

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

**February 27, 2024**

**6:00 PM**

**1333 Fallston Road**

---

**Call to order and Establishment of a Quorum**

**Invocation and Pledge of Allegiance**

**Approval of Minutes**

Minutes from the January 30, 2024 Planning Board Meeting

**Items**

Case 24-04: Request to rezone property at 201 Laurel Avenue from General Business to Residential

**Miscellaneous Business**

**Adjournment**

# COUNTY OF CLEVELAND, NORTH CAROLINA

## AGENDA ITEM SUMMARY

---

### Minutes

---

#### Department:

**Agenda Title:** Minutes from the January 30, 2024 Planning Board Meeting

#### Agenda Summary:

#### Proposed Action:

---

#### ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 1-30-24_PB_Minutes.pdf	Minutes



**PLANNING BOARD**  
**1333 Fallston Rd., Shelby, NC**  
**January 30, 2024 - 6:00 p.m.**

**Members Present:**

Noah Saldo, Chairman

Dobbin Lattimore, Vice Chairman

Jay Carpenter

Eddie Kee

David Caldwell

Clinton Cook

**Members Absent:**

Matthew Hord

**Staff Present:**

Chris Martin, Planning Director

Henry Earle, Planner

Anna Parker, Clerk

**Others Present:**

Bobby Pearson, Jr.

Ralph Wyngarden, Southern

Towers Representative

Jonathan Yates

A. Beeney

Chris Kratzer

Joel & Alice Kisubika

**CALL TO ORDER AND ESTABLISH QUORUM**

**Chairman Saldo** called the meeting to order at 6:00 pm. Quorum was established.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**Chairman Saldo** led the Pledge of Allegiance, followed by the invocation.

**APPROVAL OF MINUTES FOR DECEMBER 19, 2023**

**Jay Carpenter** made a motion to approve the minutes for December 19, 2023 minutes. Eddie Kee seconded the motion and it passed unanimously.

**ROAD NAMING CASE 24-01: Big Rock Rd.**

**Henry Earle** said there is a recorded easement located at 2539 Shoal Creek Rd. The applicant, Rocky Shelton, owns the property that it serves. The neighbors support it. They have had problems with current addresses and this will help E-911 and mail services to the residents. This will not change the nature of the right-of-way, it is still private. E-911 services have approved the name.

**Chairman Saldo** opened the Public Hearing at 6:03 pm. There was no public comment so he closed the Public Hearing at 6:03 pm.

**Dobbin Lattimore** made a motion to approve the proposed road name Big Rock Rd. Jay Carpenter seconded the motion and it passed unanimously.

**REZONING CASE 24-01: A portion of 422 Webb Rd. - Residential to Neighborhood Business-Conditional Use for a Telecommunication Tower**

**Chris Martin** said the property is in the Boiling Springs area. The current zoning is Residential, which is for single family and multifamily use. The applicant is requesting to rezone a 100'x100' portion of the property as shown on their site plan to Neighborhood Business-Conditional Use for a telecommunications tower. The Land Use Plan shows the area as secondary growth. The site plan shows the tower dimensions. It is 178' tall with a designed 50' fall zone. It is in the Airport Overlay district, so the maximum height calculated to be allowed is 184' tall. Staff shared the plan with the City of Shelby since it is near the airport. Their comment was to tell the applicant to seek FAA approval. The public hearing is set for February 6<sup>th</sup> with the County Commissioners.

**David Caldwell** asked about the fall zone, since it less than the height of the tower, the two different heights reported for the tower, and the proximity to the power lines. Henry Earle clarified that the tower is 178' tall with a 3' lightning pole, for a total of 181'.

**Jonathan Yates**, a representative of the tower company, assisted with answers. He said that there is a site placement engineer and a tower design engineer both certified the placement and the fall zone. It will be a steel monopole. It is 1.5 miles from the Shelby airport and 7.8 miles from Twin Airparks. The site is 60'x60' on the ground with space for additional carriers. It takes 60-90 days to build, and then it only needs periodic maintenance. There is good tree cover on the property. The only occupant on the property is Duke Energy- they have a big easement. It is 50' from the Duke Energy utility line and it is certified by an engineer. They have consulted with Duke Energy and they are okay with the placement of the tower. They are currently in the process of getting FAA approval, but the FAA is behind. They will have that approval before starting any work.

**Dobbin Lattimore** made a motion to recommend approval of Case 24-01.

A **neighbor** of the site requested to speak. Chairman Saldo allowed them to speak about the property. The resident stated that he has concerns about the effect the tower will have on home values in the area, and the safety of 5G technology. He declined to state his name and address.

**Dobbin Lattimore** added to his recommendation that utilities are needed for a growing county and he recommends approval. Eddie Kee seconded the motion and it carried unanimously.

**REZONING CASE 24-02: 350 Range Rd. - Restricted Residential to Residential**

**Chris Martin** said the property owner, Bobby Pearson, owns 4 acres at 350 Range Rd. It is in the Kings Mountain area, west of Kings Mountain. It is currently zoned Restricted Residential, which is the most restrictive zoning- allowing for modulares and site build homes, schools, and churches only. The Residential zoning allows for manufactured homes, multifamily housing, and

some business uses. There is Restricted Residential to the southeast and restricted residential to the northwest adjoining the property. The Land Use Plan shows the area as secondary growth. The public hearing is set for February 6<sup>th</sup>.

