



**Board of Adjustment
June 18, 2019**

Staff Report

TO: Board of Adjustment
FROM: Ryan Lipp – Senior Planner
SUBJECT: Case# BOA-2019-04: 289 James Street

Request for variance from the provisions of Article 4, Table 4.7-1 of the Unified Development Ordinance (UDO) to allow the subdivision of the subject property with lot depths less than the 100-foot minimum for lots in the Residential Village (RV) Zoning District.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record
2. Motion to approve/revise Findings of Fact proposed by Planning Staff
3. Motion to approve (approve with conditions) (deny) the issuance of the variance and Order for Approval

B. Required Votes to Pass Requested Action

Six votes are required to approve or deny the requested actions.

C. Background

The applicant, Greg Lafferty, is requesting a variance from Article 4, Table 4.7-1 of the Unified Development Ordinance, which requires minimum lot depth of 100-feet in the Residential Village (RV) zoning district. Mr. Lafferty is proposing to subdivide his property into 4 lots. In order to approve the subdivision, Public Works/Engineering staff is requiring that Mr. Lafferty dedicate right-of-way to the city leaving him with insufficient lot depth to meet the minimum requirements. With the required right-of-way dedication, the applicant's request for a four-lot subdivision will result in the following lot depths (please also see attached site plan):

- Lot 1 = 60.69 feet
- Lot 2 = 74.57 feet
- Lot 3 = 84.94 feet
- Lot 4 = 94.81 feet

D. Fiscal Considerations

None

E. Policy Issues

Staff Findings of Fact - Based on application review

Yes No

Unnecessary hardship would result from the strict application of the ordinance.

The subject property has been in existence since 1948. The owner of the property is requesting the variance in order to subdivide the property into 4 parcels. Without the proposed variance, the City would be unable to approve the subdivision because no lots would meet the minimum lot depth. Without this variance, the applicant would be able to construct a single-family dwelling, a duplex or a triplex on this property.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The lot depth of the property has not changed since 1948. The required dedication of right-of-way would further reduce the depth of the existing non-conforming lot.

The hardship did not result from actions taken by the applicant or the property owner.

There is no record of any actions of the owner that caused the hardship.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved and will preserve its spirit.

The variance is consistent with the spirit, purpose, and intent of the UDO.

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a variance is warranted, the Board members must decide that each of the four criteria as outlined below has been met. If the Board members concur completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board members wish to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the four criteria below. Should a variance be approved, the Board members may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.

Yes No

Unnecessary hardship would result from the strict application of the ordinance.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The hardship did not result from actions taken by the applicant or the property owner's own actions.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

F. Legal Issues

None

G. Recommendation

Based on the above findings, staff recommends **approval** of the variance. However, the Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly.

H. Attachments

1. Variance Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Site Plan
6. List of Notified Properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
City Manager	X
City Attorney	X

KANNAPOLIS

Planning and Zoning Commission and Board of Adjustment General Application Form (Not for Site Plan Review Submittals)

Type of Action Requested (Check One):

Variance	<input checked="" type="checkbox"/>	SIA Application	_____
Conditional Use Permit	_____	Nonconformity Adjustment	_____
Subdivision Exception	_____	Watershed Boundary Modification	_____
Zoning Text Amendment	_____	Zoning Map Amendment	_____
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: New Life Developers, LLC Owner: Greg Lafferty

Address: 2310 Concord Lake Rd Address: _____
Kannapolis, NC 28083

Telephone: (704) 454-7700 Telephone: _____

Email: info@newlifedevelopers.com Email: _____

Legal relationship of applicant to property owner: _____

Property Location/Address: 1.290 Acres at the SW intersection of Hudson and James streets

Tax Parcel Number: 5613868568 Zoning District: RV Acreage of Site: 1.290 Ac.

New Life Developers, LLC Greg Lafferty
Applicant Name (Print) Property Owner Name (Print)

Applicant Signature & Date Property Owner Signature & Date

The agenda deadline is the first day of the month preceding the month of the meeting. To be considered for placement on the next meeting agenda, the signed application, application fee, and five (5) copies of any required site plans for staff review must be submitted by the deadline. However, to remain on the next meeting agenda, fifteen (15) copies of such plans, determined by staff to conform to all ordinance standards, must be submitted at least ten (10) days before the meeting date. All fees are nonrefundable and help to cover administrative and notification costs.

For Staff Use Only:

Filing Fee: _____ Receipt # _____

Application No.: _____ Date Submitted (Complete): _____



KANNAPOLIS

CITY OF KANNAPOLIS PLANNING DEPARTMENT

APPLICATION FOR A VARIANCE

I, Greg Lafferty of New Life Developers, LLC, hereby petition the Board of Adjustment for a Variance from the literal provisions of the Unified Development Ordinance because, under the interpretation given to me by the Planning Administrator, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a Variance from the following provisions of the ordinance (cite paragraph numbers): Table 4.7-1 Dimensional and Density Standards,

Minimum Lot Depth (100 feet) for Zoning district : RV

so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application Form or, if the plot plan does not adequately reveal the nature of the Variance, as more fully described herein:

See attached sketch plan.

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Variance. Under the State Enabling Act, the Board is required to reach four conclusions before it may issue a Variance: (1.) that unnecessary hardship would result from the strict application of the ordinance; (2.) that the hardship results from conditions that are peculiar to the property, such as location, size, or topography; (3.) that the hardship did not result from actions taken by the applicant or the property owner; and (4.) the requested variance is consistent with the spirit, purpose, and intent, of the ordinance, such that public safety is secured, and substantial justice is achieved. In the spaces provided below, indicate the *facts* that you intend to show and the *arguments* that you intend to make to convince the Board that it can properly reach these four required conclusions.

1. Unnecessary hardship would result from the strict application of the ordinance.

It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property. [It is *not* sufficient that failure to grant the Variance simply makes the property less valuable.] (State facts and arguments in support of this conclusion.)

The current "minimum lot depth" requirement in this zoning district greatly diminishes the division options of this narrow but sizable town lot. If granted a variance, 4 desirable & affordable house lots would be possible as apposed to only 2.

2. **The hardship results from conditions that are peculiar to the property, such as location, size, or topography.** Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance. (State facts and arguments to show that the Variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the Variance is granted, will not substantially detract from the character of the neighborhood.)

~~_____~~
~~_____~~
~~_____~~
~~_____~~

3. **The hardship did not result from actions taken by the applicant or the property owner.** The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. (State facts and arguments in support of this conclusion.)

The hardship originates with the lot being a remnant lot,

Blk "C" - "CENTERVIEW EXT. NO 2" MBK 8, PG. 67.

See highlighted lot on attached plat of record.

4. **The requested Variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.** (State facts and arguments to show that, on balance, if the Variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

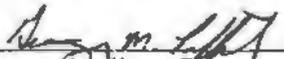
~~_____~~
~~_____~~
~~_____~~
~~_____~~

I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Greg Lafferty

Applicant Name (Print)

Date


Applicant Signature

5/7/19
Date

Note: The Board may impose reasonable conditions upon the granting of any Variance to ensure that the public health, safety, and general welfare shall be protected and substantial justice has been done.

Calls or conversations with Board of Adjustment members prior to the meeting may disqualify members from participation at the Board meeting. For the testimony of supporters not to be considered hearsay, they must be present at the meeting. Petitions and written consent may be accepted by the Board, but cannot be used as a basis for decision.

Fee: Please refer to fee schedule to determine applicable fees. All fees are nonrefundable and help to cover administrative and notification costs.



Vicinity Map

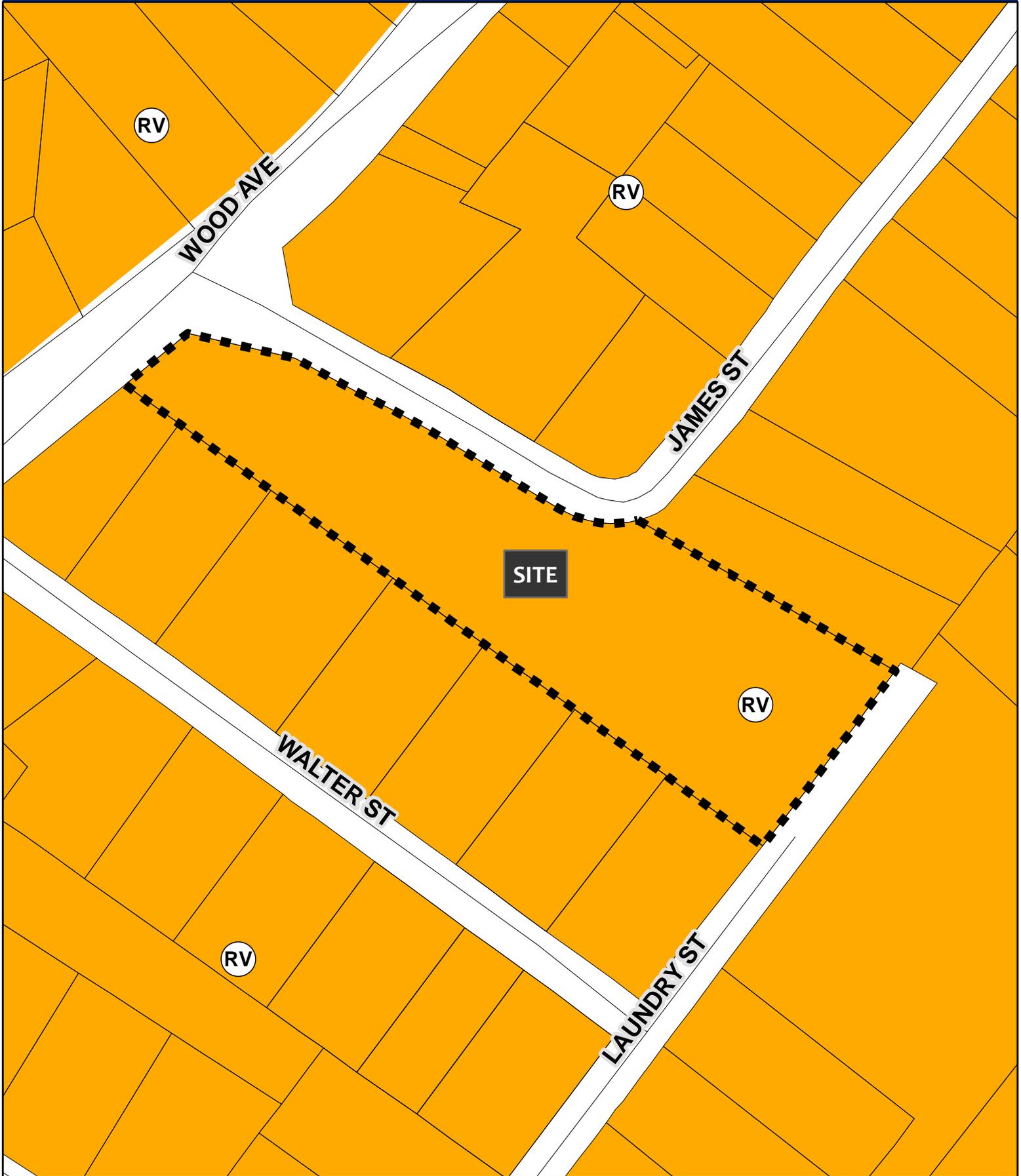
Case Number: BOA-2019-04
Applicant: New Life Developers, LLC
James St.





Kannapolis Current Zoning

Case Number: BOA-2019-04
Applicant: New Life Developers, LLC
James St.





