

BOARD OF ADJUSTMENT AGENDA

Kannapolis City Hall Laureate Center - Kannapolis, NC

(NOTE: The Board of Adjustment will conduct training at 5pm in the same location, just before the regular meeting.)

Tuesday, September 2, 2025 6:00 PM

- 1. Call to Order
- 2. Oath of Office Angie McClain
- 3. Roll Call and Recognition of Quorum
- 4. Approval of Agenda
- **5.** Approval of Minutes August 5, 2025
- 6. Swearing In for Testimony
- 7. Public Hearing:
 - a. BOA-2025-17 Special Use Permit 2204 Summit Ave.

Public hearing to consider a request for a Special Use Permit (SUP) to allow for a private school use on a portion of property located at 2204 Summit Ave. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the Residential 8 (R8) zoning district. The subject property is approximately 6.93 +/- acres, zoned R8, and is further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building on a church property for a private K–12 school.

b. <u>BOA-2025-18 – Appeal of an interpretation of the Kannapolis Development Ordinance</u> Public hearing to consider an appeal of the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a) of the Kannapolis Development Ordinance (KDO). The appeal concerns the area of wall signs permitted in the General Commercial (GC) zoning district. Staff has determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall. The subject property is zoned GC, contains approximately 1.17 +/-acres, and is located at 2815 N. Cannon Blvd., further identified as Rowan County Parcel Identification Number 133 228.

- 8. Planning Director Updates
- 9. Other Business
- 10. Adjourn



Board of Adjustment September 2, 2025 Meeting

Staff Report

TO: Board of Adjustment

FROM: Ben Barcroft, Senior Planner

SUBJECT: Case# BOA-2025-17: Special Use Permit – 2204 Summit Ave.

Applicant: Kristi Harrington

Request for a Special Use Permit to allow for a private school on property located at 2204 Summit Ave.

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, Kristi Harrington, is requesting a Special Use Permit (SUP) to allow for a private school in the Residential 8 (R8) zoning district on a portion of an approximately 6.93 +/- acre property located at 2204 Summit Ave., further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building that is part of a church campus for a private K–12 school. The building is currently utilized for Sunday School classrooms.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the R8 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 F	indings	of Fact - Based on application review:
Yes	No	
X		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" and the "Urban Corridor" Character Areas in the <i>Move Kannapolis Forward 2030 Comprehensive Plan</i> . The specific building proposed to be used for the school lies solely within the "Urban Residential" area. The building and site are currently used as a place of worship, with surrounding uses consisting primarily of single-family residential dwellings. The applicant states that the proposed private school will serve as a natural extension of the existing church, providing a seamless transition for students advancing from preschool into the private school.
		Based on the character areas noted above, the proposed development is compatible with the future land use plan and existing uses in the surrounding area.
X		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 applicant states that the property has adequate on-site parking and an existing drive-thru to facilitate drop-off and pick-up without interfering with traffic on surrounding roads. A traffic circulation sketch has been provided to ensure that vehicles queuing for student drop-off remain on-site and do not spill onto adjacent streets.
		It has been determined that the existing church provides sufficient parking to support the proposed school use, even at a maximum capacity of 10 staff, 70 K–9 students, and 30 grade 10–12 students. The education building contains 10 spaces, while the church provides an additional 122 paved spaces.
		Per code requirements, parking must be provided at a ratio of 1 space per 8 K–9 students and 1 space per 2 grade 10–12 students. Based on the information provided, these requirements have been met.
X		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 private school is expected as a result of this proposed use.
X		The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

Board of Adjustment BOA-2025-17 September 2, 2025

		The proposed use would not impede development of the surrounding properties	September 2, 202
		for uses allowed within their respective zoning districts. The proposed private school is compatible with the existing and surrounding uses.	
X		The establishment, maintenance, or operation of the proposed use shall not detrimental to or endanger the public health, safety, or general welfare.	be
		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.	
X		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 any other applicable local, state and Federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all KDO requirements must be met.	
X		The applicant consents in writing to all conditions of approval included in the approved special use permit.	
		The applicant has indicated that they will sign all Conditions of Approval for this special use permit.	
F. Lega	al Issues		
Board'	's Findin	gs of Fact - Based on application review and public hearing.	
of the s been sa addition decision addition include place co	six findir atisfactor nal findir n. Howe nal evide ed as part	rmine whether a special use permit is warranted, the Board must decide that each ags as outlined below has been met and that the additional approval criteria has ily addressed. If the Board concurs completely with the findings of the staff, no ags of fact are necessary, and the staff findings should be approved as part of the ever, if the Board wishes to approve different findings (perhaps as a result of ence or testimony presented at the public hearing), alternate findings need to be of the six criteria below. Should a special use permit be approved, the Board may son the use as part of the approval to assure that adequate mitigation measures are the use.	
Yes	No		
		The proposed conditional use will be in harmony with the area in which it is be located and in general conformance with the City's Land Use Plan.	to
		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 use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.	,

