



## Development & Facilities Services

298 E. Depot Street, Ste 100 | Mocksville, NC 27028 | 336.753.6050 | f 336.751.7689

[DavieCountyNC.gov](http://DavieCountyNC.gov)



There will be a meeting of the **Davie County Planning Board** on **Tuesday January 25, 2022 at 3:00** p.m. in the 2<sup>nd</sup> floor Commissioners Room of the Davie County Administration Building, 123 South Main Street, Mocksville, N.C. The public is invited to attend. Business will be conducted as follows:

- A. **Call to order**
- B. **Approval of the Minutes** of December 21, 2021
- C. **Public Comment.**
- D. **Zoning Map Amendment 2022-01.** To rezone approximately 110 acres from Residential-20 (R-20) to Residential Agricultural (R-A). The subject properties are located along Crabtree Road and is further described as Davie County Tax Map D30000002101, D30000002103, D30000002104, D30000002301 D30000002105, D30000002302, D3-00000021(portion), D300000018, D300000022, D00000023, D300000024, E300000036 (portion).
- E. **Old or New Business**
- F. **Adjournment.**

**Minutes of the  
Davie County Planning Board  
December 21, 2021**

**A. CALL TO ORDER**

| Attendee Name    | Title            | Status  |
|------------------|------------------|---------|
| Ellen Grubb      | Board Member     | Present |
| Mark White       | Board Member     | Absent  |
| Tamara Taylor    | Board Member     | Absent  |
| Mariam Wright    | Board Member     | Present |
| Alan Miller      | Board Member     | Present |
| Christopher Cole | Board Member     | Present |
| Keith Beck       | Board Member     | Present |
| Andrew Backus    | Alternate Member | Present |

Staff present: Andrew Meadwell, Amy Flyte

**B. ADOPT AGENDA**

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Keith Beck  
**SECONDER:**   Ellen Grubb  
**AYES:**         Grubb, Wright, Miller, Cole, Beck, Backus  
**ABSENT:**       White, Taylor

**C. APPROVAL OF THE MINUTES REGULAR MEETING - NOV 23, 2021 3:00 PM**

**RESULT:**       **ACCEPTED [UNANIMOUS]**  
**MOVER:**       Alan Miller  
**SECONDER:**   Andrew Backus  
**AYES:**         Grubb, Wright, Miller, Cole, Beck, Backus  
**ABSENT:**       White, Taylor

**C. PUBLIC COMMENT**

There was none.

**D. ZONING AMENDMENT**

**1. Zoning Map Amendment 2021-10.** Gary Sibert applied to rezone an approximately 1.6 acre portion of a 3.04 acre parcel of land from Residential-20 (R-20) to Residential Agricultural (RA). The subject property is located at 226 Crabtree Road and is further described as parcel of Davie County Tax Map D300000024. ZMA 2021-10, a 1.6 acre rezoning from R20 to RA at 226 Crabtree Road, parcel D3/24.

Andrew Meadwell introduced the item and answered board questions regarding housing types and spot zoning.

Chairman Wright opened the public comment period to those speaking in favor.

1. Jennifer Freeman of 226 Crabtree Road spoke as the daughter of the petitioner and presented the board with a signed petitioner from residents of Crabtree Road in support of the request.

2. Erin sober, general manager for Clayton Homes in Mount Airy spoke in favor of manufactured homes as affordable housing and their sale of a single wide home to the applicant.

Chairman Wright opened the public comment period to those speaking in opposition.

There was none.

Chairman Wright closed the public comment period.

The Board held discussion on the request including spot zoning, setting a precedent for such rezoning requests, and the role of the board and zoning.

Andrew Backus made a motion to deny and for the adoption of the following statement:

The proposed zoning amendment is not consistent with the Davie County Comprehensive Plan because:

1. The surrounding properties are zoned R-20 and a granting a change in zoning classification to R-A would create inconsistency and a potential for spot zoning.
2. By granting this change in zoning classification, land uses would be available to the property that are not available to the surrounding property owners.

Therefore, we find this zoning amendment is unreasonable and not in the public interest because it does not support the Comprehensive Plan policies above and because:

1. The potential for spot zoning.
2. The proposed amendment is incompatible with the surrounding residential structures.

|                  |                                           |
|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>DENIED [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Andrew Backus                             |
| <b>SECONDER:</b> | Keith Beck                                |
| <b>AYES:</b>     | Grubb, Wright, Miller, Cole, Beck, Backus |
| <b>ABSENT:</b>   | White, Taylor                             |

**2. Zoning Text Amendment 2021-01.** The Board reviewed and made a recommendation on text amendments to the Zoning Ordinance and Comprehensive Plan for solar energy generating facilities.

Andrew Meadwell introduced the item and went over the proposed text amendment.

Chairman Wright opened the public comment period.

