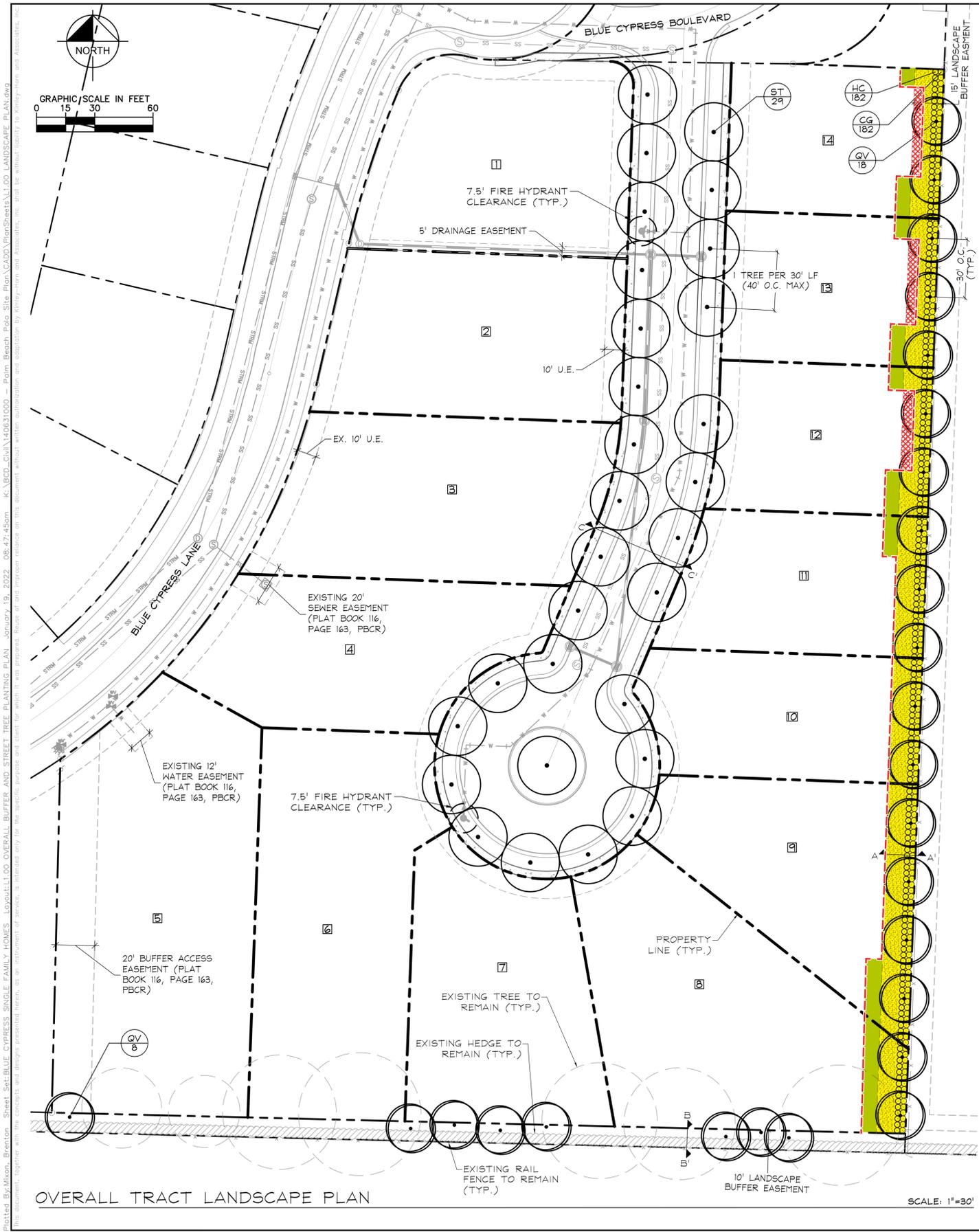
195 AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF  
196 DRAINAGE FACILITIES. THE MAINTENANCE OF ALL FACILITIES LOCATED  
197 THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID  
198 ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO  
199 THE VILLAGE OF WELLINGTON,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

Exhibit D - Proposed Easement Exhibit



BUFFER AND STREET TREE PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE	NATIVE	DROUGHT TOL.	QTY
QV	Quercus virginiana	Southern Live Oak	B # B	3' Cal.	14' HT X 6' SPR	Yes	High	26
ST	Street Trees	Refer to sheet L1.01	Cont.	3.5' Cal.	14' HT X 6' SPR			24
SURUBS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
CG	Clusia rosea	Clusia	Cont.	36" O.C.	36"x36"	Yes	High	182
HC	Hamelia patens 'Compact'	Dwarf Firebush	Cont.	36" O.C.	18"x18"	Yes	High	182
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
SD	Turfglase	Refer to sheet L1.01	cont.			No	Low	4,889 sf

PLANTING NOTES:

- CONTRACTOR SHALL REFER TO THE LANDSCAPE PLANTING DETAILS, PLANT LIST, GENERAL NOTES AND ALL CONTRACT DOCUMENTS FOR FURTHER AND COMPLETE INSTRUCTIONS.
- PLANT LIST QUANTITIES ARE PROVIDED FOR CONVENIENCE. IN THE EVENT OF QUANTITY DISCREPANCIES THE DRAWING SHALL TAKE PRECEDENCE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BIDDING.
- PLANT SIZES LISTED ARE THE MINIMUM SIZE THAT WILL BE ACCEPTED FOR THAT PLANT.
- ANY SUBSTITUTION IN SIZE AND/OR PLANT MATERIAL MUST BE APPROVED BY THE LANDSCAPE ARCHITECT IN WRITING. ALL PLANTS WILL BE SUBJECT TO APPROVAL BY LANDSCAPE ARCHITECT AND/OR OWNERS REPRESENTATIVE BEFORE PLANTING CAN BEGIN.
- CONTRACTOR SHALL FIELD ADJUST LOCATION OF PLANT MATERIAL AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR INTERFERE WITH EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS.
- CONTRACTOR SHALL FAMILIARIZE HIM/HERSELF WITH THE LIMITS OF WORK AND EXISTING CONDITIONS AND VERIFY ALL INFORMATION. IF DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE IN WRITING WITHIN SEVEN CALENDAR DAYS OF NOTICE TO PROCEED.
- ALL NEW AND TRANSPLANTED PLANT MATERIAL SHALL BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
 © 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
 1615 S. CONGRESS AVE, SUITE 201,  
 DELRAY BEACH, FL 33445  
 PHONE: 561-363-3400 FAX: 561-363-8175  
 WWW.KIMLEY-HORN.COM CA 00000696

**THOMAS CASSIDY HARGRETT**  
 LA#6667512  
 2022.01.19  
 10:09:55-05'00"

KHA PROJECT	140631000
DATE	JAN 2022
SCALE	AS SHOWN
DESIGNED BY	TH
DRAWN BY	BM
CHECKED BY	TH

OVERALL BUFFER AND STREET TREE PLANTING PLAN

**BLUE CYPRESS SINGLE FAMILY HOMES**  
 PREPARED FOR  
**PALM BEACH POLO HOLDINGS, INC.**  
 VILLAGE OF WELLINGTON, FLORIDA



Petition No.: 2021-0004 ASA  
 Approved: April 27, 2022

DRM: Kelly Ferraiolo

Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.

Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

SHEET NUMBER  
**L1.00**

PLOTTED BY: Miron, Brenton. SHEET: SK1-BLUE CYPRESS SINGLE FAMILY HOMES - OVERALL BUFFER AND STREET TREE PLANTING PLAN. DATE: 08-17-2022. 08:47:45am. C:\BDD-CAD\140631000 - From Beach Polo Site Plan\CADD\Planting\1.00 LANDSCAPE PLAN.dwg. This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of any portion of this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

**Variance – Blue Cypress Tract B** **STAFF REPORT**

**Petition Number(s)/Types:** 2026-0001 VAR

**Resolution(s):** PZAB R2026-01

**Owner:** T&R Blue Cypress IV LLC  
 2945 Blue Cypress Circle  
 Wellington, FL 33414

**Agent:** Zach Ciciera  
 Cotleur & Hearing  
 1934 Commerce Lane, Suite 1  
 Jupiter, FL 33458

**Site Address:** Blue Cypress Circle

**PCN(s):** 73-41-44-18-01-019-0010 - 0014

**Future Land Use Designation:**  
 Residential E (5.01 du/ac – 8.0 du/ac)

**Zoning Designation:**  
 Planned Unit Development (PUD)

**Acreage:** 4.83 acres

**Request:** Zach Ciciera, agent, on behalf of T & R, owners, is seeking a variance to reduce the width of the landscape buffer on the east property lines within Lots 12 – 14 of Tract B of Blue Cypress to accommodate swimming pools.

**Project Manager:**  
 Kelly Ferraiolo, Senior Planner  
[kferraiolo@wellingtonfl.gov](mailto:kferraiolo@wellingtonfl.gov)  
 (561) 753-5268

**Location Map:**



Adjacent Property	FLUM	Zoning
North	Residential E	PUD
South	Residential B	Equestrian Overlay Zoning District (EOZD)
East	Commercial Recreation	EOZD/PUD
West	Residential E	PUD

**Boards and Council:**

	Notice Date	Meeting Date	Vote
PZAB	3/3/2026	3/18/2026	Pending

**Site History and Current Request:**

The subject property is located within the Tract B of Blue Cypress of Palm Beach Polo and Country Club, a private residential community. Blue Cypress is one of the last vacant subdivisions within Palm Beach Polo and is made up of multiple tracts. Tracts B and G-1 are the last developable tracts. In 2000, a site plan was approved for 10 lots within the 28.25-acre Blue Cypress project. A

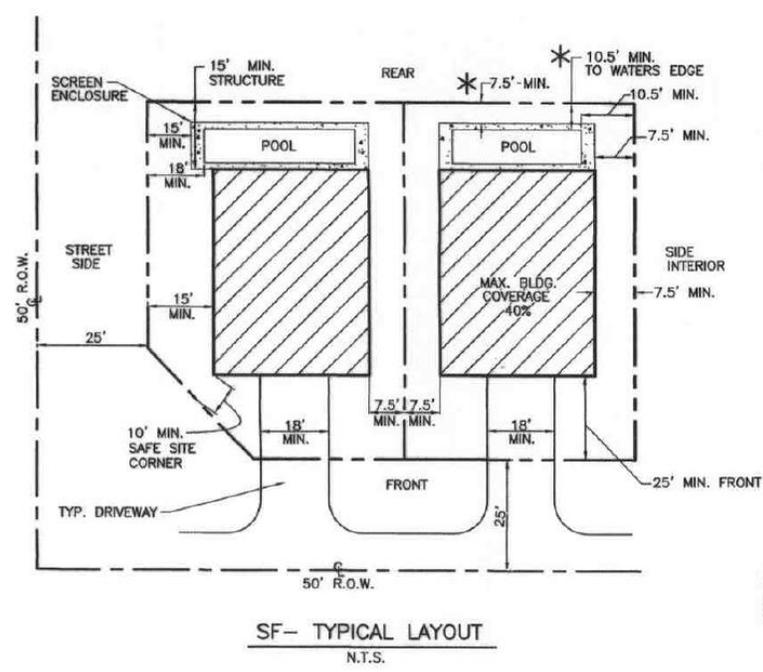
**PLANNING, ZONING AND ADJUSTMENT BOARD**