		Board	d of Adjustment BOA-2025-17
		The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.	ptember 2, 2025
		The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.	
		The proposed use complies with all applicable provisions of the KDO.	
		The applicant consents in writing to all conditions of approval included in the approved special use permit.	
G. Rec	ommen	dation	
staff l	Findings	above findings, staff recommends approval of the Special Use Permit based on the sof Fact (or as modified by the Board), the conceptual site plan, and compliance with and federal requirements.	
Hear		of Adjustment should consider all facts and testimony after conducting the Public I render a decision accordingly to approve, approve with conditions, or deny the Permit.	
H. Atta	chment	ts	
2. 3. 4. 5. 6.	Vicinity Zoning I Future I Traffic (List of N	-	
		Public Notice	
I. Issue	Review	ved 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: 2204 Summit Avenue, Kannapolis, NC 28081

Applicant: Living Faith Tutorial, Inc. c/o Kristi Harrington

	SUBMITTAL CHECKLIST
~	Pre-Application Meeting
V	SUP Checklist and Application – Complete with all required signatures
	Plot/Site Plan showing the proposed use
V	Fee: \$650.00 (\$600 Application Fee + notification fee [see Fee Schedule])
1	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 Sul	amittal Chacklist and have included the required sub-itt-
items and reviewed them for completeness and accuracy.	I also acknowledge that my application will be rejected
if incomplete.	diso acknowledge mai my application will be rejected

Applicant's Signature:

Date: le 24/25





SPECIAL USE PERMIT APPLICATION

Approval authority - Board of Adjustment

Applicant Contact Information Name: Kristi Harrington	Property Owner Contact Information same as applied		
Address: 305 Cooper Rd	Name: Blackwelder Park Baptist Address: 2204 Summit Ave		
Salisbury, NC 28147	Address: Zanapolis, NC 28081		
Phone: 704-793-3725	Phone: 704-932-4266		
Email:	Email:		
Project Information			
Project Address: 2204 Summit Ave Kannapolis NC 28	Zoning District R8		
Parcel PIN: 160 121 Size of p	property (in acres): 6.93 acres		
Current Property Use: Sunday school classroon Proposed Use: Private school K-12	ns		
The location of the above-mentioned proposed use is in the proposed use is more fully described as follows (atta	ndicated on the accompanying site plan, and the nature of ech separate sheet if necessary):		
The building next to the church sanctuary	- 3 story brick building facing Summit Ave.		
Proposed use - private school K-12			

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 <u>facts</u> that you intend to provide to convince the Board that it can properly reach the following conclusions:

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.
 The building is part of several on the property which include a preschool, church and family life center.
 The private school will be a natural extension of the existing church and will allow for the natural transition of students from the preschool into the private school.

2.	Adequate measures shall be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads. There is adequate parking and existing drive thru the property to allow for drop off and				
	pick up which would not interfere with traffic on the surrounding roads, see attached.				
3.	The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas. There are no anticipated impacts.				
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. There are no known reasons that the proposed school would affect such.				
5.	The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare. There are no anticipated impacts on safety and health.				
6.	The proposed use complies with all applicable provisions of the KDO. Yes				
7.	The applicant consents in writing to all conditions of approval included in the approved special use permit. The applicant is willing to consent in writing to all conditions of approval, contingent upon review and				
	mutual agreement of the final conditions as discussed and approved through the permitting process.				
e rece us oper	ning below, I certify that all of the information presented in this application is accurate to the best of owledge, information and belief. I acknowledge that the Board of Adjustment may add conditions on quested use as part of the approval to assure that adequate mitigation measures are associated with e. For example, landscaping or fencing may be required, or a shift of operations away from adjoining ries may be stipulated. Land Signature Truster Date Truster Date				



MESTIVEN



Vicinity Map
Case Number: BOA-2025-17 Applicant: Living Faith Tutorial, Inc 2204 Summit Ave



