



The Public may view the Live Council Meeting on the Town's YouTube Channel:
<https://www.youtube.com/TownofClaytonNC>

No Weapons Allowed Inside Council Chambers

1. CALL TO ORDER

- a. Call To Order
- b. Roll Call of the Board of Adjustment

2. BOARD OF ADJUSTMENT ELECTIONS

Election of the Board of Adjustment Chair and Vice Chair

- a. Accept nominations for the Board of Adjustment Chair and entertain a motion to vote.
Presenter:
- b. Accept nominations for the Board of Adjustment Vice Chair and entertain a motion to vote.
Presenter:

3. ADJUSTMENT OF THE AGENDA

- a. **POTENTIAL ACTION:** Adopt or adjust the Agenda
Presenter:

4. APPROVAL OF MINUTES

- a. October 7, 2025 Meeting Minutes of the Board of Adjustment
Presenter:

5. EVIDENTIARY HEARINGS

- a. 101 Best Wood Drive 2025-149-APL

6. NEW BUSINESS

- a. Information update on the Written Decision of the Board of Adjustment.
Presenter:

7. ADJOURNMENT

- a. **POTENTIAL ACTION:** Motion To Adjourn

INFORMATION FOR THE PUBLIC

About the Board of Adjustment

The Board of Adjustment is composed of volunteer members of the public who reside within the corporate limits and extraterritorial jurisdiction (ETJ) of the Town of Clayton. Members residing within the corporate limits are appointed by the Town Council and members residing in the ETJ are appointed by the Johnston County Board of Commissioners, with the recommendation of Town Council.

The Role of the Board of Adjustment

The Board of Adjustment is responsible for making quasi-judicial decisions on Administrative Appeals, Special Use Permits, and Variance requests. Decisions made by the Board of Adjustment are based on findings of fact and conclusions of law.

Participation in the Evidentiary Hearing

In accordance with [G.S. 160D-406. Quasi-judicial procedure](#), a person with standing serving as an expert witness may participate in the Evidentiary Hearing. This typically includes applicants, adjacent property owners, subject-matter experts, and legal counsel.

Before Speaking:

- Wait until you are recognized by the Chair;
- Clearly state your full name and address for the record;
- Be sworn in under oath, as administered by the Clerk; and
- Address your comments to the Board.

The Chair may ask you to conclude your comments should they be repetitive, immaterial, insubstantial, or it is determined you have no standing per [G.S. 160D-1402\(c\)](#).

ADA Compliance

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 Clayton should contact the office of Dolores Gill, ADA Coordinator at 919-553-5002 as soon as possible but no later than 48 hours before the scheduled event.

Contact the Planning Department

For questions about the Board of Adjustment or items contained in this agenda packet, please contact the Planning Department at (919)553-5002 and ask for "Planning" or email planning@townofclaytonnc.org.

Additional Information

1. Board of Adjustment Website: [Board of Adjustment | Clayton, NC](#)
2. Planning Public Meetings and Hearings: [Public Meetings & Hearings | Town of Clayton](#)
3. Relevant North Carolina General Statutes: [G.S. 160D-302. Boards of adjustment](#), [G.S. 160D-705. Quasi-judicial zoning decisions](#), [G.S. 160D-406. Quasi-judicial procedure](#), and [G.S. 160D-1402. Appeals in the nature of certiorari](#).
4. UDO Information: [Unified Development Ordinance \(Adopted 11.17.25\)](#), Board of Adjustment, UDO § 1.8.5 (Adopted 11.17.25) and Evidentiary Hearings, UDO § 2.4.9.C (Adopted 11.17.25).

< End of Information for the Public >



**Town of Clayton
Board of Adjustment Minutes
Tuesday, October 7, 2025 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street**

Board Members Present:

Marty Bizzell
Joseph Warta
Jim Perricone
Karen Spicer

Staff Present:

Francis Rasberry, Town Attorney
Ruth Anderson, Council Member Liaison
Conrad Olmedo, Planning Director
Haley Downey, Assistant Planning Director
Robert Tate, Senior Planner
Sam Johnson-Phillips, Deputy Town Clerk

Board Members Absent:

Rebecca Berry
Richie Wiggins
Rich Maida

Pursuant to N.C. General Statute § 143-318.10(e), these minutes provide a general summary of the Board of Adjustment meeting and do not represent a verbatim transcript. A complete video recording of this meeting is available for public access on the Town of Clayton's official YouTube channel. <https://www.youtube.com/user/TownofClaytonNC>

1 CALL TO ORDER

- a) Call to order of the Board of Adjustment
Presenter: Marty Bizzell, Chair

Chair Bizzell called the meeting to order at 6:08 p.m.

- b) Roll Call for the Board of Adjustment
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo conducted the call. The following members were noted as absent:

1. Rebecca Berry, Vice Chair
2. Richie Wiggins, Board Member
3. Rich Maida, Board Member

Mr. Olmedo confirmed a quorum was present for the meeting.

2 ADJUSTMENT OF THE AGENDA

- a) No adjustments are expected at this time.
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo requested an amendment be made to the minutes from March 19, 2025, meeting be amended to reflect Ms. Berry's title as "Vice Chair" instead of "Co-Chair."

Chair Bizzell confirmed the vote would be to amend the verbiage from "Co-Chair" to "Vice Chair" in reference to Ms. Berry. Mr. Olmedo affirmed this clarification.

Motion to approve the agenda with the amendments to the March 19, 2025, minutes.

| | |
|------------------|--|
| RESULT: | CARRIED 4-0 |
| MOVER: | Jim Perricone |
| SECONDER: | Joseph Warta |
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins and Rich Maida |

3 APPROVAL OF MINUTES

- a) March 19, 2025, Board of Adjustment Minutes
Presenter: Conrad Olmedo, Planning Director

After discussion on revising the meeting minutes to correct the title used for Ms. Berry in the March 19, 2025, meeting minutes, Chair Bizzell clarified the vote would be to amend the title from "Co-Chair" to "Vice Chair." Mr. Olmedo confirmed this clarification.

Motion to Approve March 19, 2025 Minutes with amendments.

| | |
|------------------|--|
| RESULT: | CARRIED 4-0 |
| MOVER: | Jim Perricone |
| SECONDER: | Joseph Warta |
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins, and Rich Maida |

4 EVIDENTIARY HEARINGS

- a) 2025-44-SUP Helistop for Johnston Medical Center Special Use Permit
Presenter: Robert Tate, AICP, Senior Planner

Chair Bizzell called the item into the record, titled "2025-44-SUP Helistop for Johnston Medical Center Special Use Permit." He requested Board Attorney Francis Rasberry explain the procedures and legal framework governing the Special Use Permit process, noting that the matter would be conducted as an evidentiary quasi-judicial hearing.

Attorney Francis Rasberry introduced himself, noting that he is commonly referred to as "Ras," and briefly described his experience serving as Board of Adjustment Attorney. He explained that over the past 25 years, North Carolina courts have increasingly required stricter standards for local government decisions affecting individual property rights. He stated that such matters are no longer treated as general public hearings but instead must follow quasi-judicial procedures when a

board evaluates whether an applicant has met specific legal criteria for property use.

Attorney Rasberry clarified that quasi-judicial hearings differ significantly from legislative decisions, such as those made by Town Council, which are policy-oriented and subject to less stringent procedural requirements. In contrast, quasi-judicial proceedings must comply with constitutional due process requirements.

He outlined key rights and requirements applicable to the hearing, including:

1. Testimony must be given under oath.
2. Evidence must be competent and substantial.
3. Parties have the right to legal counsel and to appeal decisions.
4. The right to be cross-examined and the right cross-examine witnesses.
5. A complete record of proceedings must be maintained.
6. The Board's decision must be documented through written findings of fact and conclusions of law.

