

STAFF REPORT

Rezoning #20CZ16 Cusumano Property-2609 New Hill Olive Chapel Road

February 23, 2021 Town Council Meeting



All property owners within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

BACKGROUND INFORMATION:

Location: 2609 New Hill Olive Chapel Road
Applicant/Owner: Joseph D. Cusumano/ Joseph D. & Reagan L. Cusumano

PROJECT DESCRIPTION:

Acreage: ±1.90
PIN: 0710847078
Current Zoning: Wake County Residential-40W (R-40W)
Proposed Zoning: Medium Density Residential-Conditional Zoning (MD-CZ)
2045 Land Use Map: Medium Density Residential
Town Limits: Outside ETJ (annexation is required at time of rezoning)

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Wake County Residential-40W (R-40W)	Vacant
South:	Wake County Residential-40W (R-40W)	Single-family Residential
East:	Wake County Residential-40W (R-40W)	Vacant; horse barn
West:	Wake County Residential-40W (R-40W)	New Hill Olive Chapel Road; Single-family Residential

Existing Conditions:

The subject property is a total of +/- 1.90 acres and is located east of New Hill Olive Chapel Road and south of the Woodbury Subdivision. The property is vacant and cleared.

Neighborhood Meeting:

The applicant conducted neighborhood meetings on November 23, 2020 and January 25, 2021. The neighborhood meeting reports are attached.

WCPSS Coordination:

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicates that schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.

2045 LAND USE MAP:

The 2045 Land Use Map identifies the subject property as Medium Density Residential. The proposed rezoning to Medium Density Residential-Conditional Zoning (MD-CZ) is consistent with that land use classification.



PROPOSED ZONING CONDITIONS:

Limitation of Uses:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

Permitted Uses and Limitations:

1. Single-family (P)
2. Accessory apartment (P)

Conditions:

1. The exterior materials include a combination of the following building materials. The primary front façade of the main house to include:
 - a. Parged and painted block crawlspace foundation
 - b. Trex (or similar) front porch
 - c. James Hardie (or similar) vertical board and batten cement board siding
 - d. James Hardie (or similar) horizontal cement board siding
 - e. PVC porch columns
 - f. Decorative gable brackets
 - g. Decorative porch column brackets
 - h. Metal roofing
 - i. Asphalt shingles
2. The main entrance of the home shall be emphasized.
3. The garage entrance of the home is side entry.
4. The main home shall have vertical proportions. Expanses of blank walls shall not exceed forty-three (43) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade, window or door.
5. Vinyl siding will not be used, however vinyl windows and decorative elements and trim are permitted.
6. Eaves shall project at least 12 inches from the wall of the structure.
7. Each side of the main home shall contain at least 3 decorative elements such as but not limited to, the following elements:

<ul style="list-style-type: none">• Windows• Bay Windows• Recessed or Decorative window• Trim around window• Doors• Wrap around porch or side porch• Two or more building materials• Two or more siding styles• Decorative brick/stone	<ul style="list-style-type: none">• Decorative trim• Decorative shake• Decorative gable• Decorative air vents on gable• Decorative cornice• Columns• Portico• Balcony• Dormer
--	---
8. A varied color palette shall be utilized on the homes to include a minimum of three (3) color families including roof color, siding color and front door accent color.
9. Garages may protrude up to 5 feet from the front façade or porch.

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10. The roof shall be pitched at 5:12 or greater for 75% of the building designs.
11. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
12. Front porches shall be a minimum of 6 feet deep.
13. The existing parcel is served by two driveways accessing New Hill Olive Chapel Road. Subdivision of the parcel into two or more lots shall not increase the total number of existing driveways.
14. The minimum front building setback shall be 40 feet from the current right-of-way.
15. All single-family homes are to be pre-configured with conduit for a solar energy system.

ENVIRONMENTAL ADVISORY BOARD REVIEW:

The Environmental Advisory Board reviewed this rezoning at their November 19, 2020 meeting and did not offer any suggested zoning conditions.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the rezoning #20CZ16 with conditions offered by the applicant.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a Public Hearing on February 8, 2021 and voted on February 10, 2021 to unanimously recommend approval of the rezoning with the conditions offered by the applicant, by a vote of 9-0.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness, and effect on public interest:

Approval of the rezoning is reasonable because the proposed Medium Density Residential-Conditional Zoning (MD-CZ) district is consistent with the 2045 Land Use Plan. The 2045 Land Use Map classifies the subject property as Medium Density Residential which includes the MD-CZ district.

The proposed rezoning is reasonable and in the public interest because it will permit single-family residential development consistent and compatible with the surrounding area. In addition, the proposed rezoning will allow the property to connect to Town water and sewer services.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the MD-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

Legislative Considerations

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

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- 2) *Compatibility.* The proposed Conditional Zoning District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
- 6) *Impact on public facilities.* The proposed Conditional Zoning District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.



Rezoning #20CZ16

Belterra

Woodbury

Jazzy St

Lex Ln

New Hill Olive Chapel Rd

Athlete Dr

0 250 500
Feet

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 20CZ16 Submittal Date: 11/10/20
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: Cusumano Residence
Address(es): 2109 New Hill Olive Chapel Rd New Hill, NC 27562
PIN(s): 0110847078

Acreage: 1.9
Current Zoning: R-40W Residential 40 Proposed Zoning: MD-CZ
Current 2045 LUM Designation: Watershed Medium Density Residential
Proposed 2045 LUM Designation: _____
See next page for LUM Amendment.

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: Acreage: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Joseph D. Cusumano
Address: 959 Tender Dr.
City: Apex State: NC Zip: 27503
Phone: 919.909.5782 E-mail: ABCustomHomes@outlook.com

Owner Information

Name: Joseph D. Cusumano
Address: 959 Tender Dr.
City: Apex State: NC Zip: 27503
Phone: 919.909.5782 E-mail: AB Custom Homes @ outlook . com

Agent Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____
Other contacts: _____

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: 20CZ16 Submittal Date: _____

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

Current 2045 Land Use Classification: _____

Proposed 2045 Land Use Classification: _____

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

PETITION INFORMATION

Application #: 20CZ16 Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from R40W to MD-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

PROPOSED USES:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

- | | | | |
|----|----------------------------------|----|-------|
| 1 | <u>single-family residential</u> | 21 | _____ |
| 2 | <u>accessory apartment</u> | 22 | _____ |
| 3 | _____ | 23 | _____ |
| 4 | _____ | 24 | _____ |
| 5 | _____ | 25 | _____ |
| 6 | _____ | 26 | _____ |
| 7 | _____ | 27 | _____ |
| 8 | _____ | 28 | _____ |
| 9 | _____ | 29 | _____ |
| 10 | _____ | 30 | _____ |
| 11 | _____ | 31 | _____ |
| 12 | _____ | 32 | _____ |
| 13 | _____ | 33 | _____ |
| 14 | _____ | 34 | _____ |
| 15 | _____ | 35 | _____ |
| 16 | _____ | 36 | _____ |
| 17 | _____ | 37 | _____ |
| 18 | _____ | 38 | _____ |
| 19 | _____ | 39 | _____ |
| 20 | _____ | 40 | _____ |

PROPOSED Conditions (Addendum)

1. The exterior materials include a combination of the following building materials. The primary front façade of the main house to include:

- A. Parged and painted block crawlspace foundation
- B. Trex (or similar) front porch
- C. James Hardie (or similar) vertical board and batten cement board siding
- D. James Hardie (or similar) horizontal cement board siding
- E. PVC porch columns
- F. Decorative gable brackets
- G. Decorative porch column brackets
- H. Metal roofing
- I. Asphalt shingles

2. The main entrance of the home shall be emphasized.

3. The garage entrance of the home is side entry

4. The main home shall have vertical proportions. Expanses of blank walls shall not exceed forty-three (43) feet in width without being interrupted with an architectural feature such as, but not limited to, a column, recess in or projection from the building façade, window or door.

5. Vinyl siding will not be used, however vinyl windows and decorative elements and trim are permitted.

6. Eaves shall project at least 12 inches from the wall of the structure.

7. Each side of the main home shall contain at least 3 decorative elements such as, but not limited to, the following elements:

- Windows
- Bay Windows
- Recessed or Decorative window
- Trim around window
- Doors
- Wrap around porch or side porch
- Two or more building materials
- Two or more siding styles
- Decorative brick/stone
- Decorative trim
- Decorative shake
- Decorative gable
- Decorative air vents on gable
- Decorative cornice
- Columns
- Portico

20CZ16

- Balcony
- Dormer

8. A varied color palette shall be utilized on the homes to include a minimum of three (3) color families including roof color, siding color and front door accent color.

