



BOARD OF ADJUSTMENT AGENDA

**Kannapolis City Hall
Laureate Center - Kannapolis, NC**

**Tuesday, October 7, 2025
6:00 PM**

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes – September 2, 2025**
- 5. Swearing In for Testimony**
- 6. Evidentiary Hearing:**
 - a. BOA-2025-18 – Appeal of an interpretation of the Kannapolis Development Ordinance (Mavis Tires and Brakes, 2815 N Cannon Blvd)- REQUEST TO WITHDRAW**

Applicant officially withdrew application on September 17th. This was an appeal of the Planning Director's interpretation of Section 5.9 Sign Standards, Table 5.9.E(1)a: Standards for Sign Number, Area and Height in the GC District. the Kannapolis Development Ordinance. At the September 2, 2025 meeting, the Board determined that no legal counsel was present for the applicant in this and made the applicant aware that an attorney would be needed before the matter could proceed. The Board continued this case in order to provide the applicant with an opportunity to obtain legal counsel. Since that date, the applicant made staff aware that they wanted to withdraw this request from consideration.
 - b. BOA-2025-19 – Special Use Permit – 917 S. Main St.**

Hearing to consider a request for a Special Use Permit (SUP) to allow a bar at 917 S. Main Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a bar in the General Commercial (GC) zoning district. The subject property is approximately 0.35 acres and is further identified as Cabarrus County Parcel Identification Number 56135476600000.
 - c. BOA-2025-18 – Variance – 602 Peach St.**

Hearing to consider a variance request under the Kannapolis Unified Development Ordinance Section 5.2.1.5.2 for property located at 602 Peach St. The applicant seeks a variance from the Accessory Uses and Structures - Location requirement, specifically to allow the existing detached garage to be located in the front yard.
- 7. Planning Director Updates**
- 8. Other Business**
- 9. Adjourn**



**Board of Adjustment
October 7, 2025 Meeting**

Staff Report

TO: Board of Adjustment

FROM: Ben Barcroft, Senior Planner

SUBJECT: Case# BOA-2025-19: Special Use Permit – 917 S. Main St.
Applicant: Joseph French

Request for a Special Use Permit to allow for a bar at 917 S. Main St.

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 Special Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Special Use Permit
4. Motion to Issue Order of 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, Joseph French, is requesting a Special Use Permit (SUP) to allow the operation of a bar within the General Commercial (GC) zoning district. The request applies to approximately ± 0.35 acres located at 917 S. Main Street, further identified as Cabarrus County Parcel Identification Number 56135476600000.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), a SUP is required for the use of a Bar within the GC zoning district.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A(5) of the KDO requires that the Board of Adjustment shall only approve a special 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.

This property is in the "Urban Residential" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. While the primary uses in this character area are intended to be single-family residential and civic, with secondary uses including multi-family, small-format office, retail, and live-work, this portion of the area is composed primarily of small- to medium-scale commercial developments. Existing neighboring uses include restaurants and various retail establishments.

Given the existing development pattern in this portion of the Urban Residential Character Area, the proposed bar is compatible with both the surrounding uses and the intent of the future land use plan.

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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 proposed bar is not expected to create traffic hazards or increase congestion on public roads. Adequate on-site parking is provided, and ingress and egress are designed to minimize potential traffic conflicts.

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

No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a bar is expected as a result of this proposed use.

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

The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed bar is compatible with the surrounding commercial uses. The use of a bar shall also comply with the following standards specific to a bar or nightclub according to section 4.2.D:

Bars and nightclubs shall comply with the standards in this section, unless located completely within a hotel or motel and occupying not more than 25 percent of the gross floor area of the hotel or motel.

(a) A bar or nightclub shall not be established within 200 feet of any of the following:

1. A Residential zoning district;

2. A private, charter, or parochial school or a public school;
3. A childcare center;
4. An indoor public assembly use; or
5. An existing bar or nightclub.

(b) The minimum distance in subsection (a) above, shall be measured from the outer building walls of the proposed use to the nearest property line of the other use.

(c) The application shall include a floor plan of the building in which the bar or nightclub is proposed to be located. The floor plan shall delineate separately the areas of the building which are used for the dispensing of food and beverages, entertainment, and/or dancing.

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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 use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

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The proposed use complies with all applicable provisions of the KDO.

The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and all other applicable local, state, and federal regulations. Staff has confirmed that the use-specific standards have been met, including the required distance from a residential zoning district. The applicant understands that, unless specifically relieved of a requirement in writing, all KDO requirements must be met.

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The applicant consents in writing to all conditions of approval included in the approved special use permit.

The applicant has indicated that they will provide written consent to all Conditions of Approval associated with this Special Use Permit.

F. Legal Issues

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

In order to determine whether a special 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 special 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

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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.

☐	☐	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.
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☐	☐	The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.
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☐	☐	The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
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☐	☐	The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.
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☐	☐	The proposed use complies with all applicable provisions of the KDO.
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☐	☐	The applicant consents in writing to all conditions of approval included in the approved special use permit.
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G. Recommendation

Based on the above findings, staff recommends **approval** of the Special 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.

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

H. Attachments

1. Special Use Permit Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Floor Plan
6. List of Notified Properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Special Use Permit

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.