Planning and Zoning Division

March 18, 2026



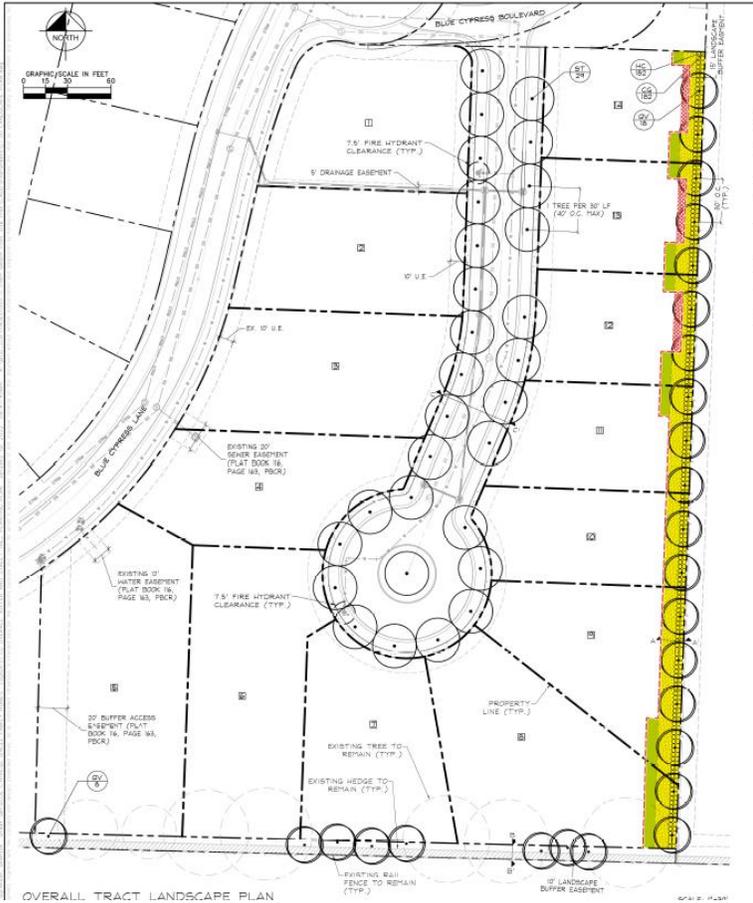
15-foot landscape buffer easement was included in the site plan and plat on the eastern boundary of Tract B. After litigation with the neighbor to the east, modifications to the site plan for the overall subdivision were made and the 10 large lots were then replatted to 67 single-family lots with Tract B and Tract G-1 reserved for future residential development. In 2022, a site plan for Tract B was approved, which subdivided the 4.83-acre tract into 14 single-family lots. The 15-foot-wide Type B landscape buffer along the eastern boundary was required to be installed prior to closing of the Land Development Permit. Setbacks on the site plan are clearly indicated for all properties within Blue Cypress since the approval of the first site plan, dating back to 2000.



The developer purchased all 14 lots after Tract B was subdivided and the site plan approved. In 2024, the developer applied for permits to construct single-family residences over 5,000 SF in size on Lots 13 and 14. Building permits for pools were later applied for on these lots once the shell of the single-family structures was near completion, but were returned for corrections as the pools did not meet minimum rear setbacks and were located within the dedicated landscape easement. In response, the developer provided a recorded Encroachment Agreement between the Blue Cypress HOA and the property owner of Lots 13 and 14 to encroach on the Buffer Easement in order to construct pools, decks, landscaping, and related facilities on the lots. The 15-foot buffer easement is dedicated to the Blue Cypress HOA for the construction, operation, and maintenance of drainage facilities. Therefore, the easement is dedicated as both a Landscape Buffer on the site plan and for drainage purposes on the recorded plat. Various sections in the LDR prohibit permanent structures encroaching easements, including:

- Section 6.2.3.I states that pools shall not encroach any utility, drainage, or lake maintenance easement.

- Section 6.3.1 states that if there is any conflict between a setback and any type of easement, the structure may not encroach the easement.
- Section 8.7.3.A prohibits construction or placement of structures adjacent to or over drainage easements



The applicant is requesting a variance from Table 7.8-1 Landscape Buffer Application as the property is required to have a Type B landscape buffer when adjacent to a Commercial Recreation property. A Type B Landscape Buffer shall be a minimum of 15 feet in width and contain one (1) shade tree per 30 linear feet, a continuous hedge, and 10 shrubs per 30 linear feet. Section 7.8.5.C.6 of Wellington’s LDR allows for a landscape buffer width reduction of up to 25% when the property is adjacent to a canal, lake, and or passive open space. This does not apply to this property as the adjacent property, although an open field, is not considered open space per the definition listed in Article 3 of the LDR. The applicant is requesting a width reduction to 7.5 feet only within Lots 12–14, resulting in a 674-square-foot reduction. To make up for the square footage loss, the applicant is proposing to increase the width of the landscape buffer to 20 feet in some areas as shown in the image below, for a total of an additional 1,635 square feet of buffer area. With the increase of width throughout the landscape buffer in Tract B,

there will be no net loss of buffer square footage and no loss in landscape quantity.

**Summary:**

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 literal enforcement of the regulations would result in an undue hardship to the property owner. The decision-making body must be able to look at the request comprehensively and determine if the relevant and applicable criteria have been met.

To approve any variance, the Planning, Zoning and Adjustment Board is tasked with reviewing the request and determining if the request complies with the standards listed below:

- 1. That special conditions and circumstances exist that are peculiar to the land, building, or structure involved and that are not applicable to other lands, structures,***

***or buildings in the same district.***

Blue Cypress of Palm Beach Polo is made up of various tracts, including three (3) single-family tracts – the main Blue Cypress tract has 67 units, Tract B has 14 units, and Tract G-1 has 6 units. The eastern portion of Tract B has the only lots within Blue Cypress, and possibly the entire Palm Beach Polo, that have the landscape buffers within the boundary of the lot and not as a separate tract. So, although the lots are similar in size to others within Blue Cypress, the depth is reduced by 15 feet due to the buffer. As previously mentioned, no structures can encroach into buffers or easements. In addition, every property within the main Blue Cypress tract abuts open space areas of either a preserve or canal, which allows for reduced rear setbacks for both the single-family residence and pool. Lots 9 - 14, which have the landscape buffer easement within the lots, do not have the open space reduction afforded to them.

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

The special conditions and circumstances do result from the actions of the applicant. A landscape buffer exists on the eastern boundary of Tract B as required by Table 7.8-1 and has been in place since the original plat in 2000. The property was subdivided under the previous owner, and the setbacks have not changed since the subdivision. The applicant built the structures on the property and did not account for the landscape buffer in the rear when designing the layout. Lots 12 – 14 are approximately 8,200 square feet, which is a typical lot size in Wellington. If designed appropriately, a single-family residence and pool would have fit within the confines of the lot without encroaching on the landscape buffer.

***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.***

The granting of this variance does not confer upon the applicant a special privilege, as they are only requesting a reduction in the width of the landscape buffer in the areas where the proposed pools will be located within each lot. The LDR does allow for an administrative reduction of 25% of the width of a landscape buffer if a property is adjacent to open space. The LDR definition of open space means an area set aside and restricted to open space uses, including a park, preserve, recreation space, square, plaza, courtyard, etc. The property abuts a property with a Commercial Recreation land use and is a private farm with an open riding field. Unfortunately, this does not meet the definition of open space; therefore, an administrative reduction is not afforded to this property. Administrative reductions and other variances for landscape buffer widths have been granted to other projects throughout Wellington.

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

The interpretation of the code and the requirement for the 15-foot-wide landscape buffer



would not allow the construction of a pool within Lots 12 – 14 and would deprive the applicant of the rights commonly enjoyed by other properties within Blue Cypress and Palm Beach Polo. Blue Cypress does not have a community pool for residents to enjoy. Every property within Blue Cypress has a pool. Approval of the request to reduce the width of the buffer only within the affected lots would allow the property owner to construct pools on the properties like all the other lots within the subdivision.

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

The owner is requesting a reduction in the width of the landscape buffer only where the proposed pools will be installed within Lots 12 – 14, which are the smallest lots within Tract B. As previously mentioned, the applicant is proposing to increase the width of the buffer in various areas to 20 feet, resulting in an additional 961 square feet of buffer area. As a result, there will be no net loss in the square footage of the buffer within Tract B. The applicant is not requesting a reduction in the quantity of plantings within the buffer.

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

Various policies within the Comprehensive Plan require landscape buffers where differences in density and intensities exist and for new housing developments. The applicant is not requesting to eliminate the landscape buffer and, therefore, is consistent with the Comprehensive Plan. The LDR provides widths and quantities of landscaping within the buffer, which is the subject of this request, and the variance application complies with Article 5 related to the variance process.

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

Granting of the variance will not be injurious to the area involved or detrimental to the public welfare, as the Commercial Recreation property to the east has a thick mature tree line along the entire property boundary. In addition, the quantity of landscaping within the buffer will not be affected.

**FINDINGS OF FACT**

Based on the findings contained within this staff report and consistency with both Wellington’s Comprehensive Plan and the variance criteria of the Land Development Regulations, the following conditions of approval are recommended if PZAB approves the request:

1. The landscape buffer is reduced to 7.5 feet within Lots 12 – 14 in the areas depicted in Exhibit B of Resolution PZAB2026-01. A Minor Site Plan Amendment to the Blue Cypress site plan and a replat to the Blue Cypress of Palm Beach Polo and Country Club Plat will be required for the adjusted landscape buffer consistent with Exhibit D before the issuance of a building permit for the pool.



2. Granting of the variance does not allow a reduced quantity of landscape material required within the landscape buffer.

**Exhibits:**

Exhibit A	Blue Cypress Site Plan
Exhibit B	Approved Landscape Plan
Exhibit C	Blue Cypress Plat
Exhibit D	Proposed Easement Relocation
Exhibit E	Lot 14 Layout
Exhibit F	Justification Statement
Exhibit G	Encroachment Agreement

**SITE DATA**

PETITION NUMBER	2023-0006-ASA
ZONING DISTRICT	PUD
EXISTING USE (PER MASTER PLAN)	PH (ZLL-DETACHED)
PROPOSED USE (THIS SITE PLAN)	SF (SINGLE FAMILY & PH (ZLL-DETACHED) ** (SEE LOT LAYOUT NOTES)
<b>FUTURE LAND USE</b>	
TYPE OF OWNERSHIP	FEE SIMPLE
TOTAL AREA	28.25 AC. (1)
LOTS 11-67 (SF)	12.06 AC. (1)
TRACT A - 3 D.U. (FUTURE DEVELOPMENT, OWNED BY CHUKKER HOLDING, L.L.C.)	3.17 AC. (1)
TRACT B - 14 D.U. (FUTURE DEVELOPMENT)	4.63 AC. (1)
TRACT C (VEGETATION PRESERVE, OWNED BY CHUKKER HOLDING, L.L.C.)	0.30 AC. (1)
TRACT D (VEGETATION PRESERVE)	0.45 AC. (1)
TRACT E (OPEN SPACE)	0.49 AC. (1)
TRACT F-1 (PRIVATE ROAD R/W)	4.52 AC. (1)
TRACT F-2 (PRIVATE ROAD R/W)	0.61 AC. (1)
TRACT F-4 (PRIVATE ROAD R/W)	0.08 AC. (1)
TRACT G-1 - 6 D.U. (SF)	1.35 AC. (1)
TRACT G-2 (OPEN SPACE)	0.09 AC. (1)
TRACT G-3 (OPEN SPACE)	0.08 AC. (1)
TRACT H (BUFFER TRACT)	0.40 AC. (1)
<b>TOTAL NUMBER OF UNITS</b>	
LOTS 11-67	53 D.U.
TRACT A (FUTURE DEVELOPMENT, OWNED BY CHUKKER HOLDING, L.L.C.)	3 D.U.
TRACT B	14 D.U.
TRACT G-1	6 D.U.
DENSITY	2.69 D.U. / AC

