



**BOARD OF ADJUSTMENT
MEETING AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS NC
JUNE 2, 2026
6:00 PM**

CALL TO ORDER

ROLL CALL AND RECOGNITION OF QUORUM

APPROVAL OF AGENDA

APPROVAL OF MINUTES

A. **April 7, 2026 Minutes** (Zuly Anderson, Planning Technician)

SWEARING IN FOR TESTIMONY

EVIDENTIARY HEARING

- A. **BOA-2026-06: Special Use Permit- 502 Milton L Taylor St.** (Mia Alvarez, Senior Planner)
- B. **BOA-2026-07: Special Use Permit- 956 N Cannon Blvd.** (Ben Barcroft, Senior Planner)

PLANNING DIRECTOR UPDATE

OTHER

MOTION TO ADJOURN

ADA Notice

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.

1 **CITY OF KANNAPOLIS, NC**
2 **BOARD OF ADJUSTMENT**
3 **Minutes of Meeting**
4 **April 7, 2026**
5 **6:00 PM**
6

7 The Kannapolis Board of Adjustment met on Tuesday, April 7, 2026, at 6:00 PM in the Laureate
8 Center of City Hall. This meeting was held in accordance with required public notice, as well as
9 announced on the City's website.

10
11 **Board Members Present:** Emily Joshi, Chair
12 Holden Sides, Vice Chair
13 Jeff Parker
14 Chris Dwiggins
15 Danielle Martini
16 Angie McClain, ETJ Representative
17

18 **Board Members Absent:** Wilfred Bailey, Sr.
19 Ronald Flanders, Alternate
20

21 **Staff Present:** Wilmer Melton, City Manager
22 Richard Smith, Planning Director
23 Elizabeth McCarty, Assistant Planning Director
24 Ben Barcroft, Senior Planner
25 Mia Alvarez, Senior Planner
26 Zulena Anderson, Planning Technician
27

28 **Attorney:** Evan Lee, Board Attorney
29 Andrew Kelly, City Attorney
30

31 **Visitors Present:** Cyrus Mathews
32 Kevin Corl
33 Tonya Corl
34 Rae Crawford
35 Rebekah Watson
36 Beth Pittmon
37 Clyde Pittmon
38 Dennis Confer
39 Mike Davis
40 Donna Watinne
41 Ginger Moore
42 Alan Overcash

43 **CALL TO ORDER**

44 Chair Joshi called the meeting to order at 6:01 P.M.

45
46 **ROLL CALL AND RECOGNITION OF QUORUM**

1 Ms. Joshi, Chair of the Board, introduced herself and asked the Board members to state their
2 names for the record. Ms. McClain, Mr. Sides, Mr. Parker, Mr. Dwiggin, and Ms. Martini each
3 did so.

4
5 Chair Joshi noted that staff from the Planning Department, the City Attorney, and the Board
6 Attorney were present to provide technical and professional assistance. She also stated that
7 anyone wishing to speak on a public hearing agenda item, and who has not yet signed in, should
8 see the Recording Clerk.

9

10 **APPROVAL OF AGENDA AND MINUTES**

11 Chair Joshi asked if any corrections or revisions were requested and asked that any be stated
12 clearly. She then called for a motion to approve the agenda. Mr. Parker made the motion,
13 seconded by Ms. Martini, and it was unanimously approved.

14

15 Hearing no requests for corrections or revisions to the minutes, Chair Joshi called for a motion to
16 approve the minutes of January 6, 2026. Mr. Sides made the motion, seconded by Ms. Martini,
17 and it was unanimously approved.

18

19 **EXPLANATION OF QUASI-JUDICIAL DECISIONS**

20 Chair Joshi stated that before opening the first hearing listed on the agenda, she would provide a
21 brief explanation of quasi-judicial hearings. She explained that these hearings are evidentiary in
22 nature, meaning they are similar to court proceedings and are always recorded. State law
23 establishes specific procedures and rules governing how the Board must make its decisions,
24 which differ from other types of land use cases, such as rezonings.

25

26 Chair Joshi further noted that the Board's discretion is limited and that its decisions must be
27 based on competent, material, and substantial evidence presented during the hearing. She asked
28 those speaking as witnesses to focus on facts and the provisions of the Kannapolis Development
29 Ordinance (KDO), rather than personal preferences or opinions.

30

31 She also explained that participation in a quasi-judicial evidentiary hearing is restricted. While
32 the meeting is open to the public and everyone is welcome to attend, only individuals or entities
33 with standing have the right to participate as parties in the proceeding. Parties include the
34 property owner or lessee, the applicant, the City of Kannapolis, and individuals who can
35 demonstrate standing under state statute. The Board may allow non-party testimony if it is
36 relevant to the matter under consideration and limited to factual information, not conjecture or
37 speculation. In certain cases, the Board may also hear opinion testimony from qualified expert
38 witnesses.

39

40 **CONFLICTS/EX PARTE COMMUNICATIONS**

41 Chair Joshi checked for conflicts of interest and ex parte communications. She explained that a
42 Board member may not participate in the hearing if they have a fixed opinion prior to the hearing
43 that is not susceptible to change, a close family or business relationship with an affected person,
44 or a financial interest in the outcome of the matter. Chair Joshi also stated that any Board
45 member must disclose any ex parte communication meaning any communication about the case
46 outside of the hearing, including site visits. Chair Joshi then asked if any Board member had any

1 partiality, conflict of interest, or ex parte communication to disclose. Ms. Joshi disclosed that the
2 subject property in case BOA-2026-05 is in a close proximity to her residence. Mr. Lee asked if
3 any Board member believes there will be a conflict of interest, to please make a motion. No
4 Board member made a motion.

5

6 **SWORN IN FOR TESTIMONY**

7 Chair Joshi reminded everyone that only individuals who are sworn in will be allowed to address
8 the Board.

9

10 Ben Barcroft, Mia Alvarez, Cyrus Mathews, Ginger Moose, Rae Crawford, Kevin Coral, and
11 Donna Wattine were sworn in for testimony.

12

13 **EVIDENTIARY HEARING**

14 BOA-2025-24 – Special Use Permit – 224 Brookdale St.

15 Chair Joshi opened the evidentiary hearing for BOA-2025-24 and explained that the request for
16 the SUP is to allow a self-service storage facility at 224 Brookdale St. The SUP is being
17 considered in accordance with Article 4 of the KDO. Chair Joshi stated: the KDO authorizes this
18 Board to grant a special use permit if the following seven standards are met:

- 19 1. The proposed special use will be in harmony with the area in which it is to be located and in
20 general conformance with the Comprehensive Plan;
- 21 2. Adequate measures will be taken to provide ingress and egress to minimize traffic hazards and
22 traffic congestion on the public roads;
- 23 3. The proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust,
24 smoke or gas;
- 25 4. The establishment of the proposed use will not impede the orderly development and
26 improvement of surrounding property for uses permitted within the zoning district;
- 27 5. The establishment, maintenance, and operation of the proposed use will not be detrimental to
28 or endanger the public health, safety, or general welfare;
- 29 6. The proposed use complies with all applicable provisions of this Ordinance; and
- 30 7. The applicant consents in writing to all conditions of approval included in the approved
31 special use permit.

32

33 The burden is on the applicant to show that the special use permit request meets these standards.
34 Reasonable and appropriate conditions may be imposed on any special use permit.

35

36 Chair Joshi asked if there were any individuals, aside from Staff and the Applicant, who wished
37 to participate as a party in the case. She reminded those present that a party is different from an
38 individual who wishes to speak or provide public comment or testimony. Anyone is welcome to
39 testify; however, only individuals with standing have the right to participate as a party and
40 present evidence, call witnesses, and make legal arguments. Chair Joshi again asked if anyone,
41 aside from Staff and the Applicant, wished to be a party in this matter. No individual stated they
42 would like to participate as a party to the case.

43

44 Chair Joshi stated that the Board was ready to hear from staff regarding the case, and confirmed
45 with Mr. Barcroft that he had been previously sworn in.

46

1 Mr. Barcroft presented Case BOA-2025-24, which was entered into the record as Exhibit 1. He
2 informed the Board that the request was initially advertised for the November 4, 2025, BOA
3 meeting but was postponed due to staff needing additional information. At that time, the Board
4 was asked to continue the hearing to a later date. The request was re-advertised to neighboring
5 property owners in January with notification of the February hearing. The February meeting was
6 canceled due to inclement weather, and the request was subsequently re-advertised in February
7 for the March hearing. The March meeting was also canceled, and the request was re-advertised
8 again for the April hearing.

9

10 Mr. Barcroft stated that the lot size is approximately 1.97 acres, the applicant is Alan Overcash,
11 and the proposal consists of a 35-unit self-service storage facility. He explained that the property
12 is zoned General Commercial (GC), the parcel is currently used as a self-service storage facility,
13 and the surrounding uses consist of both occupied and vacant commercial properties. He noted
14 that the proposed development is compatible with both future and existing land uses.

15

16 Mr. Barcroft stated that one of the future land use character areas for the property is Secondary
17 Activity Center, which identifies retail, office, and multifamily uses as primary uses, with single-
18 family attached and institutional/civic uses as secondary uses. The other future land use character
19 area is Urban Residential, which identifies single-family and civic uses as primary uses, with
20 multifamily, live-work, and small-format office/retail uses as secondary uses.

21

22 Mr. Barcroft showed an image of the property from Security Street. He also presented drone
23 footage and noted that there is a healthcare office to the west, a bowling alley to the east, and a
24 Duke Energy easement running through the property. While presenting the conceptual site plan,
25 Mr. Barcroft explained that the proposed structure would be an expansion of the existing facility,
26 which currently contains 152 storage units and was originally approved under Case BOA-2015-
27 06.

28

29 Mr. Barcroft reviewed the Standards Specific to Self-Service Storage:

30

- 31 1. The maximum lot size is three acres.
- 32 2. The required setback shall be twenty-five (25) feet when adjacent to areas that are zoned
33 residential.
- 34 3. A Type B perimeter buffer yard shall be provided in accordance with Section 5.3.G,
35 Perimeter Buffer Yards, around the perimeter of the self-service storage facility.
- 36 4. Signs and other advertising mediums are prohibited within the buffer yard.
- 37 5. The establishment shall have an on-site manager or an electronic security system.
- 38 6. The sale of personal property and conducting any type of commercial activity of any kind
39 whatsoever other than leasing of the storage units and incidental sales of storage-related
40 materials (boxes, tape, labels, etc.) is prohibited.
- 41 7. No portion of any self-service storage shall be used, on a temporary or permanent basis,
42 as a dwelling, except a single dwelling unit for use by an on-site manager or caretaker is
43 allowed as an accessory use.
- 44 8. The repair, construction, or reconstruction of any boat, engine, motor vehicle on-site is
45 prohibited.
- 46 9. On-site storage of a propane or gasoline engine or a propane or gasoline storage tank is
prohibited. All rental contracts for storage units shall include clauses prohibiting (a) the

- 1 storage of flammable liquids, highly combustible or explosive materials, or hazardous
2 chemicals, and (b) the use of the property for purposes other than dead storage.
3 10. All outdoor lights must be shielded to direct light and glare only onto the lot which the
4 self-service storage is located.
5 11. Building renderings are required to demonstrate that street facing facades present the
6 appearance of an office or retail commercial use.
7 12. No outdoor storage within the General Commercial (GC) zoning district.
8

9 Mr. Barcroft showed the elevation renderings and mentioned it will include brick façade, and the
10 rear side will have metal paneling which will not be visible since it will face the existing storage
11 facility.
12

13 Mr. Barcroft mentioned the Conditions of approval proposed by staff:

- 14 1. A Type B perimeter buffer yard shall be provided in accordance with Section 5.3.G,
15 Perimeter Buffer Yards, around the perimeter of the self-service storage facility.
16 2. The development shall comply with all applicable stormwater management
17 requirements as reviewed and approved by the City Engineering Department.
18

19 Mr. Barcroft then reviewed staff Findings of Fact as follows:

- 20 1. **The proposed conditional use will be in harmony with the area in which it is to be**
21 **located and in general conformance with the City’s Land Use Plan.**

22 This property is located within the “Urban Residential” Character Area as designated in
23 the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Character Area calls for
24 primary uses of single-family residential and civic uses, with secondary uses including
25 multi-family residential, small-format retail, and office. The parcel is currently used as a
26 self-service storage facility with surrounding uses of commercial and vacant commercial
27 property.

28 Based on the character area noted above, the proposed development is compatible with
29 the future land use plan and existing uses in the surrounding area.

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

32 The proposed use of self-service storage is not expected to create any traffic hazards or
33 cause traffic congestion.

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

36 No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a self-
37 service storage facility is expected as a result of this proposed use.

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

40 The proposed use is not expected to impede the development of surrounding properties
41 for uses permitted within their respective zoning districts. The self-service storage
42 facility is anticipated to have minimal impact on adjacent properties. The applicant has
43 submitted renderings demonstrating that the street-facing facades present the
44 appearance of an office or retail commercial use. Staff has worked with the applicant to
45 add windows to the east elevation, including a window on either side of the door.

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

3 There is no apparent danger or detriment to the overall public safety, health and welfare
4 resulting from the proposed use. The proposed use is subject to all the requirements of
5 the Kannapolis Development Ordinance.

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

7 The proposed use shall comply with all sections of the Kannapolis Development
8 Ordinance (KDO), conditions of approval, and any other applicable local, state, and
9 federal regulations. Staff has confirmed that the use-specific standards for self-service
10 storage facilities have been met, with the condition that a Type B perimeter buffer yard
11 be provided around the perimeter of the self-service storage facility, as it was not shown
12 on the conceptual site plan. The applicant proposes the use of pervious pavement to
13 meet applicable watershed protection requirements. It is understood by the applicant
14 that, unless specifically relieved of a requirement in writing, all KDO requirements must
15 be met.

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

18 The applicant has indicated that they will sign all Conditions of Approval for this special
19 use permit.
20

21 Mr. Barcroft stated that staff recommends approval with conditions of the Special Use Permit
22 based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and
23 compliance with all local, state and federal requirements. He then made himself available for
24 questions.

25
26 Chair Joshi asked if any of the Board members have any questions. No questions were disclosed
27 by the Board.
28

29 There being no further questions for staff, the applicant was invited to step forward. Chair Joshi
30 reminded all parties that any evidence or testimony must be relevant to the special use permit and
31 that any physical materials presented must be submitted to the Board for inclusion in the record.

32 Mr. Barcroft stated that the applicant is not present.
33

34 Chair Joshi asked if any party/individual would like to testify. There was no disclosure from the
35 public to testify.
36

37 Regarding closing statements, Chair Joshi noted that parties with standing may offer a closing
38 statement or rebuttal argument if they choose. She reminded participants to focus on legal
39 arguments and avoid repeating points already presented. She asked whether the Applicant, Staff,
40 or any other parties with standing wished to make such statements.
41

42 During deliberation and the vote, Chair Joshi asked if the Board had any further questions for the
43 parties or witnesses before proceeding. She emphasized that the evidentiary hearing would
44 remain open to allow clarifying questions if needed.
45

1 There being no additional questions or comments for staff or the applicant, Chair Joshi closed the
2 public hearing.

3

4 Chair Joshi then asked for a motion to accept the City's exhibits into the record. Mr. Sides made
5 the motion, seconded by Mr. Parker, and the motion was unanimously approved.

6

7 Chair Joshi asked for a motion to approve the Findings of Fact. Ms. Martini made the motion,
8 seconded by Ms. McClain, and the motion was unanimously approved.

9

10 Chair Joshi asked for a motion to approve the issuance of the Special Use Permit with
11 conditions. Mr. Parker made the motion to approve, seconded by Mr. Sides, and the motion was
12 unanimously approved.

13

14 Chair Joshi asked for a motion to issue the Order of Approval. Mr. Sides made the motion to
15 approve the order, seconded by Mr. Dwiggins, and the motion was unanimously approved.

16

17 BOA-2026-04– Special Use Permit – 166 N Little Texas Rd.

18 Chair Joshi opened the evidentiary hearing for BOA-2026-04 and explained that the request for
19 the SUP is to allow a private school at 166 N Little Texas Rd. The SUP is being considered in
20 accordance with Article 4 of the KDO. Chair Joshi stated: the KDO authorizes this Board to
21 grant a special use permit if the following seven standards are met:

- 22 1. The proposed special use will be in harmony with the area in which it is to be located and in
23 general conformance with the Comprehensive Plan;
- 24 2. Adequate measures will be taken to provide ingress and egress to minimize traffic hazards and
25 traffic congestion on the public roads;
- 26 3. The proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust,
27 smoke or gas;
- 28 4. The establishment of the proposed use will not impede the orderly development and
29 improvement of surrounding property for uses permitted within the zoning district;
- 30 5. The establishment, maintenance, and operation of the proposed use will not be detrimental to
31 or endanger the public health, safety, or general welfare;
- 32 6. The proposed use complies with all applicable provisions of this Ordinance; and
- 33 7. The applicant consents in writing to all conditions of approval included in the approved
34 special use permit.

