



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: 5/12/14 @ 11:15 a.m. | Rec'd by: Ames | Amt Paid: 1,545 ⁰⁰ |
|--|----------------|-------------------------------|

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 InformationName of street/alley/
road to be closed: ELDER STJurisdiction: City County Both

Length to be closed (linear feet): 430,43

Plat or deed book reference
dedicating public right-of-way: 3B/191

Area to be closed (square feet): 17,480

Reason for
street closure: For Future development of Parking Lot**Applicant(s) Information (attach more sheets if necessary)**

Name(s): Triangle Surveyors, Inc. Ronald D. Carpenter

Address: 3715 University Dr.

PIN pertaining to street closure: 0812-16-92-1644

City/State/Zip: Durham, NC 27707

Phone: 919-490-2929

Email: ron@trianglesurveyors.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

Name(s):

Address:

PIN pertaining to street closure:

City/State/Zip:

Phone:

Email:

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

| Application Requirements | Applicant Initial | Staff Initial |
|--|-------------------|---------------|
| <p>Street Closing Application (this form): Signatures must be original.</p> | | |
| <p>Fee: 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.</p> | | |
| <p>Legal metes and bounds description of the proposed street/alley/road to be closed: One (1) hardcopy and one (1) digital version emailed to Jacob.Wiggins@durhamnc.gov</p> | | |
| <p>Street Closing and Recombination Plat: Four (4) full-size copies and one (1) 11 X 17 reduction, prepared by a licensed surveyor. Plat shall meet the requirements of the attached "Street Closing Plat Checklist" (Page 4).</p> | | |
| <p>Statement of purpose for the request: 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.</p> | | |



STREET CLOSING PLAT CHECKLIST



STREET CLOSING PLATS MUST CONTAIN THE FOLLOWING ELEMENTS AND INFORMATION, AS NOTED:

Cover Sheet (or Top Sheet)

- Vicinity map with north arrow
- Stamping area (lower right corner; 3" x 4")
- Overall development map (if part of larger project) with match lines for larger scale, multiple sheets
- Site data table
- "Name of proposed project (shall not duplicate existing project name)
- Name and contact information for owner, applicant, and surveyor responsible for preparing the plat
- Township Name, Durham County, North Carolina
- Date (original and all revisions)
- Page number of total pages

Existing Conditions and Features – on site and within 100 feet of property:

- Metes and bounds property boundary with north arrow and graphic scale
- Current property owner of each tract
- Property Identification Number for each tract
- Property lines of adjacent properties
- Adjacent property owners
- Adjacent existing streets (name and ROW width)
- Existing building footprint(s) with square footage, type of structure and number of stories
- Existing septic tanks, drain fields and wells if present
- Utility easements (type and size)
- Railroads
- Cemeteries

Proposed Conditions and Features:

- New property lines
- Proposed lot sizes
- Proposed utility and storm drainage easements (only private easements are exempt, unless created by the City or County)
- Street addresses (optional for exempt plats but will be required prior to building permit)

If the request is located in a Watershed Protection Overlay district:

- Label maximum allowable impervious surface (MAIS) per lot for each lot

Certificates Required:

- Surveyor's certificate
- Plat classification certificate required by **GS 47-30** as revised
- Review officer certification (to be signed by Register of Deeds Office) as required by **GS47-30**, as revised

LEGAL DESCRIPTION
ELDER STREET CLOSING

Beginning at a point located on the eastern right-of-line of Elf St. , a variable public right-of-way, said point being located $N01^{\circ}21'0''8E$ a distance of 35.07 feet from the intersection of the eastern right-of-way of Elf St. with the centerline of Elder St., said point also being referenced with NC Grid Coordinates N:822,565.62, E:2,018,951.90, thence running along the northern right-of-way line of Elder St. a 40.5 foot public right-of-way along an arc of a circular curve to the left having a radius of 14.50 feet a length of 23.09 feet to a point, said arc being defined by the chord $S44^{\circ}15'55''E$ a chord distance of 20.73 feet, thence continuing along the northern right-of-way line of Elder St. $S89^{\circ}52'58''E$ a distance of 415.87 feet to a point in the northern right-of-way line of Elder St., the terminus of the eastern terminus of the Elder St. right-of-way, thence running $S02^{\circ}04'44''W$ a distance of 40.52 feet to a point in the southern right-of-way line of Elder St. at the terminus of Elder St., thence running along the southern right-of-way line Elder St. $N89^{\circ}52'58''W$ a distance of 429.35 feet to a point in the southern right-of-way line of Elder St. to a point., thence continuing along the southern right-of-way line of Elder St. along the arc of a circular curve to the left having a radius of 14.50 feet a length of 4.90 feet, said arc being defined by the chord $S11^{\circ}02'31''W$ a chord distance of 4.88 feet to a point in the eastern right-of-way line of Elf St., thence running along the eastern right-of-way line of Elf St. $N01^{\circ}21'08''E$ a distance of 60.12 feet the point or place of BEGINNING, containing 17,480 square feet as shown on that map entitled "Final Plat of Street Closing for ELDER STREET" prepared by Triangle Surveyors, Inc, Ronald D. Carpenter, PLS dated May 8, 2014.