



**TOWN OF SMYRNA**

**APPLICATION FOR ANNEXATION**

*Subject to state laws of general application to municipalities pertaining to annexation of territory, the Smyrna Town Charter provides for the annexation of additional contiguous territory adjoining the corporate limits of the town pursuant to the requirements set forth in Section 3 of the Charter. A request to be annexed into the town requires the completion of this application form, payment of the application fee (\$500.00 and \$50.00 per additional acre) and submission of the required documents identified below.*

*Any questions please contact Jeremy Rothwell by email [jrothwell@smyrna.delaware.gov](mailto:jrothwell@smyrna.delaware.gov) or by phone 302-389-2332.*

**Address of Subject Property:**

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**Tax Parcel ID Number(s):** \_\_\_\_\_

**Name of Legal Property Owner(s):**

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**Address of Legal Property Owners(s):**

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**Contact Phone Number(s):** \_\_\_\_\_

**Current Zoning:** \_\_\_\_\_

**Current Use of Property:** \_\_\_\_\_

**Future Land Use Designation:** \_\_\_\_\_

**Proposed Zoning:** \_\_\_\_\_

**Proposed Use of Property:** \_\_\_\_\_

**Reason(s) for Annexation Request:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Name of Existing Utility Provider(s):**

Water: \_\_\_\_\_

Electric: \_\_\_\_\_

Gas: \_\_\_\_\_

**Person(s) Authorized to Act on Behalf of the Owner(s):**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Contact Phone Number:** \_\_\_\_\_

\_\_\_\_\_

**Please include the following documents with this application:**

- 1) Copy of the deed(s) to the parcel(s) to be annexed
- 2) Notarized Letter of Request from the Legal Owner(s)
- 3) Notarized Letter of Authorization for Representation (if applicable)

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\_\_\_\_\_  
**Signature of Legal Property Owner(s)**

\_\_\_\_\_  
**Signature of Person(s) Authorized to Act on Behalf of the Owner(s), if applicable**

## **Annexation Process:**

1. Notarized petition by property owners and completion of annexation application – any property owner(s) holding record fee title to real property may petition the town for annexation by submitting a request in writing identifying the property to be annexed and submitting the required application and fee. Within 90 days of the receipt of the petition the request shall be considered by Town Council which may accept or decline the request.
2. Resolution of Town Council (Resolution #1) – If Council accepts the request, the Council shall adopt a resolution notifying the applicants and residents of the town of the proposed action and containing a description of the area to be considered. The resolution shall be posted and advertised setting forth the date of the fact finding hearing and the proposed zoning.
3. Notice to Planning & Zoning Commission – The Council Resolution shall be referred to the Planning & Zoning Commission for its advisory comments and recommendations. Notice shall also be given to the Office of State Planning Coordination for review and comments as provided by state law.
4. Council hearing – the Resolution for annexation shall be considered at a public hearing (fact finding hearing), typically held immediately before a regularly scheduled Council meeting, at which time the comments and recommendations of the Planning & Zoning Commission will be considered along with testimony from the applicants and any concerned citizens.
5. If all property owners agree on annexation and no “qualified resident” has filed a written objection, Council may vote to accept or reject the annexation. If Council votes to accept the annexation request, Council may then adopt the final resolution (Resolution #2) annexing the property into the Town.
6. Council adopts an ordinance to rezone the property in accordance with the Town’s Comprehensive Future Land Use Plan, annexation resolution and plot are submitted to the Office of the Recorder of Deeds and to the Office of State Planning Coordination.

**(The above is a general description of the process for annexation; applicants are advised to refer to the Charter for specific and complete legal requirements. Applicants are advised that the process outlined may take from 3 to 6 months to complete).**