

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

July 30, 2020

4:00 PM

Commissioners Chamber

Call to order and Establishment of a Quorum

Invocation and Pledge of Allegiance

Approval of Minutes

Minutes from the June 30, 2020 Board of Adjustment Meeting

Cases

Case 20-08: Request for a Conditional Use Permit to operate a Manufactured Home Park at 719 Long Branch Road

Case 20-09: Request for a Conditional Use Permit to operate a Campground at 2229 Riverside Road

Case 20-10: Request for a Conditional Use Permit to operate a Manufactured Home Park and Campground at 2251 Riverside Road

Miscellaneous Business

Adjournment

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Minutes

Department:

Agenda Title: Minutes from the June 30, 2020 Board of Adjustment Meeting

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 6-30-20_BOA_minutes.pdf	Minutes



MINUTES
CLEVELAND COUNTY BOARD OF ADJUSTMENT
Commission Chambers – County Administrative Building
311 East Marion St., Shelby, North Carolina
Regular Meeting - 4:00 p.m.
June 30, 2020

Members Present

Jeff Ward, Chairman
Joyce Coleman, Vice Chairman
Bobby Watson
Paul Aulbach

Members Absent

Doug Lawing
Thomas Fletcher
Tommy Brooks

Others Present

Chris Martin, County Sr. Planner
Henry Earle, County Planner
Elliot Engstrom, Deputy Co. Atty.
Anna Parker, Clerk
Tyler Watts, *Applicant*

CALL TO ORDER AND ESTABLISH QUORUM

Chairman Ward called the meeting to order at 4:20 p.m. He determined quorum was present.

PLEDGE OF ALLEGIANCE AND INVOCATION

Joyce Coleman led the Invocation and **Chairman Ward** led the Pledge of Allegiance.

APPROVAL OF FEBRUARY 27, 2020 MINUTES

Paul Aulbach made a motion to approve the February 27, 2020 Minutes. It was seconded by Joyce Coleman and unanimously carried.

CASE #20-07 CONDITIONAL USE PERMIT (CUP): RV Park

Applicant: Tyler Watts
Location: 2337 Gaffney Rd
Parcel #: 395

Chris Martin was sworn in to present the case. The applicant, Tyler Watts, is asking for a Conditional Use permit for an RV Park at 2337 Gaffney Rd, which is about 82 acres. The property is south of the Broad River Greenway and the site plan shows 75 lots. The current owner of the property is Abdul Elkout. The Broad River Greenway owns property to the north of this site. The area uses consist of the Greenway, a cell tower across the street, and residential uses. The Fire Marshall office reviewed that plan and was okay with the access provided for EMS. Environmental Health stated that due to the size, the state office will need to review it. They will be required to get a NCDOT driveway Permit.

Chairman Ward asked if there was any response from the Greenway about a buffer and permission for foot traffic access. Mr. Martin and the applicant both stated they have not received input from the Broad River Greenway after contacting them about it.

Mr. Martin said the site plan appears to comply with the RV Park Ordinance. The density allowed is three sites per acre. It meets the setbacks between sites and the dimensions for emergency vehicles. The size of the RV pads plus 20 feet is sufficient for vehicle parking. The property line setbacks are 150 feet and Type B screening will need to be in place, either using existing screening or planting new. The site plan states that there will be screening in place. The internal driveways are no more than 1000 feet long, which is the maximum distance a fire truck/tanker can reach.

Chairman Ward opened the Evidentiary Hearing at 4:16 p.m.

Tyler Watts was sworn in. Mr. Watts is with the development group. They are currently doing townhomes in Boiling Springs. They plan on a Phase I for the 75 RV sites on the site plan. They have may a Phase II in the future if needed for horse and walking trails. They do not plan to have a pool. They feel that the location is solid for out of town people. There is no public health or endangerment risk. There is no devaluation of adjoining property values- the site is surrounded by mostly land and a few homes. It is a compliment to the Broad River Greenway, nearby businesses, and local tourism in the towns. It will be good for traveling workers for the power plant. They have not heard back from the Greenway about access and fencing yet. The adjoining property line is very steep though.

Chairman Ward closed the evidentiary hearing at 4:21 p.m., as there was no further comment.

Paul Aulbach made the motion to approve Conditional Use Permit 20-07 in accordance with the site plan and the County RV Park Ordinance. Joyce Coleman seconded the motion and it unanimously carried.

Chairman Ward and the Board stated that they felt the four criteria were sufficiently covered during discussion and addressed by the applicant.

CASE #18-09 EXTENSION OF CONDITIONAL USE PERMIT (CUP): Solar Facility at 172 Pony Barn Rd. in Fallston/Waco area

Mr. Martin stated that the original case was approved in 2018 and the final order was recorded in May of 2019. It is valid for one year from the signature date. Work must be significantly begun or invested in prior to the expiration date. It expired in May of 2020. Covid19 restrictions

have delayed the application. The applicant is requesting a six-month extension. This needs to be voted on by the Board at a public meeting, but it does not need to a Public Hearing. The site is on about 474 acres of land and the facility covers about 350 acres. The area covers from Fallston-Waco to Stage Coach Trail in the northern part of the county. The original approval was for the site to be developed according to the site plan. If approved, the six months will start from May of 2020, unfortunately they have lost a month due to the Covid19 restrictions.

Joyce Coleman made the motion to approve the six-month extension for Conditional Use Permit 18-09. Paul Aulbach seconded the motion and it unanimously carried.

MISCELLANEOUS BUSINESS

Mr. Martin provided an update about the Land Use Plan process. The Steering Committee had their first meeting and there were about ten people in attendance. Benchmark reviewed comments from about 30 stakeholder interviews. The next step will be to provide a county-wide survey for public input. Their estimated completion is May of 2021.

ADJOURNMENT

Chairman Ward entertained a motion to adjourn the meeting. Joyce Coleman so moved the motion, seconded by Paul Aulbach, and the Board unanimously carried to adjourn at 4:31 pm.

ATTEST:

Jeff Ward, Chairman

Anna Parker, Clerk

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 20-08

Department:

Agenda Title: Case 20-08: Request for a Conditional Use Permit to operate a
Manufactured Home Park at 719 Long Branch Road

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 20-08_Staff_Report.pdf	Staff Report
<input type="checkbox"/> 20-08_Site_Plan.pdf	Site Plan
<input type="checkbox"/> 20-08_Aerial_Map_719_Long_Branch_Road.pdf	Aerial Map
<input type="checkbox"/> 20-08_Zoning_Map_719_Long_Branch_Road.pdf	Zoning Map
<input type="checkbox"/> Sec.12-157_Manufactured_home_parks.pdf	UDO Manufactured Home Parks
<input type="checkbox"/> 20-08_Cert_of_Adjoiners_MHP.pdf	Certificate of Adjoiners
<input type="checkbox"/> 20-08_PH_Notice_MHP.pdf	Notice

STAFF REPORT

To: Board of Adjustment Date: July 9, 2020
From: Chris Martin, Senior Planner
Subject: Conditional Use Permit Application 20-08

Summary Statement: Robert Hovis is requesting a Conditional Use Permit (CUP) to develop approximately four (4) acres into a manufactured home park with six (6) proposed lots.