35

36 The burden is on the applicant to show that the special use permit request meets these standards.
37 Reasonable and appropriate conditions may be imposed on any special use permit.

38

39 Chair Joshi asked if there were any individuals, aside from Staff and the Applicant, who wished
40 to participate as a party in the case. She reminded those present that a party is different from an
41 individual who wishes to speak or provide public comment or testimony. Anyone is welcome to
42 testify; however, only individuals with standing have the right to participate as a party and
43 present evidence, call witnesses, and make legal arguments. Chair Joshi again asked if anyone,
44 aside from Staff and the Applicant, wished to be a party in this matter. No individual stated they
45 would like to participate as a party to the case.

46

1 Chair Joshi stated that the Board was ready to hear from staff regarding the case, and confirmed
2 with Mr. Barcroft that he had been previously sworn in.

3

4 Mr. Barcroft presented case BOA-2026-04, which was entered into the record as Exhibit 2. Mr.
5 Barcroft informed the Board that the applicant is Rae Crawford, the property is approximately
6 11.91 acres, and the proposal of the SUP is to allow a private K-12 school using existing
7 buildings at a church located at 166 N Little Texas Rd. Mr. Barcroft said the property is zoned
8 Residential (R4) and that its surrounding uses consist of single family residences and apartments
9 to the north; the proposed development is compatible with both future and existing use. Mr.
10 Barcroft also said the Future Land Use Character Area for the subject property is Complete
11 Neighborhood 1, in which primary uses consist of single family and civic; secondary uses
12 include multifamily and live work. Mr. Barcroft showed the traffic circulation plan provided by
13 the applicant, an image of N. Little Texas Road and the site where both the proposed high school
14 and elementary drop off will take place. While showing the drone footage, Mr. Barcroft pointed
15 out the parking of the existing church and the nearby residences.

16

17 Mr. Barcroft then reviewed staff Findings of Fact as follows:

18

1. **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.**

19

20 The property is located within the “Complete Neighborhood 1” Character Area of the
21 *Move Kannapolis Forward 2030 Comprehensive Plan*. The building and site are currently
22 used as a place of worship, and the surrounding area consists primarily of single-family
23 residential dwellings, with apartments situated to the north. According to the applicant,
24 the building is set back from the main road, with other churches and established
25 neighborhoods in close proximity.

26

27 Based on the character area noted above, the proposed development is compatible with
28 the future land use plan and existing uses in the surrounding area.

29

2. **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.**

30

31 Adequate provisions for safe ingress and egress have been addressed. The applicant
32 indicates that the access is existing and functioning as intended. Staff has reviewed their
33 proposed site plan and finds that this standard is met.

34

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

35

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

38

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.**

39

40 The proposed use would not impede development of the surrounding properties for uses
41 allowed within their respective zoning districts. The proposed private school is
42 compatible with the existing and surrounding uses.

43

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

44

1 There is no apparent danger or detriment to the overall public safety, health and welfare
2 resulting from the proposed use. The proposed use is subject to all the requirements of
3 the Kannapolis Development Ordinance.

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

5 The proposed use shall comply with all sections of the Kannapolis Development
6 Ordinance, conditions of approval, and any other applicable local, state and Federal
7 regulations. It is understood by the applicant that unless specifically relieved of a
8 requirement, in writing, all KDO requirements must be met.

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

11 The applicant has indicated that they will sign all Conditions of Approval for this special
12 use permit.
13

14 Mr. Barcroft said that based on the above findings, staff recommends approval of the Special Use
15 Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan,
16 and compliance with all local, state and federal requirements. He then made himself available for
17 questions.
18

19 Ms. Joshi asked if the proposed development will not consist of adding any new buildings in
20 which the school will take place and just use the existing buildings. Mr. Barcroft told Ms. Joshi
21 she is correct; the school will be held in the existing buildings.
22

23 Mr. Dwiggins asked if the applicant would need to apply for another SUP if they wanted to
24 expand/add to the existing buildings. Mr. Barcroft said the applicant will need to apply for a new
25 SUP if they plan to add new buildings or extend existing ones.
26

27 There being no additional questions or comments for staff, Chair Joshi asked the applicant to
28 step forward.
29

30 Ginger Moore, 222 Church St., mentioned she is the project's architect and to clarify, no other
31 buildings will be built in which there are several existing classrooms. She said that the only
32 construction that will be done is to divide an existing large classroom into two. She also said this
33 development is for a starter school that will move from Concord to Kannapolis; the reason the
34 school will move is to obtain both a better and safer building as the church has handicap
35 accessibility, full alarm system, and sprinkler system. Ms. Moore explained that where the large
36 building is located, is where the classroom will be divided. She also explained that where the
37 preschool playground is, the kindergarten, first grade, and nursery rooms will be placed; where
38 the other playground is located, it will hold seventh to twelfth grade.
39

40 Rae Crawford, 410 Pinewood Ave., introduced herself as the applicant.
41

42 Mr. Parker asked if there will be different school hours for the elementary and middle/high
43 school students to prevent traffic ingress. Ms. Crawford said the school hours will be from 8:15
44 a.m. to 2:45 p.m. for the whole school; drop off/pick up will occur from 8:00 a.m. to 8:15 a.m.
45 and 2:45 p.m. to 3:00 p.m. respectively. Ms. Crawford mentioned that many of the families have
46 students in both schools/buildings, which will reduce traffic. She said there are currently about

1 84 families. Mr. Parker asked if there would be public safety personnel to direct traffic. Ms.
2 Crawford said she does not believe there will be public safety personnel for traffic because at
3 their current location, the traffic has an easy flow.

4
5 Ms. Joshi asked if where the white arrows are drawn on the traffic circulation plan will be the
6 staff parking lot. Ms. Crawford said the parking lot where the white arrows are drawn on the
7 traffic circulation plan will be used exclusively for parking with the traffic flow going around the
8 parking lot. Ms. Joshi asked Ms. Crawford if she meant there are two drop-off areas that both
9 come from the same spot. Ms. Crawford told Ms. Joshi she is correct and the traffic flow has
10 enough space to be a two-car lane.

11
12 Mr. Dwiggins asked if the school has 84 families, how many students are enrolled. Ms. Crawford
13 said there are currently 131 students and their registration is open.

14
15 Mr. Smith asked Chair Joshi if she can ask Pastor Coral to come forward in order for him to
16 verify the application. Ms. Joshi asked Pastor Coral to step forward and to state his name and
17 address.

18
19 Kevin Coral said he lives in Rockwell, NC and that he is the pastor of the church located at 166
20 N. Little Texas.

21
22 Chair Joshi asked Mr. Coral if he could confirm with the Board that he agrees with all the
23 testimony and the proposal the applicant is requesting to occur at his church. Mr. Coral said he
24 agrees with the applicant. Mr. Smith asked if Mr. Coral can state for the record that he has
25 authority to act on behalf of the church's property. Mr. Coral said that he is the appointed pastor
26 to the church, and therefore, he has authority to handle such actions for the church.

27
28 Regarding closing statements, Chair Joshi noted that parties with standing may offer a closing
29 statement or rebuttal argument if they choose. She reminded participants to focus on legal
30 arguments and avoid repeating points already presented. She asked whether the Applicant, Staff,
31 or any other parties with standing wished to make such statements.

32
33 During deliberation and the vote, Chair Joshi asked if the Board had any further questions for the
34 parties or witnesses before proceeding. She emphasized that the evidentiary hearing would
35 remain open to allow clarifying questions if needed.

36
37 There being no additional questions or comments for staff or the applicant, Chair Joshi closed the
38 public hearing.

39
40 Chair Joshi then asked for a motion to accept the City's exhibits into the record. Mr. Sides made
41 the motion, seconded by Ms. McClain, and the motion was unanimously approved.

42 Chair Joshi asked for a motion to approve the Findings of Fact. Ms. Martini made the motion,
43 seconded by Ms. McClain, and the motion was unanimously approved.

44

1 Chair Joshi asked for a motion to approve the issuance of the Special Use Permit with
2 conditions. Ms. Martini made the motion to approve, seconded by Mr. Parker, and the motion
3 was unanimously approved.

4
5 Chair Joshi asked for a motion to issue the Order of Approval. Ms. Sides made the motion to
6 approve the order, seconded by Mr. Parker, and the motion was unanimously approved.

7
8 BOA-2026-05– Special Use Permit – 1308 Central Dr.

9 Chair Joshi opened the evidentiary hearing for BOA-2026-05 and explained that the request for
10 the SUP is to allow a bed and breakfast establishment at the property located at 1308 Central Dr.
11 The SUP is being considered in accordance with Article 4 of the KDO. Chair Joshi stated: The
12 KDO authorizes this Board to grant a special use permit if certain standards are met. The SUP is
13 being considered in accordance with Article 4 of the KDO. Chair Joshi stated: the KDO
14 authorizes this Board to grant a special use permit if the following seven standards are met:

- 15 1. The proposed special use will be in harmony with the area in which it is to be located and in
16 general conformance with the Comprehensive Plan;
- 17 2. Adequate measures will be taken to provide ingress and egress to minimize traffic hazards and
18 traffic congestion on the public roads;
- 19 3. The proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust,
20 smoke or gas;
- 21 4. The establishment of the proposed use will not impede the orderly development and
22 improvement of surrounding property for uses permitted within the zoning district;
- 23 5. The establishment, maintenance, and operation of the proposed use will not be detrimental to
24 or endanger the public health, safety, or general welfare;
- 25 6. The proposed use complies with all applicable provisions of this Ordinance; and
- 26 7. The applicant consents in writing to all conditions of approval included in the approved
27 special use permit.

28
29 The burden is on the applicant to show that the special use permit request meets these standards.
30 Reasonable and appropriate conditions may be imposed on any special use permit.

31
32 Chair Joshi asked if there were any individuals, aside from Staff and the Applicant, who wished
33 to participate as a party in the case. She reminded those present that a party is different from an
34 individual who wishes to speak or provide public comment or testimony. Anyone is welcome to
35 testify; however, only individuals with standing have the right to participate as a party and
36 present evidence, call witnesses, and make legal arguments. Chair Joshi again asked if anyone,
37 aside from Staff and the Applicant, wished to be a party in this matter. Mr. Smith stated that
38 there is a party that wishes to speak.

39
40 Mike Davis introduced himself as a licensed attorney based in Cabarrus County that will be
41 representing Cyrus Mathews who is the applicant. He said the application is for a SUP for a bed
42 and breakfast at 1308 Central Dr. Mr. Davis said it is understood this meeting is a quasi-judicial
43 hearing, meaning sworn testimony and exhibits will be presented. Mr. Davis said the evidence
44 presented will show the property will retain its residential appearance, and operations will be
45 tailored to be in compliance with the KDO. He also said, there will be no traffic impact due to

1 special events. At the end of the presentation, Mr. Davis said he asks for the Board to approve
2 the application with reasonable conditions.

3
4 Chair Joshi stated that the Board was ready to hear from staff regarding the case, and confirmed
5 with Ms. Alvarez that she had been previously sworn in.

6
7 Ms. Alvarez presented case BOA-2026-05, which was entered into the record as Exhibit 3. Ms.
8 Alvarez mentioned the applicant is Cyrus Mathews, the property is approximately 0.26 acres,
9 and the proposal of the SUP is to allow bed and breakfast at 1308 Central Drive. Ms. Alvarez
10 informed the Board that the subject property is zoned Residential (R4), surrounding property
11 uses consist of single family residences, bed and breakfast establishments would be compatible
12 with future and existing uses, and that short-term rentals are prohibited in R4. Ms. Alvarez also
13 informed the Board that the future land use character for the subject property is Urban
14 Residential in which its primary uses consist of single family and civic while its secondary uses
15 include multifamily, small format office/retail, and live work.

16 Ms. Alvarez reviewed the Standards Specific to Bed and Breakfast:

- 17 1. A bed and breakfast establishment shall maintain a residential appearance.
- 18 2. Receptions, private parties, and similar events are prohibited unless expressly approved
19 as part of the special use permit or site plan approval.
- 20 3. The maximum length of stay shall be 30 days.
- 21 4. All guest rooms shall be located within the principal structure.
- 22 5. Meals may be served to registered guests but shall not be served to the general public
23 unless expressly approved as part of the special use permit or site plan approval. Cooking
24 facilities are prohibited in guest rooms.
- 25 6. The maximum number of guest bedrooms shall be five, unless the applicant can
26 demonstrate that the original floor plan of the structure contained a larger number of
27 bedrooms, in which case the original number of bedrooms may be approved as allowable
28 guest lodging.
- 29 7. All outdoor lights must be shielded to direct light and glare only onto the facility's
30 premises.
- 31 8. Signage shall be limited to one non-illuminated ground sign per establishment that shall
32 have a maximum area of five square feet and a maximum height of five feet.

33
34 While demonstrating the provided site plan, Ms. Alvarez said bed and breakfast establishments
35 are required to have two parking spaces plus one per bedroom; since the subject property has
36 three bedrooms, five parking spaces are required but only three parking spaces are shown on the
37 site plan. Ms. Alvarez revealed there were conversations about an alternate parking plan that
38 would reduce the required parking to three spaces, but final approval was not given. Ms. Alvarez
39 also revealed the applicant was informed while he was working on the parking plan that he could
40 expand the driveway, but it would need to have a five-foot minimum setback from the property
41 line. Ms. Alvarez said staff is now aware the owner has expanded the gravel driveway up to the
42 property line which does not meet the driveway standards. Ms. Alvarez showed the floor plan
43 provided by the applicant and said the first floor will consist of one bedroom and one bathroom
44 while the second floor has two bedrooms and one bathroom. Ms. Alvarez also showed an image
45 of the property from Central Drive in which she said was taken prior to the driveway extension
46 and drone footage.

1
2 Ms. Alvarez then reviewed staff Findings of Fact as follows:

- 3 **1. The proposed special use will be in harmony with the area in which it is to be located**
4 **and in general conformance with the City’s Land Use Plan.**

5 The *Move Kannapolis Forward 2030 Comprehensive Plan* designates the subject parcel
6 as being located in the “Urban Residential” Character Area. The Urban Residential
7 Character Area consists of a variety of housing built in and around the downtown of
8 Kannapolis. Primary uses are single-family residential. The property is currently zoned
9 Residential 4 (R4). Within this zoning district, bed and breakfast establishments are
10 permitted with a Special Use Permit and are required to maintain their residential
11 appearance.

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

14 The proposed bed and breakfast establishment includes access from Central Drive.

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

17 The proposed development will not generate any noxious or offensive vibration, noise,
18 odor, dust, smoke, or gas.

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

22 The bed and breakfast establishment, as described by the applicant in their application,
23 more closely follows the definition of a short-term rental, which is not a permitted use in
24 the R4 zoning district.

25
26 Ms. Alvarez said the applicant has indicated that he would rent out the entire house, one
27 group at a time. She stated the KDO definition of a short-term rental is the rental of an
28 entire dwelling unit by an owner or operator with no principal resident residing on the
29 premises that provides lodging for pay, for less than a continuous period of 30 days. The
30 definition of a bed and breakfast establishment is a single-family detached dwelling, that
31 is primarily used for short-term lodging of transient guests, in exchange for
32 compensation. Breakfast is typically served to guests, the owner or operator may live in
33 the bed and breakfast.

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

36 As indicated by the applicant, the proposed development will not be detrimental to or
37 endanger the public health, safety, or general welfare.

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

39 The bed and breakfast the applicant has described in their application more closely follows
40 the KDO’s definition of a short-term rental. A short-term rental (as a principal use) is not
41 permitted in the R4 zoning district.

42
43 Further, the site plan provided by the applicant does not meet the minimum parking spaces
44 for a bed and breakfast establishment as required by Table 5.2.E(1)a of the KDO. The
45 applicant has indicated he plans to request approval for an alternative parking plan.

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

3 The applicant has indicated that they will sign all Conditions of Approval for this special
4 use permit.

5 Ms. Alvarez said that based on the above findings, staff recommends **denial** of the Special
6 Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual
7 site plan, and compliance with all local, state and federal requirements.