Attorney Rasberry further explained while formal court rules of evidence do not strictly apply, certain evidentiary standards must still be met. Testimony requiring specialized knowledge must be provided by qualified expert witnesses. He noted that North Carolina law specifically requires expert testimony in cases involving traffic safety impacts and property valuation effects. Additionally, any testimony requiring specialized expertise must be provided by a properly qualified expert, regardless of whether an objection is raised.

He then outlined the standard order of proceedings for a quasi-judicial hearing:

1. The Chair opens the evidentiary hearing.
2. Staff presents a non-advocacy report.
3. The applicant presents evidence supporting the request.
4. Board members may ask questions.
5. Public witnesses are invited to speak, subject to questioning.
6. All witnesses must be sworn in.
7. The applicant may provide a closing statement.
8. The hearing is closed, and the Board deliberates and renders a decision.
9. A written order reflecting the decision must be prepared and signed.

Attorney Rasberry addressed the matter of legal representation, noting that an attorney did not represent the applicant. He referenced a North Carolina State Bar ethics opinion stating that representing another party in a quasi-judicial proceeding constitutes the practice of law. As a result, non-attorneys may not act in a representative capacity for business entities. However, the Town of Clayton allows individuals to appear as fact witnesses. Accordingly, any presenter must acknowledge that they are not acting as legal counsel but are providing factual testimony only.

Chair Bizzell thanked Attorney Rasberry for the explanation and noted the importance of the refresher for both the Board and the applicant. Prior to swearing in witnesses, Chair Bizzell disclosed that his company serves as a consultant for UNC Johnston Health but confirmed that neither he nor his company has any

involvement in the current project and would receive no financial benefit from the outcome.

Attorney Rasberry stated that he had reviewed the situation and determined that no statutory conflict of interest existed that would prevent Chair Bizzell from participating. He affirmed that this conclusion was his legal opinion.

Chair Bizzell requested all individuals intending to speak be sworn in. The Deputy Town Clerk administered the oath, and all speakers were instructed to sign the oath sheet upon providing testimony.

At Attorney Rasberry's request, Chair Bizzell formally opened the evidentiary hearing.

Chair Bizzell introduced Robert Tate, Senior Planner, to present the staff report. Mr. Tate stated the request involved a Special Use Permit for the relocation and expansion of an existing helistop at Johnston Medical Center (Project No. 2025-44-SUP).

Mr. Tate described the subject property as approximately 34 acres in size, located at 2138 Veterans Parkway, on the north side of Veterans Parkway, south of Amelia Church Road, and north of Interstate 42. He presented evidence that required public notices had been properly posted.

Providing background, Mr. Tate explained the existing helistop was approved as part of a 2012 site plan and was previously permitted as an accessory use under the former development code. Under the current Unified Development Ordinance (UDO), helistops are classified as secondary uses requiring a Special Use Permit. The existing helistop is now considered a legal nonconforming use and cannot be expanded without Board approval.

The proposal included relocating the helistop several hundred feet west and increased its size from 40 feet by 40 feet to 50 feet by 50 feet. Mr. Tate presented a concept plan illustrating the current and proposed locations.

He reviewed the proposed Conditions of Approval, noting that the first several conditions were standard administrative requirements. He highlighted Condition #7, which required installation of a 42-inch aluminum fence matching the existing helistop enclosure.

Mr. Tate concluded by noting that the Board may approve, deny, or modify the request and conditions. He also stated that the applicant would present evidence addressing the required Findings of Fact.

Chair Bizzell asked if the Board had questions for staff; hearing none, he invited the applicant to present.

Mr. Sam Bohannon of Ingram Civil Engineering introduced himself as the project's design engineer and thanked the Board and staff. Attorney Rasberry asked Mr.

Bohannon to confirm he understood he was appearing as a fact witness only and not as a legal representative. Mr. Bohannon acknowledged this on record.

Mr. Bohannon presented the proposal, including a vicinity map and site plan showing the existing and proposed helistop locations. He explained the new helistop would be relocated across the driveway and expanded to 50 feet by 50 feet to better accommodate pilot safety and operational needs. He confirmed the fencing would match the existing aluminum fence in design and height.

He presented photographs of the existing helistop, the proposed location, and the surrounding area, including a nearby riparian buffer that would remain undisturbed. He also referenced written materials addressing the findings of fact and indicated he was available for questions.

Chair Bizzell asked whether it was necessary for Mr. Bohannon to read each finding into the record. Attorney Rasberry advised the written materials already submitted constituted sufficient evidence.

Board member Perricone asked about the frequency of helicopter operations. Mr. Bohannon responded that the site averages approximately 30 helicopter trips per year and that he and Kyle discussed this previously and that he could be corrected if misstated.

Hearing no further questions, Chair Bizzell invited public comments. No individuals came forward to speak for or against the request.

Chair Bizzell closed the evidentiary hearing and brought the matter back to the Board for deliberation. After confirming there was no further discussion, he entertained a motion.

Board Member Perricone moved to approve Special Use Permit 2025-44-SUP. Board Member Warta seconded the motion. With no further discussion, Chair Bizzell called for a vote. The motion passed unanimously.

Chair Bizzell announced that the Special Use Permit for the Johnston Medical Center helistop was approved and thanked the Board members.

Attorney Rasberry stated that written Findings of Fact, Conclusions of Law, and an Order had been prepared and were included in the meeting materials on pages 57 through 60. He explained that, while such documents are typically adopted at a subsequent meeting after being finalized by counsel, the Board could choose to adopt them during the same meeting since they were already prepared and available. He noted that combining this action with the approval of the Special Use Permit would be acceptable.

Chair Bizzell responded, "Absolutely," and thanked Attorney Rasberry. He stated he had no objection to approving the findings that evening, noting that doing so would save us 30 days.

Chair Bizzell then asked for the Board’s preference, explaining formal findings are usually approved at a later meeting. However, since there was no opposition and the documents had already been prepared and presented, he indicated that the Board could proceed with approval that night if there were no objections.

Chair Bizzell entertained a motion to approve the Findings of Fact, Conclusions of Law, and Order. Board member Perricone made the motion, which was seconded by Board member Spicer.

Chair Bizzell confirmed a motion and second had been made and asked if there was any further discussion. Hearing none, he called for a vote. The motion carried unanimously.

Motion to Approve Special Use Permit 2025-44-SUP Helistop for Johnston Medical Center

| | |
|------------------|--|
| RESULT: | CARRIED 4-0 |
| MOVER: | Jim Perricone |
| SECONDER: | Joseph Warta |
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins and Rich Maida |

Motion to Approve Findings of Fact, Conclusions of Law, and Order for Special Use Permit 2025-44-SUP Helistop for Johnston Medical Center

| | |
|------------------|--|
| RESULT: | CARRIED 4-0 |
| MOVER: | Marty Bizzell |
| SECONDER: | Jim Perricone |
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins and Rich Maida |

5 NEW BUSINESS

- a) Approval of Board of Adjustment meeting schedule for 2026.
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo presented the proposed meeting schedule for 2026, noting that meetings would be held on Wednesdays each month throughout the year. He requested that the Board approve the proposed dates so staff can finalize and confirm them on their calendars.

Chair Bizzell stated he had reviewed the proposed schedule and did not identify any conflicts or necessary changes. He entertained a motion to approve the 2026 meeting schedule.

Motion to Approve Board of Adjustment Meeting Schedule for 2026

| | |
|------------------|--------------------|
| RESULT: | CARRIED 4-0 |
| MOVER: | Joseph Warta |
| SECONDER: | Karen Spicer |

| | |
|----------------|--|
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins, and Rich Maida |

6 ADJOURNMENT

- a) Adjournment of the Board of Adjustment
Presenter: Marty Bizzell, Chair

With nothing further, the meeting was adjourned at 6:38 p.m.

