



**Town of Davidson
Planning Board Regular Meeting
Town Hall and Community Center
Community Room 120
251 South Street
Monday, March 30, 2026 at 6:00 PM**

- I. CALL TO ORDER**
- II. SILENT ROLL CALL AND DETERMINATION OF QUORUM**
- III. CHANGES TO THE AGENDA**
- IV. REVIEW/APPROVAL OF MINUTES**
 - a. Review/Approval of the February 23, 2026 Minutes**
Summary: Review/Approval of Minutes
- V. OLD BUSINESS**
 - a. 14327 E. Rocky River Rd - Written Decision**
Summary: Vote on Findings of Fact and Conclusions of Law
- VI. ADJOURNMENT**



**Town of Davidson Board of Adjustment
Minutes
February 23, 2026**

I. **Call to Order:** The meeting was called to order by Chairman Waller Blackwell at 6:35 p.m. on February 23, 2026.

II. **Roll Call, Determination of Quorum**

Present Members: Waller Blackwell (Chair), Janice Lewis, Sara Cummings (ETJ), Heather McClow, Tom Watson, & Katie Zager (Alternate)

Town Representatives: Andrew Golden (Staff)

III. **Changes to the Agenda:** None

IV. **Review/ Approval of Minutes**

A. **Review/Approval of the January 28, 2026 Minutes**

Motion to recommend approval of the minutes:

- Motion: Heather McClow
- Second: Sara Cummings
- Vote: 6-0 (All in Favor, Motion Passed Unanimously)

V. **New Business**

A. **14327 E. Rocky River Road – Variance Request**

- i. **Explanation of Quasi-Judicial Proceeding:** Chairman Blackwell gave an overview of the Board of Adjustment’s role and quasi-judicial procedure.
- ii. **Address Conflicts of Interest:** Matt Dellinger, acting as attorney for the applicant, previously served as Chair of the Davidson Board of Adjustment and worked with Janice Lewis at that time. Ms. Lewis stated that the prior

relationship did not affect her ability to have an unbiased opinion. Thus, there were no conflicts of interest.

- iii. Presentation of Evidence:** Chairman Blackwell called for argument, testimony, and evidence on the case. In summary, the following was presented to the Board:

Mr. Golden was sworn in and gave a staff presentation describing the nature of the variance request, background information, vicinity maps, and relevant ordinances.

Matthew Dellinger, Chris Raulli, and Mia Raulli were sworn in. Mr. Raulli gave an opening statement and asked for relief from the Davidson Planning Ordinance (DPO) Section 4.5.8.C.2 to allow for an accessory dwelling to be located in front of the primary structure at 14327 E Rocky River Road. Mr. Dellinger then gave a presentation addressing the four required findings for hardship and gave testimony as to how the variance request meets those requirements. Ms. Lewis asked about the size of the footprint for the accessory dwelling. Mr. Dellinger stated that the size was a separate issue that will be addressed at a later date between the staff and the applicant.

Chairman Blackwell closed the evidence and called for deliberation.

A vote on the required findings per GS 160D-705(d) followed:

1. Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - Vote: 4-1, (Ms. Cummings voted against)

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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
 - Vote: 5-0, all in favor

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing a property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - Vote: 5-0, all in favor

4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved.

- Vote: 5-0, all in favor

Motion to approve the Variance request for the accessory structure location at 14327 E. Rocky River Road:

- Motion: Tom Watson
- Second: Janice Lewis
- Vote: 5-0 (All in Favor, Motion Passed Unanimously)

A written decision will be voted on and signed at the next meeting.

VI. Adjournment

Motion to adjourn the February 23, 2026 Board of Adjustment meeting:

- Motion: Tom Watson
- Second: Heather McClow
- Vote: 5-0 (All in Favor, Motion Passed Unanimously)

There being no further business before the Board, the meeting was adjourned at 7:28 p.m.

Approved:

Waller Blackwell

Chair of the Board of Adjustment



Findings, Conclusions, and Decision of the
Town of Davidson Board of Adjustment

Variance Request: Hearing/Determination of Case

Property: 14327 E Rocky River Rd, Davidson, NC 28036 (Parcel ID #00336104)

The applicant, Christopher Raulli (“Applicant”), filed a written application (“Application”) requesting relief from the Davidson Planning Ordinance (DPO) Section 4.5.8.C.2 to allow for an accessory structure to be located in front of the primary residence at the property. State law and the DPO grant the Board of Adjustment (BOA) authority to hear and decide variance requests under NCGS 160D-705.

At the public hearing on February 23, 2026, a quorum of the BOA considered the evidence presented to determine whether it supported the four standards outlined in NCGS Section 160D-705(d). These are:

- 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*
- 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.*
- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

Findings of Fact

Based upon the evidence presented, the BOA makes the following Findings of Fact:

1. The Applicant and his wife own the property and single-family detached house located at 14327 E Rocky River Rd. in the Rural Planning Area.
2. The Applicant intends to construct a single family residence to the rear of the existing building, changing the building type of the existing single-family detached house into an accessory dwelling unit.
3. DPO Section 16.3 states that accessory dwellings shall be in an accessory structure subject to the requirements of Section 3 of the DPO and clearly subordinate in size to the principal structure.
4. DPO Section 4.5.8.C.2 states: “Accessory structures shall be located in the rear yard only.”
5. A septic field is located at the front of the property, along with cleared pasture land.
6. The site has 10-20 % slope in certain areas and unique topography that prevents building the new single-family residence on much of the property.
7. Only one primary structure is allowed per lot and thus, a building permit for the new home cannot be approved in the location desired without the current residence being demolished or a variance granted.

Conclusions and Decision

Based upon the Application, the evidence presented, and the foregoing Findings of Fact, the BOA, by the votes on February 23, 2026 noted below, concludes as follows:

1. DPO § 4.5.8.C.2 is applicable to the Property and its strict application would cause unnecessary hardship. (Yes: 4; No: 1)
2. The hardship that results from strict application of the DPO is peculiar to the Property. (Yes: 5; No: 0)
3. The hardship did not result from actions taken by the Applicant. (Yes: 5; No: 0)
4. The requested Variance is consistent with the spirit and intent of the ordinance. (Yes: 5; No: 0)

Based upon the foregoing Findings of Fact and Conclusions of Law, the Application is approved.

This decision of the Board of Adjustment is effective upon its filing with the Clerk of the Town of Davidson.

Waller Blackwell
Chair of the Board of Adjustment

Date