Kannapolis 2030 Future Land Use Map

Case Number: BOA-2019-04

Applicant: New Life Developers, LLC

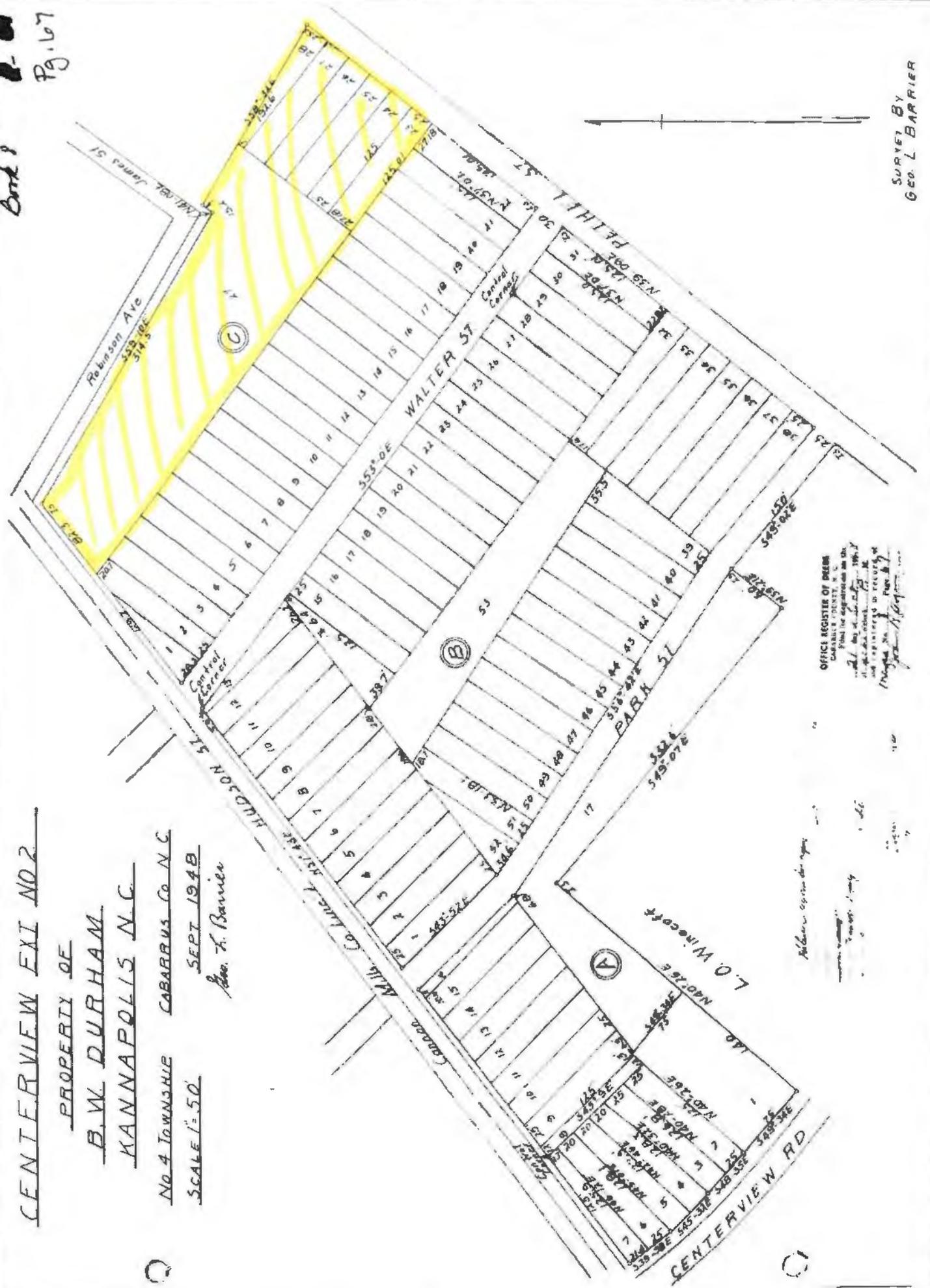
James St.



Book 8
Pg. 167

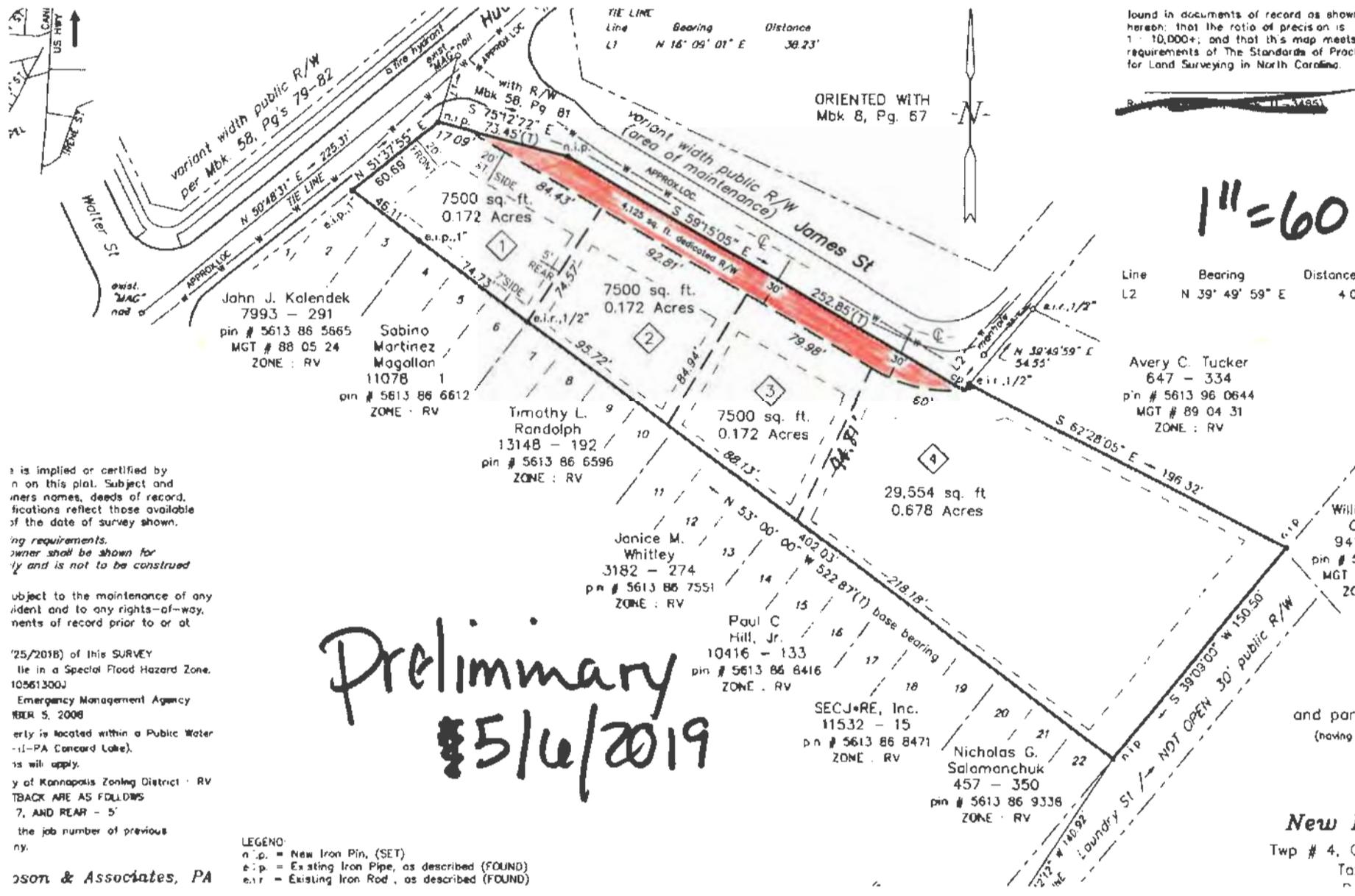
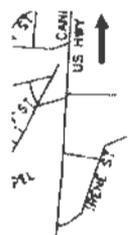
CENTERVIEW EXI NO. 2
PROPERTY OF
B. W. DURHAM
KANNAPOLIS, N. C.
NO. 4 TOWNSHIP CABARRUS CO. N. C.
SEPT. 1948
Geo. L. Barrier

SCALE 1" = 50'



OFFICE RECORDER OF DEEDS
 CABARRUS COUNTY, N. C.
 This is to certify that the
 above plat was duly recorded
 in my office on the 15th day
 of September, 1948.

SURVEY BY
 GEO. L. BARRIER



found in documents of record as shown hereon; that the ratio of precision is 1 : 10,000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina.



ORIENTED WITH Mbk 8, Pg. 67

1" = 60'

Line	Bearing	Distance
L2	N 39° 49' 59" E	4.09'

Avery C. Tucker
647 - 334
pin # 5613 96 0644
MGT # 89 04 31
ZONE : RV

Willie James Graham
941 - 324
pin # 5613 96 1594
MGT # 92 09 07
ZONE : RV

BOUNDARIES

1.
being Blk "C"
and part of a large lot
(having been mislabeled as (27)
"CENTERVIEW"
M
F

New Life Develop
Twp # 4, Cabarrus Co., Kar
Tax Ref. : pin # 5

is implied or certified by
n on this plat. Subject and
iners names, deeds of record,
fications reflect those available
of the date of survey shown.

ing requirements.
owner shall be shown for
ly and is not to be construed

subject to the maintenance of any
ident and to any rights-of-way,
ments of record prior to or at

'25/2018) of this SURVEY
lie in a Special Flood Hazard Zone.
10561300J
Emergency Management Agency
FEBR 5, 2008
erly is located within a Public Water
-11-PA Concord Lake).
is will apply.
y of Kannapolis Zoning District - RV
TBACK ARE AS FOLLOWS
7, AND REAR - 5'
the job number of previous
ny.

son & Associates, PA

LEGEND
n.i.p. = New Iron Pin, (SET)
e.i.p. = Existing Iron Pipe, as described (FOUND)
e.i.r. = Existing Iron Rod, as described (FOUND)

Preliminary
5/6/2019

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
SECU*RE INC	119 N SALISBURY ST	RALEIGH	NC	27603
ROBERT EDDLEMAN C/O KAREN CLOWNEY	1249 POPLAR GLEN DR	KANNAPOLIS	NC	28083
NEW LIFE DEVELOPERS LLC	1500 NEW GATE CT NW	CONCORD	NC	28027
CAROLINA'S FINEST PROPERTIES LLC	157 GLENWOOD DR SW	CONCORD	NC	28025
TONY KNOX LESTER KNOX	209 SHARPE AVE	KANNAPOLIS	NC	28083
SHARON S CHAMBERS TAKERA C SHEELOR	247 JAMES ST	KANNAPOLIS	NC	28083
RAFAEL ROSEL	248 JAMES ST	KANNAPOLIS	NC	28083
AVERY & JOHNSIE TUCKER	249 JAMES STREET	KANNAPOLIS	NC	28081
LURA STEEPLTON RICHARD WILLIS	269 ESTHER CIR	KANNAPOLIS	NC	28083
SCOTT MCNEILLY	2826 HAMPTON GLEN CT	MATTHEWS	NC	28105
JANICE M WHITLEY	286 HERONWOOD RD	STATESVILLE	NC	28677
STEFAN & AMY RUCKER	305 HILL ST	COMMERCE	GA	30529
JAMES & ELIZABETH ABERNATHY	465 PARKS FIELD DRIVE	KANNAPOLIS	NC	28081
GRAYLING BROWN	467 HEILIGTOWN RD	SALISBURY	NC	28144
RACHEL MCCULLOUGH C/O BERTHA JOHNSON	509 SOUTH ST	WINCHESTER	VA	22601
PAUL & LUCY HILL	544 WILHELM PL NE	CONCORD	NC	28025
GEORGE LENTZ SR	553 COOK ROAD	ELON COLLEGE	NC	27244
BRITTANY PORTER	600 WALTER ST	KANNAPOLIS	NC	28083
SABINO MARTINEZ MAGALLON	603 WALTER ST	KANNAPOLIS	NC	28083
ESTATE OF NANCY DOSS C/O CLYDE L DICKENSON	604 WALTER ST	KANNAPOLIS	NC	28083
TIMOTHY L RANDOLPH	605 WALTER ST	KANNAPOLIS	NC	28083
KATHLEEN MEADOWS C/O TRENTON MEADOWS	608 WALTER ST	KANNAPOLIS	NC	28081
NICHLOAS G SALAMANCHUK	613 WALTER ST	KANNAPOLIS	NC	28081
WILLIE GRAHAM	616 WILSON ST	KANNAPOLIS	NC	28083
ESTATE OF ALICE GRAHAM SHAUNTA A SPATES	618 LAUNDRY ST	KANNAPOLIS	NC	28083
JOURNEY CAPITAL LLC ATTN: JOHN SEARS	6220 HUDSPETH RD	HARRISBURG	NC	28075
PURSER INVESTMENTS LLC	8215 HOOD RD	CHARLOTTE	NC	28215
JOHN J KALENDEK	822 GUILFORD AVE	BALTIMORE	MD	21202
OLD TOWNE DEVELOPMENT CORPORATION	8312 CALDWELL RD	HARRISBURG	NC	28075
PERKINS COVE APARTMENTS INC	PO BOX 1962	CONCORD	NC	28026



