



Certificate of Nonconformity Adjustment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on this form below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

CERTIFICATE OF NONCONFORMITY ADJUSTMENT REQUEST

Certificate of Nonconformity Adjustment (CONA) – Request for CONA as required by Article 7 of the Kannapolis Development Ordinance (KDO) to enlarge, expand, or otherwise alter a Nonconforming Use or Structure.

Approval authority – Board of Adjustment.

Property Address: _____

Applicant: _____

SUBMITTAL CHECKLIST

Pre-Application Meeting

CONA Checklist and Application – Complete with all required signatures

Plot/Site Plan showing the proposed changes

Fee: \$325.00 (\$300 Application Fee + notification fee [see Fee Schedule])

Please mark this box to authorize aerial drone photography of the site

PROCESS INFORMATION

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 2.4.F of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the first Tuesday at 6:00pm in City Hall Laureate Center.

The pre-application meeting, submittal of the application and site plan, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D. of the KDO.

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may: deny the application; conduct an additional public hearing on the application; approve the application; or approve the application with conditions. Such conditions shall “run with the land” and subject all future property owners with the same restrictions

Scope of Approval: The Board’s decision to approve or deny will be made based on the following criteria: (1) Noise, (2) Traffic, (3) Other measurable, physical effects, (4) Surrounding property values, and (5) Aesthetics (see CONA application).

By signing below I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant’s Signature: _____

Date: _____



CERTIFICATE OF NONCONFORMITY ADJUSTMENT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: _____

Address: _____

Phone: _____

Email: _____

Property Owner Contact Information same as applicant

Name: _____

Address: _____

Phone: _____

Email: _____

Project Information

Project Address: _____ Zoning District _____

Parcel PIN: _____ Size of property (in acres): _____

Current Property Use: _____

Describe the nonconformity: _____

Proposed enlargement, expansion, or alteration *(attach separate sheet if necessary)*: _____

APPROVAL CRITERIA

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a Certificate of Nonconformity Adjustment (CONA). The Kannapolis Development Ordinance requires that the applicant demonstrate positive responses to several questions to obtain a CONA. In the spaces provided below, indicate the facts that you intend to provide to convince the Board that the proposed enlargement, expansion, or alteration can properly address the following questions:

A. Noise – Does the conformity create noise above and beyond levels considered normal to the area?

B. **Traffic** – Does the nonconformity generate or have the potential to generate a significantly higher volume of traffic than surrounding land use?

C. **Other measurable, physical effects** – Does the nonconformity generate any other negative effects, including, but not limited to, dust, air pollution, foul smell, etc.?

D. **Surrounding property values** – Does the nonconformity detract from the prevailing property values?

E. **Aesthetics** – Does the nonconformity compliment or detract from the overall aesthetic character of the area?

By signing below, I certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I acknowledge that the Board of Adjustment may add conditions regarding what the nonconformity owner/operator must do to the property for certification. For example, landscaping or fencing may be required, or a shift of operations away from adjoining properties may be stipulated.

Applicant Signature

Date

Property Owner Signature

Date