



## TOWN of WAKE FOREST

**Wake Forest Board of Adjustment  
Meeting Agenda  
December 18, 2025 at 6:00 PM  
All items listed are for discussion and possible action.**

### **Notice**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Ella Downtin](#) at 919-435-9432 as soon as possible, but no later than 48 hours before the scheduled event.

### **Cable & Online Broadcast of Board of Adjustment Meetings**

All Board of Adjustment meetings are broadcast live on [WFTV 10](#) beginning at 6 p.m. Meetings are also aired online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

### **Meeting Agendas**

The [Board of Adjustment](#) meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Deputy Town Clerk's office at 919-435-9432. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

### **Public Hearings**

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given three minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed three minutes each to express his/her comments, ideas, concerns, expressions, and desires. Only comments on a Public Hearing will be allowed during this time.

### **Public Comment**

During the Public Comment period, anyone wishing to address the Board of Commissioners concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the Board of Commissioner Public Comment Form on the [Town website](#). Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have three minutes to speak. Thank you for your cooperation.

## **1. Call to Order**

## **2. Adoption of Agenda**

## **3. Approval of Minutes**

### **3.A Approval of Minutes**

**4. Old Business**

**5. New Business**

- 5.A Consideration of 2026 Board of Adjustment Meeting Schedule  
[2026 BOA MeetingSchedule.pdf](#)

**6. Staff Comments**

**7. Board of Adjustment Comments**

**8. Adjournment**



## **BOARD OF ADJUSTMENT AGENDA ITEM REPORT**

Agenda Item No.: 2025-657-  
Submitted by: Ella Dowtin, Planning  
Submitting Department: Planning  
Meeting Date: December 18, 2025

### **Subject**

Approval of Minutes

### **Recommendation:**

### **item Summary:**

### **ATTACHMENTS:**

- [DraftBOA minutes 7-17-2025.pdf](#)



## Wake Forest Board of Adjustment Minutes

The Wake Forest Board of Adjustment met on **Thursday, July 17, 2025**, at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

**Board of Adjustment Members present:** Rick Porter, William Hedrick, Ken Christie, Scott Fultonberg, and Mark Williams

**Board of Adjustment Members absent:** Joseph Longoria

**Staff Members present:** Development Services Manager Patrick Reidy, Senior Planner Tim Richards, Long Range Planning Manager Brad West, Town Attorney Nathan McKinney, and Deputy Town Clerk Ella Downtin

### 1. Call to Order

Chair Hedrick called the meeting to order at 6:00 p.m.  
A quorum was established.

### 2. Adoption of Agenda

**ACTION:**

Mover: Mark Williams moved to adopt the agenda as presented.

Seconder: Ken Christie.

Vote: Motion carried 5-0.

### 3. Approval of Minutes

Mark Williams moved to correct the minutes from April 17, 2025, by changing his status from present to absent. Chairman Hendrick asked the Town Attorney if removing his

name from the list of those present would cause any issues. The Attorney stated that it would not be a problem to update the minutes accordingly.

**ACTION:**

Mover: William Hedrick made a motion to approve the minutes of April 17, 2025, by removing Mark Williams' name as being present.

Vote: Motion carried 5-0.

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| <b>4. Old Business</b> |
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None at the time.

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| <b>5. New Business</b> |
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**5.A. Evidentiary Hearing and Consideration of QUASI-JUDICIAL ITEM BOA-25-05  
Wake Union Villas Variance Requests**

Attorney McKinney asked if there had been any ex parte communication about QUASI-JUDICIAL ITEM BOA-25-05 Wake Union Villas. Board members stated no, they had no conflict of interest to report.

Attorney McKinney verified that no board members have any preconceived outcome of the meeting. Ken Christie, Rick Porter, Mark Williams, William Hedrick, and Scott Fultonberg stated no, that they did not have any preconceived outcome of the meeting.

Attorney McKinney swore in Senior Planner Tim Richards.

Senior Planner Tim Richards presented the Quasi-Judicial item BOA-25-05 variance requests.

Attorney McKinney swore in Isabel Maddox. Attorney Maddox introduced her development team, which includes Matt Lowder, Traci Dusenbury, and Attorney Heather McDowell.

Isabella Mattox, attorney, presented an overview of the two variance requests: The first request is to reduce the required minimum vehicular parking spaces from 116- at a rate of 1.8 spaces per unit for 64 units- to 74 spaces, which is a rate of 1.15 spaces per unit.

There is also some availability for a reduction based on our tree conservation area. The second request is to decrease the minimum front yard setback required by the special highway overlay according to UDO Section 2.1.3.D.1, according to UDO Section 2.1.3.D.1, from 100 feet to 48 feet, from 100 feet to 48 feet- citing hardships such as topographical conditions, steep slopes, Neuse River buffers, streams, wetlands, and ROW dedication requirements that consume significant property.

Attorney McKinney swore in Matt Lowder, PE of Bowman Engineering. Matt Lowder delivered a presentation on the hardship aspects of the project.

Attorney McKinney swore in Traci Dusenbury, a Real Estate Broker. Traci Dusenbury delivered a presentation on the parking variance.

**ACTION:**

Mover: Mark Williams moved to close the public hearing.

Seconder: Rick Porter.

Vote: Motion carried 5-0.

