

# PLANNING COMMISSION

*Agenda Item # 4.*

## CASE SUMMARY • STREET CLOSURE

Planning Commission Public Hearing • August 7, 2024

**Project Planner** | Miranda Frantz | 910.772.4133 | [Miranda.Frantz@WilmingtonNC.gov](mailto:Miranda.Frantz@WilmingtonNC.gov)

### 1. Case Overview and Status

Petition to close a portion of an unnamed alley between S. Front Street & S. 2<sup>nd</sup> Street with a total length of approximately 131.49 feet and consisting of ±0.07 acres of land. (Patrick M. Carroll & Carol J. Carrol, Skyline Realty, Inc., Applicant; [patrickmcmahoncarroll@aol.com](mailto:patrickmcmahoncarroll@aol.com); 603.986.6081).

#### Staff Recommendation

- Approval

#### Planning Commission



- Public Hearing Scheduled for 8/7/24

#### City Council: Intent to Close

- 9/3/24 (Tentative)

#### City Council: Closure Order

- Public Hearing tentatively scheduled for 10/15/24



#### SC-1-824

Attachment 2  
Aerial Imagery

Portion of Unnamed Alley  
between S Front St  
and S 2nd St

- Site
- Parcels

N



0 50 100  
Feet

7/19/2024

#### Report Organization

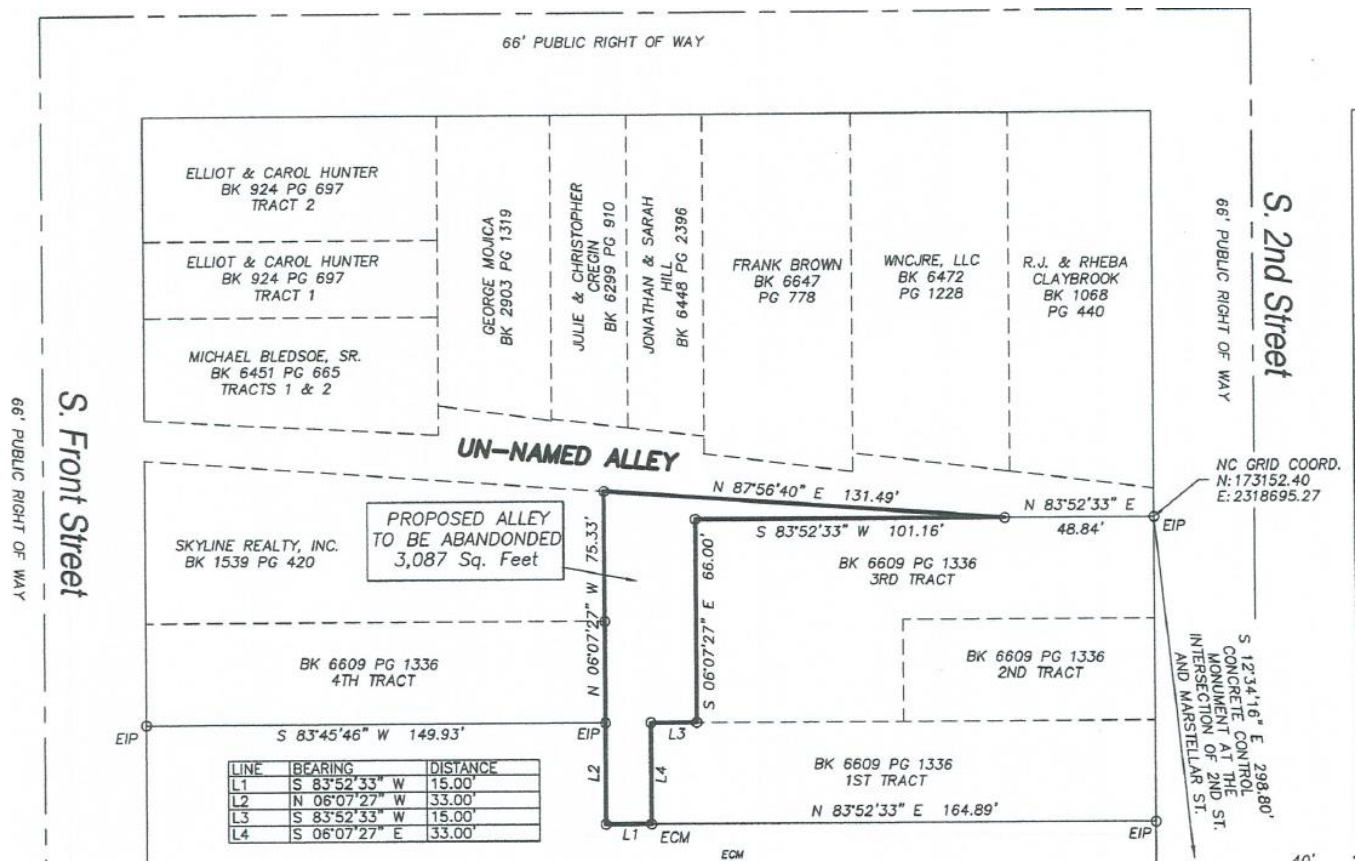
1. Case Overview & Status
2. Executive Summary & Recommendation
3. Street Closure Process
4. Analysis
5. Attachments

## 2. Executive Summary & Recommendation

### 2.1 Proposal

- The request is to close a portion of an unnamed alley between S. Front Street & S. 2<sup>nd</sup> Street consisting of ±0.07 acres of land.
- The closure includes a variable width, unimproved alley with a total length of approximately 131.49 feet.
- If approved, the street closure request will add additional lot area to five adjacent lots.
- The remaining portion of the unnamed alley between S. Front & S. 2<sup>nd</sup> Streets would remain open.

Figure 2.1-A: Survey of Proposed Closure



## 2.2 Community Outreach

### 2.2.1 Public Hearing Notices

	<b>Planning Commission 8/7/2024 Hearing</b>	<b>City Council 9/3/2024 Intent to Close (tentative)</b>	<b>City Council 10/15/2024 Closure Hearing (tentative)</b>
Signs Posted	7/25/2024	8/22/2024	10/3/2024
Letters mailed to adjacent property owners	7/25/2024	n/a	10/3/2024

Advertisement Date(s)	8/2/2024	8/23/2024 & 8/30/2024	9/20/2024, 9/27/2024, 10/4/2024, & 10/11/2024
-----------------------	----------	-----------------------	---

### 2.2.2 Other

- All abutting property owners signed the application for the proposed closure request:

Owner Name	Site Address
Patrick M. Carroll, Skyline Realty Inc.	P.O. Box 357 Mount Pleasant, SC 29465

- Public comments were accepted via an online form on the city’s website in advance of the Planning Commission meeting.

## 2.3 Staff Recommendation: APPROVAL

### 2.3.1 Criteria for Review and Recommendation

The principal issue in determining whether to close a public right-of-way is whether closure of the right-of-way would impair the surrounding street network. Consideration must be given as to whether closing the street is contrary to the public interest and would adversely impact neighboring properties. Policy 8.1.3 of the *Create Wilmington Comprehensive Plan* states that public rights-of-way should not be closed or abandoned unless:

- There is no existing or future need for them.
- The established street patterns would not be significantly interrupted.
- The function and purpose of nearby streets would be maintained.
- Non-vehicular connections would not be interrupted.
- Public view sheds would not be compromised.

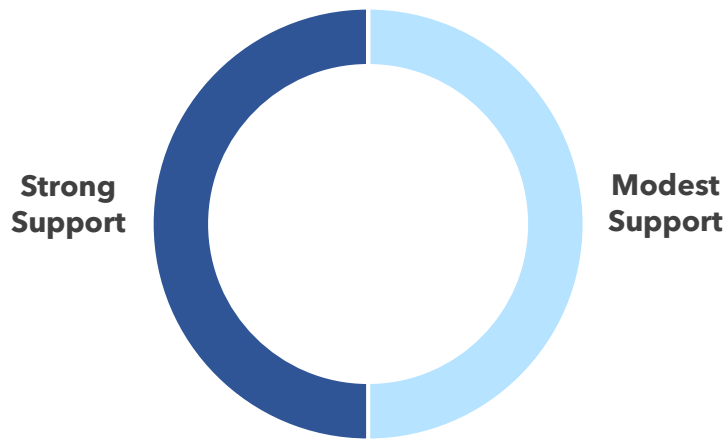
### 2.3.2 Basis for Staff Recommendation

Based on the analysis contained in this report, staff recommends **approval** of the petition to close a portion of an unnamed alley between S. Front & S. 2<sup>nd</sup> Streets. In reviewing the application, staff notes:

- This section of the unnamed alley extends to the south but does not connect with any other existing rights-of-way and does not connect to Marstellar Street.
- Though policy is limited for the proposed street closure, the request is generally consistent with the SouthSide Small Area Plan to evaluate alleyways for those in need of improvement. The closure allows for additional usable land while providing the opportunity for improved access in the case of redevelopment.
- The Comprehensive Plan calls for development to occur in a compact pattern that reinforces the efficient provision of public services and utilities, improves the performance of the transportation network, preserves open space, and reduces negative impacts of low-intensity and noncontiguous development patterns.



- The proposed street closure is generally consistent with the Create Wilmington Comprehensive Plan. While staff has evaluated the proposal for consistency with several policies, the policies identified below support the proposed rezoning:
  - **1.3.1.** Transportation decisions, strategies, and investments should be coordinated with and support the city’s land use goals.
  - **2.2.5.** When considering closure of public streets, alleys, and other rights of way, affected city departments and utility providers should consider the integrity of the city’s street network, pedestrian and vehicular safety, emergency access, the ability to provide utility services, impacts on health and safety, and the welfare of the community.
- **Policy Support/Non-Support.** The following chart identifies the breakdown of consistency between applicable policies and the proposed rezoning. (See analysis for detailed policy analysis.)



## 2.4 Planning Commission Recommendation: PENDING

Pending outcome of the August 7, 2024, Planning Commission meeting.