9. Garages may protrude up to 5 feet from the front façade or porch.

10. The roof shall be pitched at 5:12 or greater for 75% of the building designs.

11. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.

12. Front porches shall be a minimum of 6 feet deep.

13. The existing parcel is served by two driveways accessing New Hill Olive Chapel Road. Subdivision of the parcel into two or more lots shall not increase the total number of existing driveways.

14. The minimum front building setback shall be 40 feet from the current right-of-way.

*All single family homes are to be pre-configured with conduit for a solar energy system.

Handwritten signature 12/18/20
page 1 of 2

PETITION INFORMATION

Application #:

20CZ16

Submittal Date: _____

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

See previous addendum.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

the proposed use is compatible with the 2045 land use map.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

the proposed use is consistent w/ surrounding areas.

PETITION INFORMATION

Application #:

20CZ16

Submittal Date:

3) Zoning district supplemental standards. The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4, Supplemental Standards, if applicable.

The proposed use will meet the required Supplemental standards for the proposed use(s).

4) Design minimizes adverse impact. The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

The design will have no adverse effect on any of the forementioned items.

5) Design minimizes environmental impact. The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The design will not have an impact on the forementioned items.

All single family homes will be pre-configured with conduit for a solar energy system.

6) Impact on public facilities. The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

The proposed land use will not have an adverse impact on the forementioned items.

7) Health, safety, and welfare. The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The proposed land use will not have an effect on the forementioned items.

PETITION INFORMATION

Application #: 20CZ16 Submittal Date: _____

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

The proposed zoning will not be detrimental to adjacent properties

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The proposed zoning will not constitute a nuisance or hazard

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The proposed development will meet the standards within various sections of the Town of Apex UDO.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 20CZ16

Submittal Date: 10/30/20

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	<u>Atkins, Laura B</u>	<u>0710847301</u>
2.	<u>Atkins, Laura B</u>	<u>0710940436</u>
3.	<u>Atkins, Laura B</u>	<u>0710940061</u>
4.	<u>Dhillon, Hardip Singh</u>	<u>0710836780</u>
5.	<u>Hicks, Michael N</u>	<u>0710835932</u>
6.	<u>KB Homes</u>	<u>0710831979</u>
7.	<u>KB Homes</u>	<u>0710747480</u>
8.	<u>Atkins, Laura B</u>	<u>0710846444</u>
9.	<u>Hudson, Claude Lee Jr</u>	<u>0710931641</u>
10.	<u>Martin, Andrew T</u>	<u>0710835242</u>
11.		
12.		
13.		
14.		
15.		

I, Joseph D. Cusumano, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

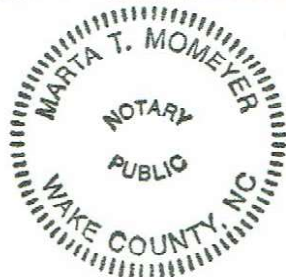
Date: 11/6/20

By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Marta T. Momeyer, a Notary Public for the above State and County, on this the 6 day of November, 2020.

SEAL



Marta T. Momeyer
Notary Public
Marta T. Momeyer
Print Name

My Commission Expires: October 26, 2025

AGENT AUTHORIZATION FORM

Application #: 20CZ16

Submittal Date: 10/30/20

Joseph D. Cusumano is the owner* of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: _____

The property address is: 2609 New Hill Olive Chapel Rd. New Hill NC 27562

The agent for this project is: Joseph D. Cusumano

I am the owner of the property and will be acting as my own agent


Agent Name: Joseph D. Cusumano

Address: 959 Tender Dr. Apex NC 27520

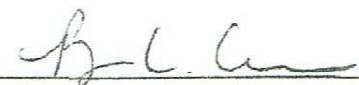
Telephone Number: 919-909-5782

E-Mail Address: thecusumanos@gmail.com

Signature(s) of Owner(s)*


JOSEPH D CUSUMANO Type or print name

10/20/20 Date


REAGAN L. CUSUMANO Type or print name

10/30/20 Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: 20CZ16

Submittal Date: 11/14/20

The undersigned, Joseph D. Cusumano (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

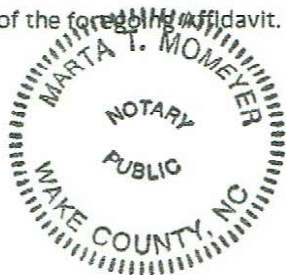
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 2609 New Hill Olive Chapel Rd. and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/6/2020, and recorded in the Wake County Register of Deeds Office on 11/6/2020, in Book 018174 Page 501-507.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 11/6/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 11/6/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 11 day of 6, 2020.

[Signature] (seal)
JOSEPH D. CUSUMANO
 Type or print name

STATE OF NORTH CAROLINA
 COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Joseph David Cusumano, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's driver's license, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing affidavit.



[NOTARY SEAL]

Marta T. Momeyer
 Notary Public Marta T. Momeyer
 State of North Carolina
 My Commission Expires: October 26, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 20CZ14

Submittal Date: _____

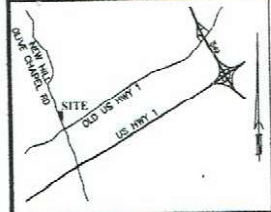
Insert legal description below.

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING at a bolt in the center line of the paved SR 1141, the New Hill-Olive Chapel Road, said bolt also being in Pauline Lashlee's line and runs thence with her line South 84 degrees 30 minutes East 309 feet to a railroad rail stake, said Lashlee's corner; thence another line with said Lashlee South 5 degrees 30 minutes West 396 feet to an iron shaft; thence another line with said Lashlee and past her corner with E.C. Olive's line North 84 degrees 30 minutes West 110.6 feet to an iron in the center line of said paved road; thence along the center line of said road North 21 degrees 15 minutes West 444.3 feet to the point of BEGINNING, containing 1.9 acres, more or less, according to survey of E.C. Smith, RLS, dated September 23, 1970 and being a part of the land described in a deed from Mrs. L.T. Holt, et al to E.C. Olive and wife, dated January 2, 1938 and recorded in Book 769, Page 403, Wake County Registry.



