# AGENDA FOR THE PLANNING BOARD MEETING

# March 25, 2025

#### 6:00 PM

#### 1333 Fallston Rd. Shelby, NC 28150

Call to order and Establishment of a Quorum

Invocation and Pledge of Allegiance

Approval of Minutes

<u>Items</u>

Road Name Case 25-02: Muddy Fork Ln.

Re-Zoning Case 25-03: 106 Mulberry Rd. GB to RR (Grover)

#### **Miscellaneous Business**

**Adjournment** 

#### AGENDAITEM SUMMARY

# February 25, 2025 Planning Board Minutes

**Department:** February 25, 2025 Planning Board Minutes

Agenda Title:

Agenda Summary:

**Proposed Action:** 

#### ATTACHMENTS:

File Name 2-25-2025\_PB\_Mins.pdf Description 2-25-2025 PB Minutes



# PLANNING BOARD 311 E. Marion St., Shelby, NC February 25, 2025 - 6:00 p.m.

Members Present:	Staff Present:	Others Present:		
Dobbin Lattimore, Chairman	Chris Martin, Planning Director	Terrie Lewis		
Jay Carpenter, Vice-Chairman	Hayden Whetstine, Planner	Phyllis Nowlen		
Clinton Cook	Anna Parker, Clerk	Robert Falls		
Eddie Kee		Lyn Cheshire		
	Others Present:	Jeanette Cheshire		
Members Absent:	Thomas Wells	Ricky Hall		
David Caldwell	Betsy Tessneer	Eva Ruth		
Denise Wright	Susan Cook			
Matthew Hord	Ray Lewis			

# CALL TO ORDER AND ESTABLISH QUORUM

Chairman Lattimore called the meeting to order at 6:05 pm. Quorum was established.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

# APPROVAL OF MINUTES FOR JANUARY 14, 2025

Jay Carpenter made a motion to approve the minutes for January 14, 2025. Clinton Cook seconded the motion, and it passed unanimously.

# ROAD NAMING CASE 25-01: Canopy Dr.

**Chris Martin** said the owner, Michael James, proposed the road name "Canopy Dr." for his easement located at 332 Kadesh Church Rd. in the Belwood area. E-911 Services supports the proposed name. The easement serves two parcels. The applicant submitted a site sketch and survey showing the easement location. Naming the road will help with E-911 Services, mail, and directions.

**Chairman Lattimore** opened the public hearing at 6:09 pm. There was no public comment so he closed the public hearing at 6:09 pm.

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

# ZONING CASE 25-02: Apply Zoning and Land Use Plan Designations for 239 Kings Mountain ETJ Parcels

**Chris Martin** said that there are 239 properties that Kings Mountain has relinquished from their jurisdiction which extend beyond one mile of the city limits. This is the third group of properties. The only change for property owners is that they will come to the county for planning, building, and code enforcement services. House Bill 909 & NCGS 160D-202 stated that properties beyond one mile of the city limits are to be relinquished from Kings Mountain to the county. The county must apply zoning and land use plan designations to these properties.

**Mr. Martin** showed the proposed zoning districts for the parcels. He said their strategy was to visit the properties and drive through the areas to evaluate the character of each community. They looked at what the Kings Mountain zoning districts were then chose zoning districts that were as close as possible to their current zoning and character. Their goal was for the owners to not see a big difference after the change. Staff mailed notices with the map and posted the map on the county website. The Planning Board will review the zoning district and land use plan designations to make a recommendation to the County Commissioners.

**Chairman Lattimore** asked about the Land Use plan designations. Mr. Martin said they are proposing extensions of the current Land Use Plan designations.

The Planning Board asked for any public comments.

**Tom Wells** of 199 Margaret Little Dr. said he has been there for 20 years. His concern is homesteading in the Restricted Residential zoning and if it restricts wells. Mr. Martin said there are no restrictions on wells and the Restricted Residential is for the home type. Gardens, chickens, etc. are not restricted if they are residential use.

**Susan Cook** of 108 Fireside Ln. asked what her property zoning will be and if mobile homes are allowed. Mr. Martin said it is Residential zoning which allows mobile homes.

**Robert Falls** of 103 Carol Lyn Dr. asked about his property. He stated he does not want a new mobile home park next to his property. Mr. Martin said his property is in Restricted Residential, which allows for new stick-built or modular homes only. The rest of the cul-de-sac was relinquished earlier.

**Ricky Hall** of the Lake Montonia Club asked about the one lot being relinquished at the end of the road and their access. Mr. Martin said the lot access won't change. The only change is who they get their permit from, which will be the county now instead of Kings Mountain.

**Chairman Lattimore** pointed out that existing structures will be grandfathered in, and any neighborhood restrictions like Lake Montonia will supersede the county restrictions. Mr. Martin said the rest of the Lake Montonia neighborhood will remain with Kings Mountain.

**Mr. Martin** addressed farming uses. North Carolina limits counties from restricting farming, so farming is not limited by zoning districts. Current businesses will be allowed as a non-conforming use, or if they are compliant with the current zoning district they may continue to operate.

Chairman Lattimore entertained a motion as there was no more comment or discussion.