Motion to Adjourn

| | |
|------------------|--|
| RESULT: | CARRIED 4-0 |
| MOVER: | Joseph Warta |
| SECONDER: | Karen Spicer |
| YES: | Marty Bizzell, Joseph Warta, Jim Perricone, and Karen Spicer |
| NO: | None |
| ABSENT: | Rebecca Berry, Richie Wiggins, and Rich Maida |

Duly adopted this 15th day of April 2026.

Marty Bizzell
Board Chair

ATTEST:

Sam Johnson-Phillips, CMC, NCCMC
Deputy Town Clerk



Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720
planning@townofclaytonnc.org

Board of Adjustment: April 15, 2026

| | |
|-------------------------------|---|
| Project Number: | 101 Best Wood Drive 2025-149-APL |
| Project Name: | Appeal of a Notice of Violation |
| Property Pin #: | 167700-59-0242 (County Tag: 05I05019T) |
| Location: | Located at the southeast corner of the intersection of Best Wood Dr. and Powhatan Rd., addressed as 101 Best Wood Dr. and identified as Johnston County Tax ID 05I05019T. |
| Applicant: | Ritchard Schacher, Mr. Handyman of NE Raleigh |
| Property Owner: | ALIGWEN, LLC |
| Public Noticing Dates: | Website Updated: March 31, 2026 Property Posted: April 2, 2026 Property Owners Mailed: March 31, 2026 |
| Request: | An Appeal of a received Third Notice of Violation issued on October 22, 2025, by the Town of Clayton's Code Enforcement Division for the unpermitted placement of a shipping container on the site per UDO §4.6.5(D). |

OVERVIEW

On March 10, 2025, Code Enforcement observed building materials being constructed onto a shipping container at 101 Best Wood Dr. during a routine sign run. A review of New World Permitting System verified that no permits had been obtained for building materials or the shipping container. As a result, a Notice of Violation was issued on March 11, 2025, to the property owner via certified and first-class mail. When the materials remained after the initial compliance deadline, a reinspection on March 26, 2025, documented the continued violation, prompting a second notice and a \$50.00 fine.

In early April, the business owner visited Town Hall to dispute the Notice of Violation, arguing that the materials had been removed and the fee should be waived. They were notified about the formal appeal process. An appeal application was provided to them on May 6, 2025, but the application was deemed incomplete, and communication gradually ceased by September.

In late September, enforcement resumed and led to an increased \$100.00 fine and a third notice issued on October 22, 2025. Shortly after, the property owner reported that the previous business owner had passed away, and a new owner would take over the matter. The new owner, Richie Schacher, communicated with Code Enforcement in November and December. The Appeal of the Notice of Violation was submitted on December 17, 2025, and routed to Technical Review Committee for review. Due to scheduling availability, the Appeal is now being presented before the Board of Adjustment.

REVIEW CRITERIA

Per UDO Section 2.3.4.H:

- “1. The Board of Adjustment is limited to the following decisions in considering the appeal:
 - a. Whether the review authority erred in the determination of this Ordinance; or
 - b. Whether the review authority erred in determining whether a standard of this Ordinance was met.

- 2. The Board of Adjustment shall not hear any evidence or make any decision based on hardships or special conditions, except as part of an application for a Variance.”

BOARD OF ADJUSTMENT DECISION

Per UDO Section 2.3.4.G, “The decision shall be one of the following:

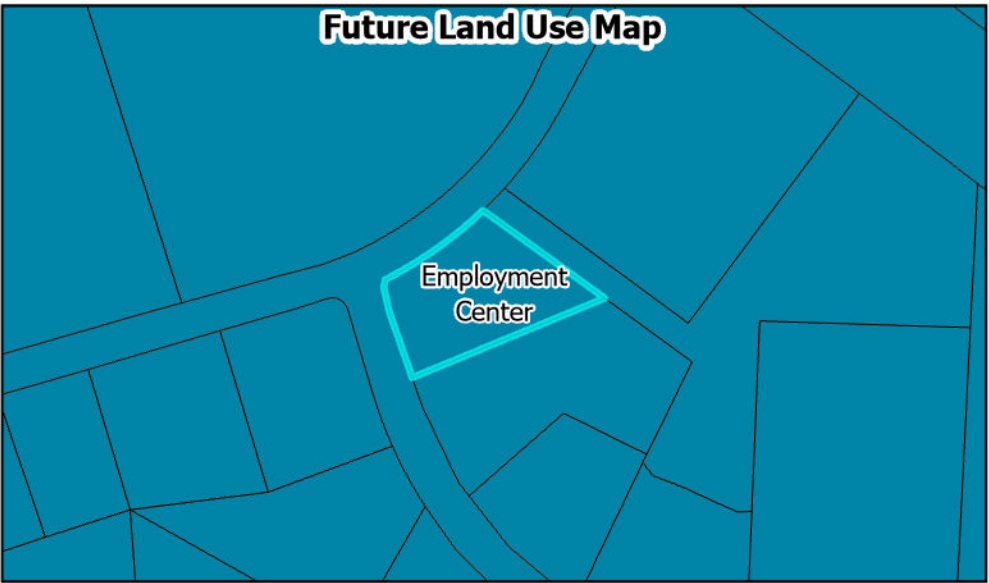
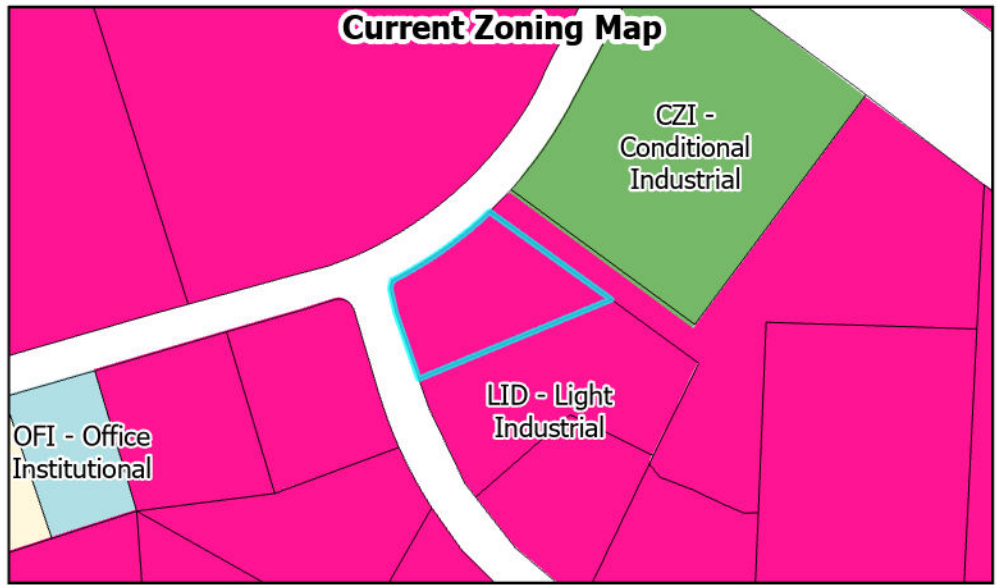
- a. Affirmation of the decision or determination (in whole or in part);
- b. Modification of the decision or determination (in whole or in part); or
- c. Reversal of the decision or determination (in whole or in part).

STAFF RECOMMENDATION

Staff Recommends upholding Unified Development Ordinance 4.6.5 (D) Portable Storage Container with Removal of the Shipping Container, the civil penalty of \$50.00 for the second notice of violation and the waiving of the civil penalty of \$100.00 for the third notice of violation.

ATTACHMENTS:

- 1. Staff Report Map
- 2. Application of Appeal
- 3. Supporting Documents
- 4. TRC Review BB Sessions
- 5. BB Supporting Documents Summary
- 6. First Notice of Violation
- 7. Second Notice of Violation
- 8. Third Notice of Violation
- 9. Aerial and Street view of Shipping Container
- 10. Public Noticing Certificate



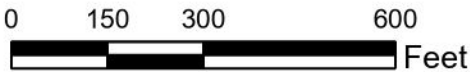
Request: Appeal of Notice of Violation
Project Name: 101 Best Wood Drive
Project Number: 2025-149-APL

Applicant: Ritchard Schacher, Mr. Handyman of NE Raleigh
 Property Owner: ALIGWEN, LLC
 Johnston County Parcel ID: 05I05019T

 Site Location



Staff Report Map
March 3, 2026



Disclaimer: Parcel Boundaries are shown for reference only. The Town of Clayton assumes no legal responsibility for this information.



