



Legislation Details (With Text)

File #: 19-5420 **Version:** 1 **Name:** Abandon Laine Road-Maintenance NC DOT Div of Highways

Type: Consent **Status:** Consent

File created: 5/2/2019 **In control:** LUESA

On agenda: 5/21/2019 **Final action:**

Title: Abandonment of Laine Road Maintenance by NCDOT Division of Highways

Sponsors:

Indexes:

Code sections:

Attachments: 1. RRFBA NCDOT Letter - Laine Rd Abandonment 52119.pdf, 2. RFBA Petition - ROW Closing of Laine Road 52119.pdf, 3. 19-5420 Resol revised.pdf

Date	Ver.	Action By	Action	Result
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Title:

Abandonment of Laine Road Maintenance by NCDOT Division of Highways

Summary

ACTION:

Adopt resolution requesting the abandonment of maintenance by NCDOT for a portion of Laine Road

Staff Contact: W. Dave Canaan, LUESA Storm Water Services Division Director

Presentation: No

BACKGROUND/JUSTIFICATION:

The property owner has petitioned Mecklenburg County to close a 0.828-acre portion of public right-of-way for Laine Road in an unincorporated part of the County. The right-of-way was recorded; however, the corresponding portion of Laine Road was never constructed to North Carolina Department of Transportation (NCDOT) standards. Reportedly, the parcels will be combined and redeveloped. North Carolina General Statute 153A-241 specifies that a county may permanently close any public road or easement within the county except public roads or easements for public roads under the control and supervision of NCDOT.

NCDOT informed the petitioner on January 15, 2019 that the portion of public right-of-way for Laine Road petitioned to be closed was under their control and supervision. Currently Laine Road (State Road #1627) is in the State’s secondary system. Ms. Wendy Taylor, District Engineer for the North Carolina Department of Transportation, notified the petitioner that the North Carolina Board of Transportation must receive a resolution from the Mecklenburg Board of County Commissioners supporting the abandonment of state control and supervision of the portion of Laine Road, as shown

on the attached Exhibit A map.

General Statute 136-63 states that the Mecklenburg Board of County Commissioners may request the North Carolina Board of Transportation to abandon any road in the secondary system when the best interest of the people will be served. Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the closing of the portion of said right-of-way of Laine Road would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property and would not be contrary to the public interest. Charlotte-Mecklenburg Planning and the Mecklenburg County Fire Marshal's Office reviewed the petition and have no objection to the abandonment of the right-of-way. Once NCDOT maintenance is abandoned, an action item will be submitted requesting the approval of the Board of County Commissioners to set a public hearing for the abandonment of the 0.828-acre portion of public right-of-way for Laine Road.

PROCUREMENT BACKGROUND:

NA

POLICY IMPACT:

NA

FISCAL IMPACT:

NA