

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, NOVEMBER 19, 2019**

The Northport Board of Zoning Adjustment was called to order at 6:02 p.m. on Tuesday, November 19, 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. Tamar Madison, Mr. Earnest O'Rourke, Mrs. Susan Rue and Mr. Jason Ward. Absent and failing to vote was Mr. Jeffery Thompson. 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 October 17, 2019. **Seconded by Mrs. Rue Madison.** Roll call vote was as follows: Mr. Garner -Yes; Mrs. Rue – Yes; Mrs. Madison-Yes; Mr. O'Rourke -Yes; and Mr. Ward- Yes. **Motion carried.**

Approval of Agenda

V-19-04 William Lunsford – Withdrawn

V-19-19 James E. Jordan - Withdrawn

Motion by Mr. Jon Garner to approve the agenda. **Seconded by Mrs. Rue.** Roll call vote was as follows: Mr. Garner – Yes; Mrs. Rue-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-19-20 Lindsey Collins – Requests a Variance from paved parking requirements located at 4408 Hwy 43 North.

Julie Ramm stated the petitioner requests a variance from the requirement to provide an improved suitable, hard surface, permanent type of pavement for all required parking. This business has been operating at this location for several years. However, it has only recently applied for a license through the City of Northport. It was at this time that the staff discovered the issue with the parking area. Ms. Collins states in her petition that her customers use the circle driveway to pick-up and drop-off pets for

grooming. This type of business does not generate high traffic volumes. Therefore, there isn't a high demand for parking. It is for these reasons, that staff does not have objections to this request.

Lindsey Collins, 4408 Hwy 43 N, Northport, Alabama, 35473, state she was operating a dog grooming drop off and pick up service. The business has around-about drive that is used to drop off and pick up. Ms. Collins also stated she didn't think it was necessary to have a parking lot for customers or employees.

Jason Ward asked how many employees are working at the business.

Lindsey stated there are three employees.

Jon Garner asked how long the business has been operating.

Lindsey Collins stated a year and a half.

Jon Garner asked what the structure used for before she started operating her business there.

Lindsey Collins stated the house was used for a residence.

Julie Ramm stated this property has been zoned commercial for several years. The Business License Division of the City of Northport contacted Ms. Collins about obtaining a license. The Planning Department could not approve the license because there was no paved parking.

Susan Rue asked if the parking was paved or gravel. Ms. Rue stated she has concerns with safety issues getting on Highway 43.

Lindsey Collins stated the drive was gravel. Ms. Collins also stated as you drive through you can drop your pet off in the front.

Jon Garner asked what was required.

Julie Ramm stated the ordinance requires paving to be a hard, permanent type surface. Mrs. Ramm also stated this property is zoned C-3. (General Commercial)

Lindsey Collins stated the duplex next to her does not have paved parking.

Alvin Strickland stated he owns the property and had it rezoned several years ago. He rented the house to Mrs. Collins 3 or 4 years ago. She was a struggling student trying to accomplish her goals and that he wanted to help her have her own business. He stated that paving the drive and parking area will cause a financial hardship. He stated there wasn't a need for a paved parking area because the circle drive is only used for drop off and pick up.

Motion by Jon Garner to grant the variance from paved parking requirements located at 4408 Highway 43. **Second by Jason Ward** Roll call vote was as follows: Mr. Garner -Yes; Mr. Ward -Yes; Mr. O'Rourke -Yes; Mrs. Rue-No; and Mrs. Madison - Yes **Motion Carries.**

V-19-21 Northport Storage LLC – Request a Variance for relief from foundation planting standards located at 4240 Northcreek Boulevard.

Julie Ramm stated the petitioner requests a variance from the foundation planting standards. The construction plans for this facility that were approved on September 18, 2018, show the required planting area and met the standards outlined in this section of the ordinance. However, during the construction of the facility, the contractor moved the sidewalk and parking spaces closer to the building and eliminated a portion of the foundation planting area without approval from staff. If the building and adjacent parking had been constructed as proposed on the approved construction plans, there would not be a need for this variance request. It is for this reason, that staff recommends denial of the variance petition.

Jimmy Duncan, McGiffert Associates, LLC, 2814 Stillman Boulevard, Tuscaloosa, AL 35401 representing Northport Storage LLC stated the request for variance for relief from foundation planting standards. Mr. Duncan also stated Mr. Jim Burrow from Memphis, TN was also present to help with any questions. Mr. Duncan stated the request is concerning a 7 foot strip planted along the front of the building. He stated the change was due to a change in figuration of our security fence and gate also an additional door. Concrete was placed in lieu of foundation planting strip, which is making a variance request necessary. With the addition of the second door on front face of the building we want our customers to get clear access to both doors as well as the gate. Mr. Duncan stated that all storage facilities have a requirement for a security fence. He stated they made modifications with hollies along the front door and south east & west corner of the building. There were originally 40 hollies purposed but there are now 50 planted hollies.

Jason Ward stated if the door was on the original plan.

Jimmy Duncan stated one door was on the original plan. They now have two doors

Jim Burrow, 6487 May Creek Cove, Memphis, TN 38119 stated the office building is off Northcreek Boulevard which is a side street 30 feet back from the city street.

Jason Ward stated it appears to be a simple change but it puts the board in a bind.

Tamaria Madison asked if the original plan had sidewalks in front of the greenery.

Jim Burrow stated the greenery was not to be all the way down the side. The greenery is only on the east and west sided. There is no greenery near doors for access into the property.

Tamaria Madison asked if it was in the plans to have a sidewalk and the greenery.

Jim Burrows stated it was drafted to have more greenery in front of the windows.

Tamaria Madison stated if the original plans were drawn showing the sidewalk correctly, the petitioner would not have been required to ask for a variance.

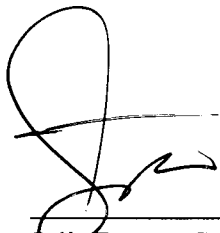
Motion by Susan Rue to grant the variance for relief from foundation planting standards with construction as is, located at 4240 Northcreek Boulevard. **Second by Jon Garner** Roll call vote was as follows: Mrs. Rue -Yes; Mr. Garner -Yes; Mrs. Madison-No; Mr. O'Rourke -Yes; and Mr. Ward - Yes
Motion Carries.

IX. DISCUSSION

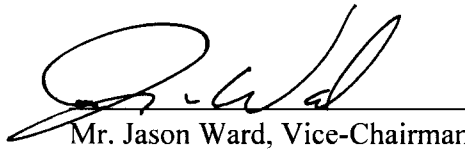
X. CITIZEN COMMUNICATION - None

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 6:49 p.m.



Julie Ramm, Secretary


Mr. Jason Ward, Vice-Chairman