1. Earl Ratledge of 466 Ratledge Rd spoke in favor of the ordinance and requested maximum size of a solar facility be changed from 100 acres to 50 acres.

2. Nick Slogick of 341 Magnolia Ave spoke about delaying solar to better understand how they will perform in the future.

Chairman Wright closed the public comment period.

The Board held discussion on the text amendment.

Andrew Backus spoke about the work the Planning Board and subcommittee put into drafting the text amendment and the considerations given to articulate the standards of Davie County to landowners and solar developers. Mr. Backus made a motion to approve the new language to the Comprehensive Plan and Zoning Ordinance with the following statement:

the Planning Board finds the amendment promotes public health, safety and general welfare; is consistent with all applicable adopted plans and considers the action to be reasonable and in the public interest; that said approval furthers the goals, objectives, actions and policies of the Comprehensive Plan and Growth Enhancement Strategy by clarifying standards for utility scale solar facilities.

|                  |                                           |
|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Andrew Backus                             |
| <b>SECONDER:</b> | Keith Beck                                |
| <b>AYES:</b>     | Grubb, Wright, Miller, Cole, Beck, Backus |
| <b>ABSENT:</b>   | White, Taylor                             |

**E. OLD OR NEW BUSINESS**

There was none.

**F. ADJOURNMENT**

**RESULT:**        **ADJOURNED [UNANIMOUS]**  
**MOVER:**        Alan Miller  
**SECONDER:**   Keith Beck  
**AYES:**         Grubb, Wright, Miller, Cole, Beck, Backus  
**ABSENT:**       White, Taylor

**Davie County**  
**ZONING MAP AMENDMENT 2022-1**

**Submittal Date**  
**January 2, 2022**

**STAFF REPORT TO THE BOARD**  
 January 25, 2022 Meeting Date

**Planning Staff**  
 Andrew Meadwell

**I. REQUEST**

To rezone approximately 110 acres from Residential-20 (R-20) to Residential Agricultural (R-A).

**II. PROJECT LOCATION**

The subject properties are located along Crabtree Road and is further described as Davie County Tax Map D30000002101, D30000002103, D30000002104, D30000002301, D30000002105, D30000002302, D3-00000021(portion), D300000018, D300000022, D00000023, D300000024, E300000036 (portion).

**III. PROJECT PROFILE**

ZONING DISTRICT: Residential-20 (R-20)

LAND USE PLAN: Rural Residential

WATERSHED: N/A

CROSS REFERENCE FILES: N/A

APPLICANT: Davie County

PROPERTY OWNER (s): Charles Myers, Jerry Hendrix, Andrew Jones, Ann White, Patrick Kelley, Tim Elmore, Dwight Cranfill, Donald Harris, John White, Jerry Driver, Willie Elmore