SPECIAL USE PERMIT REQUEST

Special Use Permit (SUP) – Request for SUP as required by Table 4.3.B(3) of the Kannapolis Development Ordinance (KDO).

Approval authority – Board of Adjustment.

Property Address: 917 S. Main St. Kannapolis NC 28081

Applicant: Joseph French

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting
- ☒ SUP Checklist and Application – Complete with all required signatures
- ☒ Plot/Site Plan showing the proposed use
- ☒ Fee: \$650.00 (\$600 Application Fee + notification fee [see Fee Schedule])
- ☒ Please mark this box to authorize aerial drone photography of the site

PROCESS INFORMATION

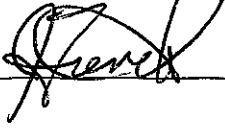
Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the KDO).

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 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, application and site plan submittal, 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: approve; approve with conditions; deny; or conduct an additional public hearing on the application. Per Section 2.5.A(5)c, the Board may approve a petition only if compliance with all standards is obtained.

Scope of Approval: Per Section 2.5.A(5)a.2 of the KDO, approval of a SUP does not authorize any development activity, but shall authorize the applicant to apply for final site plan approval. Zoning clearance permits will not be issued until the SUP and final site plan have been approved.

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: 9.3.2025



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Joseph French

Address: 917 S. Main ST.

Kannapolis NC 28081

Phone: 704.492.4914

Email: [REDACTED]

Property Owner Contact Information

☐ same as applicant

Name: Rama Gottumukkala

Address: 917 S. Main ST.

Kannapolis NC 28081

Phone: 704.907.4813

Email: 11 Union St. N. Suite 11204
Concord NC 28025

Project Information

Project Address: 917 South Main ST.

Zoning District Select

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

Current Property Use: Vacant Buildings – 5,000 SF

Proposed Use: Karaoke Bar

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 (attach separate sheet if necessary):

Karaoke - Sports Bar -

REVIEW STANDARDS

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a Special Use Permit (SUP). Per Section 2.5.A(5)c of the Kannapolis Development Ordinance (KDO,) the applicant must demonstrate successful compliance with all standards to obtain a SUP. In the space provided below, indicate the facts that you intend to provide to convince the Board that it can properly reach the following conclusions:

1. The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the City's Comprehensive Plan.

Various Businesses are Conducive to Bringing
Business to establishment -

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

*There are driveways and Parking lots
with easy access in and out*

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

will not be noxious

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

*it will NOT impede the orderly or
improvement of surrounding Properties.*

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

No

6. The proposed use complies with all applicable provisions of the KDO.

*it will comply with all Kannapolis
Development Ordinance (KDO)*

7. The applicant consents in writing to all conditions of approval included in the approved special use permit.

*yes I will Consent in Writing to
all Conditions*

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 on the requested use as part of the approval to assure that adequate mitigation measures are associated with the use. For example, landscaping or fencing may be required, or a shift of operations away from adjoining properties may be stipulated.

[Signature]
Applicant Signature

9.3.2025

Date

[Signature]
Property Owner Signature

9-3-2025
Date



Vicinity Map

Case Number: BOA-2025-19

Applicant: Joseph French

917 S Main





Kannapolis Current Zoning

Case Number: BOA-2025-19

Applicant: Joseph French

917 S Main





Kannapolis 2030 Future Land Use Map

Case Number: BOA-2025-19
Applicant: Joseph French
917 S Main



Back of Wall

Office

Hall

Womens
Bathroom

TV

TV

TV

Mans
Bathroom

Hall

Water
Heater
HVAC
Storage

Seating and Tables

BAR

Bar
Stools

Bar
Stools

Bar
Stools

Bar
Stools

Bar
Stools

Entrance to Tables

Kanagalia Karaoke
Sports Bar Floor Plan

Reception
Area

Foyer

entrance

pinning
+ gifts
cups

stage

High
Top
Tables
+
Stools

AcctName1	AcctName2	MailAddr1	MailAddr2	MailCity	MailState	MailZipCod
LOPEZ NICOLAS		PO BOX 309		KANNAPOLIS	NC	28082
BOUJLIL NADIA		7637 WOODKNOLL DR		CHARLOTTE	NC	28217
NOLAN PROPERTIES LLC		9353 CUB RUN DR		CONCORD	NC	28027
NORTH CAROLINA RAILROAD CO	A NC CORP	2809 HIGHWOODS BLVD STE 100		RALEIGH	NC	27604
NV REALTY LLC		4873 ANNEISE DR		HARRISBURG	NC	28075
NV REALTY LLC		4873 ANNEISE DR		HARRISBURG	NC	28075
PRIME INVESTMENTS LLC		15400 GROVELAND ST		HUNTERSVILLE	NC	28078
GOLDEN GINA GRIFFIN	STIREWALT JO ANGELA	10475 OLD CONCORD RD		CHINA GROVE	NC	28023
RODRIGUEZ NANCY DOMINGUEZ	DOMINGUEZ ELENA G ALVAREZ	828 S RIDGE AVE		KANNAPOLIS	NC	28083
RODRIGUEZ ALVARO		155 MCWOOD DR		CHINA GROVE	NC	28023
MIDDLETON LANCE M	MIDDLETON FRANCES J	1132 N WINDSOR DR		KANNAPOLIS	NC	28081
NV REALTY LLC		4873 ANNEISE DR		HARRISBURG	NC	28075
LOPEZ NICOLAS		PO BOX 309		KANNAPOLIS	NC	28082
FINGER J R & COMPANY INC		945 COVENTRY ROAD		KANNAPOLIS	NC	28081
HOLBROOKS GENE S	HOLBROOKS GENE S ESTATE	C/O HOLBROOKS FAMILY TRUST	1204 WOODACRES CIR	KANNAPOLIS	NC	28081
CALEB HOMES PROPERTIES INC		254 SCOTTRIDGE DR		CHARLOTTE	NC	28217
LEE BRANDON SCOTT	LEE SABRINA MILLER WF	1045 NAOMI CT		KANNAPOLIS	NC	28083
HALL JASON	HALL JASON ESTATE	358 W CENTRAL RD		COLDWATER	MI	49036
F&K CONSTRUCTION LLC		11308 LIMEHURST PL		CHARLOTTE	NC	28278



