

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, MAY 02, 2019**

The Northport Board of Zoning Adjustment was called to order at 6:00 p.m. on Thursday, May 02, 2019 in the Council Chambers of the Northport City Hall by Vice Chairman Jason Ward.

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

Approval of Minutes

Motion by Mr. Jon Garner to approve the minutes for March 21, 2019. **Seconded by Mrs. Tamaría Madison** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Madison – Yes; Mr. O'Rourke -Yes; and Mr. Ward- Yes. **Motion carried.**

Approval of Agenda

Motion by Mr. Jon Garner to approve the agenda. **Seconded by Mrs. Tamaría Madison.** Roll call vote was as follows: Mr. Garner – Yes; Mrs. Madison -Yes; Mr. O'Rourke -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

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

Old Business - none

New Business

V-19-07 David Crawford – David Crawford requests a Variance for the Resurvey of Lots 15 and 16 Block A. E.M. Brown Subdivision to make each lot equal in width.

Chris Sentell, Sentell Engineering, 639 Black Bears Way, Tuscaloosa, AL 35401, representing David Crawford requesting a Variance for Resurvey of 2 lots, to make them equal in width. Currently Lot 15 is 49ft in width with a residential structure in place and Lot 16 is currently 69 feet in width which complies with current zoning. Houses are on the lots that were built in 1930 and 1940 and under zoning ordinance at that time. This case involving Lot 15 would bring hardship upon the owner if the zoning regulation were to be carried out today based on lot width and allowable setbacks in the event of fire or the likely event of home upgrades or modification.

Mr. Crawford would like to sell a lot to the church. He is asking to shift Lot 15, 49 feet to the south to get another 10 feet. This make the lots conformities with the other lot on the street.

Jon Garner stated he thought the lots had been combined into one Lot.

Julie Ramm stated it was under her impression that the older lot lines no longer existed.

Chris Sentell stated Mr. Crawford got the approval, but the 3rd lot was going on 10th just East of the church. He was going to combine all the lots together and build townhomes or Condos, but he was approached by someone else to purchase the lots.

Julie Ramm stated she thought they were talking about the original 1913 lot lines.

Chris Sentell stated Mr. Crawford is going to divide the lots to sell to the church, When I divide the lots it will be 5901 for each lot.

Jon Garner asked if it was lot 16 that he wanted to sell

Chris Sentell stated it was Lot 16 and Lot 15 he wants to keep.

Jon Garner stated as it stands now if the house burns to ground he can build on the single lot. He has the entire space of Lot 15 & 16 to build on. It would count as one lot.

Julie Ramm stated yes. It has one single family house on that one lot.

Jon Garner stated if this approves and he doesn't get the deal with the church it's a free-standing lot on its own.

Julie Ramm stated if the board approves the variance the next course of action will be to come before the Planning Commission for the actual subdivision dividing the two lots. The request before the ZBA is just to reduce the minimum lot width.

Chris Sentell stated the minimum lot width is 60 feet.

Julie Ramm stated it is 75 feet and zoned RS-3.

Chris Sentell stated 5901 for each lot. Most of the lots are 50 right now.

Jon Garner stated the request is take it to 59 feet.

Julie Ramm stated there is one across the street. Building Inspections will play a role and Code Enforcement.

Motion by Jon Garner to approve the variance request to reduce minimum lot width from 75 feet to 59 feet. **Second by Jason Ward** Roll call vote was as follows: Mr. Garner -Yes; Mr. Ward -Yes; Mrs. Madison -No; and Mr. O'Rourke -Yes **Motion Pass.**

V 19-08 Trestle Square Subdivision – Thompson Family Ltd. Requests a Variance from 415.01.D.2 that prevents open space areas less than 40 feet wide and 7500 feet in size from counting toward the total open space requirements for the development.

Tom Sims, Longleaf Engineering, LLC, 432 65th Street, Suite A, Tuscaloosa, AL 35405 on behalf of the owner. This is a proposed subdivision that has already gone through Planning Commission and got approval. We have annex and rezoned the property. We are requesting today a variance from 514.01.d.2 that prevents open space areas less than 40 feet wide and 7500 feet in size from counting toward the total open space requirements for the development.

