



**TOWN OF MIDWAY
PLANNING BOARD MINUTES
TUESDAY DECEMBER 9, 2025**

**MINUTES OF MIDWAY PLANNING BOARD MEETING HELD ON TUESDAY, DECEMBER 9, 2025,
AT 5:00 P.M. AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA**

CALL TO ORDER

Chair Charles Waddell called the meeting to order.

DETERMINATION OF QUORUM

Quorum was established. Planning Board members present were Chair Charles Waddell, Vice-Chair Jamie Hester, James Smith, Paula Hill, Carl Tuttle, and Alternate Sherri Thomas. Absent: None.

Town Clerk Ree Goodson, Finance Officer Linda Hunt, Town Attorney Jim Lanik and Davidson County Planning Director Lee Crook, Davidson County Zoning Officer Matthew Bruff were present. Absent: Town Manager Brock Hall.

APPROVAL OF MINUTES

On motion by Board member Carl Tuttle, seconded by Vice Chair Jamie Hester, the Board voted unanimously to approve the October 28, 2025, Planning Board minutes as presented.

ADOPT AGENDA

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

PUBLIC ADDRESS

There were none.

REGULAR BUSINESS

Review – Request by Joseph G. Thomas to rezone property located in Midway Township, Tax Map 12, Lot 71 containing 0.46 acres more or less. Said property is located on the west side of OLD US Hwy 52 approximately 0.16 miles north of Hickory Tree Road intersection. Rezoning is requested to change from that of CS – Community Shopping District to that of OI – Office & Institutional District.

Davidson County Zoning Officer Matthew Bruff presented the rezoning request by Joseph G. Thomas, explaining that the 0.46-acre property is currently zoned CS (Community Shopping District) and the applicant is requesting to rezone it to OI (Office & Institutional District). The property is located on the west side of Old US Highway 52, approximately 0.16 miles north of the Hickory Tree Road intersection.

Mr. Bruff explained that the request stemmed from a zoning violation, as the property was being used as an Airbnb rental, which is considered a residential use not permitted in the CS district. The structure was originally built as a residence but was later used as an office, which was compliant with CS zoning. Once the property was used for a conforming commercial purpose, it could not revert back to residential use without rezoning.

Property Owner - Joseph Thomas, spoke to the Board about his request. Mr. Thomas explained that he had purchased the property from Larry Whicker and initially used it as an office for his construction company. He stated

as his business grew, he needed more storage space and moved to Wallburg, subsequently leasing out the property. He noted that the property's layout, with three bedrooms, dining room, and one-and-a-half baths, made it suitable for various uses including medical facilities, family care, and Airbnb rentals. Mr. Thomas also stated the property also has a parking lot, making it attractive to small businesses.

Board members had several questions about the rezoning request:

- Vice Chair Jamie Hester asked if a special use permit could accommodate the Airbnb use within the current zoning, but Davidson County Planning Director Lee Crook explained that single-family dwellings are not allowed at all in the CS district, even as a special use.
- Alternate member Sherri Thomas inquired about where the nearest residential zoning was located, and Mr. Crook clarified that the property is completely surrounded by non-residential zoning (CS to the north, west, and south, and Highway Commercial across the road to the east). The nearest residential zoning is across the railroad tracks to the west.
- There was discussion about whether the use would qualify as a bed and breakfast or rooming house under the current zoning, but Mr. Bruff explained that the Airbnb use is regulated as a residence, which is not permitted in the CS district.

Davidson County Planning Director Lee Crook presented the County's staff recommendation, explaining that the Town of Midway's comprehensive plan and Core Commercial Overlay District (CCOD) designate this area for commercial development. Mr. Crook stated that rezoning this property to OI would be inconsistent with the Town's adopted plans, which specifically delineate areas for office/institutional uses versus commercial uses. Mr. Crook explained that OI zoning typically serves as a transitional buffer between commercial and residential areas, but this property is in the core commercial district.

Mr. Crook said based on the Town of Midway Zoning Ordinance, Section 7.10 Amendments, subsection B Purpose, he did not believe any of the criteria for rezoning were met. Mr. Crook said staff respectfully recommend denial of the rezoning request due to inconsistencies with the Town's zoning ordinance and comprehensive plan.

After extensive discussion, Board member James Smith suggested continuing this matter until the next Planning Board meeting on January 27, 2026, to allow Board members more time to study the issue.

On motion by Board member James Smith, seconded by Vice Chair Jamie Hester, the Board voted unanimously to continue this discussion on rezoning until the Planning Board meeting on Tuesday, January 27, 2026, at 5:00

ADJOURNMENT

On motion by Board member Carl Tuttle, seconded by Board member James Smith, the Board voted unanimously to adjourn the meeting.

Charles Waddell, Chair

Ree Goodson, Town Clerk