

## Staff Report for Town Council



**Meeting Date:** March 22, 2018

**16-A-20 Kathleen Herndon Revocable Trust Annexation**

**Purpose:** Consider action on requested annexation.

**Prepared by:** Wayne Nicholas, Planning

**Speaker:** Katie Drye, Planning

**Executive Summary:** The owners of property located at 6736 Lewey Drive and unaddressed property on Lewey Drive (NE quadrant of Lewey Drive and N.C. 55 intersection) have petitioned for annexation of the property. Pursuant to statute, the Town Council held a public hearing on this request and the matter is now ready for final action.

Associated Case(s): Rezoning 17-REZ-21 (Lewey Drive Residential)

**Recommendation:** That Council consider action on the requested annexation.

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### Background:

Owners of property located outside of the corporate limits of the Town that desire to develop using Town utilities or that otherwise desire to be located in the corporate limits must first petition to be annexed, pursuant to the requirements of either NCGS Chapter 160A, Article 4, Part 1, when their property is contiguous to the corporate limits, or to NCGS Chapter 160A, Article 4, Part 4, when their property is not contiguous to the corporate limits.

Once property is annexed, the property and its citizens become subject to all the laws, ordinances, and regulations of the Town and are entitled to receive the services the Town provides (fire and police protection; solid waste; utilities; etc.). If the annexed property is located in an area served by a rural fire department, the Town may also be required to assume a proportionate share of any debt related to equipment or facilities of the rural fire department. If the property is located outside of the Town's extraterritorial jurisdiction, the property owner must also submit a rezoning application in order to establish initial Town zoning designation upon annexation.

### Discussion:

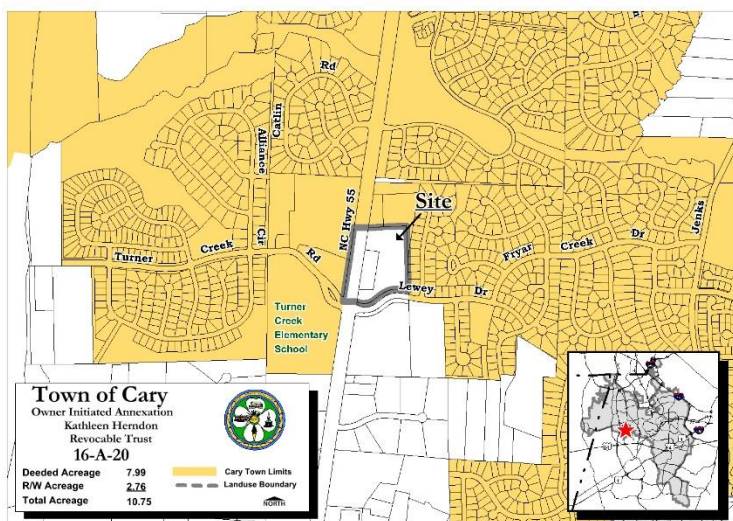
The owners of the following property filed an annexation petition with the Town on 9/1/2016.

### OWNER(S) AND PARCEL INFORMATION:

Property Owner(s) Address List	Property Location	Wake County Parcel Number (10-digit)	Wake County Real Estate ID	Deeded Acreage
Kathleen Herndon	6736 Lewey Drive	0733767775	0092142	1.5

Revocable Trust 6824 Turner Creek Road Cary, NC 27519	unaddressed property on Lewey Drive	0733860826	0288462	6.49
			Total Deeded Acres	7.99

**VICINITY MAP**



[Click the map to see surrounding development activity.](#)

As required by statute, the Town Clerk has certified that the Petition is valid and the Town Council adopted a Resolution calling for the public hearing on **11/10/2016**. A public hearing on the annexation request was held on **12/8/2016**.

The following information may be useful as Council decides whether to grant the requested annexation.

**ZONING & PROPOSED USE:**

**Current Zoning:** Wake County Highway District (HD)

**Acreage:** 7.99 plus 2.76 adjacent right of way = 10.75 total acres

**Contiguous to Primary Corporate Limits:** Yes; 73% (excluding satellite town limits)

**Existing Use:** Detached residential; vacant

**Proposed Use:** Townhomes

**UTILITIES:**

**Water:** Adjacent to site  
**Sewer:** Adjacent to site

**DISTRICTS & TAX VALUE:**

**Fire District:** Apex Fire District

**Voting District** D

**Tax Value:** \$392,402

The ordinance that Council will consider for adoption at this meeting is attached.

#2756