September 19, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial hearing on Tuesday October 7, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-19 – Special Use Permit – 917 S. Main St.

The purpose of this hearing is to consider a request for a Special Use Permit (SUP) to allow a bar at 917 S. Main Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a bar in the General Commercial (GC) zoning district. The subject property is approximately 0.35 acres and is further identified as Cabarrus County Parcel Identification Number 56135476600000. **(Please see attached vicinity map showing the location of this property.)**

As an abutting property owner, you are being notified of this evidentiary hearing in accordance with the requirements of the Kannapolis Development Ordinance.

If you have any questions about the public hearing or request, please do not hesitate to contact the Planning Department at 704.920.4355 or bbarcroft@kannapolisnc.gov.

Sincerely,

Ben Barcroft
Senior Planner

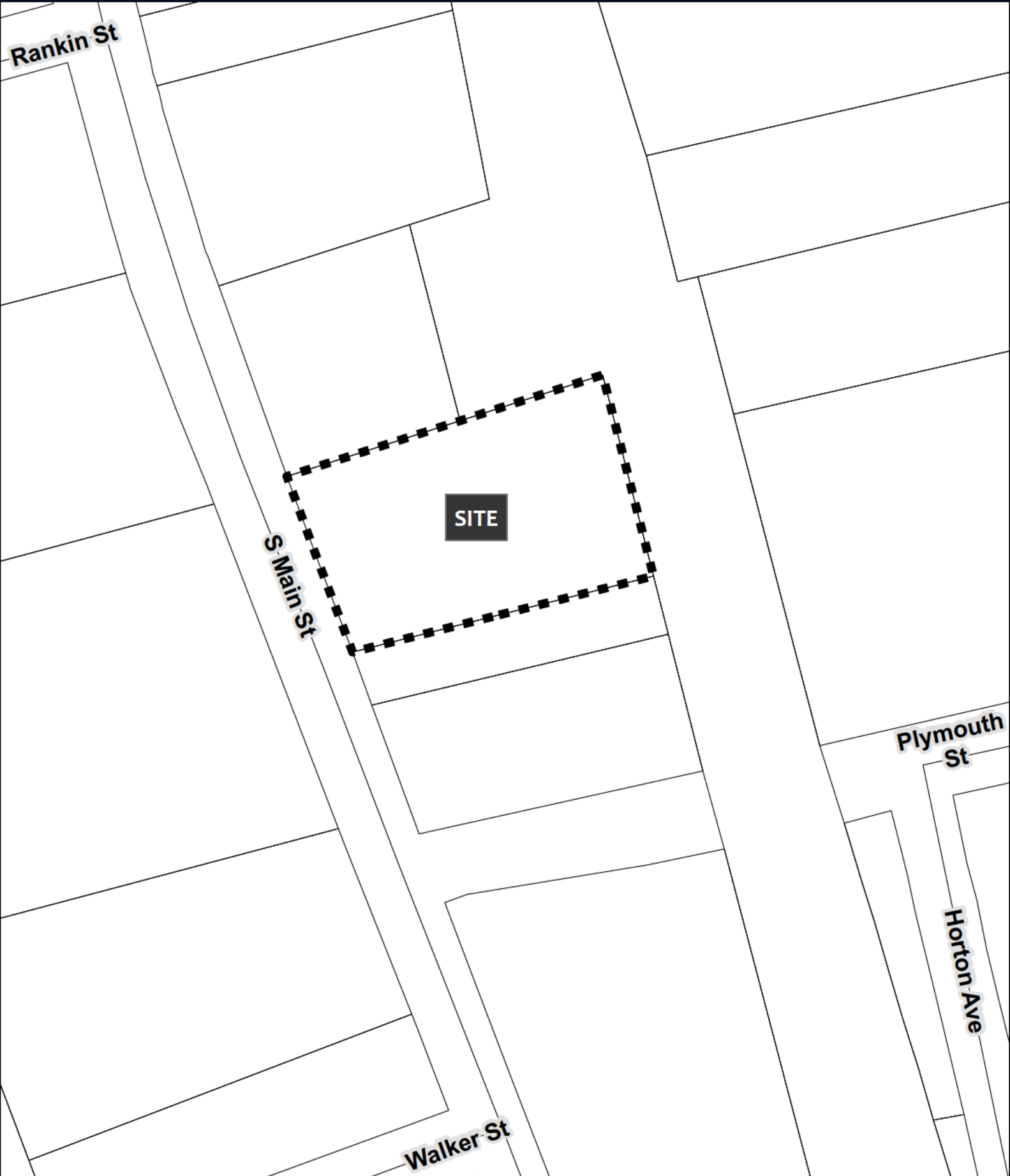
Enclosure

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.



