

PETITION TO AMEND THE OFFICIAL ZONING 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 #: 22CZ04 Submittal Date: 2/1/22
Fee Paid: _____

Project Information

Project Name: 808 Wimberly Recombination
Address(es): 804 & 808 Wimberly Road
PIN(s): 0723230271 & 0723232326
Acreage: 5.84
Current Zoning: R-80W (Wake Co.) Proposed Zoning: RR-CZ
Current 2045 LUM Classification(s): Rural Density Residential
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes No

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: Abel and Jessica Figueroa
Address: 808 Wimberly Road
City: Apex State: NC Zip: 27523
Phone: (919) 960-3791 E-mail: abel@artisanqualityroofing.com

Owner Information

Name: Abel and Jessica Figueroa
Address: 808 Wimberly Road
City: Apex State: NC Zip: 27523
Phone: (919) 960-3791 E-mail: abel@artisanqualityroofing.com

Agent Information

Name: Zak Shipman, PE-Shipman Engineering, PLLC
Address: 137 Middlegreen Place
City: Holly Springs State: NC Zip: 27540
Phone: (919) 900-0006 E-mail: zak@shipmanengineering.com

Other contacts: _____

PETITION INFORMATION

Application #: 22CZ04 Submittal Date: 2/1/22

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.

Please see the attached proposed conditions sheet.

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 2045 LUM shows this as Rural Density Residential, or 1 DU per 5 acres or 0.20 DU/Acre density.

Our proposal to zone this as Rural Residential and cap the development at a maximum of 4 dwelling units, with a proposed density of 0.68 un/acre max density.

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 existing land area around this property is more rural in nature, however significant development is ongoing in the areas surrounding the property. The Point at Lake Castleberry, Castleberry Trails, and Lake Castleberry developments are located to the north and feature single family development at much higher densities. Our proposed density of 0.68 units per acre is much more in line with the 2045 LUM and the surrounding character of residences on Wimberly.

804 & 808 Wimberly Road Rezoning Petition-Proposed Conditions

1. Use shall be limited to the following land uses: single family detached residential, accessory structure, accessory apartment.
2. A maximum of 4 dwelling units are permitted.
3. Exterior lighting shall have a color temperature of 3000k or less for outside installations.
4. All exterior lighting shall include timers or light sensors.
5. Include solar conduit in new building design.
6. An additional 25 feet of riparian buffer shall be observed on the existing stream on the rear of the lot if it is intermittent, or 50 feet of buffer if it is ephemeral.
7. Vinyl siding is not permitted; however vinyl windows, decorative elements, and trim are permitted.
8. The roof shall be pitched at 5:12 or greater for 75% of the building designs.
9. Eaves shall project at least 12 inches from the wall of the structure.
10. Garage doors shall have windows or decorative details on them.
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. House entrances for units with front-facing single car garages shall have a prominent covered porch/stoop area leading to the front door.
13. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
14. Front porches shall be a minimum of 6 feet deep.
15. The visible side of a home on a corner lot facing the public street shall contain at least three decorative elements such as, but not limited to:
 - a. Windows
 - b. Bay Window
 - c. Recessed Window
 - d. Trim around the windows
 - e. Two or more building materials
 - f. Decorative Brick/Stone
 - g. Decorative Trim
 - h. Decorative Shake
 - i. Decorative air vents on gable
 - j. Decorative gable
 - k. Column
 - l. Portico
 - m. Dormer

PETITION INFORMATION

Application #:

22CZ04

Submittal Date:

2/1/22

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

The proposed development and recombination is for single family detached residences and complies with all the applicable Supplemental Standards noted in Section 4.4.

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 project does not create any adverse impact on adjacent lands for the following reasons. We are proposing a recombination of the site to move lot lines around without adding additional lots.

The result will be that the second lot, which is currently vacant, will be adjusted such that a residence can be built with greater setbacks to adjacent properties and more opportunity to preserve existing features, vegetation, etc.

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 proposed zoning district allows for construction of single family residential units while protecting environmental resources. No stream, riparian buffer, or wetland impacts are proposed, and the second residence will be constructed in such a way to preserve a significant portion of the existing vegetation on the site.

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 zoning district creates minimal impact on public facilities and services. Two new single family residences will be connected to the public water and gravity sewer infrastructure.

There are currently two existing lots on record here, and we are not proposing any new lots at this time. Therefore we believe impact to parks, schools, and emergency services are negligible.