TOWN OF CLAYTON

Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Administrative Appeal Application

www.ClaytonNC.org/Fees
Applicable Fees: Appeal

PROJECT INFORMATION:

Name of Project: _____ *Acreage of Property:* _____

Parcel ID Number: _____ *Tax ID:* _____

Address: _____

Location: _____

APPLICANT INFORMATION:

Name: _____

Mailing Address: _____

Phone Number: _____ *Fax:* _____

Email Address: _____

PROPERTY OWNER INFORMATION:

Name: _____

Mailing Address: _____

Phone Number: _____ *Fax:* _____

Email Address: _____

FOR OFFICE USE ONLY

| | | |
|--------------|----------------|--------------------|
| File Number: | Date Received: | Amount Paid: _____ |
|--------------|----------------|--------------------|

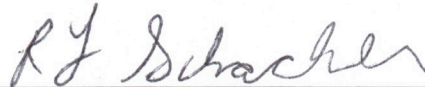
APPLICANT AFFIDAVIT

I understand that by signing this application I am legally bound to the representation, terms, and conditions herein. By signing below, I certify that I was technically able to read and had a reasonable opportunity to read this disclosure. I further acknowledge that I am authorized to submit this application, and any subsequent revisions thereto, and confirm having obtained permission from the property owner/occupant for the application and the Town's entry onto the property, if applicable. I further authorize Town of Clayton representatives to enter the site for purpose of conducting inspections or evaluations to determine compliance with applicable laws, policies, and manuals. I hereby certify that all of the information provided in this application and any attached documents is true, accurate, and complete to the best of my knowledge. I understand that any false information may result in rejection of the application or revocation of the permit or plan. I understand this submittal with its related materials and all attachments become official records of the Town of Clayton, North Carolina, and will not be returned.

I understand this application and any communication, approval, or resulting permits issued as a result of this application are subject to disclosure pursuant to the North Carolina Public Records Act. I also acknowledge that, pursuant to NCGS § 143-755(b1), failure to respond to Town comments or holding the permit application on hold for six consecutive months or more will result in the cessation of review and forfeiture of all application fees, requiring a new application under current regulations. I shall not hold the Town of Clayton, its officers, employees and agents liable for any claims, losses, liabilities, expenses, charges or damages arising from or relating to incomplete, inaccurate, or false applications, or any additional supplemental applications, with respect of any cause arising out of, resulting from, or in connection with the application or permit.

Ritchard Schacher

Print Name



Signature of Applicant

12/15/2025

Date

Review by TRC Committee complete,
Planning will confirm with applicant the date of
their Board of Adjustment Appeal Hearing.

Review Complete | Comments Provided

January 22, 2026



Conrad Olmedo, AICP, CZO | Planning Director
colmedo@townofclaytonnc.org | (919) 553-5002 x 5402




Mr. Handyman of NE Raleigh to Clayton Area

101 Best Wood Drive, Suite 400

Clayton, NC 27520

(919) 355-6020 Office | (919) 656-2486 Mobile

From: Ritchard Schacher, Owner

Date: December 15, 2025

To Whom It May Concern:

I am writing to respectfully appeal the code enforcement citation regarding the storage container located on our property. I kindly request that the container be permitted to remain in place, as it was installed prior to recent ordinance changes and is essential to our business operations.

Background and Timeline

The storage container was delivered and installed in October 2023, before the updated Unified Development Ordinances (UDO) went into effect. I would now like to bring the unit into compliance by obtaining the appropriate permit.

Actions Taken

The citation first arose due to a wooden structure attached to the container. That structure was installed by the previous owner and was immediately removed upon receipt of the violation notice. The container now stands alone without any attachments.

Supporting Evidence

- **Exhibit 1** – Photos of the container as it stands today.

- **Exhibit 2** - Consistency with surrounding properties, with photos: Similar storage containers are present on neighboring properties, including the property directly across Best Wood Drive. Our placement is consistent with these examples.
- **Exhibit 3** – Zone map including our office building and neighboring parcels. We are all in the same **Light Industrial** zoning classification.
- **Exhibit 4** – County Tax Record showing Industrial classification.

Operational Necessity

The container is critical to our operations, providing secure storage for tools, equipment, and materials needed by our technicians. Removing it would create significant logistical challenges and financial hardship, potentially forcing us to consider relocating the business.

Inherited Issue and Commitment

I acquired this franchise in March 2025 and was unaware of the violation until two days before closing. The previous owner, Mr. David Stewart, assured me he was addressing the matter. Unfortunately, he did not complete the permitting process before his unexpected and tragic passing in August 2025. While these issues originated before my ownership, I am fully committed to resolving them promptly and in compliance with all regulations.

Request for Resolution

I respectfully ask for approval to keep the container in place and am prepared to provide any additional documentation, attend any required meetings, and follow proper protocol. My goal is to work collaboratively with the Town of Clayton to find a solution that supports compliance and the continued success of our small business.

Thank you for your time and consideration. I look forward to your favorable response.

