



Board of Adjustment Agenda Abstract

Monday, July 13, 2026

Location:

Agenda Item

Special Use Permit Petition - 4321 Hilltop Needmore Rd - Lina P. Bernal & David E. Sepulveda - PIN 0678941052 - BOA-SUP-2026-04

Item Explanation

The purpose of this agenda item is to consider a Special Use Permit, BOA-SUP-2026-04, at 4321 Hilltop Needmore Road by petitioner Lina P. Bernal.

Staff Comments

PROPERTY INFORMATION: The subject property is located at 4321 Hilltop Needmore Road, on 0.87 acres within the Town's Extraterritorial Jurisdiction (ETJ). The principal use of the property is a residence. The petitioner is requesting a Special Use Permit to expand the in-home business from the existing Small In-Home Day Care (no more than six (6) children per the LDO) for which a Home Occupation Permit was issued on October 30, 2019. The Town's use standards require approval of a Special Use Permit to operate a Large In-Home Day Care (no more than twelve children). The petitioner is requesting permission to care for up to ten (10) children.

ZONING: The zoning of the subject property is Residential Agricultural (RA) Zoning District.

SURROUNDING USE: The subject property is surrounded by residential lots located in the Residential Agricultural (RA) Zoning District, and to the north, Hilltop Needmore Town Park and Preserve, located in the Office & Institutional Conditional Zoning District (OI-CZD).

SPECIAL USE PERMIT REQUEST: The petitioner is requesting a Special Use Permit to permit the operation of a Large In-Home Day Care within the Residential Agricultural (RA) Zoning District as required by Section 9-1255.g.(3) of the Land Development Ordinance. The attached site plan demonstrates general compliance with Town Standards.

The property has not been the subject of previous cases seen by the Board of Adjustment.

FINDINGS OF FACT:

Finding 1. The proposed use or development (will / will not) materially endanger the public health or safety if located where proposed and developed according to the plan as submitted because_____.

Finding 2. The proposed use (meets / does not meet) all required conditions and

specifications because _____.

Finding 3. The proposed use (will / will not) substantially injure the value of adjoining property or the use is a public necessity _____.

Finding 4. The location and character of the proposed use, if developed according to the plan submitted, (will / will not) be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town of Fuquay-Varina and its ordinances because _____.

The petitioner has been advised that the burden of proof and evidence upon submitting such application is the responsibility of the petitioner. Such proof and evidence presented must demonstrate that the required findings of fact have been met.

Fiscal Note

No

Recommendation

PUBLIC HEARING

MOTION TO: Approve BOA-SUP-2026-04 as presented, subject to the terms and conditions identified in the applicant's application, testimony, and site layout exhibit, and preserving all conditions of the Special Use Permit BOA-SUP-2026-04 not inconsistent therewith.

OR

Deny BOA-SUP-2026-04 as presented.

ATTACHMENTS

Special Use Permit Findings of Fact Worksheet

BOA-SUP-2026-04- Child Care License

BOA-SUP-2026-04- Site Plan

BOA-SUP-2026-04- Neighborhood Meeting Notice and Feedback

BOA-SUP-2026-04- Application

BOA-SUP-2026-04- Staff Map

4321 Hilltop Needmore Rd- Zoning Compliance Letter