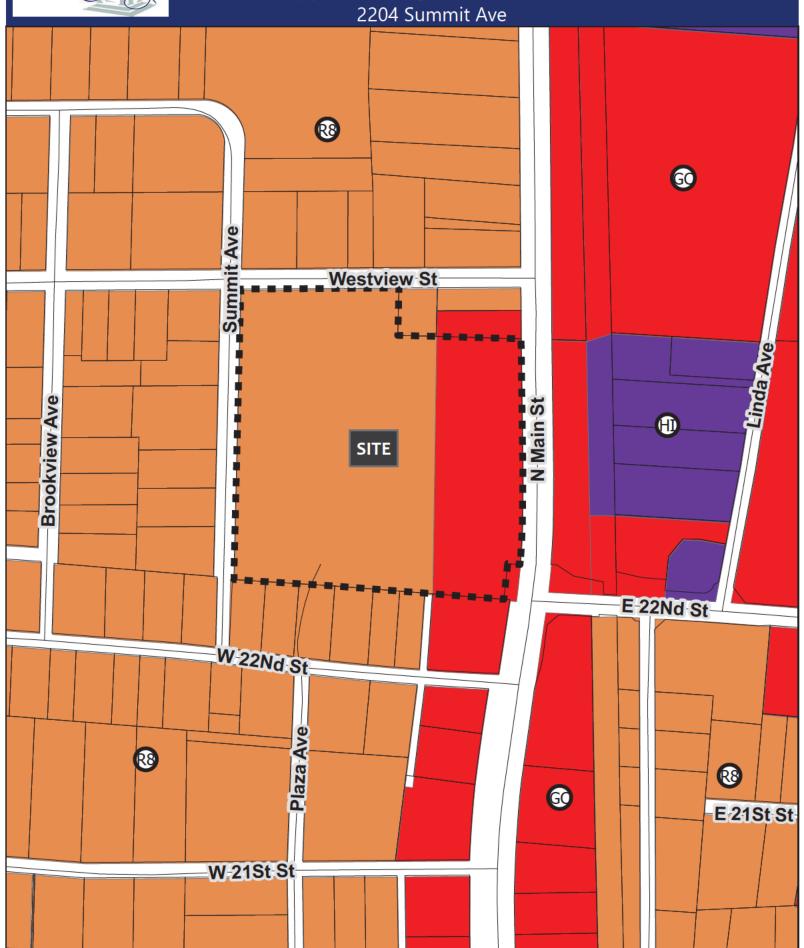




Kannapolis Current Zoning Case Number: BOA-2025-17

Case Number: BOA-2025-17
Applicant: Living Faith Tutorial, Inc

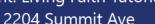






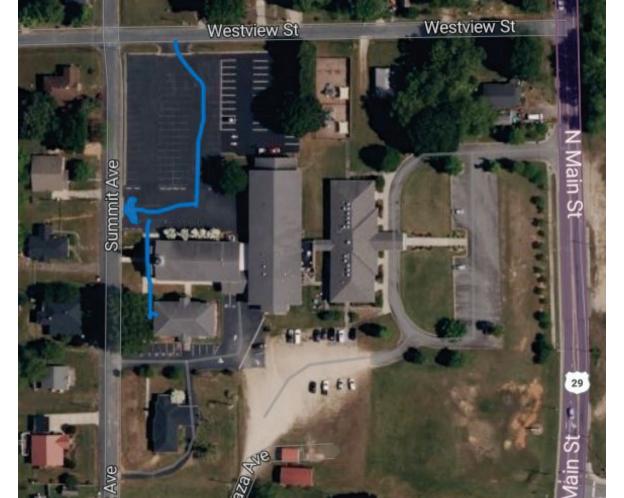
Kannapolis 2030 Future Land Use Map

Case Number: BOA-2025-17 Applicant: Living Faith Tutorial, Inc









PARCEL_II OWNNAME	TAXADD1	CITY ST.	ATE ZIPCODE	OWN2
NCR NCR NORTH CAROLINA RAILROAD	2809 HIGHWOODS BLVD STE 10	0 RALEIGH NC	27604	COMPANY
160 287 A&A NC-1 LLC	11494 RISING STAR COURT	CHARLOTT NC	28215-7375	
160 125 JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT NC	28215-7375	
160 105 CROWE DORIS K	300 W 22ND ST	KANNAPOL NC	28081	
160 282 GODS TABERNACLE SPIRITED (CHURCH 2405 N MAIN ST	KANNAPOL NC	28081	
160 247 MILAM HOMER L JR & W	F 2401 N MAIN ST	KANNAPOL NC	28081-2447	MILAM NANCY J
160 286 JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT NC	28215-7375	
160 119 SOUTHLAND REALTY & DEVEL	OPMENT, LLC 2655 NC 153 HWY	CHINA GRC NC	28023-7587	
160 285 JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT NC	28215-7375	
160 181 DURHAM EDDIE B	1311 LOWRANCE AVE	KANNAPOL NC	28081-5823	
160 123 JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT NC	28215-7375	
160 122 BLACKWELDER PARK BAPTIST	CH 2204 SUMMIT AVE	KANNAPOL NC	28081-2460	INC
160 108 BEAVER PATSY B	206 W 22ND ST	KANNAPOL NC	28081-2451	
160 107 136 HEMLOCK LLC	84810 HONEYCUTT RD STE 200-	V88 RALEIGH NC	27615-2260	
160 050 CORL GINA LYNN ETAL	209 N EAST AVE	KANNAPOL NC	28083	
160 048 WHITLEY CHRISTOPHER R	104 WESTVIEW ST	KANNAPOL NC	28081-2464	
160 259 SWEET STAYS THIS WAY LLC	3120 TWIN FALLS LN	MATTHEW NC	28105-4494	
160 254 522 PROPERTIES LLC	904 S ZION ST	LANDIS NC	28088-2032	
160 124 JJTE 1 LLC	12773 PHILADELPHIA CHURCH I	RD STANFIELD NC	28163-5508	
160 106 SMITH DANNY RAY TRUSTEE	2203 SUMMIT AVE	KANNAPOL NC	28081	
160 104 522 PROPERTIES LLC	904 S ZION ST	LANDIS NC	28088-2032	
160 230 STEWART CLAYTON DEAN & V	NF 2215 SUMMIT AVE	KANNAPOL NC	28081-2459	HINSON SAMANTHA RAE
160 179 COLAS PETIT FRERE ANDRE	2826 CLERMONT AVE	KANNAPOL NC	28081-9301	
160 118 RODRIGUEZ-BLANCO ASHLEY	& SPOUSE 101 WESTVIEW ST	KANNAPOL NC	28081-2463	SANDOVAL ELWIN
160 049 KELLY DWIGHT DAVID	2017 WEST A ST	KANNAPOL NC		
160 183 DURAN ALVIN & SPOUSE	2213 SUMMIT AVE	KANNAPOL NC		BATISTA MILAGROS
160 121 BLACKWELDER PARK BAPTIST		KANNAPOL NC		INC
160 120 LISK MARGARET M	2311 N MAIN ST	KANNAPOL NC		
160 100 MCGRUDER MONICA	205 WESTVIEW ST	KANNAPOL NC	28081-2465	
160 046A HOLLON MARYROSE	102 WESTVIEW ST	KANNAPOL NC	28081-0000	



August 26, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday September 2, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-17 – Special Use Permit – 2204 Summit Ave.