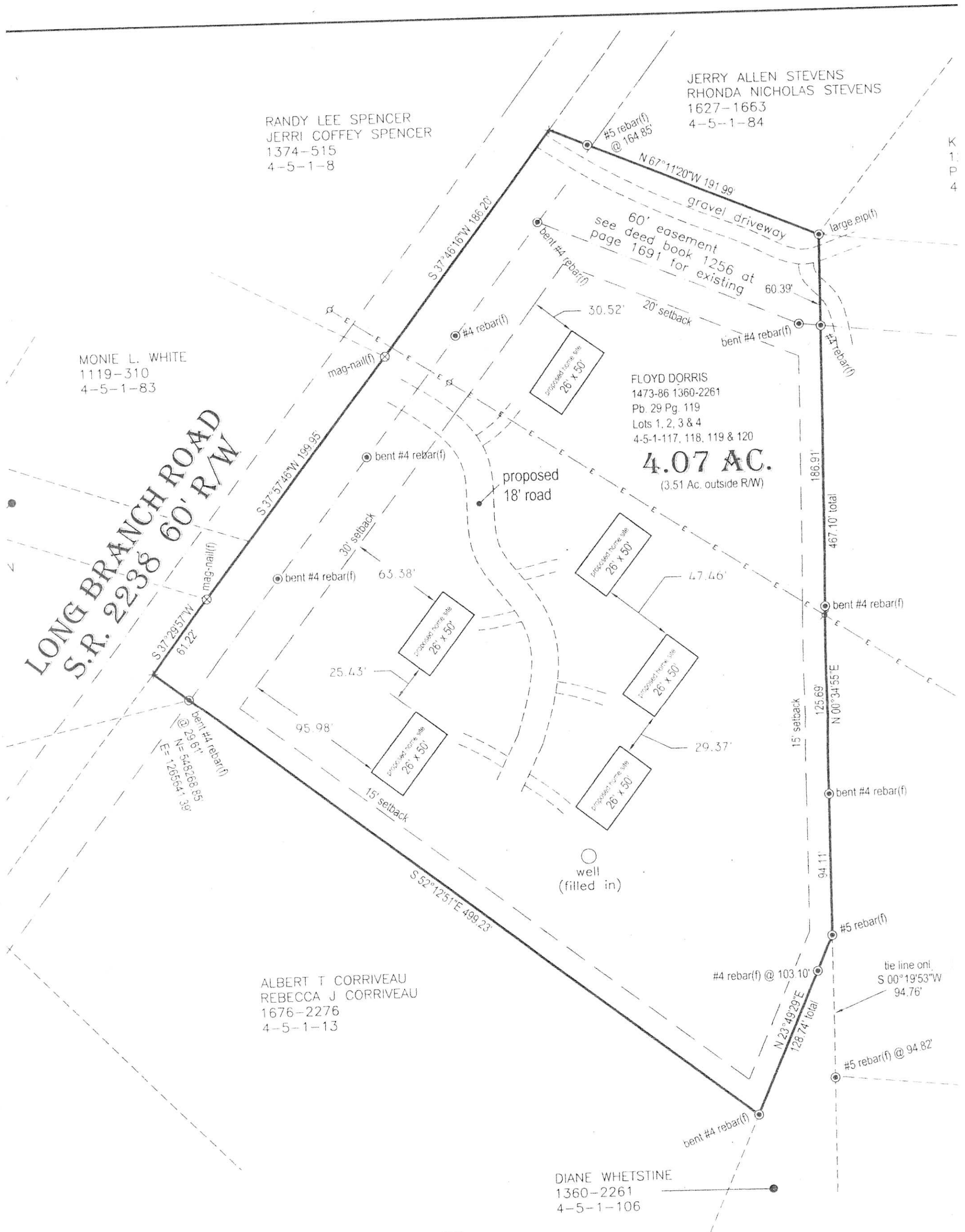
Review: The property for consideration is located at 719 Long Branch Rd, and spans across four parcels, 59492, 59493, 59494 and 59495. Mr. Hovis originally applied for a CUP and was approved on May 24, 2017, case 17-04, but the CUP has since expired because building permits were never issued for the project. Mr. Hovis is reapplying for the same use, using the same site plan that was approved in 2017.

The property is currently zoned Residential, and is designated as Residential on the Land Use Plan. This surrounding area consists of mixed uses, mostly residential and an auto garage and salvage yard across Long Branch Road.

Manufactured Home Parks are a compliant use in the Residential zoning district with the issuance of a Conditional Use Permit from the Board of Adjustment. There are required standards for Manufactured Home Parks that are described in Section 12-157 of the Cleveland County Development Ordinance.

When issuing conditional use permits, the Board must consider the following four findings;

- (1) Will not materially endanger the public health or safety;
- (2) Will not substantially injure the value of adjoining or abutting property;
- (3) Will be in harmony with the area in which it is to be located; or
- (4) Will be in general conformity with the land use plan, thoroughfare plan, or other plans officially adopted by the board of commissioners.



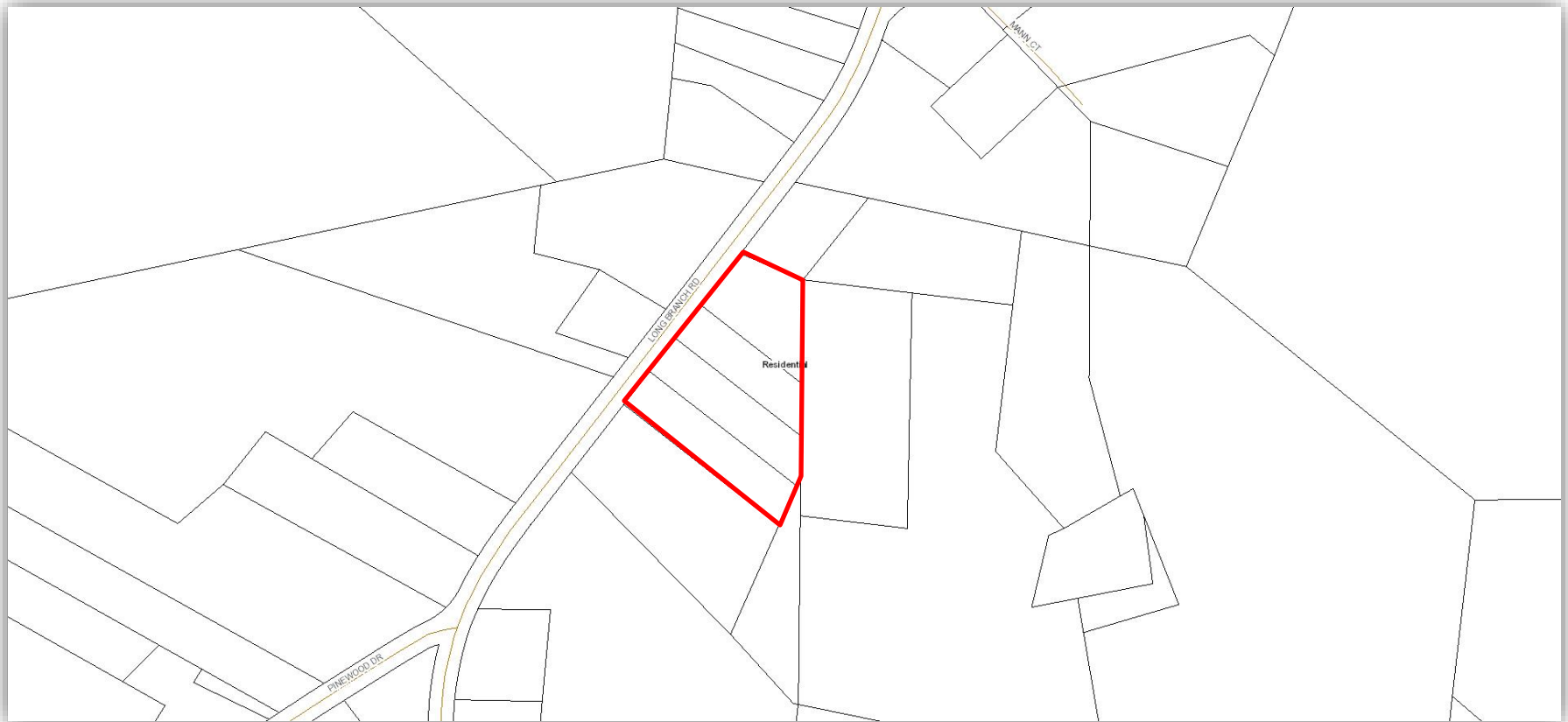
REFERENCE: 1473-86 1360-2261	
NORTH CAROLINA	
DATE: March 29, 2017	
C.F. 45113-2007	
GENERAL NOTES	
1. NO TITLE SEARCH BY LATTIMORE AND PEELER SURVEYING.	
2. PROPERTY SHOWN SUBJECT TO EASEMENTS OF RECORD.	
3. UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED.	
4. NO FEATURES LOCATED OTHER THAN THOSE SHOWN	
5. NC DOT R/W'S ARE APPROXIMATE UNLESS OTHERWISE NOTED.	
6. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.	
7. IF THIS MAP DOES NOT HAVE AN ORIGINAL SIGNATURE IT IS NOT VALID.	
8. THIS MAP IS FOR THE EXCLUSIVE USE OF THE ORIGINAL PURCHASER OF THIS SURVEY AND IS NOT TRANSFERABLE TO	

