

COUNTY OF CLEVELAND, NORTH CAROLINA
AGENDA FOR THE PLANNING BOARD MEETING

September 24, 2019

6:00 PM

Commissioners Chamber

Call to order and Establishment of a Quorum

Invocation and Pledge of Allegiance

Approval of Minutes

Minutes from the August 27, 2019 Planning Board Meeting

Items

Case 19-11: Request to Rezone Property at 110 Lahrmer Lane from Heavy Industrial (HI) to Light Industrial (LI)

Case 19-06: Text Amendment to allow detached garages and carports in the front yard of a residence.

Miscellaneous Business

Adjournment

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Minutes

Department:

Agenda Title: Minutes from the August 27, 2019 Planning Board Meeting

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 8-27-19_PB_Minutes.pdf	Minutes



PLANNING BOARD

Cleveland County Administrative Building – Commission Chambers

311 E. Marion Street, Shelby, NC

August 27, 2019 - 6:00 p.m.

Present:

Max Hopper, Chairman

Tom Spurling, Vice-Chairman

Darryl Crawford

Susan Scruggs

Eddie Kee

Lucas Shires

Charles Christenbury

Absent:

Others Present

Chris Martin, Senior Planner

Henry Earle, Planner

Anna Parker, Administrative Assist.

Jay and Deborah Carpenter

Julie Tilley

Commissioner Doug Bridges

CALL TO ORDER AND ESTABLISH QUORUM

Chairman Hopper called the meeting to order at 6:01 pm. It was determined that a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Hopper led the invocation, followed by the Pledge of Allegiance and NC State Pledge.

APPROVAL OF THE JULY 23, 2019 MINUTES

Tom Spurling made a motion to approve the July 23, 2019 minutes. It unanimously carried.

CASE 19-10: RE-ZONING GB TO RR FOR 205 N. MAIN ST. IN GROVER

Mr. Martin said that the property owner, Julie Tilley, is requesting to re-zone her one-acre property. The Planning Board's recommendation goes to the Grover town Council. The use of the property is residential and this request would be an extension of a current zoning district and a compliant use. The property is large enough to subdivide if it is re-zoned residential. Modular and stick built homes, churches, and schools are allowed in restricted residential districts. The current home on the property as well as other home on General Business are allowed, but they are a non-conforming use. Ms. Tilley will be able to build another home on the property if it is re-zoned for residential and then subdivided.

Lucas Shires stated there must have been an intent on behalf of the Town of Grover for having these parcels zoned General Business. Mr. Martin said that Grover has not adopted a corridor protection business overlay district for this stretch of highway at this time.

Eddie Kee made a motion to recommend approval of the re-zoning to the Grover Town Council. Charles Christenbury seconded the motion and it unanimously carried.

CASE 19-09: RE-ZONING R TO GB-CD 735 WINN RD.

Mr. Martin stated that the property is about one acre south of Mooresboro and west of Boiling Springs. The applicant has provided a site plan. There are residential uses surrounding the property, a Rural Agricultural-Conditional Use District to the north east, and Neighborhood business to the east. The Future Land Use Plan calls shows the area as residential. One of the neighbors expressed that they were happy with the request; they stressed they did not want screening put up that would block their view though along the property line they share. Mr. Martin stated that Type B screening is a requirement though- a line of shrubbery or a fence with a tall tree very 20 to 30 feet.

The Board discussed the area. It is rural residential with current non-conforming business uses. Mr. Martin stated that the Board must state why or how this re-zoning benefits the area if they want to avoid spot zoning issues.

Mr. Carpenter showed a slideshow of the area. His proposed building is 30'x40'. There will be a fence down both sides with a gravel driveway. The driveway is shown on the site plan, and will remain graveled for now. The building will be beige with blue and white trim. The two garage bay doors will be in the front. They can't be moved to the back. The neighborhood is rural- there is a car lot up the way at the rural agriculture-conditional district zoned property and a non-conforming car lot down the road. The business will be quiet. It involves computer work. There won't be a big sign or excessive lighting. There won't be clients during the day and the signs will be inside the building.

The Board discussed issues of making the site compatible with the surrounding residential use. They liked that the structure looked residential and doesn't have a big sign outside. The Board discussed possible conditions such as parking on the side, not in the front, no large signage, no 18 wheelers on the site, no storage of products in the front of the site, etc.

Lucas Shires made a motion to recommend approval with the following conditions:

- No outdoor lighting that has spillage onto neighboring properties, and full cutoff lighting fixtures only.
- Must obtain a NCDOT Driveway permit or waiver if not needed.
- A 4 to 12 roof pitch.
- A non-lit sign on the door or window only
- No outdoor storage of materials unless it relates to business operation and is behind the building.
- Limit the building size to 1800 square foot footprint with a maximum of two bay doors on the front façade of the building.