20CZ16

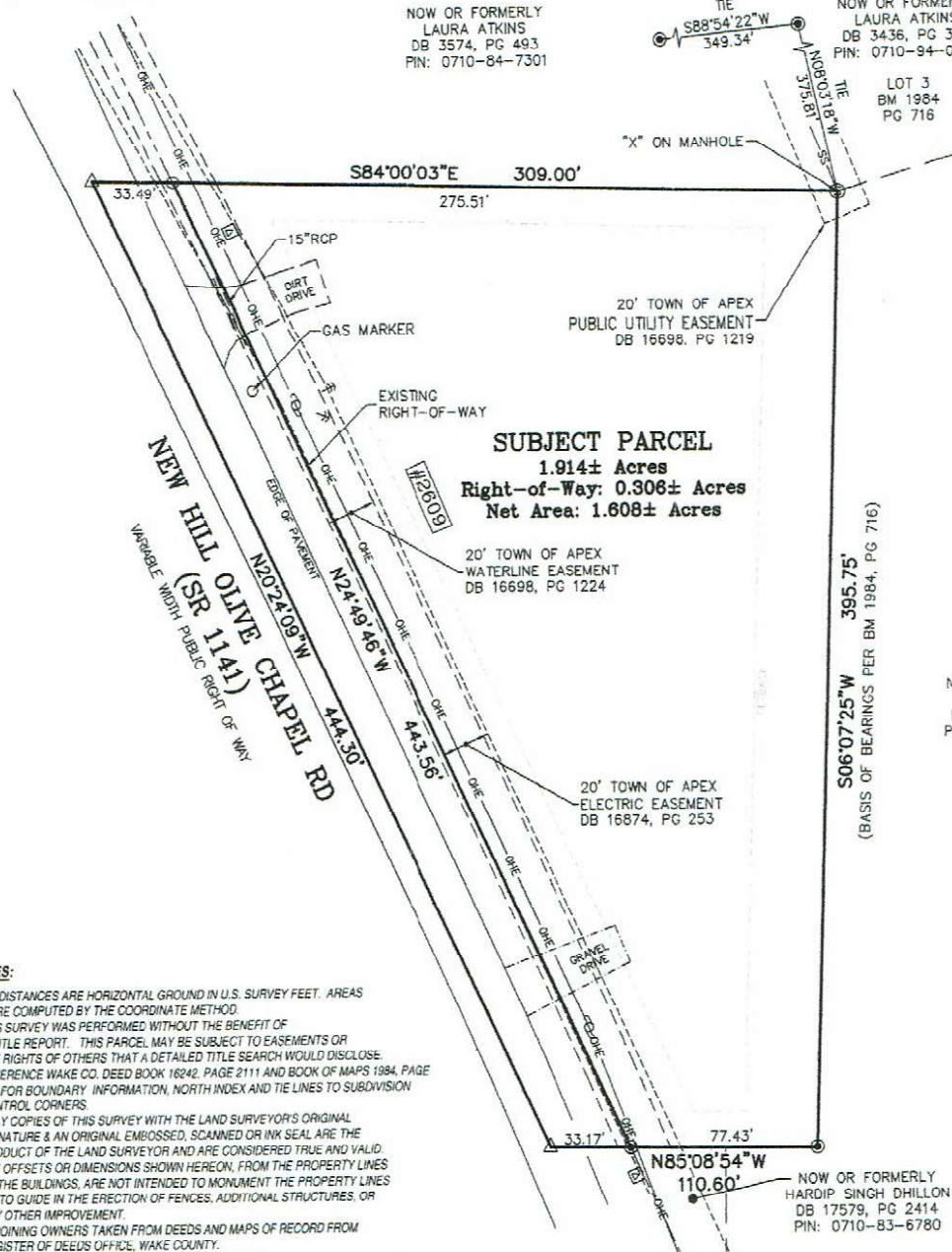


VICINITY MAP (NTS)

NOW OR FORMERLY
LAURA ATKINS
DB 3574, PG 493
PIN: 0710-84-7301

NOW OR FORMERLY
LAURA ATKINS
DB 3436, PG 308
PIN: 0710-94-0436

LOT 3
BM 1984
PG 716



SUBJECT PARCEL
1.914± Acres
Right-of-Way: 0.308± Acres
Net Area: 1.608± Acres



NOW OR FORMERLY
LAURA ATKINS
DB 3436, PG 308
PIN: 0710-94-0061

LOT 2
BM 1984
PG 716

S06°07'25"W 395.75'
(BASIS OF BEARINGS PER BM 1984, PG 716)

NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND IN U.S. SURVEY FEET. AREAS WERE COMPUTED BY THE COORDINATE METHOD.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OR THE RIGHTS OF OTHERS THAT A DETAILED TITLE SEARCH WOULD DISCLOSE.
3. REFERENCE WAKE CO. DEED BOOK 16242, PAGE 2111 AND BOOK OF MAPS 1984, PAGE 716 FOR BOUNDARY INFORMATION, NORTH INDEX AND TIE LINES TO SUBDIVISION CONTROL CORNERS.
4. ONLY COPIES OF THIS SURVEY WITH THE LAND SURVEYOR'S ORIGINAL SIGNATURE & AN ORIGINAL EMBOSSED, SCANNED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR AND ARE CONSIDERED TRUE AND VALID.
5. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE BUILDINGS, ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE IN THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENT.
6. ADJOINING OWNERS TAKEN FROM DEEDS AND MAPS OF RECORD FROM REGISTER OF DEEDS OFFICE, WAKE COUNTY.
7. SETBACKS: FRONT & CORNER, 30'; SIDE, 15'; REAR, 30'
8. PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SCALED FROM THE NFP FIRM NO. 372007100K, EFFECTIVE DATE: FEBRUARY 2, 2007.
9. ZONING: R-40W.
10. MAXIMUM IMPERVIOUS COVERAGE: 21,012 SF, (30%)

NOW OR FORMERLY
HARDIP SINGH DHILLON
DB 17579, PG 2414
PIN: 0710-83-6780

PROPERTY SURVEY
2609 NEW HILL OLIVE CHAPEL ROAD

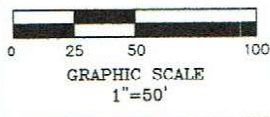
WAKE COUNTY PARCEL NO. 0710-84-7078
BUCKHORN TOWNSHIP, WAKE COUNTY, NC

SURVEYED FOR
AR CUSTOM HOMES, LLC
959 TENDER DRIVE
APEX, NC 27502



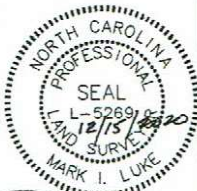
MSS LAND CONSULTANTS, PC
"Committed to Total Quality Service"
Firm License: C-2070
EST. 1998

6118 St. Giles St Phone (919) 510-4464
(Suite E) Fax (919) 510-9102
Raleigh, NC 27612 Email: gowersw@msland.com



- LEGEND**
- △ MATHEMATICAL POINT
 - IRON PIN SET
 - ⊙ IRON PIN EXISTING
 - ⊠ TELEPHONE PEDESTAL
 - ⊕ SANITARY MANHOLE
 - ⊖ UTILITY POLE
 - GUY WIRE
 - OHE— OVERHEAD ELECTRIC LINES
 - SS— SANITARY SEWER PIPE

I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION. THIS PLAT DOES NOT CONFORM TO GS-47-30 AS AMENDED AND IS INTENDED FOR MORTGAGE CLOSING PURPOSES ONLY, NOT FOR RECORDATION. THE DIMENSIONS SHOWN HEREON FROM THE PROPERTY LINES TO THE BUILDINGS ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE IN THE ERECTION OF FENCES OR ANY OTHER IMPROVEMENT. THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND SURVEYOR EXCEEDS THE SCOPE OF ENGAGEMENT.



Mark I. Luke
MARK I. LUKE, PLS L-5269

C:\MS-DOS\DISK2\MIS-20-33\2609 New Hill Olive Chapel Rd.dwg NEW HILL LOT.dwg Layout: 12/15/2020 11:42:06 AM Jluke06.L1

2045 Land Use Map

Town of Apex, North Carolina

Project February 11, 2020



2045 Land Use Map Classification	Applicable Zoning Districts
Protected Open Space	PO
Rural Density Residential	RD, RA, RD2
Low Density Residential	LD, LA, LD2, LD3
Medium Density Residential	MD, MA, MD2
High Density Residential	HD, HA, HD2, HD3
Office Employment	OE, OA, OE2, OE3, OE4
Commercial Services	CS, CA, CS2, CS3, CS4
Industrial Employment	IE, IA, IE2, IE3, IE4
Park—Public or Private	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where recreational uses are permitted.
School	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where school uses are permitted.
Sanitary Landfill	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where sanitary landfills are permitted.
Right-of-Way	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where right-of-way uses are permitted.
Mixed Use	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where mixed-use uses are permitted.
Property Lines	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where property lines are permitted.
Duke Energy Land	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where Duke Energy land uses are permitted.
Proposed Thoroughfares	Refer to Section 4.2 Use Table in the Town of Apex Unified Development Ordinance for zoning districts where proposed thoroughfares are permitted.