## 3. Street Closure Process

### 3.1.1 City Code of Ordinances

Part I. Charter and Related Laws

Subpart A. The Charter

Article XVI. Closing of Public Streets and Alleys

Chapter Section 16.1 Closing of Public Streets and Alleys

- The City Council shall have the power to close any public street or alley or portion thereof that is now or may hereafter be opened or dedicated, either by the recording of a plat or otherwise except public streets or alleys for public streets under the

control and supervision of the [state] board of transportation, such closing to be pursuant to North Carolina General Statute, section 160A-299. Upon receipt of a sufficient application and petition signed by the majority of property owners owning the majority of property abutting the public street or alley requesting the closing, and after an investigation on the sufficiency of the application and petition by the city attorney or other designated individual or agency, and after a review and recommendation by the Planning Commission, the City Council may adopt a resolution declaring the intent to close the public street or alley and calling a public hearing on the question.

### **3.1.2 Public Notification**

- If recommended for approval by the Planning Commission, the City Council will review a resolution of intent to close the street (tentatively scheduled for September 3, 2024), allowing for proper notification.
- The resolution of intent to close request will be published once a week for four successive weeks prior to the scheduled public hearing.
- Notices will be sent by registered mail or certified mail with a copy of this resolution to all owners of property adjoining the street or portion thereof.
- Signs, advertising the public hearing, will be placed on the site 4 weeks prior to the public hearing with City Council.
- After advertising has been completed, the City Council will hold a public hearing on the question of whether the closing would be detrimental to the public interest, or the property rights of any individual.

## **4. Analysis**

Pursuant to NC GS 160A-299, to permanently close any street, the applicant must submit a street closure petition for permanent closure. (Attachment 2).

### **4.1 Site History**

- The right-of-way is currently zoned LI, Light Industrial.
- The 1915 Sanborn Fire Insurance Map shows an adjacent building within or adjacent to the subject closure, however, that structure has since been removed (Attachment 4).

## 4.2 Area Context and Existing Conditions

Map 4.2-A: Land Use and Zoning



	Current Zoning	Existing Land Use(s)
<b>Subject Property</b>	<b>LI</b>	<b>Variable width, unimproved alley</b>
<b>North</b>	R-3	Vacant, Residential, Remaining portion of alley
<b>South</b>	LI	Commercial, Industrial
<b>East</b>	LI	Industrial
<b>West</b>	LI	Vacant, Commercial

## 4.3 Technical Review

### 4.3.1 Referrals

As part of the procedural requirement for all street closure requests, representatives of the following city divisions and other outside agencies were notified of the proposal to allow opportunity for comments regarding impacts of the proposal:

Reviewing Entity	Findings
<b>Engineering</b>	No adverse impact, comment provided
<b>Traffic Engineering</b>	No adverse impact
<b>Surveying</b>	No comment provided
<b>Police</b>	No comment provided
<b>Fire</b>	No adverse impact
<b>Public Works</b>	No comment provided
<b>Transportation Planning</b>	No adverse impact, comment provided
<b>Planning</b>	No adverse impact
<b>Community Services</b>	No comment provided
<b>Cape Fear Public Utility Authority (CFPUA)</b>	No adverse impact, comment provided
<b>North Carolina Department of Transportation (NCDOT)</b>	No comment provided

#### 4.3.2 Engineering Comments

- A closure will not impact the Powell Bill streets or reduce connectivity to S. Front Street or S. 2<sup>nd</sup> Street. All parts of the existing alley are still unimproved.

#### 4.3.3 Cape Fear Public Utility Authority (CFPUA) Comments

- There are no public utilities located within the alley, nor would the closure restrict access to public utilities.

#### 4.3.4 Transportation Planning Comments

- The remaining public alley would provide sufficient access from S. 2<sup>nd</sup> Street to S. Front Street after release of the requested portion.

### 4.4 Consistency with Adopted Plans

#### 4.4.1 CAMA Plan

The property is designated as Urban in the 2006 CAMA plan.

#### 4.4.2 SouthSide Small Area Plan

The subject property is located within the boundary of the 2009 Southside Small Area Plan (SSAP). The SSAP recommends UMX rezoning on the northern side of Marstellar Street but maintaining the existing residential lot development on the south side of Marstellar Street.

The following policy addresses the proposed street closure request.

The policy analysis uses the following symbology:

**Strong Support**



**Modest Support**



**Split (Modest Support & Modest Non-Support)**



**Modest Non-Support**




**Strong Non-Support**



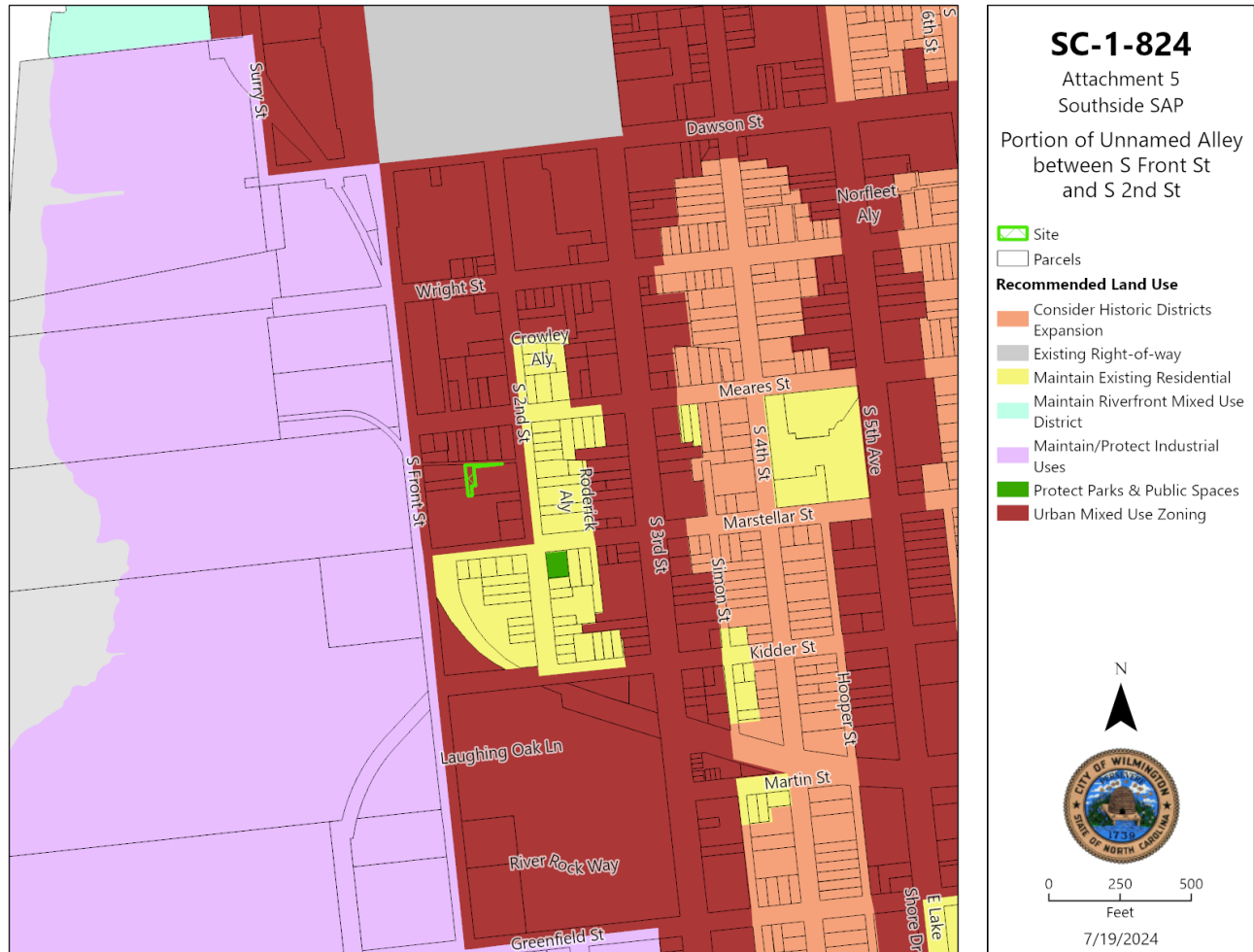
## Transportation Infrastructure

**Goal** Improve the transportation infrastructure to accommodate safe vehicular travel, access to public transit, and non-vehicular alternatives.

### 14. Transportation Infrastructure

Strategy 14.7 Evaluate the condition of all streets and alleyways and prioritize those in need of improvement. 

Map 4.4.2-A: Southside Small Area Plan (SSAP)



#### 4.4.3 Walk Wilmington Plan

The Walk Wilmington Plan does not provide any recommended pedestrian facilities in the immediate vicinity.

#### 4.4.4 Consistency with *Create Wilmington Comprehensive Plan*

The comprehensive plan calls for consideration to be given to the impacts a right-of-way closure may have on the public street network, including both vehicular and pedestrian mobility. Right-of-way closure decisions should also be made considering the city's long-term land use and transportation goals. The proposed request for closure is within a






potential redevelopment area. Staff believes the request would not have an adverse impact on the surrounding street network.

Policies that pertain to the proposed amendment are provided below. Not all policies carry equal weight; applicability and priority of policies may depend on the specifics of the proposal.

