



**CITY OF DURHAM**  
Office of the City Clerk  
101 CITY HALL PLAZA | DURHAM, NC 27701  
919.560.4166 | F 919.560.4835

www.durhamnc.gov

1869  
CITY OF MEDICINE



**MEMORANDUM**

TO: Jacob Wiggins  
City/County Planning Dept.

TIME: 1:30 AM/PM  
RECEIVED

THRU: D. Ann Gray, MMC  
City Clerk

MAR 12 2014

FROM: Tonette Amos  
Senior Executive Assistant

DURHAM CITY/COUNTY  
PLANNING DEPARTMENT

DATE: March 11, 2014

SUBJECT: Belmont Drive Street Closing

I am attaching the above mentioned street closing application and maps for your review.

**AREAS TO BE CLOSED: Belmont Drive (a portion of)**

**FILED BY: Durham County Habitat for Humanity  
c/o Mike Tarrant  
421 Fayetteville Street, Suite 400  
Raleigh, NC 27601  
(919)866-4789  
mtarrant@stewartinc.com**

DAG:ta

Attachments



February 28, 2014

Durham City/County Planning Department  
101 City Hall Plaza  
Durham, North Carolina 27701

**Re: Belmont Drive Street Closing – Statement of Purpose**

To Whom It May Concern:

The purpose for the request to close this section of Belmont Drive is to convert an unimproved paper street stub to a functional cul-de-sac that would meet the City of Durham's public street standards and serve future residences. The current configuration exceeds the maximum length allowable for a street stub and the adjacent properties directly to the north prevent the possibility of connecting to the northern segment of Belmont Drive.

This request is associated with an approved Development Plan (Case #Z1300011) as well as a Site Plan that is currently in review (Case #D1300271). Both sets of plans are included with the application materials.

Please feel free to contact me directly should you have any questions pertaining to this matter.

Respectfully submitted,

Michael P. Tarrant, PLA, ASLA  
phone: 919.866.4789  
e-mail: [mtarrant@stewartinc.com](mailto:mtarrant@stewartinc.com)



## Durham City-County Planning Department

## STREET CLOSING APPLICATION

(Submit complete application with fee to City Clerk's Office if City jurisdiction, or County Clerk's Office if County jurisdiction)


**Submittal Information (Completed by City or County Clerk's Office)**

Date/Time rec'd: 3-11-14 1:25p.m	Rec'd by: <i>J. [Signature]</i>	Amt Paid: 1545 <sup>00</sup>
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**Tracking Information (Completed by Planning Department)**

Case #:

Case Planner:

**Street Closing Process**
ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED

*Street Closing requests* require a public hearing conducted by the Governing Body, either the **City Council** (if the request is within the City jurisdiction) or the **Board of Commissioners** (if in unincorporated Durham County). Attendance at the hearing is strongly recommended. Applicants may represent themselves or have someone as their spokesperson. The public hearing will allow all interested parties to speak and ask questions.

The governing body may approve or deny a request. An approved request can be **appealed by an opposing party to the Superior Court within 30 days**. Requests that have been approved cannot be recorded until the end of the **30-day waiting period**.

**Review Process:**

- A complete application with the fee paid in full is submitted to the **City Clerk's Office** or **County Clerk's Office**, depending on jurisdiction.
- The Planning Department is forwarded the application for processing and review.
- The Planning Department distributes the request to various City and County departments and utilities, such as Duke Energy, PSNC, etc., and awaits comments from these departments and agencies.
- The Planning Department forwards comments, along with corrections (if any) needed for the *Street Closing and Recombination Plat*, to the applicant.
- Once comments are addressed and the draft plat is deemed to be correct and recordable, the request is scheduled for the Governing Body to "Set a public hearing."
- The governing body will generally conduct the public hearing a month from the date it sets the public hearing.
- The governing body conducts the public hearing and can approve, deny or continue the case if it deems more information is needed before a decision can be made.
- If approved, a 30-day waiting period begins to allow for an appeal to the Superior Court.
- If no appeal is filed within the 30-day period, the order to close the street, along with the *street closing recombination plat*, is recorded. Planning staff will contact the applicant to acquire the appropriate number of copies and the fee to record all documents.

**Contact Information:** If you have any questions, please contact the City-County Planning Department at (919)560-4137 between 8:00 a.m. and 5:00 p.m. on weekdays.

**Street Information**Name of street/alley/  
road to be closed: **BELMONT DRIVE**Jurisdiction: City County BothLength to be closed (linear feet): **204 FT.**Plat or deed book reference  
dedicating public right-of-way: **PB 188, P4 15**Area to be closed (square feet): **7,035 SF.**Reason for street closure: **CONVERT DEAD END STREET STUB TO A FUNCTIONAL CUL-DE-SAC THAT MEETS THE CITY OF DURHAM STREET STANDARDS**Existing condition of street/alley/road: Paved Gravel surface Dirt Unopened (unconstructed paper street)

To the best of the petitioner's knowledge (check where applicable):

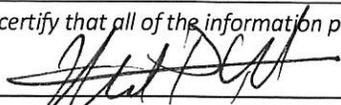
That portion of (street name) sought to be closed has not been accepted by the North Carolina State Department of Transportation for maintenance or by the City of Durham for maintenance.

