Call to order and Establishment of a Quorum

Invocation and Pledge of Allegiance

Approval of Minutes

Minutes from the September 26, 2023 Planning Board Meeting

Items

Case 23-21: Request to rezone property on Dove Cove Lane from Restricted Residential to Residential

Case 23-22: Request to rezone property on Oveda Drive from Heavy Industrial to Residential Manufactured Homes and Parks

Case 23-23: Request to rezone property at 4624 Ellenboro Road from General Business-Conditional Use to General Business-Conditional Use for a general retail establishment

Case 23-24: Request to rezone property at 2603 South Lafayette Street from General Business to Residential

Miscellaneous Business

Adjournment

The next Planning Board meeting will be Tuesday, November 28, 2023 at 6:00 p.m.
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Minutes

Department:
Agenda Title: Minutes from the September 26, 2023 Planning Board Meeting
Agenda Summary:
Proposed Action:

ATTACHMENTS:

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<td>9-26-23_PB_Minutes.pdf</td>
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CALL TO ORDER AND ESTABLISH QUORUM

Vice Chairman Lattimore called the meeting to order at 6:00 pm. Quorum was established.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Lattimore led the Pledge of Allegiance, followed by the invocation.

APPROVAL OF MINUTES FOR AUGUST 29, 2023

Jay Carpenter made a motion to approve the minutes for August 29, 2023 minutes. Eddie Kee seconded the motion and it passed unanimously.

ROAD NAMING CASE 23-05: Shiloh Acres Dr.

Isaac Cook stated that there is a property located off Broadway Dr. near the Shelby Corn Maze, just off Highway 74. The owner Todd Schiff is subdividing the property and has requested the name for the private easement for addressing. E-911 Services are okay with the proposed name.

Vice Chairman Lattimore opened the Public Hearing at 6:04 pm. There was no public comment therefore he closed the hearing at 6:05 pm.

Jay Carpenter made a motion to approve the road name Shiloh Acres Dr. Clinton Cook seconded the motion and it carried unanimously.
ROAD NAMING CASE 23-06: Bull Run Dr.

Isaac Cook stated that the property owner, Scott Leatherman, is requesting to name his right-of-way at 264 Range Rd. in Kings Mountain. The road name will create address points for RV sites. E-911 Services are okay with the proposed name.

Vice Chairman Lattimore opened the Public Hearing at 6:05 pm. The property owners said they approve of the proposed name. Vice Chairman Lattimore closed the hearing at 6:06 pm.

Jay Carpenter made a motion to approve the road name Bull Run Dr. Clinton Cook seconded the motion and it carried unanimously.

TEXT AMENDMENT CASE 23-08: Private Storage Structures/Garages

Chris Martin said that the recommendation from the July meeting for the storage building size limits was a percent ration based on the acreage of the lot. The proposed table created a bell curve that made the structure size smaller as the acreage increased over 3 acres. Mr. Martin presented three alternate suggestions:

1. Limit to 3% for any acreage. For instance, a one-acre lot would then be limited to a 1307 square foot structure.
2. Limit to 3% for any acreage but cap at 4000 square feet.
3. Use a structure size limit based on acreage. The acreage would be rounded down.
   - One acre limited to 1500 square foot structure.
   - Two acres limited to 2500 square foot structure.
   - Three plus acres limited to 4000 square foot structure.

Jay Carpenter made a motion to recommend using option three. Eddie Kee seconded the motion and it carried unanimously.
MISCELLANEOUS BUSINESS

Mr. Martin stated that Staff has requested to move the October meeting to Tuesday October 24th. The Planning Board agreed to move the next scheduled meeting to Tuesday October 24th, same time and place.

ADJOURNMENT

There being no further business, Vice Chairman Lattimore entertained a motion to adjourn.

Matthew Horde made a motion to adjourn at 6:18 pm. Jay Carpenter seconded the motion and it passed unanimously.