Sincerely,

Ritchard Schacher

Owner, Mr. Handyman of NE Raleigh to Clayton Area

Exhibit 1 – Subject Container



Exhibit 2 – Photos of Neighboring properties



Exhibit 3 – Zoning Map

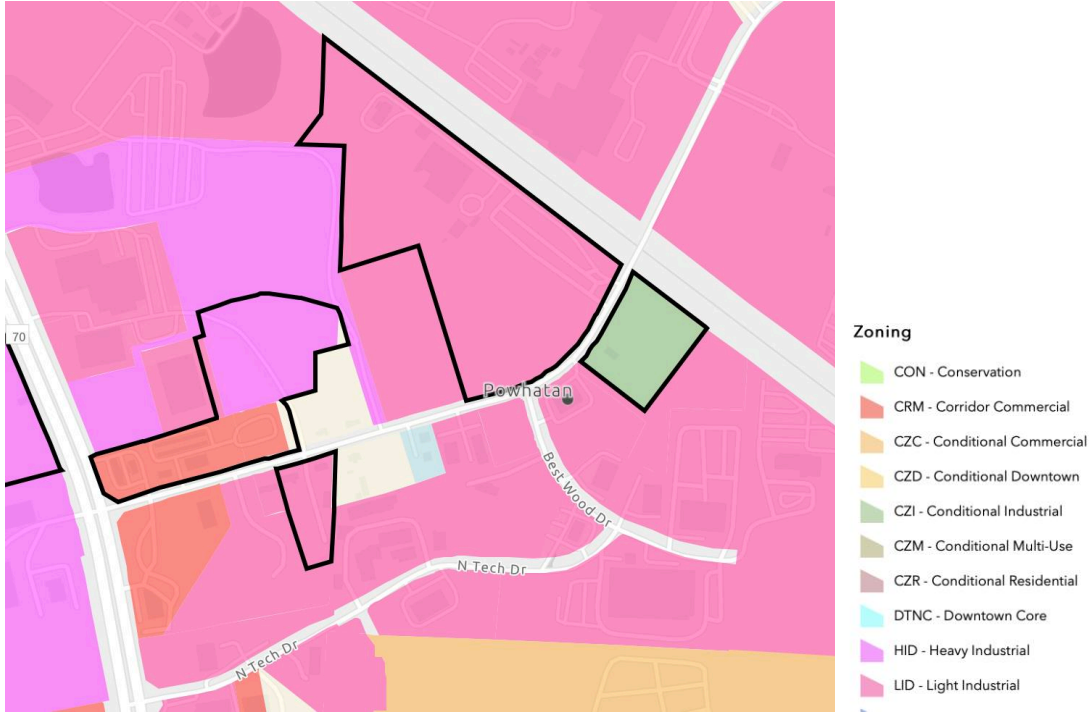


Exhibit 4 – Johnston County Deeds and Tax Records

Parcel Information

| | | |
|---|------------------|--|
| Parcel Number | | Account Number |
| 05I05019T | | 2000254369 |
| Owner Information | | Tax Codes |
| ALIGWEN, LLC 6300 WESTGATE RD STE A RALEIGH, NC 27617 | | C ADVL TAX - COUNTY TAX FR26ADVL TAX - WLSNS MILLS F/D FPSDADVL TAX - COUNTY FIRE DIST |
| Property Information | | Township |
| Land (Units/Type) : | 1.15 Acres | CLAYTON |
| Address : | 101 BEST WOOD DR | page 1 of 1 |
| Deed Information | | Local Zoning |
| Deed Date : | 10/14/2022 | INDUSTRIAL |
| Deed Book/Page : | 06360 / 0654 | |
| Plat Book/Page : | 0052 / 0275 | |
| Property Values | | PIN ID# |
| Building : | 842,400 | 167700-59-0242 |
| Obxf : | 26,210 | |
| Land : | 400,750 | |
| Market : | 1,269,360 | |
| Assessed : | 1,269,360 | |
| Deferred : | 0 | |
| Exemption(s) : | | |














Attendees

mjones (mjones@townofclaytonnc.org)
 Randy King (crking@nc.rr.com)
 mworner (mworner@townofclaytonnc.org)
 Joshua Cotten (jcotten@townofclaytonnc.org)
 Alyons (alyons@townofclaytonnc.org)
 Brant_lewis (blewis@townofclaytonnc.org)
 colmedo (colmedo@townofclaytonnc.org)
 Dbuckman (dbuckman@townofclaytonnc.org)


Documents




101-Best-Wood-Dr-Supporting-Documents.pdf
 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf

Record

| | Message | Date | Time | Document | Page Number |
|----|---|------------|----------|---|-------------|
| 1 |  mjones: Joined Session | 12/23/2025 | 1:04 PM | | |
| 2 |  mjones: Added '101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf' | 12/23/2025 | 1:05 PM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | |
| 3 |  mjones: Added '101-Best-Wood-Dr-Supporting-Documents.pdf' | 12/23/2025 | 1:05 PM | 101-Best-Wood-Dr-Supporting-Documents.pdf | |
| 4 |  mworner: Joined Session | 12/23/2025 | 2:00 PM | | |
| 5 |  mworner: Left Session | 12/23/2025 | 2:00 PM | | |
| 6 |  mjones: Left Session | 12/23/2025 | 2:46 PM | | |
| 7 |  Randy King: Joined Session | 12/28/2025 | 10:20 PM | | |
| 8 |  Randy King: Left Session | 12/28/2025 | 10:20 PM | | |
| 9 |  Joshua Cotten: Joined Session | 12/29/2025 | 7:13 AM | | |
| 10 |  Joshua Cotten: Left Session | 12/29/2025 | 7:14 AM | | |
| 11 |  Brant_lewis: Joined Session | 12/29/2025 | 8:06 AM | | |
| 12 |  Brant_lewis: Left Session | 12/29/2025 | 8:06 AM | | |
| 13 |  colmedo: Joined Session | 12/30/2025 | 1:22 PM | | |

| | Message | Date | Time | Document | Page Number |
|----|---|-------------|-------------|---|--------------------|
| 14 | 🚶 colmedo: Left Session | 12/30/2025 | 2:33 PM | | |
| 15 | 🚶 Dbuckman: Joined Session | 12/31/2025 | 2:43 PM | | |
| 16 | 🚶 Dbuckman: Left Session | 12/31/2025 | 2:43 PM | | |
| 17 | 🚶 Alyons: Joined Session | 1/5/2026 | 8:04 AM | | |
| 18 | 🚶 Alyons: Left Session | 1/5/2026 | 8:04 AM | | |
| 19 | 🚶 Alyons: Joined Session | 1/6/2026 | 8:11 AM | | |
| 20 | 🚶 Alyons: Set status to Finished | 1/6/2026 | 8:11 AM | | |
| 21 | 🚶 Alyons: Left Session | 1/6/2026 | 8:11 AM | | |
| 22 | 🚶 Brant_lewis: Joined Session | 1/7/2026 | 12:24 PM | | |
| 23 | 🚶 Brant_lewis: Left Session | 1/7/2026 | 12:25 PM | | |
| 24 | 🚶 colmedo: Joined Session | 1/7/2026 | 3:12 PM | | |
| 25 | 🚶 colmedo: Reconnected | 1/7/2026 | 10:45 PM | | |
| 26 | 🚶 colmedo: Left Session | 1/8/2026 | 9:04 AM | | |
| 27 | 🚶 Randy King: Joined Session | 1/11/2026 | 7:59 PM | | |
| 28 | 🚶 Randy King: Left Session | 1/11/2026 | 8:01 PM | | |
| 29 | 🚶 colmedo: Joined Session | 1/12/2026 | 3:32 PM | | |
| 30 | 🚶 colmedo: Left Session | 1/12/2026 | 3:32 PM | | |
| 31 | 🚶 colmedo: Joined Session | 1/15/2026 | 2:46 PM | | |
| 32 | 🚶 colmedo: Left Session | 1/15/2026 | 5:33 PM | | |
| 33 | 🚶 mworner: Joined Session | 1/21/2026 | 7:12 AM | | |
| 34 | 🚶 mworner: Left Session | 1/21/2026 | 7:13 AM | | |
| 35 | 🚶 mjones: Joined Session | 1/22/2026 | 10:07 AM | | |
| 36 | 🚶 colmedo: Joined Session | 1/22/2026 | 10:09 AM | | |
| 37 | A colmedo: Added Text Box | 1/22/2026 | 10:09 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 38 | 🚶 mjones: Left Session | 1/22/2026 | 10:09 AM | | |
| 39 | 🚶 mjones: Joined Session | 1/22/2026 | 10:09 AM | | |
| 40 | 🚶 mjones: Left Session | 1/22/2026 | 10:09 AM | | |
| 41 | A colmedo: Edited Text Box (Review by TRC Committee complete, Planning will confirm with applicant the date of their Board of Adjustment Appeal Hearing.) | 1/22/2026 | 10:10 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |

| | Message | Date | Time | Document | Page Number |
|----|---|-------------|-------------|--|--------------------|
| 42 | A colmedo: Move Markups | 1/22/2026 | 10:10 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 43 | A colmedo: Edit Markups | 1/22/2026 | 10:10 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 44 | A colmedo: Move Text Box | 1/22/2026 | 10:10 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 45 | A colmedo: Edited Text Box (Review by TRC Committee complete, Planning will confirm with applicant the date of their Board of Adjustment Appeal Hearing.) | 1/22/2026 | 10:11 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 46 |  colmedo: Added Town Council Approval | 1/22/2026 | 10:11 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 47 |  colmedo: Group Markups | 1/22/2026 | 10:11 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 48 | A colmedo: Move Text Box | 1/22/2026 | 10:11 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 49 |  colmedo: Added Town Council Approval | 1/22/2026 | 10:11 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | 1 |
| 50 | A colmedo: Paste | 1/22/2026 | 10:11 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | 1 |

| | | Message | Date | Time | Document | Page Number |
|----|---|---------------------------------------|-------------|-------------|---|--------------------|
| 51 | A | colmedo: Move Text Box | 1/22/2026 | 10:11 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | 1 |
| 52 |  | colmedo: Group Markups | 1/22/2026 | 10:12 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | 1 |
| 53 | A | colmedo: Move Text Box | 1/22/2026 | 10:12 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | 1 |
| 54 | X | colmedo: Delete Text Box | 1/22/2026 | 10:12 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | |
| 55 | X | colmedo: Delete Town Council Approval | 1/22/2026 | 10:12 AM | 101 Best Wood Dr Mr Handyman Administrative Appeal 12.15.2025.pdf | |
| 56 | A | colmedo: Move Text Box | 1/22/2026 | 10:12 AM | 101-Best-Wood-Dr-Su pporting-Documents.p df | 1 |
| 57 |  | colmedo: Left Session | 1/22/2026 | 10:15 AM | | |
| 58 |  | mjones: Joined Session | 1/23/2026 | 10:28 AM | | |



101-Best-Wood-Dr-Supporting-Documents.pdf Markup Summary 1 1-23-2026

1 (1)

Review by TRC Committee complete.
Planning will confirm with applicant the date of
their Board of Adjustment Appeal Hearing.