8
9 Regarding closing statements, Chair Joshi noted that parties with standing may offer a closing
10 statement or rebuttal argument if they choose. She reminded participants to focus on legal
11 arguments and avoid repeating points already presented. She asked whether the Applicant, Staff,
12 or any other parties with standing wished to make such statements.

13
14 Mr. Parker asked if the KDO exhibits a maximum number of individuals that are allowed per
15 bedroom. Ms. Alvarez said the KDO does not exhibit a maximum number of guests per bedroom
16 but there is a limit number of guest bedrooms which is five.

17
18 Ms. Joshi asked if because the bed and breakfast is assuming to have a primary resident, is that
19 the reason why the parking requirement asks for two spaces plus one space per bedroom
20 meaning the two parking spaces are for the homeowner. Ms. Alvarez told Ms. Joshi her
21 statement is correct.

22
23 Mr. Parker asked if there will be any on street parking. Ms. Alvarez said per the KDO on street
24 parking does not count for a bed and breakfast establishment as all parking spaces will have to be
25 on the site.

26
27 Ms. Martini asked for clarification on the images that are stated to be outdated due to the
28 driveway now being extended to the property line but looking at the image, she believes two cars
29 can be parked side by side. Ms. Alvarez showed Ms. Martini where the property line is presumed
30 on the map and said no driveway or parking space can be allowed if less than five feet from the
31 property line.

32
33 There being no additional questions or comments for staff, the applicant was asked to step
34 forward.

35
36 Mr. Davis said the applicant, along with himself, would like to present in a question and answer
37 format by him asking questions and having Mr. Mathews answer. The applicant's presentation
38 was shown, and Mr. Davis asked the applicant to state his name for the record. Mr. Mathews
39 stated his name, that his address is at 1308 Central Dr., and that he has been sworn in. Mr. Davis
40 asked what is your relationship with the property for which Mr. Mathews responded, he is the
41 owner. Mr. Davis asked if there is familiarity with the subject property and the proposed use for
42 the SUP application. Mr. Mathews said he had written the application for SUP, and he assisted
43 with the creation of the presentation. Mr. Davis asked if the materials in the presentation were
44 reviewed, which Mr. Mathews said he did. Mr. Davis asked if the presentation fairly and
45 accurately depicts the property and proposed use; Mr. Mathews said they are accurate. Mr. Davis
46 asked if the property has historically been used as a residence; Mr. Mathews said the subject

1 property has been his residence for at least four years. Mr. Davis asked if any exterior materials
2 have been changed or will be proposed. Mr. Mathews said the property will be used as a bed and
3 breakfast just how it appears on the drone footage and images. Mr. Davis asked if breakfast
4 would be provided for guests; Mr. Mathews replied that a continental breakfast would be
5 provided. Mr. Davis asked if the property will be used as a reception or for private parties in
6 which Mr. Mathews responded, no. During their presentation, Mr. Davis and Mr. Mathews also
7 revealed no signage or lighting is proposed, the maximum duration of the guests stays will be 30
8 days, there are three bedrooms in the premise in which there is a king bedroom on the ground
9 floor and both a queen and full bedroom on the second floor. Mr. Mathews informed the Board
10 that the house was remodeled with permits issued from Cabarrus County and completed while he
11 was living in the subject property. He also informed the Board that there are no guest rooms nor
12 structures outside the primary structure that will be used as part of the SUP. Mr. Davis
13 mentioned testimony/evidence from the city on parking accommodation such as the claimed
14 outdated picture where the driveway has now been extended, he then asked the applicant
15 approximately how far his neighbor's driveway to his property line is in which Mr. Mathews said
16 it is about six inches to one foot. Mr. Mathews said he does not double park on the driveway and
17 that he had hired a company to add gravel to the driveway as it was previously very worn down
18 with weeds; he also said it is very typical for the driveways in his neighborhood to not be paved.
19 Mr. Mathews asked if on street parking often occurs in the neighborhood, Mr. Mathews said it is
20 not uncommon. Mr. Davis asked the applicant if he believes five parking spaces as requested by
21 staff are needed for how he intends to operate; Mr. Mathews said he will not need five parking
22 spaces as he will not be living on the property while it is operating as a bed and breakfast which
23 is why he is asking for an exception. Mr. Mathews concluded that he will comply as promised by
24 his oath and has read the KDO multiple times.

25

26 Ms. Joshi asked who will be in the premises to serve breakfast to the guests. Mr. Mathews said
27 that the food will be left prior to the guests arriving to the property.

28

29 Ms. Joshi inquired if the alternative plan on the minimum parking spaces will contradict the
30 definition of a bed and breakfast since its definition states there will be a primary resident. Ms.
31 Joshi said there will be additional accommodation from the bed and breakfast to not require five
32 parking spaces. Mr. Davis said he believes the applicant is asking for an exception or a written
33 conditional approval to allow the applicant to use the parking as it is, or to apply conditions that
34 the Board believes will comply with the KDO such as the parking being extended more than its
35 current state. Mr. Mathews said he hopes the Board approves the parking plan as proposed
36 because the KDO says the owner/operator may occupy the house as its primary resident, and
37 since the owner will not be living in the property, the two additional parking spaces asked for by
38 staff should not be required.

39

40 Mr. Parker asked if it is stated in the contract the number of guests that may stay in the house.
41 Mr. Mathews answered that there will be a maximum occupancy of eight guests with exceptions
42 for infants and children. He said that the house contains two twin beds, queen bed, king bed, and
43 full bed to accommodate guests. Mr. Parker asked if the occupants will have guests not related to
44 them. Mr. Mathews told Mr. Parker that the guests will all be in one group which will help
45 facilitate with parking.

46

1 Mr. Parker asked if the subject property has been inspected by Kannapolis Fire Department. Mr.
2 Mathews said the property has been inspected and has received feedback on smoke/carbon
3 monoxide detectors. He also said that he has purchased the required fire extinguishers. Mr.
4 Parker asked if the house will have cameras. Mr. Mathews said there will be a camera at every
5 exterior door with his management company monitoring all who come in/out of the house to
6 know if there is any improper use by the guests; he said they will be very diligent with enforcing
7 proper use of the establishment.

8

9 Ms. Joshi asked if Mr. Mathews will have a secondary residence since he stated he will not live
10 at the subject property while operating the bed and breakfast. Mr. Mathews said he is in the
11 process of moving to another residence. Ms. Joshi asked what is the address where he plans to
12 move. Mr. Mathews said he does not know the exact address, but he will be moving to
13 Vancouver, Washington. Ms. Joshi stated that the KDO defines a bed and breakfast
14 establishment as a single-family detached dwelling, that is primarily used for short-term lodging
15 of transient guests, in exchange for compensation. Breakfast is typically served to guests; The
16 owner or operator may live in the bed and breakfast. Ms. Joshi asked if there would be no one
17 present to serve guests. Mr. Mathews said she was correct.

18

19 Mr. Dwiggin mentioned that he understood the intention was to rent the entire house to one
20 group in which this does not meet the KDO's definition which states a bed and breakfast
21 establishment rents just a room. He asked why this decision was made as the applicant stated he
22 read the KDO multiple times. He also asked if this establishment will turn out to be an Airbnb as
23 he himself has stayed in bed and breakfasts in the past and just rented a room. Mr. Mathews
24 replied that he has been directed by his attorney not to discuss how to apply the law, but that he
25 is present to prove that he does meet the definition of a bed and breakfast independent of other
26 definitions that are stated in the KDO. Mr. Davis said that it is easy to conclude that this
27 establishment is a short-term rental such as the saying it quacks like a duck, it is a duck.
28 However, just because the establishment may meet the definition of a short-term rental, it does
29 not mean it does not meet the definition of a bed and breakfast. Mr. Davis said that the KDO
30 states breakfast is typically served to guests. He then asked what is the definition of serve? Mr.
31 Davis said that if you look at the definition of *serve* in the Meriam-Webster dictionary, leaving a
32 continental breakfast before every stay is guaranteed to be considered to be serving by the
33 Cabarrus County Superior Court. He also stated the KDO defined the bed and breakfast as the
34 owner or operator may live in the bed and breakfast; the emphasis on the word *may* means the
35 owner can or cannot live at the property. Mr. Davis said Mr. Mathews has done his best to
36 submit to the city with staff being able to testify there have been numerous conversations on the
37 matter of parking. Mr. Davis said that Mr. Mathews is trying to comply by coming to the Board
38 to try to get the SUP approved to operate the bed and breakfast in a beneficial way; he is not just
39 deciding to operate the proposed establishment anyway without regard.

40

41 Mr. Parker asked if a management company will be hired to maintain the property and guests
42 such as providing needed supplies. Mr. Mathews said there will be a management company that
43 will be on call to address any of the guests needs. Mr. Parker also asked if his contract states that
44 guests or himself will need to cover for insurance. Mr. Mathews said he will have personal
45 liability insurance to cover himself if there is an event for which he is found liable.

46

1 Ms. Martini said that according to the Meriam-Webster dictionary, a *transient guest* is a person
2 who stays only briefly, such as a hotel guest or boarder; these guests occupy a room for less than
3 30 consecutive days. Ms. Martini also said she has traveled worldwide and has stayed in both
4 Airbnb and bed and breakfasts in which a room is just rented. She said that since the whole
5 house is rented, it follows more the definition of a short-term rental than a bed and breakfast. Mr.
6 Mathews said that the definitions found in the KDO should trump any definitions in the Meriam-
7 Webster dictionary. Mr. Davis replied that he acknowledges his previous comment on the
8 Meriam-Webster dictionary which was more particular to words such as *may* and *serve*; he told
9 Ms. Martini she was right, but in this case, it is more profitable to rent the entire dwelling than
10 just one room at a time. Mr. Mathews added that he would like to provide the best guest
11 experience as possible and that guests will likely not enjoy the dwelling as much if they have to
12 share a bathroom with people they do not know. Ms. Martini said that bed and breakfasts tend to
13 have bathrooms to be shared, but if an individual does not want to share a bathroom, they can
14 rent an Airbnb instead. Ms. Martini also said that she is trying to determine what definition the
15 proposal falls under as a SUP can be issued for a bed and breakfast but short-term rental cannot
16 be permitted in the R4 zoning district. Mr. Davis replied that their argument is that what they are
17 presenting does meet the bed and breakfast definition.

18
19 Ms. Joshi said the Board sees that with what is presented, the proposal does meet the definition
20 of the short-term rental but the nuance is not seen in the short-term lodging of transient guests as
21 it will be a family renting the entire home and not just a room, breakfast being typically served,
22 and the owner will not be operating the establishment while living in the property.

23
24 City Attorney Mr. Kelly addressed the Board and mentioned that the applicant states that despite
25 there being three separate bedrooms, only one group of guests will be booked at a time. He then
26 referred to Section 1.6.A from the KDO that states: If the provisions of this Ordinance are
27 inconsistent with one another or if the provisions of this Ordinance conflict with provisions
28 found in other adopted codes or ordinances of the City, the more restrictive provision shall
29 govern unless the terms in the more restrictive provisions specify otherwise. Mr. Kelly stated the
30 applicant applied for the SUP for a bed and breakfast but based on his testimony, he will rent the
31 dwelling entirely, which puts him in the definition of a short-term rental which staff has
32 mentioned is not permitted in the R4 district. He also stated that if the applicant does not meet
33 the burden, the application should be denied.

34
35 Ms. Martini asked if a short-term rental can be permitted with a SUP or variance. Mr. Kelly said
36 that a variance can be requested but it cannot be done with SUP, which is what the application
37 was submitted for; the applicant would need to submit a separate application.

38
39 Ms. Joshi asked if Section 1.6.A states that if there is an overlap with the definitions and there is
40 a restriction on one of them in which the proposal falls under the definition of a short-term rental,
41 which is prohibited by the KDO in the R4 district, the Board should enforce a denial. Mr. Kelly
42 said this agreeably reflects the city's position.

43
44 Donna Watinne, 1206 Venus St., mentioned she is a nearby neighbor and provided handouts to
45 the Board and staff.

46

1 Ms. Joshi asked Ms. Watinne if she has an oral argument for the case. Ms. Joshi said she sees
2 data about traffic on the handout but wanted to confirm with the Board if any had a concern on
3 traffic and that this proposal does not require a traffic study. Mr. Lee said that nothing provided
4 on Ms. Watinne's handout indicates a traffic impact study requirement. Mr. Lee advised the
5 Board that topics such as traffic, safety, and property value must come through substantial
6 evidence such as from an expert. Mr. Lee said that Ms. Watinne may pull public data and testify
7 but the evidence does not come from an expert meaning it is not competent. Mr. Lee said he
8 recommends allowing Ms. Watinne to speak and to allow the applicant's attorney to object to
9 the competence of the testimony. Mr. Davis objected Ms. Watinne's evidence.

10

11 Ms. Joshi mentioned that all seven standards from the KDO must be met in order for approval of
12 the SUP. Ms. Joshi went over each of the Findings of Facts:

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

15 She said that the proposed special use will not be in harmony with the area in which it is
16 to be located and in general conformance with the City's Land Use Plan due to the
17 proposal meeting the definition of a short-term rental. Ms. Joshi said that as Mr. Kelly
18 discussed, the KDO states the most restrictive definition must apply. Ms. Joshi explained
19 that the proposal will rent the entire dwelling and not just a single room which is one of
20 the reasons why this proposal does not meet the bed and breakfast definition. Ms. Joshi
21 read the definition of a bed and breakfast as: A single-family detached dwelling, that is
22 primarily used for short-term lodging of transient guests, in exchange for compensation.
23 Breakfast is typically served to guests, the owner or operator may live in the bed and
24 breakfast. She then read the short-term rental definition as: rental of an entire dwelling
25 unit by an owner or operator with no principal resident residing on the premises that
26 provides lodging for pay, for less than a continuous period of 30 days. Ms. Joshi said that
27 the applicant confirmed that guests will stay for less than thirty consecutive days and that
28 there will be no principal resident as there will be an off-site management company
29 overseeing the rental. Ms. Joshi confirmed with each Board member that they agree with
30 staff that the Finding of Fact is false.

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

33 Ms. Joshi confirmed with the Board that it is agreed with staff that this fact is true.

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

36 Ms. Joshi confirmed with the Board that it is agreed with staff that this fact is true.

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

40 Ms. Joshi said there is a conflict as the bed and breakfast establishment, as described by
41 the applicant in their application, more closely follows the definition of a short-term
42 rental, which is not permitted use in the R4 zoning district. Ms. Joshi confirmed that the
43 Board finds this Finding of Fact to be false.

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

46 Ms. Joshi stated the Board finds this finding of fact to be true.

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

2 Ms. Joshi mentioned the bed and breakfast described by the applicant in their application
3 more closely follows the KDO's definition of a short-term rental which is not permitted in
4 the R4 zoning district. Also, the site plan provided by the applicant does not meet the
5 minimum parking spaces for a bed and breakfast establishment as required by the KDO.
6 Ms. Joshi said the Board finds this Finding of Fact to be false.

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

9 Ms. Joshi mentioned the applicant has stated he will sign any conditions for approval and
10 the Board finds this Finding of Fact to be true.

11
12 Ms. Joshi stated that there are three Findings of Facts that the Board agrees with staff are false;
13 in order to grant a SUP all Findings of Facts must be true or be applied conditions that will make
14 the facts true. Ms. Joshi said the Board has not found a solution to place a condition that will
15 make the facts true and that even if there was an exception made for parking, there will still be an
16 additional two Findings of Facts that were found to be false.

17
18 Mr. Lee asked if the parking can be changed via conditions. Mr. Kelly replied that the alternate
19 parking plan is typically issued by the KDO if there is a zoning clearance permit and the
20 applicant was not at that point yet. Mr. Kelly said he suggests the Board to not get involved with
21 the process for the applicant to apply for one. He also said that if the applicant would have
22 obtained a zoning clearance permit and been denied the alternate parking plan, Mr. Mathews
23 could have appealed the decision. However, the applicant was basically asking the Board to not
24 have to comply with the KDO terms, not process. He said that he does not recommend the Board
25 get involved in this matter and that Mr. Lee, the Board Attorney, may disagree with him. Mr. Lee
26 said that he believes Ms. Joshi was mentioning that there is an issue with complying with the
27 parking regulations in which a variance is more applicable to this than a SUP.

28
29 During deliberation and the vote, Chair Joshi asked if the Board had any further questions for the
30 parties or witnesses before proceeding. She emphasized that the evidentiary hearing would
31 remain open to allow clarifying questions if needed.

