



Legislation Details (With Text)

**File #:** 15-7712      **Version:** 1      **Name:**

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

**File created:** 3/1/2018      **In control:** City Council Business Meeting

**On agenda:** 4/23/2018      **Final action:** 4/23/2018

**Title:** Public Hearing on a Resolution to Close an Unopened Right-of-Way off of Mingus Cabin Lane

**Attachments:** 1. City Council Map\_Unopened Street off of Mingus Cabin Lane, 2. Resolution to Close an unopened right-of-way off of Mingus Cabin Lane

Date	Ver.	Action By	Action	Result
4/23/2018	1	City Council Business Meeting	Close the Public Hearing	Pass
4/23/2018	1	City Council Business Meeting	Approve	Pass

**Public Hearing on a Resolution to Close an Unopened Right-of-Way off of Mingus Cabin Lane**

**Action:**

- A. Conduct a public hearing to close an unopened right-of-way off of Mingus Cabin Lane, and**
- B. Adopt a resolution to close an unopened right-of-way off of Mingus Cabin Lane.**

**Staff Resource(s):**

Liz Babson, Transportation  
Jeff Boenisch, 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.
- An unopened right-of-way off of Mingus Cabin Lane is located in Council District 2.

**Petitioners**

Southern Land Investments, LLC - c/o Andy Zoutewelle

**Right-of-Way to be Abandoned**

The unopened right-of-way off of Mingus Cabin Lane is located close to the Mt. Holly Road and I-485 interchange.

**Reason**

The petitioner is vested in all of the abutting property and intends to reassemble this land to include the unopened right-of-way in order to create a more viable parcel for future development.

**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) - All abutting property is owned by the petitioner.

Neighborhood/Business Association(s) - No known associations are within direct vicinity of this site.

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