

BOARD OF ALDERMEN

ITEM NO. C(3)

AGENDA ITEM ABSTRACT

MEETING DATE: NOVEMBER 20, 2012

SUBJECT: 410 LLOYD STREET RECOMBINATION, TRANSFER OF PROPERTY.

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <u> </u> No
ATTACHMENTS: A. RESOLUTION ADOPTING THE MODIFICATION B. RECOMBINATION PLAT	FOR INFORMATION CONTACT: JEFF KLEAVELAND, 918-7332

PURPOSE

Mark Patmore of Mercia Properties of Chapel Hill, representing the owner, Jackie Parish, is applying for a recombination of 408 and 410 Lloyd Street. The recombination requires property from the Town in order to correct a non-conforming lot and thereby allow the private lot to be conveyed in a sale.

INFORMATION

The house at 410 Lloyd St. encroaches onto 408 Lloyd St which is Town's property (Attachment B). Because of this the owner cannot sell the property (nor can the county which has tax issues with the owner to resolve). In reviewing the deed for the owner's property it matches the attached maps. In other words, it doesn't suggest that there is an error in the deed description and the error appears to have been in the siting of the house when it was built in 1962. As for the Town property, the 1962 Tax Map shows the land belonging to the Town in the configuration identified by the "old lot line" on Attachment B. The Town Clerk was unable to find a deed for the Town property in the vault.

The Parrish lot at 410 Lloyd Street is in nonconformity with the building setbacks and lot size minimum for the R-7.5 zoning district. To correct this, the recombination shows a new lot reconfigured accordingly. Because the lot needs some property from the Town to meet the minimum area standard (7500 sf) a one-for-one land swap is not an option. The property exchange requires 261 square feet from the Town lot to be brought into conformance with the LUO.

State statutes authorize the Town to convey property by private negotiation so long as the town "receives a full and fair consideration in exchange for its property." (G.S. 160A-271). This statute also requires that a "Notice of Intent" be published in a local newspaper at least 10 days before it is presented to the Board.

RECOMMENDATION

If the Board finds this exchange acceptable they may adopt the attached resolution (Attachment A).