Water System : Cleveland County Sanitary Di
Sewer System: Individual septic systems
All interior lot lines subject to a 20' (10' either sid
easement and or utility easement
All lots subject to a 10' drainage easement where no

Case # 20-08 CUP for 719 Long Branch Road **Aerial Map**
Parcels 59492, 59493, 59494, 59495
4.08 acres



Case # 20-08 CUP for 719 Long Branch Road **Zoning Map**
Parcels 59492, 59493, 59494, 59495
4.08 acres



Sec. 12-157. - Manufactured home parks.

Standards for the development of manufactured home parks shall apply to all areas of the county subject to the requirements of this chapter. The purposes of these regulations are to guide and regulate the development of new parks and additions to existing parks in order to preserve the public health, safety and welfare by providing for an adequate street system, avoid overcrowding of land, secure safety from fire, provide adequate water and sewer systems, protect from erosion and flood damage, and to facilitate an orderly system for the design, layout and use of land.

- (a) Prior to construction of a manufactured home park, a plan shall be submitted to the administrator in accordance with procedures applicable to subdivisions as detailed in article IV. As of January 1 of each year, the operator of a park renting lots for three (3) or more manufactured homes shall furnish to the county tax assessor the name of the home owner and a description of each manufactured home located in the park.
- (b) Density:
 - (1) Two (2) units per acre if served by well and septic tanks.
 - (2) Three (3) units per acre if served by public water.
 - (3) Five (5) units per acre if served by public water and public sewer.

These densities are considered to be maximum area requirements and may be decreased due to the watershed density restrictions or requirements for placement of well and septic systems as determined by the county health department or other governmental authority.

- (c) Setbacks from each unit:
 - (1) Twenty (20) feet from internal street.
 - (2) Thirty (30) feet from public street.
 - (3) Forty (40) feet from arterial highway.
 - (4) Fifteen (15) feet from property line.
 - (5) Twenty (20) feet between dwelling units.
- (d) *Utilities:* Each space shall have hook-up facilities for water, sewer, electricity and telephone services. All occupied manufactured home units shall have and use approved sanitary facilities within the manufactured home unit.
- (e) *Tie down/anchoring:* Manufactured homes shall be securely anchored to the ground by means of a tie-down system. When the manufactured home is factory equipped with a tie-down system designed by a registered architect or engineer, the owner is to use the manufacturer's set of instructions as the standard of proper tie-down procedures. If no such set of instructions is available or if the system has not been designed by a licensed architect or engineer, the Building Inspector is to enforce standards listed in the "State of North Carolina Regulations for Mobile Homes" booklet published by the North Carolina Department of Insurance. In no instance

shall any part of a manufactured home be elevated greater than five (5) feet above ground.

- (f) *Access:* At least one entrance to the park from a state-maintained public road shall be required for every fifty (50) spaces. Access to each space shall be made from an internal street. Internal private streets shall be a minimum of eighteen (18) feet in width, with a minimum of six (6) inches of aggregate base course on a well compacted sub-base in accordance with the North Carolina Department of Transportation, Subdivision Roads Minimum Construction Standards, and shall from time to time be amended. All internal streets shall be provided and maintained by the park owner. Direct access of an individual space onto a public road is permissible if spaced a minimum of seventy-five (75) feet apart.
- (g) *Parking:* Two (2) off-street parking spaces of not less than four (4) inches of stone on a well compacted sub-base shall be provided and maintained for each space by the park owner.
- (h) *Signage, street names and addresses:* The names of manufactured home parks and streets within shall not duplicate or be phonetically similar to the names of existing parks and streets in the county. Addresses shall conform to the street name and house numbering chapter of Cleveland County. At least one (1) identification sign shall be posted at the entrance to the park from a public road, located outside the road right-of-way, and limited to a maximum of twelve (12) square feet in sign area.

Cross reference— Submittal of maps of manufactured homes parks, § 9-37.

- (i) *Underpinning:* All manufactured homes in the park shall have continuous underpinning of wood, masonry, or other exterior grade non-combustible building materials, unpierced except for required ventilation. Each home owner shall install required underpinning within ninety (90) days of the issuance of a certificate of occupancy permit by the building inspector.

(Ord. of 1-4-94, § 10.1; Amd. of 8-20-96; Amd. of 3-18-97; Amd. of 4-6-04; Amd. of 6-6-06(3))



Cleveland County NORTH CAROLINA

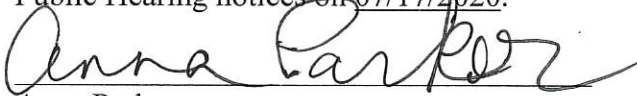
EVIDENTIARY HEARING NOTICE CERTIFICATION

Case 20-08 CUP: Manufactured Home Park
Parcel(s): 59492, 59493, 59494, & 59495 Adjoiners List
Robert Hovis, Applicant

PARCEL	OWNER	MAILING ADDRESS	CITY, STATE, ZIP
7566	ALBERT AND REBECCA CORRIVEAU	731 LONGBRANCH RD	GROVER NC 28073
57114	DONALD ROPER	809 LONGBRANCH RD	GROVER NC 28073
53499	KIMBERLY ROPER	PO BOX 1524	KINGS MOUNTAIN NC 28086-1524
44469 & 7635	L & L AUTO SALES INC	PO BOX 339	GROVER NC 28073-0339
7631	MONIE WHITE	720 LONG BRANCH RD	GROVER NC 28073-8753
7568	RANDY & JERRI SPENCER	PO BOX 562	GROVER NC 28073-0562
59495, 59494, 59493, & 59492	ROBERT HOVIS	104 BUTTON BUSH CT	GASTONIA NC 28052
57115 & 7632	WESLEY LAIL	PO BOX 125	GROVER NC 28073

CERTIFICATION

I, Anna Parker, do hereby certify that the above listed adjoining property owners were mailed Public Hearing notices on 07/17/2020.