32
33 There being no additional questions or comments for staff or the applicant, Chair Joshi closed the
34 public hearing.

35
36 Chair Joshi then asked for a motion to accept the City's exhibits into the record. Mr. Sides made
37 the motion, seconded by Ms. McClain, and the motion was unanimously approved.

38
39 Chair Joshi asked for a motion to approve the exhibits submitted by the applicant and the
40 objection to Mr. Davis. Mr. Sides made the motion, seconded by Ms. Martini, and the motion
41 was unanimously approved.

42
43 Chair Joshi asked for a motion to approve the Findings of Fact. Ms. Martini made the motion,
44 seconded by Mr. Sides, and the motion was unanimously approved.

1 Chair Joshi asked for a motion to deny the issuance of the Special Use Permit. Mr. Sides made
2 the motion to deny, seconded by Mr. Dwiggins, and the motion was unanimously denied.

3

4 Chair Joshi asked for a motion to issue the Order of Denial with all of those who agree with the
5 denial to say “aye” and for those who oppose to say “no.” The motion was unanimously denied.

6

7 **PLANNING DIRECTOR UPDATES**

8

9 Mr. Smith announced that Lowe’s Foods at Kellswater is scheduled to have its grand opening in
10 June. He also provided updates that Harris Teeter is currently under grading for the next 4-6
11 months; it will be another 12 months for the construction to go vertical. The new townhomes
12 planned nearby are expected to take about 24 months to complete.

13

14 Mr. Smith also mentioned that City Council voted to relinquish Kannapolis’ ETJ in Rowan
15 County, with the change becoming effective June 30.

16

17 Additionally, Mr. Smith shared that the Martin Luther King Jr. bridge is under construction and
18 that NCDOT approved naming the bridge after Corine Cannon. Another bridge naming is still
19 pending.

20

21 **OTHER BUSINESS**

22 N/A

23

24 **ADJOURN**

25 There being no further business, Chair Joshi made the motion to adjourn, which was made by
26 Mr. Smith, second by Mr. Parker and the motion was unanimously approved.

27 The meeting was adjourned at 8:08 PM on Tuesday, April 7, 2026.

28

29

30

31

32

33

34

35

36 Zulena Anderson, Recording Secretary
37 Board of Adjustment

Emily Joshi, Chair
Board of Adjustment



Kannapolis Board of Adjustment

Board of Adjustment Agenda Staff Report

June 2, 2026

To: Board of Adjustment
From: Mia Alvarez, Senior Planner
Subject: **BOA-2026-06: Special Use Permit- 502 Milton L Taylor St.**

Action 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.

Required Votes to Pass Required Action

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

Background

The applicant, COE LLC, is requesting a Special Use Permit (SUP) to allow for a short-term rental (as a principal use) on property located at 502 Milton L Taylor Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a short-term rental (as a principal use) in the Residential 8 (R8) zoning district. The subject property consists of approximately 0.157 ± acres, is zoned R8, and is further identified as Cabarrus County Parcel Identification Number 56137873170000.

Pursuant to Section 4.2.D(5)h.2 of the Kannapolis Development Ordinance, a short-term rental (as a principal use) is subject to the following special requirements:

- a. Activities on the site shall be limited to lodging.
- b. The owner or operator shall ensure that all refuse is stored in appropriate containers, and that the containers are set out for collection on the scheduled collection day and removed from the street or alley on the scheduled collection day.
- c. No display of goods, products, services, or other advertising related to the short-term rental shall be visible from outside of the dwelling.
- d. The landowner or operator of the short-term rental shall maintain liability insurance on the property covering the short-term rental use.

Fiscal Implications

None

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

- Yes **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 Land Use Plan.**
The *Move Kannapolis Forward 2030 Comprehensive Plan* designates the subject parcel as being located in the "Urban Residential" Character Area. The Urban Residential Character Area consists of a variety of housing built in and around the downtown of Kannapolis. Primary uses are single-family residential. The property is currently zoned Residential 8 (R8). Within this zoning district, short-term rentals are permitted with a Special Use Permit.
- Yes **2. 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 short-term rental includes access from Milton L Taylor Street and provides the minimum parking spaces required for short-term rentals.
- Yes **3. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**
The proposed development will not generate any noxious or offensive vibration, noise, odor, dust, smoke, or gas.
- Yes **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.**
The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed short-term rental is compatible with the existing and surrounding uses.
- Yes **5. 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.
- Yes **6. 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.
- Yes **7. 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.

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 seven findings as outlined 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 evidentiary hearing), alternate findings need to be included as part of the seven 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.

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

Staff Recommendations

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.

Conditions of Approval proposed by staff:

1. The short-term rental use shall be limited to two bedrooms.

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 Special Use Permit.

Attachments

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



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: 502 Milton L Taylor Street, Kannapolis NC

Applicant: COE LLC

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

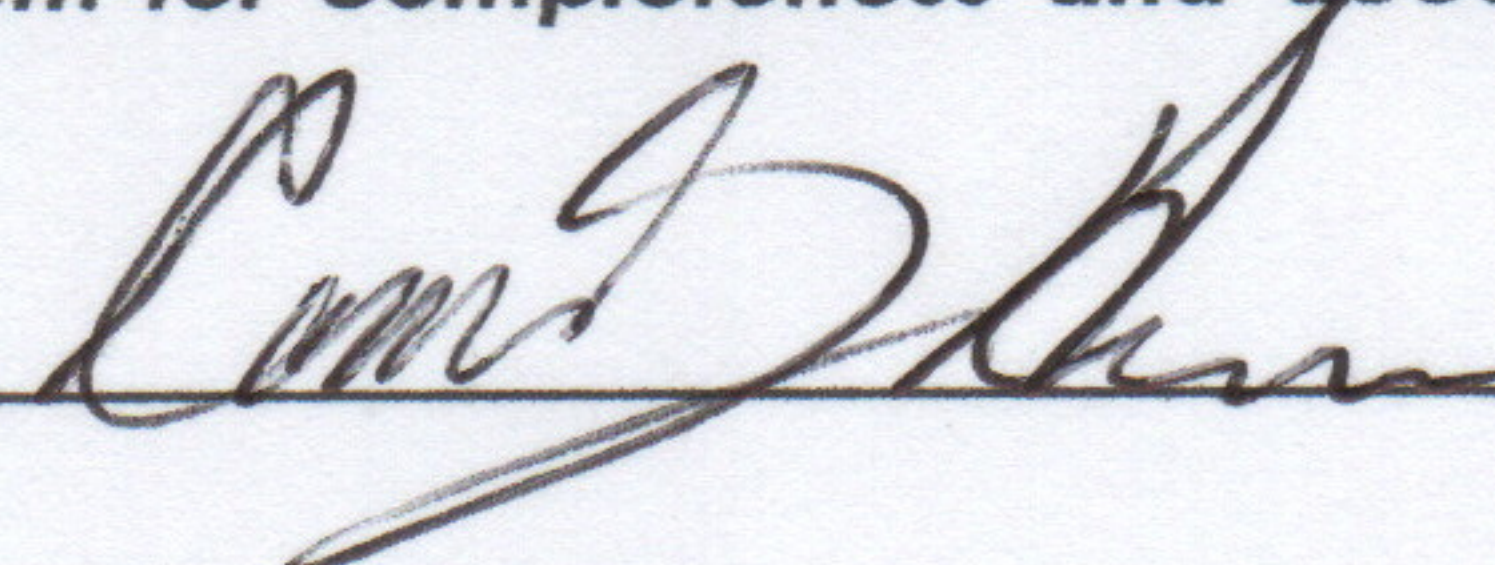
Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the KDO).

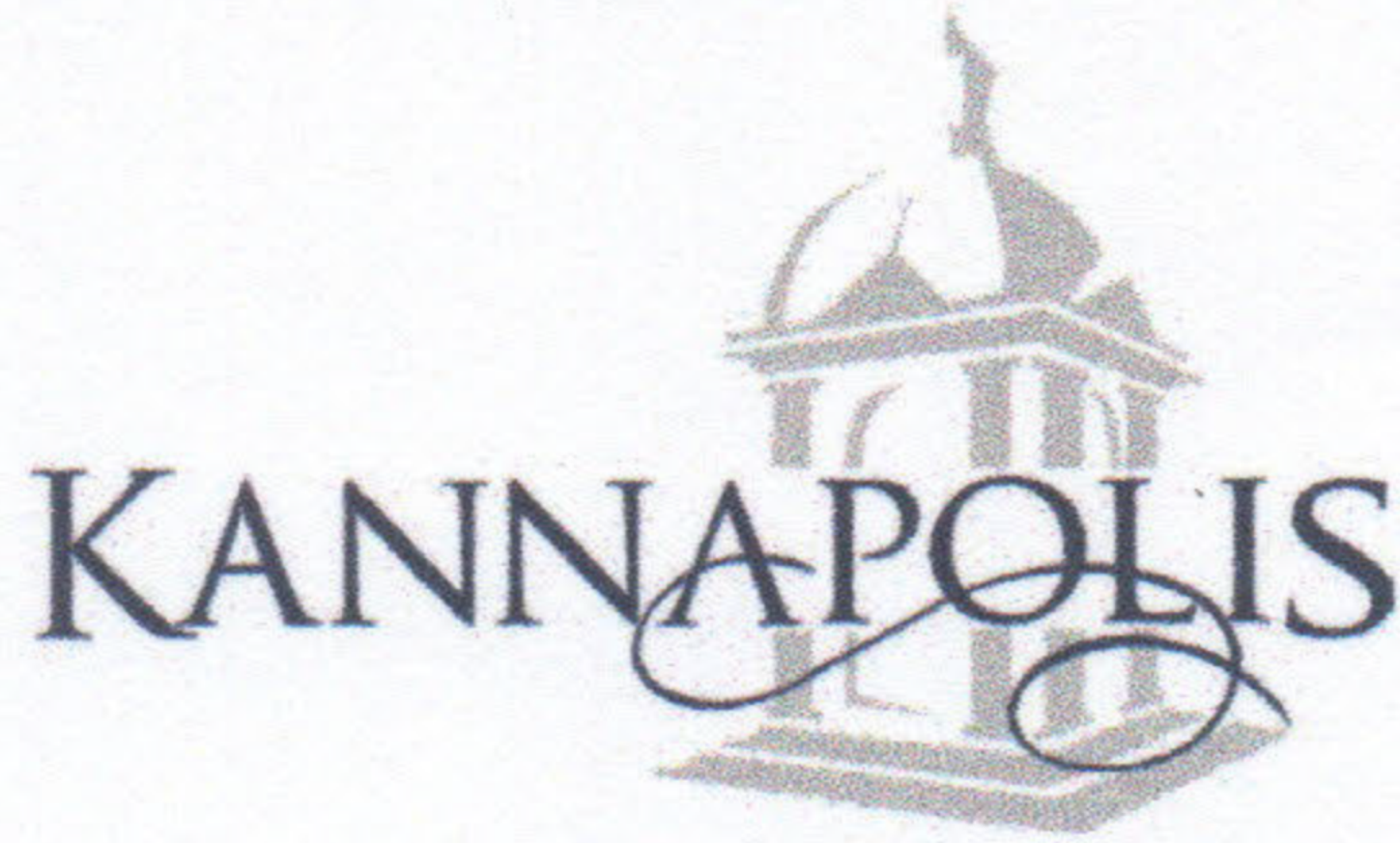
Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, application and site plan submittal, and 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: 4/14/2026



SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Randy Herrin

Address: 920 Marsh View Dr
North Myrtle Beach, SC. 29582

Phone: [REDACTED]

Email: [REDACTED]

Property Owner Contact Information same as applicant

Name: COE LLC

Address: 920 Marsh View Dr
North Myrtle Beach, SC 29582

Phone: [REDACTED]

Email: [REDACTED]

Project Information

Project Address: 502 Milton L Taylor St. Zoning District Select R8

Parcel PIN: 56137873440000 Size of property (in acres): 0.157

Current Property Use: Single Family Home

Proposed Use: Short-term rental

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): See attached.

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.**
See attached.

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

See attached.

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

See attached.

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.

See attached.

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

See attached.

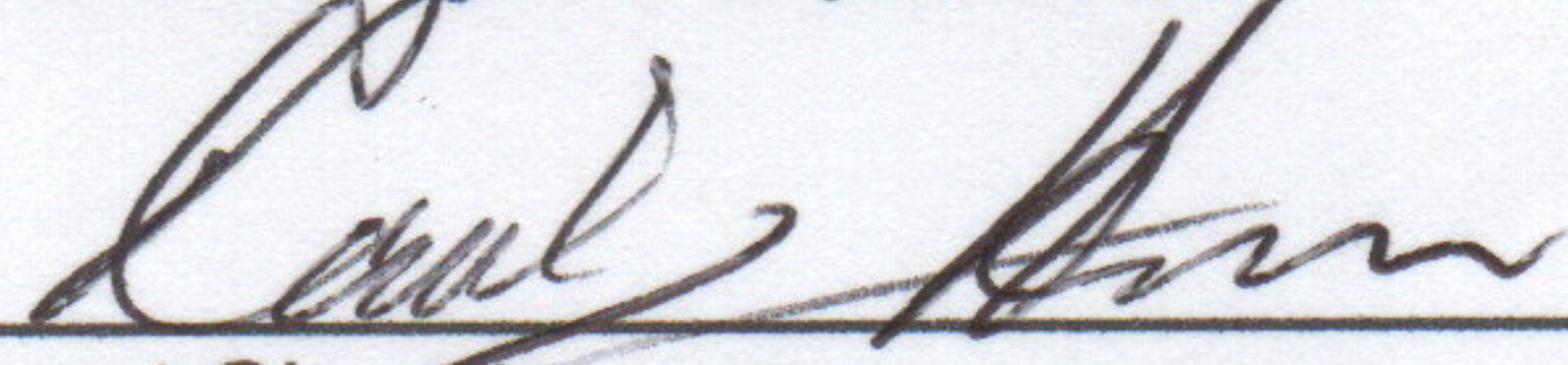
6. The proposed use complies with all applicable provisions of the KDO.

See attached.

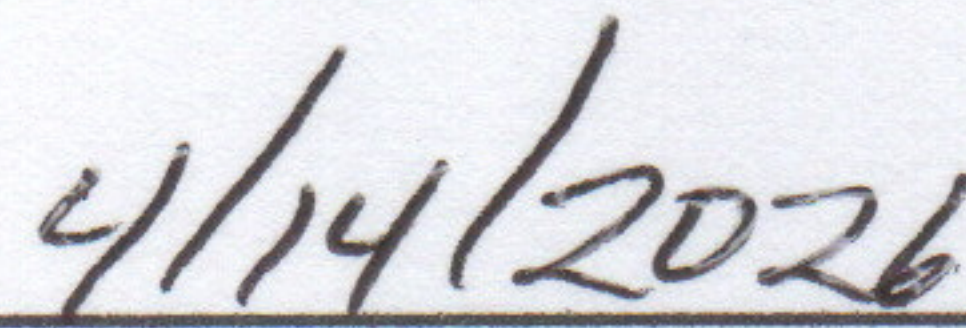
7. The applicant consents in writing to all conditions of approval included in the approved special use permit.

See attached.

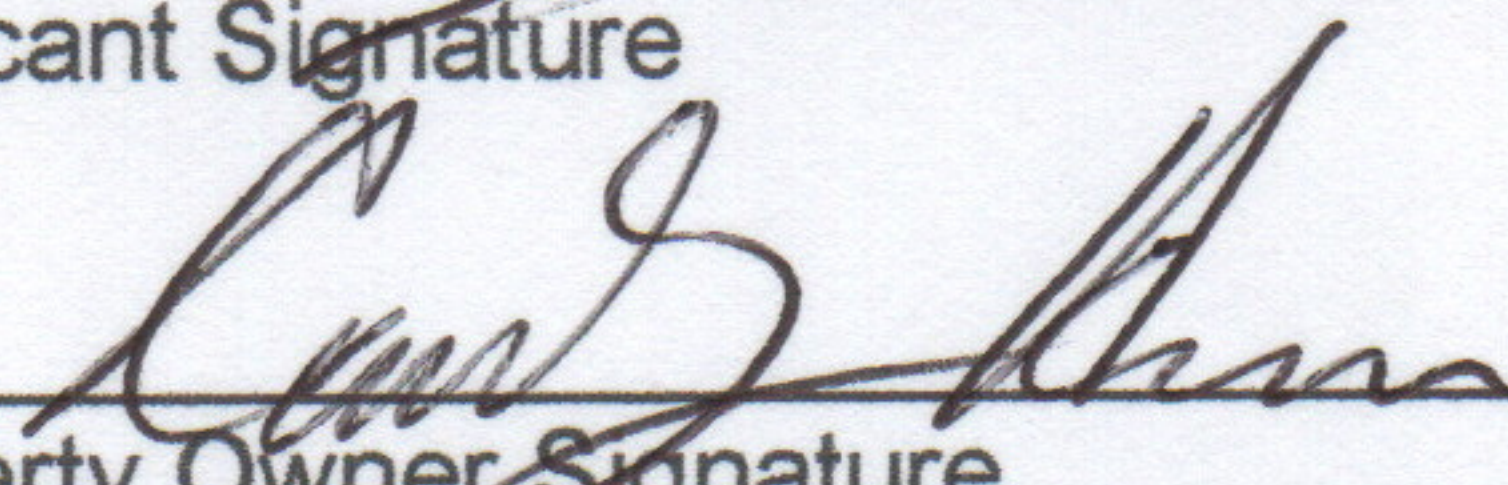
By signing below, I certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I acknowledge that the Board of Adjustment may add conditions on the requested use as part of the approval to assure that adequate mitigation measures 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.



