

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #20CZ06**

Trinity Henderson, owner/applicant (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of May 2020 (the "Application"). The proposed conditional zoning is designated #20CZ06.

The Planning & Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #20CZ06 before the Planning Board held on the 10th day of August 2020.

The Apex Planning Board held a public hearing on the 10th day of August 2020, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #20CZ06. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #20CZ06.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #20CZ06 before the Town Council on the 18th day of August 2020.

The Apex Town Council held a public hearing on the 18th day of August 2020. Liz Loftin, Senior Planner, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #20CZ06 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 and 0 approved Application #20CZ06 rezoning the subject tract located at 204 and 206 Lynch Street from High Density Single Family (HDSF) to High Density Single Family-Conditional Zoning (HDSF-CZ).

The Apex Town Council finds that the approval of the rezoning is consistent with the 2045 Land Use Plan and other adopted plans in that: The 2045 Land Use Map designates this area as Medium Density Residential. The proposed rezoning to High Density Single Family-Conditional Zoning (HDSF-CZ) is generally consistent with that land use classification and the Apex Town Council has further considered that the proposed rezoning to High Density Single Family-Conditional Zoning (HDSF-CZ) will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

The Apex Town Council finds that the approval of the rezoning is reasonable and in the public interest in that the shared property line can be shifted west in order to remedy the encroachment of the house located at 204 Lynch Street that currently exists on 206 Lynch Street. This will allow the property owner of 204 Lynch Street to make improvements to the home. The rezoning will encourage compatible development of the property and increase the tax base.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date