**Eddie Kee** made a motion to recommend approval of the proposed zoning districts and land use plan map designations. Jay Carpenter seconded the motion, and it carried unanimously.

#### MISCELLANEOUS BUSINESS

There was no miscellaneous business.

#### **ADJOURNMENT**

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

**Jay Carpenter** made a motion to adjourn at 6:42 pm. Eddie Kee seconded the motion, and it passed unanimously.

ATTEST:

Dobbin Lattimore, Chairman

Anna Parker, Clerk

# AGENDA ITEM SUMMARY

# Road Name Case 25-02: Muddy Fork Ln.

### Department:

Agenda Title: Road Name Case 25-02: Muddy Fork Ln.

Agenda Summary:

**Proposed Action:** 

#### ATTACHMENTS:

File Name	Description
25-02_Staff_Report_Muddy_Fork_Ln.pdf	Staff Report
25-02_Site_Sketch.pdf	Site Sketch
25-02_survey.pdf	Survey
25-02_Petition.pdf	Petition
	25-02_Staff_Report_Muddy_Fork_Ln.pdf 25-02_Site_Sketch.pdf 25-02_survey.pdf

#### **STAFF REPORT**

To: Cleveland County Planning Board

Date: March 25, 2025

From: Chris Martin, Planning Director

Subject: Road Naming Case 25-02: Muddy Fork Lane

Location: 1125 Old Post Rd.


**Review:** Russell Kennerly requested to name a private easement located at 1125 Old Post Rd. as "Muddy Fork Lane". He is a property owner along the easement.

**Background:** Located at 1125 Old Post Rd., north of Waco, this easement serves six parcels. Mr. Kennerly submitted a petition with the other property owner's supporting signatures. The property owners were mailed notification of the request and a Legal ad was placed in the Shelby Star. A survey and an aerial map are included illustrating the easement location and proposed name.

**Purpose:** Naming the easement will help with emergency services, mail, directions, and mail delivery as the properties are developed. This proposal has been shared with E911 Communications and they approve of the proposed road name.

Action: Please open a public hearing then consider either approving or denying the proposed name.





LINE	BEARING	DISTANCE
L1	S 61°40'30" W	51.12'
L2	S 45°18'39" W	142.00'
L3	S 22°34'05" W	112.64'
L4	S 14°50'03" W	134.99'
L5	S 14°43'03" W	38.21'
L6	S 28°47'20" E	49.05'
L7	S 07°11'44" E	76.45'
L8	S 48°55'24" W	90.24'
L9	S 87°52'42" W	136.21'
L10	S 73°56'26" W	52.36'
L11	S 73°56'26" W	79.05'
L12	S 17°11'10" W	88.17'
L13	S 05°55'11" W	145.22'
L14	S 01°45'41" W	140.82'
L15	S 32°09'49" W	53.54'
L16	S 32°09'49" W	5.85'
L17	S 01°41'35" E	59.56'
L18	S 57°06'43" E	72.81'
L19	S 87°48'33" E	87.09'
L20	S 60°56'49" E	123.27'
L21	S 38°25'24" E	40.17'
L22	S 02°39'31" W	84.31'
L23	S 64°13'29" W	267.69'

Cleveland County	ROAD NAMING APPLICATION
APPLICANT RUSSell Kenn	nevly
PHONE: 704 474 602 MAILING ADDRESS 401 Ham)	-9 ) E-MAIL: RUSSEll Kennerly@ aol. Com ton Dr. Cherryville, NC
1	Name
(IF RO. CONNECTING ROAD <u>OID</u>	AD DOES NOT CURRENTLY HAVE A NAME, WRITE "NO NAME")
	(Please give at least two choices in order of preference)
2 Muddy Creek	Lane
3) S. Muddy Creek	Det Dover Farm Lane
hume huns	3-2-25
Signature of Applicant	Date

We, the undersigned, hereby request the Cleveland County Planning Board to rename our street to one of the above named roads. We understand that while every effort will be made to give us our first choice, it cannot be guaranteed if the Planning Board and staff determine it to be the same or phonetically similar to another county road. We have enclosed the \$100.00 fee to cover the cost of advertising for the Public Hearing and to cover the cost of the new road sign and post.

Name (Print)	Address	Signature
Maley Kennery	401 Hamilton Dr	Maley Kennesly
Diarie D. Dilon	1231 StonyPt	Diarly D. Ditor
Kartie Suism	2510 Leophart Rd	Kenter min Autortet
ALEXENTREM	509 Spring St.	ally Lorn
PLANNING STAFF _ APAO	Parker	DATE 3-4-2025
For office use:		
Payment Code: ZP 72	Fee: \$200 as of July 1, 2021	
Paid on: 3 - 4 - 2.5 ZP:	182513 Case	#:25-02

#### AGENDA ITEM SUMMARY

### Re-Zoning Case 25-03: 106 Mulberry Rd. GB to RR (Grover)

#### **Department:**

Agenda Title: Re-Zoning Case 25-03: 106 Mulberry Rd. GB to RR (Grover)

Agenda Summary:

**Proposed Action:** 

#### ATTACHMENTS:

#### File Name

25-03\_1-Staff\_Report\_PB.pdf

- 25-03\_Map\_Aerial\_Map.pdf
- 25-03\_Map\_Zoning\_Map.pdf
- 25-03\_Map\_LUP\_Map.pdf
- 25-03\_Petition.pdf

Description Staff Report Aerial Map Zoning Map Land Use Plan Map Petition

# **STAFF REPORT**

To: Planning Board

March 25, 2025

From: Chris Martin, Planning Director

Subject: Rezoning Case 25-03 General Business (GB) to Restricted Residential (RR)

Location: Parcel 6388 - 106 Mulberry Road in Grover

<u>Summary Statement</u>: Steven Johnson of Zenia Building, LLC is requesting to re-zone 106 Mulberry Rd (parcel 6388) from General Business (GB) to Restricted Residential (RR).

<u>Review:</u> The property is described in Deed Book 1929 Page 1940 and located adjacent to the post office on Mulberry Rd. in Grover. It is owned by Donald and Zena Johnson, per Cleveland County Tax Assessors office and approximately 0.20 acres. It is currently a vacant parcel with no determined use.

<u>Current zoning district: General Business</u> – 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).

<u>Requested zoning district: Restricted Residential</u> – The purpose of this district is to accommodate low density single family detached dwellings and modular homes. (Section 12-121).

<u>Surrounding uses</u> are a mix of single-family dwellings and commercial uses such as the post office and antique retail store. Surrounding zoning districts consist of general business and restricted residential to the rear/north of the property.

<u>Grover's adopted Land Use Plan</u> designates this area as Village Commercial, which 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 Town of Grover.

# Rezoning Case 25-03 106 Mulberry Rd.



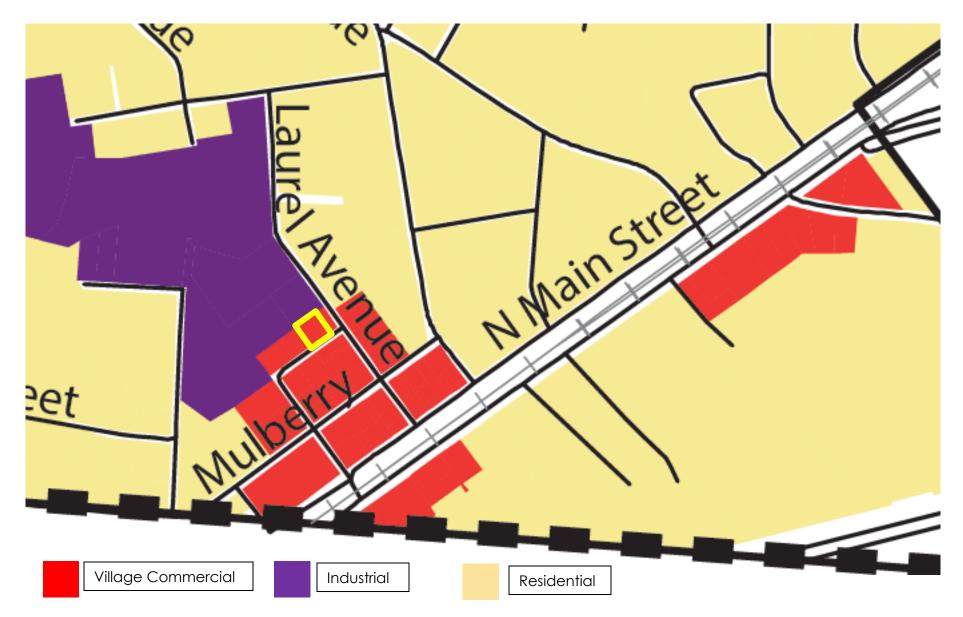
Rezoning Case 25-03- Zoning Map

106 Mulberry Rd.



Rezoning Case 25-03- Land Use Plan Map

106 Mulberry Rd.





# PETITION FOR AMENDMENT OF THE ZONING MAP

NOW COMES ZENIA Building LLC	_, Applicant, whose present mailing
address is 706 E King St, Kings Mountain, NC 28086	,
who respectfully petitions and shows as follows:	
1. That the applicant is the 🗌 owner, 🗆 legal representative, 🛛 or othe	r concerned parties, of a certain tract
or parcel of land located in Cleveland County, North Carolina, being mo	re particularly described as:
Physical Address: 00 Mulberry Rd	
Parcel(s): 6388	containing 0.20acres.
(if a 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 p RR	property be rezoned to:

3. The proposed zoning change would require a change in the Zoning Map? 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).

PROPERTY OWNER (SIGNATURE)	PROPERTY OWNER (PRINT NAME	PROPERTY ADDRESS
Respectfully submitted this da	y of February,	, <u>20</u> <u>25</u>
Respectfully submitted this 25th da SIGNED:	<i>an</i>	
E-MAIL: sjohnson@zeniabuilding.c		UMBER: 704-813-9833

For office use:

Payment	<u>t Code:</u> ZP 11 Map A	mendm	ient 1	Fee: \$300				
Paid on:	2-25-2025	ZP:	182442		Case #:	25-1	13	