PROPERTY SIZE: Approximately 110 acres

CURRENT LAND USE: Residential

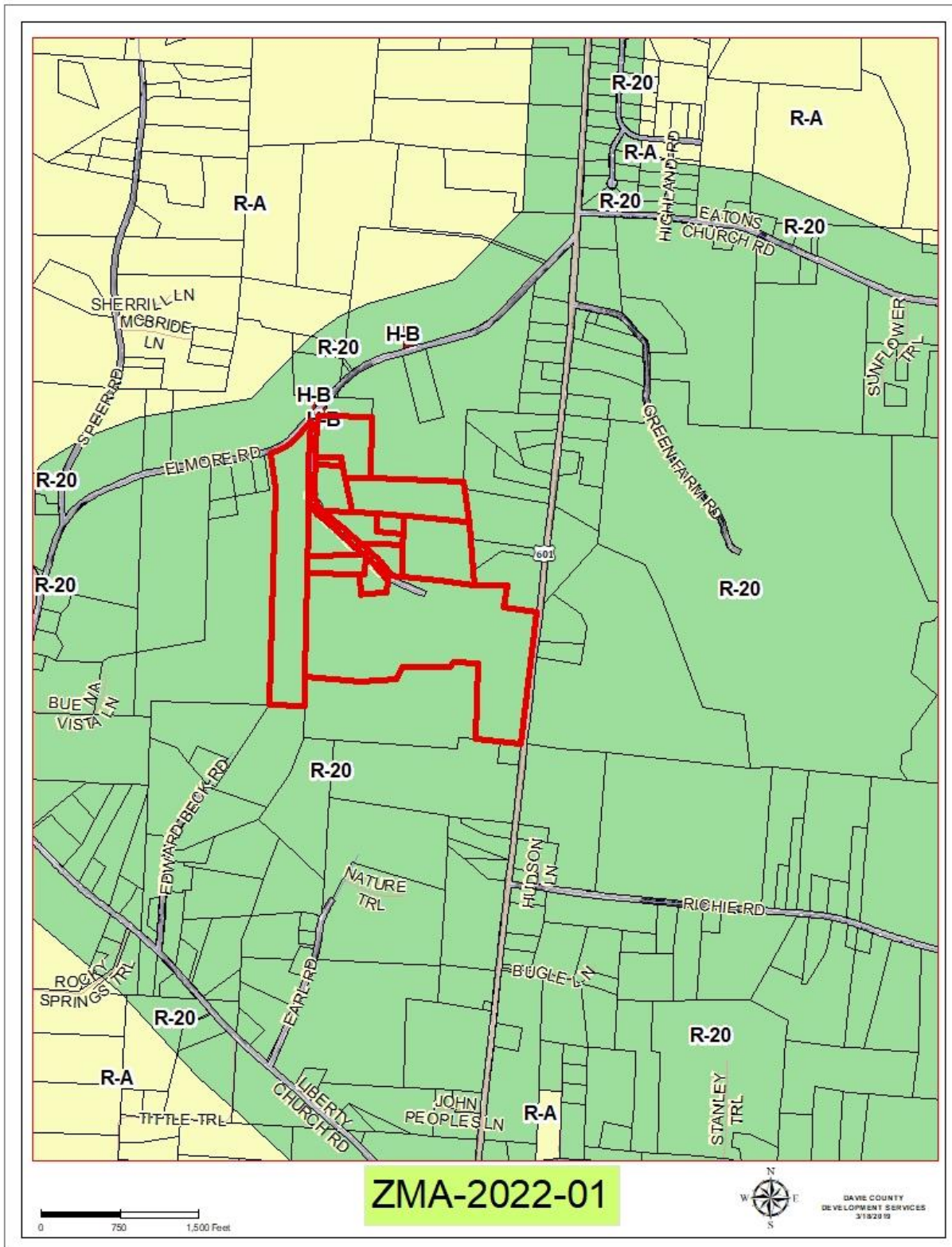
PROPOSED LAND USE: Residential

**PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES**

| DIRECTION | LAND USE                  | ZONING    |
|-----------|---------------------------|-----------|
| North     | Residential, Commerical   | R-20, H-C |
| West      | Residential               | R-20      |
| South     | Residential, Agricultural | R-20      |
| East      | Vacant, Wooded            | R-20      |

Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)

