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RESOLUTION 58, 2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING PROPERTY DEVELOPMENT REGULATIONS FOR THE GARDENS OF WOODBERRY PLANNED UNIT DEVELOPMENT (PUD) BASED ON EXISTING CONDITIONS, THE SUBJECT SITE BEING GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF PGA BOULEVARD AND SHADY LAKES DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council, as the governing body of the City of Palm Beach Gardens, Florida, pursuant to the authority in Chapter 163 and Chapter 166, *Florida Statutes*, and the City's Land Development Regulations, is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, on February 4, 1988, the City Council adopted Ordinance 1, 1988, annexing the Gardens of Woodberry (formerly known as Cinnamon and Woodberry Lakes) into the City of Palm Beach Gardens; and

WHEREAS, on March 8, 1988, the City Council adopted Resolution 22, 1988, certifying the referendum elections for the annexation of the Gardens of Woodberry; and

WHEREAS, on July 16, 1998, the City Council adopted Ordinance 14, 1998, approving a ten- (10) foot-wide buffer easement, including a wall and landscaping, along all properties within the Gardens of Woodberry adjacent to PGA Boulevard; and

WHEREAS, pursuant to Ordinance 14, 2024, the subject site has a Planned Unit Development (PUD) Overlay zoning designation with underlying Residential Medium (RM) and has a future land-use designation of Residential Medium (RM); and

WHEREAS, the Planning and Zoning Department has reviewed the subject petition (PPUD-23-06-0000), has determined that it is sufficient and consistent with the City's Comprehensive Plan and Land Development Regulations, and has recommended approval; and

WHEREAS, on October 8, 2024, the Planning, Zoning, and Appeals Board recommended approval of the subject petition by a vote of 7 to 0; and

WHEREAS, the City Council deems approval of this Resolution to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
2 **OF PALM BEACH GARDENS, FLORIDA, that:**

3
4 **SECTION 1.** The foregoing recitals are hereby affirmed and ratified.

5
6 **SECTION 2.** The application is hereby approved for property development
7 regulations applicable to the Gardens of Woodberry PUD, subject to the conditions of
8 approval contained herein, which are in addition to the general requirements otherwise
9 provided herein for the real property described as follows:

10
11 **LEGAL DESCRIPTION**

12
13 ALL OF THE PLAT OF CINNAMON PLAT NO. 1 ACCORDING TO THE PLAT
14 THEREOF, AS RECORDED IN PLAT BOOK 36, PAGES 56 THROUGH 59, PUBLIC
15 RECORDS, PALM BEACH COUNTY, FLORIDA.

16
17 TOGETHER WITH

18
19 ALL OF THE PLAT OF CINNAMON PLAT NO. 2 ACCORDING TO THE PLAT
20 THEREOF, AS RECORDED IN PLAT BOOK 40, PAGES 66 THROUGH 70, PUBLIC
21 RECORDS, PALM BEACH COUNTY, FLORIDA.

22
23 **SECTION 3.** This approval is subject to the following conditions, which shall be
24 the responsibility of and binding upon the Applicant, its successors, or assigns.

- 25
- 26 1. All building permits shall demonstrate compliance with the approved setbacks for
27 the Gardens of Woodberry PUD, as applicable. (Planning and Zoning)
 - 28
 - 29 2. Pursuant to City Code Section 78-186 (b)(4), projecting architectural features such
30 as awnings, canopies, or roof overhangs may project a maximum of four (4) feet
31 into a required setback, so long they remain within the boundary of the subject
32 property. (Planning and Zoning)
 - 33
 - 34 3. All easements shall be maintained free and clear of all structures and
35 improvements unless authorized in writing by the beneficiary(ies) of the subject
36 easement. (Planning and Zoning)
 - 37
 - 38 4. The fence along the eastern perimeter of the neighborhood, abutting Shady Lakes
39 Drive, is required to remain and shall be maintained by the property owner of each
40 individual lot along the eastern perimeter. Replacement of any portion of this fence
41 shall require a building permit. (Planning and Zoning, Building)
 - 42

43 **SECTION 4.** This petition is approved subject to strict compliance with the Exhibits
44 listed below, which are attached hereto and made a part hereof as Exhibit "A":
45
46