Anna Parker



Cleveland County
NORTH CAROLINA

EVIDENTIARY HEARING

THURSDAY, JULY 30th - 4:00 p.m.

Cleveland County Administrative Building

Second Floor Commission Chambers

311 East Marion St., Shelby

The Cleveland County Board of Adjustment will be holding an Evidentiary Hearing in the Cleveland County Commission Chamber located on the second floor of the County Administrative Building, 311 East Marion Street, Shelby, at 4:00 p.m. on Thursday, July 30th, 2020. The purpose of this meeting is to receive input on the case listed below:

CASE # 20-08	Conditional Use Permit
Applicant:	Robert Hovis
Proposed Use:	Manufactured Home Park
Property Location:	719 Longbranch Rd.
Parcel Numbers:	59492, 59493, 59494, & 59495
Zoning District:	R (Residential)

The applicant is requesting a permit for a manufactured home park. The proposed use requires a Conditional Use Permit in accordance with Sections 12-33 and 12-157 of the Cleveland County Code.

If you wish to comment on this case, please attend the evidentiary hearing. Additional information may be obtained by contacting the Planning Department (704-484-4975).

Planning and Zoning
P.O. Box 1210 • SHELBY, NC 28151
PHONE 704.484.4947

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 20-09

Department:

Agenda Title: Case 20-09: Request for a Conditional Use Permit to operate a Campground at 2229 Riverside Road

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 20-09_Staff_Report.pdf	Staff Report
<input type="checkbox"/> 20-09_Site_Plan.pdf	Site Plan
<input type="checkbox"/> 20-09_Zoning_Map_2229_Riverside_Road.pdf	Zoning Map
<input type="checkbox"/> 20-09_Aerial_Map_2229_Riverside_Road.pdf	Aerial Map
<input type="checkbox"/> 20-09_Cert_of_Adjoiners_2229_Riverside.pdf	Adjoiners List
<input type="checkbox"/> 20-09_Cert_of_Adjoiners_2229_Riverside.pdf	Adjoiners List
<input type="checkbox"/> 20-09_PH_Notice_2229_Riverside.pdf	Notice

STAFF REPORT

To: Board of Adjustment Date: July 14, 2020

From: Chris Martin, Senior Planner

Subject: Conditional Use Permit Application 20-09

Summary Statement: Ronald Kennedy is requesting a Conditional Use Permit (CUP) to develop 4.86 acres on parcel 49299 for a thirteen (13) tent site campground.

Review: The property for consideration is located at 2229 Riverside Road. Mr. Kennedy is applying for a CUP to put up a thirteen tent site campground. The parcel is zoned Residential as is all of the parcels in the immediate vicinity, with the Manufactured Home Park district to the north at the intersection of Riverside and Maple Springs Church Road. The area is listed as Future Residential on the Land Use Plan. The surrounding area is comprised mostly of low density residential uses

Campgrounds are a compliant use in the Residential zoning district with the issuance of a Conditional Use Permit from the Board of Adjustment.

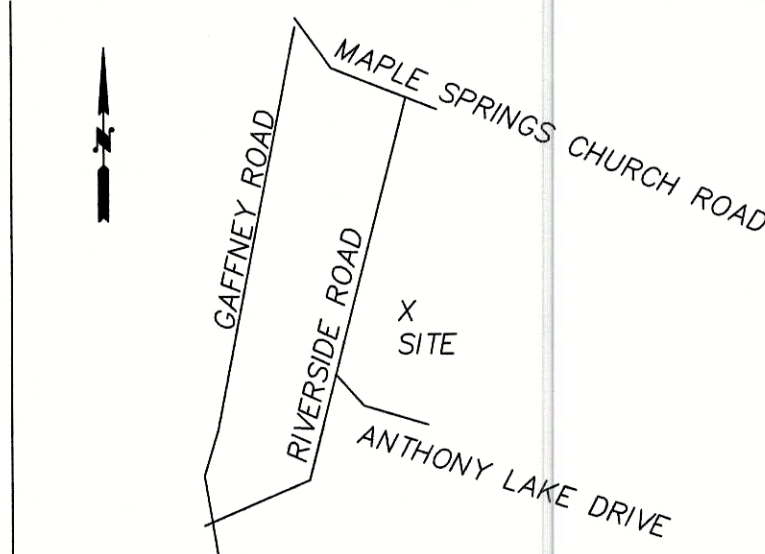
When issuing conditional use permits, the Board must consider the following four findings;

- (1) Will not materially endanger the public health or safety;
- (2) Will not substantially injure the value of adjoining or abutting property;
- (3) Will be in harmony with the area in which it is to be located; or
- (4) Will be in general conformity with the land use plan, thoroughfare plan, or other plans officially adopted by the board of commissioners.



PLAT BOOK 38, PG. 92

E. STEVE SMITH
LAND SURVEYING
3520 MCKINNEY ROAD
MOORESBORO, NC 28114
ssmithpls@carolina.rr.com
704-434-5369
704-434-6682(fax)



VICINITY MAP NOT TO SCALE

LEGEND

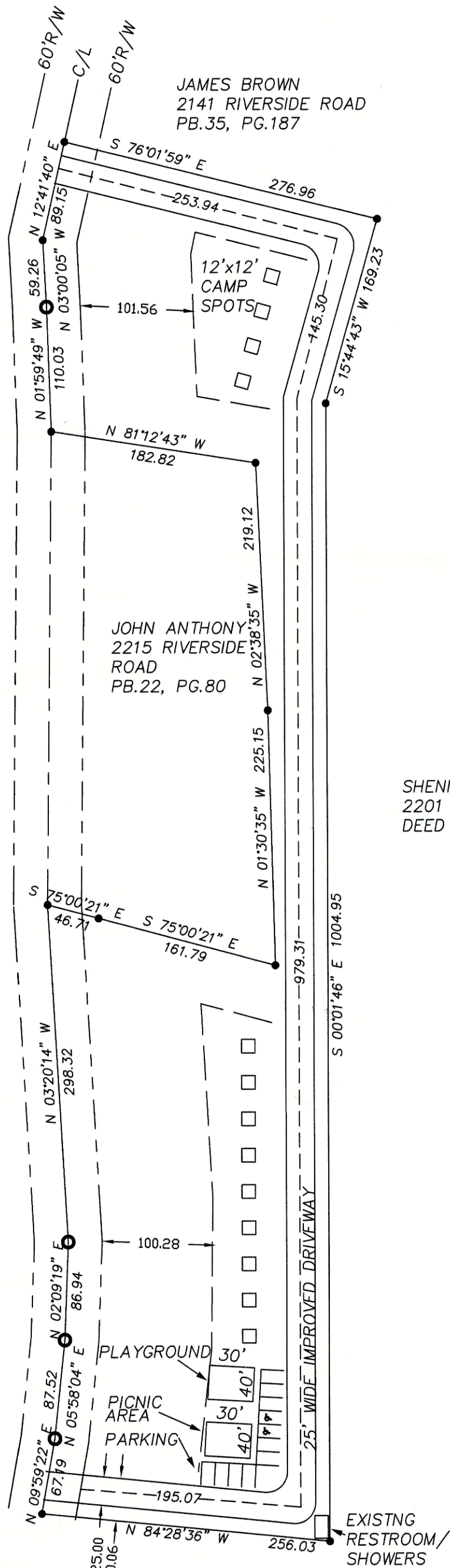
- LUMINARE
- HYDRANT
- WATER METER
- POWER POLE
- (IPF) IRON PIN FOUND
- (IPS) IRON PIN SET
- (PNF) POINT NOT FOUND
- (CM) CONCRETE MONUMENT
- (UMP) UNMARKED POINT
- BOUNDARY LINE
- CENTERLINE
- POWER LINE
- RIGHT OF WAY
- UNSURVEYED LINE

RIVERSIDE ROAD SR#1146

Copyright © Smith Surveying. All rights reserved.
Reproduction of this drawing, in whole or part
without the written consent of the Professional
Land Surveyor is prohibited. Only copies from the
original document that are signed and sealed
are valid.

