

Item Title: Public Hearing to Close a Portion of the Public Right-of-Way of Dover Farm Road [ROW-C-01-24]

Specific Action Requested:

That the Board of Commissioners holds a public hearing to close a portion of the public right-of-way of Dover Farm Road and approves the requested road closure.

Item Summary:

Purpose: Prior to making a decision on the closing of a public right-of-way, or a portion thereof, the North Carolina General Statutes require that the Board of Commissioners must hold a public hearing.

Background: The Wake County Board of Commissioners adopted a resolution of support for the abandonment of this 139-foot portion of Dover Farm Road from the state road maintenance system on November 18, 2024. The North Carolina Board of Transportation, at its meeting on March 6, 2025, approved the abandonment of this section of Dover Farm Road from the state road maintenance system, leaving it to the Wake County Board of Commissioners to close the right-of-way.

Strategic Plan: This action aligns with the Board of Commissioners' land use regulatory authority under North Carolina General Statutes and does not relate to a specific Strategic Plan goal or initiative.

Fiscal Impact: NCDOT had previously listed this road segment in the state road maintenance system, but upon abandonment and subsequent closure of the right-of-way, the owners of the adjacent lands will assume maintenance responsibilities. Wake County has no financial obligation to maintain the road segment.

Additional Information:

The terminus of Dover Farm Road is a small rural road that serves seven (7) residential and agricultural lots off Tryon Road southwest of Raleigh (see the first map below). All lots are owned by various members of the Dover family and an associated family farm LLC with all owners being a party to this closure petition.

Dover Farm Road is a 20-foot-wide gravel road within a 60-foot public right-of-way. It does not connect through to any other road and terminates at the Dover family's private properties. The entire length of Dover Farm Road (approximately 0.6 of a mile long) has been actively maintained by NCDOT for decades, and the northern 3,000 feet of the road will continue to be maintained by NCDOT. Dover Farm Road does not appear on the Wake County Transportation Plan for any future road extension. The closure of this 139-foot section of the right-of-way for Dover Farm Road (see the second and third maps below) will not deny any other property owner with reasonable ingress or egress to their property.

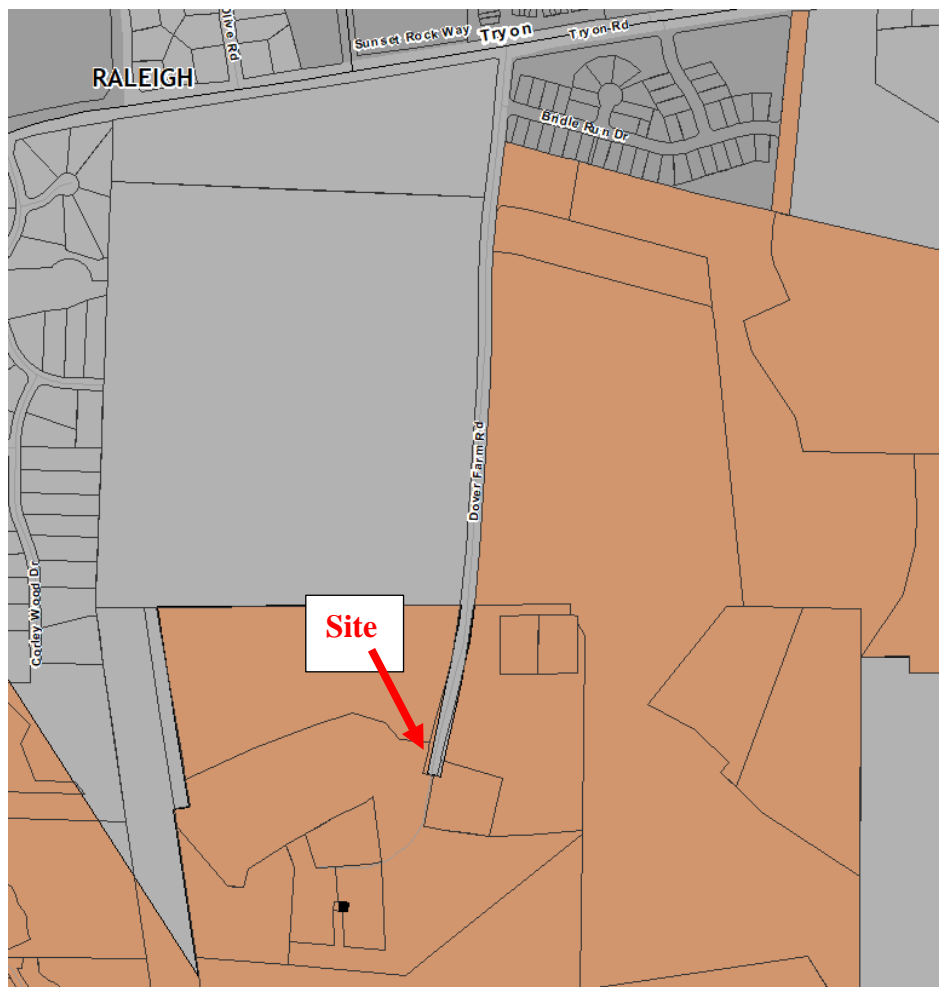
The family is making this request at this time stemming from a pending development of the adjacent 24.82-acre property to the north (which used to be family-owned property) into a 17-lot subdivision with three (3) open space parcels and their desire to secure their family property's access from the adjacent subdivision and the general public.