Special Use Permit

Case Number: BOA-2025-19
Applicant: Joseph French
917 S Main





BOARD OF

ADJUSTMENT

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # APP - 2025 -19





Board of Adjustment October 7, 2025 Meeting

Staff Report

TO: Board of Adjustment

FROM: Kathryn Stapleton, Planner

SUBJECT: Case# BOA-2025-20: Variance – 602 Peach St.
Applicant: Susan Stafford

Request for a variance pursuant to Section 5.2.1.5.2 of the Kannapolis Unified Development Ordinance (UDO). The applicant is requesting to allow the existing detached garage to remain located in the front yard in the Residential 8 (R8) zoning district for property located at 602 Peach St., and more specifically identified as Cabarrus County Parcel Identification Number 5613940276000.

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 Variance.
3. Motion to approve (deny) the issuance of the Variance.
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

A supermajority (4/5) vote is required to grant the requested variance.

C. Background

The applicant, Susan Stafford, is requesting a variance to allow the existing detached garage to remain in the front yard. The UDO was in effect when this garage was constructed and was zoned Residential Village (RV). Per Section 5.2.1.5.2 of the UDO, for residential lots not exceeding two (2) acres, detached accessory buildings shall not be located in the front yard. The UDO defined the front yard as "between the street and a line drawn parallel to the street from the point of the dwelling that is closest to the street." The entirety of the detached garage is located in the front yard.

This property, 602 Peach St., is currently zoned Residential 8 (R8) under the KDO and is approximately 0.26 +/- acres. The property is more specifically identified as Cabarrus County Parcel Identification Number 5613940276000.

The applicant states they were not aware of the zoning requirements and relied on their licensed contractor to obtain the necessary permits and inspections to construct the detached garage. The contractor did not obtain any permits nor request any inspections.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.D(1)d.1(a) of the KDO requires that the Board of Adjustment shall only grant a variance on finding the applicant demonstrates all of the following:

Staff Findings of Fact - Based on application review:

Yes No

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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.

The applicant indicates that, without the requested variance, the detached garage will need to be removed, which would result in financial loss and hardship.

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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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

The applicant relied on their licensed contractor to obtain all necessary approvals, permits, and inspections.

☒☐

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.

The applicant relied on her licensed contractor to obtain all necessary permits prior to installing the detached garage.

☒☐

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.

This request is consistent with the spirit, purpose, and intent of the ordinance. The proposed variance will not compromise public safety and will ensure that substantial justice is achieved while maintaining the integrity of the ordinance. The detached garage does meet the front yard setbacks for a principal structure, it is approximately thirty (30) feet from the front property line, it is separated by more

than three (3) feet from the single-family residence, and is aesthetically compatible with the single-family residence.

F. Legal Issues

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

In order to determine whether a variance is warranted, the Board must decide that each of the four criteria outlined below have been met. If the Board concurs completely with the finds 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 evidentiary hearing), alternate findings need to be included as part of the four criteria below. Should a variance be approved, the Board 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. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

☐☐

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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

☐☐

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.

☐☐

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.

G. Recommendation

Based on the above findings, staff is supportive of the requested variance. However, the Board of Adjustment should consider all facts and testimony after conducting the hearing and render a decision accordingly.

H. Attachments

1. Variance Application
2. Vicinity Map
3. Zoning Map
4. 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:

Planning Director	X
City Attorney	X
Assistant City Manager	X



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

VARIANCE APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: SUSAN PAGE STAFFORD

Address: 602 PEACH ST

KANNAPOLIS, NC 28083

Phone: 704-390-1918

Email: [REDACTED]

Property Owner Contact Information ☒ Same as applicant

Name: _____

Address: _____

Phone: _____

Email: _____

Project Information

Project Address: 602 PEACH ST. Zoning District Select

Parcel PIN: 5613 94 0203 0000 Size of property (in acres): _____
5613 94 0276 0000

I, SUSAN PAGE STAFFORD, 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 above in a manner shown by the plot plan attached.

Ordinance provision(s) from which a variance is requested: ACCESSORY GARAGE detached
in front of home

This is what I want to do (attach separate sheet if necessary): I want LEAVE the GARAGE where
it is

APPROVAL CRITERIA

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Variance. The Board is required to reach four conclusions before it may issue a Variance. 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 BANK WILL NOT GIVE US A PARTIAL LIEN RELEASE WITHOUT
KEEPING THE GARAGE AS PART OF THE HOUSE



Variance Application

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.

VARIANCE REQUEST

Variance – Request for Variance as required by Section 2.5.D of the Kannapolis Development Ordinance (KDO).

Approval authority – Board of Adjustment

Property Address: 602 Peach St Kannapolis, NC 28083

Applicant: Susan P. Stafford

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting
- ☒ Variance Checklist and Application – Complete with all required signatures
- ☒ Plot/Site Plan showing the variance
- ☒ Fee: \$350.00 (\$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.

