



**WELLINGTON
PLANNING & ZONING DIVISION
STAFF REPORT**

I. PETITION DESCRIPTION:

Petition Number: 2016-65 VAC (HTE 16-200003)

Petition Name: Wellington Green MUPD “F”

Petitioner/ Owner: WRI Wellington Green, LLC
2600 Citadel Plaza Drive
Houston, TX 77008

Agent: John T. Doogan, P.L.S.
Avirom & Associates, Inc.
50 SW 2nd Ave., Suite 102
Boca Raton, FL 33432

Project Manager: Damian Newell

Location Address: 10295 NuVista Ave.

Parcel Control
Number: 73-41-44-13-05-008-0010

Land Use: Regional Commercial / LSMU

Zoning: Multiple Use Planned Development (MUPD)

II. REQUEST:

To vacate/abandon a portion of the 12-foot wide Water and Sewer Easement located within Wellington Green MUPD “F.”

III. LOCATION:

The subject property is located at the northwest corner of NuVista Ave. and State Road 7 (10295 NuVista Ave.) as indicated in Exhibit “A”, within Wellington Green MUPD “F.” Exhibit “B” is Wellington Green MUPD “F” Boundary Survey (Sheet 1 of 3 only).

IV. 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 area of abandonment is a 12 foot wide Water and Sewer Easement, not a right-of-way, and therefore does not require consent from the abutting property owners but only a public hearing and notice of intent to abandon through local newspaper publication.

The property owner is requesting to vacate/abandon a portion of the 12 foot wide Water and Sewer Easement, totaling approximately 2,253 square feet, located within Wellington Green MUPD “F” as recorded in Plat Book 111 on Pages 176 - 186 of the Public Records of Palm Beach County, Florida. The Wellington Green MUPD “F” Site Plan Amendment (16 – 18 / 2016 – 08 ASA 53) was approved by the Development Review Committee (DRC) March 23, 2016 to allow a proposed 9,000 square foot retail building. The building is proposed within the area of the existing 12-foot wide Water and Sewer Easement which is required to be vacated and relocated under separate instrument.

Engineering Services and Utilities Department has determined this request to vacate and abandon the 12-foot wide Water and Sewer Easement is consistent with the public interest and will not adversely affect water or sewer access to other properties. A new water and sewer easement is required to be dedicated prior to final inspection of the LDP.

The 12-foot wide Water and Sewer Easement to be vacated / abandoned is depicted on the Sketch & Description (Exhibit C) prepared by John T. Doogan, P.L.S., (FL. Certificate No. 4409) of Avirom & Associates, Inc.