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 zoning district does not create adverse effects on the health, safety, and welfare of the residents of the Town. There are currently two lots recorded in this area, and our intent is to retain two lots and connect to Town services in a manner consistent with existing development in this area.

PETITION INFORMATION

Application #: 22CZ04 Submittal Date: 2/1/22

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

We do not believe the proposed zoning district is detrimental to adjacent properties. Development as an RR-CZ district allows for orderly construction of the second residence while maintaining significant existing vegetation, buffers, setbacks, and other screening from adjacent property using the existing tree cover.

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 district does not create a nuisance due to noise or other impacts. Since there are two lots on record and we are not creating any additional lots, traffic and noise levels should remain consistent with current levels associated to the property.

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.

We believe that the intent and standards of the Ordinance are met by using the RR-CZ zoning district in this location. Development of the lots meets the applicable provisions of the ordinance for layout, Town services, environmental considerations, etc.

AGENT AUTHORIZATION FORM

Application #: 22CZ04

Submittal Date: 2/1/22

Abel and Jessica Figueroa 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: 804 & 808 Wimberly Road

The agent for this project is: Shipman Engineering, PLLC

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

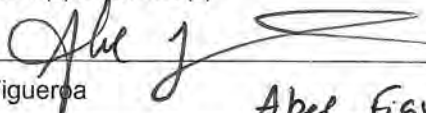
Agent Name: Zak Shipman, PE

Address: 137 Middlegreen Place, Holly Springs, NC 27540

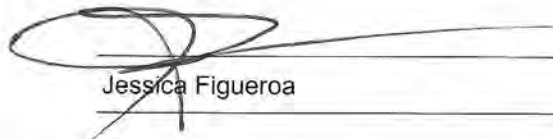
Telephone Number: (919) 900-0006

E-Mail Address: zak@shipmanengineering.com

Signature(s) of Owner(s)*


Abel Figueroa Abel Figueroa
 Type or print name

1/4/22
Date


Jessica Figueroa
 Type or print name

1/4/22
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 #: 22CZ04

Submittal Date: 2/1/22

The undersigned, Abel and Jessica Figueroa (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 804 & 808 Wimberly Road, Apex, NC 27523 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 September 2, 2015, and recorded in the Wake County Register of Deeds Office on September 17, 2015, in Book 016154 Page 00548-00550.
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 September 2, 2015, 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 September 2, 2015, 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 4 day of Jan, 20 22.


 (seal)
Abel Figueroa Jessica Figueroa
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 Abel Figueroa, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Jessica Figueroa, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Jaqueline K Cheema
Notary Public
State of North Carolina
My Commission Expires: Nov, 9-2026

Application #: 22CZ04

Submittal Date: 2/1/22

Insert legal description below.

A portion of that certain parcel of land, situated in White Oak Township, Wake County, State of North Carolina, Recorded in Deed Book 16154 Page 548 in the Wake County Registry, and more particularly described as follows:

Lot #1

Beginning at a point in the southeastern corner of the lot situated at 808 Wimberly Road, Apex, North Carolina, said point being an Iron Pipe Found at the Right of Way of Wimberly Road, and being the Point and Place of **BEGINNING**. Thence from said point N 88°36'02" W 653.72 feet to an Iron Pipe Found, thence from said Iron Pipe Found N 50°05'13" W 14.38 feet to a Computed Point, thence from said point N 19°58'44" W 41.06 feet to a Computed Point, thence from said point N 09°04'28" W 41.51 feet to a Computed Point, thence from said point N 31°25'34" W 38.28 feet to a Computed Point, thence from said point N 15°13'02" W 37.28 feet to a Computed Point, thence from said point N 41°43'58" W 23.91 feet to a Computed Point, thence from said point N 00°40'17" W 46.42 feet to a Computed Point, thence from said point N 03°19'31" W 36.43 feet to a Computed Point, thence from said point N 05°18'36" E 48.53 feet to a Computed Point, thence from said point N 13°30'07" W 21.02 feet to a Computed Point, thence from said point N 21°46'00" E 31.17 feet to a Computed Point, thence from said point S 71°16'22" E 11.45 feet to a Computed Point, thence from said point N 15°56'21" E 10.81 feet to a Computed Point, thence from said point N 83°01'58" E 180.69 feet to an Iron Pipe Found, thence from said Iron Pipe Found S 40°20'30" E 312.47 feet to an Iron Pipe Found, thence from said Iron Pipe Found N 84°24'39" E 154.87 feet to an Iron Pipe Found, thence from said Iron Pipe Found N 69°24'36" E 99.34 feet to an Iron Pipe Found, thence from said Iron Pipe Found S 20°35'24" E 226.73 feet to an Iron Pipe Found and being the Point and Place of **BEGINNING** containing 174,327 square feet and 4.00 acres.