Scope of Approval: A concurring vote of four-fifths of the members of the Board shall be necessary to grant a variance. A variance is not a right. It may be granted to an applicant only if the applicant establishes compliance with the hardship criteria established in NCGS §160D-705(d). (See Variance application for hardship criteria.).

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: _____

Susan P. Stafford

Date: _____

09/17/25

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 deviate 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.)

The GARAGE WAS PLACED SO AS TO HAVE IMMEDIATE ACCESS
FROM THE ROAD

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.)

BUILDER WAS RESPONSIBLE FOR RETAINING PERMITS

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.)

IF GARAGE IS REMOVED HOUSE WILL GO INTO FORECLOSURE

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

Devin P. Hutto
Applicant Signature

09/17/25
Date

Devin P. Hutto
Property Owner Signature

09/17/25
Date



Vicinity Map

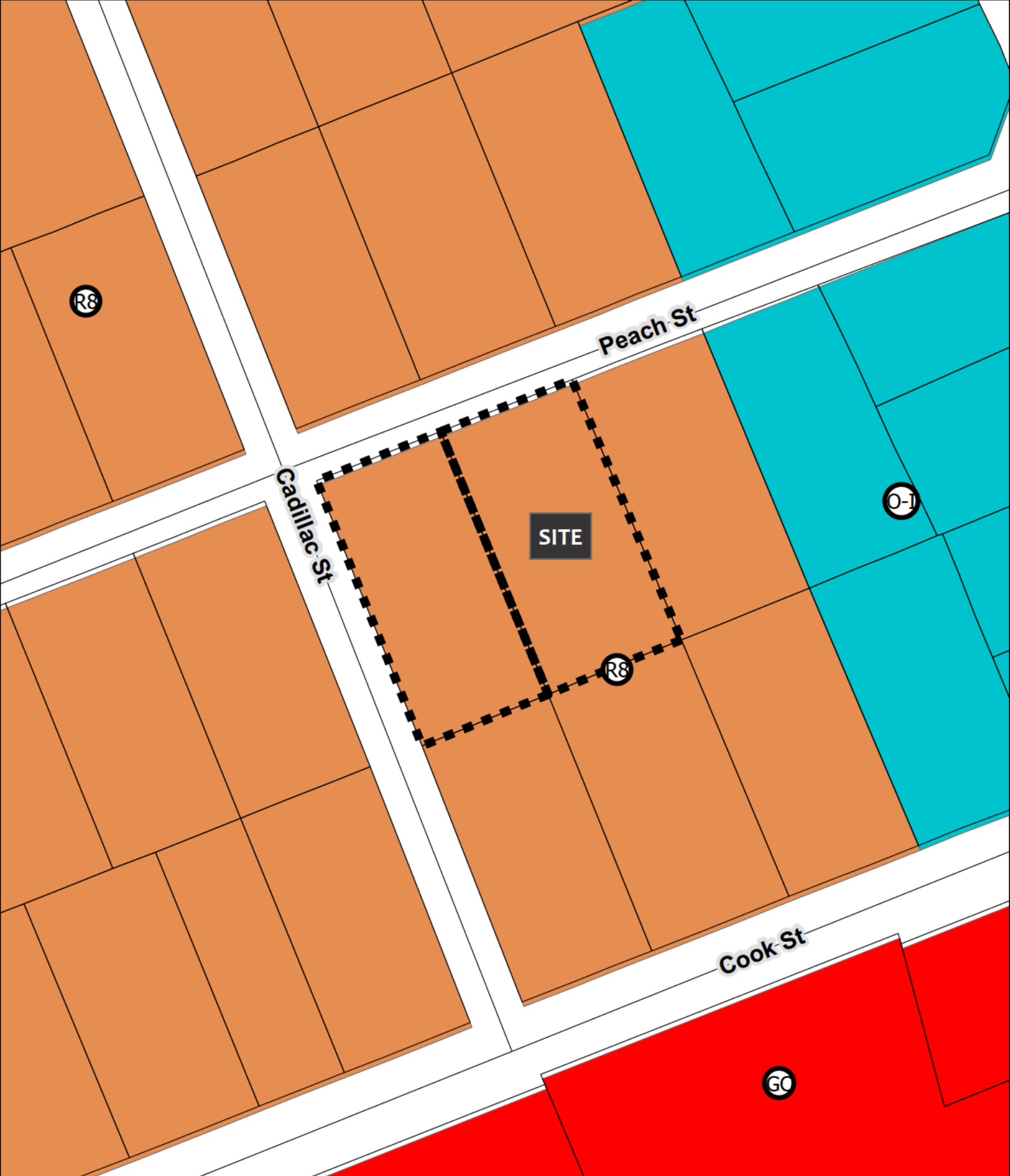
Case Number: BOA-2025-20
Applicant: Susan Page Stafford
602 Peach St