The purpose of this public hearing is to consider a request for a Special Use Permit (SUP) to allow for a private school use on a portion of property located at 2204 Summit Ave. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the Residential 8 (R8) zoning district. The subject property is approximately 6.93 +/- acres, zoned R8, and is further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building on a church property currently utilized for Sunday School classrooms for a private K-12 school. (Please see attached vicinity map showing the location of this property.)

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are welcome to attend the public hearing and present testimony to the Board of Adjustment if you desire.

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.







Board of Adjustment September 2, 2025 Meeting

Staff Report

TO: Board of Adjustment

FROM: Ben Barcroft, Senior Planner

SUBJECT: Case# **BOA-2025-18**:

Appeal of an interpretation of the Kannapolis Development Ordinance

Applicant: Heather English

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.

A. Actions Requested by Board of Adjustment

1. To affirm (or reverse) an interpretation of the Kannapolis Development Ordinance.

B. Required Votes to Pass Requested Action

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

C. Background

The applicant, Heather English, is appealing the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a) regarding the number, area, and height of signs in the GC (General Commercial) district. Staff has determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall. The property is located at 2815 N. Cannon Blvd., more specifically identified as Rowan County Parcel Identification Number 133 228. The property is zoned General Commercial (GC) and is approximately 1.17 +/- acres.

Table 5.9.E(1)(a) specifies the following standard under the Sign Area Max (SQ. FT.) column for wall signs in the GC District:

1 sq. ft. per linear foot of the width of the building to which the wall sign is attached, not to exceed 120 sq. ft. or 10 percent of the area of the façade to which the wall sign is attached.

The applicant submitted a wall sign measuring 69.13 square feet on a wall that is 52 feet in length. Based on the maximum allowance of one (1) square foot of sign area per linear foot of wall, the sign would be limited to 52 square feet.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.D(4)a. of the KDO states: "Any person who has standing under N.C.G.S. Section 160D-1402 or the City may appeal a decision made by the Planning Director or Director of Engineering in carrying out a power or duty granted by this Ordinance, including any final and binding order, requirement, or determination, to the Board of Adjustment in accordance with the procedures and standards in this section and state law."