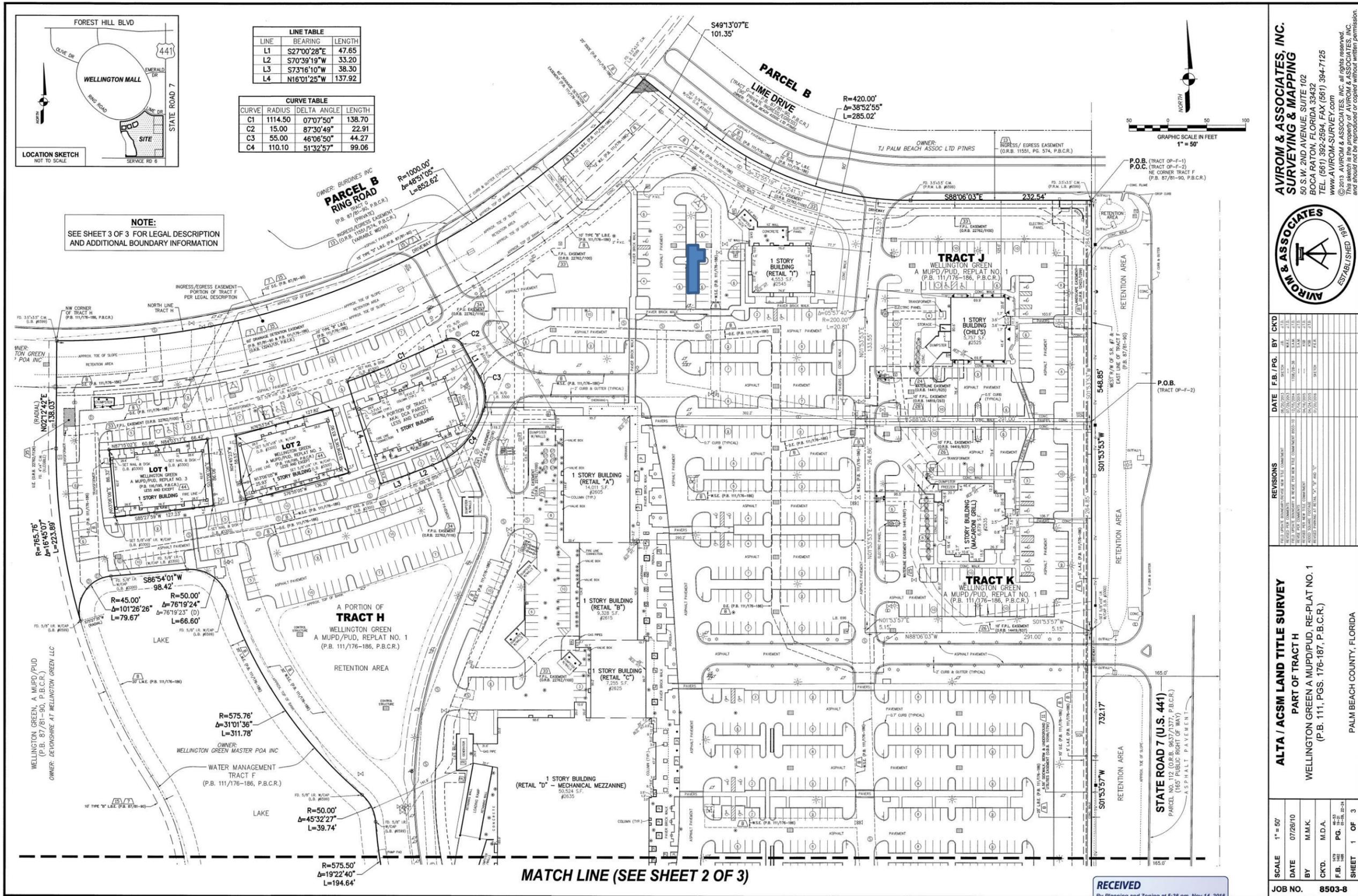
V. STAFF RECOMMENDATION:

Approval of Resolution No. R2017 – 02 (2016-65 VAC / HTE 16-200003) to vacate/abandon a portion of the 12-foot wide Water and Sewer Easement, located within Wellington Green MUPD “F.”

Exhibit A
Location Map



Exhibit B
Wellington Green
MUPD "F"
Boundary Survey
(Sheet 1 of 3 only)



LINE TABLE

LINE	BEARING	LENGTH
L1	S27°00'28"E	47.65
L2	S70°39'19"W	33.20
L3	S73°16'10"W	38.30
L4	N18°01'25"W	137.92

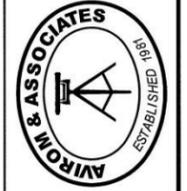
CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	LENGTH
C1	1114.50	07°07'50"	138.70
C2	15.00	87°30'49"	22.91
C3	55.00	46°06'50"	44.27
C4	110.10	51°32'57"	99.06



NOTE:
SEE SHEET 3 OF 3 FOR LEGAL DESCRIPTION
AND ADDITIONAL BOUNDARY INFORMATION

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL: (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com
© 2013 AVIROM & ASSOCIATES, INC. All rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC.
and should not be reproduced or copied without written permission.



REVISIONS

DATE	F.B. PG.	BY	CK'D
07/26/10		M.M.K.	

