



Legislation Text

File #: 15-5844, Version: 1

Public Hearing on a Resolution to Close a Portion of Myrtle Avenue

Action:

- A. Conduct a public hearing to close a portion of Myrtle Avenue, and**
- B. Adopt a resolution to close a portion of Myrtle Avenue.**

Staff Resource(s):

Danny Pleasant, 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.
- A portion of Myrtle Avenue is located in Council District 1.

Petitioners

Mrs. Judith Overstreet and Mr. Michael Overstreet

Right-of-Way to be Abandoned

The portion of Myrtle Avenue is located within the side yard of the property at 728 Lexington Avenue.

Reason

This abandonment will enable the petitioner to correct a historic building encroachment into the Myrtle Avenue right-of-way by taking a small portion of right-of-way and reverting it into real property. Furthermore, this abandonment will not negatively impact any existing street(s) or sidewalk(s).

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)

Dilworth Community Association (DCA) - Supports

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