Kannapolis Current Zoning

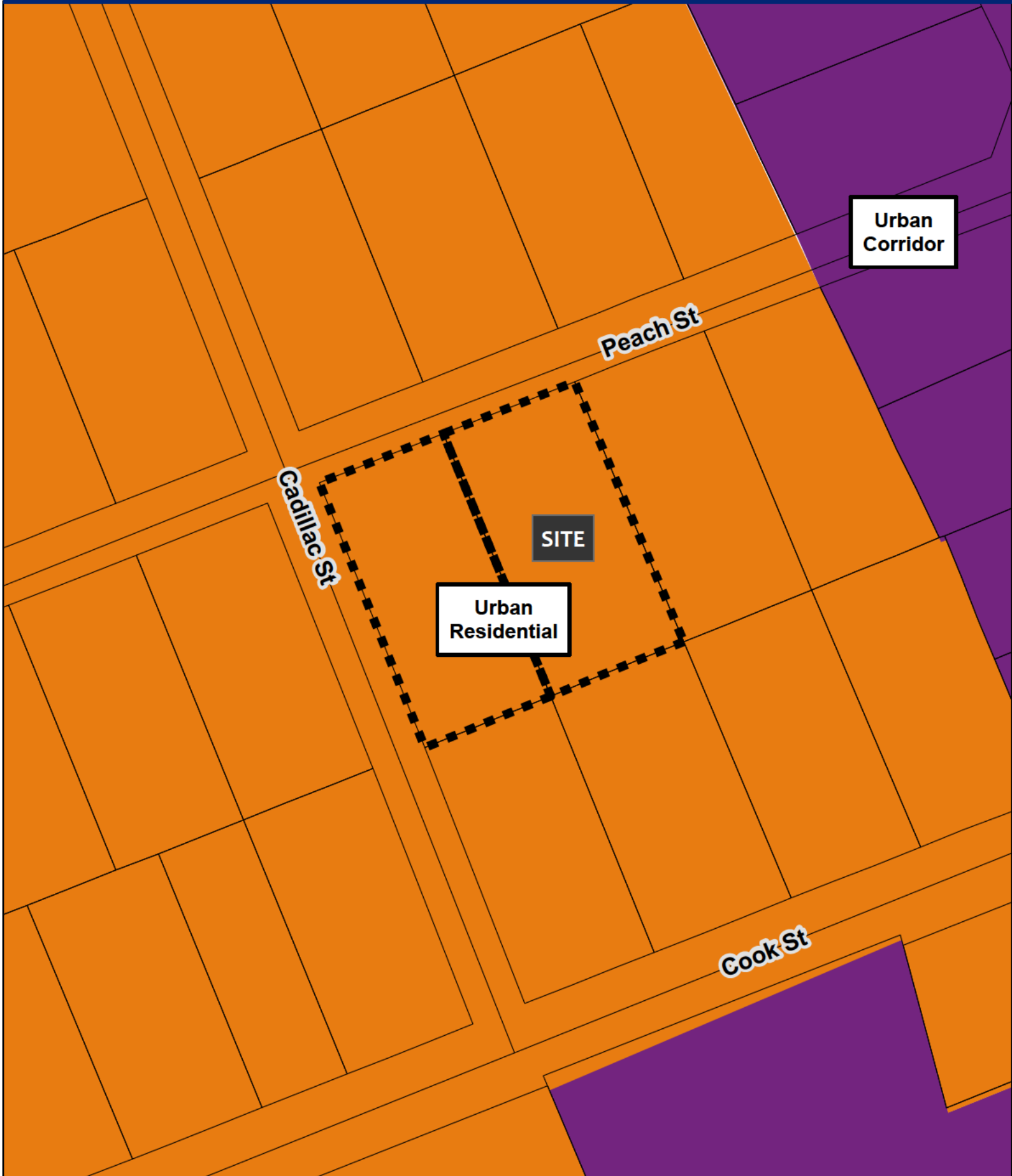
Case Number: BOA-2025-20
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602 Peach St

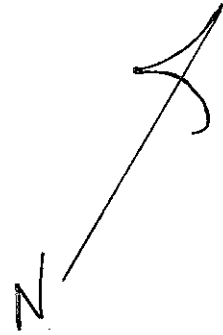
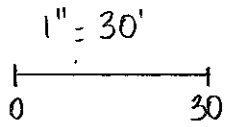