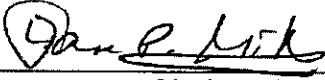
- 1 1. Property Development Regulations, Gardens of Woodberry PUD, two (2) pages,
2 dated September 2024.
- 3
- 4 2. Exhibit A: Side Setback, Gardens of Woodberry PUD, prepared by *City of Palm*
5 *Beach Gardens*, dated March 21, 2024.
- 6
- 7 5. Exhibit B: Side Street-Facing Setback, Gardens of Woodberry PUD, prepared by
8 *City of Palm Beach Gardens*, dated September 10, 2024.
- 9
- 10 6. Exhibit C: Side Common Area Setback, Gardens of Woodberry PUD, prepared by
11 *City of Palm Beach Gardens*, dated September 10, 2024.
- 12
- 13 7. Exhibit D: Side Perimeter Setback, Gardens of Woodberry PUD, prepared by *City*
14 *of Palm Beach Gardens*, dated March 21, 2024.
- 15
- 16 8. Exhibit E: Rear Setback, Gardens of Woodberry PUD, prepared by *City of Palm*
17 *Beach Gardens*, dated September 10, 2024.
- 18
- 19 9. Exhibit F: Rear Common Area Setback, Gardens of Woodberry PUD, prepared by
20 *City of Palm Beach Gardens*, dated March 21, 2024.
- 21
- 22 10. Exhibit G: Rear Perimeter Setback, Gardens of Woodberry PUD, prepared by *City*
23 *of Palm Beach Gardens*, dated March 21, 2024.
- 24

25 **SECTION 5.** This Resolution shall become effective immediately upon adoption.


26
27
28 (The remainder of this page intentionally left blank.)
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PASSED AND ADOPTED this 5th day of December, 2024.

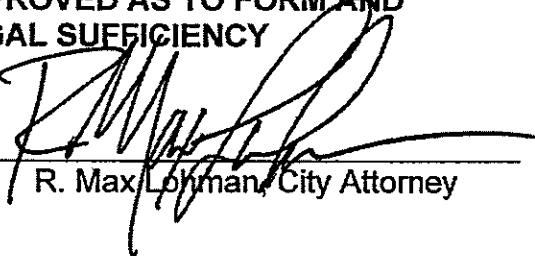
CITY OF PALM BEACH GARDENS, FLORIDA

BY: 
Chelsea Reed, Mayor
Dana Middleton for Chelsea Reed

ATTEST:

BY: 
Patricia Snider, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: 
R. Max Lohman, City Attorney

VOTE:

AYE NAY ABSENT

MAYOR REED	_____	_____	<input checked="" type="checkbox"/>
VICE MAYOR MIDDLETON	<input checked="" type="checkbox"/>	_____	_____
COUNCILMEMBER WOODS	<input checked="" type="checkbox"/>	_____	_____
COUNCILMEMBER TINSLEY	<input checked="" type="checkbox"/>	_____	_____
COUNCILMEMBER PREMURROSO	<input checked="" type="checkbox"/>	_____	_____



GARDENS OF WOODBERRY PUD
 (formerly known as Woodberry Lakes)
 (Cinnamon Plat No. 1 and 2)

PROPERTY DEVELOPMENT REGULATIONS

SITE DATA:

Petition Number: _____ PPUD-23-06-0000
 Zoning: _____ Planned Unit Development (PUD) Overlay / Residential Medium (RM)
 Future Land Use: _____ Residential Medium (RM)
 Gross Acreage: _____ 37.29 acres
 Maximum Gross Density: _____ 7 dwelling units per acre
 Residential Housing Type: _____ Multifamily Townhomes
 Total Dwelling Units: _____ 240 units (66 buildings; 2 to 6 units per building)

SETBACK CHART:

Exhibit:	Setback:	Principal Structure:	Accessory Structure: (Notes 2 and 3)	Fence: (Note 4a)
	Front (Note 1)	23.5 ft	same as principal structure (4b)	
	Side: Attached	0 ft	0 ft	0 ft
A	Side	7.5 ft	3 ft	0 ft
B	Side: Street-Facing	15 ft	same as principal structure	
C	Side: Common Area	0 ft	0 ft	0 ft
D	Side: Perimeter (east/west)	20 ft	10 ft	0 ft
E	Rear	10 ft	5 ft	3 ft (4c)
F	Rear: Common Area	10 ft	0 ft	0 ft
G	Rear: Perimeter (east/west/south)	20 ft	3 ft	0 ft (east/west) 4 ft (south) (4d)

NOTES:

- (1) The front setback shall be 23.5 feet or the established/existing front setback of the principal structure, whichever is greater.
- (2) Accessory structures:
 - a. shall not be located forward of the principal structure.
 - b. do not include hardscape elements as defined herein.
 - c. may or may not be attached to the principal structure.
 - d. constructed as an addition to/extension of the principal structure, having walls and a roof, shall meet the setbacks applicable to the principal structure.
- (3) All pools/spas shall be located within the fenced rear yard of a private residential lot and meet all applicable Florida Building Code requirements.
- (4) Fences:
 - a. may be a maximum of six feet tall.
 - b. shall not be located forward of the principal structure except when located along the eastern perimeter of the community (Shady Lakes Drive).
 - c. along the rear of abutting private residential lots shall maintain a minimum of 6 feet free and clear between the rear fence lines wherever possible for access and maintenance.
 - d. along the southern perimeter of the community (PGA Boulevard) shall be 4 feet from the wall for access and maintenance within the easement on each lot established by Ordinance 14, 1998.

NONCONFORMITIES:

Any expansion, destruction, relocation, or other substantial modification or replacement of existing previously **nonconforming** structures/improvements shall be permitted in compliance with the established setbacks.

DEFINITIONS: *(specific to Gardens of Woodberry, derived from Code Section 78-751)*

- **Accessory structure** means anything constructed, assembled, or erected on/in the ground and extending above the ground, which may or not be equipped with a roof, that is of a nature customarily incidental and subordinate to the principal structure.
- **Arbor** means a vertical three-dimensional **hardscape** element, typified by vines trained over an arched framework of wood or metal lattice as a gateway to/within a landscaped area.
- **Covered patio** means an **accessory structure** equipped with a solid roof, which may or may not be attached to the principal structure, and may or may not be enclosed with screen, but not walls (masonry, wood, glass, etc.).
- **Hardscape** means an element used in conjunction with landscaping such as a bench, fountain, planter, trellis, arbor, or similar that is allowed within the required setbacks.
- **Pergola** means an **accessory structure** consisting of columns that support a roofing grid of beams and rafters, which may or may not be covered with a solid roof.
- **Screen enclosure** means an **accessory structure** made primarily of screens assembled together by an aluminum grid, which may include partially solid walls but not equipped with a solid roof.
- **Trellis** means a vertical **hardscape** element attached to a surface or structure, typified by vines trained to grow vertically on a framework of wood or metal lattice.
- **Front lot line**, in the case of a corner lot, means the shortest lot line adjacent to a street right-of-way.
- **Side, street-facing** means the side of a lot that directly abuts a street and is not separated by a common area parcel.