NOTES

- SURVEY BASED ON PHYSICAL EVIDENCE FOUND ON DATE OF SURVEY
- THIS PROPERTY () IS (X) IS NOT LOCATED WITHIN 2000 FEET
OF A N.C.G.S./U.S.G.S. MONUMENT.
- THIS PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED
RIGHTS-OF-WAYS OR EASEMENTS NOT OBSERVED.
- THIS PROPERTY () IS (X) IS NOT LOCATED WITHIN A SPECIAL FLOOD
HAZARD AREA AS DETERMINED BY THE DEPARTMENT OF HOUSING
URBAN DEVELOPMENT.
- ALL DISTANCES ARE HORIZONTAL IN FEET.
- THIS A PROPOSED SITE PLAN FOR A RECREATIONAL PARK.



SHENNA ANTHONY
2201 RIVERSIDE ROAD
DEED BOOK 1182, PG.2362

SITE DATA:
RECREATIONAL PARK
TOTAL PARCEL AREA = 4.86 ACRES
ZONING - RESIDENTIAL
RIVERSIDE ROAD FRONTAGE
PROPOSED SPOTS = 13
RESTROOMS/SHOWERS
PICNIC AREA 30'x40'
PLAYGROUND 30'x40'
CAMPING SPOTS = 13 12'x12'
PARKING 9 SPACES, 2 HANDICAP SPACES
OWNER: SHEENA ANTHONY
2201 RIVERSIDE ROAD
SHELBY, NC 28150
SCREENING EXISTING TREES
ROADWAY 20' WIDE IMPROVED ROAD
FLOOD PANNEL 3710250400J, DTD. 2-20-2008
WATER SUPPLY MUNICIPAL
SEWER - ONSITE

LINDA BOWLING
107 ANTHONY LAKE ROAD
DEED BOOK 1562, PG.1403

"I certify that this map was drawn under my supervision from
an actual survey made under my supervision (deed description
recorded in Book 38, page 92, or other source
that the boundaries not surveyed are indicated as drawn from
information in Book , page , or other reference
source : that the ratio of precision or
positional accuracy is greater than 1:10,000; and that this
map meets the requirements of the Standards of Practice
for Land Surveying in North Carolina(21NCAC56.1600)."
This 18 day of JUNE, 20 20.

