

## 15000 46<sup>th</sup> LANE SOUTH VACATION

## STAFF REPORT

**Petition Number(s)/Types:**

2020-0002 VAC

**Property Owner:**

Arion Holdings LLC  
8626 Westpark Drive  
Houston, TX 77063

**Agent:**

Craig Galle  
The Galle Law Group, P.A.  
13501 South Shore Boulevard  
Suite 103  
Wellington, FL 33414

**Site Address:**

15000 46<sup>th</sup> Lane South

**PCN(s):**

73-41-44-30-00-000-5040

**Future Land Use Designation (FLUM):**

Residential A (1 du/10ac)

**Zoning Designation:**

Agricultural Residential/Equestrian  
Overlay Zoning District (AR/EOZD)

**Acreage to be vacated:** 0.69 acres

**Request:** The agent, on behalf of the owner, is requesting to vacate the entire 100-foot wide Road and Utility Easement 300 feet in length, totaling approximately 0.69 acres.

**Project Manager:**

Kelly Ferraiolo, Senior Planner  
[KFerraiolo@wellingtonfl.gov](mailto:KFerraiolo@wellingtonfl.gov)  
(561) 753-5268



Adjacent Property	FLUM	Zoning
North	Residential A	AR/EOZD
South	Residential A	AR/EOZD
East	Residential A	AR/EOZD
West	Residential A	AR/EOZD

**Site History and Current Request:**

The subject property is located within Tract 15 of the unrecorded subdivision of Sun Glade Point (Exhibit A – Survey) and was purchased by the current owner in May 2017. The easement was dedicated to Acme Improvement District for road and utility purposes. The property consists of a residence, barn, sand ring, paddocks, and a walker. The owner applied for this vacation/abandonment in order to construct a 220' x 100' covered arena in the easement area that is proposed to be abandoned.

**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 maintenance easement, not a right-of-way; and therefore, 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, Utilities, and Planning Departments 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 Legal Description) prepared by Robert J. Mellis, Registered Land Surveyor with Sexton Engineering Associates, Inc. (Florida Certificate No. 5214).

The Engineering Services, Utilities, and Planning Departments have determined the request to vacate the entire 100-foot wide Road and Utility Easement 300 feet in length, totaling approximately 0.69 acres, located within 15000 46<sup>th</sup> Lane South, is consistent with the public interest and has determined there is no future need for the easement for road or utility purposes. The Legal Department has reviewed the application documents and determined that they are legally sufficient. The Road and Utility easement was dedicated to the Acme Improvement District, and as such, the resolution is proposed for adoption by Acme Board of Supervisors.

The applicant has provided utility consent forms from all utility companies (AT&T, Comcast, FP&L, and Florida Public Utilities) of the vacation abandonment of the said easement.

**Staff Recommendation:**

Staff recommends approval of Resolution No. AC2021-02 Petition 2020-0002 VAC to vacate/abandon the entire 100-foot wide Road and Utility Easement 300 feet in length, totaling approximately 0.69 acres, located within 15000 46<sup>th</sup> Lane South, as depicted in Exhibit B – Sketch and Legal Description.

**Lists of Exhibits:**

Exhibit A – Survey

Exhibit B – Sketch and Legal Description