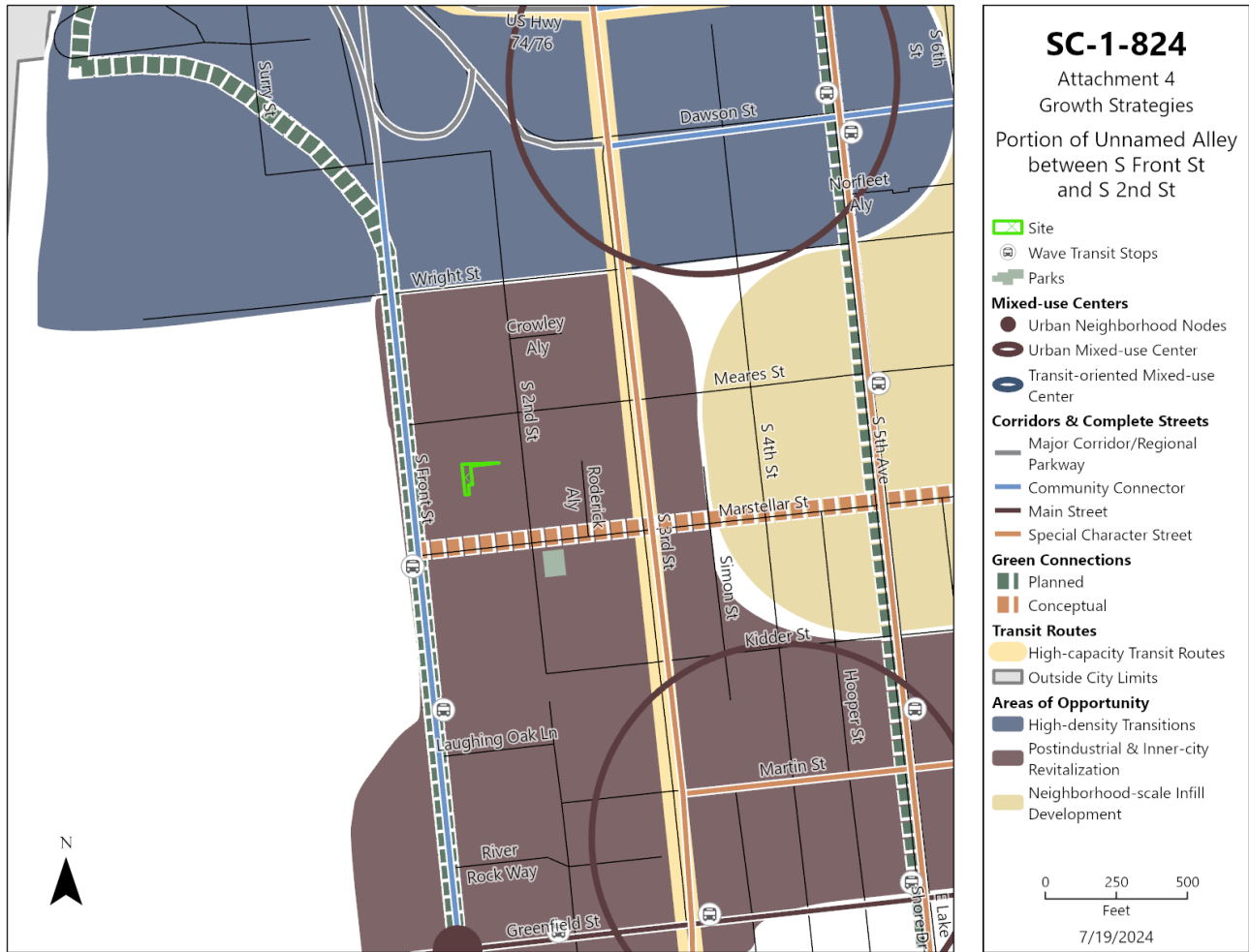
The policy analysis uses the following symbology:



#### 4.4.5 Is the Proposal consistent with the themes and policies contained in the Comprehensive Plan?

<b>1</b>	<b>Development and City Building (Policies)</b>	
<b>Land Use and Transportation</b>		
1.3.1	Transportation decisions, strategies, and investments should be coordinated with and support the city’s land use goals	
<b>Infill and Redevelopment</b>		
1.11.3	Areas well-suited for infill and redevelopment, should be redeveloped in a way that maintains or enhances the desired character of the surrounding area, improves access to goods, services, and amenities, increases housing options, and improves the overall quality of life in the vicinity.	
<b>2</b>	<b>Transportation (Policies)</b>	
<b>Street Systems</b>		
2.2.5	When considering closure of public streets, alleys, and other rights of way, affected city departments and utility providers should consider the integrity of the city’s street network, pedestrian and vehicular safety, emergency access, the ability to provide utility services, impacts on health and safety, and the welfare of the community.	

Map 4.4.6-A: Growth Strategies Map



**Map**   **Areas of Opportunity**

**Post-Industrial and Inner-City Revitalization Principles**

Use alleys and pedestrian walkways to enhance connectivity and access ↑

## 5. Attachments

1. Street Closure Application (Dated 6/20/2024)
2. NC GS 160A-299 excerpt (dated 9/4/2015)
3. Street Closure survey (dated 1/10/2024)
4. 1915 Sanborn Fire Insurance Map

# APPLICATION ACCEPTANCE POLICY

## STREET CLOSURE

---

City of Wilmington  
Planning and Development

PO Box 1810 | 305 Chestnut St.  
Wilmington, NC 28402  
Telephone 910.254.0900 | Fax 910.341.3264

---

The following items are **required** for a street closure application at the time of submittal. If any of these items are not in the package, the application will not be scheduled for review.

Please read the “*Procedure for Officially Closing a Public Street or Alley*” attached to this checklist. This information helps determine whether an application is valid.

- 1) Completed application form with all the required signatures. Only the **original** of this form will be accepted by the planning department.
- 2) A **final** metes and bounds (legal) description of the street or alley proposed to be closed with a copy of the survey plat map. The legal description **MUST** be approved and signed off on by the city surveyor **PRIOR** to submittal.
- 3) A list of all adjacent property owners (including across the street and railroad rights-of-way) with the property owner’s name, mailing address, and tax parcel numbers.
- 4) Two sets of business-size envelopes pre-addressed to the adjacent property owners with the planning department’s return address. All envelopes must have postage and metered postage must be *undated*:  
City of Wilmington Planning Department  
PO Box 1810  
Wilmington, NC 28402-1810
- 5) A copy of the current New Hanover County tax map highlighting the street to be closed.
- 6) Receipt for payment of the application according to the approved fee schedule. Please consult the city clerk’s office at 910-341-7816 regarding payment for advertising costs. **This cost is in addition to the application fee and will be a minimum of \$900.00.**
- 7) Create a map using the New Hanover County tax map, if possible. Assign a letter to each adjacent parcel to correspond with the name of the adjacent property owners. Then make a list showing the letter and the owner’s name and paste this list on the map, creating a legend, and visually showing property ownership surrounding the street proposed to be closed. This map cannot be any larger than 11” x 17”. Be sure to keep this map to scale, show the north arrow, and delineate the portion of the street proposed to be closed. Submit two paper copies and one electronic (PDF) copy of this map with the application.

- 8) Complete a pre-application submittal meeting at least one week prior to the submittal deadline to review applications. Call the planning department at 910-254-0900 to schedule a pre-application meeting or a time to submit an application

### **PROCEDURES FOR OFFICIALLY CLOSING A PUBLIC STREET OR ALLEY IN THE CITY OF WILMINGTON, NORTH CAROLINA**

The purpose of this outline is to guide applicants through the process of closing (removing from dedication) a public street or alley or portion thereof.

The proposed closing of any public street or alley may be initiated pursuant to LDC Section 16.1 of the Wilmington City Charter by any city agency, the Wilmington planning commission, or any one or more interested parties by filing an application with the planning department. The City Council may initiate a closure pursuant to N.C.G.S. 160A-299 and LDC Section 16.1 of the Wilmington City Charter by adopting a Resolution of Intent. The necessary application for the closing of a public street or alley may be acquired from the planning department, 305 Chestnut Street, Wilmington, NC.

- 1) The applicant(s) shall complete the application and provide all information as required therein. The completed application and required additional information shall be submitted to the planning department at least **30 days** prior to a regularly scheduled planning commission meeting (typically the first Wednesday of each month). Should the application and required additional information be found to be incomplete or inaccurate at the time submitted or during the review process, the application will be returned to the applicant for completion or to correct the inaccurate information. The revised application and required additional information shall be resubmitted to the planning department.

An application fee, in accordance with the City's fee schedule, shall be paid upon submittal. The applicant shall be responsible for all fees covering the cost of advertising, mailing notices, posting signs, recording fees, and other administrative expenses involved in the closing. Please consult the city clerk's office regarding payment for advertising costs. **This cost is in addition to the application fee.** Contact the city clerk, Penny Spicer-Sidbury, at 910341-7816.

- 2) A complete and valid application must have signatures of the majority of property owners that own the majority of the property abutting the proposed closure, except when only two property owners are involved. When more than two property owners abut the proposed length of the closure, whether that length is the entire right-of-way or just a portion of it, at least 51 percent of the property owners for 51 percent or more of the length of the closure must sign the application. An application may be initiated by the City Council adopting a Resolution of Intent to Close.

When only two property owners abut the entire length of the proposed closure, both property owners must request the closure. This requirement must be met even if the closure affects only a portion of one property owner's frontage on the right-of-way to be

closed. All signatures shall be those of the property owners or the legal representative of property owners adjacent to the closure, and not tenants or other occupants unless they have written authorization to act on behalf of the owner.

- 3) Upon receiving the completed application and the required additional information, the planning department *shall* transmit duplicates of the completed application to the affected agencies for review and recommendations.
- 4) After receiving all pertinent information from the reviewing agencies, the planning department shall present the original application, required additional information, and recommendations from the reviewing agencies to the planning commission for review and recommendation at a regularly scheduled public meeting, at which time all interested persons may attend. The applicant(s) or their agent is requested to be present at all public meetings at which the request for closing will be reviewed.
- 5) Upon the review and written recommendation of the planning commission, all pertinent information on the closing shall be transmitted to the city manager's office to have a resolution of intent to close placed on the consent agenda for consideration by the Wilmington City Council.
- 6) The city council meeting at which the resolution is presented to council is not a public hearing and therefore, council will not hear recommendations from the planning commission, the review agencies, nor from the applicant or other public comments on the closing. Council approval of the resolution is a requirement preceding the advertising of the public hearing at which the close order will be presented to city council.
- 7) After the adoption of a resolution of intent to close the street, and prior to the public hearing on the closing, the city clerk will:
  - (a) Mail a copy of the resolution by registered or certified mail to all owners of property adjoining the street or alley as shown on the New Hanover County tax records;
  - (b) Post notice of the closing and public hearing prominently in at least two locations along the street or alley proposed to be closed;
  - (c) Publish the resolution of intent to close and the public hearing notice once a week for four successive weeks in a local newspaper; and
  - (d) Mail a copy of the resolution to the North Carolina Department of Transportation if the street or alley is under the authority of the N.C. Department of Transportation, and to the local Postmaster of the U.S. Postal Service.
- 8) City council, at the advertised public hearing, will consider the recommendation of the planning commission and the review agencies, and receive any additional information relative to the closing. At the hearing, any person may be heard on the question of whether the closing would be detrimental to the public interest, or the property rights of any individual.
- 9) Regardless of the final action (approval or denial) of the close order by City Council, the applicant(s) or their designated representative shall be responsible for all expenses incurred by the city clerk to cover the cost of advertising, mailing of notices, posting of signs, recording fees, and any other administrative expenses involved in the closing.



Signing the application requesting closing a public street or alley shall indicate the applicant's acceptance of this financial responsibility.