**NOTE:**  
 1. TRACT "A" (3.24 ACRES & 3 D.U.) AND TRACT "C" (0.30 ACRES, VEGETATION PRESERVE) WERE SOLD TO CHUKKER HOLDINGS, L.L.C. (REFER TO O.R.B. 12517, PAGES 1565 & 1566 RECORDED MAY 4, 2001)

**LEGEND**

E.O.W.	EDGE OF WATER
T.O.B.	TOP OF BANK
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
R/W	RIGHT OF WAY
L.A.E.	LIMITED ACCESS EASEMENT
O.S.	OPEN SPACE
⊕	CENTER LINE

**LEGAL DESCRIPTION**  
 ALL OF "BLUE CYPRESS OF PALM BEACH POLO AND COUNTRY CLUB - WELLINGTON P.U.D." ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 90, PAGES 3 THRU 5, PALM BEACH COUNTY, FLORIDA

CONTAINING 28.25 ACRES MORE OR LESS

**PROPERTY DEVELOPMENT REGULATIONS**

PER VILLAGE OF WELLINGTON LDR	SF (SINGLE FAMILY)
TYPE OF USE	6,000 S.F.
MIN. LOT SIZE	65'
MIN. LOT WIDTH	75'
MIN. LOT DEPTH	75'

**MIN. BLDG. SETBACKS:**

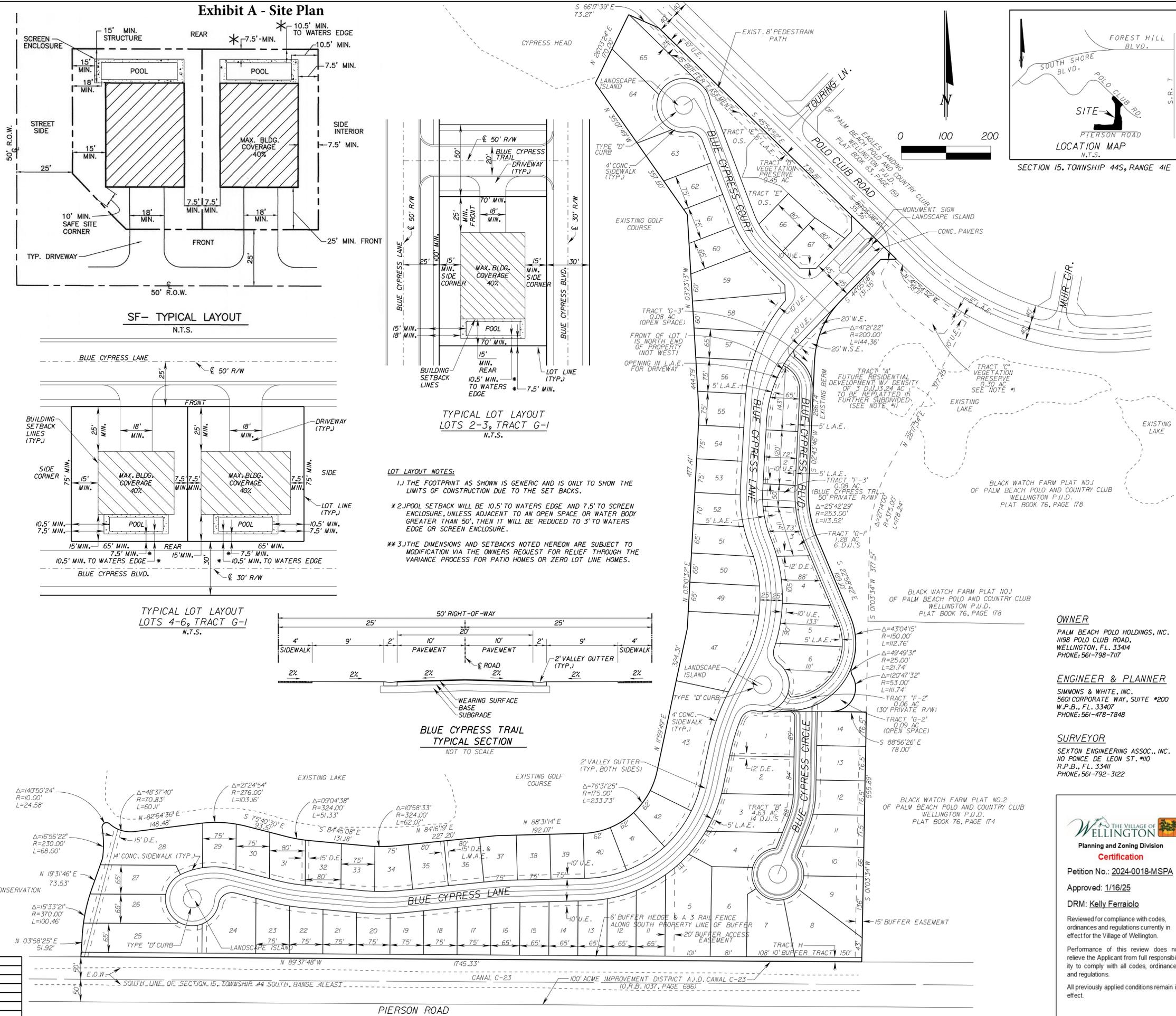
FRONT	25'
SIDE INTERIOR	7.5'
CORNER	15'
REAR	15'
MAX. BLDG. HEIGHT	35'
MAX. COVERAGE	40% - BUILDING
MIN. PARKING	2 SPACES PER UNIT

**LANDSCAPING REQUIRED**

INTERNAL TREES REQUIRED (LOTS 11-67 (12.06 AC. @ 1/250 S.F.))	421
BUFFER TREES REQUIRED (1/30 L.F.)	99
BUFFER SHRUBS REQUIRED (1/24")	1455
NATIVE TREES REQUIRED	50%
MINIMUM NUMBER OF TREE SPECIES	5

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	10/20/2023	SMP	PER VOW COMMENTS
2	11/15/2023	SMP	PER VOW COMMENTS
3	12/27/2023	SMP	PER VOW COMMENTS
4	01/18/2024	SMP	PER VOW COMMENTS
5	12/11/2024	SMP	ADD 10' U.E.'S ON LOTS 2 & 3 OF TRACT G-1



**SITE PLAN**

SECTION 15, TOWNSHIP 44S, RANGE 41E

DATE: 08/23/2023  
 SHEET: 1 OF 2

**SEXTON ENGINEERING ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND SURVEYORS  
 110 PONCE DE LEON STREET, SUITE 100  
 ROYAL PALM BEACH, FLORIDA 33411  
 PHONE: 561-792-3122 FAX: 561-792-3168  
 F.L. REGISTRATIONS: LE0006837, EB 0007864

**OWNER**  
 PALM BEACH POLO HOLDINGS, INC.  
 1198 POLO CLUB ROAD,  
 WELLINGTON, FL. 33414  
 PHONE: 561-798-7117

**ENGINEER & PLANNER**  
 SIMMONS & WHITE, INC.  
 5601 CORPORATE WAY, SUITE #200  
 W.P.B., FL. 33407  
 PHONE: 561-478-7848

**SURVEYOR**  
 SEXTON ENGINEERING ASSOC., INC.  
 110 PONCE DE LEON ST., #10  
 R.P.B., FL. 33411  
 PHONE: 561-792-3122

**THE VILLAGE OF WELLINGTON**  
 Planning and Zoning Division  
**Certification**  
 Petition No.: 2024-0018-MSPA  
 Approved: 1/16/25  
 DRM: Kelly Ferraiolo

Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.

Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

All previously applied conditions remain in effect.

**BLUE CYPRESS  
 PALM BEACH POLO &  
 COUNTRY CLUB**

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	10/20/2023	SMP	PER VOW COMMENTS
2	11/15/2023	SMP	PER VOW COMMENTS
3	12/27/2023	SMP	PER VOW COMMENTS
4	01/18/2024	SMP	PER VOW COMMENTS
4	12/11/2024	SMP	ADD 10' UE'S ON LOTS 2 & 3 OF TRACT G-1

**Conditions of Approval:**

1. All previously applied conditions of approval remain in effect. (PLANNING)
2. This Site Plan meets the requirements of Wellington's LDR related to Site Plan and Final Subdivision Plans and is certified for the particular subdivision design for Tract G-1 of Blue Cypress only. Any changes due to engineering, utilities, or building permits may require a future site plan amendment or other approvals. (PLANNING AND ZONING)
3. Tract G-1 is required to be platted. The plat shall be approved, and recorded, prior to the issuance of any building/land development permits (LDP). (ENGINEERING)
4. A Land Development Permit must be submitted to, reviewed by, and approved by the Wellington Engineering Department prior to any earthwork or any construction activities taking place on the property. (ENGINEERING)
5. A landscape permit for the installation of the street trees and the landscape buffers shall be applied for, approved, and closed prior to the issuance of building permits for the individual lots. (PLANNING)
6. A certified cost estimate for all landscaping that includes the plant materials, installation, irrigation, and 1-year of maintenance shall be provided with the LDP application along with a bond in the amount of 100% of the cost estimate. (PLANNING AND ZONING)
7. For purposes of setbacks, the front of Lot 1 is the north side of the property, rear is the south side of the property, and the east and west are side corners. (PLANNING AND ZONING)
8. Lots 1, 4 & 6 shall be accessed from Blue Cypress Lane only. Lots 2 and 3 shall be accessed from Blue Cypress Trail only. No lot shall have access from Blue Cypress Boulevard. (PLANNING)
9. No vertical encroachments shall be permitted in any utility or drainage easements. No landscaping shall be installed in water or sewer easements or in areas obstructing line of sight for pedestrians or vehicles. (ENGINEERING)
10. The applicant is advised that no guarantee of available capacity is expressed or implied by the issuance of a Capacity Availability Letter, until such time that the developer has reserved capacity through payment of Water, Sewer and Fire Capacity Fees. (CONDITION)
11. A Developers Agreement will be required by the Utility Department in order to reserve water and sewer capacity for the project. Payment of capacity fees per Village Resolution R2018-35 shall be required to reserve capacity. The Developers agreement must be executed and approved by Village Council prior to the execution of the Palm Beach County Health Water and Sewer Department permits by the Village Utility Director. The Developers Agreement conditions should be coordinated during the Site Plan Approval process. (CONDITION)
12. Water, Sewer and Fire Line Capacity fees are based on the Wellington Water and Wastewater Rates and Charges Fiscal Year 2022. Applicant is encouraged to review capacity fees. These fees are due prior to the approval of the Developers agreement by Village Council. (CONDITION)
13. Developer is responsible for the funding and construction of all improvements/upgrades that the Utility determines are necessary to existing lift stations, water distribution systems, sanitary systems, and force main systems because of impacts to existing systems by the proposed project development plan. (CONDITION)
14. Applicant is advised that a new lift station or improvements/upgrades to the existing lift station 43 are required for the additional flow from both the Blue Cypress PUD and Blue Cypress Lane Tract G-1 developments. Applicant will be required to fund a proportionate share of the new lift station or the improvements/upgrades that the Utility determined are necessary. (CONDITION)
15. The applicant must apply for and obtain a Utility Major permit prior to the development of the proposed improvements. (CONDITION)
16. Existing water and sewer services that are abandoned in place shall be removed and their easements shall be properly vacated and abandoned. (CONDITION)

