

RESOLUTION NO. R-2025- 1180

RESOLUTION APPROVING ZONING APPLICATION CA-2024-01606
(CONTROL NO. 2003-00049)
a Class A Conditional Use
APPLICATION OF Pineridge Gardens, LLC - Kyi Yin
BY Schmidt Nichols, AGENT
(Gardens of Pine Ridge)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application CA-2024-01606 was presented to the Board of County Commissioners at a public hearing conducted on August 28, 2025;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Class A Conditional Use, and Article 5.G.1.B.2.e.2)b);

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application CA-2024-01606, the Application of Pineridge Gardens, LLC - Kyi Yin, by Schmidt Nichols, Agent, for a Class A Conditional Use to allow a combined density increase through the Workforce Housing Program (WHP) (+14 units) and Transfer of Development Rights (TDR) (+3 units) in excess of 2 units per acre (a combined total increase of 17 WHP and TDR units) on 2.22 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on August 28, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Baxter moved for the approval of the Resolution.

The motion was seconded by Commissioner Weiss and, upon being put to a

vote, the vote was as follows:

Commissioner Maria G. Marino, Mayor	- Aye
Commissioner Sara Baxter, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Bobby Powell, Jr.	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on August 28, 2025.

Filed with the Clerk of the Board of County Commissioners on August 28, 2025.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: _____

COUNTY ATTORNEY

MICHAEL A. CARUSO,
CLERK & COMPTROLLER

BY: _____

DEPUTY CLERK

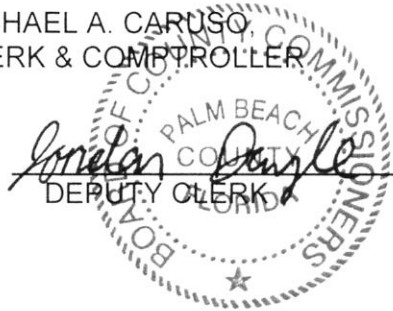


EXHIBIT A

LEGAL DESCRIPTION

BEGINNING AT A POINT 2,186.75 FEET NORTHERLY AND 446 FEET EASTERLY FROM THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE SOUTHERLY 276.7 FEET; THENCE WESTERLY 208 FEET; THENCE NORTHERLY 272.6 FEET; THENCE EASTERLY 208 FEET TO THE POINT OF BEGINNING

LESS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, THENCE RUN NORTH 2186.75 FEET, THENCE RUN SOUTH 89°42'42" EAST 446.04 FEET THENCE RUN SOUTH 01°14'44" WEST 276.37 FEET TO THE NORTH RIGHT OF WAY FOR PINE RIDGE ROAD, THENCE RUN NORTH 88°32'18" WEST ALONG SAID NORTH RIGHT OF WAY 138.43 FEET TO THE POINT OF BEGINNING, FROM SAID POINT OF BEGINNING CONTINUE NORTH 88°32'18" WEST ALONG SAID RIGHT OF WAY 69.73 FEET, THENCE RUN NORTH 01°17'13" EAST 155.00 FEET, THENCE RUN SOUTH 88°30'38" EAST 69.73 FEET, THENCE RUN SOUTH 01°17'13" WEST 154.97 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT A POINT 2,186.75 FEET NORTHERLY AND 654.07 FEET EASTERLY FROM THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, RUN THENCE SOUTHERLY 100 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY 180.8 FEET; THENCE WESTERLY 208 FEET; THENCE NORTHERLY 180.7 FEET; THENCE EASTERLY 208 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT A POINT 2,186.75 FEET NORTHERLY AND 654.07 EASTERLY FROM THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, THENCE SOUTHERLY 100 FEET; THENCE WESTERLY 208 FEET, THENCE NORTHERLY 96.0 FEET; THENCE EASTERLY 208 FEET TO THE POINT OF BEGINNING.

LESS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, THENCE RUN NORTH 2,186.75 FEET, THENCE RUN SOUTH 89°42'42" EAST 654.07 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN SOUTH 01°11'45" WEST ALONG THE WEST RIGHT OF WAY FOR PARK LANE A DISTANCE OF 75.01 FEET; THENCE NORTH 89°40'29" WEST 100.01 FEET; THENCE RUN NORTH 01°11'45" EAST 75.21 FEET; THENCE RUN SOUTH 89°42'42" EAST 100.01 FEET TO THE POINT OF BEGINNING.

