

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, MARCH 21, 2019**

The Northport Board of Zoning Adjustment was called to order at 6:00 p.m. on Thursday, March 21, 2019 in the Council Chambers of the Northport City Hall by Chairman Jeffery Thompson.

Upon roll call the following members were found to be present: Mr. Jon Garner, Mrs. Tamar Madison, Mrs. Susan Rue, Mr. Jeffery Thompson and Mr. Jason Ward. Absent and failing to vote was Mr. Earnest O'Rourke. Also present were staff members Mrs. Julie Ramm, Mr. Ron Davis and Mrs. Nannette McKinney.

Approval of Minutes

Motion by Mr. Jon Garner to approve the minutes for February 21, 2019. **Seconded by Mrs. Susan Rue** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Rue – Yes; Mrs. Madison -Yes; Mr. Ward and Mr. Thompson - Yes. **Motion carried.**

Approval of Agenda

Motion by Mrs. Susan Rue to approve the agenda. **Seconded by Mr. Jon Garner.** Roll call vote was as follows: Mrs. Rue – Yes; Mr. Garner – Yes; Mrs. Madison -Yes; Mr. Thompson -Yes; and Mr. Ward - Yes. **Motion carried.**

Approval of Proper Notification- Mrs. Ramm informed the Board that proper notification was given.

Verification of No Conflict of Interest Mr. Jason Ward informed the board that he will abstain from Old Business IX. Item A V-19-04.

Notice of Right to Appeal – Mr. Thompson stated the Notice of Right to Appeal procedures were on the back of the agenda

Old Business

V-19-04 William Lunsford – Lunsford Construction request a variance to use metal façade that exceeds more than twenty-five percent of the structure located at 1905 4th Street.

The petitioner was not present. No Action was taken.

New Business

V-19-05 John Denton – requests a variance to renovate existing guest house located on 6900 45th Street.

John Denton, 6900 45th Street, Northport, Alabama, stated he has an existing guest house that he bought two years ago on 45th Street. The house already has power and only needs plumbing and water to be fully functional. He stated that his parents are nearing retirement age and have multiple health issues. He would like to renovate this guest house for them to live there. He stated that his house is located at the end of a secluded dead-end street and resides on multiple acres of land. He said that he has talked to neighbors on surrounding properties and they are ok with it. He stated that he will have a plumber to come out to make sure the grade is appropriate for the sewer.

Jon Garner asked if the residence utilities will be on the same system as the main house or separate services.

John Denton stated he would like to keep them together if possible. He stated that he doesn't plan on selling so he would like to keep them on the same service.

Julie Ramm stated the city may require a separate lateral for the sewer line and water meter. The Utilities Department will determine if separate services are required.

Jon Garner asked has the house been used for a guest house before.

John Denton stated no one has ever lived in it. The previous owner never finished it.

Jon Garner stated his concern is for the future if someone wanted to rent this guest house out as an apartment. He also stated he was concerned if the property was ever sold that an investor could want to rent both properties. He asked if the variance could be granted just for this owner.

Julie Ramm stated the variance would run with the property, not the owner.

Susan Rue stated she would like to add language to the motion that would limit the occupants of the guest house to family members only.

Tamaria Madison asked if the board had ever added language like this to other cases.

Jeffery Thompson stated that to his knowledge, it had not been included in other properties.

Julie Ramm stated she did speak to one of the adjoining property owners adjacent to the north and they had no objections to the variance request.

Margaret River, 18 Cloverdale Estates, stated she has lived there since 1982 and has always had drainage problems. Ms. Rivers stated she wanted to know if he was building anything that the water flow would not affect her property.

Jon Denton stated the building was already there.

Jason Garner asked if there would be any new concrete poured or any additional driveways added.

Jon Denton stated no.

Motion by Susan Rue to allow the renovation of the existing guest house in the single-family residential neighborhood with the condition that the secondary residence will only be occupied by family members. **Second by Jason Garner** Roll call vote was as follows: Mrs. Rue -Yes; Mr. Garner -Yes; Mrs. Madison -No; and Mr. Thompson – No; Mr. Ward -Yes **Motion Fails.**

Julie Ramm stated for clarification it takes four affirmative votes to pass the motion.

Motion by Jeffery Thompson to grant a variance to renovate the existing guest house located on 6900 45th Street, Northport Alabama. **Second by Tamar Madison** Roll call vote was as follows: Mr. Thompson – Yes; Mrs. Madison – Yes; Mr. Garner – Yes; Mrs. Rue – No; and Mr. Ward – Yes **Motion Carried.**

V 19-06 Parker Towing Co. – requests a variance to extend existing chain-link fence to encompass proposed long-term parking expansion located at 1001 3rd Street.

Robert Martin with McGriffert and Associates, LLC, 2814 Stillman Blvd, Tuscaloosa, AL representing Parking Towing Co. stated Parker Towing had previously been granted a variance to use crushed aggregated material in parking lot in front of Parker Towing. He stated that the petitioner would also like to expand the existing chain link fence to encompass proposed long-term parking expansion. A chain link fence is not allowed in the zoning ordinance as an approved material. He stated that they would like to match the existing chain-link fence. He also stated that there are some security concerns in that parking lot and that they want to make sure they have optimal visibility to ensure the security of employee's vehicles left over-night on property.

Jeffery Thompson asked if there were cars were left up to 21 days.

Robert Martin stated yes some of the employees are on the tows for 21-day shifts.

Julie Ramm stated there is another section in the code that does not allow chain link fencing in the front yard of any property. She asked if the board were to entertain this variance, that the materials be addressed in the motion. She stated that the existing fence was installed before this ordinance was passed. She also stated that if the petitioner used fence materials that are allowed in the ordinance that the fence would look awkward, going from chain link to wood or metal.

Robert Martin stated we would like matching existing chain-link

Jason Ward asked if the petitioner needed to replace the chain-link fence at some point in the future would they be subject to the new ordinance.

Julie Ramm stated if more than 50 percent needed to be replaced they would have to comply or request another variance.

Susan Rue asked how long the current fence is.

Robert Martin stated a couple of hundred feet.

Susan Rue asked how many feet the fence will be extended.

Robert Martin stated maybe 30 or 40 feet.

Robert Martin stated that the petitioner is concerned with security/safety of employee and their property. He also stated that they want to maintain optimal visibility to ensure the security of employee vehicles left over night on the property.

Motion by Mrs. Susan Rue to approve the variance request to extend existing chain-link fence to encompass proposed long-term parking expansion located 1001 3rd Street. **Seconded by Mrs. Tamar Madison**. Roll call vote was as follows: Mrs. Rue -Yes; Mrs. Madison -Yes; Mr. Thompson-Yes; Mr. Garner -Yes and Mr. Ward - Yes **Motion carried.**

IX. DISCUSSION

Jeffery Thompson stated the election of Chairman and Vice-Chairman will be discussed.

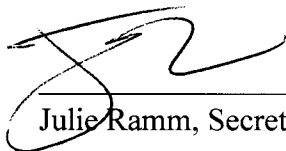
Julie Ramm stated there are two seats that are vacant.

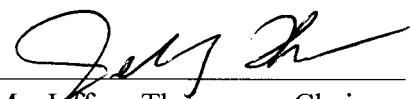
Jeffery Thompson stated the election will be tabled until the Council makes the appointments to the board.

X. CITIZEN COMMUNICATION

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 6:34 p.m.



Julie Ramm, Secretary

Mr. Jeffery Thompson, Chairman