Future Land Classifications

- Protected Open Space
- Rural Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Office Employment
- Commercial Services
- Industrial Employment
- Park—Public or Private
- School
- Sanitary Landfill
- Right-of-Way
- Mixed Use
- Property Lines
- Duke Energy Land
- Proposed Thoroughfares

Potential Activity Centers

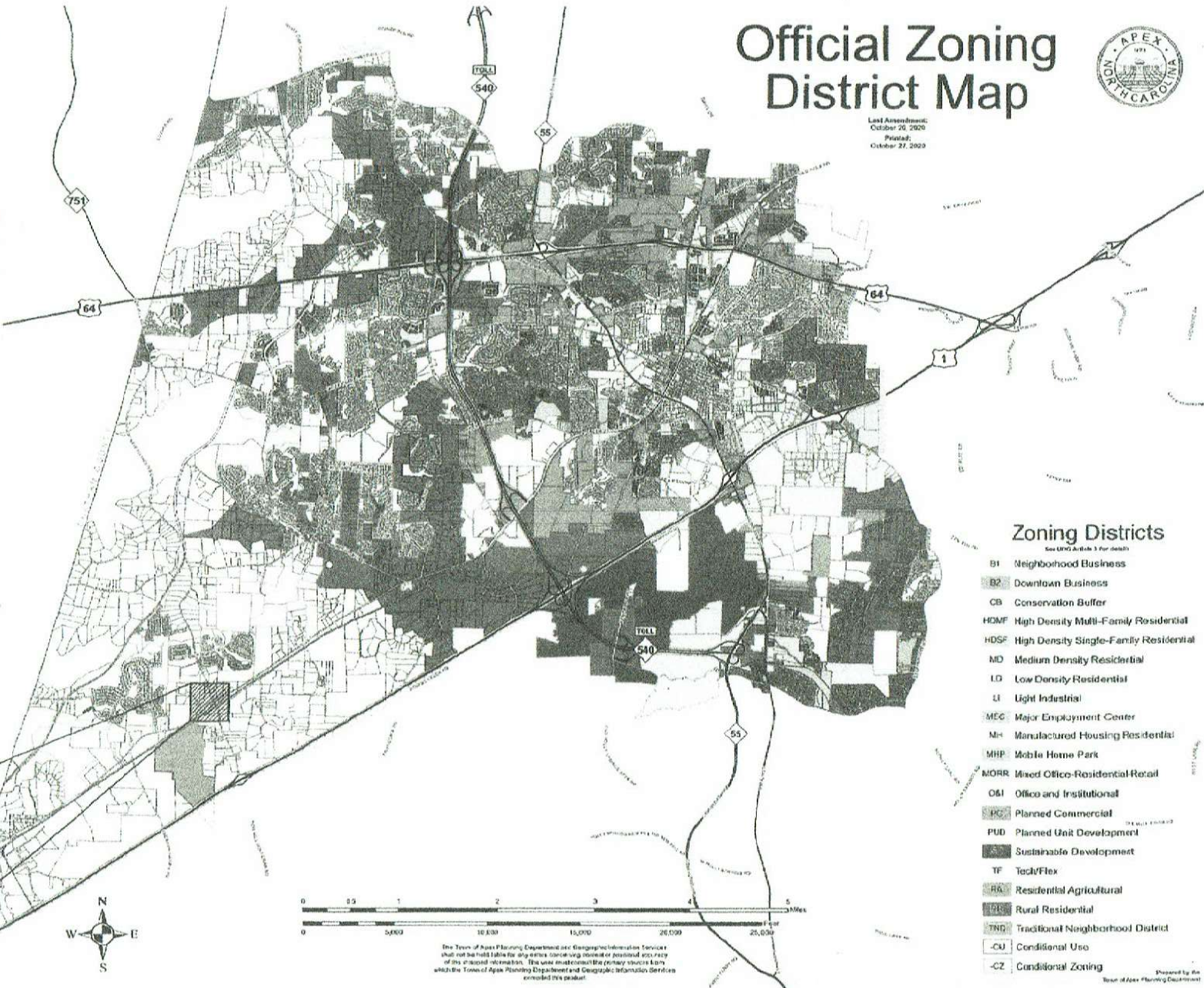
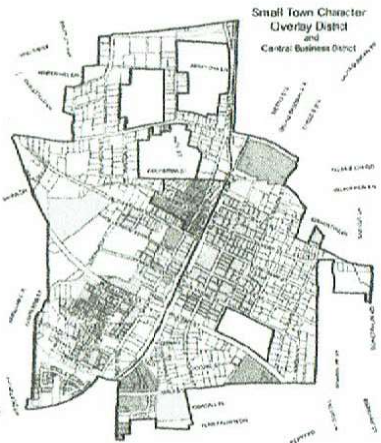
- Neighborhood Mixed Use (NMU)**
Economic development potential estimated to be, but not limited to:
• Up to 100,000 sq ft of commercial
• 10 to 25 prime trade area
- Employment Mixed Use (EMU)**
Economic development potential estimated to be, but not limited to:
• Office, manufacturing, and other
• Office construction
• 10 to 25 prime trade area
- Community Mixed Use (CMU)**
Economic development potential estimated to be, but not limited to:
• Up to 100,000 sq ft of commercial
• 10 to 25 prime trade area
- Regional Mixed Use (RMU)**
Economic development potential estimated to be, but not limited to:
• Up to 200,000 sq ft of commercial
• 10 to 25 prime trade area
- Recreational Mixed Use (XMU)**
Economic development potential estimated to be, but not limited to:
• 100 to 200,000 sq ft of commercial
• 10 to 25 prime trade area

*Apartment allowed within the Town Center
See Town Center Development Ordinance for details.

Official Zoning District Map



Last Amended: October 26, 2020
 Printed: October 27, 2023



Zoning Districts

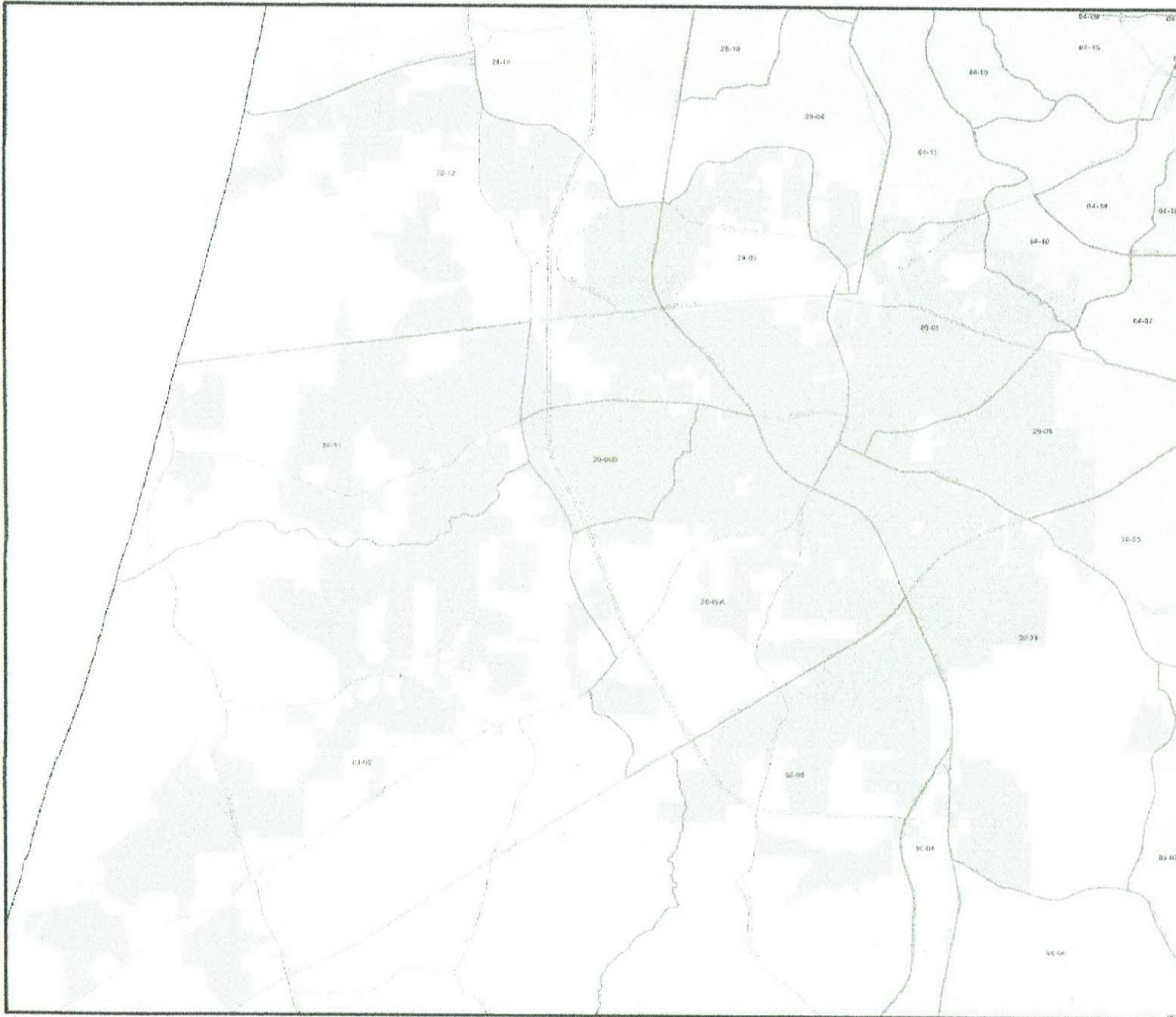
- See UNC Article 1 For details
- B1 Neighborhood Business
 - B2 Downtown Business
 - CB Conservation Buffer
 - HDMF High Density Multi-Family Residential
 - HDSF High Density Single-Family Residential
 - MD Medium Density Residential
 - LD Low Density Residential
 - LI Light Industrial
 - MEC Major Employment Center
 - MH Manufactured Housing Residential
 - MHP Mobile Home Park
 - MORR Mixed Office-Residential/Retail
 - OBI Office and Institutional
 - PC Planned Commercial
 - PUD Planned Unit Development
 - SD Sustainable Development
 - TF Tech/Flex
 - RA Residential Agricultural
 - RR Rural Residential
 - TND Traditional Neighborhood District
 - CU Conditional Use
 - CZ Conditional Zoning






The Town of Apex Planning Department and Geographic Information Services shall not be held liable for any errors concerning content or positional accuracy of this printed information. The user understands the primary source is from within the Town of Apex Planning Department and Geographic Information Services compiled this product.