Subject: Text Box
Page Label: 1
Author: colmedo
Date: 1/22/2026 10:11:51 AM
Status:
Color: ■
Layer:
Space:

Review by TRC Committee
complete, Planning will confirm
with applicant the date of their
Board of Adjustment Appeal
Hearing.



TOWN OF CLAYTON
 Planning Department
 111 E. Second St., P.O. Box 879
 Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

CODE ENFORCEMENT - NOTICE OF VIOLATION

March 11, 2025

Property Owner:
 ALIGWEN, LLC
 6300 WESTGATE RD
 STE A
 RALEIGH, NC 27617

Site Address:
 TENANT/CURRENT RESIDENT
 101 BEST WOOD DR.
 CLAYTON, NC 27520

REQUEST FOR SERVICE #: 2025-079

Dear Property Owner/Site Occupant:

An inspection of the above referenced property located at **101 BEST WOODS DR.** has verified violation(s) of **CHAPTER 4.6.5.(D) PORTABLE STORAGE CONTAINERS** of the Unified Development Ordinance. The violations include **A PORTABLE STORAGE CONTAINER BEING USED FOR PERMANENT STORAGE AND ADDITIONAL BUILDING MATERIALS ON IT** (see photographs).

Chapter 4.6.5 (D) of the Town of Clayton’s Unified Development Ordinance states:

2. NON-RESIDENTIAL AND MIXED USES

Storage of goods, products, or materials within a storage container (e.g., portable storage container, shipping container, etc.) may be permitted as a temporary use as part of a lawfully established non-residential or mixed-use, subject to the following standards:

a. TYPES DISTINGUISHED

Storage containers shall take one of the following four forms:

- i. A portable storage container (sometimes referred to as a “POD”) used for the purposes of storage of finished goods or bulk materials within packaging;
- ii. A shipping container;
- iii. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris; or
- iv. A fully-enclosed, non-motorized, trailer (commonly known as a semi-trailer) with wheels intended to be towed to a site for the purpose of storage or transport of goods, materials, or equipment.

b. PERMIT REQUIRED

A building permit shall not be required for a storage container, but a temporary use permit issued in accordance with **Section 2.3.25, Temporary Permit**, is required.

c. EXEMPTIONS

The standards in this section shall not apply to storage containers used as temporary construction trailers, construction dumpsters, or construction materials recycling facilities, provided construction on the site is on-going.

d. MAXIMUM SIZE

Containers shall be no larger in dimension than ten feet in height, eight feet in width, or 40 feet in length.

e. MAXIMUM NUMBER

No more than four storage containers shall be located on a single lot or parcel of land.

f. HAZARDOUS SUBSTANCES

Storage containers shall not be used to store or transport solid waste, hazardous materials, explosives, or unlawful substances and materials.

g. LOCATION

- i. A storage container may be located to the side or rear of a building, but shall not be located between a primary building wall and the street.
- ii. If site conditions make placement of the storage container behind or beside a building impossible, then the storage container may be located within designated parking or loading area provided such placement does not interfere with the safe operation of vehicles and provided the placement does not render the site nonconforming with respect to off-street parking space requirements.
- iii. In no instance shall a storage container be located within a Town street, public street right-of-way, or in a location that poses a threat to public health or safety.

h. DURATION

- i. Portable storage containers may be located on a site for a maximum of up to 90 days per calendar year.
- ii. In no instance shall these standards be construed to allow placement of one or more storage containers on a single site for more than 90 days in any single calendar year.

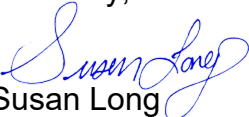
CORRECTIVE ACTION REQUIRED

REMOVE THE PORTABLE STORAGE CONTAINER.

Failure to make contact with the Town of Clayton and/or to make corrective action regarding this Notice of Violation within **FOURTEEN (14) DAYS, BY March 25, 2025** will result in further enforcement actions, including Civil Penalties (UDO Section 7.6.1.) and/or an Order of Abatement (UDO Section 7.6.7.). A First Notice of Violation's Civil Penalty is \$50.00 with Second and Subsequent Notices of Violation at \$100.00 for each day the violation(s) continues. An Order of Abatement includes an Administrative Fee of \$100.00 plus all costs incurred with the abatement. Should a landowner/property owner wish to appeal this Notice of Violation, filing of a notice of appeal shall be submitted within 30 days of receipt of this written notice (UDO Section 2.3.2.).

The Town appreciates your attention to these matters. The rules and regulations established within the Town's Code of Ordinances and Unified Development Ordinance promote the health, safety, morals and general welfare of all residents and business owners of the Town of Clayton. Please contact me directly at 919-553-5002 X 6535 or at slong@townofclaytonnc.org so we can reach a resolution to this Notice of Violation.

Sincerely,


Susan Long

Zoning & Code Enforcement Officer

Town of Clayton
Administration
PO Box 879
Clayton, NC 27528

USPS CERTIFIED MAIL



9214 8901 9403 8304 3741 99

ALIGWEN LLC
6300 WESTGATE RD
STE A
RALEIGH NC 27617-4754

Date Produced: 03/18/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8304 3741 99. Our records indicate that this item was delivered on 03/17/2025 at 11:13 a.m. in RALEIGH, NC 27617. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: C5721802.34699255

Mar 10, 2025 at 2:38:24 PM
101 Best Wood Dr
Clayton NC 27520
United States



Mar 10, 2025 at 2:38:22 PM
101 Best Wood Dr
Clayton NC 27520
United States





Scale: 1:1336 - 1 in. = 111.34 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
March 11, 2025

Result

id: 05I05019T
Tag: 05I05019T
NCPin: 167700-59-0242
Mapsheet No: 1677
Owner Name 1: ALIGWEN, LLC
Owner Name 2:
Mail Address 1: 6300 WESTGATE RD STE A
Mail Address 2:
Mail Address 3: RALEIGH, NC 27617-4754
Site Address 1: 101 BEST WOOD DR
Site Address 2: CLAYTON, NC 27520-
Book: 06360
Page: 0654
Market Value: 1269360
Assessed Acreage: 1.150
Calc. Acreage: 1.066
Sales Price: 996000
Sale Date: 2022-10-14
Township: Clayton
Flood Panel: 3720167700 K | 2014-04-30
Water District: Not Applicable
ETJ: Clayton
City Limits: Not Applicable
Town Zoning: LID
County Zoning: Not Applicable
OverLay Zoning: Not Applicable
EMS District: STA4
Fire District: Wilsons Mills
Law District: 8
Census Tract: 409
Electric District: SMITHFIELD-SELMA
MUNICIPAL
Special Tax Not Applicable
Voting Districts: East Clayton
US Congressional 13
NC House District: 26
NC Senate District: 10
Commissioner 7
Benson Ward: Not Applicable
Smithfield Ward: Not Applicable



TOWN OF CLAYTON
 Planning Department
 111 E. Second St., P.O. Box 879
 Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

CODE ENFORCEMENT – 2nd NOTICE OF VIOLATION

March 28, 2025

Property Owner:
 ALIGWEN, LLC
 6300 WESTGATE RD
 STE A
 RALEIGH, NC 27617

Site Address:
 TENANT/CURRENT RESIDENT
 101 BEST WOOD DR.
 CLAYTON, NC 27520

REQUEST FOR SERVICE #: 2025-079

Dear Property Owner/Site Occupant:

A re-inspection of the above-referenced property located at **101 BEST WOODS DR.** was conducted on March 26, 2025, and it confirms that the verified violation(s) of **CHAPTER 4.6.5. (D) PORTABLE STORAGE CONTAINERS** of the Unified Development Ordinance remain in existence. The violations include **A PORTABLE STORAGE CONTAINER BEING USED FOR PERMANENT STORAGE AND ADDITIONAL BUILDING MATERIALS ON IT** (attached: First Notice of Violation with initial photos, photos from March 26, 2025).