ALTA / ACSM LAND TITLE SURVEY
PART OF TRACT H
WELLINGTON GREEN A MUPD/PUD, RE-PLAT NO. 1
(P.B. 111, PGS. 176-187, P.B.C.R.)
PALM BEACH COUNTY, FLORIDA

SCALE	1" = 50'
DATE	07/26/10
BY	M.M.K.
CK'D	M.M.K.
F.B. NO.	PG. 1 OF 3
JOB NO.	8503-8

RECEIVED
By Planning and Zoning at 5:38 pm, Nov. 14, 2016

Exhibit C
Sketch and Description of Easement to be Abandoned

SKETCH & DESCRIPTION
EASEMENT VACATION
 A PORTION OF TRACT 'H'
 (P.B. 111, PGS. 176-186, P.B.C.R.)
 VILLAGE OF WELLINGTON

LAND DESCRIPTION:

A portion of Tract 'H', WELLINGTON GREEN, A MUPD/PUD, RE-PLAT NO. 1, according to the Plat thereof as recorded in Plat Book 111, Pages 176 through 186, of the Public Records of Palm Beach County, Florida, being described as follows:

Commence at the northeast corner of said Tract 'H'; thence S07°51'33"W, along the east line of said Tract 'H', a distance of 73.72 feet; thence N87°52'10"W, 177.56 feet to a point on the North line of an existing water and sewer easement according to said Plat, also being the Point Of Beginning; thence continue N87°52'10"W, along the north line of said existing water and sewer easement, 15.89 feet; thence N02°07'50"E, along the east line of said existing water and sewer easement, 7.54 feet; thence N88°06'03"W, 12.00 feet; thence S02°07'50"W, along the west line of said existing water and sewer easement, 84.49 feet; thence S88°35'40"E, 12.00 feet; thence N02°07'50"E, along the east line of said existing water and sewer easement, 61.95 feet; thence S87°52'10"E, along the south line of said existing water and sewer easement, 15.95 feet; thence N01°53'57"E, 15.00 feet to a point on the north line of said existing water and sewer easement, also being the Point Of Beginning.

Said lands lying in Village of Wellington, Palm Beach County, Florida. Containing 1,253 square feet.

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are relative to said plat, based on the east line of Tract 'H' having a bearing of S07°51'33"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement.

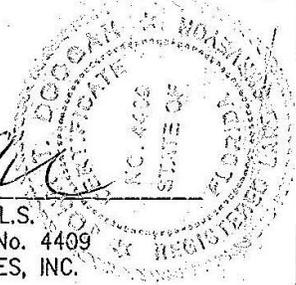
CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/8/2016

**NOT VALID WITHOUT
SHEETS 1 AND 2**

[Signature]
 JOHN T. DOOGAN, P.L.S.
 Florida Registration No. 4409
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300



REVISIONS	
REVISE	12/08/2016



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
 50 S.W. 2nd AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2594, FAX (561) 394-7125
 www.AVIROMSURVEY.com
©2016 AVIROM & ASSOCIATES, INC. all rights reserved.
 This sketch is the property of AVIROM & ASSOCIATES, INC.
 and should not be reproduced or copied without written permission.