Jason Ward asked to make it 40 feet wide would you just decrease the buffer zones?

Tom Sims stated a perimeter buffer was basically done around the entire subdivision which was not a requirement. There are areas that are narrow around the buffer

Julie Ramm stated the Preliminary Plat and Master Plan has been approved subject to this variance being granted.

Tony Robert, 5901 Oak Way, Northport, AL, District 1, City Councilman and the Council Representative for Planning and Zoning. The applicant is correct and could have shovel all the houses against the property lines. We technically have less than 40 feet in this area. This is something we would like to look at in creating more space around the subdivision, with a buffer this give HOA the ability to do more in a area. This is the best example of where we want to go with traffic calming in the middle of the subdivision.

Motion by Mr. Garner to approve the required 40 feet buffer variance request to the size approve in the Master Plan. **Seconded by Mrs. Tamar Madison.** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Madison -Yes; Mr. O'Rourke and Mr. Ward - Yes **Motion carried.**

V19-10 Northport Baptist Church – Northport Baptist Church requests a variance from the minimum building lines located at 1004 Main Avenue.

Jason Coker, McGiffert and Associates, LLC, 2814 Stillman Blvd, Tuscaloosa, AL 35401, representing Northport Baptist Church. The Pastor is also here. The petitioner requests to modify the minimum building set back margin along portions of the 10th Street near the proposed new Student Life Center. To do this we are building over an existing plot line. The minimum set back per the Zoning Ordinance and Subdivision regulations impacts expansion of the existing building. The dedication of additional ROW along 10th Street required by the recent re-subdivision and associated full extent of minimum building set back margin will eliminate the ability to utilize the property for the desired new Student Life Center. A part of our submittal and request for the subdivision we ask for a waiver of the ROW requirement to maintain the 25-foot setback for minimum building line. The reason is the existing structure being the

sanctuary. No one is going to tear down this historical building. As we met at the Planning and Commission they were comfortable with dedicating the ROW on the lot where the proposed building and adding a provision if anything happens to the existing sanctuary the ROW would be dedicated to the City. The Church agrees instead of asking for waivers of the ROW dedication that we ask for Variance for the setback where the proposed building is going. Due to the location of the existing building and configuration on the property, this building expansion will blend in well with the existing structures. It is our opinion that the variance will have no impact on adjoining properties.

Jason Ward asked if there would be an exit facing 10th Street on student life Center

Jason Coker stated the exit will be in between the gym and propose building and having a connection to right going into the existing sanctuary. If there is an exit to South or Eastside, it would be dedicated for emergency. They are proposing building sidewalks along 10th Street to the parking lot. The main focused entrance and exit will be off the Parking lot.

Tony Roberts, 5901 Oak Way, Northport, Al 35473 , Council Representative, The reason the City wants to maintain the ROW is for future. We have been giving up a lot of ROW's. We thought it was best to maintain our right as a City and work with the Church, so they can build. We thought the 14ft was good. 10th Street is one of the few streets going East/West. Two cars can pass each other. There are already curb and sidewalks existing, so we don't have to do anything there.

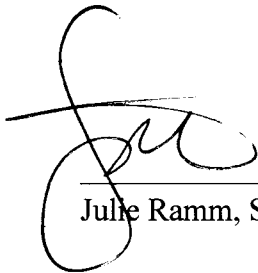
Motion by Mr. Garner to approve the requested variance from the required 25 feet set back to 14 feet set back along 10th Street. **Seconded by Mr. Ward.** Roll call vote was as follows: Mr. Garner -Yes; Mr. Ward – yes; Mrs. Madison -Yes; and Mr. O'Rourke - Yes **Motion carried.**

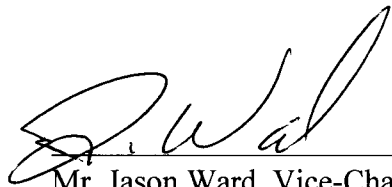
IX. DISCUSSION - None

X. CITIZEN COMMUNICATION - None

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 7:05 p.m.



Julie Ramm, Secretary

Mr. Jason Ward, Vice-Chairman