



**WELLINGTON
PLANNING & ZONING DIVISION
STAFF REPORT**

I. PETITION DESCRIPTION:

Petition Number: 17-200002 (2017-039 VAC)

Petition Name: Iron Springs Farm Vacation/Abandonment

Owner: Meinse, LLC
605 Main Street, Suite 212
Riverton, NJ 08077-1440

Agent: Francisco Gonzalez, Esq.
1035 State Road 7, Suite 212
Wellington, FL 33414

Location Address: 4035, 4107, 4179 and 4219 130th Avenue South and 4220
and 4280 South Shore Boulevard

Parcel Control
Number: 73-41-44-28-00-000-1000, 1020, 1100, 1110, 1130 and
1160

Land Use: Residential A (1 du/10ac)

Zoning: Agricultural Residential/Equestrian Overlay Zoning District
(AR/EOZD) Subarea C

Project Manager: Kelly Ferraiolo, Planner

II. REQUEST:

To vacate/abandon six (6) drainage and utility easements and two (2) ingress/egress access easements located within Iron Springs Farms. The farm is made up of six (6) properties and the easements are along the border of each property. The owner is seeking the vacation/abandonment in order to construct the properties as one.

III. LOCATION:

The subject property is located on the southwest corner of 40th Street South and 130th Avenue South (Exhibit A – Location Map). It is within Subarea C of the EOZD south of

Lake Worth Road. Equestrian facilities exists on the properties (Exhibit B – Survey), and it is surrounded on the north, south, east, and west by similar equestrian properties.

IV. HISTORY:

The six (6) subject properties were purchased by the current owner between December 2015 and January 2017. The owner also owns the two (2) properties on the corner of South Shore Boulevard and 40th Street South (4100 and 4158 South Shore Boulevard) that are not included in this application and that will developed separately. The agent applied for this vacation/abandonment to develop the property. A plat unifying the lots is required and new easements will be dedicated including an FPL easement along the center of the property running north and south where there are existing overhead lines. (Exhibit D – Proposed FPL Easements).

V. ANALYSIS:

The Wellington Code of Ordinances Chapter 54, Section 54(b) “Petitions for abandonment of rights-of-way and easements for utility, drainage or maintenance purposes”, allows a property owner to petition Wellington to abandon, vacate, discontinue or close any existing easement following Wellington’s prescribed application. The areas of abandonment are drainage and utility easements and ingress/egress access easements internal to the property, not a right-of-way; and therefore, do not require consent from the abutting property owners, but only a public hearing and notice of intent to abandon through local newspaper publication.

The Engineering Services Department, Utility Department, and all utility companies (Comcast, FPL, Florida Public Utilities and AT&T) have no objections to vacate and abandon the easements. The proposed areas to be vacated/abandoned is depicted on the Sketch and Description (Exhibit C – Sketch and Description) prepared by Michael D. Bonin, Professional Surveyor and Mapper with Sexton Engineering Associates, Inc. (Florida Certificate No. 4396).

The Engineering Services Department and Utility Department have determined this request to vacate six (6) drainage and utility easements and two (2) ingress/egress access easements located within Iron Springs Farms to be consistent with the public interest and will not adversely affect utility or access to other properties.

VI. STAFF RECOMMENDATION:

The Planning and Zoning Department recommends approval of Resolution No. R2017-24 Petition 17-200002 (2017-039 VAC) to vacate/abandon six (6) drainage and utility easements and two (2) ingress/egress access easements located within Iron Springs Farms as depicted on the Sketch and Description prepared by Michael D. Bonin, Professional Surveyor and Mapper with Sexton Engineering Associates, Inc. (Florida Certificate No. 4396), for the purpose of developing the property as one (Exhibit E – Approved Site Plan).

**EXHIBIT A:
Location Map**