KANNAPOLIS
Planning

May 28, 2019

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing at 6:00 PM on Tuesday, June 18, 2019 at City Hall, located at 401 Laureate Way, for the following case:

BOA-2019-04 - Variance – 289 James Street

This public hearing is to consider a request for a variance from Article 4, Table 4.7-1. of the Unified Development Ordinance, which requires a minimum lot depth of 100-feet for property located in the Residential Village (RV) zoning district. The subject property is approximately 1.27 +/- acres and is more specifically identified as Cabarrus County Parcel Identification Number 5613-86-8568. **(Please see reverse side of this letter for vicinity map showing the location of this property.)**

As an adjacent property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis UDO; and are invited to attend the public hearing and present testimony, should you desire, to the Board of Adjustment.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350

Sincerely,



Ryan Lipp,
Senior Planner

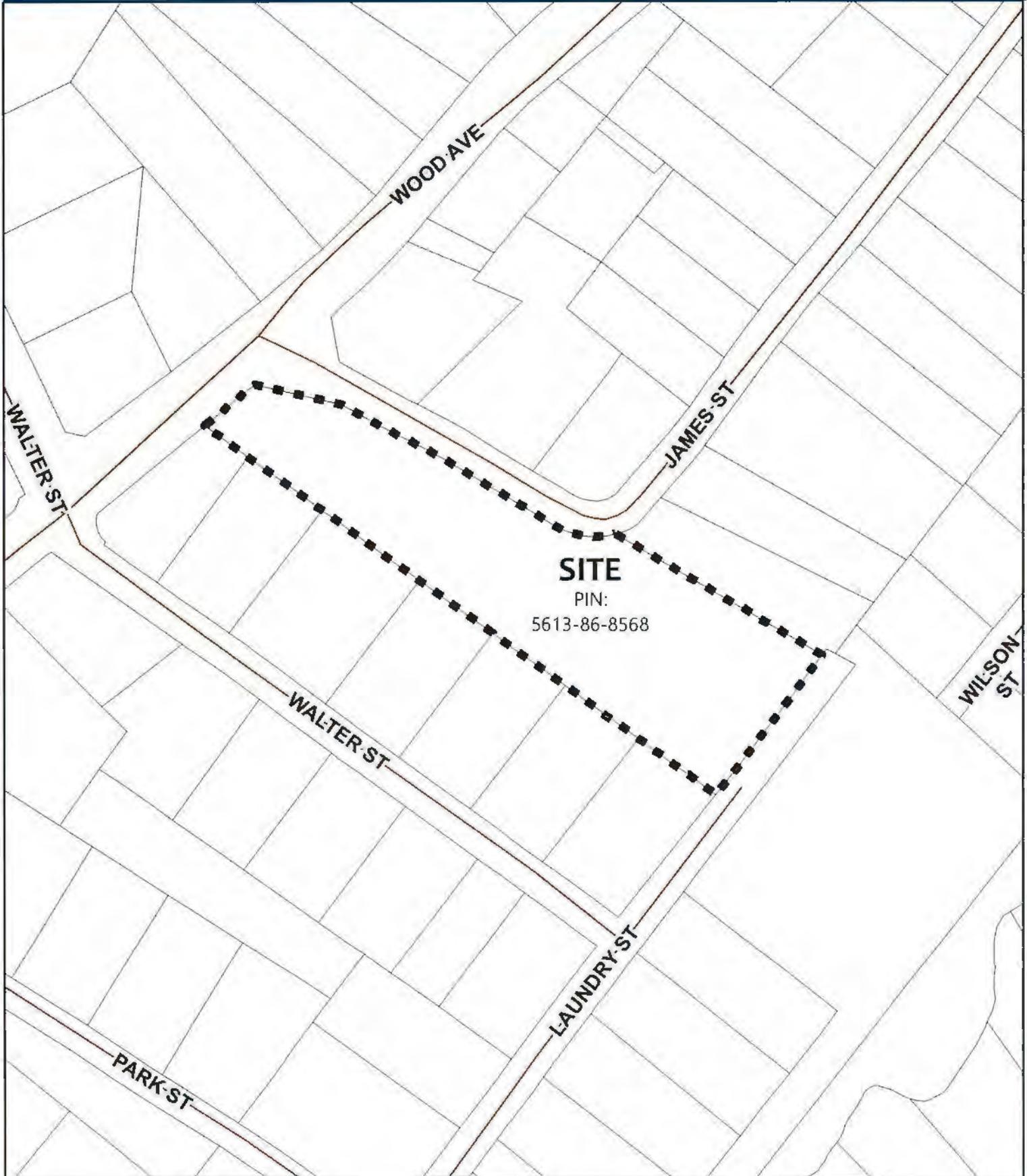
Enclosure

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704.920.4302



Variance- Corner of James and Wood

Case Number: BOA-2019-04
Applicant: New Life Developers, LLC
James St.



Rt. James St 299

ROAD WORK AHEAD



**BOARD OF
ADJUSTMENT**
PUBLIC HEARING
INFORMATION
CALL 704-320-4350
CASE #

S 29

Charlotte, N.C.



**Board of Adjustment
June 18, 2019**

Staff Report

TO: Board of Adjustment

FROM: Ryan Lipp – Senior Planner

SUBJECT: Case# BOA-2019-05: 320, 322, 324, 326 & 328 Vance Street

Request for a Conditional Use Permit to allow for construction of single-family detached homes in the CC (Center City) zoning district.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Conditional Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Conditional Use Permit and Order for Approval.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve with conditions, or deny the requested actions.

C. Background

The applicant, Long Ridge Development, is requesting a Conditional Use Permit (CUP) to allow the construction of eleven (11) single-family detached homes in the CC (Center City) zoning district, located at 320, 322, 324, 326 & 328 Vance Street, and further identified as Cabarrus County Parcel Identification Number(s) 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269 and 5613-49-3205. Pursuant to Table 4.6-1 of the Unified Development Ordinance (UDO), a CUP is required to allow for single-family detached homes in the CC zoning district. The subject properties are approximately 1.18 +/- total acres. The properties were recently rezoned as part of a larger rezoning (see Z-2019-01).

D. Fiscal Considerations

None

E. Policy Issues

Article 3.5 of the UDO requires that the Board of Adjustment shall only approve a conditional use permit if the applicant demonstrates that the criteria below have been met. Staff analysis of each criterion is noted.

Staff Findings of Fact - Based on application review

Yes No

 The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

The subject property is within the "Urban Residential" Character Area as designated on the Future Land Use and Character Map in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Urban Residential Character Areas allow single family detached residential as a primary use.

The proposed use is compatible with the character intent of the Urban Residential Character Area as well as comparable to the existing single-family homes and surrounding area.

 Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

The site on which the uses are being proposed has access to Dale Earnhardt Blvd. via Vance St. There is currently adequate ingress and egress to the site and the increase in density should have a minimal effect on congestion.

 The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No vibration, odor, dust, smoke or gas is expected. No noise beyond typical community recreation uses is anticipated.

 The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

There are existing single-family homes to the north with adequate room for development to the south. The improvement of surrounding property would not be impeded by the development of the subject property.

 The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed uses. The proposed development is subject to all the requirements of the Unified Development Ordinance.

 Compliance with any other applicable Sections of this Ordinance.

The proposed use shall comply with all sections of the City of Kannapolis Unified Development Ordinance, conditions of approval, and any other applicable local, state and federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all UDO requirements, including compliance with the Technical Review Committee site plan review and approval process, must be met.

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a conditional use permit is warranted, the Board must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a conditional use permit be approved, the Board may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use.

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | The establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Compliance with any other applicable Sections of this Ordinance.

_____ |

G. Recommendation

Based on the above findings, staff recommends **approval with conditions** of the Conditional Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements.

Conditions of Approval proposed by staff:

1. The number of single-family detached dwelling units permitted by this CUP shall be limited to eleven (11).

2. Street along the property frontage must be upgraded to city standards which include the following:
 - a. 2.5' curb and gutter
 - b. 6' planting strip
 - c. 5' sidewalk
3. Additional right-of-way of 30' from the center of the road on the property side.
4. Developer is responsible for ensuring connectivity of all parcels affected by required sewer line improvements.

The Board of Adjustment should consider all facts and testimony after conducting the Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Conditional Use Permit.

H. Attachments

1. Conditional Use Permit Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use Map
5. Site Plan
6. List of notified properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

I. Issue Reviewed By:

City Attorney	X
Planning Director	X
City Engineer	X
City Manager	X



**Planning and Zoning Commission and Board of Adjustment
General Application Form**
(Not for Site Plan Review Submittals)

Type of Action Requested (Check One):

- | | | | |
|------------------------|-------------------------------------|----------------------------------|--------------------------|
| Variance | <input type="checkbox"/> | SIA Application | <input type="checkbox"/> |
| Conditional Use Permit | <input checked="" type="checkbox"/> | Nonconformity Adjustment | <input type="checkbox"/> |
| Subdivision Exception | <input type="checkbox"/> | Watershed Boundary Modification | <input type="checkbox"/> |
| Zoning Text Amendment | <input type="checkbox"/> | Zoning Map Amendment | <input type="checkbox"/> |
| Appeal | <input type="checkbox"/> | Conditional Zoning Map Amendment | <input type="checkbox"/> |

Applicant: LONG RIDGE DEVELOPMENT Owner: LONG RIDGE DEVELOPMENT
PROPERTIES LLC PROPERTIES LLC
 Address: 300 MCGILL AVE Address: 300 MCGILL AVE
SUITE 300 CONCORD NC SUITE 300 CONCORD NC

Telephone: (704) 933-7076 Telephone: 704 933-7076

Email: JOSHUA@LONGRIDGEDEVELOPMENT.COM Email: JOSHUA@LONGRIDGEDEVELOPMENT.COM

Legal relationship of applicant to property owner: _____

Property Location/Address: 320, 322, 324, 326, 328 VANCE STREET

Tax Parcel Number: _____ Zoning District: CL Acreage of Site: ± 1.18 ACRES

JOSHUA MASTERS _____
 Applicant Name (Print) Property Owner Name (Print)

[Signature] _____
 Applicant Signature & Date Property Owner Signature & Date

The agenda deadline is the first day of the month preceding the month of the meeting. To be considered for placement on the next meeting agenda, the signed application, application fee, and five (5) copies of any required site plans for staff review must be submitted by the deadline. However, to remain on the next meeting agenda, fifteen (15) copies of such plans, determined by staff to conform to all ordinance standards, must be submitted at least ten (10) days before the meeting date. All fees are nonrefundable and help to cover administrative and notification costs.

For Staff Use Only:

Filing Fee: \$1625.00

Receipt # M-11199

Application No.: BOA-2019-05
Vance St. CUP

Date Submitted (Complete): 5/16/19

6/18/2019



CITY OF KANNAPOLIS PLANNING DEPARTMENT

CONDITIONAL USE PERMIT APPLICATION

I, JOSHUA MASTERS, hereby petition the Board of Adjustment for a Conditional Use Permit as required by Table 4.6-1 of the Unified Development Ordinance for the following proposed property use: RESIDENTIAL DEVELOPMENT.

