

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, DECEMBER 16, 2021**

The Northport Zoning Board of Adjustment was called to order at 12:00 Noon on Thursday, December 16, 2021 in the Council Chambers of the Northport City Hall by Chairman Jon Garner.

Upon roll call the following members were found to be present: Mr. Jon Garner, Mr. Chad Haynie, Mrs. Tena Phifer, Mr. Kevin Shobe, and Mr. Brian Chandler. Absent and failing to vote was Mr. Aubrey Dale and Mr. Tyler Walker. Also present were staff members Mrs. Julie Ramm, Mrs. Holly Phillips, Mr. Ron Davis, Mr. Shaun Patten, and Nannette McKinney

Approval of Minutes

Motion by Mr. Brian Chandler to approve the minutes for October 21, 2021. **Seconded by Mr. Chad Haynie.** Roll call vote was as follows: Mr. Chandler-Yes; Mr. Haynie-Yes; Mr. Garner-Yes; Mrs. Phifer-Yes; Mr. Shobe-Yes. **Motion carried.**

Approval of Agenda

Motion by Mr. Chad Haynie to approve the agenda for December 16, 2021. **Seconded by Mrs. Tena Phifer** Roll call vote was as follows: Mr. Haynie-Yes; Mrs. Phifer-Yes; Mr. Garner-Yes; Mr. Shobe-Yes; Mr. Chandler-Yes. **Motion carried.**

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

Verification of No Conflict of Interest – Mr. Garner stated he would abstain from item V-21-27 Ronald John Jones.

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

Old Business

V-21-24 J. Todd Palmer – Requests a variance from maximum sign square footage allowed for a residential multi-family development located at 1901 First Street.

Milton Chancellor, 2706 Mayfield Street, Northport appeared before the Board accompanied by J. Todd Palmer. Mr. Chancellor stated this item was table from the last meeting to provide more information. Mr. Chancellor stated the sign proposed is 36' high lettering and 272" long and require approximately a 22 square foot variance and the other one is 36" and 240 long and would require a 16-foot clearance.

Brian Chandler stated the sign will bring attention to the development and not Northport.

Todd Palmer stated it will potentially bring attention to the whole area Northport.

Brian Chandler stated the sign that fits the code looks the best on the building in his opinion.

Todd Palmer stated that it will add to the area of the downtown Northport.

Kevin Shobe state there needs to be a hardship from the maximum allowable square footage to change.

Todd Palmer stated the hardship is the size of the building and the size of the sign being seen from the building.

Julie Ramm stated Mr. Palmer also has the ability to sell these buildings because they are condominium. Mrs. Ramm also stated the hardship cannot be self-created.

Kevin Shobe asked the requirements.

Julie Ramm stated the zoning ordinance allows the development to have one wall or freestanding sign per entrance to the development at maximum of 32 square feet per sign.

Chad Haynie read the 804.06 Multi-Family Residential Signs of the Ordinance stating permits are required for all signs located on multifamily residential properties. The following requirement apply to multi-family residential sites: A. Wall sign – 32 square feet. B. Freestanding Sign – 32 square feet. C. Allow one sign of either type at each entrance from a public street.

Brian Chandler asked if the variance was based on the height of the sign from the ground.

Julie Ramm stated it does not. The sign does not have to be at the top of the building, which is a self-created hardship. Mrs. Ramm also stated the City did not require the building to be 3 stories and the City is not requiring the sign to be at the top of the 3 stories.

Jon Garner stated any variance granted shall be the minimum adjustment necessary for the reasonable use of the land. The applicant must prove that the variance will not be contrary to the public interest and no practical difficulties and unnecessary hardship will result if it is not granted.

Todd Palmer stated yes it will create a hardship because the sign will be smaller. Mr. Palmer stated they are proposing a sign more visually appealing for the space.

Motion by Mr. Jon Garner to approve the variance for the maximum sign square footage from the allowed 32 square feet to a total of 54 square feet located at 1901 First Street. **Seconded by Mr. Chad Haynie** Roll call vote was as follows: Mr. Garner-No; Mr. Haynie-Yes; Mrs. Phifer-No; Mr. Shobe-No; Mr. Chandler-No. **Motion Failed.**

Motion by Mr. Jon Garner to approve the variance for a total of 48 square feet located at 1901 First Street. **Seconded by Mr. Chad Haynie** Roll call vote was as follows: Mr. Garner-Yes; Mr. Haynie-Yes; Mrs. Phifer-Yes; Mr. Shobe-No; Mr. Chandler-Yes. **Motion Carried.**

New Business

V-21-26 Richard Henry – Requests variance to allow signs mounted to roof located at 720 McFarland Boulevard.

Richard Henry, 1901 8th Avenue, appeared before the Board stating he had purchased the shopping center approximately 45 days ago. Mr. Henry is proposing to install signage above the roofline to give the appearance of the shopping center a little more height and to help the cosmetic appeal.

Jon Garner asked what type of roof is located on the shopping center.

Richard Henry stated the roof is metal with a low slope.

Brian Chandler asked if the property were to be sold would the new owner be under the same guidelines.

Jon Garner stated this Board is approving only the variance to allow signs being mounted to roof. Mr. Garner also asked for the dimensions for the proposed signs.

Richard Henry stated 10 feet wide by 42 inches tall for each unit.

Kevin Shobe asked what was the petitioner's hardship.

Richard Henry stated there is not enough space above the doorways to be able to get consistent signage that is visual appealing. If the variance is not approved the cosmetic appeal would be less.

Julie Ramm stated Section 802.20 in the zoning ordinance.

Motion by Mr. Chad Haynie to approve the requested variance to allow signs mounted to roof with stipulation that there is only one sign per business and uniformed in size, color based and visual consistent in style of photo presented and does not exceed square footage allowed by ordinance located at 720 McFarland Blvd. **Seconded by Mr. Kevin Shobe** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-Yes; Mr. Garner-Yes; Mrs. Phifer-Yes; Mr. Chandler-Yes. **Motion Carried.**

V-21-27 Ronald John Jones – Requests a variance to allow fence within 10 feet or curb located at 2421 21st Avenue.

Ronald John Jones, 11453 Stella Way, appeared before the Board stating a proposal to construct a 4-foot-tall wooden picket fence along 25th Street and 21st Avenue. Mr. Jones stated the lot is a small corner lot. The property line is within the 10 feet right of way. The side of the yard is the only area to have a fenced in yard.

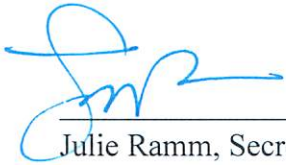
Holly Phillips stated there are no easements outside of the right of way.

Motion by Mr. Chad Haynie to approve the variance to allow a fence located at 2421 21st Avenue. The fence shall not be located closer than 7 feet on 25th Street and 21st Avenue and shall not be closer than 5 feet of the corner. **Seconded by Mr. Kevin Shobe** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-Yes; Mrs. Phifer-Yes; Mr. Chandler-Yes. **Motion Carried.**

X. DISCUSSION

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned.



Julie Ramm, Secretary



Mr. Jon Garner, Chairman