- 10) Sufficient payment to cover all accumulated costs shall be received by the city clerk prior to recordation of the signed close order and any additional documents with the New Hanover County Register of Deeds. Upon approval of the closing, signing of the close order, and receipt of the total administrative costs incurred by the city, the clerk shall record a certified copy of the signed close order with the Register of Deeds. Six copies shall be made of the recorded close order, which will be transmitted to the engineering and planning departments, applicant, North Carolina Department of Transportation, U.S. Postal Service, and New Hanover County tax assessor.
- 11) After recording of the close order, all right, title, and interest in the public right-of-way or portion closed shall be conclusively presumed to be vested in those persons, firms, or corporations owning lots or parcels of land adjacent to the close portion of public right-of-way, and the title to each person, firm, or corporation shall, for the width of the abutting land owned, extend to the center of the officially closed portions of public right-of-way. This is an automatic procedure under North Carolina General Statutes. If the adjacent property owners wish to have the property within the closed street or alley reflected in a deed of land ownership, it shall be their responsibility to prepare and process a deed referring to the recorded close order.
- 12) When the city council determines that land is necessary for public utilities or for public health, welfare, or safety, the council may require dedication to the city of easements or deeding of land within the right-of-way of the public street or alley to be closed as a condition of the approval for the closing.
- 13) Should any portion of the public right-of-way be retained, the remaining portion may be closed upon approval by the City Council. Should an easement be requested as condition of approval, the appropriate legal documents shall be prepared by the applicant's legal representative, in consultation with the city attorney, and presented concurrently with the close order. The city attorney and city engineer shall review the document, which will establish the easement(s) by metes and bounds, for accuracy and to assure that it is properly drawn. The signed close order and other required legal documents shall be recorded concurrently, and the cost made part of the administrative costs to be paid by the applicant prior to recordation.
- 14) Upon approval and recordation, the public street or alley officially closed shall be removed from the official city maps.
- 15) Any person aggrieved by the closing may appeal the city council action to the appropriate division of the General Court of Justice within 30 days after the date of the adoption of the close order

# STREET CLOSURE



City of Wilmington  
Planning and Development

PO Box 1810 | 305 Chestnut St.  
Wilmington, NC 28402  
Telephone 910.254.0900 | Fax 910.341.3264

## Section A. APPLICANT INFORMATION

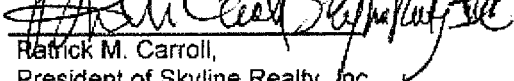
Applicant's name: Skyline Realty, Inc., Patrick M. Carroll and Carol J. Carroll


Mailing address: P.O. Box 357, Mount Pleasant, SC 29465

Phone: (603) 986-6081

Email: PatrickMcMahonCarroll@aol.com

Signature/Date:  6/20/24  
Patrick M. Carroll,

Signature/Date:  6/20/24  
Patrick M. Carroll,  
President of Skyline Realty, Inc.

Signature/Date:  6-20-24  
Carol J. Carroll

Name of person responsible for all costs: Patrick M. Carroll

## Section B. SUBMITTAL INFORMATION AND PROCEDURE

### APPLICATION FOR OFFICIAL CLOSING OF A PUBLIC STREET OR ALLEY IN THE CITY OF WILMINGTON, NC

The applicant(s) request that the Wilmington City Council consider officially closing the public street or alley described herein. The applicant(s) shall abide by the provisions of Article 16 of the City Charter and the Administrative Guidelines of the City of Wilmington and shall assume responsibility for the validity and submission of all supplemental information necessary to administer the application.

- 1) Official street or alley name requested to be closed:

Unnamed alley

- 2) Location of the street or alley: From A portion of an unnamed alley from S. Front St.  
(Name of intersecting street or alley)

extending eastward to S. 2<sup>nd</sup> St.  
(direction, approximate distance) (Name of intersecting street or alley (if dead-end or turn-around, state "termination")

---

## **Section C.** SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

---

- 3) Supplementary information:
- (a) Two copies of diagrams, tax maps or subdivision plats, drawn to scale, depicting the right-of-way requested to be closed, showing the names of adjacent property owners, and indicating the locational relationship of the proposal to adjacent intersections and streets;
  - (b) Legal description (metes and bounds) of the street or alley requested to be closed, after review and approval from the city engineer;
  - (c) List of the names of owners, their addresses, and the tax parcel numbers of the properties adjacent to the public street or alley right-of-way requested for closing; and
  - (d) Two sets of business-size envelopes pre-addressed to the property owners within 100 feet of the subject right-of-way with the planning department's return address. List of the names of owners, their addresses, and the tax parcel numbers of the properties within 100 feet of the subject property, including those separated by a street right-of-way. A list will be provided by planning staff upon request; All envelopes must have postage and metered postage must be *undated*.

City of Wilmington Planning Department  
PO Box 1810  
Wilmington, NC 28402-1810

- 4) The applicant requesting the closing shall designate one individual who shall be responsible for all administrative costs, including newspaper advertisements for public hearings, materials and postage for mailing notices to all adjacent property owners, posting of signs, and recordation of any documents with the New Hanover County Register of Deeds. The application and all required information, shall be submitted to city council after review of the application by and upon the recommendation of the applicable review agencies and the planning commission.
- 5) Upon the adoption of a close order closing the public street or alley, and in accordance with the provisions of North Carolina General Statute 160A-299(c), all right, title, and interest in the closed street or alley shall be conclusively presumed to be vested in those persons, firms, or corporations owning lots or parcels of land adjacent to such public street or alley, and the title of each person, firm, or corporation shall, for the width of the abutting land owned by them, extend to the centerline of such public street or alley, or portion thereof, officially closed

**Signature and address of property owners that own property along the street or alley requested to be closed**

**Length (feet) of property fronting street to be closed**

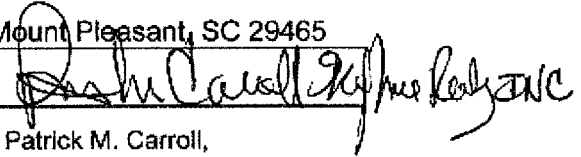
Name  Skyline Realty, Inc

Approximately 90.4 feet

**A & C  
on map**

Address P.O. Box 357

R05413-017-003-000 and  
R05413-017-005-000

Signature   
Patrick M. Carroll,  
President of Skyline Realty, Inc.

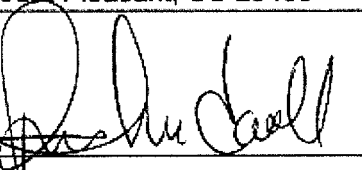
Name Patrick M. Carroll and Carol J. Carroll


Approximately 248 feet

**B & D  
on map**

Address P.O. Box 357

R05413-017-004-000 and  
R05413-017-009-000

Signature   
Patrick M. Carroll

Signature   
Carol J. Carroll

Date Received: 6/24/2024

Planner: Zac Smith

Project Number: SC-1-824

Amount Paid: \*\*

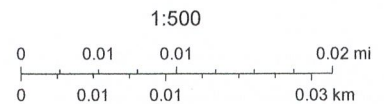
Property Owners adjacent to portion of alley requested to be closed.

Find A Parcel



6/6/2024, 2:45:39 PM

- Addresses
- Roads
- Municipal Boundaries
- Parcel Boundaries

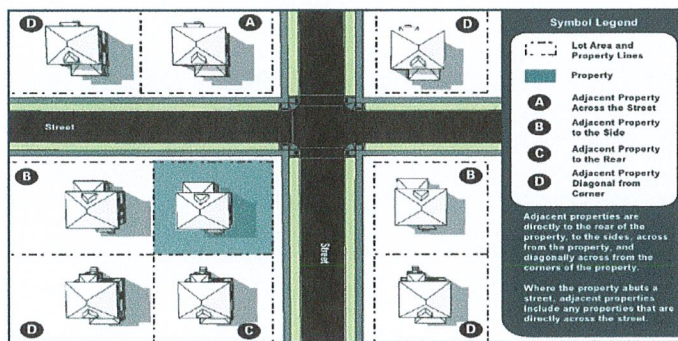


New Hanover County, NC. The information made available by this service originates from the county's building permitting and inspections records. This GIS rendering is refreshed on a monthly basis., New Hanover County, NC



**Section D. REQUIRED INFORMATION TO BE INCLUDED WITH APPLICATION**

**Adjacent Properties Information**



**Include the city return address on the envelopes:**

City of Wilmington  
 Planning Department  
 PO Box 1810  
 Wilmington, NC 28402-1810

<b>Name:</b> *Please see attached list	<b>Name:</b>
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
<b>Name:</b>	<b>Name:</b>
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
<b>Name:</b>	<b>Name:</b>
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:
<b>Name:</b>	<b>Name:</b>
Mailing address:	Mailing address:
Tax parcel number:	Tax parcel number:

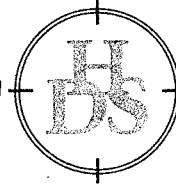
**PROPERTY OWNERS WITHIN 100 FEET**

<b>PARID</b>	<b>PROPERTY ADDRESS</b>	<b>OWNER</b>	<b>MAILING ADDRESS</b>	
R05413-017-008-000	1112 2ND ST S	SKYLINE REALTY INC	PO BOX 357	MOUNT PLEASANT SC 29465
R05413-017-009-000	1106 2ND ST S	PATRICK M CARROLL CAROL J CARROLL	PO BOX 357	MOUNT PLEASANT SC 29465
R05413-017-011-000	118 MEARES ST	WNCJRE LLC	176 COVE RD	OYSTER BAY NY 11771
R05413-017-010-000	1104 2ND ST S	R J CLAYBROOK RHEBA T CLAYBROOK	4519 PATRICK AVE	WILMINGTON NC 28403
R05413-017-012-000	114 MEARES ST	FRANK BROWN	114 MEARES ST	WILMINGTON NC 28401
R05413-017-003-000	1107 FRONT ST S	SKYLINE REALTY INC	PO BOX 357	MOUNT PLEASANT SC 29465
R05413-017-013-000	110 MEARES ST	JONATHAN HILL SARAH HILL	110 MEARES ST	WILMINGTON NC 28401
R05413-017-014-000	108 MEARES ST	ROBERT G UPFIELD II	427 VALLIE LN	WILMINGTON NC 28412
R05413-017-004-000	1109 FRONT ST S	PATRICK M CARROLL CAROL J CARROLL	PO BOX 357	MOUNT PLEASANT SC 29465
R05413-017-005-000	101 MARSTELLAR ST	SKYLINE REALTY INC	PO BOX 357	MOUNT PLEASANT SC 29465
R05413-017-002-000	1105 FRONT ST S	TONI MESICKLIFE ESTATE	1105 FRONT ST S	WILMINGTON NC 28401
R05413-017-001-000	104 MEARES ST	ALOHA WILMINGTON DEVELOPMENT & CONSTRUCT	PO BOX 262	WRIGHTSVILLE BEACH NC 28480
R05413-017-015-000	106 MEARES ST	GEORGE MOJICA	106 MEARES ST	WILMINGTON NC 28401