That portion of (street name) sought to be closed has been accepted by the City of Durham for maintenance and by the North Carolina State Department of Transportation for maintenance.

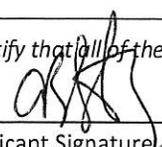
That portion of (street name) sought to be closed has been accepted by the City of Durham for maintenance but not by the State of North Carolina Department of Transportation for maintenance.

**Applicant(s) Information (attach more sheets if necessary)**Name(s): **MIKE TARRANT**Address: **421 FAYETTEVILLE ST.  
SUITE 400**PIN pertaining to street closure: **0841-07-57-5841**City/State/Zip: **RALEIGH, NC 27601**Phone: **919.366.4789**Email: **mtarrant@stewartinc.com**

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature Date **02.24.14**Name(s): **BLAKE STRATHORN**Address: **215 N. CHURCH ST.**PIN pertaining to street closure: **0841-07-57-5841**City/State/Zip: **DURHAM NC 27701**Phone: **919.682.0516**Email: **bstraythorne@durhamhabitat.org**

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature Date **3-11-14**

Application Requirements	Applicant Initial	Staff Initial
<b>Street Closing Application (this form):</b> Signatures must be original.		
<b>Fee:</b> Payment by check is preferred, made payable to "City of Durham." A receipt will be provided. <u>Note:</u> An additional fee to record the closing will be required if the request is approved.		
<b>Legal metes and bounds description of the proposed street/alley/road to be closed:</b> One (1) hardcopy and one (1) digital version (either on disc or emailed to <a href="mailto:Jacob.Wiggins@durhamnc.gov">Jacob.Wiggins@durhamnc.gov</a> )		
<b>GIS map highlighting the area within two (2) blocks in all directions of the street/alley/road to be closed:</b> A map may be obtained from the GIS department on the 4 <sup>th</sup> floor of City Hall, the Land Records Division on the ground floor of the Old County Courthouse, or Spatial Data Explorer available online at: <a href="http://gisweb.durhamnc.gov/gomaps/map/index.cfm">http://gisweb.durhamnc.gov/gomaps/map/index.cfm</a>		
<b>Street Closing and Recombination Plat:</b> Four (4) full-size copies and one (1) 11 X 17 reduction, prepared by a licensed surveyor.		
<b>Statement of purpose for the request:</b> Include a list of additional applications associated with the request (plats, site plans, zoning map change, etc.) and provide a brief description with an 11 X 17 reduction of those plans.		
<b>List of contiguous and adjacent properties, indicating property owner, address and PIN.</b>		

## BELMONT STREET CLOSING METES AND BOUNDS

BEGINNING AT AN EXISTING IRON PIPE ON THE NORTHERN RIGHT OF WAY OF INDEPENDENCE AVENUE, THENCE N88°41'36"W 30.44' TO AN IRON PIPE SET, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF N28°30'54"W 56.90' WITH A RADIUS OF 15.00' TO A POINT IN THE NEW RIGHT OF WAY OF BELMONT DRIVE, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S60°37'35"E 49.65', WITH A RADIUS OF 53.94' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.007 ACRES, MORE OR LESS.

BEGINNING AT AN EXISTING IRON PIPE NORTHERN LINE OF HABITAT FOR HUMANITY AND BEING ALSO THE SOUTHWEST CORNER OF BERNADETTE MCCOY'S LAND, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S05°21'25"E 99.22', WITH A RADIUS OF 531.48' TO A POINT IN THE NEW RIGHT OF WAY OF BELMONT AVENUE, THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING AND DISTANCE OF S39°24'00"W 76.14', WITH A RADIUS OF 46.00' TO AN IRON PIPE SET ON THE EASTERN LINE OF JANIE JOHNSON, THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING AND DISTANCE OF N07°34'01"W 159.00', WITH A RADIUS OF 591.48' TO A POINT IN THE NORTHERN LINE OF JOHNSON, THENCE WITH THE JOHNSON LINE N89°59'45"E 60.00' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.162 ACRES, MORE OR LESS.

**BELMONT DRIVE - CONTIGUOUS & ADJACENT PROPERTIES**

<b>OWNER NAME</b>	<b>PIN</b>	<b>SITE ADDRESS</b>
JONES CHARLES EDWARD JONES ELNORA	0841-07-57-1516	433 BELMONT DR
GIBSON OCELEE	0841-07-58-2052	2804 MANSFIELD AVE
MCKOY BERNADETTE	0841-07-58-1042	2758 MANSFIELD AVE
JOHNSON JANIE	0841-07-57-1708	2715 INDEPENDENCE AVE
BARNES LINDA A	0841-07-57-3546	432 BELMONT DR
HABITAT FOR HUMANITY OF DURHAM INC	0841-07-57-5841	2800 INDEPENDENCE AVE