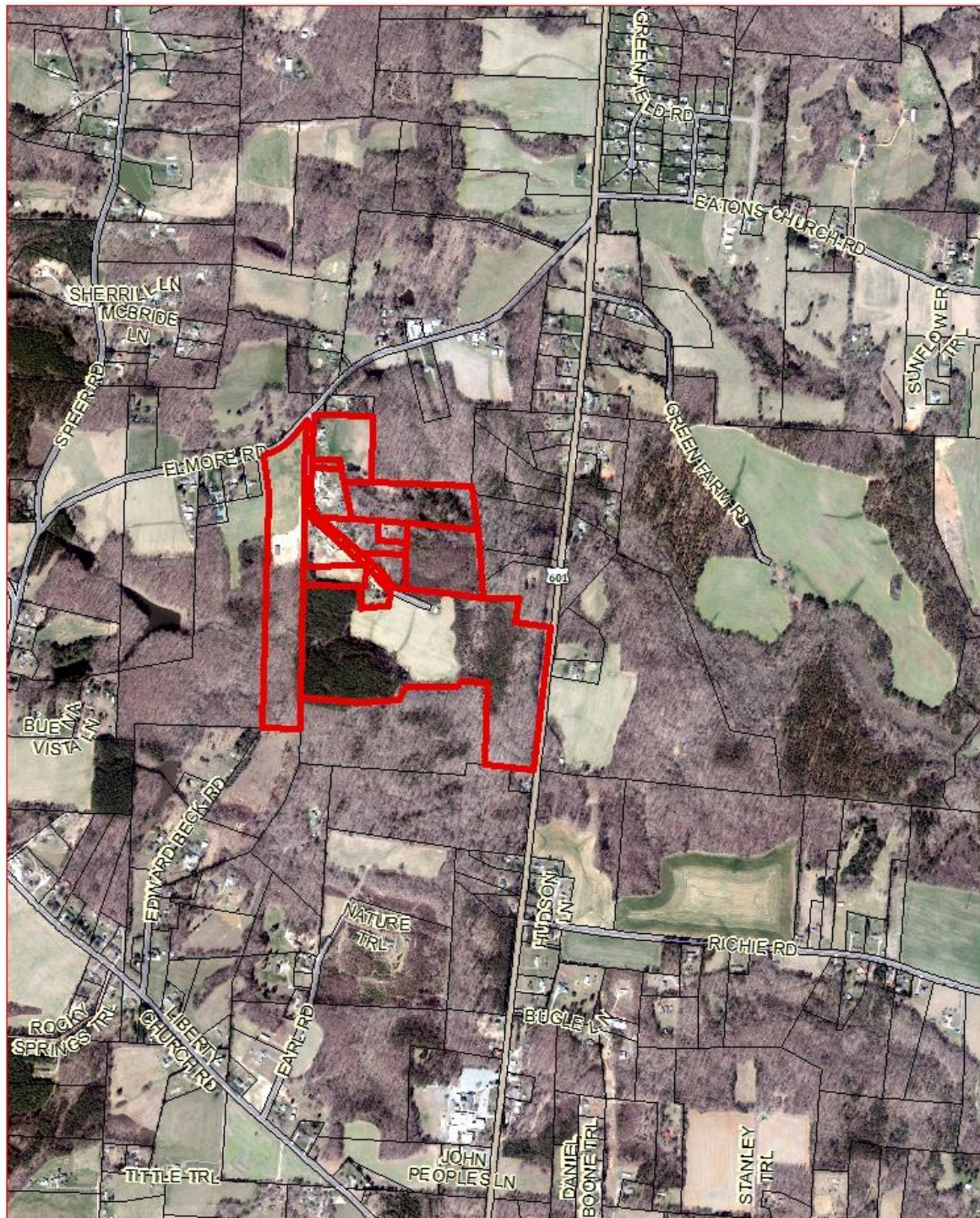
## IV. Zoning Map



Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)

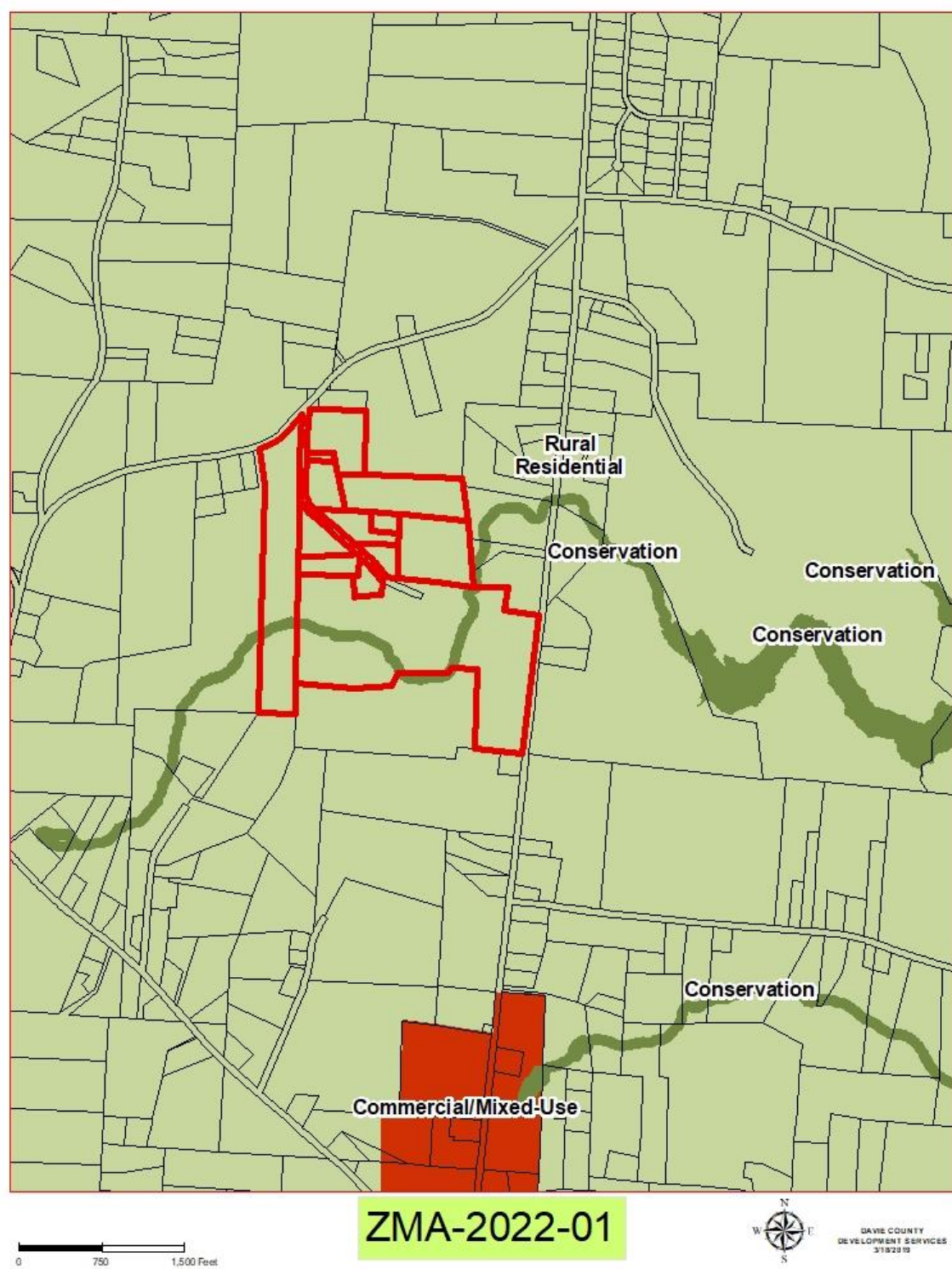
V. 2018 Aerial Map

Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)