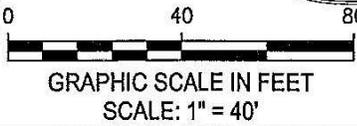
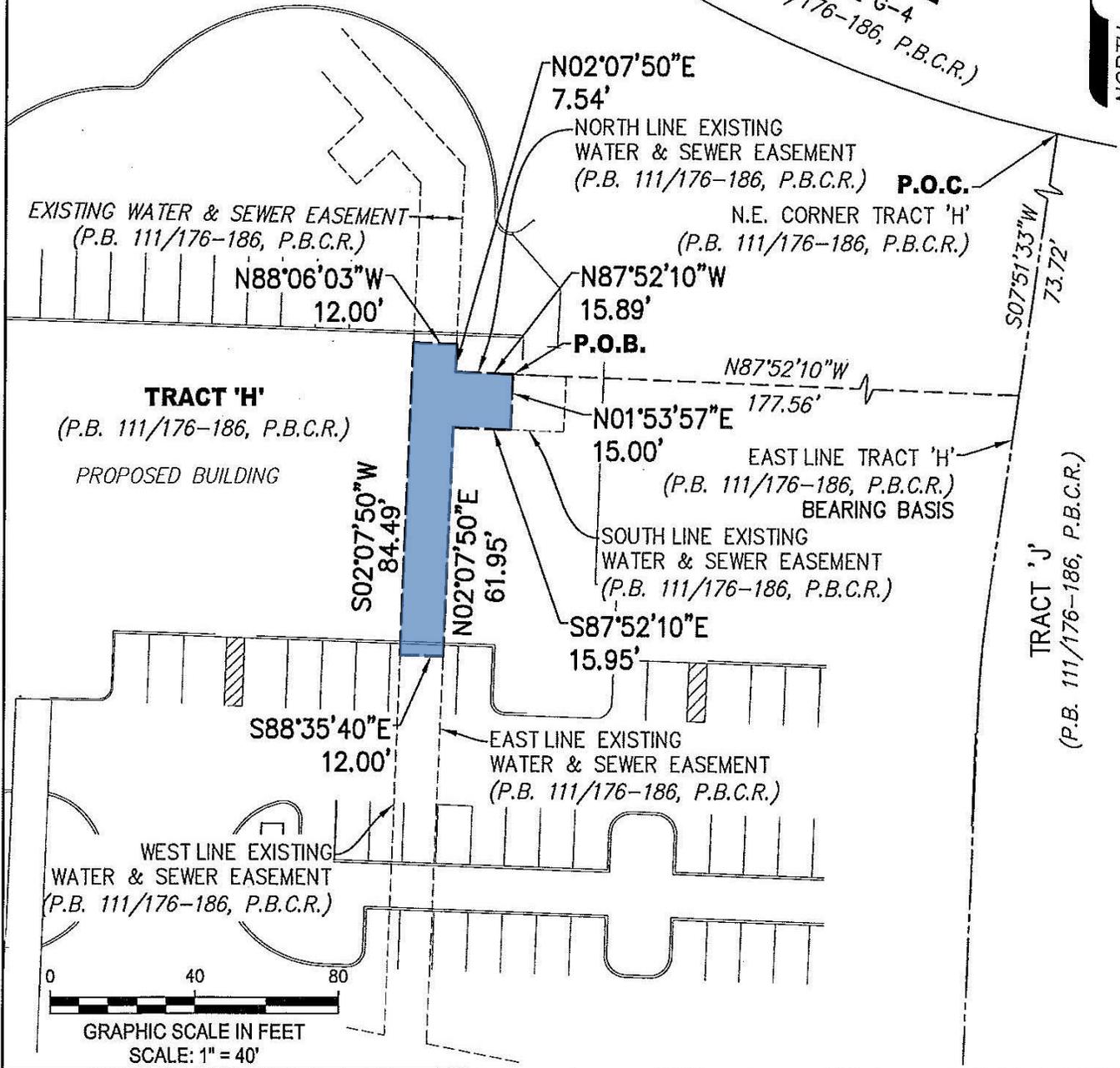
JOB #:	8503-14_V
SCALE:	-
DATE:	10/25/2016
BY:	W.R.E.
CHECKED:	J.T.D.
F.B. - PG. -	- -
SHEET:	1 OF 2

**NOT VALID WITHOUT
SHEETS 1 AND 2**

**SKETCH & DESCRIPTION
EASEMENT VACATION**

A PORTION OF TRACT 'H'
(P.B. 111, PGS. 176-186, P.B.C.R.)
VILLAGE OF WELLINGTON

LIME DRIVE
PARCEL G-4
(P.B. 111/176-186, P.B.C.R.)



REVISIONS	
REVISE	12/08/2016



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROMSURVEY.com

©2016 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC.
and should not be reproduced or copied without written permission

JOB #:	8503-14_V
SCALE:	1" = 40'
DATE:	10/25/2016
BY:	W.R.E.
CHECKED:	J.T.D.
F.B.	- PG. -
SHEET:	2 OF 2