**Eddie Kee** asked about the homes in the area- he said they look site built. Bobby Pearson, the applicant, showed on the map several double wide mobile homes in the area, including the one in front of his property. He plans to build his home, but his daughter may want a double wide mobile home. He stated that his neighbors have approved of his rezoning request.

**Jay Carpenter** made a motion to recommend approval of Case 24-02. It is an extension of the Residential zoning district and it complies with the Land Use Plan. David Carpenter seconded the motion and it carried unanimously.

**REZONING CASE 24-03: A portion of 2941 Blacksburg Rd. - Residential to Neighborhood Business-Conditional Use for a Telecommunication Tower**

**Henry Earle** said this rezoning request is like the case earlier, except it is not located in the airport overlay district. The applicant is requesting to rezone a 100'x100' area for neighborhood business - conditional use for a cell tower. The 100-acre property is southeast of Earl. The property to the south is timber land. The fall zone is consistent with the tower height. The tower is approximately 800' from the nearest home. It is also located at least 340 feet from the nearest property line.

**Dobbin Lattimore** made a motion to recommend approval of Case 24-03. It is an ideal location and it is a needed utility. Jay Carpenter seconded the motion and it carried unanimously.

**MISCELLANEOUS BUSINESS**

**Clinton Cook** asked if the County has considered a cell tower ordinance to consider standards. Chris Martin replied that previous Planning Boards have drafted and recommended ordinance standards but they have not been considered for a public hearing by the commissioners.

**ADJOURNMENT**

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

**David Caldwell** made a motion to adjourn at 6:41 pm. Dobbin Lattimore seconded the motion and it passed unanimously.

ATTEST:

\_\_\_\_\_  
Noah Saldo, Chairman

\_\_\_\_\_  
Anna Parker, Clerk

# COUNTY OF CLEVELAND, NORTH CAROLINA

## AGENDA ITEM SUMMARY

---

### Case 24-04

---

#### Department:

**Agenda Title:** Case 24-04: Request to rezone property at 201 Laurel Avenue from General Business to Residential

#### Agenda Summary:

#### Proposed Action:

---

#### ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 24-04_Staff_Report_Planning_Board.pdf	Staff Report
<input type="checkbox"/> Case_24-04_Aerial_Map.pdf	Aerial Map
<input type="checkbox"/> Case_24-04_Zoning_Map.pdf	Zoning Map
<input type="checkbox"/> Grover_Land_Use_Map.pdf	Grover Land Use Map

## STAFF REPORT

To: Planning Board  
Date: February 27, 2024  
From: Chris Martin, Planning Director  
Subject: Rezoning Case 24-04

**Summary Statement:** Thomas Keeter is requesting to rezone parcel 6378, containing 0.22 acres, from General Business (GB) to Residential (R).

**Review:** The parcel lies at the corner of Laurel Avenue and Mulberry Road in Grover, NC. There are currently no improvements on the property.

**Current zoning district: General Business** – The GB district accommodates a wide variety of retail; business, professional, and personal services; office; and limited wholesale and warehousing uses. These uses are generally located on arterial streets with the capacity for additional commercial traffic (Section 12-121).

**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 (Section 12-121).

Surrounding zoning districts are General Business and Restricted Residential across Laurel Ave. while the surrounding uses consist of residential within the same block and side of the road as the property, and government services across Mulberry Rd.

The Town's adopted Land Use Plan designates this area as Village Commercial. This land use category describes areas designated for current and future commercial growth.