The location of the above-mentioned proposed use is indicated on the accompanying site plan, and the nature of the proposed use is more fully described as follows:

FOR THE CONSTRUCTION OF (II) SINGLE FAMILY HOMES

APPROVAL CRITERIA

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a conditional use permit. The Unified Development Ordinance requires that the applicant demonstrate successful compliance with several conditions to obtain a conditional use permit. In the spaces provided below, indicate the *facts* that you intend to provide to convince the Board that it can properly reach the following required conclusions:

A. The proposed conditional use conforms to the character of the neighborhood, considering the location, type, and height of buildings or structures and the type and extent of landscaping and screening on the site.

IT DOES, THE CURRENT NEIGHBORHOOD CONSISTS OF
SINGLE FAMILY HOMES

B. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize the traffic congestion on the public roads.

YES

C. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

NO NOXIOUS OR OFFENSIVE NOISE

D. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

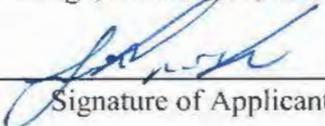
NO, THE PROPOSED DEVELOPMENT IS INTENDED TO IMPROVE THE NEIGHBORHOOD

E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

NO, THE PROPOSED DEVELOPMENT IS INTENDED TO IMPROVE THE NEIGHBORHOOD

F. Compliance with any other applicable Sections of this Ordinance.

I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.


Signature of Applicant

5/17/19
Date

The Board may place conditions on the use requested as part of the approval to assure that adequate mitigation measures are associated with the use.

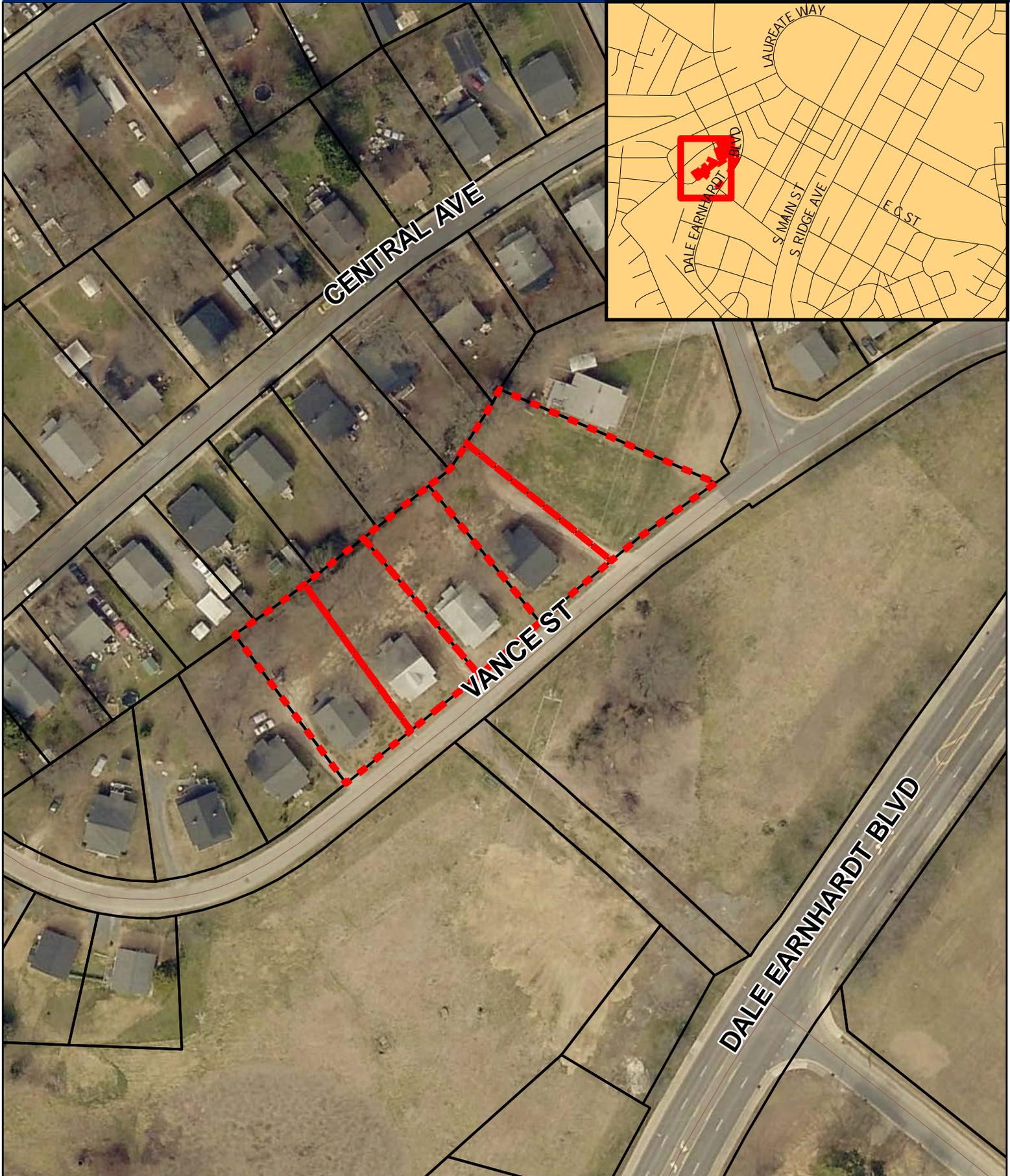
Required as part of Conditional Use Permit Submittal:

- Fee: Please refer to fee schedule to determine applicable fees.
Fees are nonrefundable and help to cover administrative and notification costs.
- Site plan in conformance with criteria listed in Appendix B.4.
- Tax cards for all adjacent property owners



Vicinity Map

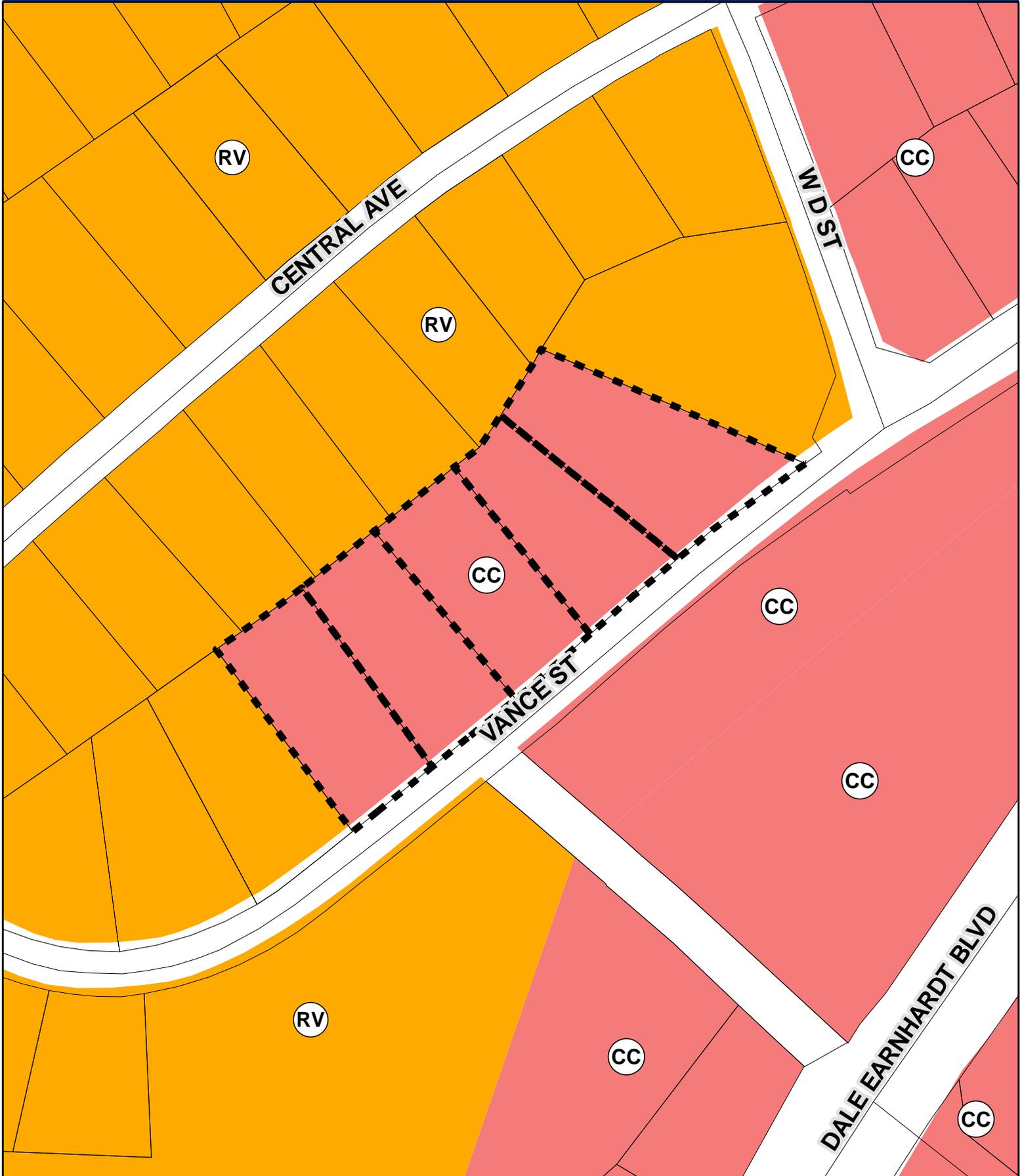
Case Number: BOA-2019-05
Long Ridge Development
Vance St.





Kannapolis Current Zoning

Case Number: BOA-2019-05
Long Ridge Development
Vance St.