E. Steve Smith, PLS L-4297



SCALE: 1"=100 FEET
0 50 100 200

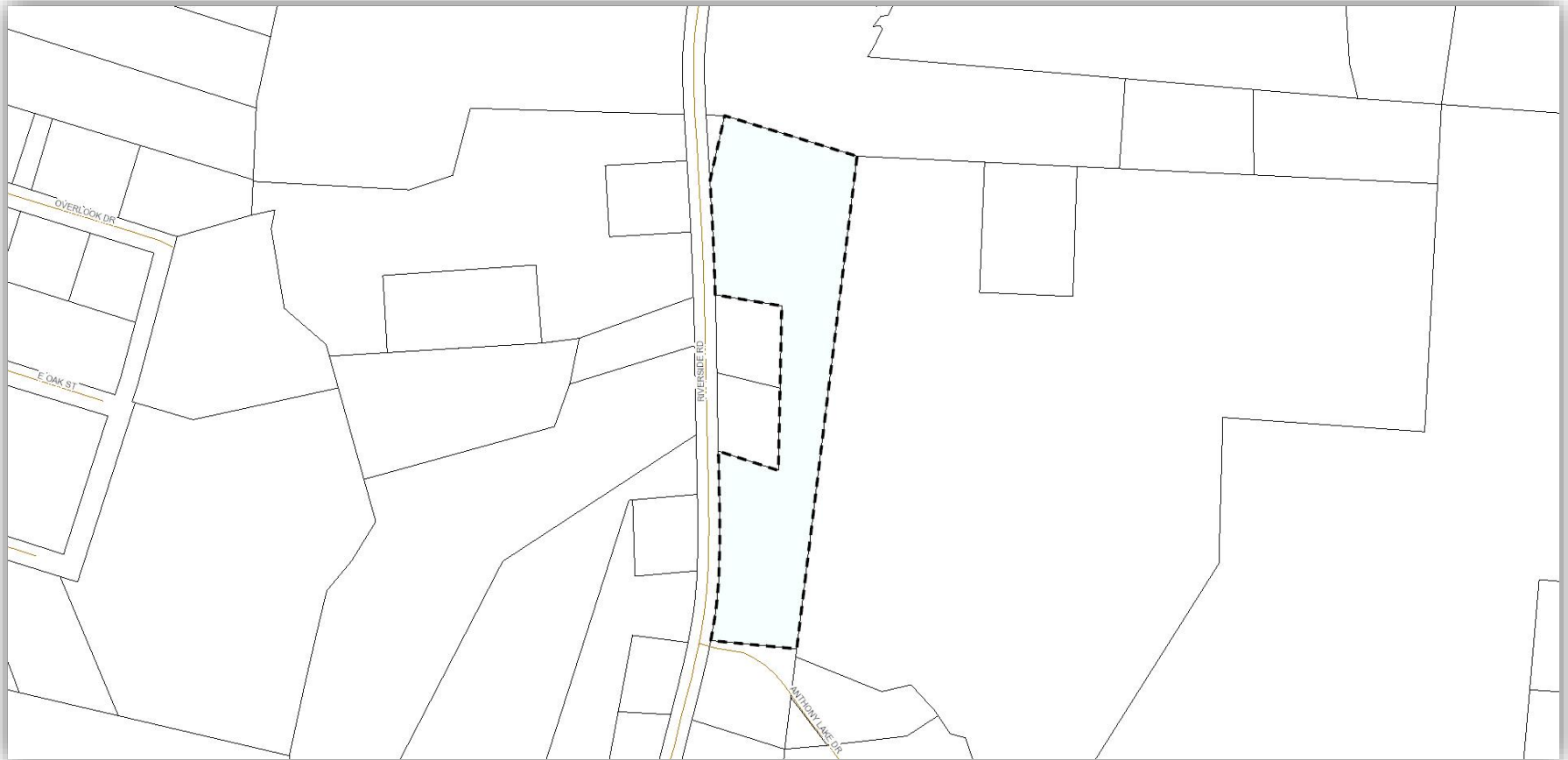
CLEVELAND COUNTY, NORTH CAROLINA
FORMERLY TOWNSHIP #2

SURVEY FOR:
ANTHONY'S FISHING LAKE
AND CAMPGROUND

2229 RIVERSIDE ROAD
PROPERTY OF:
SHENNA H ANTHONY
2201 RIVERSIDE ROAD
PLAT BOOK 38, PAGE 92
TAX MAP 1179-1-107

JUNE 18, 2020

Case # 20-09 CUP for 2229 Riverside Road **Zoning Map**
Parcel 49299 4.86 acres



Case # 20-09 CUP for 2229 Riverside Road **Aerial Map**
Parcel 49299 4.86 acres





Cleveland County NORTH CAROLINA

EVIDENTIARY HEARING NOTICE CERTIFICATION

Cases 20-09: CUP

2229 Riverside Rd

Parcel # 49299 Adjoiners List

PARCEL	OWNER NAME	MAILING ADDRESS	CITY, STATE, ZIP	PARCEL ADDRESS
2431 & 60991	BENNY AND LYNDIA BOWLING	PO BOX 555	BOILING SPRINGS NC 28017	107 ANTHONY LAKE DR
73259	CALEB AND KIMBERLY SPOTTS	2158 RIVERSIDE RD	SHELBY NC 28152	2158 RIVERSIDE RD
62187	JAMES AND CATHERINE BROWN	2141 RIVERSIDE RD	SHELBY NC 28152	RIVERSIDE RD
54875 & 52244	JOHN ANTHONY	PO BOX 1304	BOILING SPRINGS NC 28017-1304	RIVERSIDE RD
2428 & 60062	KATIE DANIELS	1935 LODGECREST LN	PFAFFTOWN NC 27040	RIVERSIDE RD
42443	LARRY AND BRENDA MCSWAIN	2234 RIVERSIDE RD	SHELBY NC 28152-0605	2234 RIVERSIDE RD
57953	MICHAEL EARLS	2214 A RIVERSIDE RD	SHELBY NC 28152-0605	2214 1 RIVERSIDE RD
APPLICANT	RONALD KENNEDY	2202 RIVERSIDE RD	SHELBY NC 28152	
2427, 2432, 63677, & 49299	SHEENA AND TIM ANTHONY	2201 RIVERSIDE RD	SHELBY NC 28150	2202 RIVERSIDE RD
59944 & 2473	STEPHEN AND SHEILA EARLS	2224 RIVERSIDE RD	SHELBY NC 28152	RIVERSIDE RD

CERTIFICATION

I, Anna Parker, do hereby certify that the above listed adjoining property owners were mailed Evidentiary Hearing notices on 07/17/2020.


Anna Parker



Cleveland County NORTH CAROLINA

EVIDENTIARY HEARING NOTICE CERTIFICATION

Cases 20-09: CUP

2229 Riverside Rd

Parcel # 49299 Adjoiners List

PARCEL	OWNER NAME	MAILING ADDRESS	CITY, STATE, ZIP	PARCEL ADDRESS
2431 & 60991	BENNY AND LYNDIA BOWLING	PO BOX 555	BOILING SPRINGS NC 28017	107 ANTHONY LAKE DR
73259	CALEB AND KIMBERLY SPOTTS	2158 RIVERSIDE RD	SHELBY NC 28152	2158 RIVERSIDE RD
62187	JAMES AND CATHERINE BROWN	2141 RIVERSIDE RD	SHELBY NC 28152	RIVERSIDE RD
54875 & 52244	JOHN ANTHONY	PO BOX 1304	BOILING SPRINGS NC 28017-1304	RIVERSIDE RD
2428 & 60062	KATIE DANIELS	1935 LODGECREST LN	PFAFFTOWN NC 27040	RIVERSIDE RD
42443	LARRY AND BRENDA MCSWAIN	2234 RIVERSIDE RD	SHELBY NC 28152-0605	2234 RIVERSIDE RD
57953	MICHAEL EARLS	2214 A RIVERSIDE RD	SHELBY NC 28152-0605	2214 1 RIVERSIDE RD
APPLICANT	RONALD KENNEDY	2202 RIVERSIDE RD	SHELBY NC 28152	
2427, 2432, 63677, & 49299	SHEENA AND TIM ANTHONY	2201 RIVERSIDE RD	SHELBY NC 28150	2202 RIVERSIDE RD
59944 & 2473	STEPHEN AND SHEILA EARLS	2224 RIVERSIDE RD	SHELBY NC 28152	RIVERSIDE RD

CERTIFICATION

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Anna Parker



Cleveland County
NORTH CAROLINA

EVIDENTIARY HEARING

THURSDAY, JULY 30th - 4:30 p.m.

Cleveland County Administrative Building

Second Floor Commission Chambers

311 East Marion St., Shelby

The Cleveland County Board of Adjustment will be holding an Evidentiary Hearing in the Cleveland County Commission Chamber located on the second floor of the County Administrative Building, 311 East Marion Street, Shelby, at 4:30 p.m. on Thursday, July 30th, 2020. The purpose of this meeting is to receive input on the case listed below:

CASE # 20-09	Conditional Use Permit
Applicant:	Ronald Kennedy for Anthony's Fishing Lake and Campground
Proposed Use:	Campground with tents and cabin sites
Property Location:	2229 Riverside Rd.
Parcel Number:	49299
Zoning District:	R (Residential)

The applicant is requesting a permit for a campground with tent and cabin sites. The proposed use requires a Conditional Use Permit in accordance with Section 12-33 & 12-124 of the Cleveland County Code.

If you wish to comment on this case, please attend the evidentiary hearing. Additional information may be obtained by contacting the Planning Department (704-484-4975).

Planning and Zoning
P.O. Box 1210 • SHELBY, NC 28151
PHONE 704.484.4947

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 20-10

Department:

Agenda Title: Case 20-10: Request for a Conditional Use Permit to operate a
Manufactured Home Park and Campground at 2251 Riverside Road

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 20-10_Staff_Report.pdf	Staff Report
<input type="checkbox"/> 2020-10_Site_Plan.pdf	Site Plan
<input type="checkbox"/> 20-10_Zoning_Map_2251_Riverside_Road.pdf	Zoning Map
<input type="checkbox"/> 20-10_Aerial_Map_2251_Riverside_Road.pdf	Aerial Map
<input type="checkbox"/> 20-10_Cert_of_Adjoiners_2251_Riverside.pdf	Certificate of Adjoiners
<input type="checkbox"/> 20-10_PH_Notice_2251_Riverside.pdf	Notice

STAFF REPORT

To: Board of Adjustment Date: July 14, 2020

From: Chris Martin, Senior Planner

Subject: Conditional Use Permit Application 20-10

Summary Statement: Tyrone Miller is requesting a Conditional Use Permit (CUP) to develop 18.7 acres on parcel 2429 for a multi-use site, including a manufactured home park and a campground.

Review: The property for consideration is located at 2251 Riverside Road. Mr. Miller is applying for a CUP to create a multi-use parcel, including a manufactured home park and campground, which includes tent sites, cabins and an event venue. The parcel is zoned Residential as is all of the parcels in the immediate vicinity, with the Manufactured Home Park district to the north at the intersection of Riverside and Maple Springs Church Road. The area is listed as Future Residential on the Land Use Plan. Both of these uses are allowed with a CUP in the Residential District

Campgrounds and Manufactured home Parks are compliant uses in the Residential zoning district with the issuance of a Conditional Use Permit from the Board of Adjustment.