ATTEST:

Noah Saldo, Chairman

Anna Parker, Clerk
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 23-21

Department:

Agenda Title: Case 23-21: Request to rezone property on Dove Cove Lane from Restricted Residential to Residential

Agenda Summary:

Proposed Action:

ATTACHMENTS:

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<td>PB_Case_23-21_Dove_Cove_Binder.pdf</td>
<td>Dove Cove Binder</td>
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STAFF REPORT

To: Board of Commissioners

Date: October 24, 2023

From: Chris Martin, Planning Director

Subject: Rezoning Case 23-21

Summary Statement: Tyler and Heidi Bowling are applying to change the zoning of parcels 66493, 61286, and 16372 from Restricted Residential to Residential.

Property: Location – Dove Cove Lane
Parcels – 66493, 61286, and 16372
Acreage – 25 acres

Review: The parcels are on Dove Cove Lane, off Stony Point Road, near the intersection with New Camp Creek Church Road. The applicants have requested to rezone the property to Residential. Surrounding zoning is Residential to the south and east, and Restricted Residential to the north and west, along Moss Lake. Surrounding uses are mostly residential, with a commercial intersection on Stony Point and New Camp Creek Church Road.

Current zoning district: Restricted Residential – The Restricted Residential zoning district permits single family dwellings such as site built homes and modular homes. This zoning district does not permit manufactured housing. It is the most restrictive zoning district.

Requested zoning district: Residential: - The Residential zoning district permits single family dwellings such as site built homes, modular homes, and manufactured homes. It also permits multifamily housing like duplexes and apartments, as well as various nonresidential uses like churches and schools.

Requested Board Action: Comment and give a recommendation to the Board of Commissioners.
Planning Board Case #23-21
Dove Cove Lane
Parcels 16372, 61286, 66493  25 acres
Planning Board Case #23-21
Dove Cove Lane
Parcels 16372, 61286, 66493  25 acres
Planning Board Case #23-21
Dove Cove Lane
Parcels 16372, 61286, 66493  25 acres
PETITION FOR AMENDMENT OF THE ZONING MAP

NOW COMES Tyler W. Boulby and Heidi Boulby, Applicant, whose present address is 108 Dove Cove lane, Kings Mountain, who respectfully petitions and shows as follows:

1. That the applicant is the □ owner, □ legal representative, □ or other concerned parties, of a certain tract or parcel of land located in Cleveland County, North Carolina, being more particularly described as:
   
   Physical Address: 124 Dove Cove lane including parcels.
   
   Parcel(s): 66493, 61286, 16372 containing 25.3 acres. (if portion of property attach survey)

2. That said property above described is presently zoned Restricted Residential and the undersigned applicant desires and does hereby request that said property be rezoned to Residential.

3. The proposed zoning change would require a change in the Zoning Map? YES □ NO □

   If the answer is yes: An application for rezoning shall be accompanied by a survey, legal description, or map sufficient to provide public notice of the area requested for rezoning.

4. Owners of adjoining property hereby support this petition by signing below: Adjoining property shall be construed to mean and include property on the opposite side of any street, road, or highway from the property sought to be rezoned (attach an additional sheet if necessary).

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<tr>
<th>PROPERTY OWNER (SIGNATURE)</th>
<th>PROPERTY OWNER (PRINT NAME)</th>
<th>PROPERTY ADDRESS</th>
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<tbody>
<tr>
<td>Martha Stevens</td>
<td>Martha Stevens</td>
<td>108 Dove Cove Ln</td>
</tr>
<tr>
<td>Heidi Boulby</td>
<td>Heidi Boulby</td>
<td>No Assigned (Parcel #)</td>
</tr>
<tr>
<td>Jack Mayes</td>
<td>Jack Mayes</td>
<td>118 Stony Point Rd</td>
</tr>
</tbody>
</table>

Respectfully submitted this 31 day of August, 2023.

