



**WELLINGTON
PLANNING & ZONING DIVISION
STAFF REPORT**

I. PETITION DESCRIPTION:

Petition Number: 18-200003 (2018-030 VAC)

Petition Name: Glenspur Farms (AKA Tonkawa Farms)
Vacation/Abandonment

Owner: South Road Wellington LP
PO Box 1308
Houston, TX 77251-1308

Agent: Phillip "Tad" Rowe, P.E.
2581 Metrocentre Blvd, Suite 3
West Palm Beach, FL 33407

Location Address: 4150 South Road

Parcel Control
Number: 73-41-44-29-02-001-0000

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

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

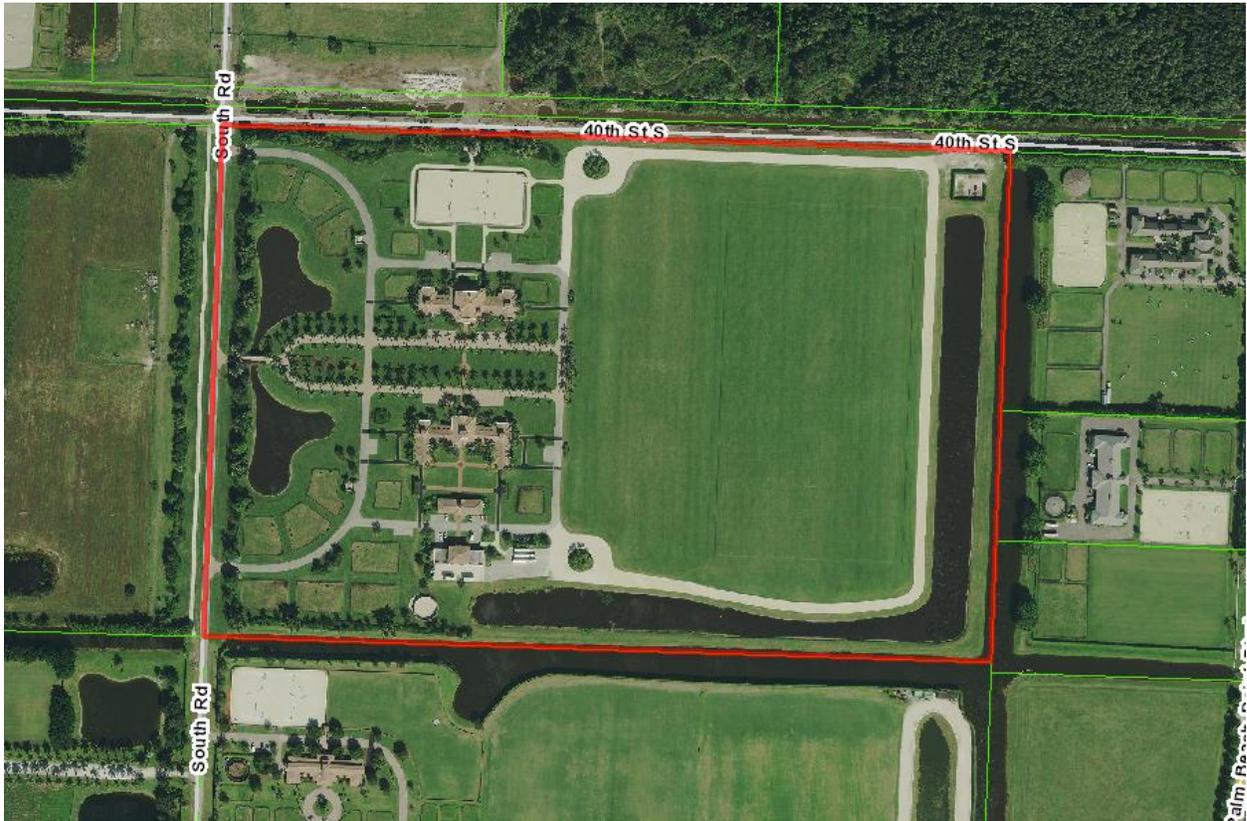
Project Manager: Kelly Ferraiolo, Senior Planner

II. REQUEST:

Due to the relocation of a portion of an existing water line and corresponding dedication of a new easement to accommodate the relocation, the applicant has petitioned To to vacate/abandon a 0.0765 acre portion of a 20-foot wide water main easement that is no longer needed on property known as located within Glenspur Farms (AKA Tonkawa Farms). The owner is seeking the vacation/abandonment as required by the Village of Wellington's Utility Department in order to relocate the water main easement to construct an outdoor kitchen.

III. LOCATION:

The subject property is located on the southeast corner of South Road and 40th Street South and is within Subarea C of the EOZD. Equestrian facilities exist on the property (Exhibit A – Site Plan), and it is surrounded by similar equestrian properties.



IV. **HISTORY:**

The subject property was purchased by South Road Wellington, LP in 2011. The property received its initial site plan approval in 2011 and plat approval in 2013. In 2016, a vacation/abandonment was granted for a five foot (5') limited access easement in order to install a driveway on the north east corner of the lot along 40th Street South.

The property owner is now making additional improvements and has determined that a water main exists in the desired location of the improvements. The agent is now requesting to vacation/abandonment to abandon that portion of the easement in order to construct an outdoor kitchen area. A new easement is being provided ~~will be required~~ to relocate the water main.