Prepared by the
 Town of Apex Planning Department

Precincts by Municipality Apex



Legend

-  Wake County Boundary
-  Precincts
-  Major Roads

MAP INFORMATION:

Precincts by Municipality
 Prepared by Y. GONCALVES, Project Manager, Wake County GIS Department
 Wake County GIS Department
 100 S. Salisbury St. Raleigh, NC 27607
 WPA, 04/20/06
 WPA, 04/20/06
 Project 0700



Information depicted hereon is for reference purposes only and is derived from best available sources. Wake County assumes no responsibility for errors arising from misuses of this map.



Tools

Maps

0710747480

0710940436

0710847301

0710831979

0710847078

0710940061

0710835932

Woods Hill Drive (Unimproved Rd)

0710836780

0710736732

0 50 100ft

Overview

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

11/14/20

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

2609 New Hill Olive Chapel Rd. New Hill, NC 27562

0710847078

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/>	Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

The property is proposed to be subdivided into two lots for single family-residential with an accessory apartment on the first and in the future a single family-residential on the second.

Estimated submittal date: _____

MEETING INFORMATION:

Property Owner(s) name(s): Joseph D. and Reagan L. Cusumano

Applicant(s): Joseph D. Cusumano

Contact information (email/phone): 919-909-5782 / ARcustomhomes@outlook.com

Meeting Address: 2609 New Hill Olive Chapel Rd. New Hill, NC 27562

Date of meeting**: Monday Nov. 23rd 2020

Time of meeting**: 5:00pm

MEETING AGENDA TIMES:

Welcome: 5:00pm Project Presentation: 5:10pm Question & Answer: 5:30pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: 7601 New Hill Olive Chapel Rd.
 Date of meeting: 11/23/20 Time of meeting: 5pm - 7pm
 Property Owner(s) name(s): Joseph & Reagan Cusumano
 Applicant(s): Joseph & Reagan Cusumano

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Judy Hudson	2701 New Hill Olive Chapel Rd	[REDACTED]	[REDACTED]	
2.	Claude Hudson	2701 New Hill Olive Chapel Rd			
3.	Joni Lowman	5875 Old US 61			
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Joseph & Reagan Cusumano
Applicant(s): Joseph Cusumano
Contact information (email/phone): 919.909.5782 ARCustombases@outlook.com
Meeting Address: 2609 New Hill Olive Chapel Rd. New Hill NC 27562
Date of meeting: 11/23/20 Time of meeting: 5pm

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Questioned what the accessory apartment was.

Applicant's Response:

two car garage w/ a loft above for my personal office

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Joseph D. Cusumano, do hereby declare as follows:
Print Name

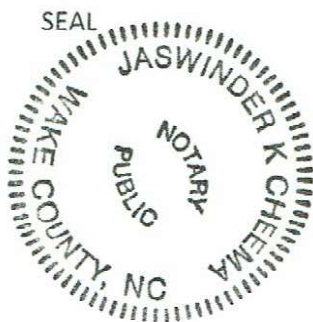
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 2609 New Hill Olive Chapel Rd (location/address) on 11/23/2020 (date) from 5pm (start time) to 7pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

11/24/2020
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jaswinder K Cheema, a Notary Public for the above State and County, on this the 24 day of Nov, 2020.



Jaswinder K Cheema
Notary Public
JASWINDER K CHEEMA
Print Name

My Commission Expires: Nov 9, 2021

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Cusumano Residence Zoning: _____

Location: 2609 New Hill Olive Chapel Rd. New Hill, NC 27562

Property PIN(s): 0710847078 Acreage/Square Feet: 1.914 / 83,373.84

Property Owner: Joseph D. and Reagan L. Cusumano

Address: 959 Tender Dr.

City: Apex State: NC Zip: 27502

Phone: 919-909-5782 Email: ARcustomhomes@outlook.com

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): AR Custom Homes, LLC

Address: 959 Tender Dr.

City: Apex State: NC Zip: 27502

Phone: 919-909-5782 Fax: _____ Email: ARcustomhomes@outlook.com

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager	(919) 249-3413
Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

1/13/21

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

2609 New Hill Olive Chapel Rd. New Hill, NC 27562

0710847078

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

The property is proposed to be subdivided into two lots for single family-residential with an accessory apartment on the first and in the future a single family-residential on the second.

Estimated submittal date: _____

MEETING INFORMATION:

Property Owner(s) name(s): Joseph D. and Reagan L. Cusumano

Applicant(s): Joseph D. Cusumano

Contact information (email/phone): 919-909-5782 / ARcustomhomes@outlook.com

Meeting Address: 2609 New Hill Olive Chapel Rd. New Hill, NC 27562

Date of meeting**: Monday Jan. 25 2021

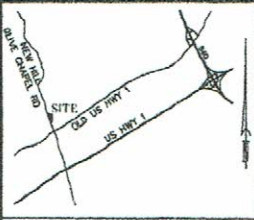
Time of meeting**: 5:00pm - 7:00pm

MEETING AGENDA TIMES:

Welcome: 5:00pm Project Presentation: 5:10pm Question & Answer: 5:30pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

The image shows a screenshot of the iMAPS web application. The main map area displays property boundaries in a light gray color against a darker background. A search bar is located in the top right corner, with the text "Search" and a dropdown menu set to "For Property". Below the search bar is a search input field containing the text "Enter address, owner, PIN, REID, or street". A table is positioned below the search bar, with columns labeled "Address", "Owner", and "PIN". The table contains the text "No records found". In the bottom right corner of the map area, there is a text overlay that says "0 properties found." and a "Layers" button with a hamburger menu icon. The map includes several street names: "Estates Edge Dr", "Jordan Pointe Blvd", "Lashlee Way", "Near Hill Olive Chapel Rd", "Old Us Hwy", and "New Hill". A scale bar at the bottom left indicates distances of 0, 200, and 400 feet. A north arrow is also present in the bottom left corner.