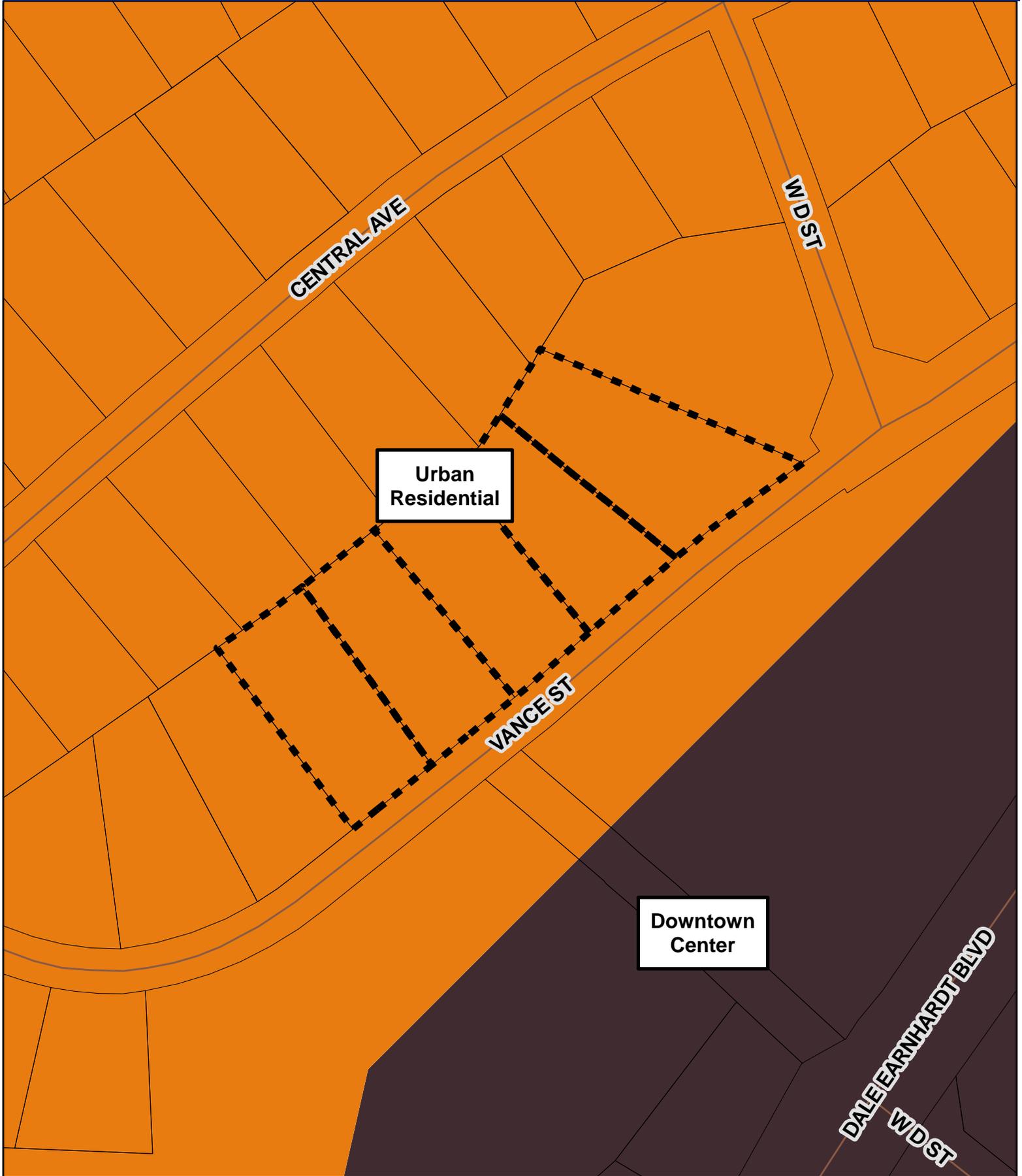


Kannapolis 2030 Future Land Use Map

Case Number: BOA-2019-05

Long Ridge Development

Vance St.



NEW 'SOUTHERN INSPIRED' HOMES

*ARTISTIC RENDERING SUBJECT TO CHANGE



Vance Street
KANNAPOLIS, NC



ANY REPRODUCTION, ALTERATION, OR USE FOR OTHER THAN THE INTENDED PROJECT, WITHOUT THE WRITTEN CONSENT OF LONG RIDGE DEVELOPMENT & PROPERTIES, LLC IS PROHIBITED.

THIS DOCUMENT IS CONSIDERED AN ARTISTIC REPRESENTATION OF A SINGLE FAMILY RESIDENCE. USED AS A PROMOTIONAL DEVICE. (C) LONG RIDGE DEVELOPMENT & PROPERTIES, LLC. ALL IMAGES ARE SUBJECT TO CHANGE. ANY FURNITURE IS SUGGESTED ARE NOT PROVIDED BY LONG RIDGE DEVELOPMENT & PROPERTIES, LLC. ANY LISTED ROOM SIZES ARE CONSIDERED APPROXIMATE.

PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

- Date: 5/20/2019
- Revisions:
- Drawn By: JRM
- Sheet: CV1.1

COPYRIGHT © LONG RIDGE DEVELOPMENT & PROPERTIES, LLC



AcctName1	Addr1	City	State	ZipCod
MURDOCK HOLDINGS LLC	1 DOLE DR	WESTLAKE VLG	CA	91362
PATTCO PROPERTIES	10019 HUNTERS TRACE DR	CONCORD	NC	28027
SIDNEY RANDALL WATTS EST	141 WARRIOR CT	CHINA GROVE	NC	28023
ATLANTIC AMERICAN PROPERTIES	226 OAK AVE	KANNAPOLIS	NC	28081
WILLIAM D WADE	270 KENDRA DR SW	CONCORD	NC	28025
PATRICIA SMITH	318 VANCE AVE	KANNAPOLIS	NC	28081
COLLEEN EAGLE				
C/O DONNA KNIGHT	320 W CENTRAL AVE	KANNAPOLIS	NC	28081
PATRICIO ACOSTA JR	322 CENTRAL AVE	KANNAPOLIS	NC	28083
CURTIS & JANET VANCE	323 CENTRAL AVENUE	KANNAPOLIS	NC	28081
SHANE SELLERS	327 CENTRAL AVE	KANNAPOLIS	NC	28081
JAMES JACOBS	332 CENTRAL AVE	KANNAPOLIS	NC	28081
SHERI SINGSAAS	333 CENTRAL AVE	KANNAPOLIS	NC	28081
CEDARVIEW PROPERTIES LLC	3600 OLD SALISBURY CONCORD RD	CONCORD	NC	28025
WILLIAM & RITA HENDLEY	409 TURNER ST	LANDIS	NC	28088
ADAM KELLER	4980 HILTON LAKE RD	KANNAPOLIS	NC	28083
TIMOTHY & ERIN HYMAN	5660 N OAKMONT ST	KANNAPOLIS	NC	28081
SOUTHERN MAGNOLIA HOMES INC	6814 HIGHGROVE PLACE	CONCORD	NC	28027
KENNETH & REBEKAH BROOKS	7776 UNTZ RD	CONCORD	NC	28027
JOEL & MINTA STOFFORD	906 BROOKMONT AVE	SALISBURY	NC	28146
CORNERSTONE CABARRUS LLC	PO BOX 210	KANNAPOLIS	NC	28082
LONG RIDGE DEVELOPMENT & PROPERTIES LLC	300 MCGILL AVE			
ATTN: JOSHUA MASTERS	SUITE 300	CONCORD	NC	



May 28, 2019

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday, June 18, 2019 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2019-05 – Conditional Use Permit (CUP) – 320, 322, 324, 326 & 328 Vance Street

This public hearing is to consider a request for a Conditional Use Permit (CUP) to allow construction of eleven (11) single-family detached homes. Pursuant to Table 4.6-1 of the Unified Development Ordinance (UDO), a CUP is required to allow for construction of single-family detached homes in the CC (Center City) zoning district. The subject properties are approximately 1.18 +/- total acres and further identified as Cabarrus County Parcel Identification Number(s) 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269 and 5613-49-3205. **(Please see reverse side of this letter for vicinity map showing the location of this property).**

As an adjacent property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis UDO; and are invited to attend the public hearing and present testimony, should you desire, to the Board of Adjustment.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350

Sincerely,

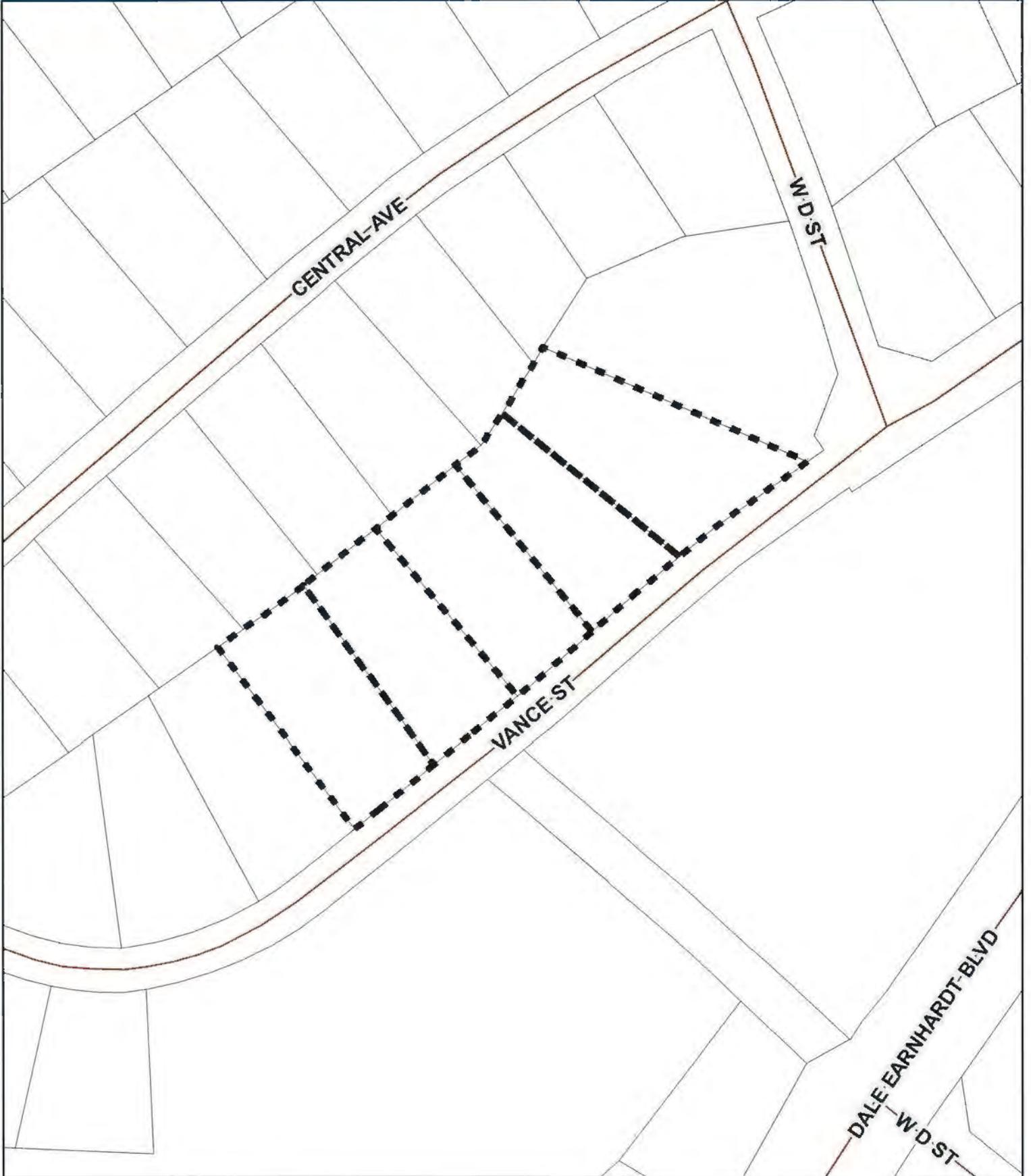
Ryan Lipp
Senior Planner

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920.4302.



CUP- Vance St.

Case Number: BOA-2019-05
Long Ridge Development
Vance St.





BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # 9-05


BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # 19 05





**Board of Adjustment
June 18, 2019**

Staff Report

TO: Board of Adjustment
FROM: Ryan Lipp – Senior Planner
SUBJECT: Case# BOA-2019-06: 2089 Hambridge Avenue

Request for variance from the provisions of Article 4, Table 4.7-1 of the Unified Development Ordinance (UDO) to allow a front setback of 15.6-feet on the subject property in the Residential Medium Density (RM-1) Zoning District.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City’s exhibits into the record
2. Motion to approve/revise Findings of Fact proposed by Planning Staff
3. Motion to approve (approve with conditions) (deny) the issuance of the variance and Order for Approval

B. Required Votes to Pass Requested Action

Six votes are required to approve or deny the requested actions.

C. Background

The applicant, Blue Oak Construction, is requesting a variance from Article 4, Table 4.7-1 of the Unified Development Ordinance, which requires a minimum front setback of 25-feet in the Residential Medium Density (RM-1) zoning district. The applicant is requesting a front setback of 15.6-feet.

The applicant was given a permit to construct a single-family house. Construction began on the foundation of the house. A survey performed after the foundation was poured showed that the foundation footprint encroached into the front setback. Construction has since been put on hold. The applicant is requesting the variance to allow for continuation of the project.

D. Fiscal Considerations

None

E. Policy Issues

Staff Findings of Fact - Based on application review

Yes No

Unnecessary hardship would result from the strict application of the ordinance.

The subject property is located within the RM-1 Residential Medium Density District which allows for single-family dwellings. The applicant submitted a zoning clearance application that was shown to be in compliance with the City of Kannapolis UDO. A Zoning Clearance Permit was issued based on the setbacks noted in the zoning clearance application.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The applicant has indicated that the flood zone on the property creates difficulty in placement of the home. The difficulties that arise from building in a flood zone are shared by the neighborhood and entire community at large.