SIGNED: Tyler W. Boulby

E-MAIL: Tyler.Boulby.cowboy2023@yahoo.com

PHONE NUMBER: 704-487-2470

For office use:

Payment Code: ZP 11 Map Amendment

 Fee: $200

Paid on: 8-31-23 ZP: 177286 Case #: 23-21

[Signature]

[Stamp: 5/05]
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 23-22

Department:

Agenda Title: Case 23-22: Request to rezone property on Oveda Drive from Heavy Industrial to Residential Manufactured Homes and Parks

Agenda Summary:

Proposed Action:

ATTACHMENTS:

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<td>Case 23-22 Binder</td>
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STAFF REPORT

To: Board of Commissioners
Date: October 24, 2023
From: Chris Martin, Planning Director
Subject: Rezoning Case 23-22

Summary Statement: Property owners Barbara Jenkins, Pam Walkowiak, Abbie Michael, Lisa Whitener, and et. al. are applying to change the zoning of adjoining parcels 10613 and 65332 from Heavy Industrial to Residential Manufactured Homes and Parks.

Property: Location – 122 Oveda Drive
Parcels – 10613 and 65332
Acreage – 134 acres

Review: The parcels are at the end of Oveda Drive, off Long Branch, between Grover and Kings Mountain. The applicant has requested to rezone the property to Residential Manufactured Homes and Parks (RM). Surrounding zoning is Residential to the north and east, Residential Manufactured Homes and Parks to the west, and General Business Conditional Use to the south for the development of a Recreational Vehicle Park. Surrounding uses are mostly agricultural and residential. The Land Use Plan calls this area Secondary Growth, which would be consistent with the RM zoning district.

Current zoning district: Heavy Industrial – The Heavy Industrial district accommodates a wide range of assembling, fabricating and manufacturing uses, and support retail and services. The district is established to provide appropriate locations and development regulations for uses that may require special measures to ensure compatibility with adjoining residential or business properties.

Requested zoning district: Residential Manufactured Homes and Parks: - The Residential Manufactured Homes and Parks district zoning district accommodates the widest variety of residential uses including low density single family detached dwellings, modular homes, manufactured homes and manufactured home parks.

Requested Board Action: Review, comment and make a recommendation to the Board of Commissioners.
Planning Board Case #23-22
122 Oveda Drive
Parcels 10613 and 65332   134 acres
Planning Board Case #23-22
122 Oveda Drive
Parcels 10613 and 65332  134 acres
Planning Board Case #23-22
122 Oveda Drive
Parcels 10613 and 65332 134 acres
PETITION FOR AMENDMENT OF THE ZONING MAP

NOW COMES Barbara Jenkins, Pam Walkowiak, Abbie Michael, Lisa Whitener and et. al., Applicant, whose present address is 201 W. Ormond Ave., Bessemer City, NC 28016, who respectfully petitions and shows as follows:

1. That the applicant is the **X owners, legal representative, or other concerned parties**, of a certain tract or parcel of land located in Cleveland County, North Carolina, being more particularly described as:

   **Physical Address:** 120 OVEDA COURT, KINGS MOUNTAIN

   **Parcel(s):** 10613,65332 containing 134 acres. (if portion of property attach survey)

2. That said property above described is presently zoned **H1** and the undersigned applicant desires and does hereby request that said property be rezoned to: **RM**.

3. The proposed zoning change would require a change in the Zoning Map? YES [ ] YES [x] NO [ ]

   **If the answer is yes:** An application for rezoning shall be accompanied by a survey, legal description, or map sufficient to provide public notice of the area requested for rezoning.

4. Owners of adjoining property hereby support this petition by signing below: Adjoining property shall be construed to mean and include property on the opposite side of any street, road, or highway from the property sought to be rezoned (attach an additional sheet if necessary).

