

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, June 20, 2019**

The Northport Board of Zoning Adjustment was called to order at 6:00 p.m. on Thursday, June 20, 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, Mr. Earnest O'Rourke and Mr. Jason Ward. Mrs. Susan Rue. Absent and failing to vote was Mr. Jeffery Thompson and Mrs. Tamaria Madison. Also present were staff members Mrs. Julie Ramm, Mr. Ron Davis, Mr. Max Snyder and Mrs. Nannette McKinney

Approval of Minutes

Motion by Mr. Jon Garner to approve the minutes for May 02, 2019. **Seconded by Mrs. Susan Rue** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Rue – 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. Susan Rue.** Roll call vote was as follows: Mr. Garner – Yes; Mrs. Rue -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-19-09 Ronald Bolton – Ronald Bolton requests a Variance from Curb Cut requirements (Section 418 located at 4050 Flatwoods Road.

Ronald Bolton, 4210 Highway 43N, Northport, AL, stated he would like to use an existing road way for driveway connection. It is 35 ft short of the required distance for 125' requirement.

Jon Garner asked where the purposed drive would lead.

Ronald Bolton stated to a vacant lot where they plan to build a house.

Motion by Jon Garner to approve the variance request to reduce Curb cut requirements from 125 feet to 90 feet Second **by Susan Rue** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Rue -Yes; Mr. O'Rourke -Yes; and Mr. Ward - Yes **Motion Carries.**

V-19-11 Dr. Jeff Fuller – Dr. Jeff Fuller requests a Variance from Curb Cut requirements (Section 418), located at 971 Fairfax Professional Park.

John Stevens, 5510 10th Court East, Northport, AL stated Dr. Fuller wants to improve handicap accessibility for eye surgery patients by adding a portico with a one-way entrance, 12 feet wide to pick up patients.

Jon Garner stated it looks like the proposed entrance off Fairfax would be even with the edge of parking.

John Steven stated that's correct.

Jon Garner asked is there adequate space for someone to pull in and be dropped off.

John Stevens stated that there was adequate space.

Motion by Jon Garner to approve the variance request to reduce Curb Cut requirements from 100 feet to what is shown on the submitted drawing. The entrance will be a right entrance only. Second **by Jason Ward** Roll call vote was as follows: Mr. Garner -Yes; Mr. Ward -Yes; Mr. O'Rourke -Yes; and Mrs. Rue- Yes **Motion Carries.**

V-19-13 Bristol Park Retail, LLC- Bristol Park Retail, LLC requests a Variance from the Freestanding General Business signage requirements (Section 804) regarding the number of allowable freestanding signs located 13556 Highway 69 North, Northport.

Kevin Young, Knight Sign Industries, 5959 Knight Avenue, Tuscaloosa, 35405, representing Bristol Park Retail, LLC located at 13556 Highway 69 North, stated the Publix Shopping Center is asking for four freestanding signs. Three signs will be located along Highway 69 and one sign on Mitt Lary Road. Two of the signs along Highway 69 will be monument style signs. The other sign on Highway 69 and the sign on Mitt Lary will be pylon signs.

Susan Rue asked how many signs the Publix on McFarland Boulevard has.

Julie Ramm stated there is a sign on McFarland and smaller one on 69 behind the CVS.

Kevin Young stated the Walmart has 3 or 4 at the Shopping Center.

Julie Ramm stated Walmart does have the larger sign (Pylon sign) next Chick-fil-a. She also pointed out that these developments are larger in scale than the proposed development.

Kevin Young stated there could be about 7 or 8 tenants that would use the larger sign depending on how the space is divide. The current design shows 3 tenant panels on each of the two pylon signs.

Ken Faught, 1503 Mallard Circle, Tuscaloosa, AL, representing Dutch Oil, appeared before the board. He stated they are not opposed to Publix but we want a level playing surface. Mr. Faught said they have a competitive business in their building and we feel what's good for us should be good for them. He requested if the board moved forward with the variance, they wanted the same treatment.

Cal Holt, Knight Sign Industries, 5959 Knight Avenue, Northport, stated there is a difference in the two properties. One has tenants and one does not. One is a much larger development of the other. Mr. Holt said he appreciated the fact they were able to find a sign to fit the ordinance, but not everyone can do that. He asked the board to consider the comparisons.

Julie Ramm stated a sign permit was applied for at the end of 2017 for Dutch Oil. The freestanding pylon sign on the corner is approximately 51 square feet. She also stated they had a monument sign on the other street which was a little over 14 square feet. The total square footage was a little over 65 square feet.