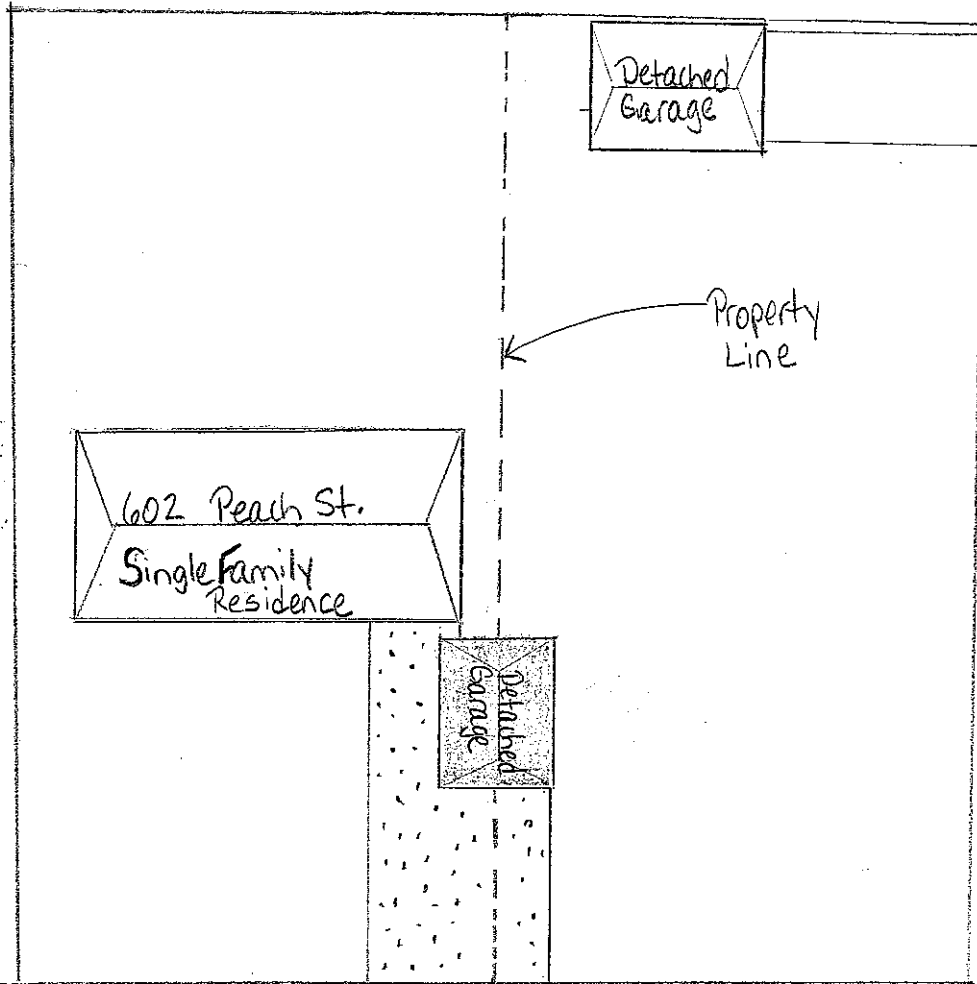
Kannapolis 2030 Future Land Use Map

Case Number: BOA-2025-20
Applicant: Susan Page Stafford
602 Peach St





Cadillac Ave.



Peach St.

AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
DEVENNEY FAITH		507 PEACH ST	KANNAPOLIS	NC	28083
CLARK ANTHONY D & WIFE WANDA H		506 PEACH STREET	KANNAPOLIS	NC	28083
WATTS BILLY EUGENE		1594 OAKWOOD AVE	KANNAPOLIS	NC	28081
COX SANDRA R		4721 ISENHOUR RD	KANNAPOLIS	NC	28081
MATTHEWS HEATHER ALYSSA	MATTHEWS JONATHAN LINWOOD HSB	507 COOK ST	KANNAPOLIS	NC	28083
MASON MICHAEL		601 PEACH ST	KANNAPOLIS	NC	28083
RS RENTAL III-B LLC		199 LAFAYETTE ST FL 7	NEW YORK	NY	10012
CHRISTY RICHARD E		505 PEACH ST	KANNAPOLIS	NC	28083
WILLIAMS WANDA U		602 CHARLES ST	KANNAPOLIS	NC	28083
FLOYD GREENE FAMILY	LIMITED PARTNERSHIP RLLLP	PO BOX 220	OAK ISLAND	NC	28465
HUNTER DONALD F JR	AMMONS VIOLA H ESTATE	600 CHARLES ST	KANNAPOLIS	NC	28083
AUTEN TENNIA FURR		511 COOK ST	KANNAPOLIS	NC	28083
MORROW FAYE N		605 COOK STREET	KANNAPOLIS	NC	28083
S2COR99 LLC		364 WELLINGTON ESTATES DR	CHINA GROVE	NC	28023
SMITH WILL R	SMITH MELISSA H WF	6551 KLUTTZ RD	CONCORD	NC	28025
SHORE RONALD D	SHORE PENELOPE M WF	5025 ENOCHVILLE RD	KANNAPOLIS	NC	28081
PLC - NC HOLDINGS II INC		909 FANNIN ST STE 2300	HOUSTON	TX	77010
MORRIS TIMOTHY JOE &	WIFE DENISE E	PO BOX 1734	WELCOME	NC	27374
HALL DELORES B		1670 DALE EARNHARDT BLVD	KANNAPOLIS	NC	28083
S2COR99 LLC		364 WELLINGTON ESTATES DR	CHINA GROVE	NC	28023
BOBBITT RYAN A	DZIUBCZYNSKI JESSICA	601 COOK ST	KANNAPOLIS	NC	28083
SPRINGER COURTNEY GAYLE		603 COOK ST	KANNAPOLIS	NC	28083
ROBSON TIMOTHY EDWARD TRUSTEE	ROBSON DEBORAH SEAGROVES TRUSTEE	5316 RANDOLPH RD	KANNAPOLIS	NC	28081
MURPHY RALPH E	MURPHY NAUMI V	605 PEACH ST	KANNAPOLIS	NC	28083
CRAYTON BRIAN J TRUSTEE	CRAYTON JOLENE C TRUSTEE	606 PEACH ST	KANNAPOLIS	NC	28083
SPEAGLE MELISSA DALE	SPEAGLE CHRISTOPHER SPOUSE	604 CHARLES ST	KANNAPOLIS	NC	28083
ROY JANYCE W		520 CHARLES ST	KANNAPOLIS	NC	28083
WHITLEY W H & SONS		PO BOX 43	KANNAPOLIS	NC	28082
WILLIAMS SHARON AND	STAFFORD SUSAN P	602 PEACH STREET	KANNAPOLIS	NC	28083
WILLIAMS SHARON AND	STAFFORD SUSAN P	602 PEACH STREET	KANNAPOLIS	NC	28083



September 22, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial hearing on Tuesday October 7, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-20 – Variance – 602 Peach St.