Tom Spurling seconded the motion and the motion carried 6 in favor and one opposed.

MISCELLANEOUS BUSINESS

There was no miscellaneous business for review.

ADJOURNMENT

There being no further business, **Chairman Hopper** adjourned the meeting at 7:02 pm.

ATTEST:

Max Hopper, Chairman

Anna Parker, Administrative Assistant

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 19-11

Department:

Agenda Title: Case 19-11: Request to Rezone Property at 110 Lahrmer Lane from Heavy Industrial (HI) to Light Industrial (LI)

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 19-11_Staff_Report.pdf	Staff Report
<input type="checkbox"/> 19-11_Aerial_Map_110_Lahrmer_Lane.pdf	Aerial Map
<input type="checkbox"/> 19-11_Zoning_Map_110_Lahrmer_Lane.pdf	Zoning Map

STAFF REPORT

To: Mooresboro Town Council Date: September 19, 2019
From: Chris Martin, Senior Planner
Subject: Rezoning Case 19-11

Summary Statement: The Town of Mooresboro is requesting to rezone parcel 70752 and a portion of 63057 at 110 Lahrmer Lane in Mooresboro from Heavy Industrial (HI) to Light Industrial (LI).

Review: The property is 10.3 acres located at 110 Lahrmer Lane, between West Dixon Blvd and Ellenboro Road, just inside the town limits of Mooresboro. The property is zoned Heavy Industrial. The property is owned by Boone Sawmill, Inc. This property was zoned to Heavy Industrial in 2015.

The surrounding zoning is Light Industrial and Residential to the North, Neighborhood Business, Residential and Rural Agriculture to the East, Heavy Industrial to the West, and Residential and Rural Agriculture to the South. Surrounding uses are mostly Residential and Agricultural.

The Land Use Plan designates the proposed parcels as Future Light Industrial.

Pros:

- Industrial Zones comply with the Future Land Use Map's designation of Light Industrial

Cons:

- None

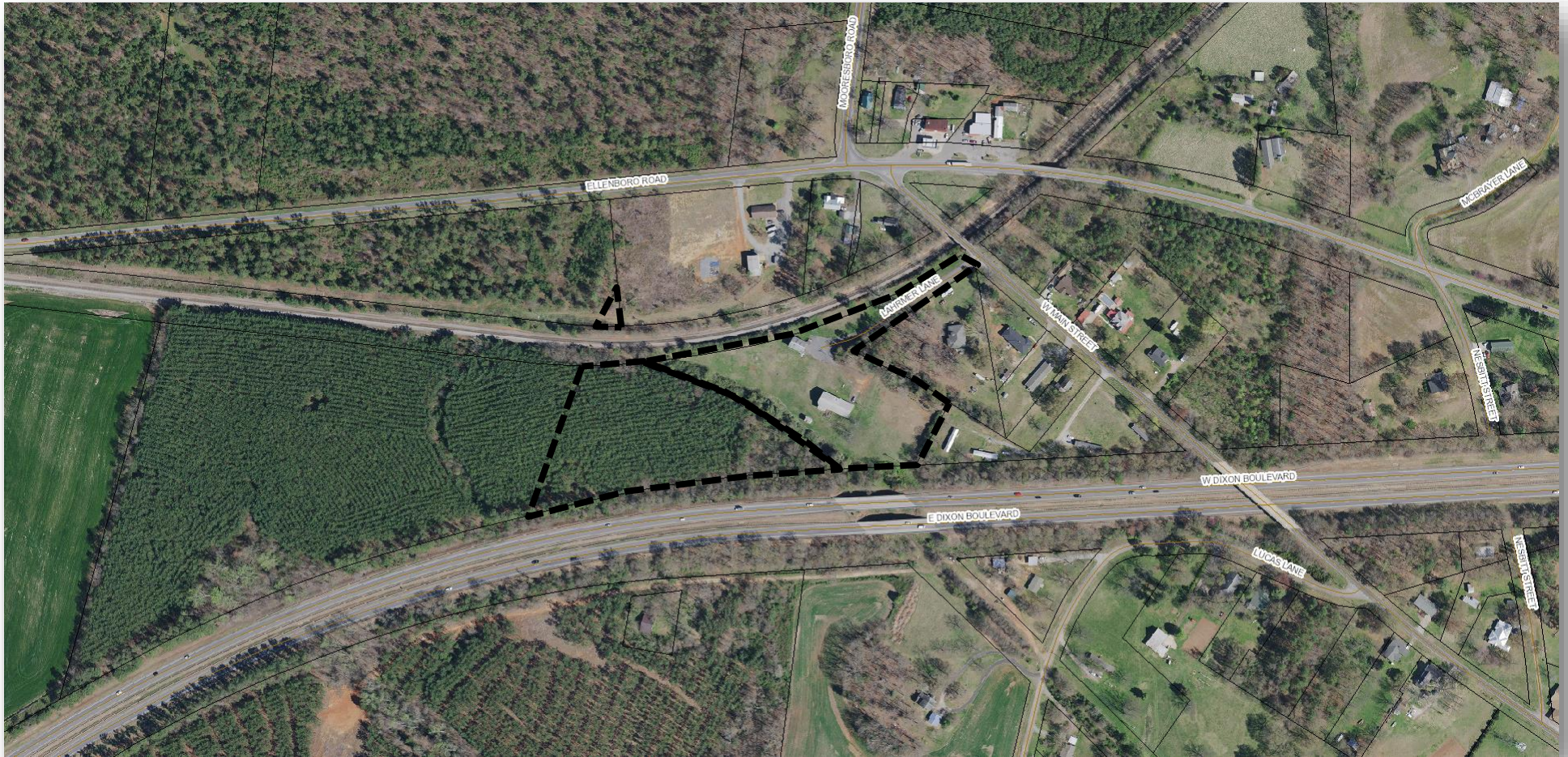
Fiscal Impact:

- None

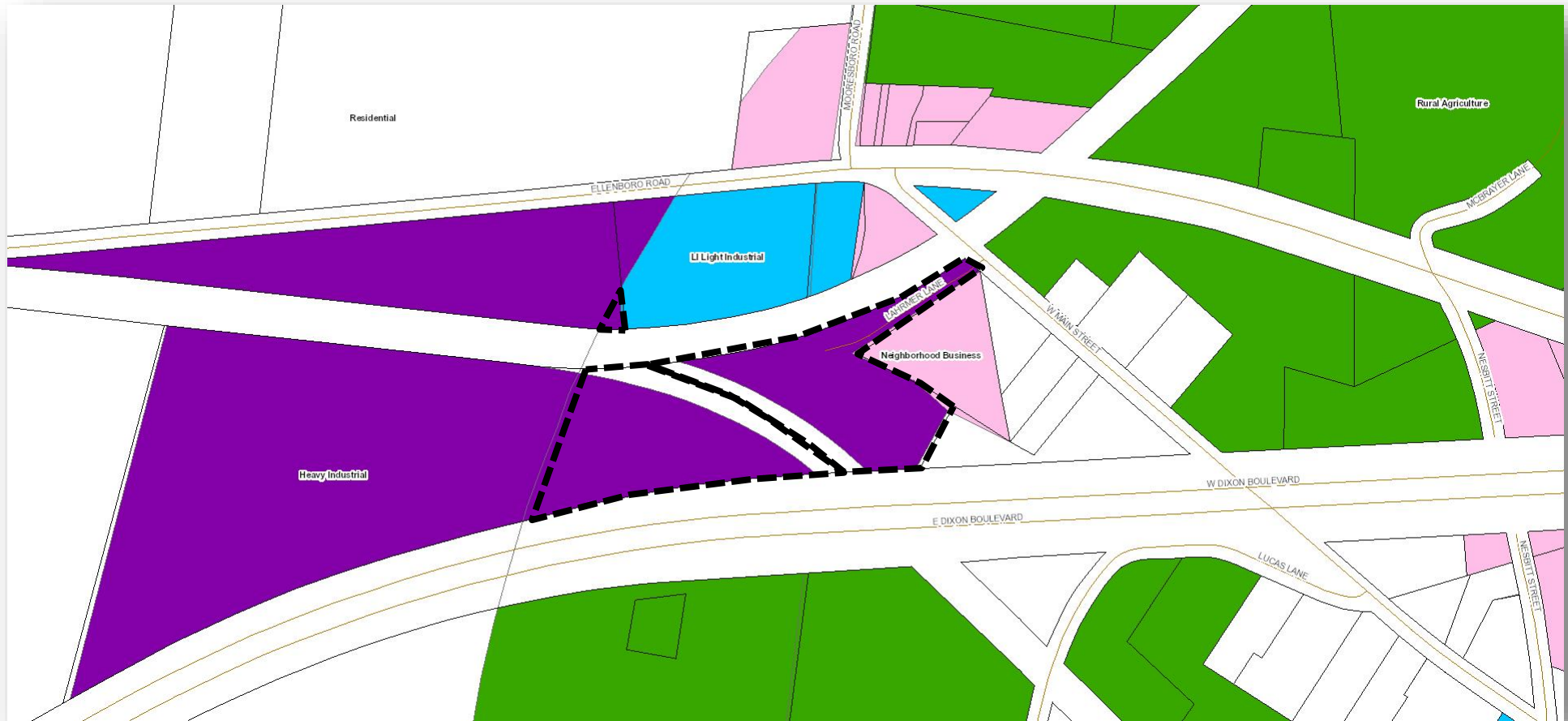
Recommendations:

- Planning Board: The Planning Board will hear this case on Tuesday, September 24, 2019.