Jon Garner asked what their limit was.

Julie Ramm stated the limit was 160 square feet for both signs because they are not classified as a shopping center. The area of the two signs may be distributed in any combination not to exceed 100 square feet on any individual sign.

Susan Rue asked what the height and width of the sign is.

Julie Ramm stated the sign was 20 feet.

Motion by Jon Garner to approve the variance to allow 3 freestanding signs, 2 pylon signs as stated on map and one monument sign at the right in only on Highway 69. Second **by Jason Ward** Roll call vote was as follows: Mr. Garner -Yes; Mr. Ward -Yes; Mr. O'Rourke -Yes; and Mrs. Rue- Yes **Motion Carries.**

V-19-12 Bristol Park Retail, LLC - Request a Variance from the Freestanding General Business signage requirements (Section 804) regarding the allowable square footage for freestanding signs located at 13556 Highway 69 North, Northport Alabama.

Kevin Young, 5959 Knight Avenue, Tuscaloosa, AL, Knight Signs, Industries, representing Publix's stated the Petitioner requests a variance to allow a total of 275 square feet of signage. The square footage would be divided between the signs. This would allow us enough square footage to have for each of the tenants.

Jon Garner asked where was the 16.89 coming from that was stated in the staff report

Julie Ramm stated it is the difference in the way she calculates the square footage measuring from the inside panel of the sign. She stated she calculates all sign permits this way.

Jon Garner stated he was coming up with 266.89.

Sue Rue stated she would like to see something comparable.

Kevin Young stated The Shop of Lake Tuscaloosa Publix would be comparable.

Motion by Jon Garner to approve the variance from the maximum allowed square footage to allow 3 freestanding signs, 2 pylon signs at 125' each and 1 monument sign at 17' for a total of 267 square feet. **Second by Susan Rue** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Rue -Yes; Mr. O'Rourke - Yes; and Mr. Ward- Yes **Motion Carries.**

V-19-14 Chick-Fil-A – Requests a Variance to lower the required number of parking spaces by 2 parking spaces.

Michael Glover, 5200 Buffington Road, Atlanta, GA, 30349, representing Chick-Fil-a stated they are purposing a dual line drive thru. In doing that we are going to lose 8 parks near the double door entrance. We have a letter from Walmart allowing a joint access parking, but we are still two spaces short of the requirement.

Jason Ward asked if the new drive through would replace the parking that is there now.

Michael Glover stated where the drive thru is now will stay and there are 8 spaces against the building that will be lost.

Julie Ramm stated they are losing some landscaping, but there is no where else they can add any new plantings. The staff did contact ALDOT and they were in favor of the request to help relieve some of the traffic flow.

Motion by Susan Rue to approve the variance by reducing from 35 to 33 with shared parking agreement with joining property owner. **Second by Jason Ward** Roll call vote was as follows: Mrs. Rue -Yes; Mr. Ward -Yes; Mr. Garner – Yes; Mr. O'Rourke -Yes; **Motion Carries.**

IX. DISCUSSION

Jon Garner stated he would like to encourage the board to go out to the sites and seeing the measurements would be helpful. He stated that he has asked if the sign ordinance needs to be revisited. He is looking for City Planning to give some guidance.

Julie Ramm stated the sign ordinance is one of the items that is being considered to revisit. You are invited to attend the Commission pre-meeting when it is discussed about sign ordinance.

Jon Garner stated he would like to know when things like this are being discussed at the Planning Commission level, so he can attend.

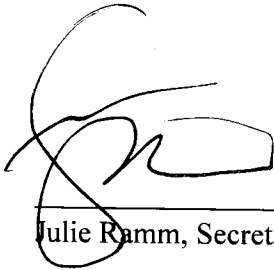
Julie Ramm stated she would let the board know. She also stated if any of the board members would like to meet on-site in the future, she could meet them. She stated that we cannot have a quorum meet on site without following the proper notice requirements, but she can meet the board members individually.

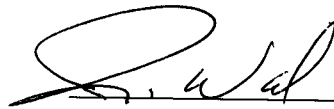
Jon Garner also stated he would like to encourage the board to let staff know if they will not be available for meetings.

X. CITIZEN COMMUNICATION - None

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 7:25 p.m.



Julie Ramm, Secretary

Mr. Jason Ward, Vice-Chairman