When issuing conditional use permits, the Board must consider the following four findings;

- (1) Will not materially endanger the public health or safety;
- (2) Will not substantially injure the value of adjoining or abutting property;
- (3) Will be in harmony with the area in which it is to be located; or
- (4) Will be in general conformity with the land use plan, thoroughfare plan, or other plans officially adopted by the board of commissioners.



GENERAL NOTES:

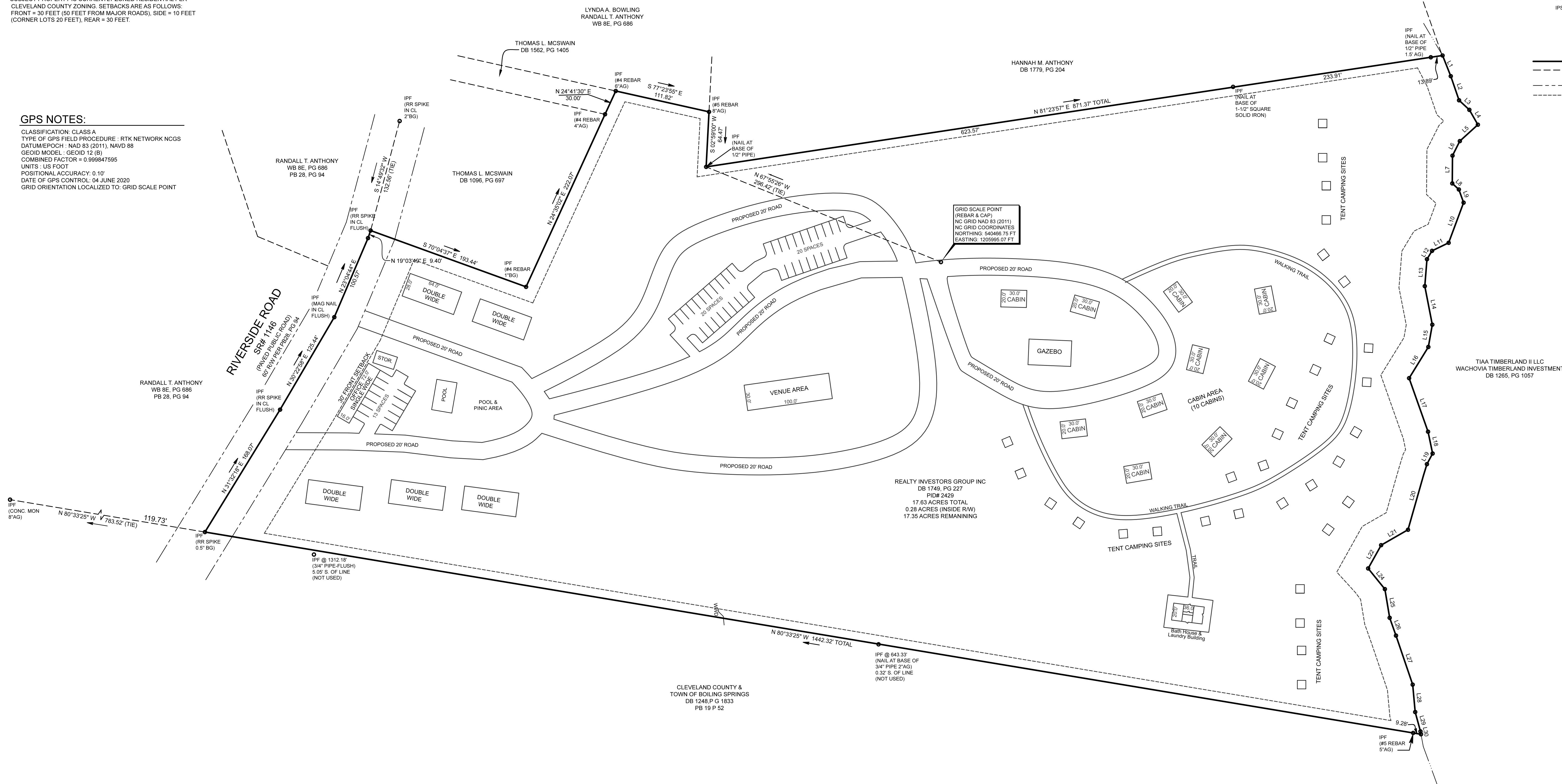
THIS PLAT WAS PREPARED FOR ILLUSTRATIVE
PURPOSES ONLY AND DOES NOT REPRESENT
A BOUNDARY SURVEY OF THE PROPERTY SHOWN.

SETBACKS SHOWN PER CLEVELAND COUNTY
PLANNING DEPARTMENT.

SUBJECT PROPERTY IS CURRENTLY ZONED RESIDENTIAL PER CLEVELAND COUNTY ZONING. SETBACKS ARE AS FOLLOWS: FRONT = 30 FEET (50 FEET FROM MAJOR ROADS), SIDE = 10 FEET (CORNER LOTS 20 FEET), REAR = 30 FEET.

GPS NOTES:

CLASSIFICATION: CLASS A
TYPE OF GPS FIELD PROCEDURE : RTK NETWORK NCGS
DATUM/EPOCH : NAD 83 (2011), NAVD 88
GEOID MODEL : GEOID 12 (B)
COMBINED FACTOR = 0.99847595
UNITS : US FOOT
POSITIONAL ACCURACY: 0.10'
DATE OF GPS CONTROL: 04 JUNE 2020
GRID ORIENTATION LOCALIZED TO: GRID SCALE POINT



CALLS ALONG CENTERLINE OF CREEK		
LINE	BEARING	DISTANCE
L 1	S 21°42'02"E	26.04'
L 2	S 21°38'35"E	26.04'
L 3	S 47°06'22"E	18.41'
L 4	S 29°50'04"E	20.04'
L 5	S 47°43'25"E	28.56'
L 6	S 47°43'39"E	28.56'
L 7	S 00°28'41"W	32.52'
L 8	S 47°20'52"E	10.49'
L 9	S 47°42'56"E	27.59'
L 10	S 20°25'19"W	50.14'
L 11	S 64°06'12"E	21.59'
L 12	S 11°11'44"W	31.64'
L 13	S 04°37'39"W	31.64'
L 14	S 11°01'50"E	45.94'
L 15	S 10°08'34"E	26.09'
L 16	S 31°39'43"W	42.94'
L 17	S 19°28'51"E	66.44'
L 18	S 11°49'58"E	26.09'
L 19	S 28°20'52"E	26.09'
L 20	S 10°05'51"W	79.91'
L 21	S 60°08'09"W	36.24'
L 22	S 29°05'51"W	36.24'
L 23	S 38°57'37"E	31.12'
L 24	S 09°28'11"E	64.03'
L 25	S 29°26'08"E	10.10'
L 26	S 19°47'00"E	30.02'
L 28	S 05°14'34"E	32.49'
L 29	S 15°14'44"E	23.18'
L 30	S 31°41'E	32.49'

I CERTIFY THAT THIS MAP WAS DRAWN FROM RECORDED PLATS AND DEEDS UNDER MY SUPERVISION. AREA WAS DETERMINED BY COMPUTER. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PROPERTY SHOWN AND WAS NOT PREPARED FOR RECORDING.