Lot #2

Beginning at a point in the northeastern corner of the lot situated at 804 Wimberly Road, Apex, North Carolina, said point being an Iron Pipe Found at the Right of Way of Wimberly Road, and being the Point and Place of **BEGINNING**. Thence from said point S 25°21'11" E 77.64 feet to an Iron Pipe Found, thence from said Iron Pipe Found S 20°35'24" E 172.44 feet to an Iron Pipe Found, thence from said Iron Pipe Found S 69°24'36" W 99.34 feet to an Iron Pipe Found, thence from said Iron Pipe Found S 84°24'39" W 154.87 feet to an Iron Pipe Found, thence from said Iron Pipe Found N 40°20'30" W 312.47 feet to an Iron Pipe Found, thence from said Iron Pipe Found N 83°01'58" E 358.16 feet to an Iron Pipe Found and being the Point and Place of **BEGINNING** containing 80,240 square feet and 1.84 acres.



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	Abel and Jessica Figueroa
Company Phone Number	(919) 960-3791
Developer Representative Name	Zak Shipman, PE-Shipman Engineering, PLLC
Developer Representative Phone Number	(919) 900-0006
Developer Representative Email	zak@shipmanengineering.com

New Residential Subdivision Information	
Date of Application for Subdivision	12/16/21
City, Town or Wake County Jurisdiction	Apex
Name of Subdivision	804 & 808 Wimberly Road
Address of Subdivision (if unknown enter nearest cross streets)	808 Wimberly Road
REID(s)	0182266 & 0440404
PIN(s)	0723232326 & 0723230271

Projected Dates Information	
Subdivision Completion Date	Fall, 2022
Subdivision Projected First Occupancy Date	Fall, 2022

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	6000	7000	\$1.2M	\$1.5M	2022	2				
Townhomes																	
Condos																	
Apartments																	
Other																	

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.

12/16/21

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
 804 Wimberly Road 0723232326

808 Wimberly Road

0723230271

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. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. 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 <http://www.apexnc.org/180/Planning-Community-Development>.

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)):

We are proposing annexation and rezoning of the two lots into the Town of Apex Corporate limits for the purpose of submitting a recombination plat to adjust lot lines. Additionally we are proposing to extend Town sewer service to provide service for the two lots. A total of 2 residential units are proposed.

Estimated submittal date: February, 2022

MEETING INFORMATION:	
Property Owner(s) name(s):	<u>Abel and Jessica Figueroa</u>
Applicant(s):	<u>Zak Shipman, PE-Shipman Engineering, PLLC</u>
Contact information (email/phone):	<u>zak@shipmanengineering.com / (919) 900-0006</u>
Meeting Address:	<u>Virtual</u>
Date/Time of meeting**:	<u>January 10, 2021, 5:00 pm to 7:00 pm</u>

MEETING AGENDA TIMES:		
Welcome:	<u>5:00 pm</u>	Project Presentation: <u>5:15 pm</u> Question & Answer: <u>5:30 pm</u>

**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 and Community Development 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-Community-Development>.

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: 808 Wimberly Recombination Zoning: RR-CZ

Location: 808 & 804 Wimberly Road

Property PIN(s): 0723232326 & 0723230271 Acreage/Square Feet: 5.84

Property Owner: Abel and Jessica Figueroa

Address: 808 Wimberly Road

City: Apex State: NC Zip: 27523

Phone: (919) 960-3791 Email: abel@artisanqualityroofing.com

Developer: Abel and Jessica Figueroa

Address: 808 Wimberly Road

City: Apex State: NC Zip: 27523

Phone: (919) 960-3791 Fax: _____ Email: abel@artisanqualityroofing.com

Engineer: Shipman Engineering, PLLC- Zak Shipman, PE

Address: 137 Middlegreen Place

City: Holly Springs State: NC Zip: 27540

Phone: (919) 900-0006 Fax: _____ Email: zak@shipmanengineering.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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 and Community Development 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 and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