The hardship did not result from actions taken by the applicant or the property owner.

A zoning clearance application was submitted indicating knowledge that there was flood plain on the property. Furthermore, the applicant completed an initial survey of the land prior to construction of the foundation whereby the applicant did not account for the curvature of the front property line leading to an improper location of the setback line. The foundation was then constructed using this improper reading, resulting in an encroachment into the required setback.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved and will preserve its spirit.

The variance is not consistent with the spirit, purpose, and intent of the UDO. The variance would allow a front yard setback of 9.4-feet where 25-feet is required in the RM-1 Residential Medium Density District. It would not be in harmony with the existing nor any future homes in the neighborhood.

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a variance is warranted, the Board members must decide that each of the four criteria as outlined below has been met. If the Board members concur completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board members wish to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the four criteria below. Should a variance be approved, the Board members may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.

Yes No

Unnecessary hardship would result from the strict application of the ordinance.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The hardship did not result from actions taken by the applicant or the property owner's own actions.

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

F. Legal Issues

None

G. Recommendation

Based on the above findings, staff recommends **denial** of the variance. However, the Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly.

H. Attachments

1. Variance Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Proposed Site Plan
6. Foundation Survey
7. List of Notified Properties
8. Notice to Adjacent Property Owners
9. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
City Manager	X
City Attorney	X



Planning and Zoning Commission and Board of Adjustment
General Application Form
(Not for Site Plan Review Submittals)

Type of Action Requested (Check One):

- | | | | |
|------------------------|-------------------------------------|----------------------------------|-------|
| Variance | <input checked="" type="checkbox"/> | SIA Application | _____ |
| Conditional Use Permit | _____ | Nonconformity Adjustment | _____ |
| Subdivision Exception | _____ | Watershed Boundary Modification | _____ |
| Zoning Text Amendment | _____ | Zoning Map Amendment | _____ |
| Appeal | _____ | Conditional Zoning Map Amendment | _____ |

Applicant: Blue Oak Construction Owner: Barry & Natasha Lipscomb
 (Jeff Efrid Jr & Sr)
 Address: 1923 Normandy Rd Address: 2089 Hambridge Ave
Kannapolis, NC 28081 Kannapolis, NC 28081
 Telephone: 704-267-4215 Telephone: 704-224-6343
 Email: jeffefridjr@blueoakdesignbuild.com Email: barry.lipscomb23@yahoo.com

Legal relationship of applicant to property owner: Builder

Property Location/Address: 2089 Hambridge Ave, Kannapolis, NC 28081

Tax Parcel Number: 56029437380000 Zoning District: RM-1 Acreage of Site: .516

Jeff Efrid Jr
Applicant Name (Print)

Barry Lipscomb
Property Owner Name (Print)

[Signature] 5-18-19
Applicant Signature & Date

[Signature] 5-18-2019
Property Owner Signature & Date

The agenda deadline is the first day of the month preceding the month of the meeting. To be considered for placement on the next meeting agenda, the signed application, application fee, and five (5) copies of any required site plans for staff review must be submitted by the deadline. However, to remain on the next meeting agenda, fifteen (15) copies of such plans, determined by staff to conform to all ordinance standards, must be submitted at least ten (10) days before the meeting date. All fees are nonrefundable and help to cover administrative and notification costs.

For Staff Use Only:

Filing Fee: \$325.00

Receipt # M-11167

Application No.: BOA-2019-06
2089 Hambridge

Date Submitted (Complete): 5/21/2019



CITY OF KANNAPOLIS PLANNING DEPARTMENT

APPLICATION FOR A VARIANCE

I, Jeffery Lynn Esird, hereby petition the Board of Adjustment for a Variance from the literal provisions of the Unified Development Ordinance because, under the interpretation given to me by the Planning Administrator, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a Variance from the following provisions of the ordinance (cite paragraph numbers): Principal Front Set Back

so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application Form or, if the plot plan does not adequately reveal the nature of the Variance, as more fully described herein:

See attached sketch plan

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Variance. Under the State Enabling Act, the Board is required to reach four conclusions before it may issue a Variance: (1.) that unnecessary hardship would result from the strict application of the ordinance; (2.) that the hardship results from conditions that are peculiar to the property, such as location, size, or topography; (3.) that the hardship did not result from actions taken by the applicant or the property owner; and (4.) the requested variance is consistent with the spirit, purpose, and intent, of the ordinance, such that public safety is secured, and substantial justice is achieved. In the spaces provided below, indicate the *facts* that you intend to show and the *arguments* that you intend to make to convince the Board that it can properly reach these four required conclusions.

1. Unnecessary hardship would result from the strict application of the ordinance.

It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property. [It is *not* sufficient that failure to grant the Variance simply makes the property less valuable.] (State facts and arguments in support of this conclusion.)

We are trying to keep the home out of the flood zone in the back where the property drops off and becomes swampy. Also being a narrow lot and culdesac we had to follow the contour of the culdesac while staying between the side set backs of the lot.

2. **The hardship results from conditions that are peculiar to the property, such as location, size, or topography.** Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance. (State facts and arguments to show that the Variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the Variance is granted, will not substantially detract from the character of the neighborhood.)

Without this variance the lot would be difficult to build on or unusable due to the flood zone and swampy area behind the home. This will be the only home in the culdesac due to flooding zones to the left of home and the land to the left of home being owned by Cabarrus county. This variance will allow us to build on dry solid ground out of flood zone while also staying within side setbacks

3. **The hardship did not result from actions taken by the applicant or the property owner.** The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. (State facts and arguments in support of this conclusion.)

we originally laid the home off by pulling back 25ft from the left and right setbacks and pulling a straight line across to find our setback distance from the property line, not taking into effect that the line follows the curve of the culdesac. The home currently has footing, foundation, + framing this was caught while getting a re-survey. If caught before hand a variance would still be needed

4. **The requested Variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.** (State facts and arguments to show that, on balance, if the Variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

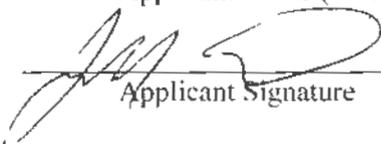
The intent is to build a single family dwelling out of the flood zone and out of swampy/peor soil area. This will allow the home to have a solid and dry foundation and crawl space.

I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Jeffrey Lynn Eford
Applicant Name (Print)

5-18-19

Date


Applicant Signature

5-18-19

Date

Note: The Board may impose reasonable conditions upon the granting of any Variance to ensure that the public health, safety, and general welfare shall be protected and substantial justice has been done.

Calls or conversations with Board of Adjustment members prior to the meeting may disqualify members from participation at the Board meeting. For the testimony of supporters not to be considered hearsay, they must be present at the meeting. Petitions and written consent may be accepted by the Board, but cannot be used as a basis for decision.

Fee: Please refer to fee schedule to determine applicable fees. All fees are nonrefundable and help to cover administrative and notification costs.



Vicinity Map

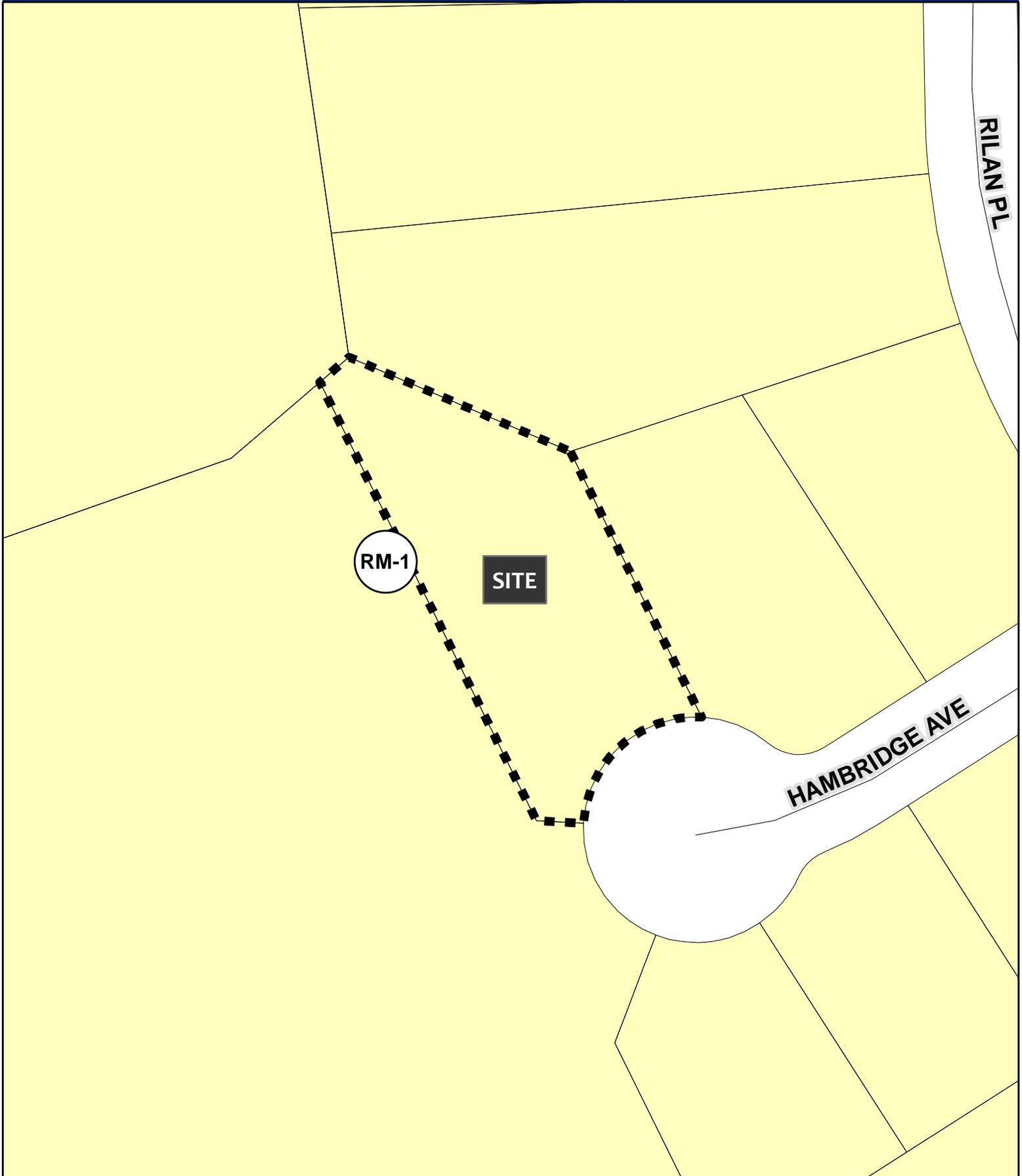
Case Number: BOA-2019-06
Blue Oak Construction
2089 Hambridge Ave.





Kannapolis Current Zoning

Case Number: BOA-2019-06
Blue Oak Construction
2089 Hambridge Ave.