**SITE PLAN**  
**CONDITIONS OF APPROVAL**

PROJ. NO. 2269      DATE 08/23/2023  
SCALE 1" = 100'      SHEET 2 OF 2

**SEXTON ENGINEERING ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND SURVEYORS**  
110 PONCE DE LEON STREET, SUITE 100  
ROYAL PALM BEACH, FLORIDA 33411  
PHONE 561-792-3122    FAX 561-792-3168  
F.L. REGISTRATIONS: LE0006837, EB 0007864

**BLUE CYPRESS**  
**PALM BEACH POLO &**  
**COUNTRY CLUB**



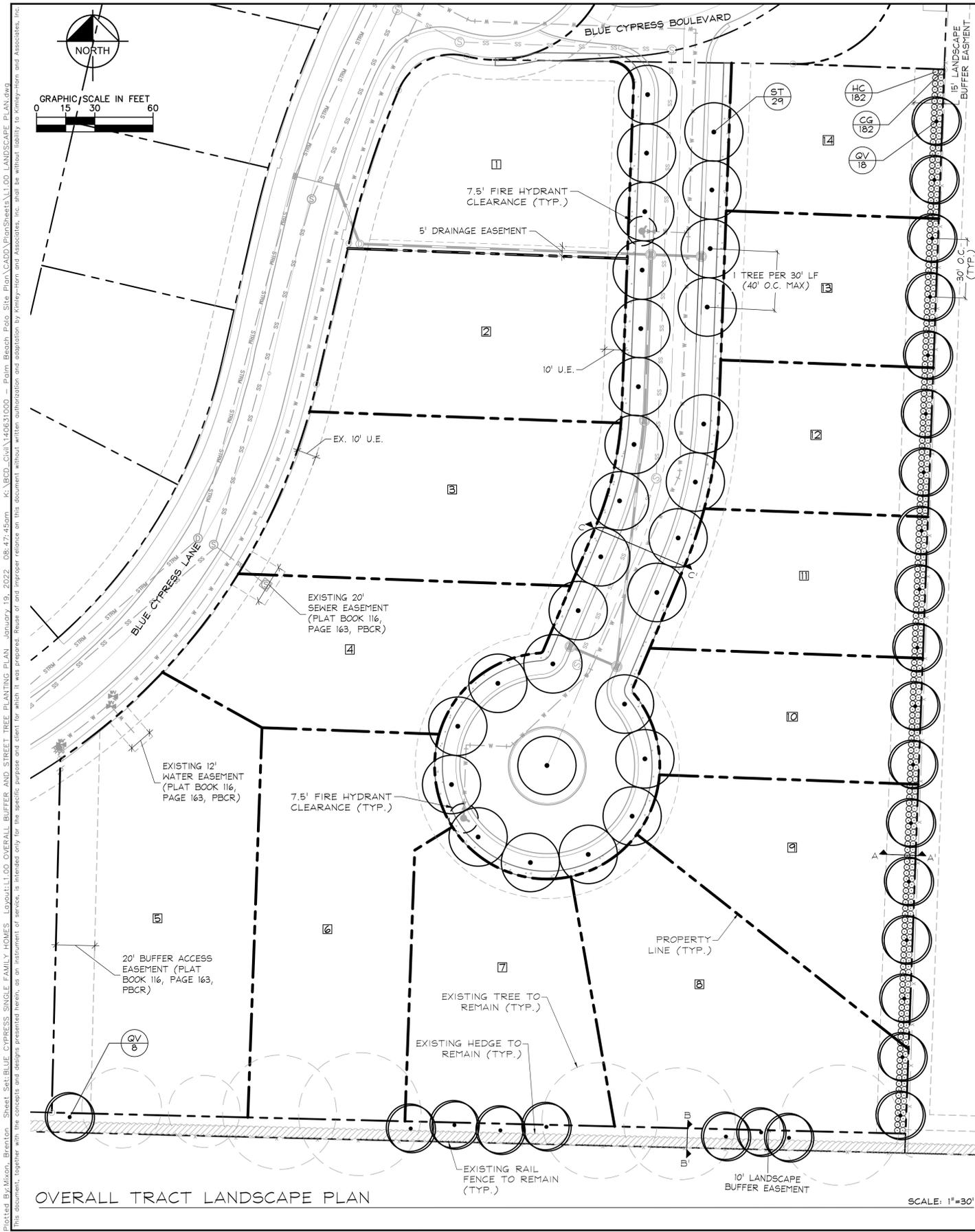
Petition No.: 2024-0018-MSPA  
Approved: 1/16/25  
DRM: Kelly Ferraiolo

Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.

Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

All previously applied conditions remain in effect.

Exhibit B - Approved Landscape Plan



BUFFER AND STREET TREE PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE	NATIVE	DROUGHT TOL.	QTY
QV	Quercus virginiana	Southern Live Oak	B # B	3' Cal.	14' HT X 6' SPR	Yes	High	26
ST	Street Trees	Refer to sheet L1.01	Cont.	3.5' Cal.	14' HT X 6' SPR			24
SURUBS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
CG	Clusia rosea	Clusia	Cont.	36" O.C.	36"x36"	Yes	High	182
HC	Hamelia patens 'Compacta'	Dwarf Firebush	Cont.	36" O.C.	18"x18"	Yes	High	182
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
SD	Turfgross	Refer to sheet L1.01	cont.			No	Low	4,889 sf

PLANTING NOTES:

- CONTRACTOR SHALL REFER TO THE LANDSCAPE PLANTING DETAILS, PLANT LIST, GENERAL NOTES AND ALL CONTRACT DOCUMENTS FOR FURTHER AND COMPLETE INSTRUCTIONS.
- PLANT LIST QUANTITIES ARE PROVIDED FOR CONVENIENCE. IN THE EVENT OF QUANTITY DISCREPANCIES THE DRAWING SHALL TAKE PRECEDENCE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BIDDING.
- PLANT SIZES LISTED ARE THE MINIMUM SIZE THAT WILL BE ACCEPTED FOR THAT PLANT.
- ANY SUBSTITUTION IN SIZE AND/OR PLANT MATERIAL MUST BE APPROVED BY THE LANDSCAPE ARCHITECT IN WRITING. ALL PLANTS WILL BE SUBJECT TO APPROVAL BY LANDSCAPE ARCHITECT AND/OR OWNERS REPRESENTATIVE BEFORE PLANTING CAN BEGIN.
- CONTRACTOR SHALL FIELD ADJUST LOCATION OF PLANT MATERIAL AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR INTERFERE WITH EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS.
- CONTRACTOR SHALL FAMILIARIZE HIM/HERSELF WITH THE LIMITS OF WORK AND EXISTING CONDITIONS AND VERIFY ALL INFORMATION. IF DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE IN WRITING WITHIN SEVEN CALENDAR DAYS OF NOTICE TO PROCEED.
- ALL NEW AND TRANSPLANTED PLANT MATERIAL SHALL BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

PLOTTED BY: Miron, Brenton. Sheet Set: BLUE CYPRESS SINGLE FAMILY HOMES - LAYOUELLLOD OVERALL BUFFER AND STREET TREE PLANTING PLAN. January 19, 2022. 08:47:45am. K:\BCD\_Civil\140631000 - Palm Beach Polo Site Plan\CADD\Planting\1.00 LANDSCAPE PLAN.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
 © 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
 1615 S. CONGRESS AVE., SUITE 201,  
 DELRAY BEACH, FL 33445  
 PHONE: 561-490-4040 FAX: 561-963-8175  
 WWW.KIMLEY-HORN.COM CA 00000696

**THOMAS CASSIDY HARGRETT**  
 LA#6667512  
 2022.01.19  
 10:09:55-05'00"

KHA PROJECT	140631000
DATE	JAN 2022
SCALE	AS SHOWN
DESIGNED BY	TH
DRAWN BY	BM
CHECKED BY	TH

**OVERALL BUFFER AND STREET TREE PLANTING PLAN**



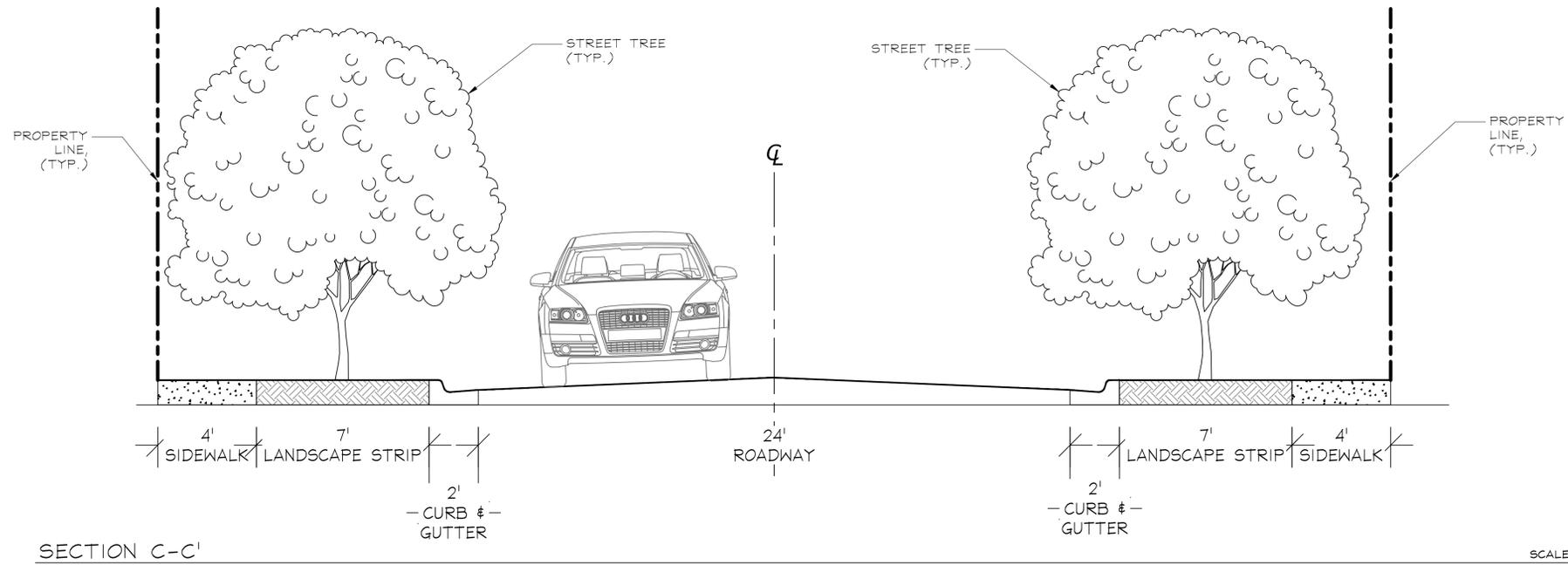
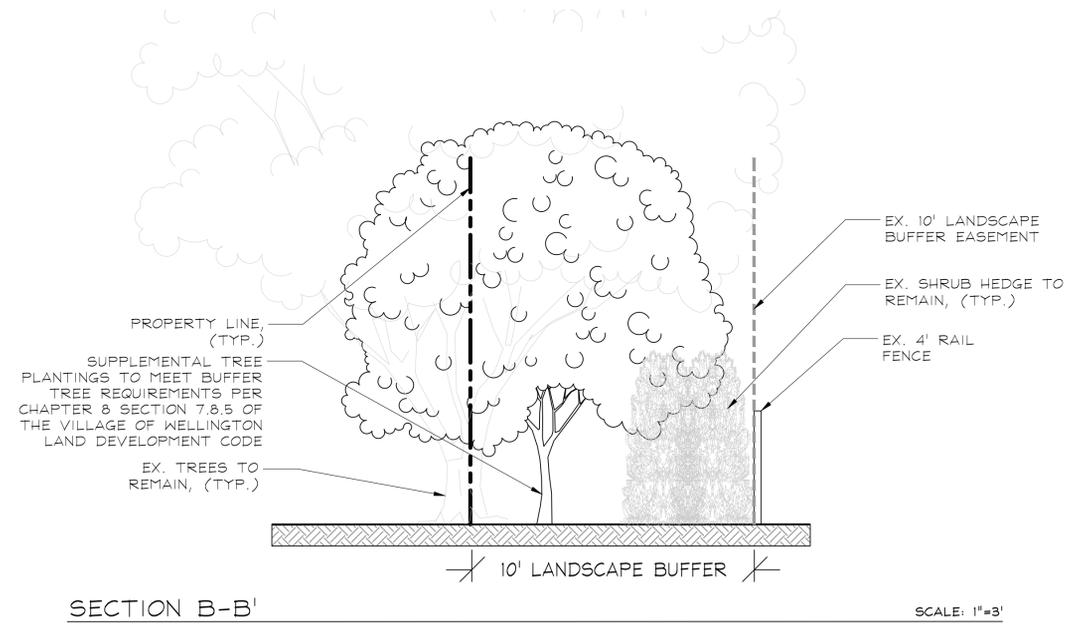
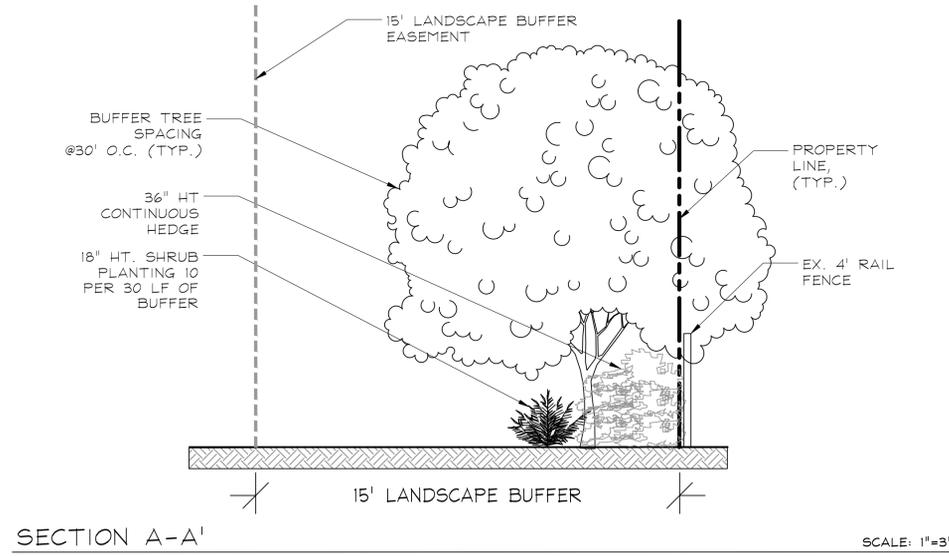
Petition No.: 2021-0004 ASA  
 Approved: April 27, 2022  
 DRM: Kelly Ferraiolo

Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.  
 Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

**BLUE CYPRESS SINGLE FAMILY HOMES**  
 PREPARED FOR  
**PALM BEACH POLO HOLDINGS, INC.**  
 VILLAGE OF WELLINGTON, FLORIDA

SHEET NUMBER  
**L1.00**

Printed By: Miron, Brenton. Sheet: Set: BLUE CYPRESS SINGLE FAMILY HOMES. Layout: L1.01 LANDSCAPE SECTIONS. January 19, 2022. 08:47:46am. K:\BCD\_Civil\140631000 - Palm Beach Polo Site Plan\GADD\PlanSheets\L1.01 LANDSCAPE PLAN.dwg. This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Petition No: 2021-0004 ASA  
Approved: April 27, 2022

DRM: Kelly Ferraiolo  
Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.

Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
1615 S. CONGRESS AVE., SUITE 201,  
DELRAY BEACH, FL 33445  
PHONE: 561.383.8175 FAX: 561.383.8175  
WWW.KIMLEY-HORN.COM CA 00000696

THOMAS  
CASSIDY  
HARGRETT  
LA#6667512  
2022.01.19  
10:10:11-05:00'

KHA PROJECT	140631000
DATE	JAN 2022
SCALE	AS SHOWN
DESIGNED BY	TH
DRAWN BY	BM
CHECKED BY	TH

**LANDSCAPE SECTIONS**

**BLUE CYPRESS SINGLE FAMILY HOMES**  
PREPARED FOR  
**PALM BEACH POLO HOLDINGS, INC.**  
VILLAGE OF WELLINGTON, FLORIDA

SHEET NUMBER  
**L1.01**



# BLUE CYPRESS SINGLE FAMILY HOMES OF PALM BEACH POLO AND COUNTRY CLUB-WELLINGTON P.U.D.

BEING A REPLAT OF TRACT "B", BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 163, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA  
OCTOBER 2024

STATE OF FLORIDA  
COUNTY OF PALM BEACH

109

THIS PLAT WAS FILED FOR RECORD AT

12:59 P.M.

THIS 14 DAY OF November 2024

AND DULY RECORDED IN PLAT BOOK 138

PAGES 109-110

JOSEPH ABRUZZO, CLERK AND COMPTROLLER - PALM BEACH COUNTY

BY: *[Signature]*

SHEET 1 OF 2



### DEDICATION AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT T & R BLUE CYPRESS IV, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON BLUE CYPRESS SINGLE FAMILY HOMES OF PALM BEACH POLO AND COUNTRY CLUB-WELLINGTON P.U.D., BEING A REPLAT OF A PORTION OF BLUE CYPRESS OF PALM BEACH POLO AND COUNTRY CLUB - WELLINGTON P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 90, PAGES 3 THROUGH 5, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### LEGAL DESCRIPTION:

A PARCEL OF LAND IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA BEING ALL OF TRACT "B", BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 163 TO 165, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2, OF BLACK WATCH FARM PLAT NO. 2 OF PALM BEACH POLO AND COUNTRY CLUB OF WELLINGTON P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 76, PAGE 174, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE NORTH 01°03'34" EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 545.89 FEET TO THE SOUTHEAST CORNER OF TRACT "A", OF BLUE CYPRESS OF PALM BEACH POLO AND COUNTRY CLUB, WELLINGTON P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 90, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE NORTH 88°56'26" WEST, ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 78.00 FEET TO THE SOUTHEAST CORNER OF TRACT "G-2" OF SAID PLAT;

THENCE SOUTH 89°44'07" WEST, ALONG THE SOUTH LINE OF SAID TRACT "G-2", A DISTANCE OF 154.11 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 13°29'10" AND A RADIUS OF 60.00 FEET FOR AN ARC DISTANCE OF 14.12 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF SOUTH 13°12'20" WEST;

THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 81°13'34" AND A RADIUS OF 30.00 FEET FOR AN ARC DISTANCE OF 42.53 FEET TO A POINT OF COMPOUND CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 09°58'54" AND A RADIUS OF 475.00 FEET FOR AN ARC DISTANCE OF 82.75 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 11°59'52" WEST, ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 74.18 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 42°52'28" AND A RADIUS OF 318.81 FEET FOR AN ARC DISTANCE OF 238.56 FEET TO THE NORTHEAST CORNER OF LOT 11, OF BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 163, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THE LAST FIVE (5) COURSES BEING COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF BLUE CYPRESS LANE OF PLAT BOOK 116, PAGES 163 TO 165, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE SOUTH 00°22'12" WEST, ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE 181.24 FEET TO THE NORTH LINE OF TRACT "H" OF SAID PLAT;

THENCE SOUTH 89°37'48" EAST, ALONG THE NORTH LINE OF SAID TRACT "H", A DISTANCE OF 439.82 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA AND CONTAINING 4.62 ACRES (201,189 SQUARE FEET), MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DOES HEREBY DEDICATE AS FOLLOWS:

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

TRACT "A" IS FURTHER DEDICATED IN PERPETUITY TO THE VILLAGE OF WELLINGTON, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF POTABLE WATER PIPELINES, WASTEWATER PIPELINES, RAW WATER PIPELINES, RECLAIMED WATER PIPELINES, AND APPURTENANCES. THE MAINTENANCE OF THE LAND UNDERLYING THIS TRACT SHALL BE A PERPETUAL OBLIGATION TO THE PROPERTY OWNER. NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS, OR FENCES SHALL BE INSTALLED WITHIN 7.5 FEET OF A VILLAGE OWNED UTILITY WITHOUT PRIOR WRITTEN APPROVAL OF THE VILLAGE OF WELLINGTON UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS. THE VILLAGE OF WELLINGTON, ITS SUCCESSORS AND ASSIGNS SHALL HAVE CLEAR VEHICULAR AND PEDESTRIAN ACCESS OVER ALL PUBLICALLY ACCESSIBLE AREAS OF THIS PLAT FOR THE PURPOSES OF INGRESS, EGRESS, AND ACCESS TO ALL VILLAGE OF WELLINGTON UTILITIES. ALL OTHER UTILITY PROVIDERS SHALL ONLY LOCATE FACILITIES WITHIN THE 10FT UTILITY EASEMENTS ADJACENT TO TRACT A, AND NOT WITHIN SAID TRACT A EXCEPT WHERE NECESSARY FOR PERPENDICULAR CROSSING POINTS.

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

3. THE DRAINAGE EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO THE BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES. THE MAINTENANCE OF SAID FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF WELLINGTON, FLORIDA.

4. THE VILLAGE OF WELLINGTON, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO MONITOR, INSPECT AND MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PRIVATE STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE EASEMENTS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

5. THE BUFFER EASEMENTS AND BUFFER ACCESS EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES. THE MAINTENANCE OF ALL FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF WELLINGTON, FLORIDA.

6. THE LIMITED ACCESS EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED IN PERPETUITY TO THE VILLAGE OF WELLINGTON, FLORIDA FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

IN WITNESS WHEREOF, T & R BLUE CYPRESS IV, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AS OF THIS 30 DAY OF OCTOBER, 2024.

SIGNED IN THE PRESENCE OF

*[Signature]*  
WITNESS 1 SIGNATURE

T & R BLUE CYPRESS IV, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY

*[Signature]*  
WITNESS 1 PRINTED NAME

BY: T & R DEVELOPMENT MANAGEMENT, LLC,  
ITS MANAGING MEMBER

WITNESS 2 SIGNATURE

*[Signature]*  
WITNESS 2 PRINTED NAME

BY: THEODORE S. PRITZKER VLOCK, MANAGER

### ACKNOWLEDGMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [X] PHYSICAL PRESENCE OR [ ] ONLINE NOTARIZATION, THIS 30 DAY OF OCTOBER 2024, BY THEODORE VLOCK, AS MANAGER FOR T & R BLUE CYPRESS IV, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS [ ] PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION.

MY COMMISSION  
EXPIRES:

2/10/2027

SIGNATURE

*[Signature]*  
TAMMY SALINAS-BENTLEY  
(PRINT NAME) - NOTARY PUBLIC  
COMM # 44340361

SEAL

### VILLAGE OF WELLINGTON APPROVAL

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE VILLAGE OF WELLINGTON, ITS SUCCESSORS AND ASSIGNS, HEREBY APPROVES THIS PLAT AND ACCEPTS THE DEDICATION TO SAID VILLAGE AS STATED AND SHOWN HEREON.