Gardens of Woodberry PUD
Exhibit A: Side Setback

SUBJECT SITE
SUBJECT PARCELS
PARCELS





Gardens of Woodberry PUD
 Exhibit B: Side Street-Facing Setback

-  SUBJECT SITE
-  SUBJECT PARCELS
-  PARCELS



Created September 10, 2024
 Source: PBC GIS Department



Gardens of Woodberry PUD
 Exhibit C. Side Common Area Setback

- SUBJECT SITE
- SUBJECT PARCELS
- COMMON AREAS
- PARCELS



Created September 10, 2024
 Source: PBG GIS Department



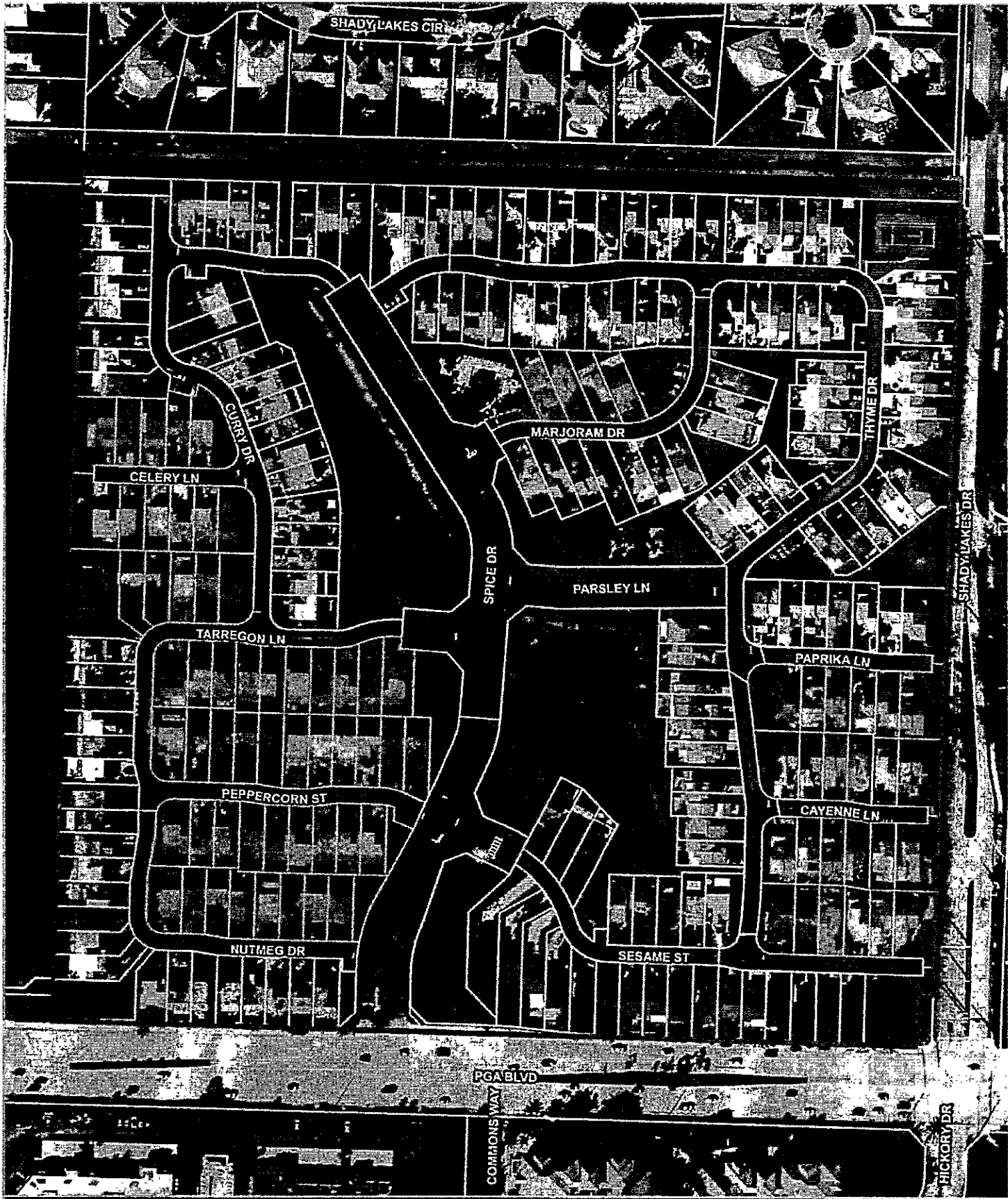
Gardens of Woodberry PUD
 Exhibit D: Side Perimeter Setback

SUBJECT SITE
 SUBJECT PARCELS
 PARCELS



Created March 21, 2024
 Source: PBC GIS Department





Gardens of Woodberry PUD
 Exhibit E: Rear Setback

SUBJECT SITE
 SUBJECT PARCELS
 PARCELS





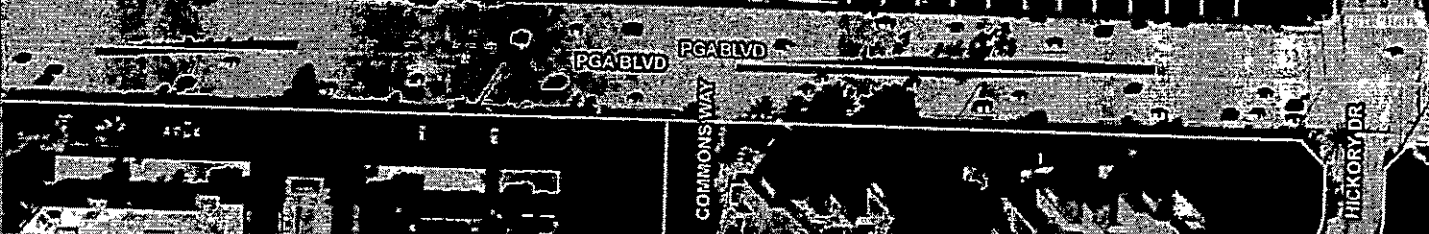
Gardens of Woodberry PUD
 Exhibit F: Rear Common Area Setback

- SUBJECT SITE
- SUBJECT PARCELS
- COMMON AREAS
- PARCELS



Created March 21, 2024
 Source: PBG GIS Department





Gardens of Woodberry PUD
Exhibit G: Rear Perimeter Setback

SUBJECT SITE
SUBJECT PARCELS
PARCELS

Created March 21, 2024
 29a rev. PBG GIS Department