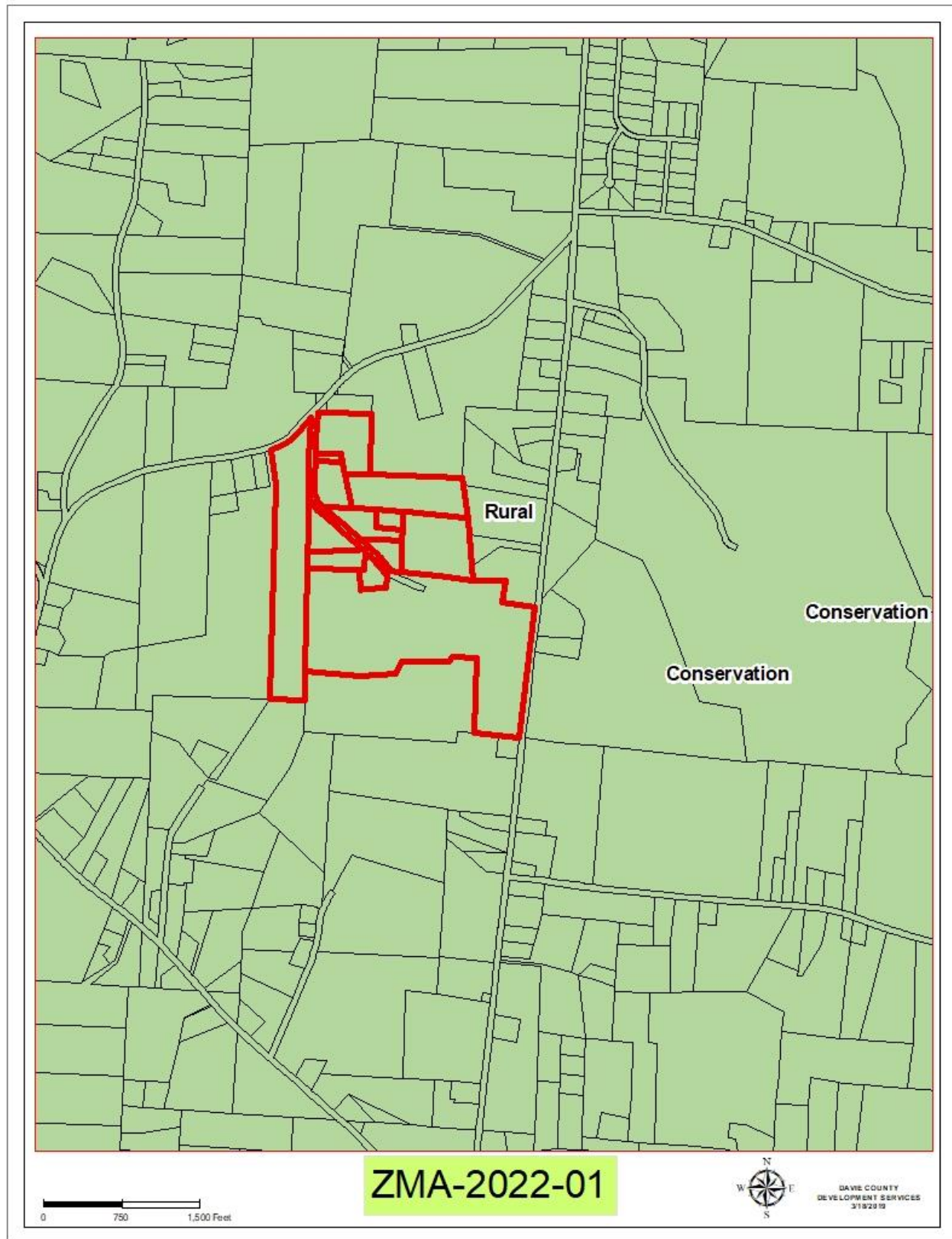
ZMA-2022-01

## VI. 2019 Future Land Use Map



Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)

VII. Davie County Growth Enhancement Strategy Map



Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)

## VIII. LAND USE/ ZONING HISTORY

- **1973:** The property was originally zoned R-20.