DATED THIS 30 DAY OF OCTOBER, 2024

ATTEST:

*[Signature]*  
CHEVELLE D. HALL  
VILLAGE CLERK

BY:

*[Signature]*  
MICHAEL J. NAPOLEONE, MAYOR

### VILLAGE ENGINEER:

THIS PLAT IS HEREBY APPROVED FOR RECORD AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE VILLAGE OF WELLINGTON IN ACCORDANCE WITH SEC. 177.081(1) F.S. THE VILLAGE ENGINEER IS ACCEPTING THE SURVEYOR'S APPROVAL PURSUANT TO THE VILLAGE OF WELLINGTON ORDINANCES.

DATED THIS 30 DAY OF OCTOBER, 2024

*[Signature]*  
JONATHAN REINSVOLD, PE  
VILLAGE ENGINEER

### TITLE CERTIFICATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I, CRAIG T. GALLE, ESQ., A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY, THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN T & R BLUE CYPRESS IV, LLC, A DELAWARE LIMITED LIABILITY COMPANY; THAT CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD OR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT

DATE: OCTOBER 30, 2024

*[Signature]*  
BY: CRAIG T. GALLE, ESQ.  
FLORIDA BAR NO. 856568  
ATTORNEY-AT-LAW LICENSED IN FLORIDA

### PROPERTY OWNERS ASSOCIATION ACCEPTANCE:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC. HEREBY ACCEPTS THE DEDICATIONS AND/OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR THE SAME AS STATED HEREON.

DATED THIS 30 DAY OF OCTOBER, 2024.

SIGNED IN THE PRESENCE OF

*[Signature]*  
WITNESS 1 SIGNATURE

*[Signature]*  
WITNESS 1 PRINTED NAME

BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC.  
A FLORIDA NOT FOR PROFIT CORPORATION

WITNESS 2 SIGNATURE

*[Signature]*  
WITNESS 2 PRINTED NAME

BY: CRAIG T. GALLE, PRESIDENT

### ACKNOWLEDGMENT:

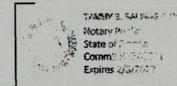
STATE OF FLORIDA

COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [X] PHYSICAL PRESENCE OR [ ] ONLINE NOTARIZATION, THIS 30 DAY OF OCTOBER 2024, BY CRAIG T. GALLE, AS PRESIDENT FOR BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC. A FLORIDA NOT FOR PROFIT CORPORATION, ON BEHALF OF THE CORPORATION, WHO IS [ ] PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION.

MY COMMISSION  
EXPIRES:

2/10/2027



SIGNATURE

*[Signature]*  
TAMMY SALINAS-BENTLEY  
(PRINT NAME) - NOTARY PUBLIC  
COMM # 44340361

SEAL

### SURVEYOR AND MAPPER CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S.") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("P.C.P.S."), AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE VILLAGE OF WELLINGTON;

AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA.

BY: *[Signature]* 10/30/24

JAVIER DE LA ROCHA, P.S.M.  
LICENSE NO. 8080  
STATE OF FLORIDA

### NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DESCRIPTION OF THE LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT YET RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

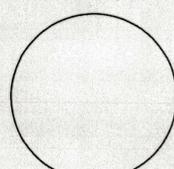
TELEPHONE NO. 561-314-0789 FAX NO. 561-314-0770



L.B. 7551

3460 FAIRLANE FARMS ROAD, SUITE 6, WELLINGTON, FL. 33414

BLUE CYPRESS HOMEOWNERS' ASSOCIATION, INC.



VILLAGE OF WELLINGTON (APPROVAL)



VILLAGE OF WELLINGTON ENGINEER



JAVIER DE LA ROCHA, P.S.M.

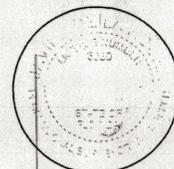
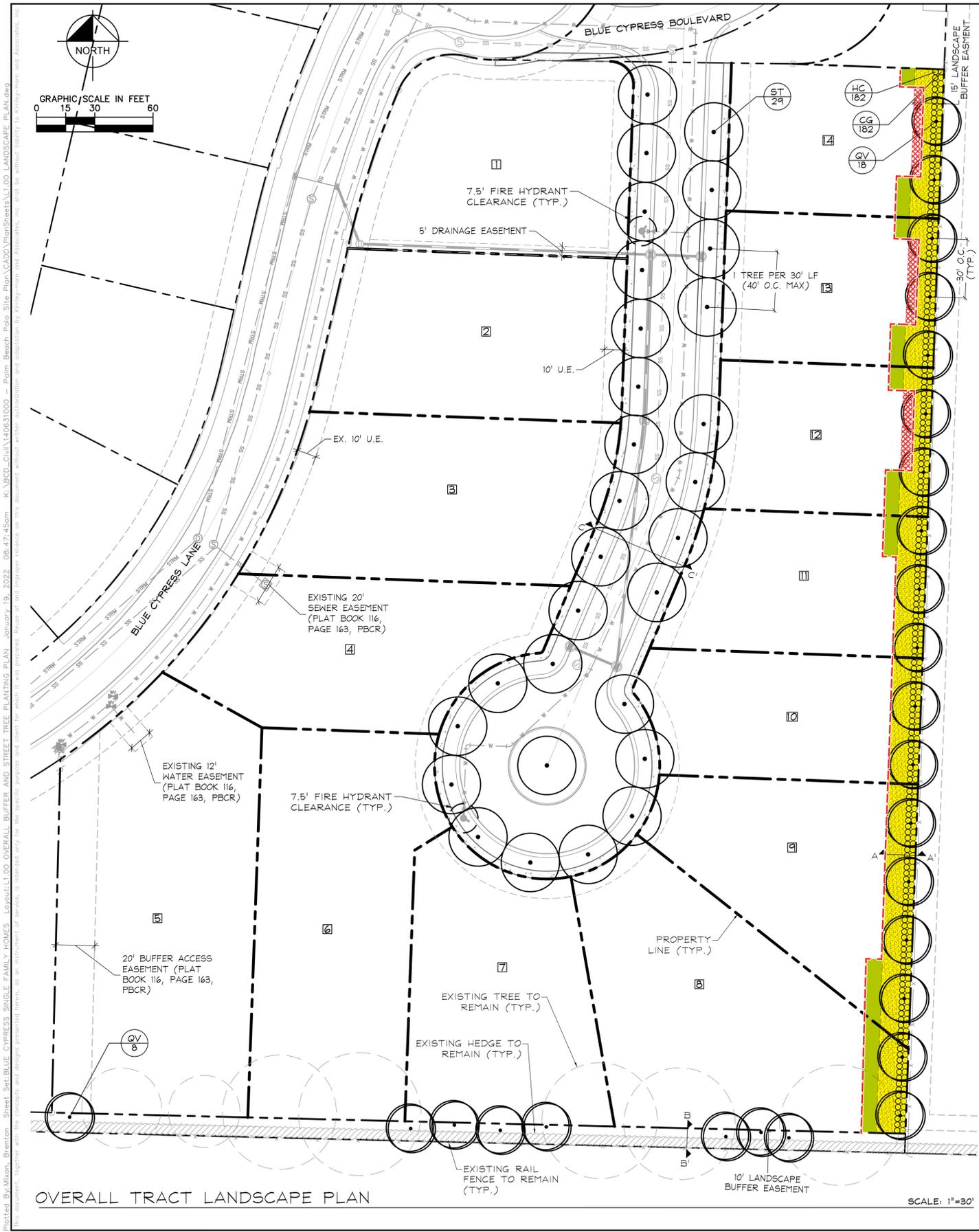




Exhibit D - Proposed Easement Exhibit



BUFFER AND STREET TREE PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE	NATIVE	DROUGHT TOL.	QTY
QV	Quercus virginiana	Southern Live Oak	B # B	3' Cal.	14' HT X 6' SPR	Yes	High	26
ST	Street Trees	Refer to sheet L1.01	Cont.	3.5' Cal.	14' HT X 6' SPR			24
SURBS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
CG	Clusia rosea	Clusia	Cont.	36" O.C.	36"x36"	Yes	High	182
HC	Hamelia patens 'Compacta'	Dwarf Firebush	Cont.	36" O.C.	18"x18"	Yes	High	182
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	NATIVE	DROUGHT TOL.	QTY
SD	Turfgross	Refer to sheet L1.01	cont.			No	Low	= 4,889 sf

PLANTING NOTES:

- CONTRACTOR SHALL REFER TO THE LANDSCAPE PLANTING DETAILS, PLANT LIST, GENERAL NOTES AND ALL CONTRACT DOCUMENTS FOR FURTHER AND COMPLETE INSTRUCTIONS.
- PLANT LIST QUANTITIES ARE PROVIDED FOR CONVENIENCE. IN THE EVENT OF QUANTITY DISCREPANCIES THE DRAWING SHALL TAKE PRECEDENCE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BIDDING.
- PLANT SIZES LISTED ARE THE MINIMUM SIZE THAT WILL BE ACCEPTED FOR THAT PLANT.
- ANY SUBSTITUTION IN SIZE AND/OR PLANT MATERIAL MUST BE APPROVED BY THE LANDSCAPE ARCHITECT IN WRITING. ALL PLANTS WILL BE SUBJECT TO APPROVAL BY LANDSCAPE ARCHITECT AND/OR OWNERS REPRESENTATIVE BEFORE PLANTING CAN BEGIN.
- CONTRACTOR SHALL FIELD ADJUST LOCATION OF PLANT MATERIAL AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR INTERFERE WITH EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS.
- CONTRACTOR SHALL FAMILIARIZE HIM/HERSELF WITH THE LIMITS OF WORK AND EXISTING CONDITIONS AND VERIFY ALL INFORMATION. IF DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE IN WRITING WITHIN SEVEN CALENDAR DAYS OF NOTICE TO PROCEED.
- ALL NEW AND TRANSPLANTED PLANT MATERIAL SHALL BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

PRINTED BY: Miron, Brenton. Sheet: SK1-BLUE CYPRESS SINGLE FAMILY HOMES - LAYOUT: L1.00 OVERALL BUFFER AND STREET TREE PLANTING PLAN. January 19, 2022. 08:47:45am. K:\BDD\_CVA\140631000 - From Beach Polo Site Plan\CADD\Planting\1.00 LANDSCAPE PLAN.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of any portion of this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
 © 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
 1615 S. CONGRESS AVE., SUITE 201,  
 DELRAY BEACH, FL 33445  
 PHONE: 561-366-3664 FAX: 561-366-3175  
 WWW.KIMLEY-HORN.COM CA 00000696

