



Planning and Development Services

(Planning) ☎ 919-856-6310
(Permits and Inspections) ☎ 919-856-6222
(Watershed Management) ☎ 919-856-7436

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MINUTES OF BOARD OF ADJUSTMENT JULY 14, 2026

LOCATION: Wake County Office Building, 337 S. Salisbury St., Room G103, Raleigh, NC

MEMBERS PRESENT:

1. Mr. Jeffrey Goebel (Chair)
2. Ms. Britany Waddell (Vice Chair)
3. Mr. DeAntony Collins
4. Mr. Waheed Haq
5. Mr. Mark Spanioli
6. Mr. Russell Stephenson
7. Mr. Will Wingfield

MEMBERS ABSENT:

1. Ms. Irene Butler
2. Mr. Joe Cebina

COUNTY STAFF:

1. Mr. Seamus Blake
2. Ms. Nancy Daly
3. Mr. Steven Finn
4. Dr. Caroline Loop
5. Mr. Josh McClellan
6. Mr. Geoffrey Pearson
7. Ms. Becca Truluck

COUNTY ATTORNEY:

1. Mr. Kenneth Murphy, Deputy County Attorney

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1. **Meeting called to order:** Mr. Goebel called the meeting to order at 9:07 a.m.
 2. **Petitions and Amendments:** None.
 3. **Approval of Minutes of June 9, 2026, Meeting:** Mr. Goebel made a motion to approve the June 9, 2026, minutes as presented. The motion was seconded by Mr. Wingfield, and the minutes were approved unanimously.
 4. **Approval of Written Decision PLG-A-006460-2026:** Mr. Goebel made a motion to approve Written Decision PLG-A-006460-2026 as presented. Ms. Waddell seconded the motion, and it was approved unanimously.
 5. **Approval of Written Decision PLG-ZV-006385-2026:** Mr. Goebel made a motion to approve Written Decision PLG-ZV-006385 as presented. Mr. Wingfield seconded the motion, and it was approved unanimously.

6. **Approval of Written Decision PLG-SU-006384-2026:** Mr. Goebel made a motion to approve Written Decision PLG-SU-006384-2026 as presented. Mr. Collins seconded the motion, and it was approved unanimously.
7. **PLG-SU-006633-2026 (Mr. Geoffrey Pearson, Code Enforcement Program Manager)**
The petitioner is requesting special use permit approval to operate a Commercial Vehicle Repair and Service Business.

Voting Members

Five voting members were identified:

1. Mr. Jeffrey Goebel
2. Ms. Britany Waddell
3. Mr. DeAntony Collins
4. Mr. Waheed Haq
5. Mr. William Wingfield

Location

WAKE COUNTY PIN: 1772 86 9200
ZONING DISTRICT: Residential-30 District (R-30)
LAND USE CLASSIFICATION: Non-Urban Area Non-Watershed
WATERSHED: N/A
CROSS REFERENCE FILES: N/A
APPLICANT: Heather Fallen
PROPERTY OWNER: Benjamin David & Heather Renee Fallen
PROPERTY SIZE: 1.52 acres
CURRENT LAND USE: Residential Single-Family

Documentary Evidence Accepted into Record

- Staff Report
- Staff Presentation
- Applicant's Application

TESTIMONY AND EVIDENCE PRESENTED

Testimony by Geoffrey Pearson

Mr. Pearson was sworn in and presented the Staff Report and Presentation, which were accepted into the record. Mr. Pearson explained that this item is a Special Use Request to allow the operation of a commercial vehicle repair and service business. The petitioner is Heather Fallen, who owns the property with Benjamin Fallen. The site is located at 7526 Beau View Dr and is in the Mark's Creek Township. The surrounding properties are residentially zoned and developed.

On March 23, 2026, County staff received a complaint that the residentially zoned property was being used to operate a commercial vehicle repair and service business. Staff's investigation found that a commercial vehicle repair and service business was operating on the premises. The business involves customization repairs and upgrades to recreational vehicles. A zoning notice of violation was issued to the property owners on April 21, 2026, for operating said business without zoning approval. On May 11, 2026, Mrs. Fallen submitted a Special Use Permit application to the Board of Adjustment to legally operate the vehicle repair and service business.