### A. Proposed Zoning

The R-A Residential-Agricultural District is established to maintain a rural development pattern where Single-family housing dwellings are intermingled with agricultural uses. Two family dwellings will be allowed with the issuance of a Special Use Permit. Generally, houses will be separated from one another by open fields or wooded areas. The impact of one homeowner's activities on his or her neighbors will be less than if the property owners were located side by side in a subdivision. Consequently, the property owner may have more freedom to use his or her land as he or she sees fit. Therefore, some limited commercial uses will be permitted along with residential and agricultural uses; however, the intent is clearly to exclude commercial and industrial uses or residential subdivisions that require public services (principally water and sewer systems) before they are generally needed in the area.

### B. Davie County Land Development Plan

The property is located in an area designated as Rural Residential. The land use category presented on the future land use map are intended to indicate the predominant land uses for that particular area of the county. It is not a map of zoning district but is a general geographical guide for land use and development. The Davie County Comprehensive plan describes the Rural Residential area as rural activities including farming, rural commercial business, and limited residential development to preserve the rural character of the County. Not intended for intense urban or suburban development, including major residential subdivisions.

The Comprehensive Plan future development policy recommendations state:

- Increase infill development by incentivizing reuse of existing vacant or underutilized buildings and properties.
- Support innovative and flexible land planning techniques as a means of encouraging development configurations which are more desirable and which may better safeguard existing natural land and water resources.
- Increase housing options across Davie County and its municipalities, including multi-family, single-family, patio homes and other options where infrastructure allows.
- Improve existing housing stock age and quality.
- Discourage the rapid proliferation of manufactured housing in the county by encouraging housing alternatives in the same price range.

### E. Davie County Growth Enhancement Strategy

The property is located in an area that is designated as a Rural Growth Area. This area is characterized by traditional agricultural operations, pasture land, forestry, and open space scattered non-farm residences on large tracts of land. Rural scenic vistas are a natural part of the landscape. There is normally an abundance of large, undeveloped tracts not experiencing significant residential development encroachment or pressure. There are natural, scenic, historic, or other heritage assets that contribute to the special characteristics of the area that might require special conservation and management. Land use changes in this area should be designated to protect the rural character and discourage premature public infrastructure demands by sustaining groundwater recharge capacity.

The Growth Enhancement Strategy describes policies within the rural growth area as:

**Policy 5.15** The County will encourage creativity in design of residential subdivisions by allowing for greater flexibility in the design, provided that the development is not greater than that normally allowed in the district.

**Policy 5.16** The County will create compact neighborhoods accessible to open space amenities and with a strong community identity.

**Policy 5.18** New driveway connections will be designed in a way to minimize new locations on existing public roads.

**Policy 5.19** Each lot in a subdivision planned for single-family residential development will be designed to contain well and septic tank system on the same lot as residence unless alternate system is approved through "open space" design.

**IX. ISSUES TO CONSIDER**

The Planning Board may not consider any specific use of the property but all possible uses in the Residential Agricultural district. The Planning Board may approve or deny, or defer the request for additional consideration. The Board should consider the following in making its recommendation:

1. The properties potential as a residential site
2. If rezoning is approved, any new structure will go through a Zoning Review to ensure compliance with zoning ordinance standards such as setbacks, etc.
3. Whether the proposed reclassification is consistent with the purposes, goals, objectives, and policies of adopted plans for the area.
4. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.
5. Applicable Zoning Ordinance Sections: The following sections of the Zoning Ordinance are applicable to this request: §155.125(B) Table of Uses; 155.161 and, §155.250-253 Changes and Amendments.

**X. PLANNING BOARD RECOMMENDATION**

The Board should consider one of the following actions:

**Rezoning**

☐ **Move that the following statement be adopted in support of a Motion to Approve;**

The proposed zoning amendment is consistent with the Davie County Comprehensive Plan because:

1. The property is rural residential on the 2019 plan.
2. The Comprehensive Plan policy goals to increase infill development by incentivizing reuse of existing vacant or underutilized buildings and properties.
3. The property is indicated as a rural growth area on the Growth Enhancement Strategy map within the Comprehensive Plan.

Therefore, we find this zoning amendment is reasonable and in the public interest because it supports the Comprehensive Plan policies and maps above and because:

1. The property's location near agriculture, forestry, and open space.
2. The property's location near similar housing types.
3. The lack of availability of public infrastructure including water and sewer.

☐ **Move that the following statement be adopted in support of a Motion to Deny,**

The proposed zoning amendment is not consistent with the Davie County Comprehensive Plan because:

1.