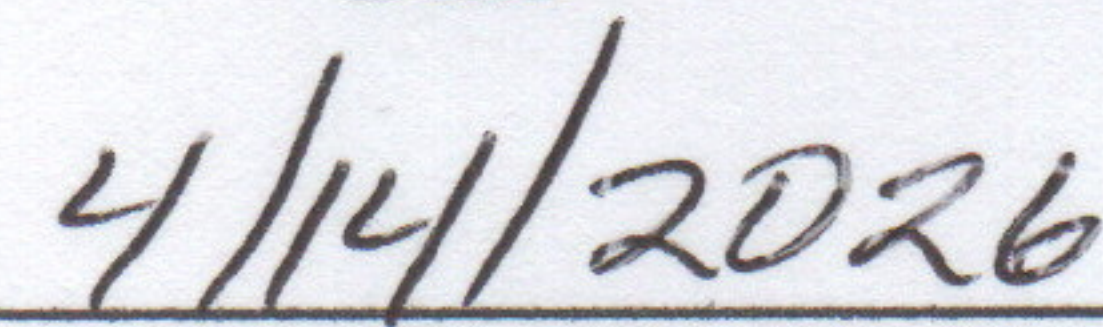
Applicant Signature



Date



Property Owner Signature



Date

Project Information

- **Proposed Use:** Short-Term Rental (Principal Use).
- **Nature of Proposed Use:** "The applicant proposes to operate a Short-Term Rental at 502 Milton L Taylor Street. The property is a newly constructed, single-family residence that will be used for overnight lodging for a maximum stay of 30 days per guest. No special events or commercial gatherings will be permitted. The property will be professionally managed with 24/7 oversight, ensuring all refuse is handled via City-provided containers and the home's residential aesthetic is strictly maintained without exterior signage or displays."

Responses to Review Standards

Per Section 2.5.A(5)c of the KDO, you must demonstrate compliance with these specific facts:

1. Harmony with the area and Comprehensive Plan- "As a new construction residence, the property represents the highest level of harmony with current building standards and the Kannapolis Move 2035 Comprehensive Plan. The residential character is preserved through the use of an outdoor patio enclosed by a privacy fence, providing a visual and acoustic buffer that protects the privacy of adjacent neighbors while aligning with City goals for diverse lodging options."

The property is located 0.5 miles from the vibrant Kannapolis downtown district and will be a destination for travelers to use while enjoying all that the city has to offer. In addition the property is just down the street from the Amtrak Kannapolis Station.

2. Ingress and egress to minimize traffic hazards- "The property features a dedicated driveway capable of accommodating three (3) standard-sized vehicles, ensuring all guest parking is contained on-site. By providing three off-street spaces, the proposal eliminates the need for street parking on Milton L Taylor Street, preventing congestion and maintaining clear sight-lines for neighboring traffic and emergency vehicles."

3. Not noxious by reason of vibration, noise, odor, etc.- "The use will not produce noxious impacts. To ensure air and sound quality, the applicant is installing fresh sod across the yard and established natural landscaping around the patio to absorb sound and prevent dust. Furthermore, the operator utilizes exterior compliance cameras to monitor for excessive noise, and all household waste will be managed via City-provided roll-out containers stored out of public view."

4. Will not impede orderly development of surrounding property- "As a brand-new construction project, this home serves as a value anchor for the street, encouraging neighborhood reinvestment. The applicant's commitment to high-level maintenance (new sod, fencing, and landscaping) ensures the property remains in 'model home' condition. This professional oversight prevents the deferred maintenance often associated with vacant lots, thereby supporting the orderly improvement of the surrounding district."

5. Will not endanger public health, safety, or general welfare- "The property meets all modern North Carolina Building Codes, including hard-wired smoke and carbon monoxide detectors along with fire extinguisher. Safety is further enhanced by exterior security cameras focused on points of ingress/egress to monitor occupancy limits and prevent unauthorized

gatherings (no inside cameras are installed to ensure occupants privacy). These measures, combined with a 24/7 point of contact for neighbors, ensure the operation remains safe and non-detrimental to the community."

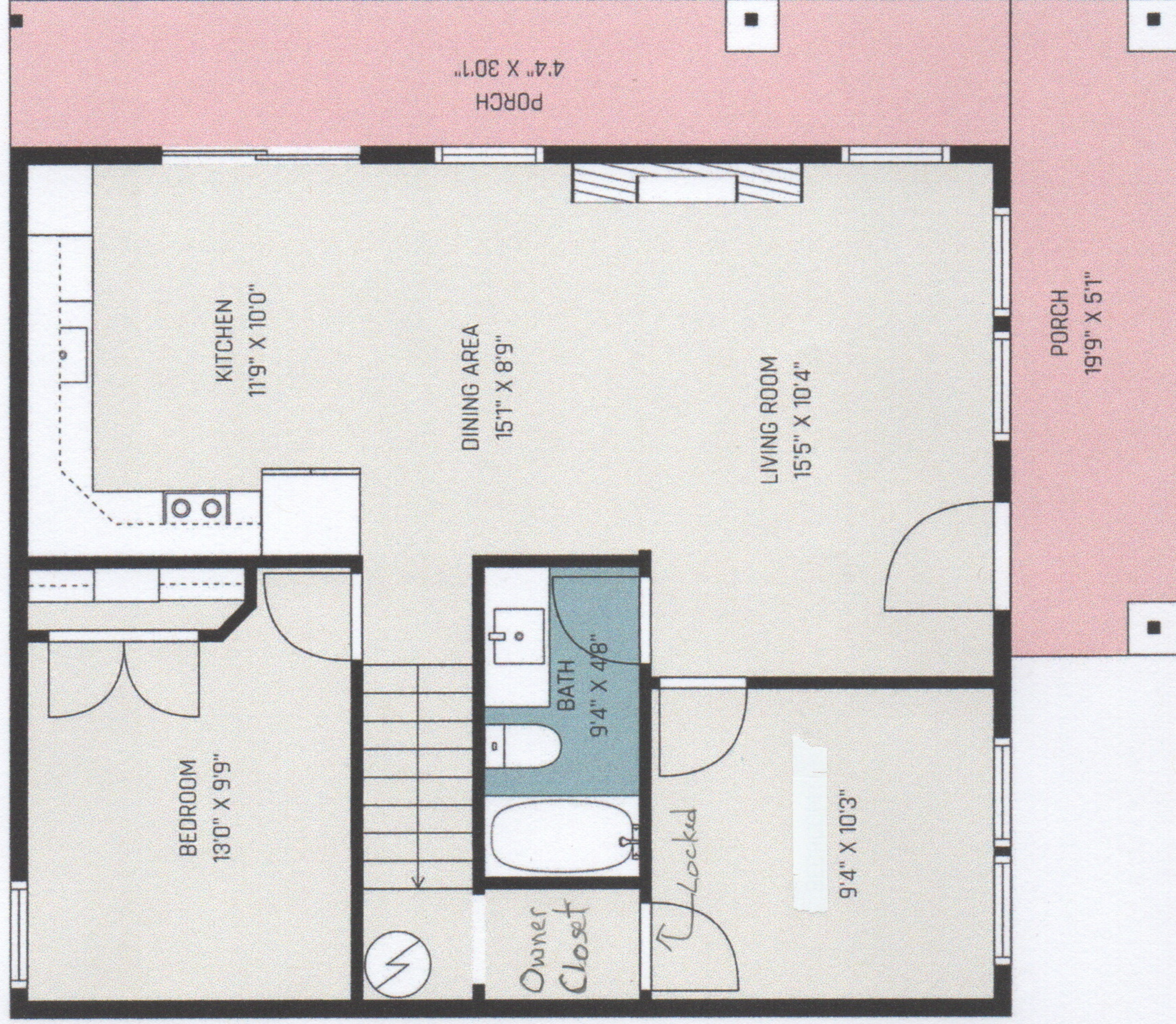
6. Complies with all applicable provisions of the KDO- "The proposed use adheres to Article 4 of the KDO. Specifically, the applicant commits to a 30-day maximum stay, maintains required liability insurance for short-term rentals, and ensures no exterior signage is utilized. The property is a permitted structure within its zoning district and will be operated in continuous compliance with all supplemental standards for short-term lodging."

7. Consent to all conditions of approval- "By signing this application, the applicant provides formal written consent to all conditions of approval included in the approved Special Use Permit. The applicant acknowledges that the Board of Adjustment may add specific mitigation conditions and agrees to abide by these stipulations to ensure the continued harmony of the neighborhood."

502 Milton L Taylor Street - First Floor

Gross Living Area - 1465.38 Sq Ft

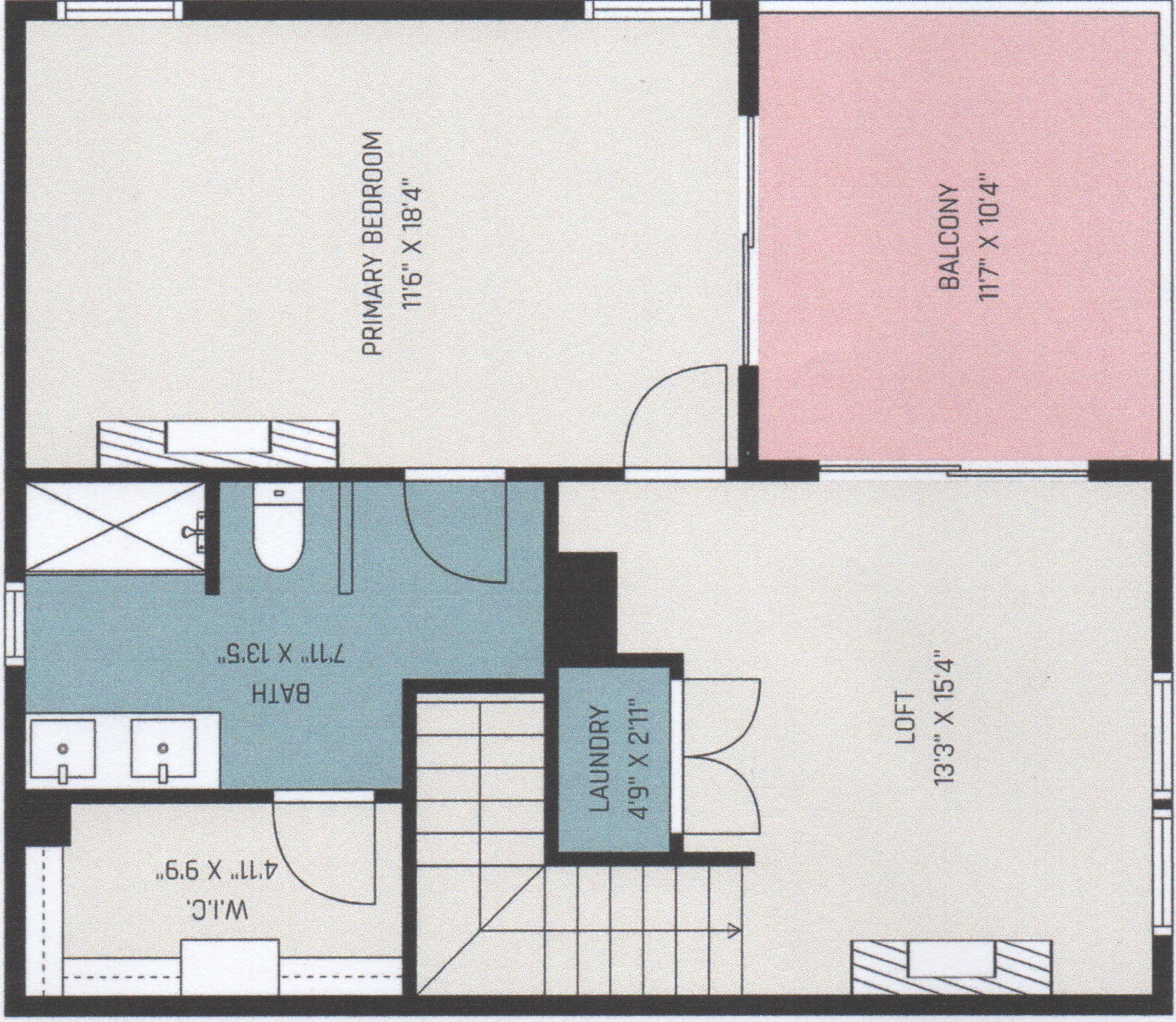
Non-Living Area - 363.21 Sq Ft



502 Milton L Taylor Street - Second Floor

Gross Living Area - 1465.38 Sq Ft

Non-Living Area - 363.21 Sq Ft



Gross Living Area:

Total Gross Living Area

1465.38 Sq ft

Pg1: Dwelling:First Floor

796.89 Sq ft

Pg1: Dwelling:Second Floor

668.49 Sq ft

Non-Living Area:

Total Non-Living Area

363.21 Sq ft

Pg1: Dwelling:Balcony

128.4 Sq ft

Pg1: Dwelling:Covered Concrete Front Porch

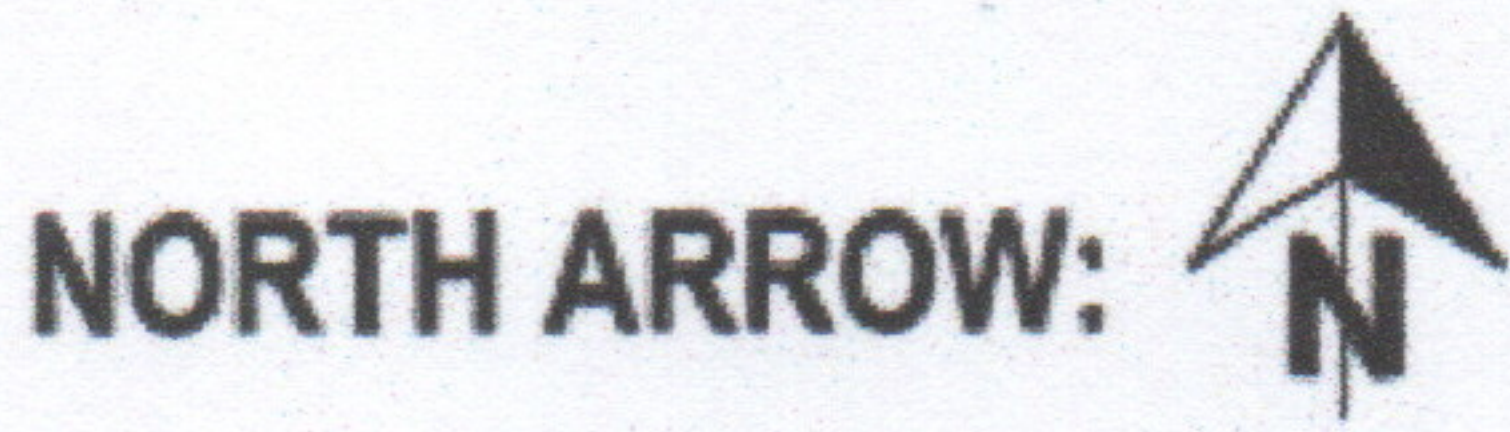
234.81 Sq ft

SITE PLAN FOR 502 MILTON L TAYLOR ST.

PROPERTY ADDRESS: 502 Milton L. Taylor St.

PROPERTY OWNER: Coe LLC

PREPARED FOR: Special Use Permit Application



FENCE TO BE SET INSIDE PROPERTY LINE.