The purpose of this hearing is to consider a variance request under the Kannapolis Unified Development Ordinance Section 5.2.1.5.2 for property located at 602 Peach St. The applicant seeks a variance from the Accessory Uses and Structures - Location requirement, specifically to allow the existing detached garage to be located in the front yard.

As an abutting property owner, you are being notified of this evidentiary hearing in accordance with the requirements of the Kannapolis Development Ordinance.

If you have any questions about the hearing or request, please do not hesitate to contact the Planning Department at 704.920.4350 or kstapleton@kannapolisnc.gov.

Sincerely,

Kathryn Stapleton, CZO
Planner

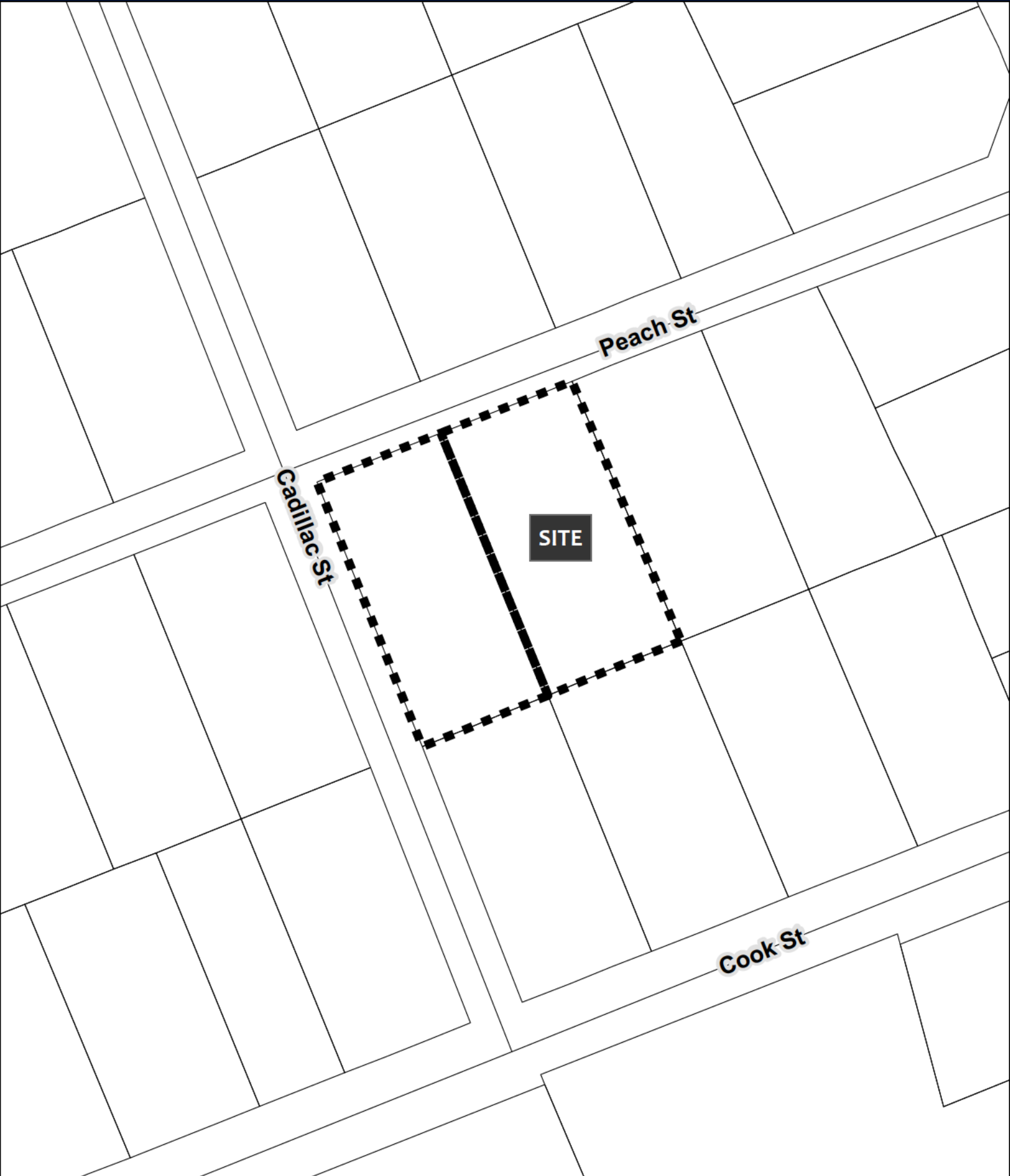
Enclosure

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.



Variance

Case Number: BOA-2025-20
Applicant: Susan Page Stafford
602 Peach St



St
600

WARNING
NEIGHBORHOOD
WATCH AREA



BOARD OF

ADJUSTMENT

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE #BOA - 2025 -20