



**TOWN OF MIDWAY
PLANNING & ZONING BOARD MINUTES
TUESDAY, NOVEMBER 28, 2017**

**MINUTES OF MIDWAY PLANNING & ZONING BOARD MEETING HELD ON TUESDAY,
NOVEMBER 28, 2017 AT 5:00 P.M. AT MIDWAY TOWN HALL, 426 GUMTREE ROAD,
MIDWAY, NORTH CAROLINA**

CALL TO ORDER

Vice Chairman James W. Smith called the meeting to order.

Planning & Zoning Board members present were: Jamie Hester (arrived 5:12), Charles Waddell, James W. Smith, Carl Tuttle and LeeAnn Thomas. Absent: None. Alternate: Vacant

Davidson County Zoning Officer Lee Crook, Travis Swain Davidson County Zoning, Town Clerk Linda Hunt and Deputy Clerk Tammy Robertson were present.

APPROVAL OF MINUTES

On motion by Board member Charles Waddell, seconded by Board member Carl Tuttle, the Board voted unanimously to approve the August 29, 2017 minutes as presented.

ADOPT AGENDA

On motion by Board member Carl Tuttle, seconded by Board member Charles Waddell, the Board voted unanimously to adopt the agenda as presented.

PUBLIC COMMENTS PERIOD

There were none.

REGULAR BUSINESS

**REVIEW REZONING REQUEST – 129 HEBRON CHURCH ROAD – FROM HC & RA-3,
HIGHWAY COMMERCIAL AND RURAL AGRICULTURAL DISTRICT TO RS & RA-3,
LOW INTENSITY RESIDENTIAL AND RURAL AGRICULTURAL**

Davidson County Zoning Officer Lee Crook presented the Planning Board with a rezoning request from Hebron United Church of Christ for the rezoning of 129 Hebron Church Road that contains 3.88 acres more or less from that of HC and RA-3, highway commercial and rural agricultural districts to that of RS, low intensity residential district and RA-3, rural agricultural district. The property is located on the east side of Old US Hwy 52 directly north of the Hebron Church Road intersection. Hebron Church of Christ is proposing to rezone three separate parcels. One parcel is currently vacant while the other two parcels contain a single family residence and an established church. The front portion of all three

properties is currently zoned HC, highway commercial district with the rear of each tract zoned RA-3, rural agricultural district. This creates a non-conformity on the tract with existing residence. Furthermore, Hebron Church of Christ has deed restricted the vacant parcel to only allow for a single family residential structure to be built and the church is a compliant use in any zoning district.

By rezoning both the vacant tract and the tract with the single family residential structure to RS, compliance with the existing residential land use and the deed restrictions would be achieved. By rezoning the tract with the existing church to RA-3 no change would take place with respect to the churches zoning status.

The Town of Midway Land Development Plan proposes the future land use of these tracts to be suburban residential. The proposed rezonings are therefore in compliance and would promote the land development plan for that area. While staff acknowledges that this property fronts Old US Hwy 52, this area is predominately residential in character.

Staff recommends approval of the request since it is in compliance with the land development plan, will properly zone an existing single family residence, and be consistent with the deed restrictions on the vacant parcel. All three parcels are contiguous to existing RA-3 and RS districts and would therefore meet the conditions for rezoning laid out in the Town of Midway's Zoning Ordinance.

On motion by Board member LeeAnn Thomas, seconded by Board member Charles Waddell, the Board voted unanimously to adopt the resolution recommending to the Midway Town Council that the request from Hebron United Church of Christ for rezoning to RS and RA-3 be granted.

**PLANNING BOARD RESOLUTION OF RECOMMENDATION
TOWN OF MIDWAY, NORTH CAROLINA**

Applicant: Hebron Church of Christ
Location: Said property is located on the east side of Old US Hwy 52 directly north of Hebron Church Road intersection.

Lot Size: 3.88 acres more or less
Parcel Id: #1300500000046, #13005B0000001, #13005B0000010
District: HC and RA-3
Meeting Date: 11-28-17
Request: Rezone to RS and RA-3
Plans: GIS maps prepared by staff.

WHEREAS: The applicant's property is outside of any recognized commercial service center According to the Town of Midway Land Development Plan.

WHEREAS: The Planning Board convened to consider and prepare a recommendation on the application on 11-28-17, at which time the applicant and/or applicant's representative was given the opportunity to comment on the application; and,

WHEREAS: The Planning Board has made the following conclusion:

1. The requested rezoning is reasonable and consistent with the comprehensive plan for the area;
2. Said property is contiguous to an already established RS and RA-3 District;

3. Two of the three tracts involved in the rezoning already have existing uses that are allowed in Both RS and RA-3 districts. Furthermore, the proposed rezoning is surrounded by existing residential uses;

Now Therefore It Be Resolved, on the basis on the forgoing findings and conclusions, that the Planning Board does hereby recommend to the Midway Town Council that the request for rezoning to RS and RA-3 be granted.

OTHER BUSINESS

ADOPT 2018 PLANNING AND ZONING MEETING SCHEDULE

**TOWN OF MIDWAY
PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENT
2018 MEETING SCHEDULE**

Meetings of the Midway Planning and Zoning Board/Board of Adjustment are generally held on the last Tuesday of each month, unless otherwise listed, at 5:00 p.m., in the Town Hall Council Chambers located at 426 Gumtree Road in Midway, North Carolina.

Tuesday, January 30

Tuesday, February 27

Tuesday, March 27

Tuesday, April 24

Tuesday, May 29

Tuesday, June 26

Tuesday, July 31

Tuesday, August 28

Tuesday, September 25

Tuesday, October 30

Tuesday, November 27

Tuesday, December 18*

*To accommodate Christmas Holidays.

Planning Board may elect not to hold a regularly scheduled meeting if there are no business items to cover.

On motion by Board member LeeAnn Thomas, seconded by Board member Carl Tuttle, the Board voted unanimously to adopt the 2018 Planning Board Meeting schedule as presented.

ADJOURNMENT

On motion by Board member LeeAnn Thomas, seconded by Board member Carl Tuttle, the Board voted unanimously to adjourn the meeting at 5:22 p.m.

James W. Smith, Vice-Chairman

Tammy H. Robertson, Deputy Clerk