**THOMAS CASSIDY HARGRETT**  
 LA#6667512  
 2022.01.19  
 10:09:55-05'00"

KHA PROJECT	140631000
DATE	JAN 2022
SCALE	AS SHOWN
DESIGNED BY	TH
DRAWN BY	BM
CHECKED BY	TH

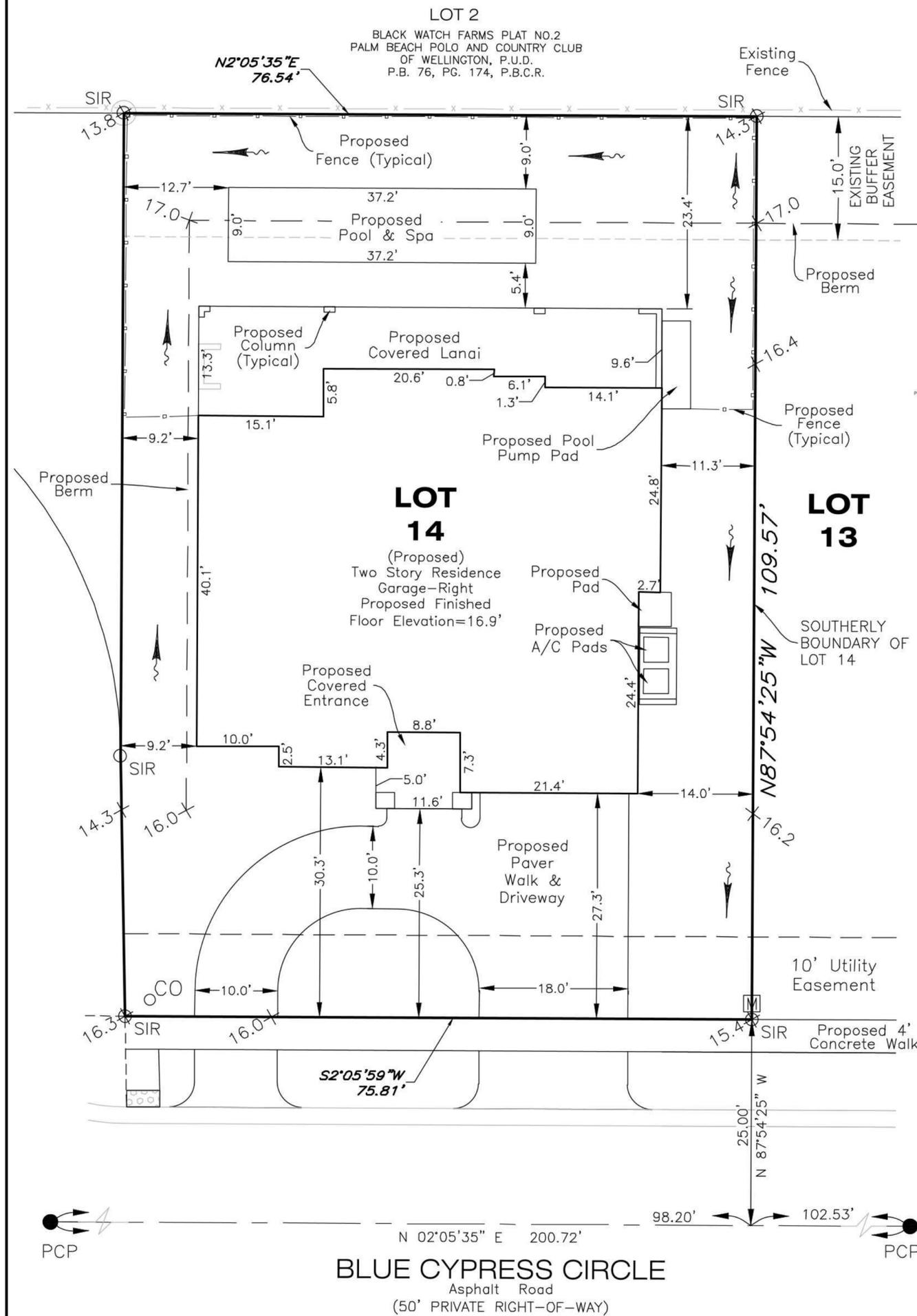
**OVERALL BUFFER AND STREET TREE PLANTING PLAN**

**BLUE CYPRESS SINGLE FAMILY HOMES**  
 PREPARED FOR  
**PALM BEACH POLO HOLDINGS, INC.**  
 VILLAGE OF WELLINGTON, FLORIDA

**THE VILLAGE OF WELLINGTON**  
 Planning and Zoning Division  
**Certification**  
 Petition No.: 2021-0004 ASA  
 Approved: April 27, 2022  
 DRM: Kelly Ferraiolo  
 Reviewed for compliance with codes, ordinances and regulations currently in effect for the Village of Wellington.  
 Performance of this review does not relieve the Applicant from full responsibility to comply with all codes, ordinances and regulations.

SHEET NUMBER  
**L1.00**

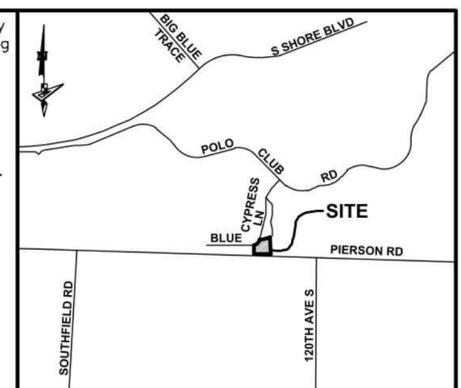
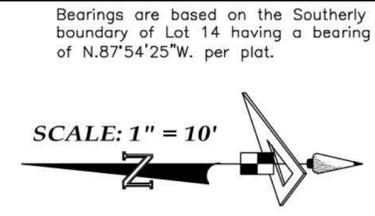
# Exhibit E - Lot 14 Layout



LOT DATA		PROVIDED
LOT AREA (SQ. FT.)		8,374
BLDG. COVERAGE: GROUND FLOOR AREA (SQ. FT.)		3,164
MAX LOT COVERAGE % (40%)		37.8%

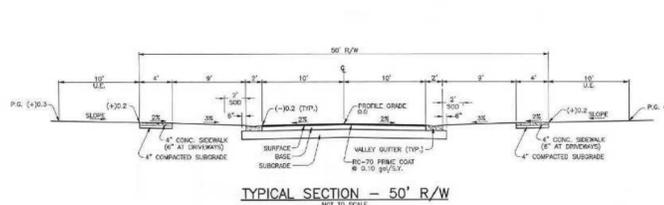
SET BACKS (INCLUDES 40 FT AND 50 FT LOTS)		
	REQUIRED	PROVIDED
FRONT HOME	5'	25.3'
FRONT LOADING GARAGE	20'	27.3'
SIDE YARD	5'	9.2'
REAR	10'	23.4'



**SITE LOCATION**  
NOT TO SCALE

**LEGEND:**

- FIR ----- Found 1/2" Iron Rod (with cap, stamped with corporation number "LBXXXX")
- LB ----- Licensed Business
- PCP ----- Found Permanent Control Point (nail with disk, stamped with corporation number "LBXXXX")
- IGV ----- Irrigation Gate Valve
- CTVP ----- Cable Television Pedestal
- Ⓢ ----- Sanitary Sewer Manhole
- Ⓣ ----- Storm Drainage Manhole
- (C) ----- Calculated
- (P) ----- PLAT
- Conc. ----- Concrete
- FHH ----- Fiber Optic Handhole
- CO ----- Sanitary Sewer Clean Out
- N.T.S. ----- Not to scale
- A/C ----- Air Conditioner
- CL ----- Center Line
- R/W ----- Right-of-Way
- Flow Direction
- Location of reading
- 24.8' ----- Spot Elevation



PAVING AND DRAINAGE DETAIL; TYPICAL LOT GRADING DETAIL; TYPICAL STREET SECTION AND SIDEWALK AND CURB AND GUTTER NOTES WERE TAKEN FROM ENGINEERING PLANS; BLUE CYPRESS REPLAT AT PALM BEACH POLO & COUNTRY CLUB PAVING & DRAINAGE PLANS AND ARE FOR INFORMATION PURPOSES.

- SIDEWALK NOTES:**
- SIDEWALKS TO BE PORTLAND CEMENT CONCRETE, MINIMUM 3000 PSI, 4" THICK.
  - SIDEWALKS TO BE FINISHED WITH OPEN ENDED SURFACE.
  - SIDEWALKS TO BE A MINIMUM 4" OF CLEAR SPACE ON EITHER SIDE, FROM FULLY COMPLETED POLYURETHANE.
  - AT DRIVEWAYS, SIDEWALKS SHALL BE THICKENED TO 6".
  - TYPE "C" CONSTRUCTION JOINTS SHALL BE AT 5' O.C.
  - SIDEWALKS TO BE CONSTRUCTED WITH HOUSE CONSTRUCTION UNLESS OTHERWISE SHOWN AS "BY DEVELOPER" ON PLAN SHEET.
- CURB AND GUTTER NOTES:**
- CONCRETE SHALL BE MINIMUM OF 3000 PSI.
  - TYPE "A" CONSTRUCTION JOINTS SHALL BE AT 10' O.C.

**NOTES:**

- Current title information on the subject property had not been furnished to GeoPoint Surveying, Inc. at the time of this plot plan.
- Lots, Tracts and Easements are as shown on the plat of Blue Cypress Replat at Palm Beach Polo and Country Club, Plat Book 116, Pages 163-165.
- Elevations shown hereon are in feet and are referenced to the North American Vertical Datum of 1988 (NAVD88), to convert to the National Geodetic Vertical Datum of 1929 (NGVD29) add 1.42'.
- Contractor and owner are to verify all setbacks, building dimensions, and layout shown hereon prior to any construction, and immediately advise GeoPoint Surveying, Inc. of any deviation from information shown hereon. Failure to do so will be at user's sole risk.

**2945 BLUE CYPRESS CIRCLE**  
**WELLINGTON, FL 33414**

Lot Area:  
**8,374 SQUARE FEET**  
**OR 0.192 ACRES**

**DESCRIPTION:** Lot 14, AKA A a portion of Tract B, Blue Cypress Replat at Palm Beach Polo and Country Club, as recorded in Plat Book 116, Pages 163-165 inclusive, of the Public Records of Palm Beach County, Florida.

**FLOOD ZONE:**  
THE PROPERTY SHOWN HEREON IS ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP PANEL NUMBER 120992C\_0563 E, MAP DATE 10/05/2012, AND LIES IN ZONE "AE".

## BLUE CYPRESS - PHASE 4 - LOT 14 PLOT PLAN

REVISIONS			
No.	Date	Description	Dwn.
.01	03/09/26	ADJUST POOL SETBACK	SRZ

Prepared For: **STOCK CUSTOM HOMES**  
Last Date of Field Survey: **N/A**  
**BOUNDARY SURVEY**  
THIS BOUNDARY SURVEY WAS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED RESIDENCE LOCATION  
Digitally signed by Gary Rager  
DN: E=GaryR@geopointsurveying.com, CN=Gary Rager, OU=Professional Surveyor and Mapper, O="GeoPoint Surveying, Inc.", L=Tampa, S=Florida, C=US  
Date: 2026.03.09 11:51:57-04'00'  
**Gary A. Rager** **LS4828**  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

1720 E Tiffany Drive  
Suite 201  
Mangonia Park, FL 33407  
Phone: (561) 444-2720  
www.geopointsurveying.com  
Licensed Business Number LB 7768

Drawn: JR Date: 01/12/2025 Data File: N/A  
Check: LJO P.C.: N/A Field Book: N/A  
Section: 15 Twn. 44 S. Rng. 41 E. Job #: BLUE CYPRESS PH4

DWG NAME: W:\BLUE CYPRESS\LOT SURVEY - PHASE 4\LOT 14\_PLOT.DWG PLOTTED BY: SEAN ZAMPARELLI ON: 3/9/2026 11:17 AM LAST SAVED BY: SEAN ON: 3/9/2026 11:17 AM