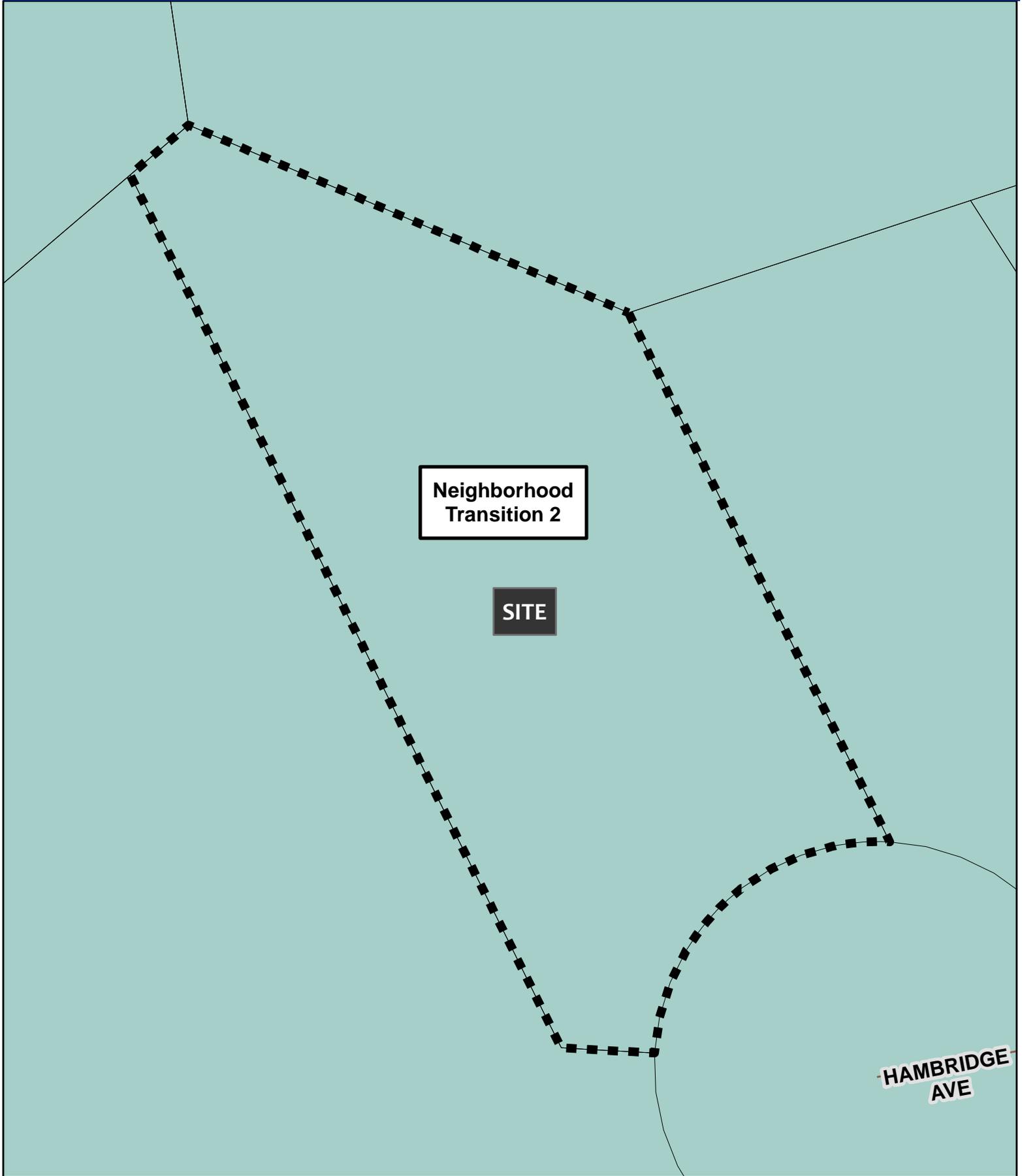


Kannapolis 2030 Future Land Use Map

Case Number: BOA-2019-06

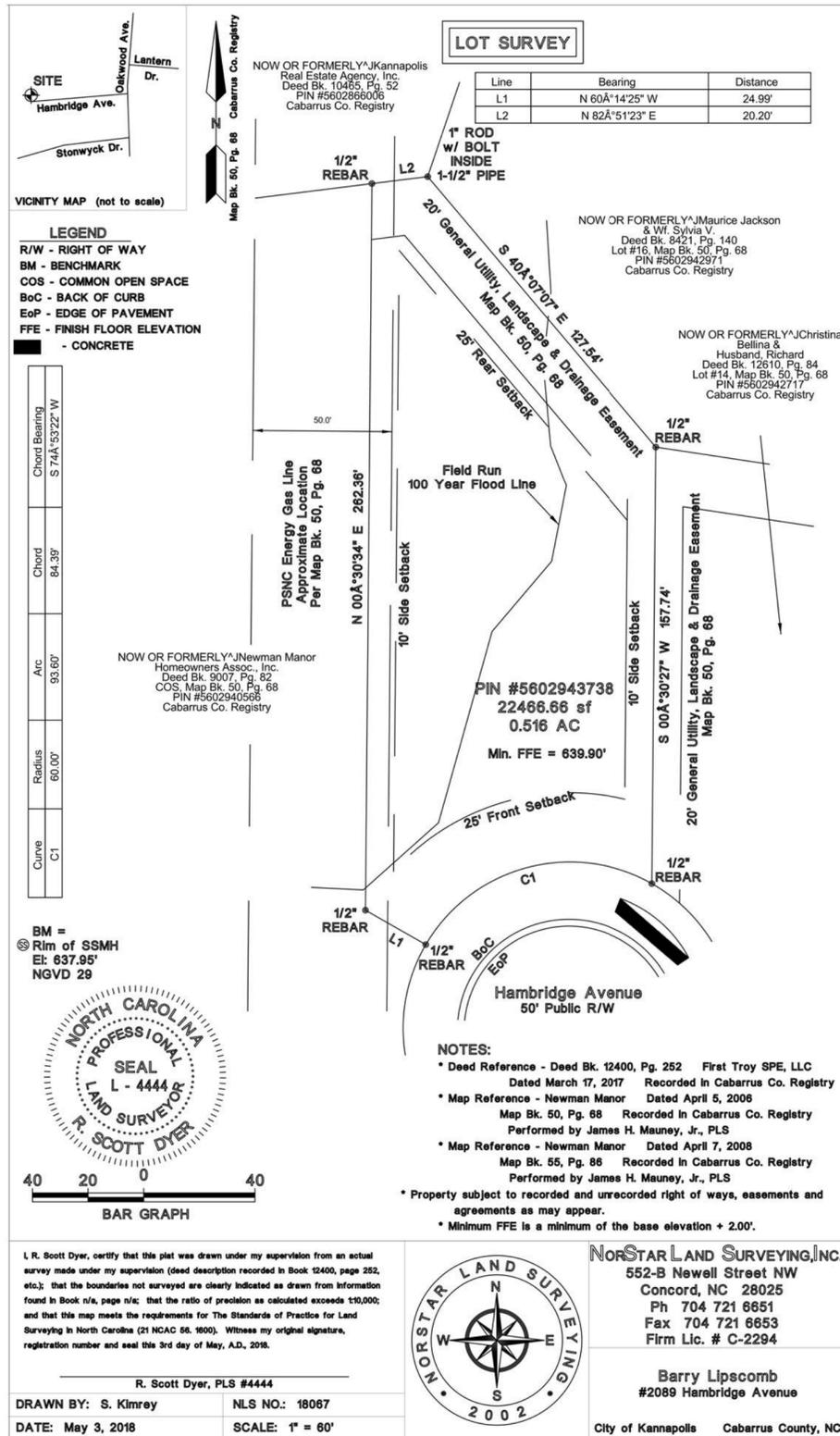
Blue Oak Construction

2089 Hambridge Ave.



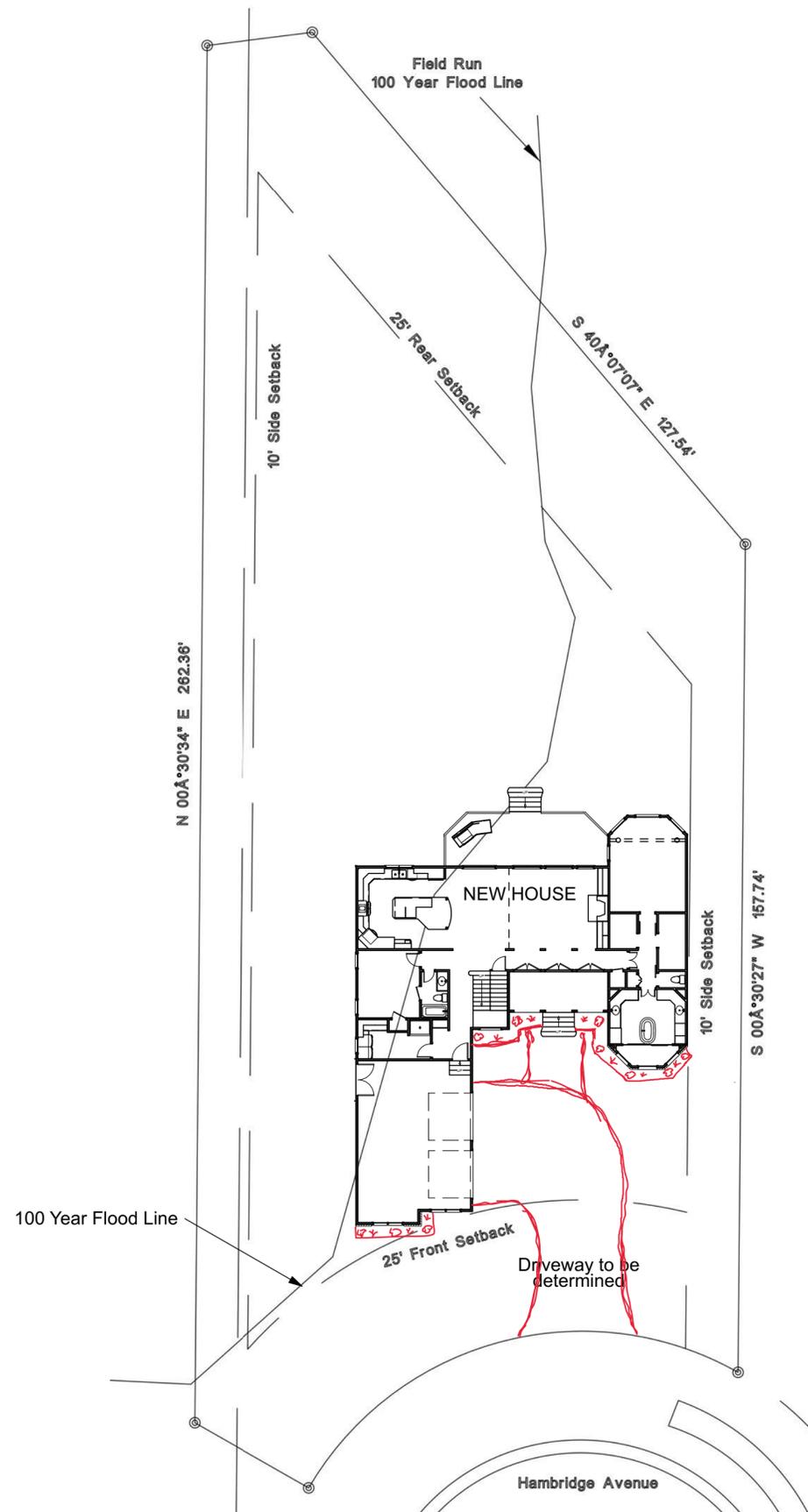
Surveyed Site Plan

SCALE: 1" = 40'-0"



Proposed Site Plan

SCALE: 1" = 20'-0"



JOB #
590

Site Plan

Note to the Contractor
 These drawings have been prepared to show the layout and style of the job the owners wish to construct. It is the responsibility of the builder to see that this project meets all current building codes, including structural work, that apply in this area.