Chapter 4.6.5 (D) of the Town of Clayton’s Unified Development Ordinance states:

2. NON-RESIDENTIAL AND MIXED USES

Storage of goods, products, or materials within a storage container (e.g., portable storage container, shipping container, etc.) may be permitted as a temporary use as part of a lawfully established non-residential or mixed-use, subject to the following standards:

a. TYPES DISTINGUISHED

Storage containers shall take one of the following four forms:

- i. A portable storage container (sometimes referred to as a “POD”) used for the purposes of storage of finished goods or bulk materials within packaging;
- ii. A shipping container;
- iii. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris; or
- iv. A fully-enclosed, non-motorized, trailer (commonly known as a semi-trailer) with wheels intended to be towed to a site for the purpose of storage or transport of goods, materials, or equipment.

b. PERMIT REQUIRED

A building permit shall not be required for a storage container, but a temporary use permit issued in accordance with Section 2.3.25, Temporary Permit, is required.

c. EXEMPTIONS

The standards in this section shall not apply to storage containers used as temporary construction trailers, construction dumpsters, or construction materials recycling facilities, provided construction on the site is on-going.

d. MAXIMUM SIZE

Containers shall be no larger in dimension than ten feet in height, eight feet in width, or 40 feet in length.

e. MAXIMUM NUMBER

No more than four storage containers shall be located on a single lot or parcel of land.

f. HAZARDOUS SUBSTANCES

Storage containers shall not be used to store or transport solid waste, hazardous materials, explosives, or unlawful substances and materials.

g. LOCATION

- i. A storage container may be located to the side or rear of a building, but shall not be located between a primary building wall and the street.
- ii. If site conditions make placement of the storage container behind or beside a building impossible, then the storage container may be located within designated parking or loading area provided such placement does not interfere with the safe operation of vehicles and provided the placement does not render the site nonconforming with respect to off-street parking space requirements.
- iii. In no instance shall a storage container be located within a Town street, public street right-of-way, or in a location that poses a threat to public health or safety.

h. DURATION

- i. Portable storage containers may be located on a site for a maximum of up to 90 days per calendar year.
- ii. In no instance shall these standards be construed to allow placement of one or more storage containers on a single site for more than 90 days in any single calendar year.

CORRECTIVE ACTION REQUIRED

REMOVE THE PORTABLE STORAGE CONTAINER.

Failure to make contact with the Town of Clayton and/or to make corrective action regarding this Notice of Violation within **FOURTEEN (14) DAYS, BY April 11, 2025**, will result in further enforcement actions, including Civil Penalties (UDO Section 7.6.1.) and/or an Order of Abatement (UDO Section 7.6.7.). A First Notice of Violation's Civil Penalty is \$50.00 with Second and Subsequent Notice of Violation at \$100.00 for each day the violation(s) continues. An Order of Abatement includes an Administrative Fee of \$100.00 plus all costs incurred with the abatement. Should a landowner/property owner wish to appeal this Notice of Violation, filing of a notice of appeal shall be submitted within 30 days of the First Notice of Violation (UDO Section 2.3.2.).

The Town appreciates your attention to these matters. The rules and regulations established within the Town's Code of Ordinances and Unified Development Ordinance promote the health, safety, morals, and general welfare of all residents and business owners of the Town of Clayton.

Please feel free to reach out if you have any additional questions at 919-553-5002 ext. 6535 or via email at slong@townofclaytonnc.org.

Sincerely,

Susan Long
Zoning & Code Enforcement Officer

Mar 26, 2025 at 2:47:17 PM
101 Best Wood Dr
Clayton NC 27520
United States



Mar 26, 2025 at 2:47:00 PM
101 Best Wood Dr
Clayton NC 27520
United States



Mar 26, 2025 at 2:47:05 PM
101 Best Wood Dr
Clayton NC 27520
United States





Remit Payment To:

Town of Clayton
PO Box 879
Clayton, NC 27528

INVOICE

Billing Date: 03/27/2025
Due Date: 04/27/2025
Invoice Number: CODE ENF-2025-00000005
Customer Number: 14374

Total Due: \$50.00

ALIGWEN, LLC
600 WESTGATE ROAD STE A
RALEIGH, NC 27617

BILL PAYMENT OPTIONS

- BY MAIL – Please enclose the top portion of your bill with your check or money order and mail to remit address above.
- IN PERSON – At Customer Service, located in Town Hall, 111 E. Second St. Please bring your bill with you.
- DROP BOX – Located in front of Town Hall, 111 E. Second St. Please insert check or money order with the top portion of your bill in an envelope.

PAYMENT TERMS

WHEN BILLS ARE PAST DUE: An account is considered PAST DUE if payment has not been received by 5:00pm on the due date.
----- tear here -----

Please remit the top portion with payment

| | | |
|------------------------|--------------------------|--|
| Town of Clayton | Billing Date: 03/27/2025 | Invoice Number: CODE ENF-2025-00000005 |
| PO Box 879 | Due Date: 04/27/2025 | Customer Number: 14374 |
| Clayton, NC 27528 | | |
| | Total Due: \$50.00 | |

Description: Case Number: 2025-079 101 Best Wood Dr.

| Description | Total Price |
|----------------|-------------|
| CODE VIOLATION | \$50.00 |

| | |
|-----------------|----------|
| Invoice Total: | \$50.00 |
| Prepaid Amount: | (\$0.00) |
| Balance Due: | \$50.00 |

RETURNED CHECK CHARGES: In accordance with North Carolina Law (G.S. 25-3-512) a fee is charged for each returned check.

CUSTOMER RIGHTS: The customer has the right to request a review by the Town's Customer Service Director if a billing error cannot be resolved with the Customer Service Department. Please contact the Customer Service Director at Town Hall, 111 E. Second St., Clayton, NC or by telephone (919) 553-5002 between the hours of 8:00am and 5:00pm Monday through Friday.

Town of Clayton
Administration
PO Box 879
Clayton, NC 27528

USPS CERTIFIED MAIL



9214 8901 9403 8307 3464 83

ALIGWEN LLC
6300 WESTGATE RD
STE A
RALEIGH NC 27617-4754

PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 04/01/2025

TOWN OF CLAYTON:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8307 3464 83

Our records indicate that this item was accepted by the USPS at:

DELIVERED LEFT WITH INDIVIDUAL RALEIGH,NC 27617 04/01/2025 10:43

ORIGINAL INTENDED RECIPIENT:

ALIGWEN LLC

6300 WESTGATE RD STE A

RALEIGH NC 27617-4754



CODE ENFORCEMENT - NOTICE OF VIOLATION

October 22, 2025

Property Owner:

Aligwen, LLC
6300 Westgate Rd
STE A
Raleigh, NC 27617

Site Address:

TENANT/CURRENT RESIDENT
101 Best Wood Dr.
Clayton, NC 27520

Code Enforcement Officer:

Susan Long
Zoning & Code Enforcement Officer
slong@townofclaytonnc.org
984-310-4395

REQUEST FOR CODE CASE #:2025 - 079

Dear Property Owner/Site Occupant:

This correspondence is to inform you that a recent inspection of the property located at **101 Best Wood Dr.** has revealed violations of the Town of Clayton's Unified Development Ordinance and/or the Town of Clayton's Code of Ordinances. As part of our ongoing efforts to maintain compliance with the Town of Clayton's codes and regulations, we request that you address the following issue(s) outlined below:

Current Code Violations

- 1. Violation:** Unpermitted Shipping Container on site.
 - **Code Reference:** 4.6.5 (D) Portable Storage Containers.
 - **Action Required:** Remove the Temporary Shipping Container

To bring your property into compliance with the Town's code, the violations need to be addressed by **November 2, 2025**

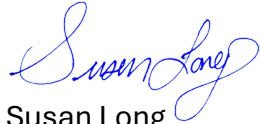
Civil penalties in the amount of \$100.00 per day shall be assessed beginning with the third Notice of Violation and for each subsequent notice, for every day the violation(s) remain uncorrected.