## **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.

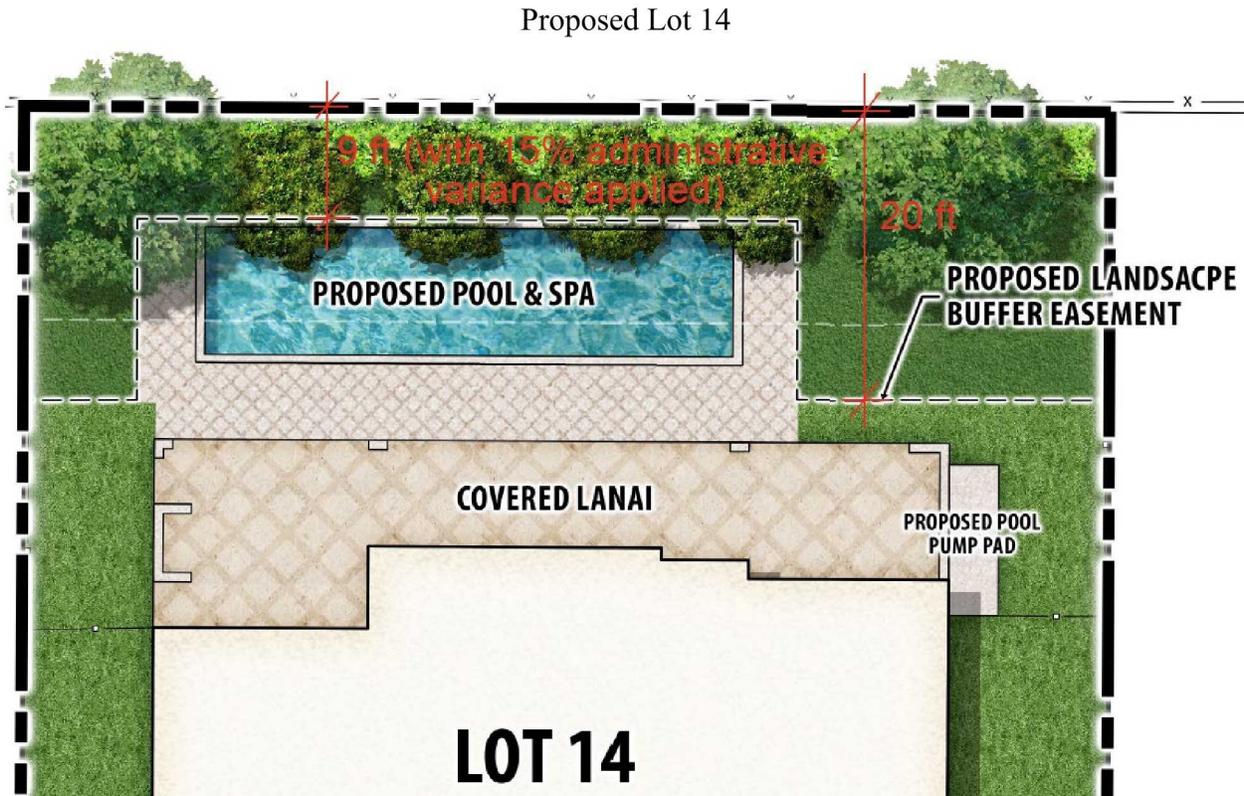
Strict adherence to the rear buffer requirement for the subject lots produces an internal inconsistency within the PUD, undermining the intent of the PUD framework to allow coordinated and equitable development. Without the requested variance, Lots 12, 13, and 14 would be subject to development constraints 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.

This instrument prepared by  
and return to:

Craig T. Galle, Esq.  
The Galle Law Group, P.A.  
13501 South Shore Blvd., Suite #103  
Wellington, Florida 33414  
Tel: (561) 798-1708

PCN 73-41-44-15-26-000-0130  
PCN 73-41-44-15-26-000-0140

**ENCROACHMENT AGREEMENT**

THIS ENCROACHMENT AGREEMENT ("Agreement") is made this 28th of April, 2025, between PALM BEACH POLO HOLDINGS, INC., a Florida corporation ("PBPH") and BLUE CYPRESS HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation ("HOA"), whose address is 11199 Polo Club Road, Wellington, Florida 33414, and T & R BLUE CYPRESS IV, LLC, a Delaware limited liability company ("T&R"), whose address is 10620 W. Forest Hill Blvd., Suite 40, Wellington, Florida 33414.

**WITNESSETH:**

WHEREAS, PBPH and/or HOA are the present owners and/or beneficiaries of the buffer easement(s) shown on the Blue Cypress Replat at Palm Beach Polo and Country Club, recorded in Plat Book 116, Page 163, of the Public Records of Palm Beach County, Florida (the "Buffer Easement");

WHEREAS, T&R is the record title owner of Lots 13 and 14 of Blue Cypress Single Family Homes of Palm Beach Polo and Country Club-Wellington P.U.D., recorded in Plat Book 138, Page 109-110, of the Public Records of Palm Beach County, Florida (the "Lots");

WHEREAS, T&R desires to construct pools, decks, landscaping and related facilities on the Lots (the "Encroachment") on all or a portion of the Buffer Easement (the "Encroachment Area");

WHEREAS, PBPH and HOA have agreed to allow the Encroachment to remain in the Encroachment Area;

WHEREAS, PBPH, HOA and T&R desire to confirm their rights in respect to said Encroachment.

**NOW, THEREFORE**, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed,

PBPH, HOA and T&R hereby agree as follows:

1. **Recitals.** PBPH, HOA and T&R hereby acknowledge that the foregoing recitals are true and correct in each and every respect and are incorporated herein by reference.

2. **Encroachment.** PBPH and HOA hereby agree to allow the Encroachment to remain on the Encroachment Area. PBPH and HOA's agreement to allow the Encroachment in the Encroachment Area shall constitute a license to use the Encroachment Area to construct pools, decks, landscaping and related facilities, and a license to enter upon the Encroachment Area to construct, repair and maintain the pools, decks, landscaping and related facilities. Once the pools, decks, landscaping and related facilities is/are installed on the Encroachment Area, T&R shall have the right to access and the obligation to maintain the pools, decks, landscaping and related facilities until such time as T&R develops and sells the real property and improvements to be constructed on the Lots.

3. **Binding Effect.** The parties hereto hereby consent and agree that this Agreement shall be binding upon and enforceable, and ensure the benefit of their respective estates, heirs, beneficiaries, transferees, legal representatives, successors and assigns.

4. **Merger.** This Agreement contains the full and complete understanding of the parties hereto and supersedes any and all oral agreements heretofore made between them.

5. **Attorneys' Fees.** In the event it shall become necessary for a party hereto to institute legal proceedings or retain an attorney to enforce the terms and provisions hereof, the prevailing party shall recover from the non-prevailing party any and all attorneys' fees and costs, including, but not limited to, those incurred pre-suit and in any and all trial, mediation, arbitration, appellate, post-judgment, bankruptcy and administrative proceeds.

6. **Severability.** In the event any term or provision of this Agreement (or any portion thereof) is determined by a court of competent jurisdiction to be invalid or otherwise unenforceable the terms and provisions (and portions thereof) not so adjudicated, shall remain in full force and effect.

7. **Amendment.** This Agreement shall not be amended or terminated unless in a writing signed by the parties thereto, their successors and assigns.

8. **Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Florida.

9. **Disputes.** Jurisdiction and venue for any litigation shall be in Palm Beach County, Florida.

10. **Recording.** The parties hereto authorize this Agreement to be recorded in the Public Records of Palm Beach County, Florida.

11. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one in the same instrument.

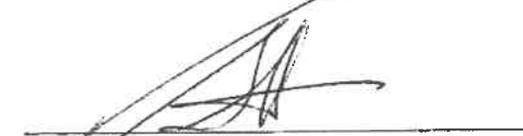
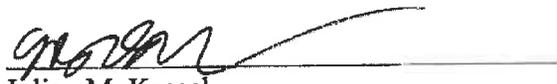
**IN WITNESS WHEREOF**, the parties have caused this Encroachment Agreement to be executed the day and year first above written.

Signed, sealed and delivered  
In the presence of:



Jennifer Hargain  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414

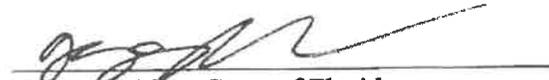
PALM BEACH POLO HOLDINGS, INC.

  
By: Glenn F. Straub, President

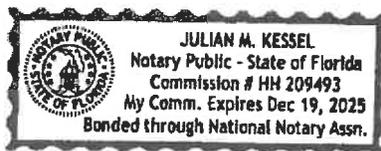
Julian M. Kessel  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me in person on this 28th day of April, 2025, by Glenn F. Straub, the President of PALM BEACH POLO HOLDINGS, INC. He [ ] is personally known to me.

  
Notary Public - State of Florida

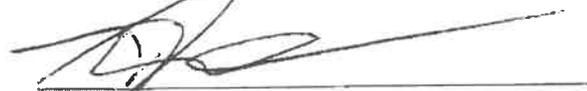
My Commission Expires:



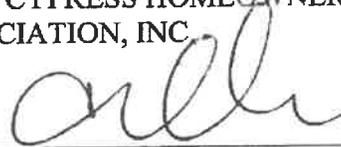
**IN WITNESS WHEREOF**, the parties have caused this Encroachment Agreement to be executed the day and year first above written.

Signed, sealed and delivered  
In the presence of:

BLUE CYPRESS HOMEOWNERS  
ASSOCIATION, INC



Jennifer Hargain  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414



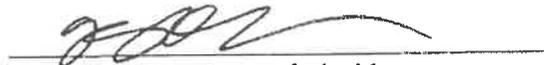
By: Craig T. Galle, President



Julian M. Kessel  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me in person on this 28th day of April, 2025, by Craig T. Galle, the President of BLUE CYPRESS HOMEOWNERS ASSOCIATION, INC.. He [ ] is personally known to me.

  
Notary Public - State of Florida

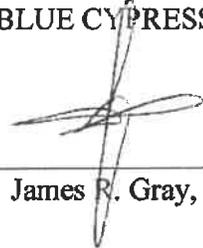
My Commission Expires:



**IN WITNESS WHEREOF**, the parties have caused this Encroachment Agreement to be executed the day and year first above written by duly authorized officers.

T & R BLUE CYPRESS IV, LLC

  
\_\_\_\_\_  
Jennifer Hargain  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414

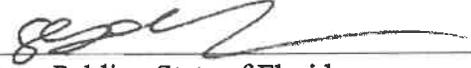
  
\_\_\_\_\_  
By: James R. Gray, Manager

  
\_\_\_\_\_  
Julian M. Kessel  
13501 S. Shore Blvd., #103  
Wellington, Florida 33414

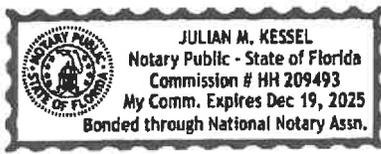
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me in person on this 28th day of April, 2025, by James R. Gray, the Manager of T & R BLUE CYPRESS IV, LLC, on behalf of the company. He is personally known to me.

  
\_\_\_\_\_  
Notary Public - State of Florida

My Commission Expires:



# Wellington Legal Notice

03/03/2026 9:01 AM (EST)

Submitted by Sharesse Milachay-Garcia (smilachay@wellingtonfl.gov)



## Wellington Legal Notice

<b>Please choose a category</b>	Planning and Zoning Public Hearing Notices - Wellington
<b>Title</b>	VARIANCE BLUE CYPRESS (RESOLUTION NO. PZAB2026-01)
<b>Publish Date</b>	03/03/2026
<b>Publish Time</b>	8:56 AM (EST)
<b>Description</b>	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.
<b>Attach Files (Optional)</b>	 Legal Ad - Variance Blue Cypress.pdf
<b>Submitted by (Email Address)</b>	smilachay@wellingtonfl.gov
<b>Notifications</b>	Yes
<b>Send Out a Notification to Your Subscribers</b>	Yes
<b>Signature</b>	