502 Milton L. Taylor St.

85.48'

Sidewalk

Setback 15'

Setback 5'

76.25'

5'

4' Black Metal Fence

PROPOSED 6' BROWN PRIVACY FENCE

Driveway

25.5' x 25'

House

30.5'

Setback 5'

87.09'

30'

Paver Wellway

4' x 16'

Paver Patio

16' x 21'

Shed
8' x 12'

4' Black Metal Fence

FENCE TO BE SET INSIDE PROPERTY LINE.

82'

FENCE LEGEND:

- PROPOSED 4' BLACK METAL FENCE
- PROPOSED 6' BROWN PRIVACY FENCE

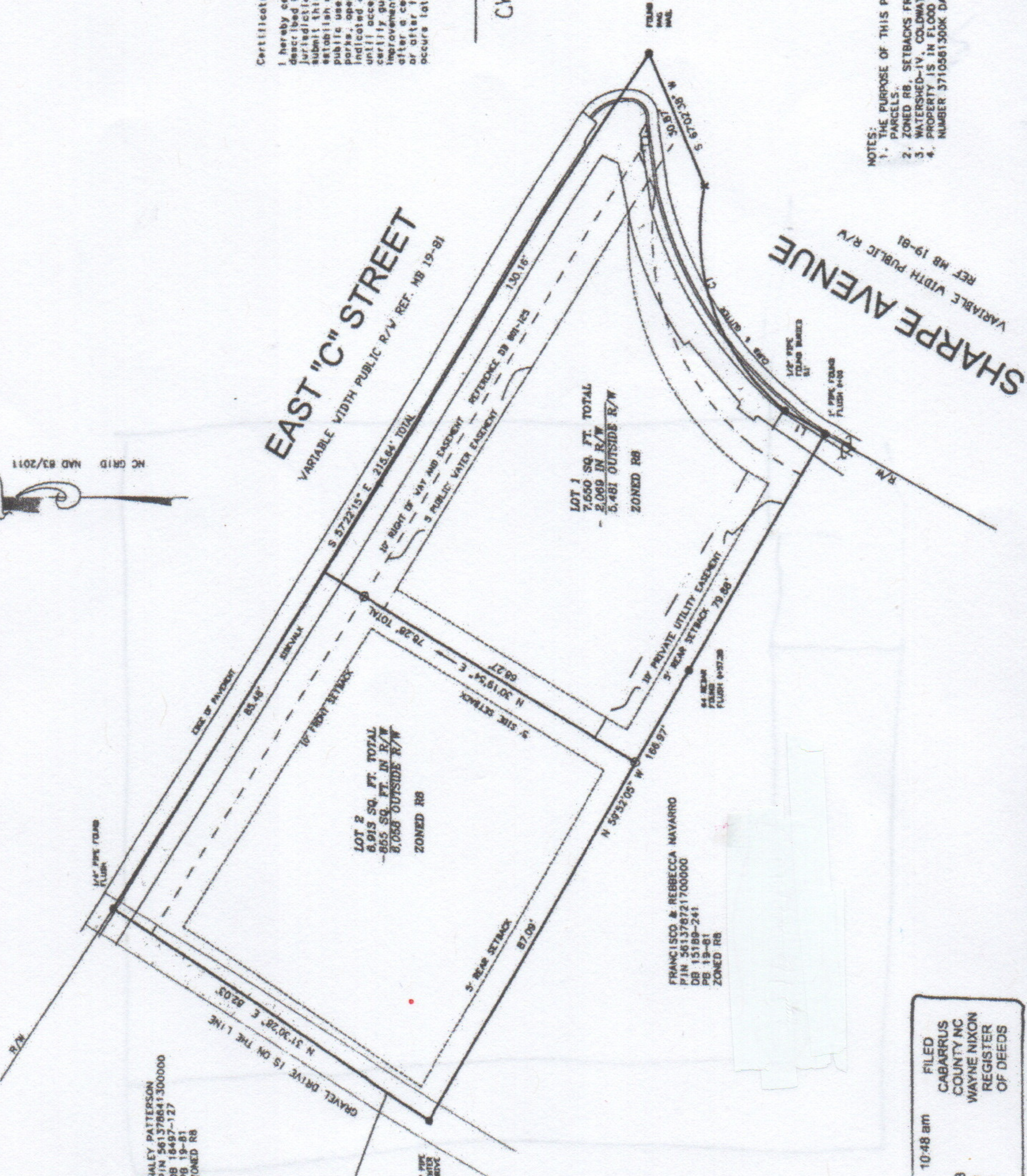
I, Richard Boyd Brooks, certify that this plat was drawn under my supervision from an actual survey made under my supervision, (deed description recorded in Book 15550, page 3, 87) that the boundaries not surveyed are clearly indicated as drawn from the deeds shown herein; that the ratio of precision as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 12th day of July A.D. 2024. This survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Area by coordinate method.

RICHARD BROOKS
P.O. Box 12311
CHARLOTTE, N.C. 28220
(704) 661-0200
SIGNED: [Signature]
Professional Land Surveyor, L-2689



Certificate of ownership and dedication
I hereby certify that I, am the owner of the property shown and described herein, which is located in the subdivision jurisdiction of the City of Kannapolis, and that I hereby submit this plan of subdivision with my free consent, to establish minimum building setback lines, and dedicate to the use, easement and easements, the easements, the easements, the easements, and easements, except those areas indicated as private, and that I will maintain all such areas until accepted by the City of Kannapolis, and further that I certify that I will correct defects or failures of the subdivision, or any part thereof, which may be discovered after the final acceptance of approval, or after the City or after final acceptance of required improvements, which ever occurs later.

OWNER
Christian Hite



- NOTES:
1. THE PURPOSE OF THIS PLAT IS TO DIVIDE PIN 58137834400000 INTO 2 PARCELS.
 2. ZONED RB, SETBACKS FRONT 10' SIDE AND REAR 5'.
 3. WATERSHED-IV, COLDWATER CREEK (LAKE CONCORD), PCA P.
 4. PROPERTY IS IN FLOOD ZONE X BEING MINIMAL FLOOD RISK PER FEMA MAP NUMBER 3710961300K DATED 11-18-2018.



FILED
Sep 06, 2024
10:48 am
BOOK 00101
PAGE 0103 THRU 0103
INSTRUMENT # 19001
EXCISE TAX \$0.00

VICINITY MAP
not to scale



CERTIFICATE OF EXEMPTION

I hereby certify that this plat is exempt from the subdivision regulations of the City of Kannapolis due to its exclusion from the definition of a subdivision as established by NCCS 1604-802(e).

[Signature]
Planning Director - Date 9/6/24

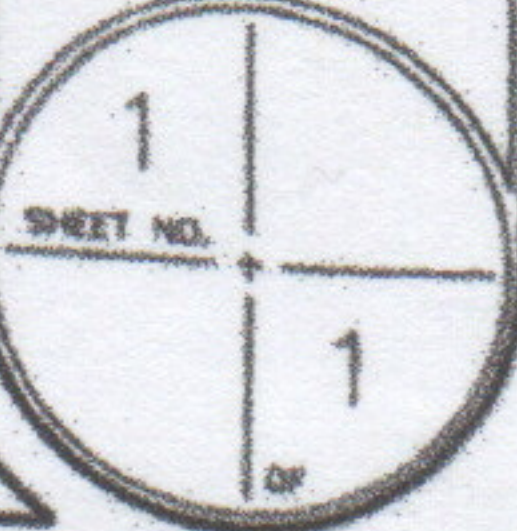
- LEGEND:
- EIP = Existing Iron Pin
 - NIP = New Iron Pin #4 rebar
 - NPS = No Paint Set
 - R/W = Right Of Way
 - CP = Power Pole
 - MBSL = Minimum Building Setback Line
 - ESMT = Easement
 - CS = Sanitary Sewer Manhole
 - SO FT = Square Feet
 - DB = Deed Book
 - MB = Map Book
 - = Surveyed line
 - = Line Plotted From Map Or Deed
 - = Building Setback Line

Richard Brooks, PLS
P.O. BOX 12311 - CHARLOTTE, NC
LAND SURVEYING
(704) 661-0200

City of Kannapolis
Cabarrus County, N.C.