### **Consistency Statement**

*NCGS 160D-605 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest.*

**Requested Board Action:** Review, comment, and make a recommendation to the Board of Commissioners.

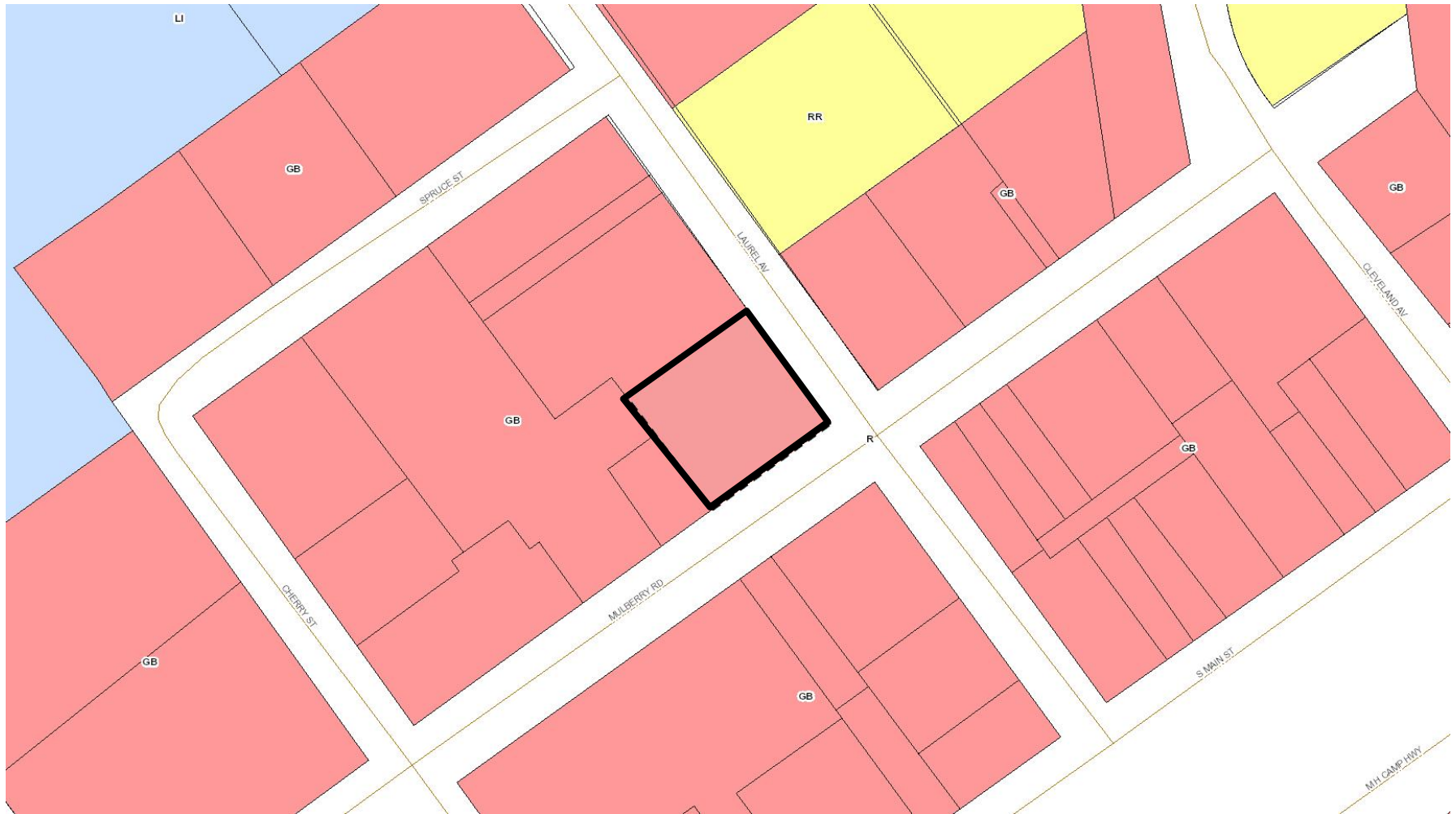


**Rezoning Case 24-04**  
201 Laurel Avenue





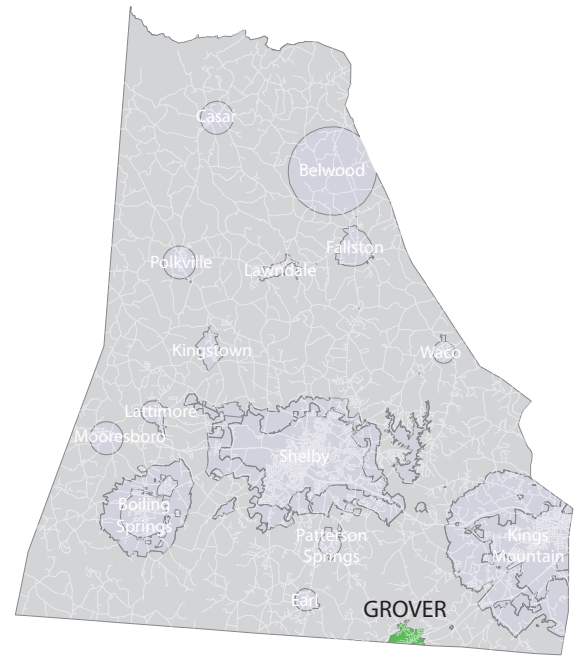
**Rezoning Case 24-04**  
201 Laurel Avenue



## GROVER

The Town of Grover is on the southeastern border of Cleveland County, where it shares a boundary with Cherokee County in South Carolina. The Town is one square mile in area with 800 residents living in the community. Grover's proximity to Kings Mountain and Interstate-85 has created some interest in residential development in recent months and it is anticipated that the undeveloped portions of the Town may become developed for residential uses soon. For this reason, some of the areas of Town, predominantly along its periphery, which are currently undeveloped or used for very large lot residential purposes, are considered Residential on the Future Land Use Map. The Town also includes a large industrial use toward the center of Town, as well as a number of Village Commercial areas along Main Street, Cleveland Avenue, and at the intersection of Cleveland Avenue and Bethlehem Church Road. The primary commercial area is in Downtown Grover, a small area along Main Street. If new residential development promotes redevelopment of the downtown in the near future, this map should be re-evaluated to ensure the appropriate land uses are depicted throughout the Town.

▼ FIGURE 38 GROVER'S LOCATION



▼ FIGURE 39 GROVER'S HISTORIC POPULATION