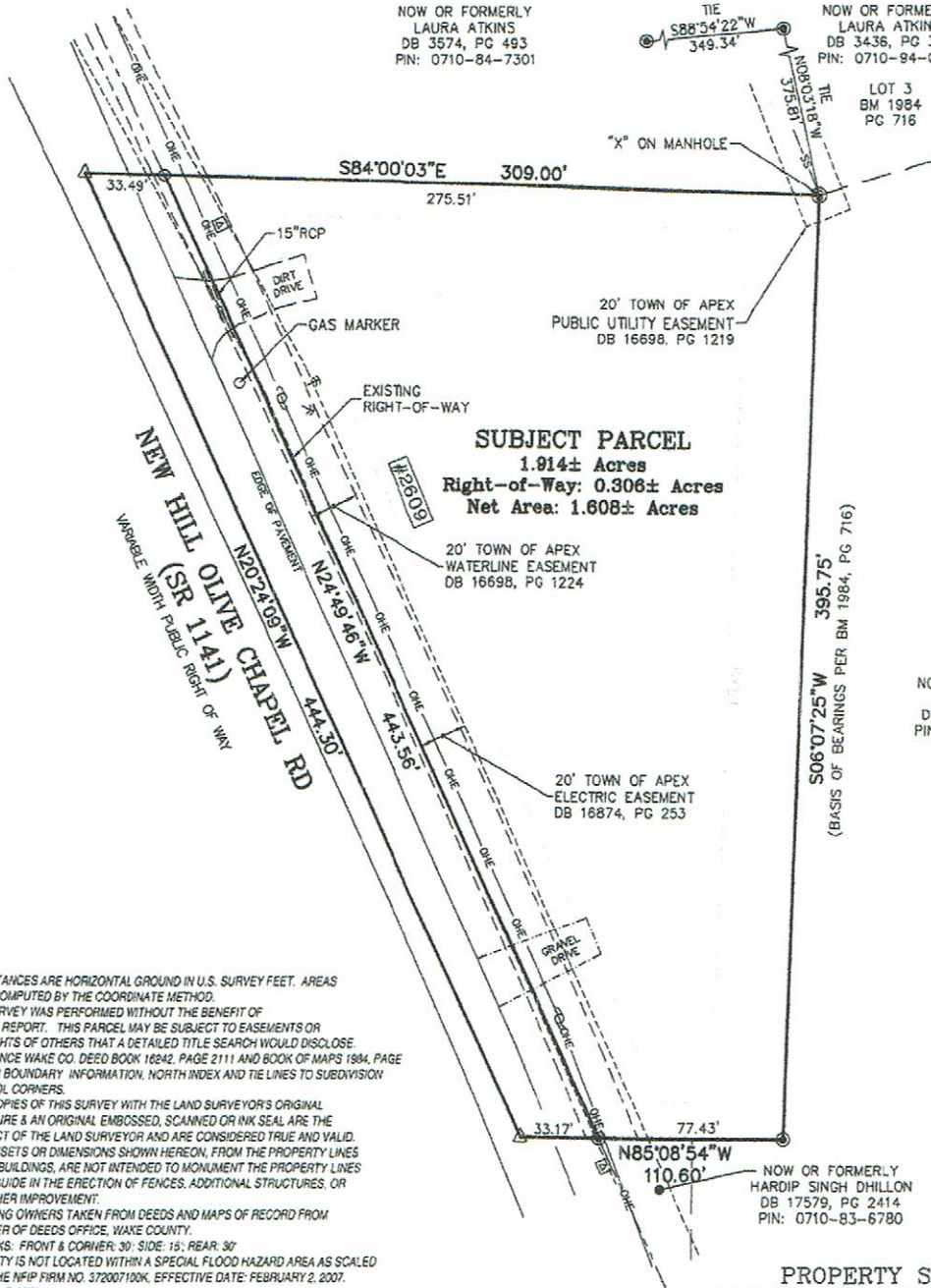


VICINITY MAP (NTS)

NOW OR FORMERLY
LAURA ATKINS
DB 3574, PG 493
PIN: 0710-84-7301

NOW OR FORMERLY
LAURA ATKINS
DB 3436, PG 308
PIN: 0710-84-0436

LOT 3
BM 1984
PG 716



SUBJECT PARCEL
1.914± Acres
Right-of-Way: 0.306± Acres
Net Area: 1.608± Acres

NOW OR FORMERLY
LAURA ATKINS
DB 3436, PG 308
PIN: 0710-84-0051

LOT 2
BM 1984
PG 716

NOW OR FORMERLY
HARDIP SINGH DHILLON
DB 17579, PG 2414
PIN: 0710-83-6780

NOTES:

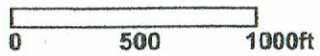
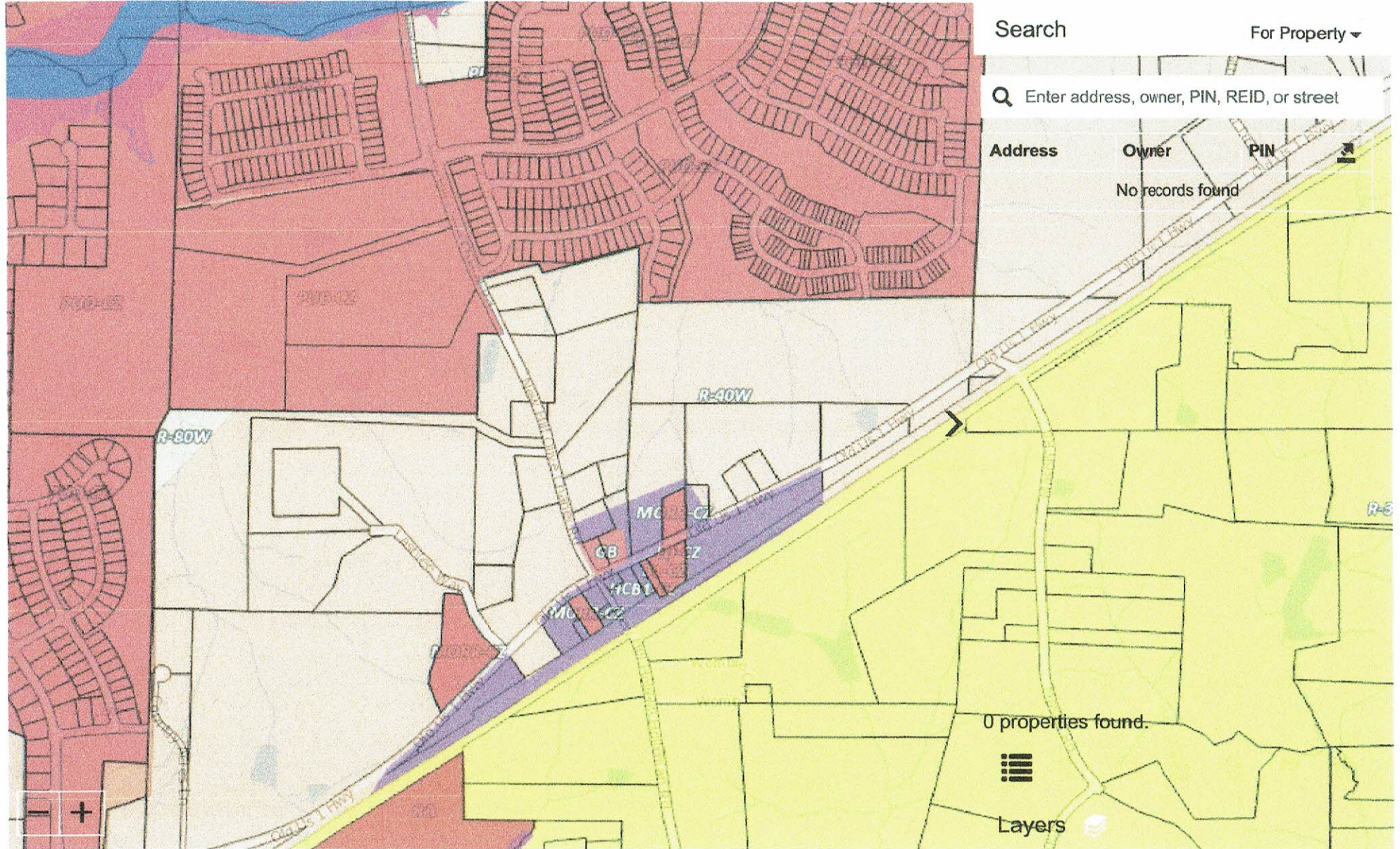
1. ALL DISTANCES ARE HORIZONTAL GROUND IN U.S. SURVEY FEET. AREAS WERE COMPUTED BY THE COORDINATE METHOD.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OR THE RIGHTS OF OTHERS THAT A DETAILED TITLE SEARCH WOULD DISCLOSE.
3. REFERENCE WAKE CO. DEED BOOK 16242, PAGE 2111 AND BOOK OF MAPS 1984, PAGE 716 FOR BOUNDARY INFORMATION, NORTH INDEX AND TIE LINES TO SUBDIVISION CONTROL CORNERS.
4. ONLY COPIES OF THIS SURVEY WITH THE LAND SURVEYOR'S ORIGINAL SIGNATURE & AN ORIGINAL EMBOSSED, SCANNED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR AND ARE CONSIDERED TRUE AND VALID.
5. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE BUILDINGS, ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE IN THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENT.
6. ADJOINING OWNERS TAKEN FROM DEEDS AND MAPS OF RECORD FROM REGISTER OF DEEDS OFFICE, WAKE COUNTY.
7. SETBACKS: FRONT & CORNER: 30'; SIDE: 15'; REAR: 30'
8. PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SCALED FROM THE NFIP FIRM NO. 372007100K, EFFECTIVE DATE: FEBRUARY 2, 2007.
9. ZONING: R-40W.
10. MAXIMUM IMPERVIOUS COVERAGE: 21,012 SF. (90%)