EXEMPT PLAT FOR
OWNER 132 WAYNE
AVENUE LLC

DRAWN	R.B.B.
CHECKED	R.B.B.
DATE	JULY 12, 2024
SCALE	1"=20'
PLAN NO.	2024



REVISIONS	BY

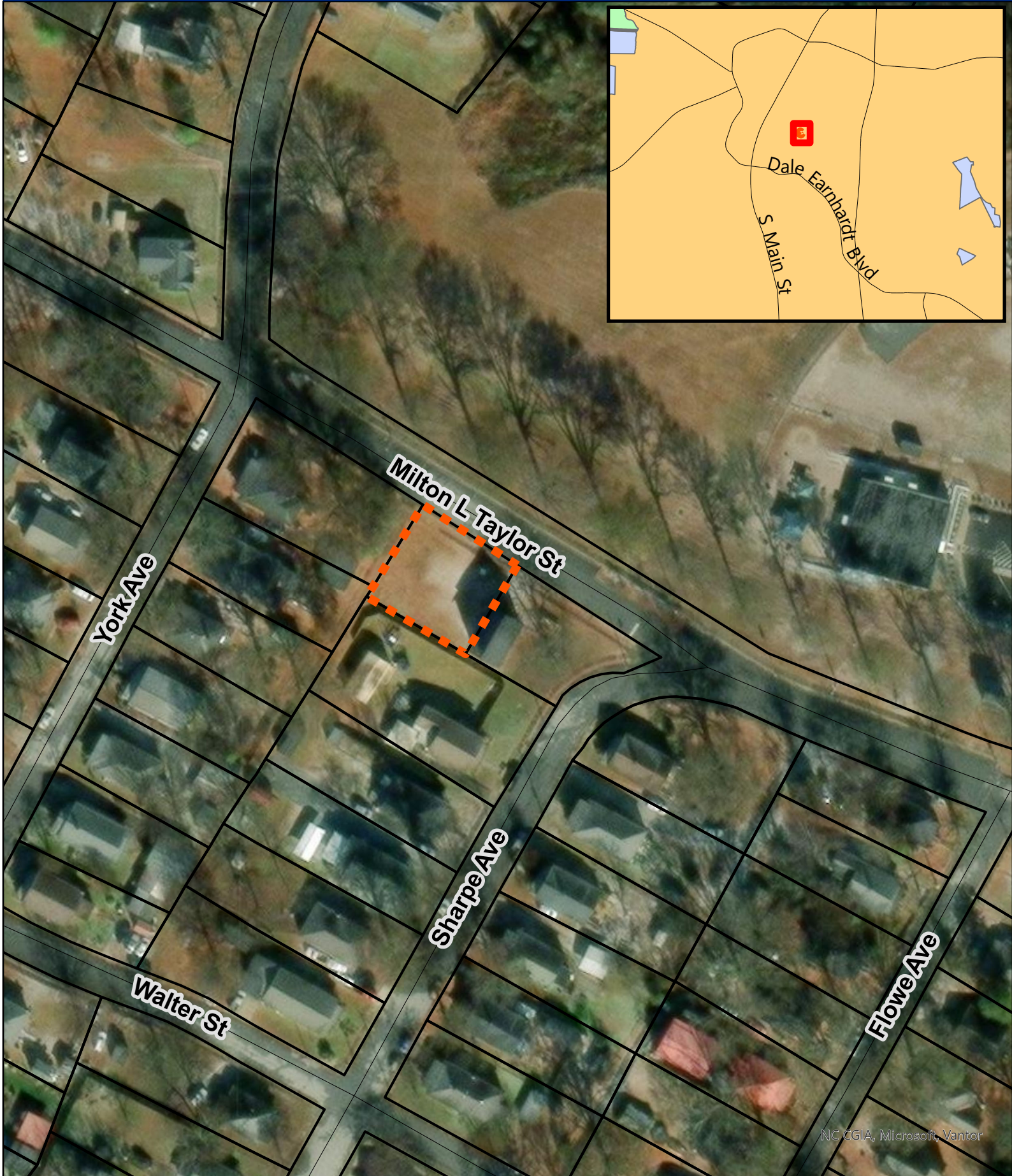


Vicinity Map

Case Number: BOA-2026-06

Applicant: COE LLC

502 Milton L Taylor St



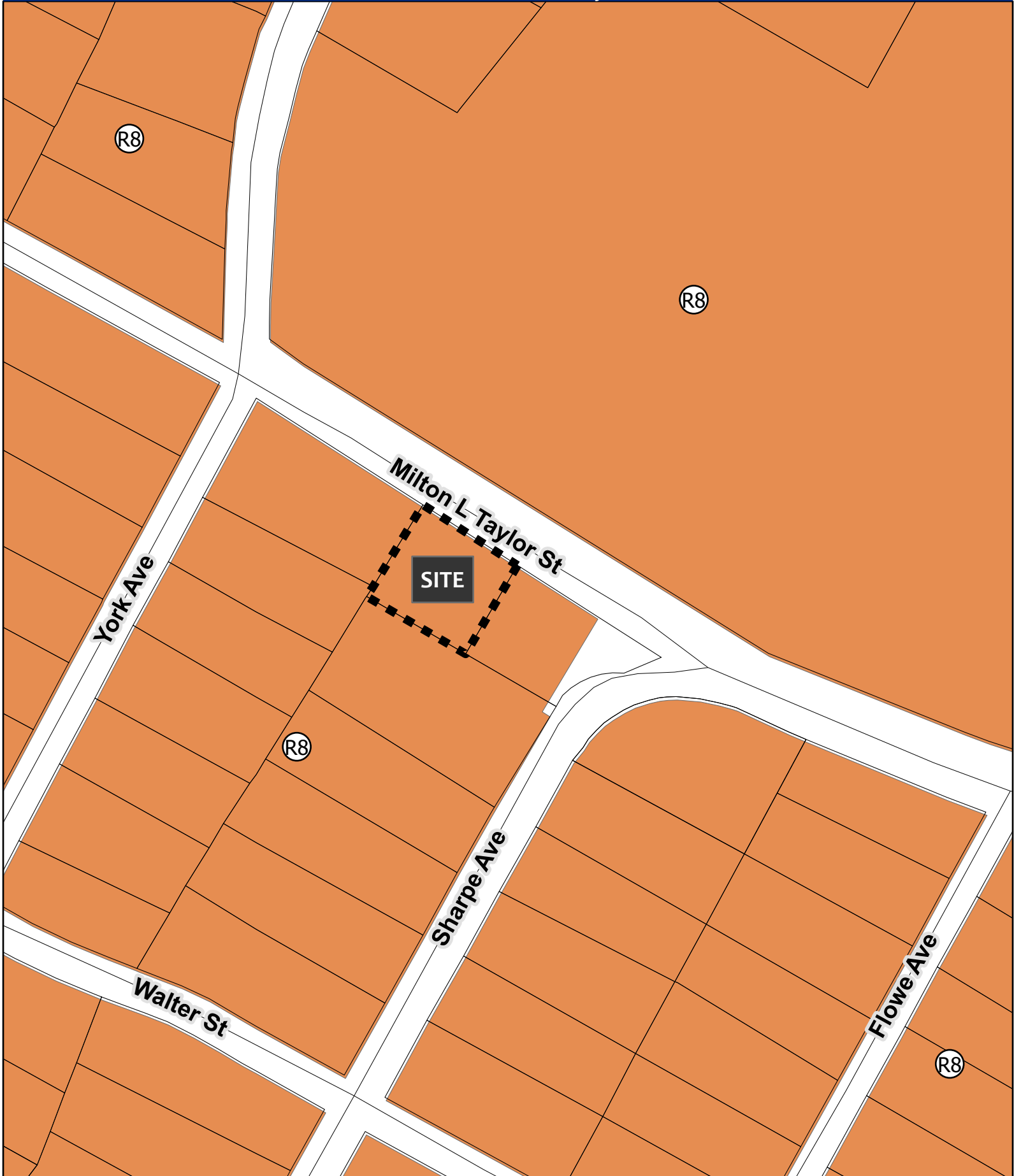


Kannapolis Current Zoning

Case Number: BOA-2026-06

Applicant: COE LLC

502 Milton L Taylor St

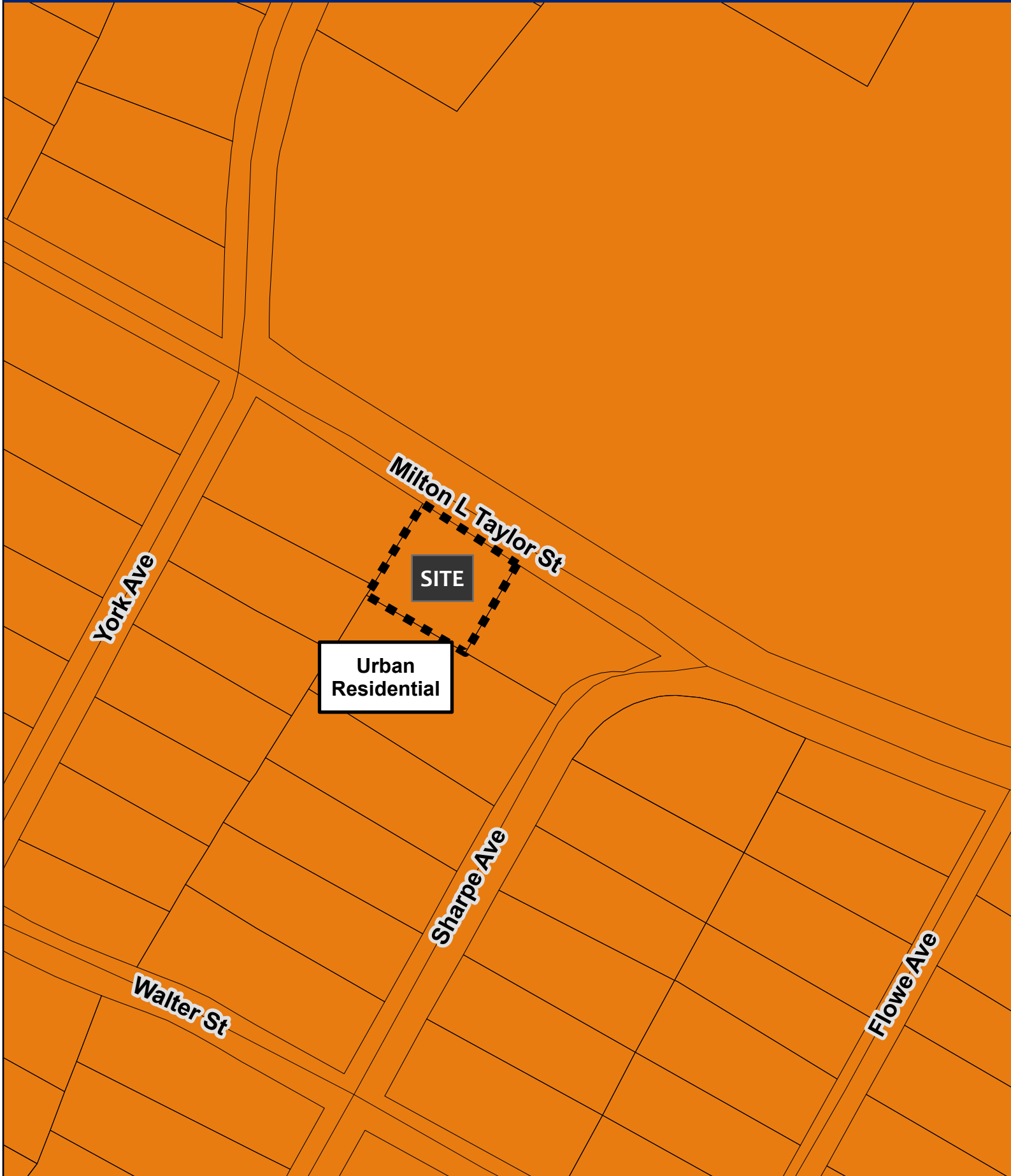



Kannapolis 2030 Future Land Use Map

Case Number: BOA-2026-06

Applicant: COE LLC

502 Milton L Taylor St



NORTH ARROW: 

FENCE TO BE SET INSIDE PROPERTY LINE.

76.25'

Setback 5'

5'

4' Black Metal Fence

Setback 15'

DRIVEWAY
25.5' x 25'

PROPOSED 6' BROWN PRIVACY FENCE

85.48'

Sidewalk

8' x 18'
Compact Space

House

30.5'

Setback 5'

87.09'

8.5' x 18'
Compact Space

30'

9' x 18'
Regular Space

Paver Walkway



Paver Patio
16' x 21'

Shed
8' x 12'

4' Black Brital Fence

6' Brown Privacy Fence

FENCE LEGEND:

-  PROPOSED 4' BLACK METAL FENCE
-  PROPOSED 6' BROWN PRIVACY FENCE

FENCE TO BE SET INSIDE PROPERTY LINE.

82'

502 Milton L. Taylor St.

OBJECTID	PIN14	AcctName	AcctName	MailAddr	MailAddr	MailCity	MailState	MailZipCo	Shape_Len	Shape_Area
79370	561378813	COOK JEFFI	COOK TIAR	205 SHARP		KANNAPOL	NC	28083	0.001281	7.39E-08
79371	561378920	WILKIE JAN		PO BOX 52		LANDIS	NC	28088	0.001424	1.13E-07
79372	561378920	WILKIE JAN		PO BOX 52		LANDIS	NC	28088	0.001424	1.13E-07
79715	561388561	CABARRUS		PO BOX 70		CONCORD	NC	28026	0.016356	8.78E-06
80274	561378429	JAMES ETTI		209 YORK /		KANNAPOL	NC	28083	0.001193	7.03E-08
80284	561378522	JAMES ETTI		209 YORK /		KANNAPOL	NC	28083	0.001242	7.74E-08
80285	561378535	JANOSCO C		205 YORK /		KANNAPOL	NC	28083	0.001244	7.37E-08
80286	561378538	YORK CHRI	YORK CARR	203 YORK /		KANNAPOL	NC	28083	0.00127	7.7E-08
80288	561378721	NAVARRO I	NAVARRO I	202 SHARP		KANNAPOL	NC	28083	0.001583	1.34E-07
80289	561378816	CHATMAN		203 SHARP		KANNAPOL	NC	28083	0.00131	8.2E-08
80520	561378613	BAKER DAL		206 SHARP		KANNAPOL	NC	28083	0.001439	8.99E-08
81611	561378626	MOSS NICC	MOSS CHA	204 SHARP		KANNAPOL	NC	28083	0.00143	9.28E-08
81612	561378800	HIGH BID P		4150 MOU		ROCKWELL	NC	28138	0.001319	8.24E-08
81831	561378739	SCOTT JAIL		504 MILTO		KANNAPOL	NC	28083	0.001199	7.01E-08
90680	561378641	PATTERSON		201 YORK /		KANNAPOL	NC	28083	0.00142	1.09E-07
90682	561378731	COE LLC		920 MARSH		NORTH MY	SC	29582	0.001022	6.38E-08



May 15, 2026

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial hearing on Tuesday, June 2, 2026, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2026-06 – Special Use Permit – 502 Milton L Taylor St.

The purpose of this hearing is to consider a request for a Special Use Permit (SUP) to allow a short-term rental for a property located at 502 Milton L Taylor Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a short-term rental within the Residential 8 (R8) zoning district. The subject property consists of approximately 0.157± acres, is zoned R8, and is further identified as Cabarrus County Parcel Identification Number 56137873170000. **(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 hearing or request, please do not hesitate to contact the Planning Department at 704.920.4350 or malvarez@kannapolisnc.gov.

Sincerely,

Mia Alvarez
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.

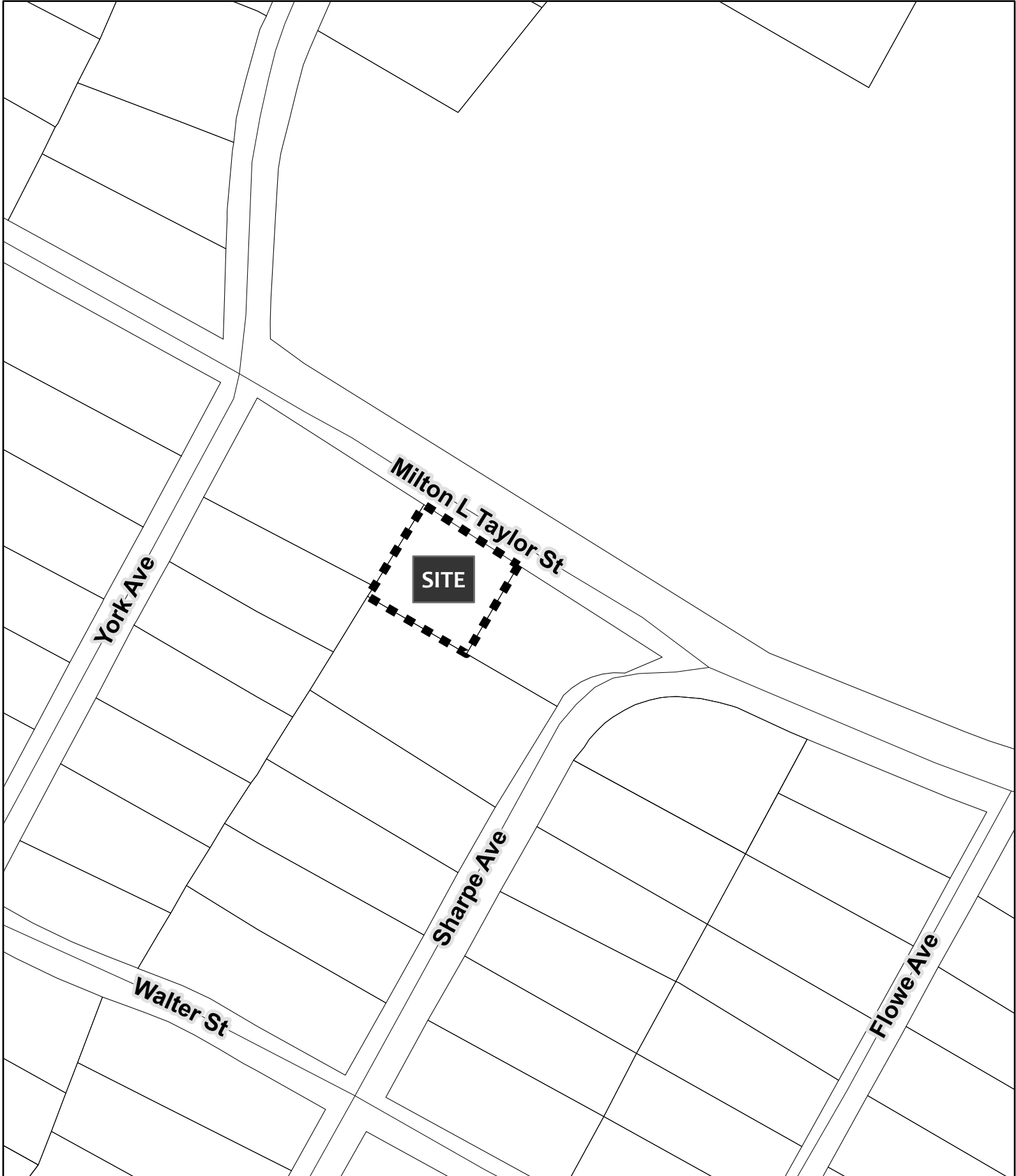


Special Use Permit

Case Number: BOA-2026-06

Applicant: COE LLC

502 Milton L Taylor St



KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # BOA - 2026 - 6





Kannapolis Board of Adjustment

Board of Adjustment Agenda Staff Report

June 2, 2026

To: Board of Adjustment
From: Ben Barcroft, Senior Planner
Subject: **BOA-2026-07: Special Use Permit- 956 N Cannon Blvd.**

Action 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.

Required Votes to Pass Required Action

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

Background

The applicant, Luis F. Gonzalez, is requesting a Special Use Permit (SUP) to allow for a tattoo studio in the General Commercial (GC) zoning district on approximately 0.29 +/- acres of property located at 956 N. Cannon Boulevard, further identified as Rowan County Parcel Identification Number 150 096. The subject property is part of an existing shopping plaza along North Cannon Boulevard.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for Tattoo or body-piercing establishment uses in the GC zoning district.

Fiscal Implications

None

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

Yes **1. 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 "Secondary Activity Center" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area is composed primarily of small and medium-scale commercial developments.

Based on the character areas noted above, the proposed development is compatible with the future and existing uses in the surrounding area.

Yes **2. 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 of a tattoo studio will be located in an established shopping plaza and is not anticipated to cause any traffic hazards or traffic congestion. There is adequate parking available for this use. The property owner has submitted a plan to stripe the parking lot.

Yes **3. 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 tattoo studio is expected as a result of this proposed use.

Yes **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.**

The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed tattoo studio is compatible with the surrounding commercial uses.

Yes **5. 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.

Yes **6. 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.

Yes **7. 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.

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 seven findings as outlined 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 evidentiary hearing), alternate findings need to be included as part of the seven 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.

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

Staff Recommendations

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 Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Special Use Permit.

Attachments

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



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: 956 N Cannon Blvd, Kannapolis, NC 28083

Applicant: Luis F Gonzalez

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: April-22-2020



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Luis F Gonzalez

Address: 230 Silver Oak Circle
Rockwell, NC 28138

Phone: [Redacted]
Email: [Redacted]

Property Owner Contact Information same as applicant

Name: PP&I LLC Amanda Fowler

Address: 210 Oak Ave. Kannapolis
NC 28081

Phone: [Redacted]
Email: [Redacted]

Project Information

Project Address: 950 N Cannon Blvd Kannapolis, NC 28083 Zoning District Select

Parcel PIN: _____ Size of property (in acres): 1,000 SF

Current Property Use: Open Space

Proposed Use: Mi Cultura Tattoos LLC (Tattoo parlor)

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):

Form of letter attached with Application

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.

yes, Agreed

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

Agreed, blue print will be present.

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

Agreed

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.

Agreed

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

Agreed

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

Agreed

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

I Luis F Gonzalez, Consent to all conditions of approval.

