



Legislation Details (With Text)

File #: 19-5889 **Version:** 1 **Name:** Set Public Hearing - Closing a Portion of Rights-of-way for Lahaina Lane and Ogden Lane

Type: Consent **Status:** Consent

File created: 12/16/2019 **In control:** LUESA

On agenda: 1/7/2020 **Final action:** 1/7/2020

Title: Set Public Hearing - Closing a Portion of Rights-of-way for Lahaina Lane and Ogden Lane

Sponsors:

Indexes:

Code sections:

Attachments: 1. BA 19-5889 ROW Closing Lahaina Ln_Ogden Ln- Exhibit A, 2. BA 19-5889 ROW Closing Lahaina Ln_Ogden Ln- Exhibit B, 3. BA 19-5889 ROW Closing Lahaina Ln_Ogden Ln- Exhibit C, 4. BA 19-5889 ROW Closing Lahaina Ln_Ogden Ln- Map, 5. BA 19-5889 ROW Petition for Ridgewater Phase 4_1.7.2020, 6. BA 19-5889 Resolution of Intent to Close Ridgewater Phase 4 ROWs_1.7.pdf, 7. BA 19-5889 Notice of Intent Lahaina and Ogden Lane Hearing for 1.7.2020_FINAL

Date	Ver.	Action By	Action	Result
1/7/2020	1	Board of Commissioners	Approved	Pass

Title:

Set Public Hearing - Closing a Portion of Rights-of-way for Lahaina Lane and Ogden Lane

Action:

ACTION:

A. Set a public hearing for February 18, 2020 to hear all interested parties who appear and wish to be heard with respect to the closing of a portion of rights-of-way for Lahaina Lane and Ogden Lane and direct the Clerk to the Board to publish the required notice of public hearing; and

B. Adopt a resolution declaring its intent to close a portion of Lahaina Lane and Ogden Lane

Staff Contact: Crystal Goode, LUESA - Storm Water Services

Presentation: No

BACKGROUND/JUSTIFICATION:

The current property owner, Mattamy Carolina Corporation has petitioned to close a 1.51-acre portion of the public right-of-way for Lahaina Lane and Ogden Lane in the unincorporated area of Mecklenburg County. The portion of said right-of-way is located through the current and future development of the Ridgewater Subdivision Phase 4. As part of the development of Phase 4, the gravel roads will be abandoned and residents currently using these roads will have ingress and egress through the new paved roads of the approved subdivision. NCDOT informed the petitioner on March 22, 2019 that the portion of rights-of-way petitioned to be closed are not State maintained.

General Statute 153A-241 requires the Board of County Commissioners to adopt a resolution declaring its intent to close a public road in the unincorporated part of the County and call a public hearing. Attached as Exhibit A (consisting of "Map 1" and four depictions of the current rights-of-way for Lahaina Lane and Ogden Lane and the portion petitioned to be closed.). Attached as Exhibit B is the recorded plat of Ridgewater Phase 4 Map A. Attached as Exhibit C is the proposed replacement ROW for the portion petitioned for abandonment and closing. Proposed improvements to Lahania Lane and Ogden Lane and replacement ROW are to be built pursuant to the Charlotte Subdivision Ordinance requirements. The Order for Closing will be recorded only after Charlotte-Mecklenburg Planning Department approves the replacement ROW as shown on Phase 4 Map B. Once closed, the 1.51-acre portion of former the right-of-way will become vested in the adjacent parcels owed by the petitioner.

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 a portion of Lahaina Lane and Ogden Lane will not deprive any individual owning land in the vicinity of said righty-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 closing of the requested portion of said right-of-way. Charlotte-Mecklenburg Planning also verified that the residents in the area that are currently utilizing these roads have safe ingress and egress to State maintained roads.

PROCUREMENT BACKGROUND:

N/A

POLICY IMPACT:

N/A

FISCAL IMPACT:

N/A