Case # 19-11 Aerial Map
110 Lahrmer Lane
Heavy Industrial to Light Industrial
Parcels 70752 and 63057, 10.3 acres



Case # 19-11 Zoning Map
110 Lahrmer Lane,
Heavy Industrial to Light Industrial
Parcels 70752 and 63057, 10.3 acres



COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 19-06

Department:

Agenda Title: Case 19-06: Text Amendment to allow detached garages and carports in the front yard of a residence.

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 19-06_Staff_Report.pdf	Staff Report
<input type="checkbox"/> Section_12-138_Accessory_building_update_draft_for_garages_and_carports_for_case_19-06.pdf	Section 12-138a Update
<input type="checkbox"/> Front_Side_Yard_Location_Picture_for_Case_19-06.pdf	Picture



STAFF REPORT

To: The Cleveland County Planning Board

From: Chris Martin, Senior Planner

Date: September 23, 2019

Subject: Case 19-06 Detached Garage and Carport locations

Summary Statement: The Cleveland County Board of Commissioners has asked the Planning Board to consider a code amendment regarding the required placement of detached garages and carports on residential lots.

Review: Currently, our Code requires that residential accessory buildings **not** be located in any front yard, per section 12-138 and 12-174. Detached garages and carports are considered accessory buildings, per section 12-124.

The Board of Commissioners requested that the Planning Board evaluate our ordinance and recommend any standards that will allow garages and carports in the front portion of a residential property, while still being compatible with the surrounding properties.

Pros:

- Allows for greater flexibility of placement for garages/carports on residential lots
- Addresses a common question asked of the zoning department

Cons:

- Without standards, front yard garages could be incompatible with the surrounding neighborhood

Fiscal Impact:

- None

Proposed Text Amendment Allowing Detached Garages/Carports within the Front-Side Yard of Residential Lots

Sec. 12-138. - Location of accessory buildings on residential lots.

- (a) On any residential lot, accessory buildings and structures shall not be located in any front yard required for principal buildings, shall not cover more than thirty (30) percent of any rear yard required for the principal building, and shall be at least twenty (20) feet from any building used for human habitation on adjoining lots. **Exceptions to this rule include detached garages and carports, used for operable tagged cars, which are allowed within the front side yard of any principal dwelling, under the following conditions:**
- 1. Garages and/or carports may be no larger than 50% of the square footage of the principal building's footprint.**
 - 2. The garage or carport may be placed no more than fifty (50) feet in front of the front plane of the principal dwelling, measured from the nearest corner of each structure.**
 - 3. The garage or carport shall comply with principal building setbacks from the street right-of-way, subject to Section 12-173.**
 - 4. Only one (1) garage or carport may be placed in the front side yard per parcel.**
 - 5. The minimum parcel size is two (2) acres.**
- (b) Accessory buildings designed or used for human habitation as may be permitted by this chapter shall be located no closer to the principal building than thirty (30) feet and shall meet the side yard requirements for the district in which located.
- (c) A double garage, one-half (½) of which would be located on each of two (2) lots, shall be permitted in any residential district, provided a written request signed by both parties is submitted with the building permit application.
- (d) On any lot or tract in the RA district, accessory buildings and structures shall be at least twenty (20) feet from any building used for human habitation on adjoining lots.
- (e) Outdoor swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, equipped with a self-locking and positive self-latching gate provided with hardware for permanent locking. This enclosure is intended to protect against potential drowning by restricting access to swimming pools.
- (f) See also section 12-174, accessory building setback requirements.

Sec. 12-174. - Accessory building setback requirements.

Accessory buildings in the R, RM, and RR districts shall meet a setback requirement of at least five (5) feet. Accessory buildings located in the RA district shall meet a setback requirement of at least ten (10) feet. These structures shall not be located in any front ~~or side~~ yard, **except in compliance with section 12-138(a)**, and shall not cover more than thirty (30) percent of the rear yard.

See also section 12-138, location of accessory buildings on residential lots.

Sec. 12-21. - Definitions of basic terms.

- *Carport*: a shelter for a motor vehicle, or motor vehicles, consisting of a roof supported on posts.
- *Front Side Yard*: The area of a lot located between the front plane of a primary structure and the road right of way, while also being between either side plane of the primary structure and the corresponding side property line. See illustration in section 12-138.
- *Garage*: a building, with a large door opening to the outside, used for parking and/or storing motor vehicles.

**Location for Detached Garages and/or Carports in Front Side Yards
Per Section 12-138 of the Cleveland County Unified Development Code**

