



Board of Adjustment Agenda Abstract

Monday, April 13, 2026

Location:

Agenda Item

Special Use Permit Petition - 1340 Forest Fern Lane - Diana Alejandra Becerra Torres - PIN 0657214731 - BOA-SUP-2026-01

Item Explanation

The purpose of this agenda item is to consider a Special Use Permit, BOA-SUP-2026-01, at 1340 Forest Fern Lane by petitioner Diana Alejandra Becerra Torres.

Staff Comments

PROPERTY INFORMATION: The subject property is located at 1340 Forest Fern Lane, on 0.14 acres within the Town's Corporate Limits. 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 for on November 15, 2024, to care for no more than five children. 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 twelve (12) children.

ZONING: The zoning of the subject property is Residential Medium Density Conditional Zoning District (RMD-CZD).

SURROUNDING USE: The subject property is surrounded by residential lots in the Gray's Creek subdivision, all zoned Residential Medium Density Conditional Zoning District (RMD-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 Medium Density Conditional 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-2026-01 as presented, under the terms and conditions identified in the applicant's application, testimony, site layout exhibit, and preserving all conditions of the Special Use Permit BOA-SUP-2026-01 not inconsistent therewith.

OR

Deny BOA-SUP-2026-01 as presented.

ATTACHMENTS

[Special Use Permit Findings of Fact Worksheet](#)

[BOA-SUP-2026-01 - Site Plan](#)

[1340 Forest Fern Ln- Home Occupation Zoning Verification Letter](#)

[BOA-SUP-2026-01 - HOA Letter](#)

[BOA-SUP-2026-01 - Child Care License](#)

[BOA-SUP-2026-01 - Application](#)

[BOA-SUP-2026-01 - Neighborhood Meeting Notice and Notes](#)

[BOA-SUP-2026-01 - Staff Map](#)