PROPERTY SURVEY
2609 NEW HILL OLIVE CHAPEL ROAD

<p>WAKE COUNTY PARCEL NO. 0710-84-7076 BUCKHORN TOWNSHIP, WAKE COUNTY, NC</p>				<p>I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION. THIS PLAT DOES NOT CONFORM TO GS-47-30 AS AMENDED AND IS INTENDED FOR MORTGAGE CLOSING PURPOSES ONLY, NOT FOR RECORDATION. THE DIMENSIONS SHOWN HEREON FROM THE PROPERTY LINES OR TO GUIDE IN THE ERECTION OF FENCES OR ANY OTHER IMPROVEMENT, THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND SURVEYOR EXCEEDS THE SCOPE OF ENGAGEMENT.</p>
<p>SURVEYED FOR AR CUSTOM HOMES, LLC 969 TENDER DRIVE APEX, NC 27502</p>		<p>LEGEND</p> <ul style="list-style-type: none"> ⊙ MATHEMATICAL POINT ⊙ IRON PIN SET ⊙ IRON PIN EXISTING ⊙ TELEPHONE PEDESTAL ⊙ SANITARY MANHOLE ⊙ UTILITY POLE → GUY WIRE —O— OVERHEAD ELECTRIC LINES —SS— SANITARY SEWER PIPE 		
<p>MSS LAND CONSULTANTS, PC "Committed to Total Quality Service" Firm License: C-2070 EST. 1998</p> <p>8118 St. Giles St. Phone (919) 510-4464 (Suite E) Fax (919) 510-9102 Raleigh, NC 27612 Email: gowers@mssland.com</p>		<p>MARK I. LUKE, PLS L-5269</p>		
DATE: 10/14/2020	SCALE: 1"=50'	DRAWN: ML	CHECK:	FILE: MIS-20-33

REV. 12/15/2009: ADDED EXIST. DIRT DRIVE

C:\MIS-2005\2020\MIS-20-33\2609 New Hill Olive Chapel Rd.dwg NEW HILL 1.01.dwg, Layout: 12/15/2020 7:12:08 AM, Identi: 13



PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Cusumano Residence Zoning: _____
 Location: 2609 New Hill Olive Chapel Rd New Hill, NC 27562
 Property PIN(s): 0710847078 Acreage/Square Feet: 1.914

Property Owner: Joseph D. Cusumano
 Address: 959 Tender Dr.
 City: Apex State: NC Zip: 27502
 Phone: 919.909.5782 Email: ARcustomhomes@outlook.com

Developer: Joseph D. Cusumano
 Address: 959 Tender Dr.
 City: Apex State: NC Zip: 27502
 Phone: 919.909.5782 Fax: — Email: ARcustomhomes@outlook.com

Engineer: Tyndall Engineering
 Address: 250 Shipwash Dr.
 City: Garner State: NC Zip: 27529
 Phone: 919.773.1200 Fax: — Email: tyndalle@tyndallengineering.com

Builder (if known): AB Custom Homes LLC.
 Address: 959 Tender Dr.
 City: Apex State: NC Zip: 27502
 Phone: 919.909.5782 Fax: — Email: ARcustomhomes@outlook.com

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager	(919) 249-3413
Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: 21009 New Hill Olive Chapel Rd New Hill, NC 27542
 Date of meeting: 1/25/21 Time of meeting: 5:00pm - 7:00pm
 Property Owner(s) name(s): Joseph D. Cusumano
 Applicant(s): Joseph D. Cusumano

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	<i>no attendees.</i>				
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Joseph D. Cusumano
Applicant(s): Joseph D. Cusumano
Contact information (email/phone): APCustomhones@outlook.com / 919 909 5782
Meeting Address: 2609 New Hill Olive Chapel Rd. New Hill NC 27562
Date of meeting: 1/25/21 Time of meeting: 5:00 pm - 7:00 pm

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

no attendees - no new questions

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 20C216

Submittal Date: 1/26/2021

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	<u>Sherwood / Lillian Johnson</u>	<u>0710736732</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, JOSEPH D. CUSUMANO, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 1/26/2021

By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, JOSHUA M SEALE, a Notary Public for the above State and County, on this the 26th day of JANUARY, 2021.

SEAL

JOSHUA M SEALE
Notary Public
Wake Co., North Carolina
My Commission Expires Dec. 19, 2024

[Signature]
Notary Public
JOSHUA M SEALE
Print Name

My Commission Expires: DECEMBER 19th 2024

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Joseph D. Cusumano, do hereby declare as follows:
Print Name

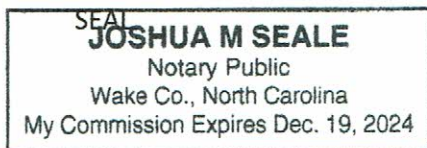
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at 2609 New Hill Olive Chapel Rd (location/address) on 1/25/2021 (date) from 5:00 pm (start time) to 7:00 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

1/26/2021
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, JOSHUA M SEALE, a Notary Public for the above State and County, on this the 26th day of JANUARY, 2021.



[Signature]
Notary Public
JOSHUA M SEALE
Print Name

My Commission Expires: 1 DECEMBER 19th 2024

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net

Developer Company Information	
Company Name	AR Custom Homes, LLC
Company Phone Number	919-909-5782
Developer Representative Name	Joseph D. Cusumano
Developer Representative Phone Number	919-909-5782
Developer Representative Email	ARcustomhomes @outlook.com

New Residential Subdivision Information	
Date of Application for Subdivision	1/19/21
City, Town or Wake County Jurisdiction	Town of Apex
Name of Subdivision	
Address of Subdivision (if unknown enter nearest cross streets)	2609 New Hill Olive Chapel Rd. New Hill, NC 27562
REID(s)	
PIN(s)	071847078

Projected Dates Information	
Subdivision Completion Date	12/23/2022
Subdivision Projected First Occupancy Date	8/1/2021

Lot by Lot Development Information																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	2					1	1	2500	5000	500k	750k	2021	1	2022	1		
Townhomes																	
Condos																	
Apartments																	
Other																	

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 20CZ16 Cusumano Property-2609 New Hill Olive Chapel Rd

Planning Board Meeting Date: February 8 and 10, 2021



Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PROJECT DESCRIPTION:

Acreage: +/- 1.90

PIN(s): 0710847078

Current Zoning: Wake County Residential-40W (R-40W)

Proposed Zoning: Medium Density Residential-Conditional Zoning (MD-CZ)

2045 Land Use Map: Medium Density Residential

Town Limits: Outside (annexation required with rezoning)

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

2045 Land Use Map
 Consistent Inconsistent Reason: _____

Apex Transportation Plan
 Consistent Inconsistent Reason: _____

Parks, Recreation, Open Space, and Greenways Plan
 Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 20CZ16 Cusumano Property-2609 New Hill Olive Chapel Rd

Planning Board Meeting Date: February 8 and 10, 2021



Legislative Considerations:

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest.

1. *Consistency with 2045 Land Use Plan.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Plan.

Consistent Inconsistent Reason: _____

2. *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

Consistent Inconsistent Reason: _____

3. *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if applicable.

Consistent Inconsistent Reason: _____

4. *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

Consistent Inconsistent Reason: _____

5. *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

Consistent Inconsistent Reason: _____



6. *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

Consistent Inconsistent Reason: _____

7. *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

Consistent Inconsistent Reason: _____

8. *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

Consistent Inconsistent Reason: _____

9. *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

Consistent Inconsistent Reason: _____

10. *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

Consistent Inconsistent Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL
Rezoning Case: 20CZ16 Cusumano Property-2609 New Hill Olive Chapel Rd

Planning Board Meeting Date: February 8 and 10, 2021



Planning Board Recommendation:

Motion: To recommend approval with conditions as offered by applicant

Introduced by Planning Board member: Mark Steele

Seconded by Planning Board member: Ryan Akers

- Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.
- Approval with conditions:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above, so the following conditions are recommended to be included in the project in order to make it fully consistent:

Conditions as offered by applicant.

- Denial:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above.

With 9 Planning Board Member(s) voting "aye"

With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 10th day of February 2021.