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: Virtual

Date of meeting: Jan. 10, 2021 Time of meeting: 5:00 pm-7:00 pm

Property Owner(s) name(s): Abel and Jessica Figueroa

Applicant(s): Zak Shipman, PE-Shipman Engineering, PLLC

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. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Zak Shipman-Shipman Engineering	137 Middlegreen Place, Holly Springs, NC 27540	[REDACTED]	[REDACTED]	
2.	Scott & Martha Sutton	8621 Castleberry Road, Apex, NC 27523			x
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): Abel and Jessica Figueroa

Applicant(s): Zak Shipman, PE-Shipman Engineering, PLLC

Contact information (email/phone): zak@shipmanengineering.com / (919) 900-0006

Meeting Address: Virtual

Date of meeting: Jan. 10, 2021 Time of meeting: 5:00 pm-7:00 pm

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received 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:

From Scott Sutton-will location of sewer block him from extending Town sewer to his property in the future

Applicant's Response:

No, it would not. Gravity sewer can be extended up the existing stream to the Sutton property and connect into the manhole at Castleberry Estates. We would be willing to connect the applicant with Sutton to discuss. Mr. Sutton was not ready to do anything with sewer currently.

Question/Concern #2:

From Mr. Sutton: Do we know where house on Lot 2 would go?

Applicant's Response:

We are not entirely sure at the moment, but we suspect the house on Lot 2 would have a similar front setback as the existing house so they sit roughly at the same depth from Wimberly.

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, Abel Figueroa, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential 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 Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at VIRTUAL ZOOM (location/address) on Jan 10, 2022 (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.

1/4/22
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Abel Figueroa, a Notary Public for the above State and County, on this the 4 day of Jan, 2022.



Jaswinder K Cheema
Notary Public
Jaswinder K Cheema
Print Name

My Commission Expires: Nov 9, 2026

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
728 WIMBERLY RD	0723230517	DEMARTINO, ROBERT	728 WIMBERLY RD	APEX NC 27523-6764
815 WIMBERLY RD	0723238124	DOWNS, LEE TRUSTEE DOWNS, JANET P TRUSTEE	2601 PICKETT RD APT 3047	DURHAM NC 27705-5608
804 WIMBERLY RD	0723232326	FIGUEROA, ABEL L. FIGUEROA, JESSICA	804 WIMBERLY RD	APEX NC 27523-6765
717 WIMBERLY RD	0723236877	GUADAGNO, MICHAEL G TRUSTEE MICHAEL G GUADAGNO LIVING TRUST	717 WIMBERLY RD	APEX NC 27523-9677
905 WIMBERLY RD	0723229734	HOFFMAN, BRADFORD CLIFF HOFFMAN, CHELSEA DANIELLE	204 ECHO CREEK PL	APEX NC 27539-4182
8625 CASTLEBERRY RD	0723134513	JOHNSON, WILLIAM R III JOHNSON, SHERRY W	3511 NC 55 HWY	CARY NC 27519-8371
704 WIMBERLY RD	0723138845	LAMBERT, MATTHEW EDWARD LAMBERT, ANITA W	704 WIMBERLY RD	APEX NC 27523-6764
8639 CASTLEBERRY RD	0723111191	MARCOM, TEMPIE M	8637 CASTLEBERRY RD	APEX NC 27523-9695
805 WIMBERLY RD	0723237376	MONACO, SYLVIA S MONACO, MICHAEL A	805 WIMBERLY RD	APEX NC 27523-9678
8621 CASTLEBERRY RD	0723136582	SUTTON, DON SCOTT JR	8621 CASTLEBERRY RD	APEX NC 27523-9695
729 WIMBERLY RD	0723237553	THALHAMER, CRAIG A THALHAMER, DEBRA MARTIN	729 WIMBERLY RD	APEX NC 27523-9677
0 WIMBERLY RD	0723224206	TOLL SOUTHEAST LP COMPANY INC	250 GIBALTAR RD	HORSHAM PA 19044-2323
0 GREEN LEVEL WEST RD	0723434927	WEDDINGTON OWNERS ASSOCIATION INC	11010 RAVEN RIDGE RD	RALEIGH NC 27614-8837
		APEX TOWN OF	PO BOX 250	APEX NC 27502-0250
		Current Tenant	8625 Castleberry RD	APEX NC 27523
		Current Tenant	8639 Castleberry RD	APEX NC 27523
		Current Tenant	808 Wimberly RD	APEX NC 27523
		Current Tenant	815 Wimberly RD	APEX NC 27523