Staff Report for Town Council

Meeting Date: July 18, 2019

19-A-07 Deusdedi and Carrie Perez Annexation
Purpose: Conduct public hearing and consider action on requested annexation.

Prepared by: Gillian White, Planning and Development Services

Speaker: Wayne Nicholas, Planning and Development Services

Executive Summary: The owners of property located at 1123 Wake Robin Lane (approximately 950 feet north of the Branton Drive and Wake Robin Lane intersection) have petitioned for annexation of the property so they may connect to Town utilities and construct a detached dwelling on the site. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request.

Associated Case(s): None.

Recommendation: That Council conduct a public hearing and consider action on the requested annexation.

The documents that Council will review at this meeting are attached.

Background:

Owners of property located outside of the corporate limits of the Town that desire to develop using Town utilities or that otherwise desire to be located in the corporate limits must first petition to be annexed, pursuant to the requirements of either NCGS Chapter 160A, Article 4, Part 1, when their property is contiguous to the corporate limits, or to NCGS Chapter 160A, Article 4, Part 4, when their property is not contiguous to the corporate limits. In either case, Council must conduct a public hearing on the annexation request prior to taking action. At the public hearing on a request for contiguous annexation, such as this, the owner may speak and allege that the petition contains an error, and any town resident may speak and question the necessity for the annexation.

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

Discussion:

The owners of the following property filed an annexation petition with the Town on May 20, 2019.
### Property Owner(s) Address List

<table>
<thead>
<tr>
<th>Property Owner(s) Address List</th>
<th>Property Location</th>
<th>Parcel Number (10-digit)</th>
<th>County Real Estate ID</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deusdedi and Carrie Perez</td>
<td>1123 Wake Robin Lane</td>
<td>0734535473</td>
<td>0087489</td>
<td>4.926</td>
</tr>
<tr>
<td>113 Bancroft Brook Drive</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Cary, NC 27519</td>
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</tbody>
</table>

Adjacent Right-of-Way 0.0

Total Acres 4.926

### VICINITY MAP

Click the map to see surrounding development activity.

This annexation is for a vacant property which the owners wish to connect to Town utilities in order to develop a detached dwelling on the site. The property is located within the Town’s extra-territorial jurisdiction (ETJ) and is zoned Residential 40 (R-40). No rezoning or
development plan approval is associated with this annexation. The property must be annexed into the Town prior to connecting to utilities.

As required by statute, the Town Clerk has certified that the petition is valid. On June 27, 2019, the Town Council adopted a Resolution calling for the public hearing to be held on July 18, 2019.

The following information may inform Council’s decisions on this matter.

**ZONING & PROPOSED USE:**
- **Current Zoning:** Residential 40 (R-40)
- **Acreage:** 4.926 plus 0.0 adjacent right of way = 4.926 total acres
- **Contiguous to Primary Corporate Limits:** Yes; 33.1% contiguous (excluding satellite town limits)
- **Existing Use:** Vacant
- **Proposed Use:** Detached Residential (connect to Town utilities)

**UTILITIES:**
- **Water:** Adjacent to site
- **Sewer:** Located on adjacent property to the north (easement may be required)

**DISTRICTS & TAX VALUE:**
- **Fire District:** Morrisville Fire District
- **Voting District:** A
- **Tax Value:** $175,000

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

#3698