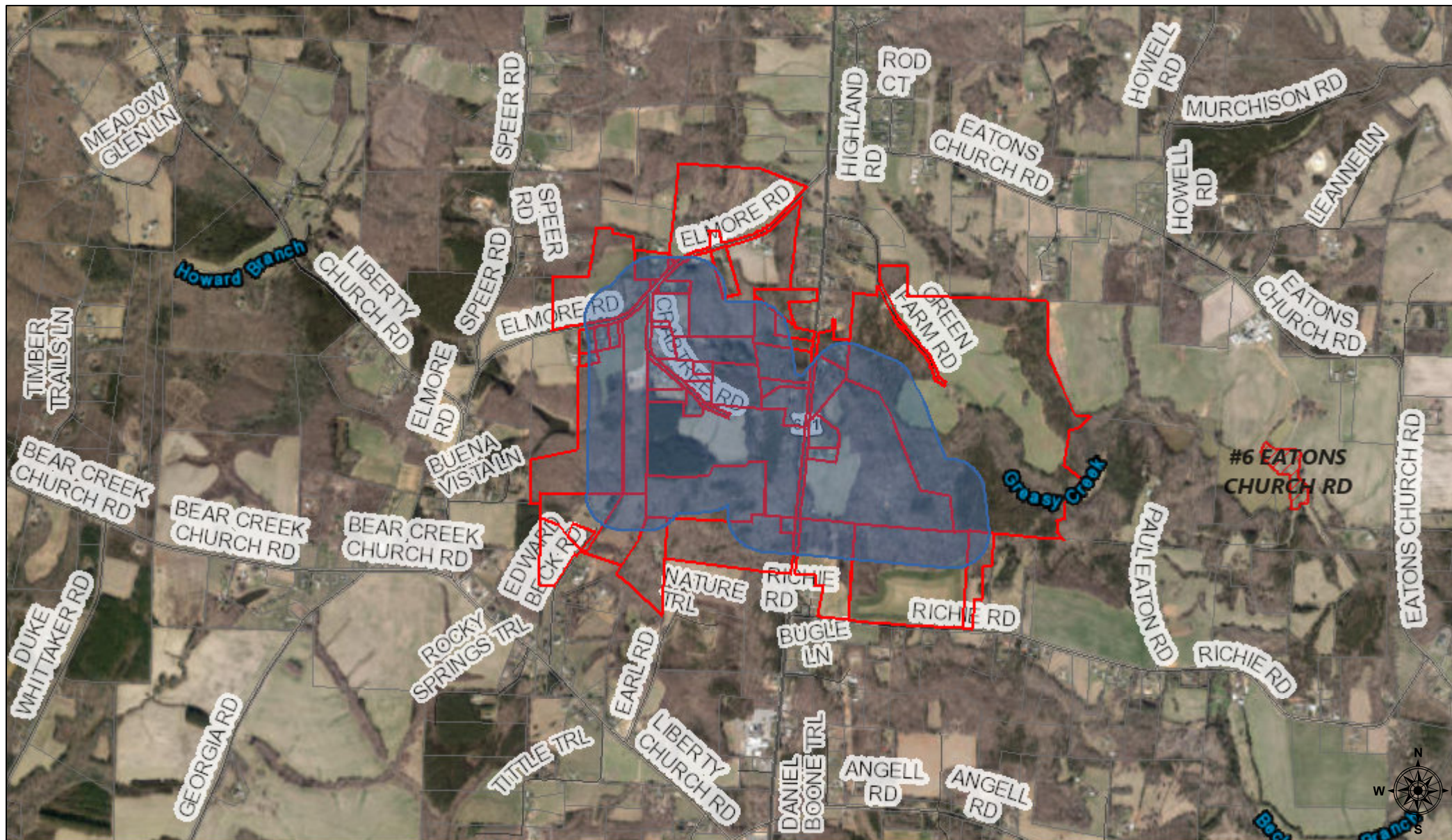
Therefore, we find this zoning amendment is unreasonable and not in the public interest because it does not support the Comprehensive Plan policies and maps above and because:

1. The amendment does not protect the areas residential rural historic character.
2. The proposed amendment is incompatible with the surrounding residential structures.
3. The amendment will have detrimental effects and will not protect or enhance a high quality of life and image enjoyed by area residents due to.....

☐ **Defer** the amendment for additional consideration

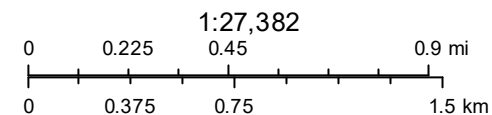
# Mailing Letters Map

D.1.a



January 13, 2022

-  Parcels
-  Special Uses & Variances
-  Watershed Structure



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA/USGS, AeroGRID, IGN, and the GIS User Community  
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Packet Pg. 13

2022

Attachment: PB attachment (Zoning Map Amendment 2022-01: Crabtree Road)