F. Legal Issues

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

Affirm Reverse

The Planning Director's decision to request changes to a sign application.

G. Recommendation

The Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly to affirm or reverse the decision of the Planning Director.

H. Attachments

- 1. Application
- 2. Appeal Letter
- 3. Email Chain
- 4. Vicinity Map
- 5. Zoning Map
- 6. Sign Plans
- 7. List of Notified Properties
- 8. Notice to Adjacent Property Owners
- 9. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X



Appeal

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.

APPEAL REQUEST
Appeal – Request for Appeal as required by Section 2.5.D(4) of the Kannapolis Development Ordinance (KDO). Approval authority – Board of Adjustment. Property Address: 2815 N Cannon Blvd, Kannapolis NC
Applicant: Heather English for Allen Industries INC

SUBMITTAL CHECKLIST
Pre-Application Meeting
Appeal Checklist and Application – Complete with all required signatures
Fee: \$350.00 (\$300 Application Fee + notification fee [see Fee Schedule])

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 1st Tuesday at 6:00pm in City Hall Laureate Center. The pre-application meeting, submittal of the application, 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 affirm or reverse the decision by the Administrator.

Scope of Approval: Per Section 2.5.D(4)c of the KDO, approval of an Appeal is limited to determining whether the decision or interpretation by the Administrator was in accordance with the intent and requirements of the Ordinance, and accordingly, will affirm or reverse the decision.

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: 7-29-2025





APPEAL APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information Name: Heather English for Allen Industries INC	Property Owner Contact Informationsame as applicant Name: Mavis Southeast LLC Address: 100 Hillside Ave			
Address: 6434 Burnt Poplar Rd				
Greensboro, NC 27409	White Plains, NY 10603			
Phone: (336) 799-4670	Phone: (914) 984-2500			
Email:	Email:			
Project Information				
Project Address: Mavis @ 1101 S Chapel St	Zoning DistrictGC			
Parcel PIN: 133 228 Size	of property (in acres): 1.17			
decision or interpretation of a Planning Administration and adverse decision/interpretation was made with in	ereby appeal to the Board of Adjustment from an adverse trator. respect to property described above.			
I hereby request the following:				
1. An interpretation of a zoning district bounda	ry on the official Zoning Map:			
An interpretation of the following section(s) of Section 5.9 Sign Standards / Table 5.9.E	of the Kannapolis Development Ordinance: E(1)a Standards for Sign Number, Area & Height in the			
GC District	· · · · · · · · · · · · · · · · · · ·			
provisions in question and state what reasons you h	form, present your interpretation of the Zoning Map/Ordinance have for believing that your interpretation is the correct one. all signs are allowed: 1 Sq Ft per linear foot of width of the			
building to which the wall sign is attached NTE 12	20 Sq Ft OR 10% of the area of the facade where the wall			
sign is attached. There is no wording here that i	nfers thgat compliance with both calculations is required.			
I certify that all the information presented by me information, and belief.	in this application is accurate to the best of my knowledge,			
Heather & English	7-29-2025			
Applicant Signature	Date			



July 30th, 2025

City of Kannapolis

Planning Department / Board of Adjustments

401 Laureate Way

Kannapolis, NC 28081

Re: Appeal Application for Interpretation of Wall Signage Allowance for GC Districts

Dear City Planning Department & Board Members,

I have been working with Allen Industries and Mavis Tire & Brakes to permit signage for the new site being constructed at 2815 N Cannon Blvd there in Kannapolis. Our client Mavis Southeast performed sign ordinance due diligence early in their development process and had preselected the signs for this property based on those results. It is our understanding that the allowance for wall attached signage as it is stated verbatim in Section 5.9 City Sign Standards is as follows: 1 Sq Ft per linear foot of width of the building to which wall sign is attached, not to exceed 120 Sq Ft. or 10 percent of the area of the façade to which wall sign is attached. The exact text of the ordinance provides (2) clear calculation formulas for the wall sign area allowed. Our client selected sign sizes for this site based upon the 10% formula; however, upon permit review, staff has indicated that sign area must comply with both calculations.