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<td>[see attached]</td>
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This PETITION FOR AMENDMENT OF THE ZONING MAP is respectfully submitted this 22nd day of September, 2023.
Property Owners of 120 Oveda Court, Kings Mountain, NC 28086   PIN 10613 and 65332

SIGNED: ___________________________  9/22/2023
Barbara Jenkins

SIGNED: ___________________________  9/22/2023
Pam Walkowiak

SIGNED: ___________________________  9/22/2023
Lisa Whitener

SIGNED: ___________________________  9/22/2023
Dennis Whitener

SIGNED: ___________________________  9/22/2023
Abbie Michael

SIGNED: ___________________________  9/22/2023
Mark Michael

SIGNED: ___________________________  9/22/2023
Breanna Morgan Justice Cook

SIGNED: ___________________________  9/22/2023
Phillip Justin Cook

SIGNED: ___________________________  9/22/2023
Halee Hudson

SIGNED: ___________________________  9/22/2023
Alexis Hudson

SIGNED: ___________________________  9/22/2023
Chad Evans

SIGNED: ___________________________  9/22/2023
Jordan Moore Evans

SIGNED BY: _________________________  9/22/2023
Executrix of The Estate of Janice Silvia, By: Pam Walkowiak
AGENT: Thomas Fletcher, TGS Engineers
E-MAIL: tfletcher@tgengineers.com PHONE NUMBER: (704) 519-9540

For office use:

Payment Code: ZP 11 Map Amendment Fee: $200
Paid on: 9/28/23 ZP: 775-95 Case #: 23-22
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 23-23

Department:

Agenda Title: Case 23-23: Request to rezone property at 4624 Ellenboro Road from General Business-Conditional Use to General Business-Conditional Use for a general retail establishment

Agenda Summary:

Proposed Action:

ATTACHMENTS:

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STAFF REPORT

To: Planning Board
Date: October 24, 2023
From: Chris Martin, Planning Director
Subject: Rezoning Case 23-23

Summary Statement: The Broadway Group, LLC, is requesting to rezone parcels 31531 and 57040 from General-Business Conditional Use to General Business Conditional Use for a general merchandise retail establishment.

Property: Location – 4624 Ellenboro Road
Parcel – 31531, 57040
Acreage – 3.35 acres

Review: The parcels are on Ellenboro Road in Mooresboro. NDDOT construction is modifying the area around the 74/Ellenboro Road/Lattimore Road intersection. The Dollar General is currently located on parcel 31405 and this parcel will be absorbed into the right of way for Highway 74, per the NCDOT interchange plan. Surrounding uses are mainly single-family dwellings with a solar facility to the north. Surrounding zoning is Rural Agriculture on the north side of Ellenboro Road, with a mix of Neighborhood Business, Rural Agriculture, and Residential on the south side. The Land Use Plan designates this area as Future Rural Residential. This designation says that small scale retail is appropriate if located at major intersections.

At the September 11, 2023 Mooresboro Town Council meeting the board approved the rezoning with a condition that the entrance driveway be moved to the eastern side of the building. After going back and reevaluating the developer has stated that they cannot make that happen. Due to this the developer is asking to change the conditions and this requires a new rezoning process.

Requested Board Action: Review, comment and make a recommendation to the Town Council of Mooresboro.
Case #23-23
4624 Ellenboro Road
Parcel 31531 and 57040  3.35 Acres
STAFF REPORT

To: Planning Board
Date: October 24, 2023
From: Chris Martin, Planning Director
Subject: Rezoning Case 23-23

Summary Statement: The Broadway Group, LLC, is requesting to rezone parcels 31531 and 57040 from General-Business Conditional Use to General Business Conditional Use for a general merchandise retail establishment.

Property:
Location – 4624 Ellenboro Road
Parcel – 31531, 57040
Acreage – 3.35 acres

Review: The parcels are on Ellenboro Road in Mooresboro. NDDOT construction is modifying the area around the 74/Ellenboro Road/Lattimore Road intersection. The Dollar General is currently located on parcel 31405 and this parcel will be absorbed into the right of way for Highway 74, per the NCDOT interchange plan. Surrounding uses are mainly single-family dwellings with a solar facility to the north. Surrounding zoning is Rural Agriculture on the north side of Ellenboro Road, with a mix of Neighborhood Business, Rural Agriculture, and Residential on the south side. The Land Use Plan designates this area as Future Rural Residential. This designation says that small scale retail is appropriate if located at major intersections.