HARRIS DONALD ALTON  
431 ELMORE ROAD  
  
MOCKSVILLE, NC 27028-4746

HENDRIX JAMES TIMOTHY  
419 ELMORE ROAD  
  
MOCKSVILLE, NC 27028-4746

KELLEY PATRICK  
175 CRABTREE RD  
  
MOCKSVILLE, NC 27028-4723

ELMORE ANNABELLE CRABTREE EST  
115 CRABTREE ROAD  
  
MOCKSVILLE, NC 27028-0000

CRANFILL DWIGHT E  
226 CRABTREE ROAD  
  
MOCKSVILLE, NC 27028-4731

HARRIS GARRY DENE  
306 ELMORE ROAD  
  
MOCKSVILLE, NC 27028-4745

DRIVER JERRY WAYNE  
158 CRABTREE ROAD  
  
MOCKSVILLE, NC 27028

FEREBEE KENNETH LEE  
3810 US HIGHWAY 601 NORTH  
  
MOCKSVILLE, NC 27028-0000

DULL GARY WAYNE  
258 EDWARD BECK ROAD  
  
MOCKSVILLE, NC 27028-5759

BONARDI PAUL J  
219 EARL ROAD  
  
MOCKSVILLE, NC 27028-0000

RICHIE LARRY W  
2941 US HIGHWAY 601 NORTH  
  
MOCKSVILLE, NC 27028-0000

MAYO PETE G  
3653 HIGHWAY 601 NORTH  
  
MOCKSVILLE, NC 27028-6270

HOFFNER MONICA H  
3724 US HWY 601 N  
  
MOCKSVILLE, NC 27028-0000

GREEN FARM LLC  
665 QUARTERSTAFF ROAD  
  
WINSTON SALEM, NC 27104-1638

RICHIE ROGER LEE  
351 RICHIE ROAD  
  
MOCKSVILLE, NC 27028-0000

REAVIS EDNA LEE N  
648 RICHIE ROAD  
  
MOCKSVILLE, NC 27028-0000

STANLEY PEGGY H  
2355 ANGELL ROAD  
  
MOCKSVILLE, NC 27028-4609

CREWS JERRY  
401 ELMORE RD  
  
MOCKSVILLE, NC 27028

JONES ANDREW CLAY/AMY JEAN  
137 CRABTREE RD  
  
MOCKSVILLE, NC 27028-4723

LANNING HAROLD DAVID JR  
575 RICHIE ROAD  
  
MOCKSVILLE, NC 27028-0000

MAURER TERRI D  
208 EDWARD BECK ROAD  
  
MOCKSVILLE, NC 27028-0000

PARKER WENDY G  
3850 N US HWY 601  
  
MOCKSVILLE, NC 27028

ELMORE TIM GENE  
449 MADISON ROAD  
  
MOCKSVILLE, NC 27028

BAUGHMAN STEVEN JR  
239 ELMORE ROAD  
  
MOCKSVILLE, NC 27028

FEREBEE WALTER WAYNE  
3810 US HWY 601 N  
  
MOCKSVILLE, NC 27028-6272

PEGGDOUB TONI SUSAN  
1275 WORTHINGTON LANE  
  
GREENVILLE, NC 27858

MYERS CHARLES RICHARD  
115 CRABTREE ROAD  
  
MOCKSVILLE, NC 27028-0000

HENDRIX JORDAN  
391 ELMORE RD  
  
MOCKSVILLE, NC 27028-4745

ELMORE WILLIE C  
4279 NC HIGHWAY 801 NORTH  
  
MOCKSVILLE, NC 27028-0000

SHARPE WILFRED B JR  
264 ELMORE ROAD  
  
MOCKSVILLE, NC 27028-4763

|                                                                                      |                                                                                 |                                                                                   |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <p>DRIVER DAVID EDWARD<br/>3883 US HWY 601 N<br/><br/>Mocksville, NC 27028</p>       | <p>WHITE ANN<br/>197 CRABTREE RD<br/><br/>Mocksville, NC 27028-4723</p>         | <p>HARPE PAULINE<br/>3190 US HEY 601 NORTH<br/><br/>MOCKSVILLE, NC 27028-0000</p> |
| <p>HARTNETT JOYCE D<br/>1722 RIDGEWAY STREET WEST<br/><br/>WILSON, NC 27893-0000</p> | <p>HENDRIX JERRY E<br/>396 WILKESBORO ST<br/><br/>MOCKSVILLE, NC 27028-2326</p> | <p>RICHIE MARY NELL<br/>340 RICHIE ROAD<br/><br/>MOCKSVILLE, NC 27028-4924</p>    |
| <p>WHITE JOHN SHANNON<br/>182 CRABTREE RD<br/><br/>MOCKSVILE, NC 27028-0000</p>      | <p>KELLEY PATRICK<br/>175 CRABTREE RD<br/><br/>MOCKSVILLE, NC 27028-4723</p>    | <p>DRIVER JERRY WAYNE<br/>158 CRABTREE ROAD<br/><br/>MOCKSVILLE, NC 27028</p>     |