I have been immersed in the sign industry for a little over 20 years and have read and continue to read many sign ordinances on a daily basis. Typically when a jurisdiction provides (2) calculation formulas for allowable sign area there is a qualifier that follows whether that be "whichever formula is less" or "whichever formula gives a greater result." The 1 Sq Ft per linear foot of wall width calculation and the 10% formula allowances are both on the conservative side when looking at the majority of sign area calculations across other jurisdictions. We can look at specific wall examples, but I assert that the 1:1 ratio will mostly always give you a smaller result for allowed signage area such that it becomes an irrelevant calculation. Given that this zoning district is the one with the highest level of commercial uses, it stands to reason that the sign allowances should be the greatest for this area but also kept within a reasonable amount. I believe the intent of the ordinance was to allow a business either 1 Sq Ft of sign area for each linear foot of wall width OR 10% of the wall area whichever may be more limited to 120 Sq Ft maximum.

I look forward to discussing this with all in more detail as I prepare these preapplication materials for the meeting tomorrow as well as the Board meeting in September. We appreciate everyone's careful consideration to this request as we endeavor to serve our business clients and to help them have successful operations there in Kannapolis.

Thanks so much!

Heather S. English

President

HSE Permit Solutions

PO Box 363

Pleasant Garden, NC 27313

(336) 799-4670



Fw: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

From Ben Barcroft

bbarcroft@kannapolisnc.gov>

Date Thu 7/24/2025 4:10 PM

To Heather English

¶ 1 attachment (517 KB)
Appeal packet.pdf;

Heather,

I can schedule you for a pre-application meeting for an Appeal on the 30th via Teams. If we receive all required materials that day, you can be added to the September agenda. Please see the attached application for details.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell

From: Heather English

Sent: Wednesday, July 23, 2025 11:29 AM

To: Ben Barcroft
bbarcroft@kannapolisnc.gov>

Cc: Kathryn Stapleton <kstapleton@KannapolisNC.gov>; Richard Smith <rsmith@kannapolisnc.gov>

Subject: Re: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

CAUTION: This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ben,

We have been directed to proceed with scheduling a pre-application meeting in order to apply for the Appeal or Variance whichever process you all deem required given the circumstances here. We would like to get this taken care of as soon as possible. Please advise. I believe you mentioned that next Wednesday July 30th would be the earliest available timeframe. I can make myself available any time that day as I have nothing on my schedule as of now.

Thanks,

Heather S. English HSE Permit Solutions PO Box 363 Pleasant Garden, NC 27313 (336) 799-4670 office (336) 312-2624 mobile

On Wednesday, July 16, 2025 at 04:13:06 PM EDT, Ben Barcroft bbarcroft@kannapolisnc.gov/ wrote:

Heather,

- The sign area may be up to 1 square foot per linear foot of the wall to which the sign is attached,
- Not to exceed 120 square feet total,
- and not to exceed 10% of the total façade area of that wall.

The sign size must comply with all three conditions—meaning it cannot exceed the smallest of these limits. Meeting only one criterion is not sufficient.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell
bbarcroft@kannapolisnc.gov
www.kannapolisnc.gov



From: Heather English

Sent: Wednesday, July 16, 2025 3:53 PM

To: Ben Barcroft

bbarcroft@kannapolisnc.gov>

Cc: Kathryn Stapleton <kstapleton@KannapolisNC.gov>; Richard Smith <rsmith@kannapolisnc.gov>

Subject: Re: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

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Ben,

I see that you have already entered comments in the portal for the wall attached signs. I am looking at the ordinance now.

WALL SIGNS	Individual Business and Combined Developments	1 per frontage [3]	1 sq. ft. per linear foot of width of the building to which wall sign is attached, not to exceed 120 sq. ft. or 10 percent of the area of the façade to which wall sign is attached	Not to extend above the vertical wall
------------	---	-----------------------	---	--

The signs proposed are under the 10% formula allowance based upon the area of the wall.

Thanks,

Heather S. English HSE Permit Solutions PO Box 363 Pleasant Garden, NC 27313 (336) 799-4670 office (336) 312-2624 mobile

Heather,

Thank you for checking in. I just became aware that this review hadn't been assigned to me, so I hadn't had the opportunity to review it until now. I'm currently working on it and will approve and send the request for payment if everything is good.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell
bbarcroft@kannapolisnc.gov
www.kannapolisnc.gov



From: Heather English

Sent: Wednesday, July 16, 2025 9:59 AM

Subject: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

CAUTION: This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning!

Can someone let me know where the Planning Review stands for the Mavis Tire signage that I submitted? We made a change at the very end of June that reduced the area of the proposed signs, but I have heard nothing back on that yet. Please advise.

Thanks.