AND LESS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, THENCE RUN NORTH 2,186.75 FEET, THENCE RUN SOUTH 89°42'42" EAST 654.07 FEET; THENCE RUN SOUTH 01°11'45" WEST 255.84 FEET ALONG THE WEST RIGHT OF WAY FOR PARK LANE AS RECORDED IN DEED BOOK 941 AT PAGE 166 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, CONTINUE SOUTH 01°11'45" WEST ALONG SAID WEST RIGHT OF WAY 25.0 FEET TO A POINT ON THE NORTH RIGHT OF WAY FOR PINE RIDGE ROAD AS RECORDED IN DEED BOOK 941 AT PAGE 166; THENCE RUN NORTH 88°28'58" WEST 25.00 FEET ALONG SAID NORTH RIGHT OF WAY; THENCE RUN NORTH 46°21'23" EAST 35.26 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 25, RUN THENCE NORTH 01°22'22" EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2184.99 FEET; THENCE SOUTH 89°41'31" EAST (DEPARTING FROM SAID WEST LINE), A DISTANCE OF 238.10 FEET TO THE POINT OF

BEGINNING; THENCE CONTINUE SOUTH 89°41'31" EAST, A DISTANCE OF 315.99 FEET; THENCE SOUTH 01°12'46" WEST, A DISTANCE OF 75.01 FEET; THENCE SOUTH 89°22'53" EAST, A DISTANCE OF 100.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF PARK LANE; THENCE SOUTH 01°24'16" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 180.88 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PINE RIDGE LANE; THENCE SOUTH 46°32'59" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.30 FEET; THENCE NORTH 88°31'10" WEST, A DISTANCE OF 321.19 FEET; THENCE NORTH 01°21'22" EAST (DEPARTING FROM SAID NORTH RIGHT-OF-WAY LINE), A DISTANCE OF 154.97 FEET; THENCE NORTH 88°34'54" WEST, A DISTANCE OF 69.73 FEET; THENCE NORTH 01°21'22" EAST, A DISTANCE OF 117.96 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 96641 SQUARE FEET, OR 2.219 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B
VICINITY SKETCH