Mr. Pearson presented the proposed site plan: the property consists of 1.52 acres and is zoned R-30. The applicant requests to use a portion of the existing residential driveway to perform Recreational Vehicle customizations and repairs. The business will have no impact on the existing private well. The property is served by private wastewater, which the applicant states will not be impacted by the business. The property is located on Beau View Drive and meets street access requirements. The submitted site plan shows compliance with all required building and use setbacks. The vehicle repair operation will utilize the existing parking area and meets the minimum required parking spaces.

Article 16, Section 16-10-2(D) of the UDO requires a forty-foot vegetative buffer when a non-residential low intensity use is adjacent to a low-density residential use. The repair work area is compliant with the buffer distance, and existing vegetation on the property will be used to supplement screening from adjoining properties. The subject lot was created in 2008. Under R-30 zoning, the maximum impervious limit allowed is 30%. The submitted site plan shows the total impervious surface area as 9%, meeting UDO requirements.

Public notice was mailed to adjoining property owners and a public hearing was placed on the site on July 2nd.

Staff recommends that, if the Board reaches positive conclusions on all required findings, that it approve the Special Use Permit request subject to the conditions identified in the staff report.

Ms. Waddell asked for clarification regarding whether the applicant was aware of the land use specifications, and Mr. Pearson explained that the property is zoned R-30, which requires this use to be in a mixed-use district. The applicant was made aware and opted to proceed. Mr. Goebel asked regarding the difference between a commercial repair operation and vehicle designation, and Mr. Pearson clarified there was no alternative distinction under the land use category. Mr. Stephenson asked if they were within their authority to overrule the comprehensive plan, and Mr. Murphy explained that evidence provided would not meet finding #5, and it would be the Board's decision to determine if this was correct.

Applicant's Presentation

Testimony by:

- 1) Terry Allen Swaim Jr., Attorney, Swaim Law, PLLC

Mr. Swaim questioned the designation of the applicant's special use permit as a commercial vehicle repair, when he considered it to be a logo-centric business. He asked the Board to clarify whether this case could advance if it did not meet all findings. Mr. Swaim testified that he was unaware of R-30 not supporting this type of permit. To his understanding, a logo-centric trailer repair shop is not comparable to commercial vehicle repair.

Mr. Pearson explained to the Board that the UDO Land Use Table is used to determine specific uses allowed in zoning districts. Under the Commercial Use group, vehicle repair and service most accurately aligns with the requested use. In R-30, vehicle repair and services is allowable, but only in a mixed-use district.

Mr. Goebel asked the applicants if they would prefer to continue the matter, and Mr. Swaim requested a few moments to meet with his client. Mr. Goebel called a recess at 9:48 a.m.

Mr. Goebel called the meeting back to order at 9:58 a.m. Mr. Swaim requested to continue the case until the October 13 meeting.

Motion on PLG-SU-006633-2026

Mr. Goebel accepted Mr. Swaim's motion to continue PLG-SU-006633-2026 to the October 13, 2026, Board of Adjustment hearing. The motion was approved unanimously.

8. Planning and Development Services Report

Mr. Finn shared that PLG cases have increased by 15%. In the past two years, public requests have increased by 30% and code enforcement by 20%.

9. Adjournment

Mr. Goebel made a motion to adjourn the meeting, and it was seconded by Ms. Waddell. The meeting was adjourned at 10:15 a.m.

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REGULAR MEETING
WAKE COUNTY
BOARD OF ADJUSTMENT
July 14, 2026

All petitions complete, Jeffrey Goebel declared the regular meeting of the Wake County Board of Adjustment for Tuesday, July 14, 2026, adjourned at 10:15 a.m.

Respectfully Submitted:


Jeffrey Goebel
Wake County Board of Adjustment

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