Heather S. English HSE Permit Solutions PO Box 363 Pleasant Garden, NC 27313 (336) 799-4670 office (336) 312-2624 mobile

Pursuant to NC General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time. This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is confidential, proprietary, privileged, work product, and/or otherwise exempt from disclosure under applicable law. If you are not the intended recipient or receive this message in error, the sender does not intend delivery to you and does not waive any privilege, protections, or other rights pertaining to this message and any attachments. You should therefore immediately contact the sender by reply email and delete the original message, including any attachments. Pursuant to NC General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time. This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is confidential, proprietary, privileged, work product, and/or otherwise exempt from disclosure under applicable law. If you are not the intended recipient or receive this message in error, the sender does not intend delivery to you and does not waive any privilege, protections, or other rights pertaining to this message and any attachments. You should therefore immediately contact the sender by reply email and delete the original message, including any attachments.

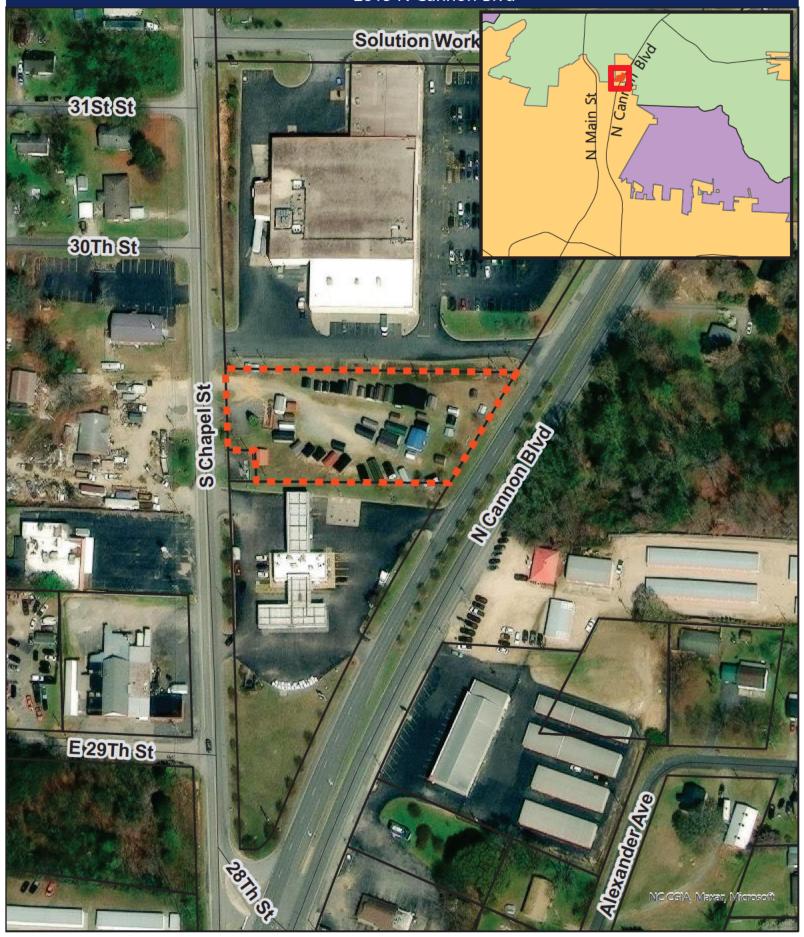


Vicinity Map Case Number: BOA-2025-18

Case Number: BOA-2025-18
Applicant: Heather English for Allen Industries INC







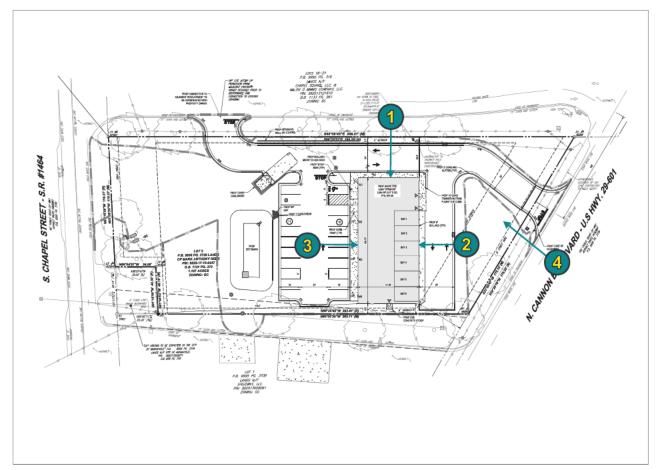


Kannapolis Current Zoning Case Number: BOA-2025-18

Case Number: BOA-2025-18
Applicant: Heather English for Allen Industries INC







GENERAL SIGNAGE

- 1 23WL 23" Thermoformed Cabinet Set
- 2 26WL 26" Thermoformed Cabinet Set
- 3 26WL 26" Thermoformed Cabinet Set
- 4 New Pylon New Steel



