



Legislation Details (With Text)

File #: 15-9507 **Version:** 1 **Name:**

Type: Public Hearing Item **Status:** Agenda Ready

File created: 10/31/2018 **In control:** City Council Business Meeting

On agenda: 11/26/2018 **Final action:** 11/26/2018

Title: Public Hearing on a Resolution to Close an Unopened Alleyway Off of Spencer Street

Attachments: 1. Council Map Spencer St, 2. Resolution to Close a portion of an unopened alleyway off of Spencer Street

Date	Ver.	Action By	Action	Result
11/26/2018	1	City Council Business Meeting	Close the Public Hearing	Pass
11/26/2018	1	City Council Business Meeting	Approve	Pass

Public Hearing on a Resolution to Close an Unopened Alleyway Off of Spencer Street

Action:

- A. Conduct a public hearing to close an unopened alleyway off of Spencer Street, and**
- B. Adopt a resolution to close an unopened alleyway off of Spencer Street.**

Staff Resource(s):

Liz Babson, Transportation
Esteban Valverde, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation received a petition to abandon public right-of-way and requests this City Council action in accordance with the statute.
- The action removes land from public right-of-way status and attaches it to the adjacent property.
- The attached resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk’s Office.
- The unopened alleyway off of Spencer Street is located in Council District 1.

Petitioners

Peter Harakas

Right-of-Way to be Abandoned

The unopened alleyway off of Spencer Street is located northeast of 36th Street.

Reason

This abandonment will allow each of the two abutting owners to incorporate the unopened right-of-way into their land so that they will have full title and interest in the right-of-way that they are currently maintaining and caring for.

Notification

As part of the City’s notification process, and in compliance with North Carolina General Statute 160A-

299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s)

Thomas R. Simpson - No objections
CITI Properties, LLC - No objections
Carolina Cottage Homes - No objections
Timothy R. Stevenson - No objections

Neighborhood/Business Association(s)

None

Private Utility Companies

No objections

City Departments

- Review by City departments identified no apparent reason this closing would:
 - Be contrary to the public interest;
 - Deprive any individual(s) owning property in the vicinity of reasonable means of ingress and egress to his property as outlined in the statutes; and
 - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

Attachment(s)

Map
Resolution