Verified: 6/24/24  
ZS

***Hanover Design Services, P.A.***

***Land Surveyors, Engineers, Land Planners***




June 7, 2024

Re: Portion of an Un-Named Alley in Block 3 of the City of Wilmington

Beginning at a point in the southern line of an Un-Named Alley, said point being located S 83-52-33 W 48.84' from a point in the western right of way of S 2<sup>nd</sup> Street and at the northeastern corner of the Skyline Realty Inc. tract recorded at book 6609 page 1336 (3<sup>rd</sup> tract), said northeastern corner being located N 12-34-16 W 298.80' from a concrete control monument at the centerline intersections of S 2<sup>nd</sup> Street (66' public right of way) and Marstellar Street (66' public right of way): Proceed from said point of beginning S 83°52'33" W a distance of 101.16' to a point; thence S 06°07'27" E a distance of 66.00' to a point; thence S 83°52'33" W a distance of 15.00' to a point; thence S 06°07'27" E a distance of 33.00' to a concrete monument; thence S 83°52'33" W a distance of 15.00' to a point; thence N 06°07'27" W a distance of 33.00' to an existing iron pipe; thence N 06°07'27" W a distance of 75.33' to a point; thence N 87°56'40" E a distance of 131.49' to the point of beginning and containing 3,087 square feet.

All bearings are N.C. Grid NAD 1983

 6-7-24  
Jonathan L. Wayne PLS 3391

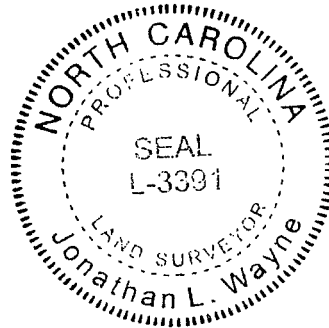
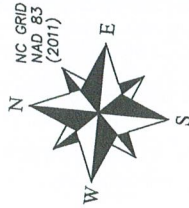
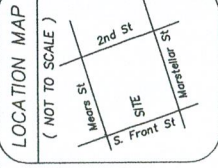


EXHIBIT OF

# Portion of an Un-Named Alley in Block 3, City of Wilmington for Skyline Realty, Inc.

CITY OF WILMINGTON NEW HAONVER COUNTY  
NORTH CAROLINA  
REFERENCE: AS NOTED  
DATE: JAN. 10, 2024



S. 2nd Street

66' PUBLIC RIGHT OF WAY

NC GRID COORD.  
N: 173152.40  
E: 2318695.27

S 12°34'16" E 298.80'  
CONCRETE CONTROL  
MONUMENT AT THE  
INTERSECTION OF 2ND ST.  
AND MARSTELLAR ST.



SCALE IN FEET  
1 INCH = 40 FEET

THIS MAP IS NOT FOR RECORDATION

HANOVER DESIGN SERVICES, P.A.

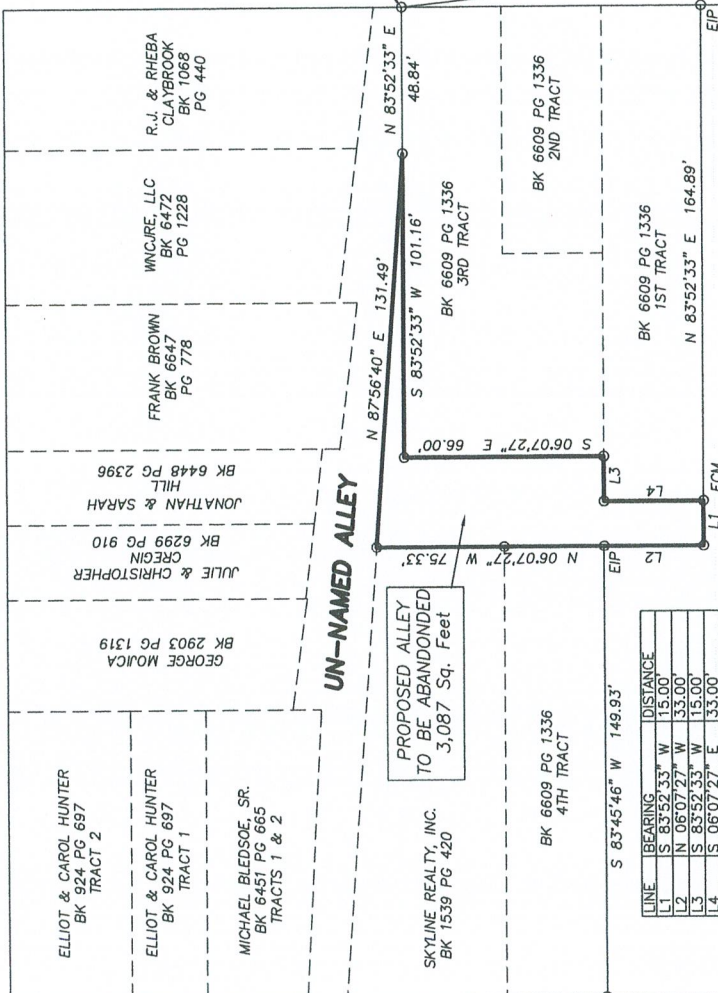
LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 GLOBAL PARKWAY  
WILMINGTON, N.C. 28403  
PHONE: (910) 343-8002  
FAX: (910) 343-9941  
FIRM CERTIFICATE C-0597  
16369



Meares Street

66' PUBLIC RIGHT OF WAY



UN-NAMED ALLEY

PROPOSED ALLEY  
TO BE ABANDONED  
3,087 Sq. Feet

LINE	BEARING	DISTANCE
L1	S 83°52'33" W	15.00'
L2	N 06°07'27" W	33.00'
L3	S 83°52'33" W	13.00'
L4	S 06°07'27" E	13.00'

SKYLINE REALTY INC.  
BK 1543 PG 301



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE IN THE FIELD AND THAT THE BEARINGS AND DISTANCES NOTED THEREON ARE INDICATED AS DRAWN FROM INFORMATION THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:20,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21NCA 56.1600).  
THIS IS THE DAY OF JAN. 2024.

JONATHAN L. WAYNE PLS 3391

S. Front Street

66' PUBLIC RIGHT OF WAY

- NOTES:
1. COMPUTED BY COORDINATE METHOD
  2. ALL DISTANCES ARE HORIZONTAL
  3. FOR REFERENCE SEE AS NOTED
- LEGEND:
- E.C.M. = EXISTING CONCRETE MONUMENT
  - E.I.P. = EXISTING IRON PIPE
  - U.E. = UTILITY EASEMENT



EXHIBIT OF

# Portion of an Un-Named Alley in Block 3, City of Wilmington

## for Skyline Realty, Inc.

CITY OF WILMINGTON NEW HANOVER COUNTY

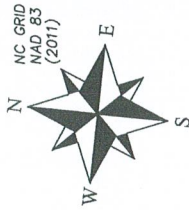
NORTH CAROLINA

REFERENCE: AS NOTED

DATE: JAN. 10, 2024

Meares Street

LOCATION MAP  
(NOT TO SCALE)



S. 2nd Street

66' PUBLIC RIGHT OF WAY

NC GRID COORD.  
N: 173152.40  
E: 2318695.27

S 12°34'16" E 298.80'  
CONCRETE CONTROL  
MONUMENT AT THE  
INTERSECTION OF 2ND ST.  
AND MARSTELLAR ST.



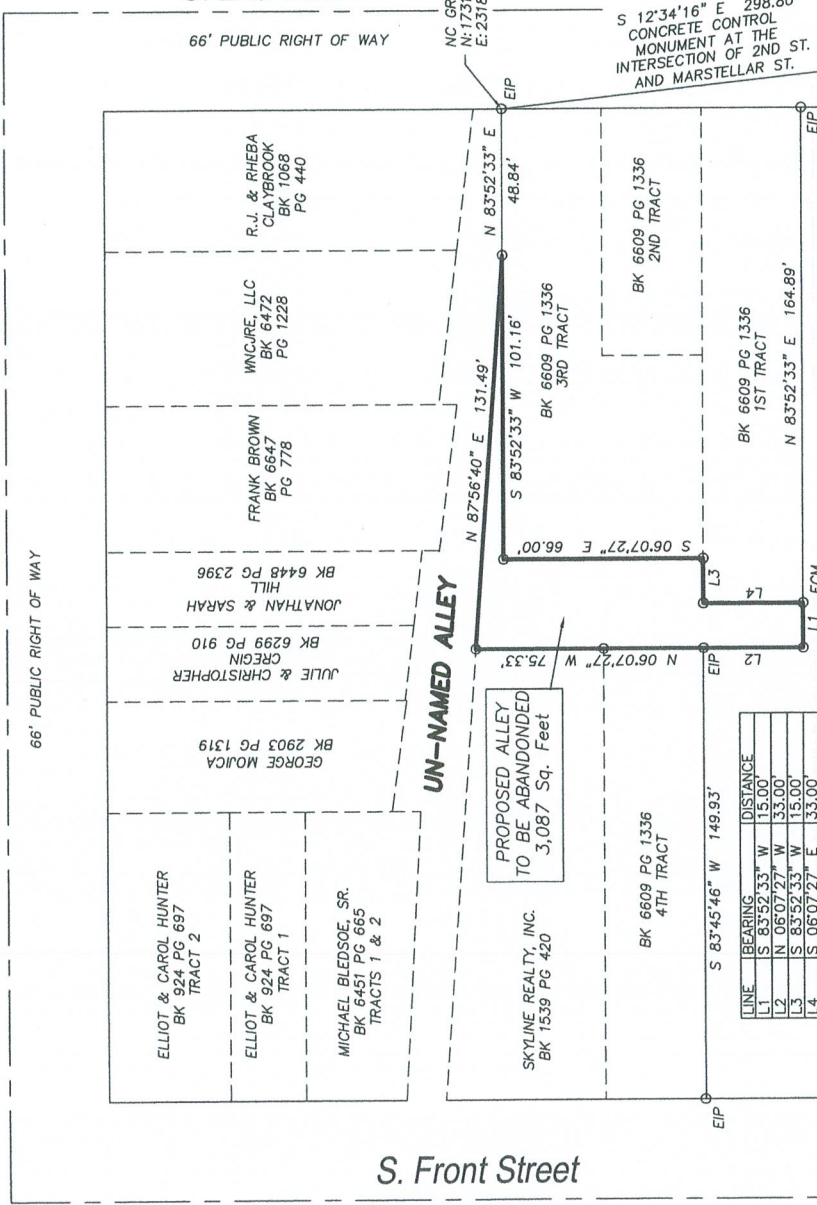
SCALE IN FEET  
1 INCH = 40 FEET

THIS MAP IS NOT FOR RECORDATION

HANOVER DESIGN SERVICES, P.A.

LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 FLORAL PARKWAY  
WILMINGTON, NC 28403  
PHONE: (910) 343-8002  
FAX: (910) 343-9941  
FIRM CERTIFICATE C-0597  
16369



66' PUBLIC RIGHT OF WAY

UN-NAMED ALLEY

PROPOSED ALLEY  
TO BE ABANDONDED  
3,087 Sq. Feet

ELLIOT & CAROL HUNTER  
BK 924 PG 697  
TRACT 2

ELLIOT & CAROL HUNTER  
BK 924 PG 697  
TRACT 1

MICHAEL BLEDSOE, SR.  
BK 6451 PG 665  
TRACTS 1 & 2

GEORGE MOJICA  
BK 2903 PG 1319

JULIE & CHRISTOPHER  
CREGIN  
BK 6299 PG 910

JONATHAN & SARAH  
HILL  
BK 6448 PG 2396

FRANK BROWN  
BK 6647  
PG 778

WHAUPE, LLC  
BK 6472  
PG 1228

R.J. & RHEBA  
CLAYBROOK  
BK 1068  
PG 440

SKYLINE REALTY, INC.  
BK 1539 PG 420

BK 6609 PG 1336  
4TH TRACT

LINE	BEARING	DISTANCE
L1	S 83°52'33" W	15.00'
L2	N 06°07'27" W	33.00'
L3	S 83°52'33" W	15.00'
L4	S 06°07'27" E	133.00'

SKYLINE REALTY, INC.  
BK 1543 PG 301



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREON. THE BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE INDICATED AS DRAWN FROM INFORMATION THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:20,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21NCAC 56.1600).  
THIS IS THE DAY OF JAN., 2024.

JONATHAN L. WAYNE PLS. 3391

NOTES:  
1. BEARINGS COMPUTED BY COORDINATE METHOD  
2. ALL DISTANCES ARE HORIZONTAL  
3. FOR REFERENCE SEE AS NOTED






LEGEND:  
ECM = EXISTING CONCRETE MONUMENT  
E.C.P. = EXISTING IRON PIPE  
U.E. = UTILITY EASEMENT

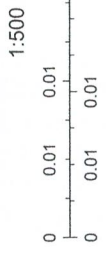


# Parcel Map



6/24/2024, 11:23:08 AM

-  Property Owners
-  Addresses
-  Roads
-  Municipal Boundaries
-  Parcel Boundaries



The information made available by this service originates from the county's building permitting and inspections records. This GIS rendering is refreshed on a monthly basis., New Hanover County NC, New Hanover County, NC



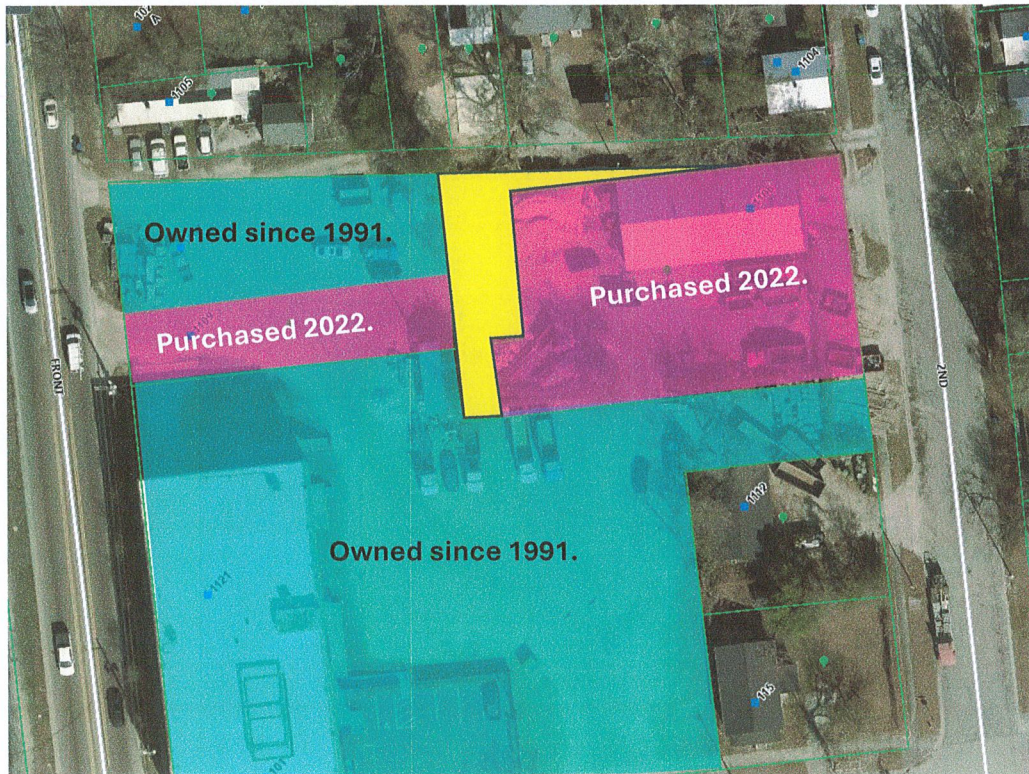
## Narrative for Application for Street/Alley Closure

The Applicants are the Property Owners of all properties adjacent to the limited portion of the unnamed alley that is proposed to be closed. The Applicants are seeking to close only that portion of the alley that is directly adjacent to their parcels. The Applicants are not seeking to prevent access through the alley between South Front Street and South 2nd Street. The Applicants are not seeking to prevent access to any parcels along the alley.

The approximate area of the alley requested to be closed is shown in the exhibit below in yellow.

The Applicants have owned two of the four adjacent parcels since 1991, and they recently bought the remaining two parcels in November 2022.

The requested closure will have no effect on the properties located along the north side of the alley between South Front Street and South 2nd Street, which would remain open. The City does not maintain the portion of the alley proposed to be closed.



**§ 160A-299. Procedure for permanently closing streets and alleys.**

(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located.

(b) Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. In appeals of streets closed under this section, all facts and issues shall be heard and decided by a judge sitting without a jury. In addition to determining whether procedural requirements were complied with, the court shall determine whether, on the record as presented to the city council, the council's decision to close the street was in accordance with the statutory standards of subsection (a) of this section and any other applicable requirements of local law or ordinance.

No cause of action or defense founded upon the invalidity of any proceedings taken in closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun within 30 days after the order is adopted. The failure to send notice by registered or certified mail shall not invalidate any ordinance adopted prior to January 1, 1989.

(c) Upon the closing of a street or alley in accordance with this section, subject to the provisions of subsection (f) of this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.

The provisions of this subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat shall be signed by each property owner who, under this section, has an ownership right in the closed street or alley.

(d) This section shall apply to any street or public alley within a city or its extraterritorial jurisdiction that has been irrevocably dedicated to the public, without regard to whether it has actually been opened. This section also applies to unopened streets or public alleys that are shown on plats but that have not been accepted or maintained by the city, provided that this section shall not abrogate the rights of a dedicator, or those claiming under a dedicator, pursuant to G.S. 136-96.

(e) No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto.

(f) A city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to this section. Such reservation shall be stated in the order of closing. Such reservation also extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the city.

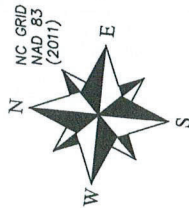
(g) The city may retain utility easements, both public and private, in cases of streets withdrawn under G.S. 136-96. To retain such easements, the city council shall, after public hearing, approve a "declaration of retention of utility easements" specifically describing such easements. Notice by certified or registered mail shall be provided to the party withdrawing the street from dedication under G.S. 136-96 at least five days prior to the hearing. The declaration must be passed prior to filing of any plat or map or declaration of withdrawal with the register of deeds. Any property owner filing such plats, maps, or declarations shall include the city declaration with the declaration of withdrawal and shall show the utilities retained on any map or plat showing the withdrawal. (1971, c. 698, s. 1; 1973, c. 426, s. 47; c. 507, s. 5; 1977, c. 464, s. 34; 1981, c. 401; c. 402, ss. 1, 2; 1989, c. 254; 1993, c. 149, s. 1.)



EXHIBIT OF

# Portion of an Un-Named Alley in Block 3, City of Wilmington for Skyline Realty, Inc.

CITY OF WILMINGTON NEW HAONVER COUNTY  
NORTH CAROLINA  
REFERENCE: AS NOTED  
DATE: JAN. 10, 2024



S. 2nd Street

66' PUBLIC RIGHT OF WAY

NC GRID COORD.  
N: 173152.40  
E: 2318695.27

S 12°34'16" E 298.80'  
CONCRETE CONTROL  
MONUMENT AT THE  
INTERSECTION OF 2ND ST.  
AND MARSTELLAR ST.