**Discussion**

The board discussed affordable housing, parking, location, and the 30-year agreement versus an extension for senior affordable housing, as well as granting the various conditions approved in the under BOA 19-03 order (variance is granted based solely on the evidence presented at the hearing, which demonstrates that the property will be used exclusively for multi-family purposes, with units designated as housing for elderly people. Using the following formula, 80% of the units will be reserved for elderly housing, and 20% will be reserved for either elderly households or households with members aged 45 years or older. An elderly household is defined as a household that meets the following criteria all members of the household are 55 years of age or older, and all other household members are 45 years of age or older. If the multi-family use fails to meet the -mentioned formula, the variance will be deemed invalid, and the property must then comply with town ordinances governing parking requirements.)

**ACTION:**

Mover: Ken Christie moved to consider and vote on each variance request individually. The board unanimously approved.

**VARIANCE REQUEST #1 – MINIMUM FRONT SETBACK** *The applicant is requesting relief from Section 2.4.3.D.1 of the Wake Forest Unified Development Ordinance (UDO), which requires buildings to be set back a minimum of 100' from the property line abutting the right-of-way. The requested variance is to allow placement of a multifamily building 48' from the property line as shown on the Wake Union Villas Site Plan (see Exhibit H).*

**Finding of Fact #1** - *Carrying out the strict letter of the ordinance would result in an unnecessary hardship. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

**Finding of Fact #2** – *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

**Finding of Fact #3** – *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

**Finding of Fact #4** - *The requested variance is consistent with the spirit, purpose, and intent of this ordinance, such that the public safety is secured, and substantial justice is achieved.*

**ACTION:**

Mover: Mark Williams moved to approve the variance request for changing the building setback from 100 feet to 48 feet, based on satisfaction that the applicant demonstrated the findings of fact were met.

Seconded: Rick Porter.

Vote: Motion carried 5-0.

**VARIANCE REQUEST #2 – MINIMUM PARKING SPACES** *The applicant is requesting relief from the minimum vehicular parking spaces required by Section 9.4.A, as may be modified by Section 8.4.2.E. The minimum number of parking spaces is based on the proposed Dwelling-Multifamily use, which requires at least 1.8 parking spaces for every dwelling unit. The proposed 64-unit multifamily development would be required to provide 116 parking spaces based on that standard. UDO Section 8.4.2.E allows for a reduction of up to 20 percent of the minimum parking spaces required where tree save area is established, at a rate of a reduction of one required space for every 200 square feet of tree save area provided. The applicant states that 10,610 square feet of tree save area will be provided, so the minimum parking spaces*

*would be reduced by 20 percent under UDO Section 8.4.2.E, with a resulting 93 minimum parking spaces required. Since the site master plan has not yet been approved, the actual tree save area to be provided is not yet finalized. The applicant is requesting a variance from the minimum parking requirement so that a minimum of 74 vehicular parking spaces would be required.*

***Finding of Fact #1*** - *Carrying out the strict letter of the ordinance would result in an unnecessary hardship. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

***Finding of Fact #2*** – *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

***Finding of Fact #3*** – *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

***Finding of Fact #4*** - *The requested variance is consistent with the spirit, purpose, and intent of this ordinance, such that the public safety is secured, and substantial justice is achieved.*

**ACTION:**

Mover: Ken Christie moved to approve the variance request for minimum parking spaces with a similar condition that was approved in the in BOA-19-03 order, which states: this variance is granted based solely on the evidence presented at the hearing, which demonstrates that the property will be used exclusively for multi-family purposes, with units designated as housing for elderly people. Using the following formula, 80% of the units will be reserved for elderly housing, and 20% will be reserved for either elderly households or households with members aged 45 years or older. An elderly household is defined as a household that meets the following criteria: all members of the household are 55 years of age or older, and all other household members are 45 years of age or older. If the multi-family use fails to meet the above reference formula, the variance will be deemed invalid, and the property must then comply with town ordinances governing parking requirements.

Seconder: Rick Porter.

Vote: Motion carried 5-0.

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| <b>6. Staff Comments</b> |
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Development Services Manager Patrick Reidy recognized outgoing members Joseph Longoria and Scott Fultonberg for their dedication and service to the Board.

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| <b>7. Board of Adjustment Comments</b> |
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No comments.

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| <b>8. Adjournment</b> |
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**ACTION:**

Chair Hedrick moved to adjourn at 7:29 p.m.

Duly approved in open session this 18<sup>th</sup> day of December 2025.

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Ella F. Dowtin  
Deputy Town Clerk

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William Hedrick  
Board of Adjustment Chair



## **BOARD OF ADJUSTMENT AGENDA ITEM REPORT**

Agenda Item No.: 2025-656-  
Submitted by: Ella Dowtin, Planning  
Submitting Department: Planning  
Meeting Date: December 18, 2025

### **Subject**

Consideration of 2026 Board of Adjustment Meeting Schedule

### **Recommendation:**

### **item Summary:**

### **ATTACHMENTS:**

- [2026 BOA MeetingSchedule.pdf](#)

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**TOWN OF WAKE FOREST  
BOARD OF ADJUSTMENT  
2026 MEETING SCHEDULE**

*Meetings are held on the 3rd Thursday of the month “as needed” at 6:00 p.m. in the Wake Forest Town Hall Board Room, 301 S. Brooks St., unless otherwise noted.*

| MONTH     | MEETING DATE       |
|-----------|--------------------|
| January   | January 15, 2026   |
| February  | February 19, 2026  |
| March     | March 19, 2026     |
| April     | April 16, 2026     |
| May       | May 21, 2026       |
| June      | June 18, 2026      |
| July      | July 16, 2026      |
| August    | August 20, 2026    |
| September | September 17, 2026 |
| October   | October 15, 2026   |
| November  | November 19, 2026  |
| December  | December 17, 2026  |

*Adopted by the Board of Adjustment on Thursday, November 20, 2025, while in session.*