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

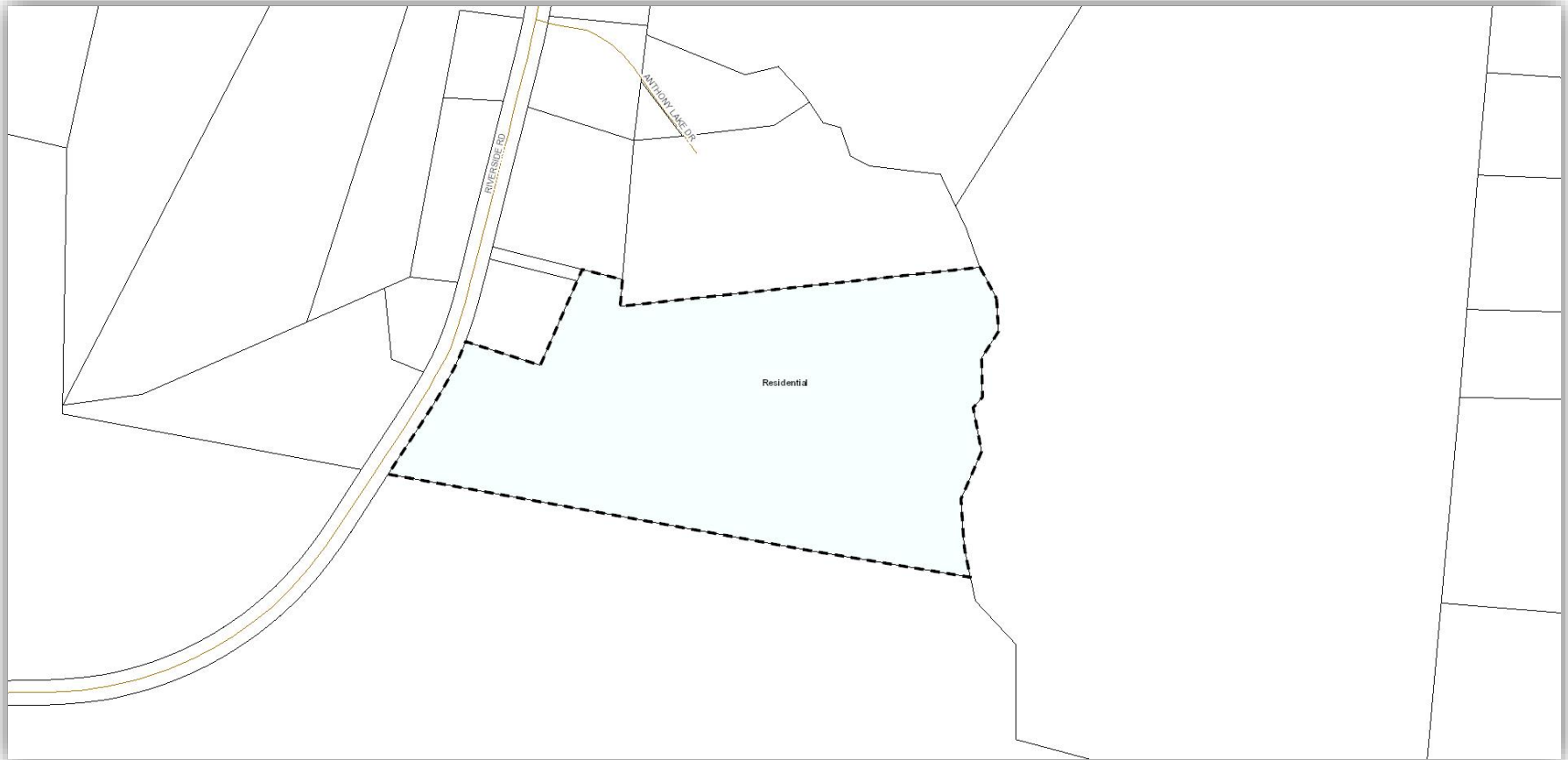
Joseph A. Gray, PLS.

Date: _____



SITE PLAN MADE AT THE REQUEST OF:
TYRONE MILLER
PROPERTY OF:
REALTY INVESTORS GROUP INC
CLEVELAND COUNTY, NORTH CAROLINA
NUMBER 2 TOWNSHIP
SCALE: 1" = 60'
DEED REF: AS SHOWN
DATE: 23 JULY 2020
PID: 2429
JOB: 2020-151-MILLER.DWG

Case # 20-10 CUP for 2251 Riverside Road **Zoning Map**
Parcel 2429 18.7 acres



Case # 20-10 CUP for 2251 Riverside Road **Aerial Map**
Parcel 2429 18.7 acres





Cleveland County NORTH CAROLINA

EVIDENTIARY HEARING NOTICE CERTIFICATION
Cases 20-10: CUP Manufactured Home Park & Campground
2251 Riverside Rd
Parcel # 2429 Adjoiners List

PARCEL	OWNER	OWNER 2	MAILING ADDRESS	CITY, STATE, ZIP	PARCEL ADDRESS
456	CLEVELAND COUNTY & TOWN OF BOILING SPRINGS		PO BOX 1014	BOILING SPRINGS NC 28017-1014	126 BROAD RIVER DR,
2430	HANNAH ANTHONY		111 ANTHONY LAKE DR	SHELBY NC 28152	111 ANTHONY LAKE DR
63670	LYNDA BOWLING		107 ANTHONY LAKE DR	SHELBY NC 28152	RIVERSIDE RD
60345	MICHAEL LAIL		2246 OG LAIL RD	SHELBY NC 28152-8642	2238 RIVERSIDE RD
58724 & 58725	RANDALL ANTHONY	%LINDA BOWLING	PO BOX 555	BOILING SPRINGS NC 28017	2448 RIVERSIDE RD
2429	REALTY INVESTORS GROUP	TYRONE MILLER	14141 HOLLY GLADE CIR	HUNTERSVILLE NC 28078	APPLICANT
60993 & 45103	THOMAS MCSWAIN		PO BOX 1289	BOILING SPRINGS NC 28017-1289	RIVERSIDE RD
2470	TIAA TIMBERLAND II LLC WACHOVIA TIMBERLAND INVESTMENT	C/O GREENWOOD RESOURCES INC	1500 SW 1ST AVE STE 1150	PORTLAND OR 97201	HONEY HAVEN FARM RD

CERTIFICATION

I, Anna Parker, do hereby certify that the above listed adjoining property owners were mailed Evidentiary Hearing notices on 07/17/2020.

Anna Parker



Cleveland County
NORTH CAROLINA

EVIDENTIARY HEARING

THURSDAY, JULY 30th - 5:00 p.m.

Cleveland County Administrative Building

Second Floor Commission Chambers

311 East Marion St., Shelby

The Cleveland County Board of Adjustment will be holding an Evidentiary Hearing in the Cleveland County Commission Chamber located on the second floor of the County Administrative Building, 311 East Marion Street, Shelby, at 5:00 p.m. on Thursday, July 30th, 2020. The purpose of this meeting is to receive input on the case listed below:

CASE # 20-10	Conditional Use Permit
Applicant:	Tyrone Miller for Believers Retreat
Proposed Use:	Mobile Home Park with a Campground
Property Location:	2251 Riverside Rd.
Parcel Number:	2429
Zoning District:	R (Residential)

The applicant is requesting a permit for a Mobile Home Park with a campground. The proposed use requires a Conditional Use Permit in accordance with Section 12-33, 12-124 & 12-157 of the Cleveland County Code.

If you wish to comment on this case, please attend the evidentiary hearing. Additional information may be obtained by contacting the Planning Department (704-484-4975).

Planning and Zoning
P.O. Box 1210 • SHELBY, NC 28151
PHONE 704.484.4947