SCALE IN FEET  
1 INCH = 40 FEET

THIS MAP IS NOT FOR RECORDATION

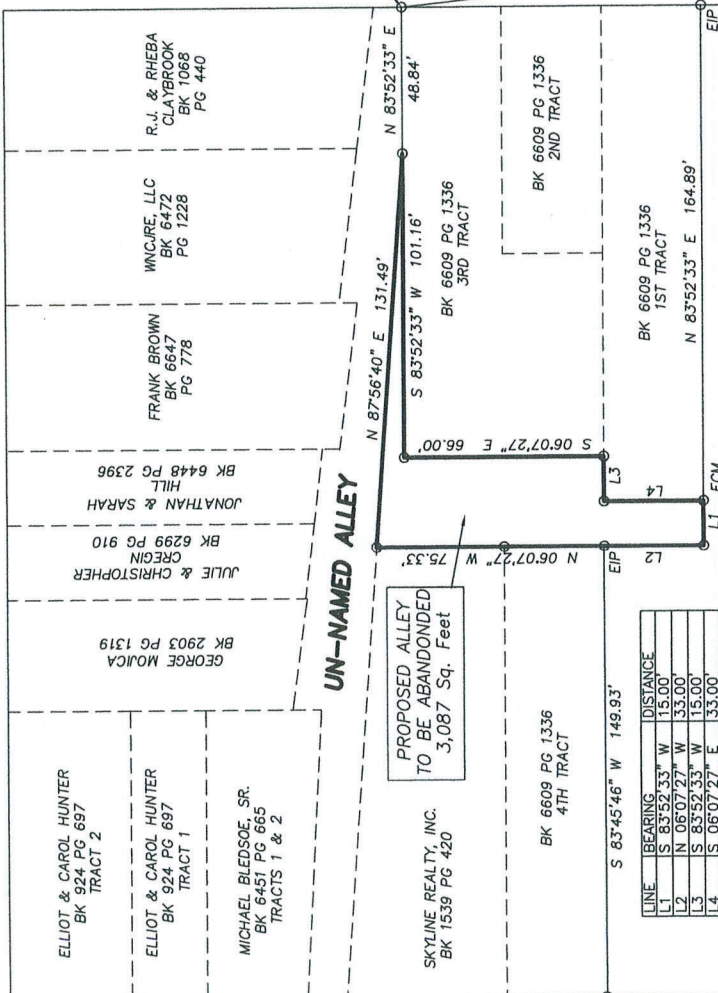
**HANOVER DESIGN SERVICES, P.A.**

LAND SURVEYORS ENGINEERS & LAND PLANNERS  
1123 GLOBAL PARKWAY  
WILMINGTON, N.C. 28403  
PHONE: (910) 343-8002  
FAX: (910) 343-9941  
FIRM CERTIFICATE C-0597  
16369



Meares Street

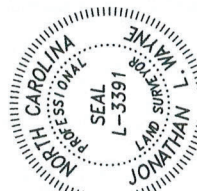
66' PUBLIC RIGHT OF WAY



UN-NAMED ALLEY

PROPOSED ALLEY  
TO BE ABANDONED  
3,087 Sq. Feet

SKYLINE REALTY INC.  
BK 1543 PG 301



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME OR ONE OF MY REGISTERED SURVEYORS. THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:20,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21NCA 56.1600).  
THIS IS THE DAY OF JAN 2024.

JONATHAN L. WAYNE PLS 3391

S. Front Street

66' PUBLIC RIGHT OF WAY

NOTES:  
1. COMPUTED BY COORDINATE METHOD  
2. ALL DISTANCES ARE HORIZONTAL  
3. FOR REFERENCE SEE AS NOTED

LEGEND:  
E.C.M. = EXISTING CONCRETE MONUMENT  
E.I.P. = EXISTING IRON PIPE  
U.E. = UTILITY EASEMENT

EXHIBIT OF

# Portion of an Un-Named Alley in Block 3, City of Wilmington

## for Skyline Realty, Inc.

CITY OF WILMINGTON NEW HANOVER COUNTY

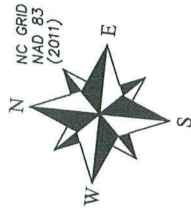
NORTH CAROLINA

REFERENCE: AS NOTED

DATE: JAN. 10, 2024

Meares Street

LOCATION MAP  
(NOT TO SCALE)



S. 2nd Street

66' PUBLIC RIGHT OF WAY

NC GRID COORD.  
N: 173152.40  
E: 2318695.27

S 12°34'16" E 298.80'  
CONCRETE CONTROL MONUMENT AT THE INTERSECTION OF 2ND ST. AND MARSTELLAR ST.



SCALE IN FEET  
1 INCH = 40 FEET

THIS MAP IS NOT FOR RECORDATION

HANOVER DESIGN SERVICES, P.A.

LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 FLORAL PARKWAY  
WILMINGTON, NC 28403  
PHONE: (910) 343-8002  
FAX: (910) 343-9941  
FIRM CERTIFICATE C-0597  
16369

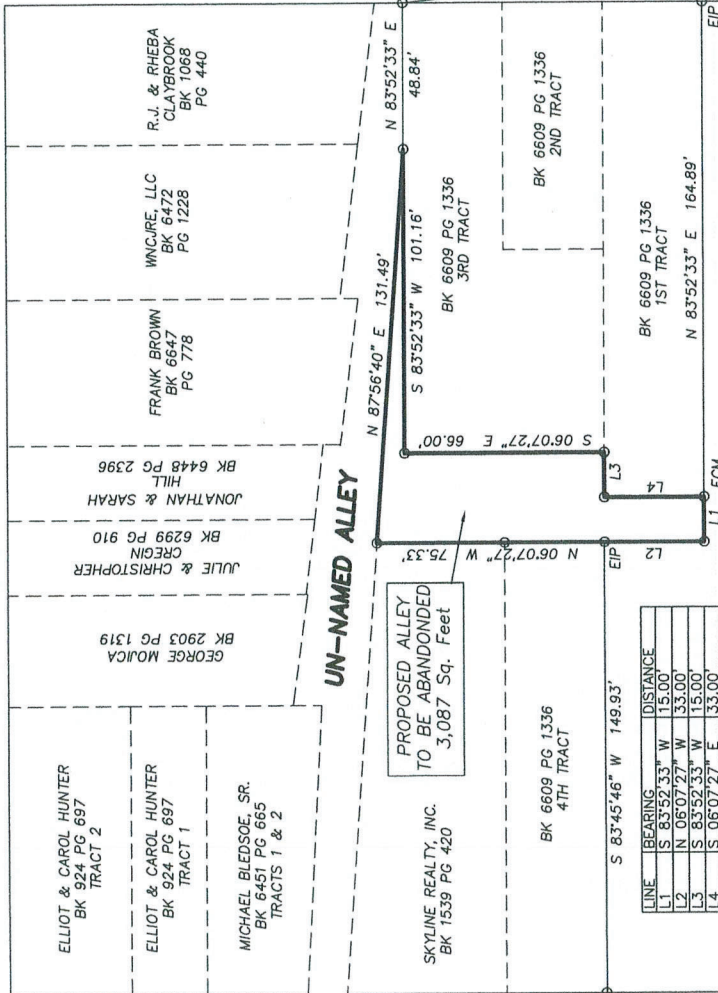


I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE PROPERTY. THE MONUMENTS SHOWN ON THIS MAP ARE THE POSITIVE MONUMENTS. THE POSITIONAL ACCURACY IS 1:20,000, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21NCAC 56.1600).  
THIS IS THE DAY OF JAN., 2024.

JONATHAN L. WAYNE PLS. 3391



66' PUBLIC RIGHT OF WAY



UN-NAMED ALLEY

PROPOSED ALLEY  
TO BE ABANDONDED  
3,087 Sq. Feet

LINE	BEARING	DISTANCE
L1	S 83°52'33" W	15.00'
L2	N 06°07'27" W	33.00'
L3	S 83°52'33" W	15.00'
L4	S 06°07'27" E	33.00'

SKYLINE REALTY, INC.  
BK 1543 PG 301

S. Front Street

66' PUBLIC RIGHT OF WAY

- NOTES:
- 1. ALL DISTANCES ARE HORIZONTAL
- 2. ALL DISTANCES ARE HORIZONTAL
- 3. FOR REFERENCE SEE AS NOTED

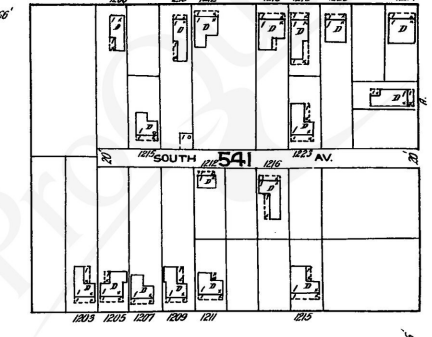
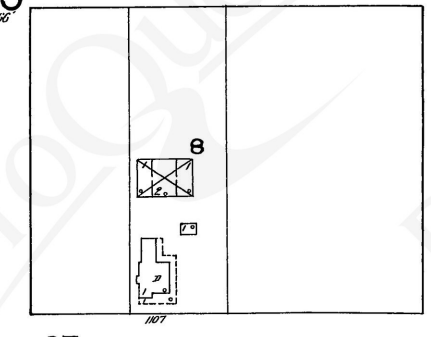
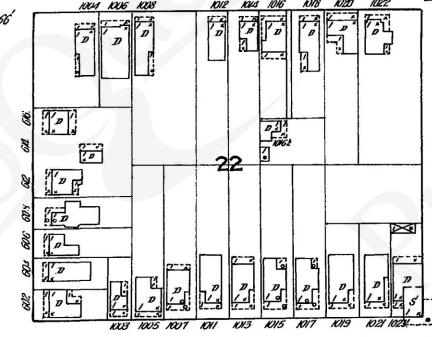
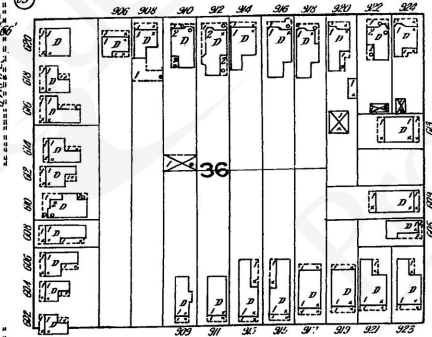
- LEGEND:
- ECM = EXISTING CONCRETE MONUMENT
- E.I.P. = EXISTING IRON PIPE
- U.E. = UTILITY EASEMENT