A New Residence for
Barry & Natasha Lipscomb
 2099 Hambridge Ave, Kannapolis, NC

Efidr Construction
 833 Maple Ridge Cir
 Salisbury, North Carolina 28147
 Phone 704) 855-3634

DATE:
7/16/18

SCALE:
As Noted

SHEET:
1 of 6

FOUNDATION SURVEY

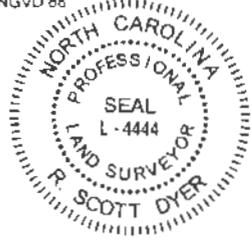
Line	Bearing	Distance
L1	N 60°14'25" W	24.99'
L2	N 82°51'23" E	20.20'



- LEGEND**
- RAW - RIGHT OF WAY
 - BM - BENCHMARK
 - COS - COMMON OPEN SPACE
 - BoC - BACK OF CURB
 - EdP - EDGE OF PAVEMENT
 - FFE - FINISH FLOOR ELEVATION
 - CONCRETE

Chord Bearing	S 74°53'22" W
Chord	84.39'
Arc	93.80'
Radius	60.00'
Curve	C1

BM =
 Rim of SSMH
 El: 637.64'
 NGVD 88



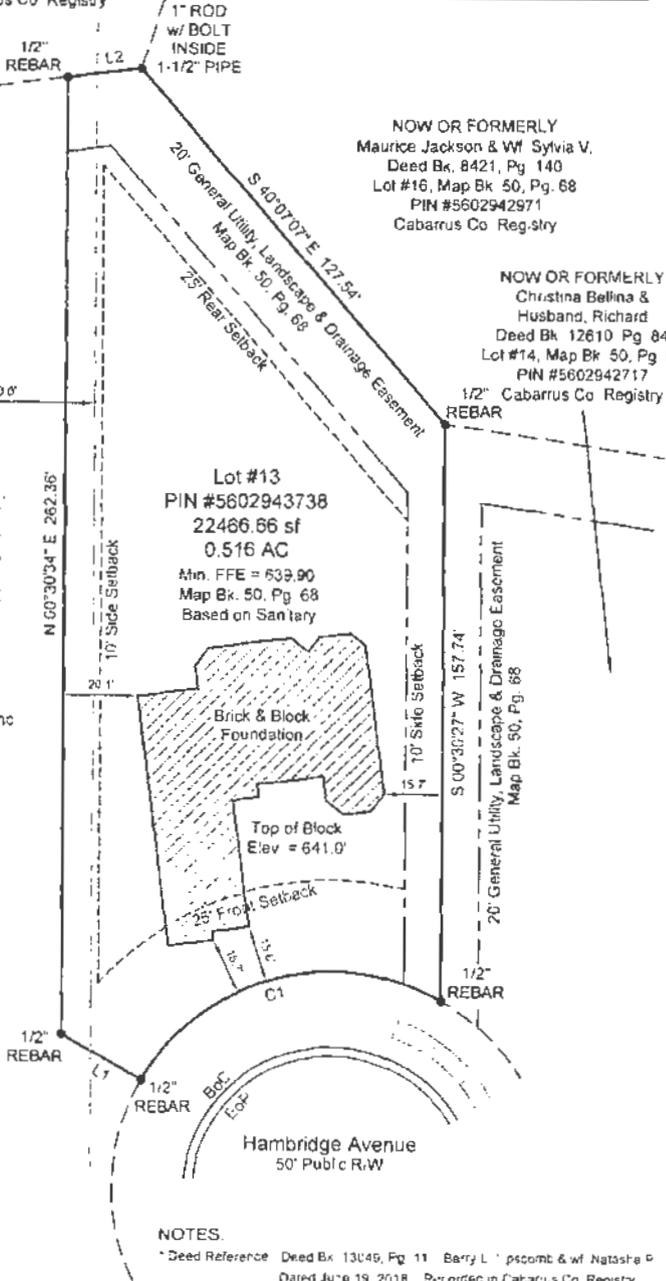
NOW OR FORMERLY
 Kannapolis Real Estate Agency, Inc.
 Deed Bk 10465, Pg 52
 PIN #5602856006
 Cabarrus Co Registry

NOW OR FORMERLY
 Maurice Jackson & W/ Sylvia V.
 Deed Bk 8421, Pg 140
 Lot #16, Map Bk 50, Pg 68
 PIN #5602942971
 Cabarrus Co Registry

NOW OR FORMERLY
 Christina Bellina &
 Husband, Richard
 Deed Bk 12610, Pg 84
 Lot #14, Map Bk 50, Pg 68
 PIN #5602942177
 Cabarrus Co Registry

NOW OR FORMERLY
 Newman Manor Homeowners Assoc. Inc
 Deed Bk 9007, Pg 82
 COS, Map Bk 50, Pg 68
 PIN #5602940566
 Cabarrus Co Registry

Lot #13
 PIN #5602943738
 22466.66 sf
 0.516 AC
 Min. FFE = 638.90
 Map Bk 50, Pg 68
 Based on Sanitary



- NOTES.**
- * Deed Reference: Deed Bk 13049, Pg 11 Barry Lipscomb & w/ Natasha Lipscomb Dated June 19 2018 Recorded in Cabarrus Co Registry
 - * Map Reference: Newman Manor Dated Apr. 7 2008 Map Bk 55 Pg 86 Recorded in Cabarrus Co Registry Performed by James H. Mauney Jr. PLS
 - * A portion of the subject property does lie within Flood Hazard Zone A as per FEMA Map #27107602600A with a revised effective date of November 18 2018
 - * Property subject to recorded and unrecorded right of ways easements and agreements as may appear
 - * Minimum FFE is a minimum of the base elevation + 2.00'

I, R. Scott Dyer, certify that this plan was drawn under my supervision from an actual survey, taken under my supervision (2002 description recorded in Book 13049 page 11 etc.) that the boundaries not surveyed are clearly indicated as drawn for information, found in Book 55 page 86. That the ratio of precision as calculated exceeds 1:10,000 and that this map meets the requirements for The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1000). Witness my original signature, registration number and seal this 5th day of May, A.D. 2019.

R. Scott Dyer
 R. Scott Dyer, PLS #4444



NORSTAR LAND SURVEYING, INC.
 552-B Newell Street NW
 Concord, NC 28025
 Ph 704 721 6651
 Fax 704 721 6653
 Firm Lic. # C-2294

Barry & Natasha Lipscomb
 #2089 Hambridge Avenue
 City of Kannapolis Cabarrus County NC

DRAWN BY: S Dyer NS NO 18007
 DATE: May 5, 2019 SCALE: 1" = 40'

AcctName1	Addr	City	State	ZipCod
BRETT & JOAN BASINGER	1524 RILAND PL	KANNAPOLIS	NC	28083
MARUICE & SYLVIA JACKSON	3316 WRANGLER LN	CHARLOTTE	NC	28213
MICHAEL JORDAN	P O BOX 1167	KANNAPOLIS	NC	28082
NEWMAN MANOR HOMEOWNERS ASSC	PO BOX 1106	KANNAPOLIS	NC	28082
JERRY MCMURRAY	1516 RILAN LANE	KANNAPOLIS	NC	28081
RICHARD & CHRISTINA BELLINA	2081 HAMBRIDGE AVE	KANNAPOLIS	NC	28081
KANNAPOLIS REAL EST AGENCY INC	500 S CANNON BLVD	KANNAPOLIS	NC	28083
RORY W CONNELLAN	2073 HAMBRIDGE AVE	KANNAPOLIS	NC	28081
BARRY & NATASHA LIPSCOMB	13211 S GEMINI SPRINGS DR	KANNAPOLIS	NC	28081
J&E LAND HOLDING COMPANY LLC	P O BOX 400	DAVIDSON	NC	28036
BLUE OAK CONSTRUCTION ATTN: JEFF EFIRD	1923 NORMANDY RD	KANNAPOLIS	NC	28081



May 28, 2019

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing at 6:00 PM on Tuesday, June 18, 2019 at City Hall, located at 401 Laureate Way, for the following case:

BOA-2019-06 - Variance – 2089 Hambridge Avenue

This public hearing is to consider a request for a variance from Article 4, Table 4.7-1. of the Unified Development Ordinance, which requires minimum front setbacks of 25-feet for property located in the Residential Medium Density (RM-1) zoning district. The request is to allow a 15.6-foot front setback. The subject property is approximately .52 +/- acres and is more specifically identified as Cabarrus County Parcel Identification Number 5602-94-3738. **(Please see reverse side of this letter for vicinity map showing the location of this property.)**

As an adjacent property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis UDO; and are invited to attend the public hearing and present testimony, should you desire, to the Board of Adjustment.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350

Sincerely,

Ryan Lipp
Senior Planner

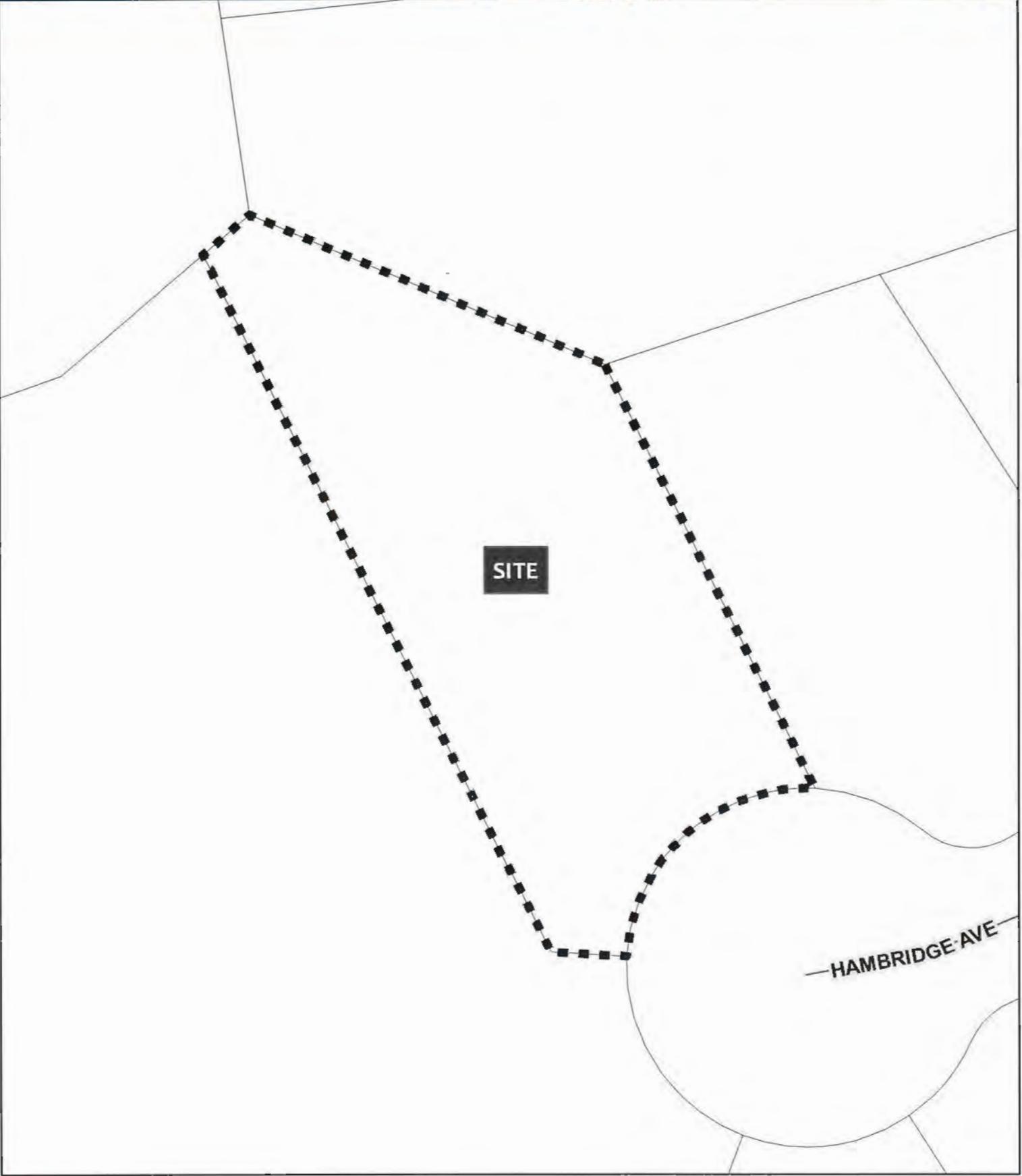
Enclosure

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704.920.4302



Variance- 2089 Hambridge Ave.

Case Number: BOA-2019-06
Blue Oak Construction
2089 Hambridge Ave.





BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # 19-06