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Client: Mavis Tire	Date: 04/22/25	Estimate #: E23509	Job #:	Page #: 2 of 16		
# 2285 Address: 1101 S. Chapel St. Kannapolis, NC 38083		File Name: MAV-E23509_Kannapolis, NC_201				
	Sales: House	De:	sign:	PM: AS		

Date Description
1 06/17/25 Revised to Newest Cloud Layout
2 2 3 4 5 - - -

Initial

AMS

Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Client Signature:

Approval Date:

Elevations

Proposed



1 Sq Ft of Sign Area per Linear Foot of Wall Width = 52 Sq Ft
22' 5" x 52' 0" OAW Elevation = 1,165.8 Sq Ft of Wall Area x 10% = 116.5 Sq Ft
69.13 Sq Ft of Sign Area Proposed



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1-800-967-2553

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Scale: 1/8"=1'-0"

North Elevation

Client: Mavis Tire	Date: E	stimate #:	Page #: 4 of 16	
# 2285	File Name:			
Address:	MAV-E23509 Kannapolis, NC 201			
1101 S. Chapel St.	Sales:	Design:	PM:	
Kannapolis, NC 38083	House	RS	AS	

1 2 3 4		<u>Description</u> Revised to Newest Cloud Layout
5	-	

Initial
AMS
Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release revision.

Client Signature:

Approval Date:

PARCEL_II OWNNAME	TAXADD1	CITY	STATE	ZIPCODE OWN2
156 255 MELTON WILMER JR & WF	918 S CHAPEL ST	KANNAPOLIS	NC	28083-978 MELTON HARRIET L
162 00101 ISBANIOLY NABIL J	24571 MAGGIE FRICK RD	RICHFIELD	NC	28137-768 ISBANIOLY ADELMA M
156 09901 MELTON WILMER III ETAL	1102 S CHAPEL ST	KANNAPOLIS	NC	28083
162 005 SPEEDWAY LLC	539 S MAIN ST	FINLAY	ОН	45840-000
156 305 NEW PINEY GROVE BAPT CH	1000 S CHAPEL ST	KANNAPOLIS	NC	28083
156 105B ANDRADE ZENON RAFAEL	170 EARNEST MILLER RD	SALISBURY	NC	28147-944 CAMPECHANO CANDIDO
156 101 NEW PINEY GROVE BAPT CHURCH	1000 S CHAPEL ST	KANNAPOLIS	NC	28083
133 05702 JORDAN JUSTIN HARRISON	2810 N CANNON BLVD	KANNAPOLIS	NC	28083-912
133 05701 PAIGE FLORENCE THOMASINA &	15618 FARMSWORTH LN	TAMPA	FL	33624-181 HOWARD BRUCE A
156 105 MELTON WILMER III ETAL	1102 S CHAPEL ST	KANNAPOLIS	NC	28083
133 188 INFANTE WILSON	2812 N CANNON BLVD	KANNAPOLIS	NC	28081
133 05708 10FSS 2806 N CANNON BLVD KANAPOLIS NC LL	2424 RIDGE RD	ROCKWALL	TX	75087-511
133 055 CHAPEL SQUARE LLC	85-A MILL ST STE 100	ROSWELL	GA	30075 MALON D MIMMS COMPANY LLC
133 057 ELIJAH HARRISON CONSTRUCTION LLC	2810 N CANNON BOULEVARD	KANNAPOLIS	NC	28083-912
133 228 REED MARK ANTHONY	35 CURTIS DR	ARDEN	NC	28704-977
133 274 KANNAPOLIS CITY OF	401 LAUREATE WAY	KANNAPOLIS	NC	28081



August 26, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasijudicial public hearing on Tuesday September 2, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-18 - Appeal of an interpretation of the Kannapolis Development Ordinance

The purpose of this public hearing is to consider an appeal of the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a) of the Kannapolis Development Ordinance (KDO). The appeal concerns the number, area, and height of wall signs permitted in the General Commercial (GC) zoning district. Staff have determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall. The subject property is zoned GC, contains approximately 1.17 +/- acres, and is located at 2815 N. Cannon Blvd., further identified as Rowan County Parcel Identification Number 133 228. (Please see attached vicinity map showing the location of this property.)

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are welcome to attend the public hearing and present testimony to the Board of Adjustment if you desire.

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.