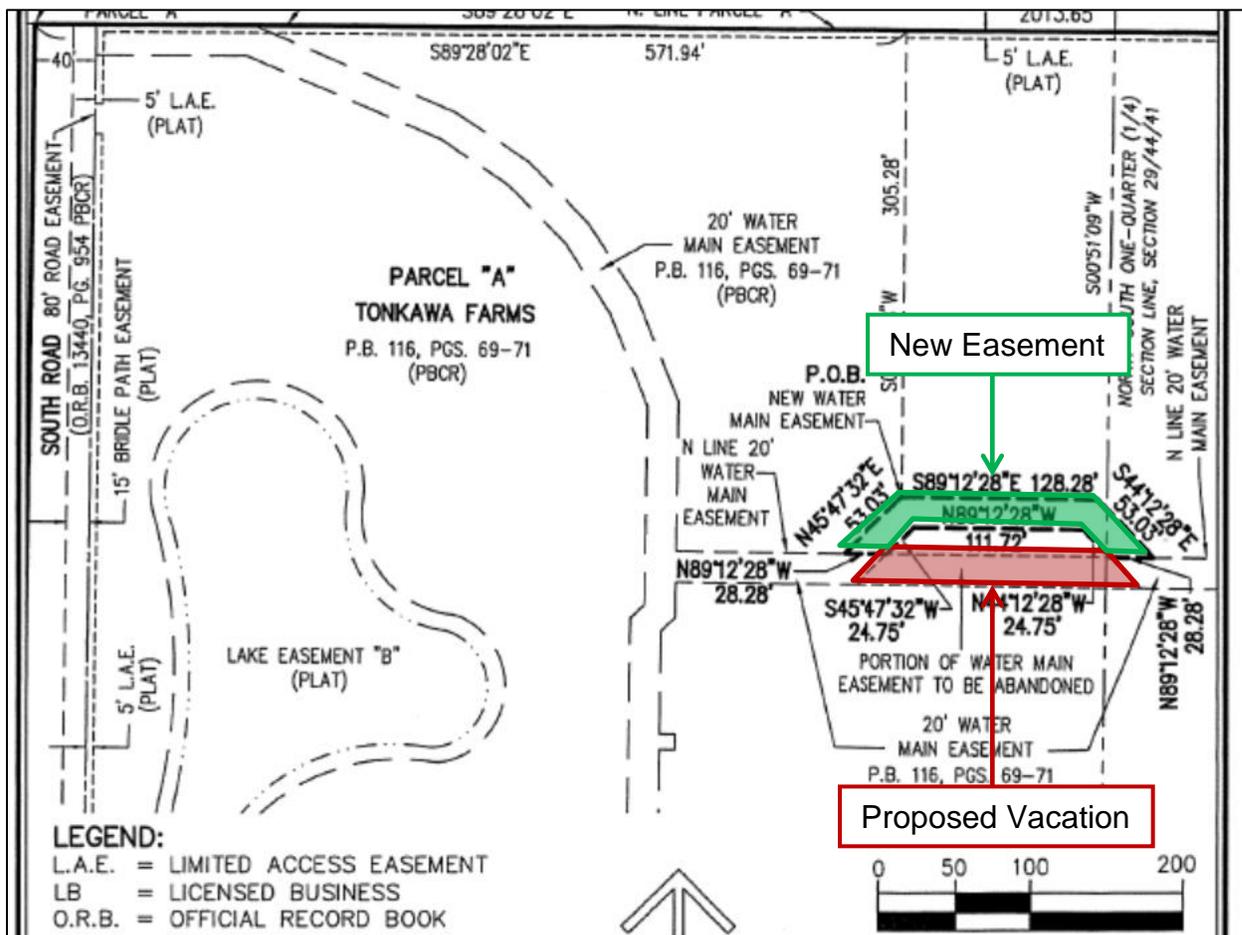
V. **ANALYSIS:**

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 area of abandonment is a water 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 and Utilities Department have no objections to vacate and abandon the easement. The proposed area to be vacated/abandoned is depicted on the Sketch and Description (Exhibit B – Sketch and Description) prepared by David Linley, Registered Land Surveyor with Caulfield and Wheeler, Inc. (Florida Certificate No. 3591).

The Engineering Services Department and Utility Department have determined this request to vacate a 0.0765 acre portion of a 20-foot wide water main easement within Glenspur Farms (AKA Tonkawa Farms) is consistent with the public interest and will not adversely affect utility or access to other properties.

In addition to the vacation/abandonment, the property owner has submitted a grant of easement to relocate the water main line. This easement will be located north of the current easement and will tie into the point the beginning and end of the portion of the easement to be abandon. The picture below illustrates the portion of the easement to be vacated and the new easement that will be provided for the water main relocation. The full Grant of Easement has been attached as Exhibit C.



VI. STAFF RECOMMENDATION:

The Planning and Zoning Department recommends approval of Resolution No. R2018-49 Petition 18-200003 (2018-030 VAC) to vacate/abandon a 0.0765 acre portion of a 20-foot wide water main easement located within Glenspur Farms (AKA Tonkawa Farms) as

depicted in Exhibit B – Sketch and Description, for the purpose of relocating a water main to construct an outdoor kitchen.