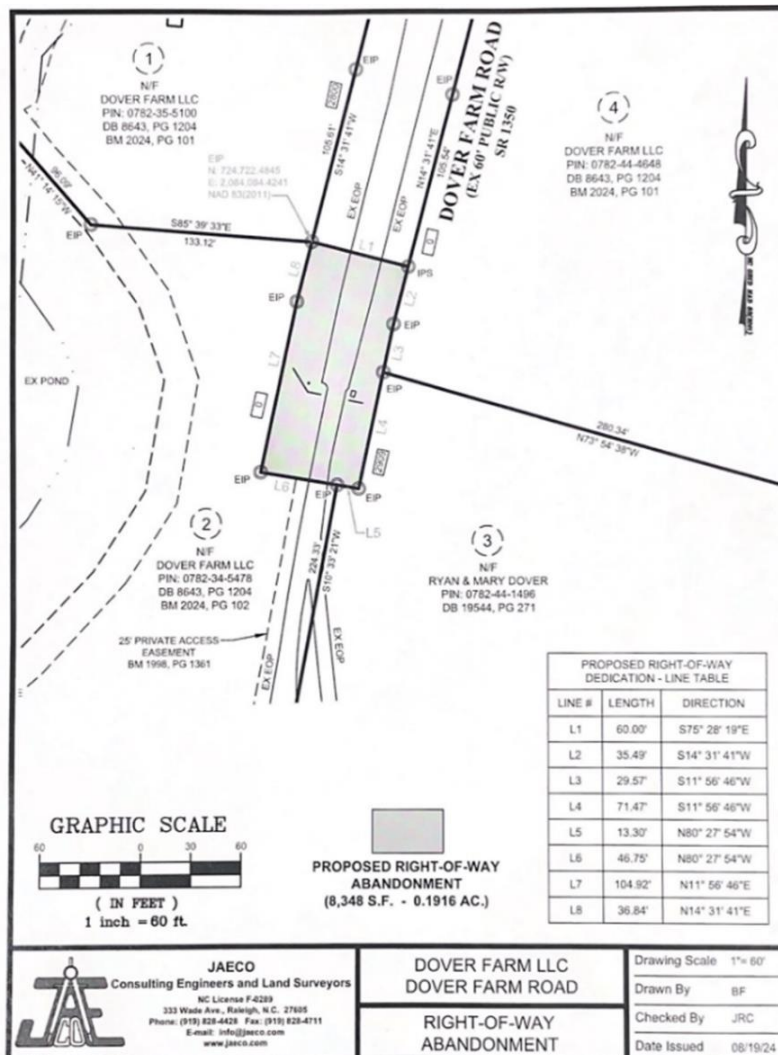
With this 139-foot portion of Dover Farm Road now formally abandoned by the State Board of Transportation from the state road maintenance system (i.e. - no longer under NCDOT's "control and supervision") it is now up to the Wake County Board of Commissioners to formally close the relevant section of the public right-of-way and allow for its recombination with the adjacent properties via the recordation of an exempt recombination plat.

Prior to making a determination of whether or not to close a portion of a public right-of-way, the Board of Commissioners must hold a public hearing.

Location Map

Southwest of Raleigh within the Swift Creek watershed, south of Tryon Road.





Planning Staff Findings

1. The requested closure of this 139-foot-long section of the Dover Farm Road right-of-way will not deny anyone a reasonable means of ingress or egress to their property.
2. Dover Farm Road does not appear on the Wake County Transportation Plan as intended for a road extension.
3. The owners of all seven (7) properties having access via the relevant section of Dover Farm Road have signed the petition for the abandonment of the indicated road segment from the state road maintenance system and its subsequent right-of-way closure.
4. All of the property owners past the portion of Dover Farm Road right-of-way that will be closed are family members and will continue to have access to their properties via a private road easement.
5. The owners of the family-owned lots will maintain the abandoned portion of Dover Farm Road (the County has no financial obligation to maintain this road segment).
6. NCDOT will continue to maintain the remainder of Dover Farm Road back out to Tryon Road.
7. The Wake County Board of Commissioners adopted a resolution of support for the abandonment of this 139-foot portion of Dover Farm Road from the state road maintenance system on November 18, 2024.
8. The North Carolina Board of Transportation, at their March 6, 2025, meeting, approved the abandonment of this 139-foot section of Dover Farm Road from the state road maintenance system, leaving it to the Wake County Board of Commissioners to close this portion of the public right-of-way.
9. The North Carolina General Statutes requires that prior to taking action on a request to close a public right-of-way that the Board of Commissioners must first hold a public hearing.

Planning Staff Recommendation

That the Board of Commissioners adopts the attached ordinance to close a portion of the public right-of-way of Dover Farm Road as shown on the attached survey document.

Attachments:

1. Presentation
2. Ordinance to Close a 139-foot Section of the Dover Farm Road Right-of-Way
3. Family Petition
4. Board Abandonment Resolution Adopted November 18, 2024
5. NC Board of Transportation's Minutes, March 6, 2025