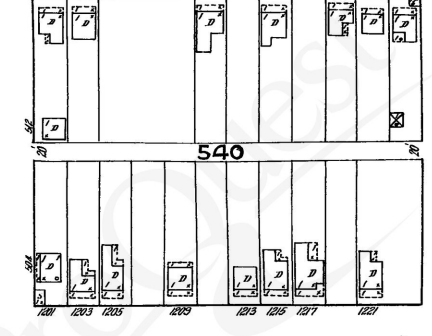
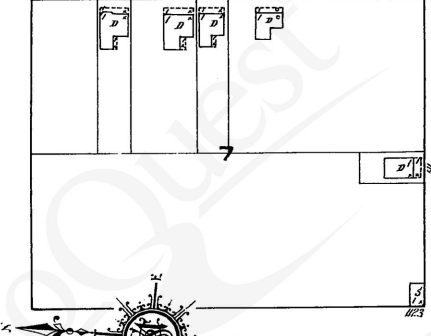
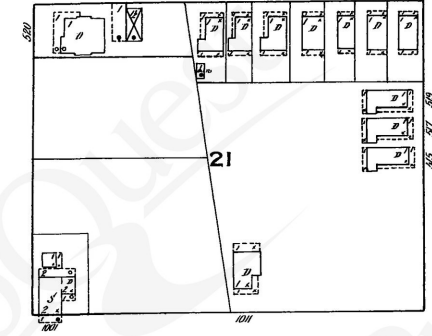
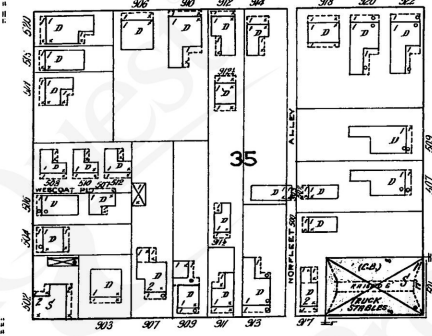
WILMINGTON, N.C.  
**41**  
(32)

SCALE 100 FT. TO AN INCH

S. 7TH 40 ST.

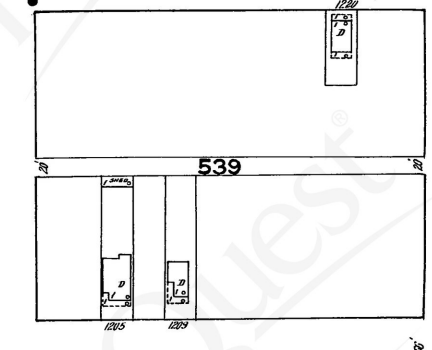
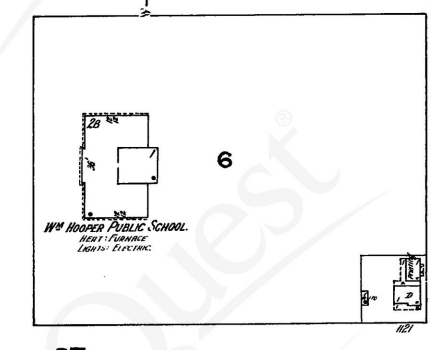
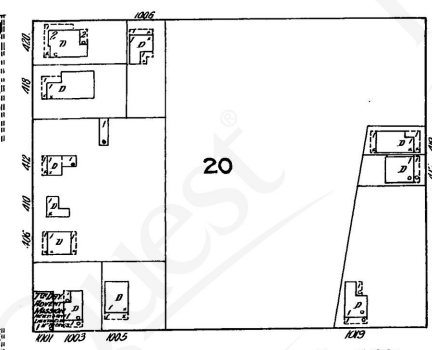
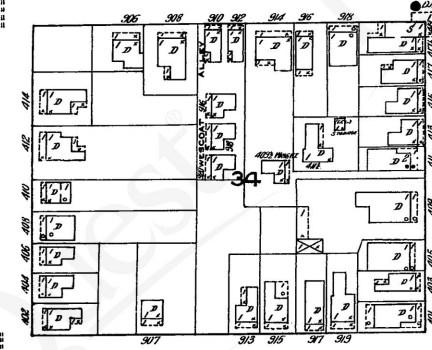


22



S. 5TH

ST.



S. 4TH

ST.

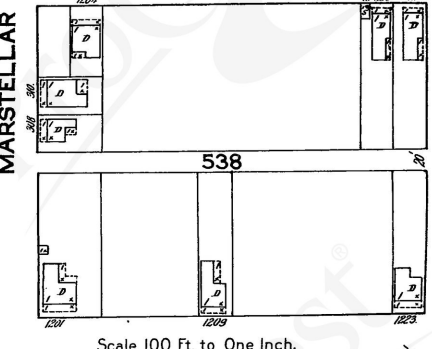
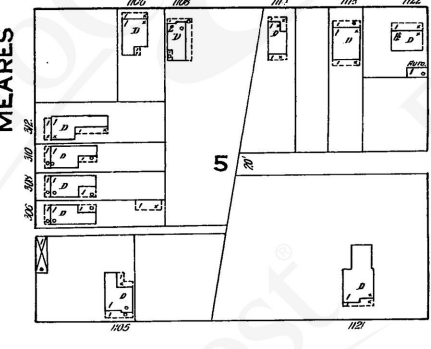
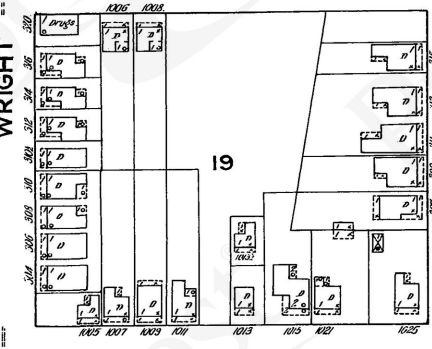
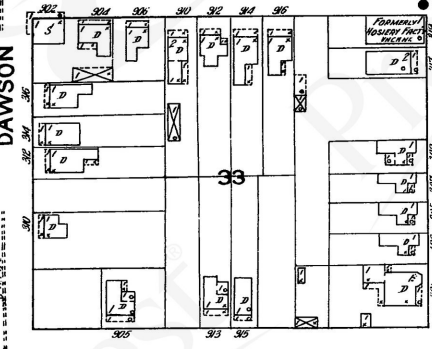
DAWSON

WRIGHT

MEARES

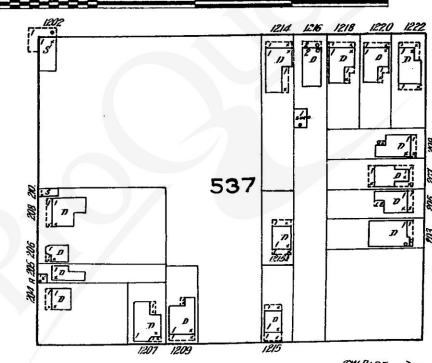
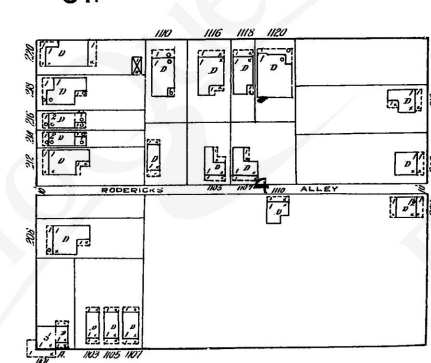
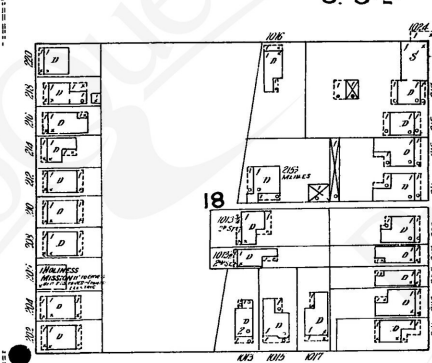
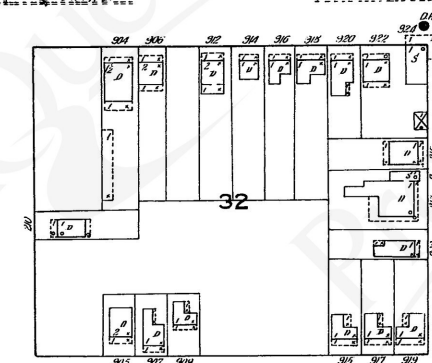
MARSTELLAR

KIDDER



42

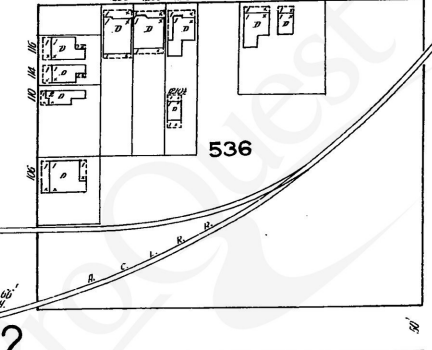
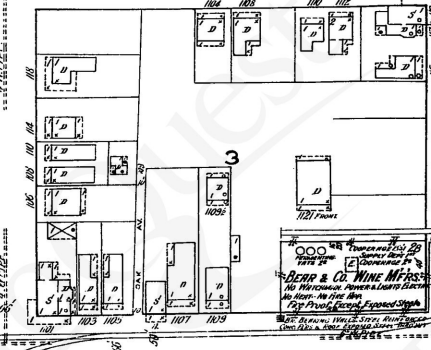
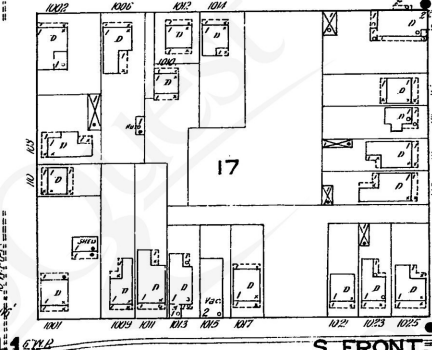
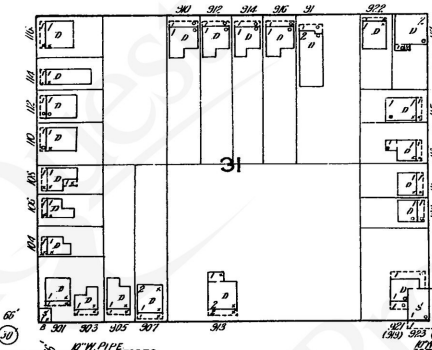
24



Scale 100 Ft. to One Inch.

S. 3RD

ST.



S. 2ND

ST.

S. FRONT

12