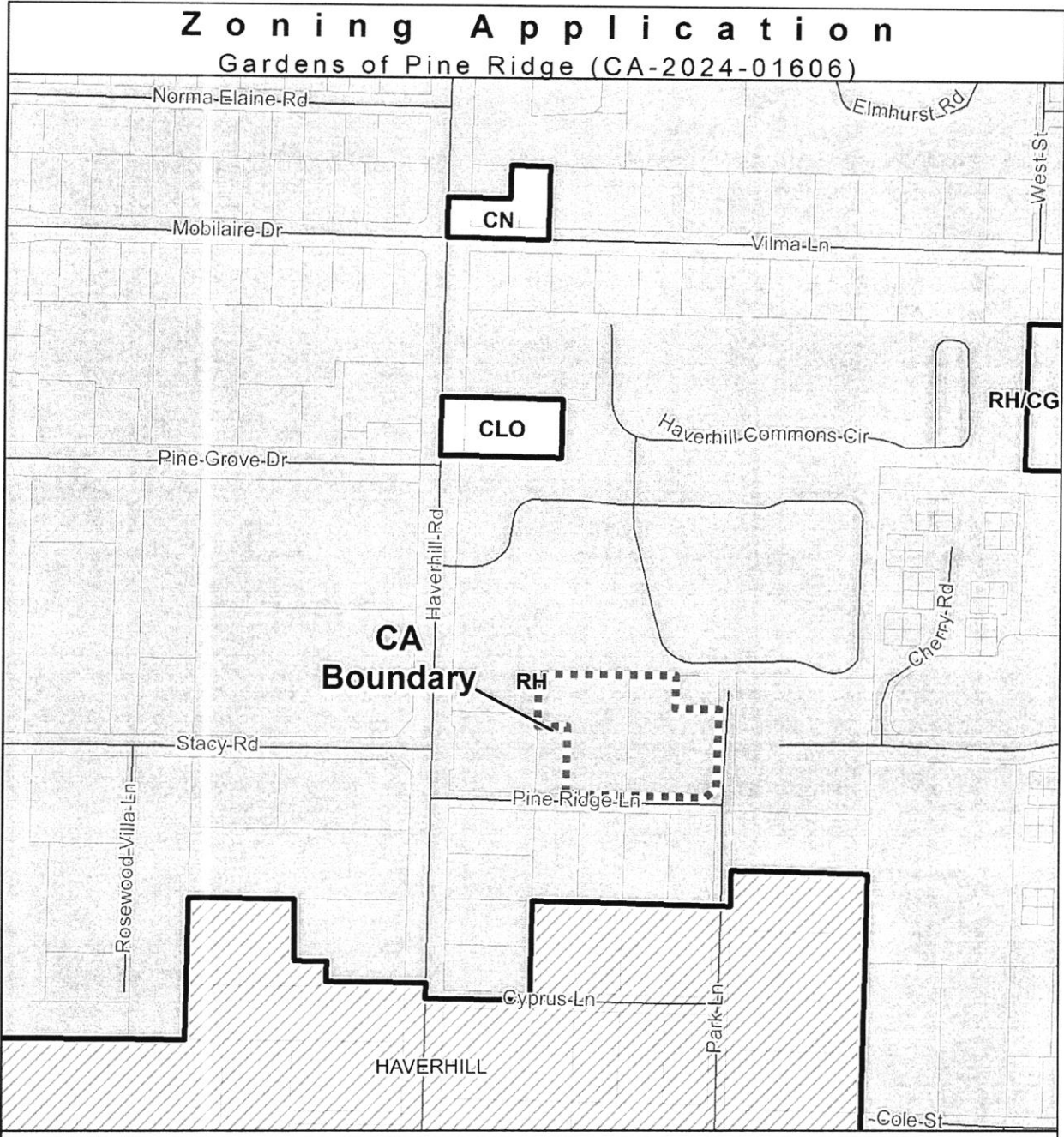


EXHIBIT C

CONDITIONS OF APPROVAL

Class A Conditional Use – Density Increase

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 27, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations shall be submitted for final review and approval by the Zoning Division. Architectural Elevations shall be generally consistent with the Architectural Elevations dated February 24, 2025. Development shall be consistent with the approved Final Plans, the Development Order, and all ULDC requirements. (DRO/ONGOING: ZONING - Zoning)

ENGINEERING

1. Pursuant to the Traffic Analysis dated March 10, 2025, the Buildout Date is December 31, 2029. No Building Permits for the site may be issued after December 31, 2029. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

3. The Property Owner shall improve Pine Ridge Lane from Haverhill Road to Park Lane to be consistent with Palm Beach County standards for a 40 right of way local street inclusive of a drainage system and a sidewalk on one side of the road, as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

4. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with the recorded plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: ENGINEERING - Engineering)

5. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate if necessary, any and all easements shown in conflict with the proposed structures. (BLDGPM: MONITORING - Engineering)

PLANNING

1. The subject development for 36 multifamily units with a 7 unit Workforce Housing Program (WHP) obligation was calculated based on 18 units by land use, a Full Incentive WHP Bonus of 80% (14 units) and the purchase of 3 TDRs. One previously purchased TDR predates the WHP and is not subject to WHP requirements. The WHP units will be for rent and provided onsite. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)

2. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants for the Workforce Housing Program in a form acceptable to the Palm Beach County Attorney. (BLDGPMPT: MONITORING - Planning)

3. Prior to the issuance of the first residential Building Permit, the Property Owner shall provide an affidavit on a form provided by the County demonstrating compliance with the WHP required design standards including compatible exteriors and the provision of a model. (BLDGPMPT: MONITORING - Planning)

4. Prior to the issuance of the Certificate of Occupancy (CO), the Developer shall contact the Planning Division to review the Workforce Housing Program (WHP) requirements at the commencement of leasing. (CO: MONITORING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign '1 1" X 17" shall be posted in a clear and visible location in all sales offices and models with the following: 'NOTICE TO PARENTS OF SCHOOL AGE CHILDREN' School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the ten by fifteen school bus shelters shall be constructed by the property owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelters shall be the responsibility of the residential property owner. (BLDGPMPT/CO: MONITORING - School Board)

TRANSFER OF DEVELOPMENT RIGHTS

1. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit a Contract for Sale and Purchase of Transfer of Development of Rights (TDRs) in a manner and form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department.

The Contract for Sale and Purchase of TDRs shall accommodate a maximum of 3 TDR units at a total selling price of \$16,913.00 (2 TDR units to be purchased at the Multi-family Full (RRIO) TDR price of \$8,250.00 per unit (\$16,500.00) and 1 TDR units to be purchased at the at the Multi-family RRIO Workforce rate of \$413.00 per unit (\$413.00).

Upon execution, the Property Owner shall submit the Contract to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded Contract shall be provided to the Zoning Division. (DRO: ZONING - Planning)

2. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit the Transfer of Development Rights Deed in a manner and form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department. (DRO: ZONING - Zoning)

3. Prior to Technical Compliance of the plat, or issuance of the first Building Permit, whichever occurs first, the Property Owner shall pay one hundred (100) percent of the Funds, pursuant to the recorded Contract for Sale and Purchase of TDRs, to the Board of County Commissioners, through the Zoning Division. (BLDGPMPT/TC: ZONING - Zoning)

4. Prior to the issuance of the first Building Permit, except Sales Models or temporary Real Estate Sales and Management Offices, the Zoning Division provides the Developer and/or Property Owner the executed Transfer of Development Rights Deed, in order for the Property Owner to submit the TDR Deed to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded TDR Deed shall be provided to the Zoning Division. (BLDGPMPT: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.