At the September 11, 2023 Mooresboro Town Council meeting the board approved the rezoning with a condition that the entrance driveway be moved to the eastern side of the building. After going back and reevaluating the developer has stated that they cannot make that happen. Due to this the developer is asking to change the conditions and this requires a new rezoning process.

Requested Board Action: Review, comment and make a recommendation to the Town Council of Mooresboro.
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 23-24

Department:

Agenda Title: Case 23-24: Request to rezone property at 2603 South Lafayette Street from General Business to Residential

Agenda Summary:

Proposed Action:

ATTACHMENTS:

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<td>PB_Case_23-24_South_Lafayette_Street_Binder.pdf</td>
<td>23-24 Binder</td>
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STAFF REPORT

To: Board of Commissioners
Date: October 24, 2023
From: Chris Martin, Planning Director
Subject: Rezoning Case 23-24

Summary Statement: Ambers Scott Bradshaw is applying to change the zoning of adjoining parcels 5675 and 5681 from General Business to Residential.

Property: Location – 2603 South Lafayette Street
Parcels – 5675 and 5681
Acreage – 4.72 acres

Review: The parcels are on South Lafayette Street (Hwy 18), south of Shelby, near the intersection with South Post Road. The applicant has requested to rezone the property to Residential. Surrounding zoning is mostly Residential, with some General Business and Neighborhood Business along Lafayette Street. Surrounding uses are mostly residential, two churches closer to the intersection with South Post Road. The Land Use Plan calls this area Secondary Growth, which supports uses such as residential.

Current zoning district: General Business – The purpose of this district is to accommodate a wide range of retail, business, professional and person services; office and limited wholesale and warehousing uses. These uses are generally located on arterial streets with a capacity for additional commercial traffic.

Requested zoning district: Residential – The purpose of this district is to accommodate low density single family detached dwellings, modular homes and manufactured homes. Multifamily housing is also permitted in this district, but may be exempt from the density standards.

Requested Board Action: Review, comment and make a recommendation to the Board of Commissioners.
Planning Board Case #23-24
2603 South Lafayette Street
Parcels 5675 and 5681   4.72 acres
Planning Board Case #23-24
2603 South Lafayette Street
Parcels 5675 and 5681  4.72 acres
Planning Board Case #23-24
2603 South Lafayette Street
Parcels 5675 and 5681  4.72 acres
PETITION FOR AMENDMENT OF THE ZONING MAP

NOW COMES Ambers Scott Bradshaw, Applicant, whose present address is 2603 S. Lafayette St., Shelby, NC 28152, who respectfully petitions and shows as follows:

1. That the applicant is the ☑ owner, ☐ legal representative, ☐ or other concerned parties, of a certain tract or parcel of land located in Cleveland County, North Carolina, being more particularly described as:

   Physical Address: 2603 + 2605 S. Lafayette St.
   Parcel(s): 5675 + 5681 containing 4.72 acres. (if portion of property attach survey)

2. That said property above described is presently zoned ☑GB and the undersigned applicant desires and does hereby request that said property be rezoned to: ☑ Residential.

3. The proposed zoning change would require a change in the Zoning Map? YES ☑ NO ☐

If the answer is yes: An application for rezoning shall be accompanied by a survey, legal description, or map sufficient to provide public notice of the area requested for rezoning.

4. Owners of adjoining property hereby support this petition by signing below: Adjoining property shall be construed to mean and include property on the opposite side of any street, road, or highway from the property sought to be rezoned (attach an additional sheet if necessary).

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Respectfully submitted this 3 day of October, 2023.

SIGNED: Ambers Scott Bradshaw

E-MAIL: __________________________ PHONE NUMBER: 704-284-4865

For office use:

Payment Code: ZP 11 Map Amendment Fee: $200

Paid on: ZP: 177635 Case #: 23 24
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Next Meeting

Department:
Agenda Title:
Agenda Summary: The next Planning Board meeting will be Tuesday, November 28, 2023 at 6:00 p.m.
Proposed Action:

ATTACHMENTS:

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No Attachments Available