Failure to take corrective action regarding this Notice of Violation by the given deadline will result in further enforcement actions, including Civil Penalties (UDO Section 7.6.1.) and/or an Order of Abatement (UDO Section 7.6.7.). An Order of Abatement includes an Administrative Fee of \$100.00 plus all costs incurred with the abatement. Should a landowner/property owner wish to appeal this Notice of Violation, filing of a notice of appeal shall be submitted within 30 days of receipt of this written notice (UDO Section 2.3.4.).

The Town appreciates your attention to these matters. The rules and regulations established within the Town's Code of Ordinances and Unified Development Ordinance promote the health, safety, morals, and general welfare of all residents and business owners of the Town of Clayton.

Please contact me directly at (984) 310-4395 or slong@townofclaytonnc.org if you have any additional questions.

Sincerely,



Susan Long

Zoning & Code Enforcement Officer

Sep 9, 2025 at 2:22:11 PM
3821 Powhatan Rd
Clayton NC 27520
United States



Sep 9, 2025 at 2:22:07 PM
3821 Powhatan Rd
Clayton NC 27520
United States



Sep 9, 2025 at 2:22:05 PM
3821 Powhatan Rd
Clayton NC 27520
United States



Town of Clayton
Administration
PO Box 879
Clayton, NC 27528

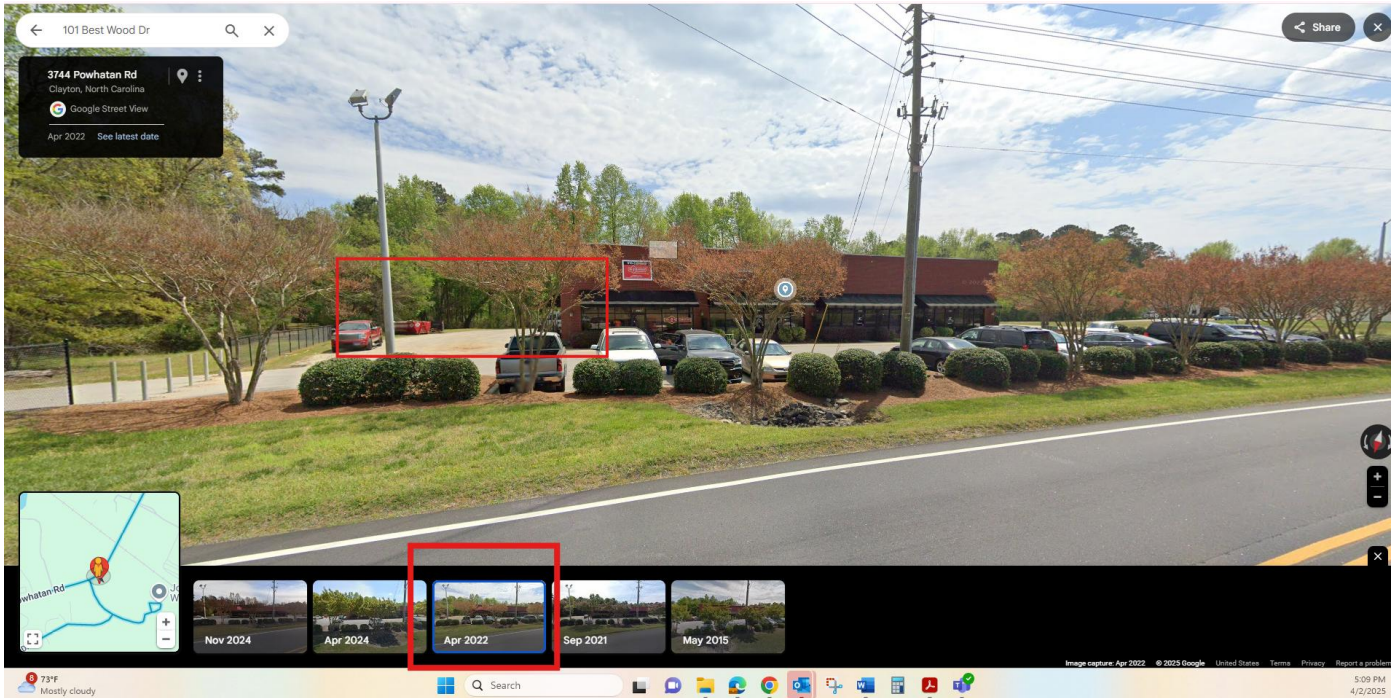
USPS CERTIFIED MAIL



9214 8901 9403 8339 0685 06

ALIGWEN LLC
6300 WESTGATE RD
STE A
RALEIGH NC 27617-4754

Supporting Aerial and Street Views of 101 Best Wood Dr.



Google Street View on April 2022, the Shipping Container is not at the location.



NearMap aerial imagery on October 19, 2023, showing that the property does not contain the shipping container.

Analysis: The shipping container was not on the premises as of April 2022 and October 19, 2023.

Supporting Aerial and Street Views of 101 Best Wood Dr.



Google Street View showing that the shipping container is on the property as of April 2024.



NearMap aerial imagery on February 1, 2024 showing that the property contains the shipping container.

Analysis: The shipping container was placed on the property after October 19, 2023 but before February 1, 2024.



PUBLIC NOTICE CERTIFICATION

This certifies that the project and the associated application have been publicly noticed according to NCGS, Town UDO, and Planning Department policy:

Project: 101 Best Wood Dr. 2025-149-APL
Town Board: Board of Adjustment
Date of Meeting: April 15, 2026

| Public Notice Checklist | | | |
|-------------------------|---|-----------------|---------------|
| Type | Action | Staff | Date Complete |
| 1. Letters Mailed | Letters mailed to property owners within 300' of subject property | Per Sonya Davis | 3-31-26 |
| 2. Property Posted | Sign Posted on Property | Suzan Lorey | 4/2/2026 |
| 3. Website Updated | Project Information added to the Website | Roni Bryant | 3/31/26 |
| 4. Newspaper Publish | Newspaper Ad published | N/A | N/A |

Certified by:

Conrad Olmedo

Conrad Olmedo, AICP, CZO
 Planning Director

4.2.26

Date



TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION

<PROJECT NAME,
PROJECT NUMBER,
PROJECT TYPE>

On <Insert Date of Meeting> the Board of Adjustment conducted an Evidentiary Hearing regarding the above-referenced request and passed the following motion with a simple majority vote of the Board:

Decision of the Board of Adjustment:

- Decision 1: **Affirmation** of the decision or determination (inwhole or in part).
- Decision 2: **Modification** of the decision or determination (in whole or in part), as follows:

- Decision 3: **Reversal** of the decision or determination (in whole or in part).

This decision of the Board of Adjustment is determined by the following facts and their application to the standards of the Town of Clayton Unified Development Ordinance:

This Decision was made during the Board of Adjustment meeting held on <Insert Date of Meeting>.

<Insert>, Board of Adjustment Chair