

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #19CZ18**

Maureen Hughes, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 3rd day of September 2019 (the "Application"). The proposed conditional zoning is designated #19CZ18.

The Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #19CZ18 before the Planning Board held on the 12th day of November 2019.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #19CZ18 before the Town Council on the 19th day of November 2019.

The Apex Planning Board held a public hearing on the 12th day of November 2019, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #19CZ18. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #19CZ18.

The Apex Town Council held a public hearing on the 19th day of November 2019. Liz Loftin, Senior Planner, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #19CZ18 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 to 0 approved Application #19CZ18 rezoning the subject tract located on 113 West Street from Office & Institutional (O&I) to Medium Density-Conditional Zoning (MD-CZ).

The Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as Medium Density Residential. This designation on the 2045 Land Use Map includes the zoning district Medium Density-Conditional Zoning (MD-CZ) and the Apex Town Council has further considered that the proposed rezoning to Medium Density-Conditional Zoning (MD-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #19CZ18
PAGE 2

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that it will allow the existing single-family home to become a conforming use. This will allow the property owner to make significant improvements to the home including the construction of an accessory structure in the back yard, which is currently prohibited due to the nonconforming status of the use. The rezoning will encourage compatible development of the property and increase the tax base.

Lance Olive
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date