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

04-22-2026
Date

[Signature]
Property Owner Signature

4-23-2026
Date

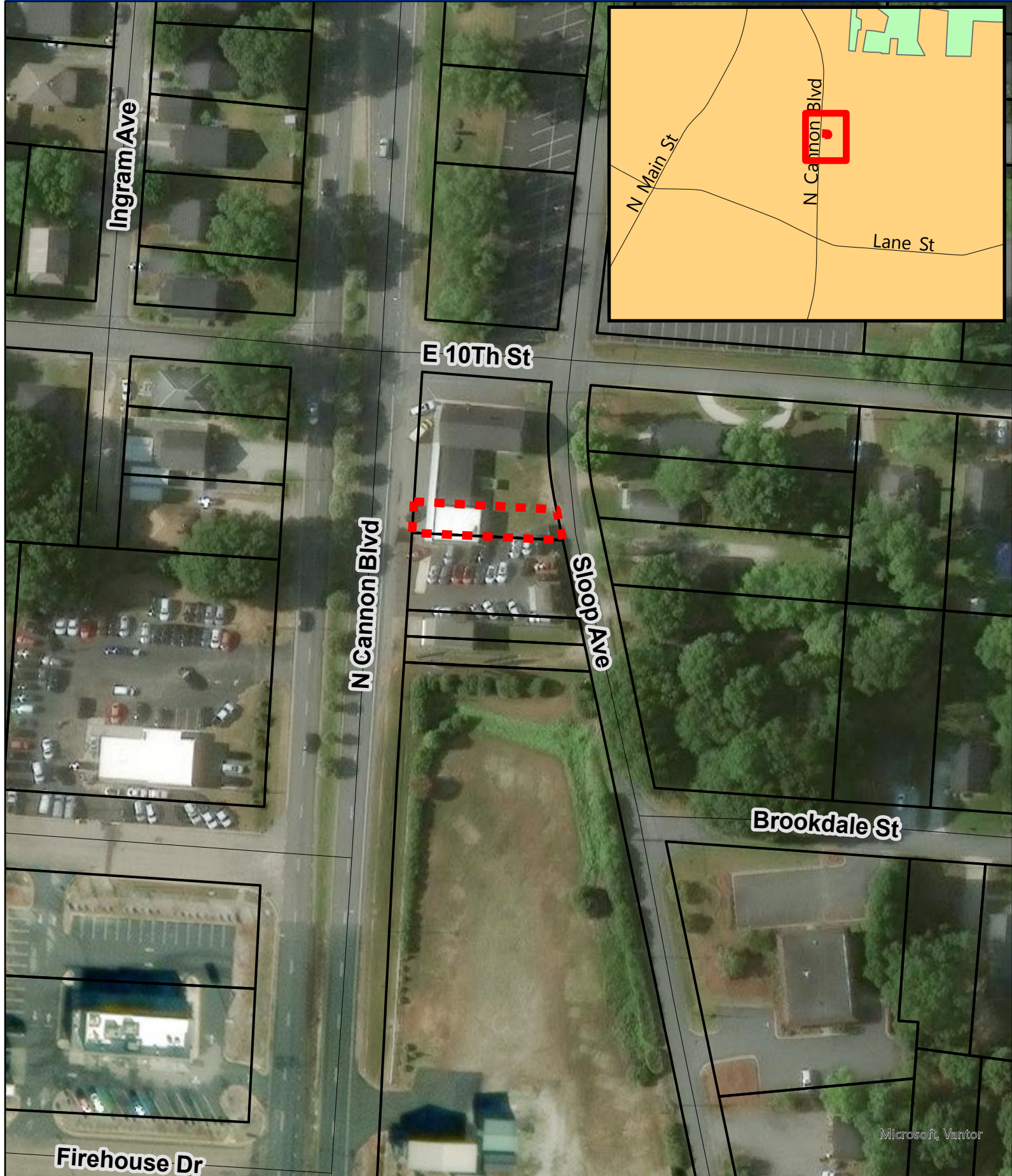


Vicinity Map

Case Number: BOA-2026-07

Applicant: Luis F Gonzalez

956 N Cannon Blvd





Kannapolis Current Zoning

Case Number: BOA-2026-07

Applicant: Luis F Gonzalez

956 N Cannon Blvd

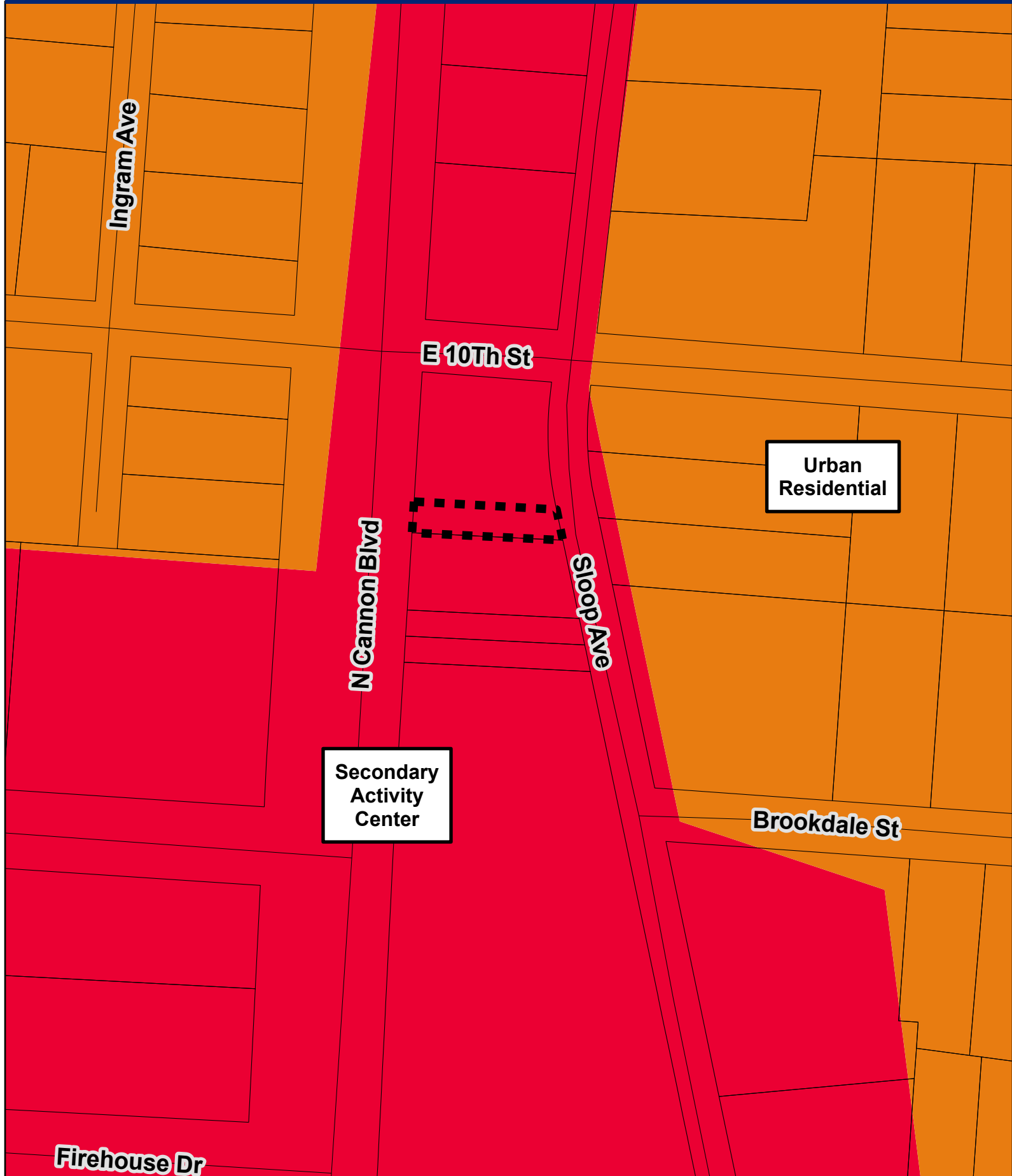


Kannapolis 2030 Future Land Use Map

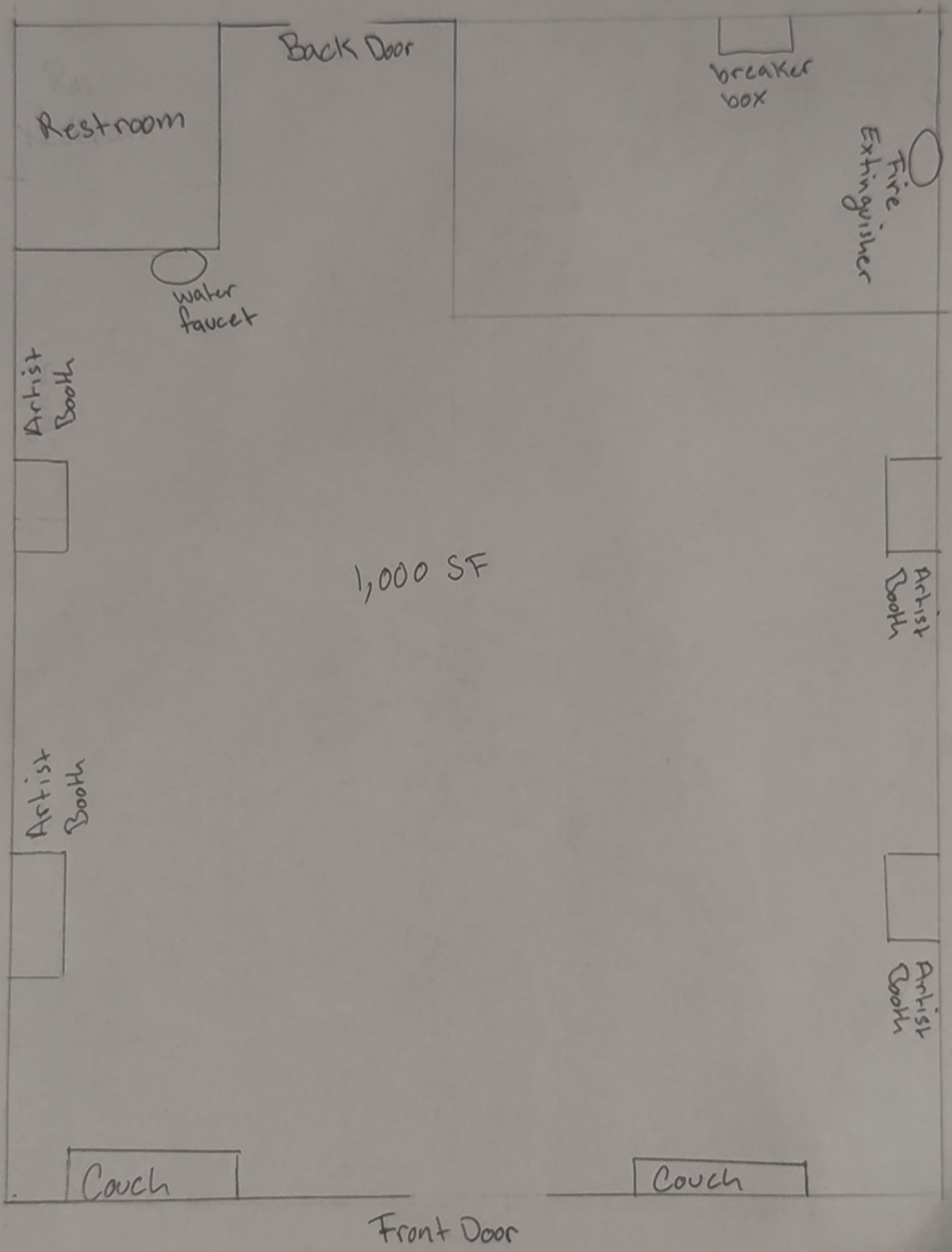
Case Number: BOA-2026-07

Applicant: Luis F Gonzalez

956 N Cannon Blvd



956 N Cannon Blvd Kannapolis, NC 28083



Legend

Name

Regular Stalls

Hash Outs

No Parking Stencil

Wheel Stop Installation (Optional)

ADA Handicap Stalls Count

Concrete Bollard Installation w/
ADA Sign



PARCEL_ID	OWNNAME	TAXADD1	TAXADD2	CITY	STATE	ZIPCODE	OWN2
150 220	CLEARY TAMARA	1001 N CANNON BLVD		KANNAPOLIS	NC	28083-2971	
151 454	STOFFORD WALTER & WF	125 COTTONTAIL LN SE		CONCORD	NC	28025	STOFFORD APRIL
151 453	MCNEILLY DAVID SCOTT	2826 HAMPTON GLEN CT		MATTHEWS	NC	28105	
150 285	SCOTT C ROBERTSON REAL ESTATE	113 CABARRUS AVE E		CONCORD	NC	28025	LLC
151 446	FOURSQUARE GOSPEL CH OF KANN	PO BOX 781		KANNAPOLIS	NC	28082	
150 098A	S2COR99 LLC	364 WELLINGTON ESTATES DRIVE		CHINA GROVE	NC	28023-5763	
150 096	PP&I LLC &	210 OAK AVE		KANNAPOLIS	NC	28081-4329	NOBLE ROOTS GROUP INC
151 452	DRYE GEORGE RAYMOND	902 SLOOP AVE		KANNAPOLIS	NC	28083-2957	DRYE JUDY FOWLER
150 204	HOLT JOHNNY W & WF	951 N CANNON BLVD # N		KANNAPOLIS	NC	28083	HOLT PEGGY H
150 111	HAYES DENISE ANDREA & HUS	953 N CANNON BLVD		KANNAPOLIS	NC	28083-2916	HAYES JOEL
150 098	DMRI LAND HOLDINGS LLC	364 WELLINGTON ESTATES DRIVE		CHINA GROVE	NC	28023-5763	
150 099	DURHAM EDDIE B	1311 LOWRANCE AVE		KANNAPOLIS	NC	28081-5823	
150 097000001	AMERICA'S TOP AUTO INC	1206 N CANNON BLVD		KANNAPOLIS	NC	28083-2831	
151 449	OTTO RYAN MICHAEL & SPOUSE	908 SLOOP AVE		KANNAPOLIS	NC	28083-2957	OTTO CAITLIN
150 205	ANDERSON SHELBY CHRISTY	955 N CANNON BLVD		KANNAPOLIS	NC	28083-2916	
150 181	NASSAR HOLDING LLC	923 NORTH CANNON BLVD		KANNAPOLIS	NC	28083-2916	
150 095	FOURSQUARE GOSPEL CH	1100 GLENDALE BLVD		LOS ANGELES	CA	90026	



May 15, 2026

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial hearing on Tuesday, June 2, 2026, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2026-07 – Special Use Permit – 956 N Cannon Boulevard

The purpose of this hearing is to consider a request for a Special Use Permit (SUP) to allow for a tattoo studio on property located at 956 N Cannon Blvd. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for tattoo or body-piercing uses in the General Commercial (GC) zoning district. The subject property is 0.29 +/- acres and is more specifically identified as Rowan County Parcel Identification Number 150 096 **(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 hearing or request, please do not hesitate to contact the Planning Department at 704.920.4355 or bbarcroft@kannapolisnc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B Barcroft', is written over a light blue horizontal line.

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.

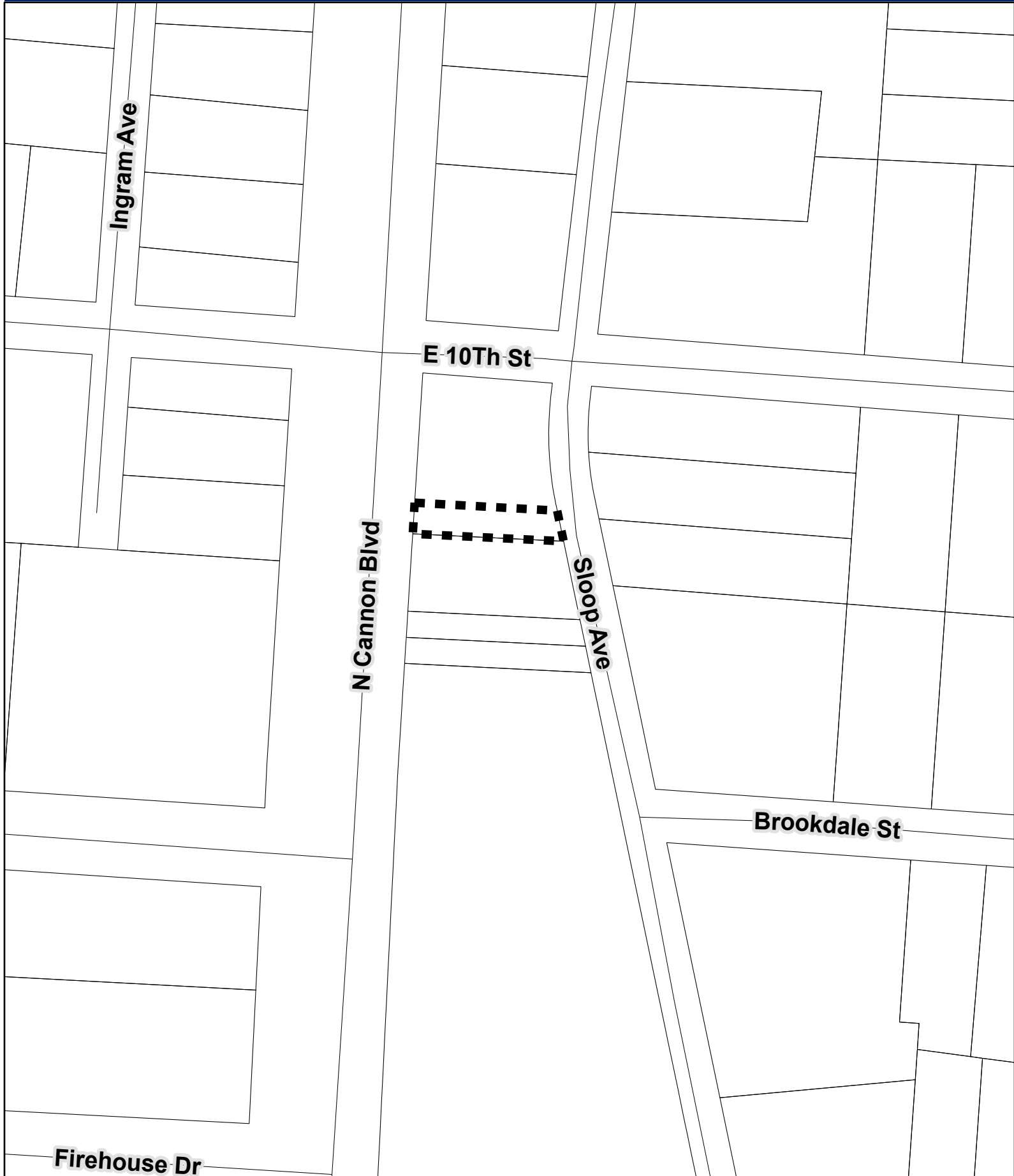


Special Use Permit

Case Number: BOA-2026-07

Applicant: Luis F Gonzalez

956 N Cannon Blvd





KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #BOA-2026-07

WV
MO
www.
980-2
954 N Cannon Blvd.

AUTO CRANE
Adkins
Equipment
Charlotte N.C.

958

956

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