



Courtyard Shops Utility Easement Vacation

STAFF REPORT

Petition Number(s)/Types: 2025-0020 VAC
Resolution AC2025-05

Owner/Applicant: Real Subs LLC
PO Box 32018
Lakeland, FL 33802

Site Address: 13860 Wellington Trace

PCN: 73-41-44-09-06-000-0056

Future Land Use Designation (FLUM): Community
Commercial

Zoning Designation: Planned Unit Development (PUD)

SF to be vacated: 2,355 square feet

Request: The property owner requests to abandon five (5) portions of a Utility Easement varying in widths, totaling approximately 2,355 square feet.

Project Manager:
Kelly Ferraiolo, Senior Planner
kferraiolo@wellingtonfl.gov
(561) 753-2533

Location Map:



Adjacent Property	FLUM	Zoning
North	Commercial	PUD
South	Residential F (8.01 – 12.0 du/ac)	
East	Commercial	
West	Residential F	

Site History and Current Request:

Courtyard Shops at Wellington is located on the southeast corner of the Wellington Trace and Greenview Shores Boulevard intersection property. The Utility Easement was established through a Grant of Easement recorded in ORB 6591/PG 1357 in 1990. The Publix within Courtyard Shops was recently demolished and reconstructed. All utilities were redesigned and relocated outside the boundaries of the existing easement. There are no existing utility facilities within the easements nor any planned in the future. The portions of the utility easement to be abandoned are shown in orange in the aerial below.



ANALYSIS:

Wellington's Code of Ordinances Chapter 54, Section 54(b) "Petitions for abandonment of rights-of-way and easements for utility, drainage, or drainage 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, not a right-of-way; therefore, it does not require consent from the abutting property owners, but only a public hearing and a notice of intent to abandon through local newspaper publication.



The Engineering Services Department, Utilities Department, and Planning Department have no objections to abandoning the easement. The proposed area to be abandoned is depicted on the Sketch and Description shown in Exhibit A of Resolution AC2025-05 prepared by Richard Cousins, Cousins Surveyors & Associates (Florida Certificate No. 4188).

The Engineering Services Department, Utilities Department, and Planning Department have determined the request to abandon five (5) portions of a Utility Easement varying in widths, totaling approximately 2,355 square feet, located within Lot E, Courtyard Shops at Wellington, is consistent with the public interest and has determined there is no future need for the easement for drainage purposes. The Legal Department has reviewed the application documents and determined that they are legally sufficient. The Utility Easement was dedicated to the Acme Improvement District, and as such, the Resolution for the abandonment proposed for adoption is by the Acme Board of Supervisors.

STAFF RECOMMENDATION:

Staff recommends approval of Petition 2025-0020-VAC to abandon five (5) portions of a Utility Easement varying in widths, totaling approximately 2,355 square feet, located within Lot E, Courtyard Shops at Wellington, as depicted in Exhibit A in Resolution AC2025-05.