Attest:

Michael Marks Digitally signed by Michael Marks
Date: 2021.02.10 17:35:11 -05'00'

Michael Marks, Planning Board Chair

Dianne Khin Digitally signed by Dianne Khin
Date: 2021.02.10 17:10:38 -05'00'

Dianne Khin, Director of Planning and
Community Development



TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-349-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #20CZ16
Cusumano Property
2609 New Hill Olive Chapel Road

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Joseph D. Cusumano
Authorized Agent: Joseph D. Cusumano
Property Address: 2609 New Hill Olive Chapel Road
Acres: ±1.90 acres
Property Identification Number (PIN): 0710847078
2045 Land Use Map Designation: Medium Density Residential
Existing Zoning of Properties: Wake County Residential-40 (R-40W)
Proposed Zoning of Properties: Medium Density Residential-Conditional Zoning (MD-CZ)

Planning Board Remote Public Hearing Date and Time: February 8, 2021 4:30 PM
You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexov>.
Comments may be provided by email (public.hearings@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared by noon on Friday, February 5, 2021 will be read during this Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: February 10, 2021 5:00 PM**
*According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.
You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexov>.
Comments may be provided by email (public.hearings@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared between noon on Friday, February 5, 2021 and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raincitync.gov/imap/>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478/. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34092>.

Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: January 26 – February 10, 2021



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #20CZ16 Cusumano Property 2609 New Hill Olive Chapel Road

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Joseph D. Cusumano

Authorized Agent: Joseph D. Cusumano

Property Address: 2609 New Hill Olive Chapel Road

Acreage: ±1.90 acres

Property Identification Number (PIN): 0710847078

2045 Land Use Map Designation: Medium Density Residential

Existing Zoning of Properties: Wake County Residential-40 (R-40W)

Proposed Zoning of Properties: Medium Density Residential-Conditional Zoning (MD-CZ)

Planning Board Remote Public Hearing Date and Time: February 8, 2021 4:30 PM

You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

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***Planning Board Remote Review of Additional Comments and Vote Date and Time: February 10, 2021 5:00 PM**

**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*

You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. Comments shared between noon on Friday, February 5, 2021 and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478/. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34092>.

Dianne F. Khin, AICP
Director of Planning and Community Development



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

**AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice**

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: **CONDITIONAL ZONING #20CZ16
Cusumano Property**

Project Location: **2609 New Hill Olive Chapel Road**

Applicant or Authorized Agent: **Joseph D. Cusumano**

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on January 26, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

1-26-2021
Date

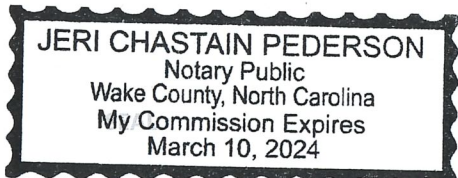
Lauren Haudenmaier for Dianne Khin
Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above

State and County, this the 26 day of January, 2021.

Jeri Chastain Pederson
Notary Public



My Commission Expires: 03/10/2024



TOWN OF APEX
POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #20CZ16
Cusumano Property
2609 New Hill Olive Chapel Road**

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Joseph D. Cusumano
Authorized Agent: Joseph D. Cusumano
Property Address: 2609 New Hill Olive Chapel Road
Acreage: ±1.90 acres
Property Identification Number (PIN): 0710847078
2045 Land Use Map Designation: Medium Density Residential
Existing Zoning of Properties: Wake County Residential-40 (R-40W)
Proposed Zoning of Properties: Medium Density Residential-Conditional Zoning (MD-CZ)

Planning Board Remote Public Hearing Date and Time: February 8, 2021 4:30 PM
You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397>. You must provide your name and address for the record. Comments shared by noon on Friday, February 5, 2021 will be read during this Planning Board meeting.

***Planning Board Remote Review of Additional Comments and Vote Date and Time: February 10, 2021 5:00 PM**
**According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.*
You may view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

Comments may be provided by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397>. You must provide your name and address for the record. Comments shared between noon on Friday, February 5, 2021 and 24 hours after the end of the first Planning Board meeting will be read during this meeting.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

Vicinity Map:



Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34092>.

Dianne F. Khin, AICP
Director of Planning and Community Development

Published Dates: January 26 – February 10, 2021



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #20CZ16 Cusumano Property 2609 New Hill Olive Chapel Road

Pursuant to the provisions of North Carolina General Statutes §160A-364 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Joseph D. Cusumano

Authorized Agent: Joseph D. Cusumano

Property Address: 2609 New Hill Olive Chapel Road

Acreage: ±1.90 acres

Property Identification Number (PIN): 0710847078

2045 Land Use Map Designation: Medium Density Residential

Existing Zoning of Properties: Wake County Residential-40 (R-40W)

Proposed Zoning of Properties: Medium Density Residential-Conditional Zoning (MD-CZ)

Comments received prior to or during the Planning Board public hearing will not be read during the Town Council public hearing. Separate comments must be provided for the two public hearings in the time frames specified below.

Town Council Public Hearing Date and Time: February 23, 2021 6:00 PM

*According to NCGS §166A-19.24, when a public hearing is held with at least one member attending virtually, written comments on the subject of the public hearing may be submitted between publication of any required notice and 24 hours after the public hearing.

You may view the meeting through the Town's YouTube livestream at:

<https://www.youtube.com/c/townofapexgov>.

You may provide comments no sooner than Wednesday, February 10, 2021 but no later than noon on Monday, February 22, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

The vote on the subject of this public hearing will be delayed per State law to allow for comments to be submitted between publication of any required notice and 24 hours after the public hearing. Comments must be provided according to the means specified above. This item will be then be scheduled for the next Town Council meeting. Please note that at this subsequent meeting, Town Council may choose to vote on the item, table the discussion to a later date, or take other action which would delay Council action to another time.

Vicinity Map:



All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at www.apexnc.org/DocumentCenter/View/478/. You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34092>.

Dianne F. Khin, AICP
Director of Planning and Community Development



TOWN OF APEX
 POST OFFICE BOX 250
 APEX, NORTH CAROLINA 27502
 PHONE 919-249-3426

AFFIDAVIT CERTIFYING
Public Notification – Written (Mailed) Notice
 Section 2.2.11
 Town of Apex Unified Development Ordinance

Project Name: CONDITIONAL ZONING #20CZ16
Cusumano Property

Project Location: 2609 New Hill Olive Chapel Road

Applicant or Authorized Agent: Joseph D. Cusumano

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on January 29, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

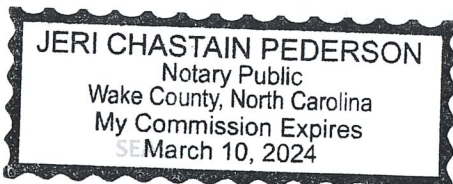
1-29-2021
 Date

Lauren Staudenmaier for Dianne Khin
 Director of Planning and Community Development

STATE OF NORTH CAROLINA
 COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above

State and County, this the 29 day of January, 202 1.



Jeri Chastain Pederson
 Notary Public

My Commission Expires: 03/10/2024



Rezoning #20CZ16

Belterra

Woodbury

Jazzy St

Lex Ln

New Hill Olive Chapel Rd

2609

2600

Athlete Dr

0

250

500

Feet

Public Hearing Sign Posted By

[Handwritten Signature]

Signature

12/8/2020

Date

December, 2020
September 2020 Aerial Photography
Prepared by: Town of Apex Planning Department



Student Assignment
Glenn Carrozza
5625 Dillard Dr.
Cary, NC

919-431-7333
919-694-7753 (fax)

January 29, 2021

Dianne Khin, AICP
Director, Department of Planning and Community Development
Town of Apex
Dianne.Khin@apexnc.org

Dear Dianne,

The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS’s capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: November 16, 2020
- Name of development: 20CZ16 Cusumano Property
- Address of rezoning/development: 2609 New Hill Olive Chapel Rd
- Total number of proposed residential units: 2
- Type(s) of residential units proposed: Single-family


Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

- Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.
- Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:
 - Elementary Middle High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

- Not applicable – existing school capacity is anticipated to be sufficient.
- School expansion or construction within the next five years is not anticipated to address concerns.
- School expansion or construction within the next five years may address concerns at these grade levels:
 - Elementary Middle High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,

Glenn Carrozza
Senior Director