

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, JANUARY 20, 2022**

The Northport Zoning Board of Adjustment was called to order at 6:20 p.m. on Thursday, January 20, 2022, 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. Aubrey Dale, Mr. Jon Garner, Mr. Chad Haynie, Mrs. Tena Phifer, Mr. Kevin Shobe, Mr. Tyler Walker and Mr. Brian Chandler. 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. Chad Haynie to approve the minutes for April 15, June 17, October 21, and December 16, 2021. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-Yes; Mr. Dale-Yes; Mr. Garner-Yes; Mrs. Phifer-Yes; Mr. Walker-Yes; and Mr. Chandler-Yes; **Motion carried.**

Approval of Agenda

Motion by Mr. Kevin Shobe to approve the agenda for January 20, 2022. **Seconded by Mr. Chad Haynie** Roll call vote was as follows: Mr. Shobe-Yes; Mr. Haynie-Yes; Mr. Dale-Yes; Mr. Garner-Yes; Mrs. Phifer-Yes; Mr. Walker-Yes; Mr. Chandler-Yes. **Motion carried.**

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

Verification of No Conflict of Interest

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

Old Business - None

New Business

V-22-01 KWJ Investments – Requests a variance from façade requirements located at 1801 64th Avenue.

Adam Ingram, 2890 Rice Mine Road NE, Tuscaloosa appeared before the Board representing KWJ Investments. Mr. Ingram stated KWJ Investments is requesting a variance from the façade requirements from 30 percent of the wall height to 3'4" high located at 1801 64th Avenue. According to the ordinance in Section 1002.13.B.4 the architectural metal panels shall be allowed in commercial zones with the following conditions: A minimum base of four feet or 30 percent of wall height, whichever is greater, of brick, stone, split face block, or other durable material (not smooth finish concrete masonry units or

concrete) shall be located on all sides visible from a public street; if a multi-story building, the first story must meet this material requirement. Mr. Ingram stated the proposed building addition height is 20 feet and to meet the requirements of the zoning ordinance, the stone base would need to be 6 feet in height. Mr. Ingram also stated the petitioner is requesting to maintain the base at 3'4" which is what was allowed under the previous conditional use approval.

Brian Chandler asked if the addition would have the same type of roof.

Mr. Ingram stated the proposed structure will use the same materials as the existing building.

Motion by Mr. Chad Haynie to approve the requested variance from facade requirement from 30 percent of the wall height to 3'4" high located at 1801 64th Avenue. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-Yes; Mr. Dale-Yes; Mr. Garner-Yes; Mr. Shobe-Yes; and Mr. Chandler-Yes; **Motion carried.**

V-22-02 The Broadway Group, LLC – Requests a variance from minimum setback and parking requirements located at the corner of Applejack Boulevard and McFarland Boulevard.

Alyssa Hailey, Development Manager, The Broadway Group, LLC, 216 Westside Square, Huntsville 35801 appeared before the Board proposing to construct a new commercial retail store at 824 McFarland Boulevard. The proposed structure is 10,640 square feet. Ms. Hailey stated she is requesting a variance from the setback requirements and parking requirements. Ms. Hailey stated she is proposing to reduce the setbacks along McFarland Boulevard and along Applejack Boulevard from 40 feet to 20 feet and the parking requirements from 43 space to 31 spaces.

Dr. Rose Betz, 1603 Waterfall Parkway, Tuscaloosa appeared before the Board stating concerns of water overflow and drainage on to her property.

Richard Henry, Druid City Rentals, 9th Avenue, Tuscaloosa appeared before the Board stating his concerns of adequate parking. Mr. Henry asked if a dumpster would be on the property. Mr. Henry also had concerns with delivery truck routes.

Chad Haynie asked how deliveries would be handled.

Alyssa Hailey stated deliveries would be handled during business hours.

Motion by Mr. Chad Haynie to approve the requested variance from the front setbacks along McFarland Boulevard and Applejack Boulevard from 40 feet to 20 feet. **Seconded by Mr. Jon Garner** Roll call vote was as follows: Mr. Haynie-No; Mr. Garner-No; Mr. Dale-No; Mr. Shobe-No; and Mr. Chandler-No; **Motion failed.**

Motion by Mr. Chad Haynie to approve the requested variance from the parking requirements from 43 required spaces to 31 spaces. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie-No; Mr. Shobe-No; Mr. Dale-No; Mr. Garner-No; and Mr. Chandler-No; **Motion failed.**

V-22-03 Brilliant Coal Company, LLC- Requests a variance from exterior façade requirements located at 4549 Robert Cardinal Airport Road.

Brad Bull, Brilliant Coal Company, LLC, 803 Main Avenue, Northport, appeared before the Board proposing to construct a new commercial building for custom golf cart sales located at 4549 Robert

Airport Road. Mr. Bull stated he is requesting a variance to use metal siding along portions of the sides of the building. The front façade and the first 30 feet of each side of the building will be constructed of hardy board with a 4-foot-tall stone base and the remaining 45 feet of each side is proposed to be metal siding. Mr. Bull also stated there are other metal buildings on the properties near this site. However, some of those buildings are not located within the City of Northport.

Motion by Mr. Chad Haynie to approve the requested variance from the façade requirements to allow metal siding along the sides of the proposed building not to exceed 45 feet from the rear of the building located at 4549 Robert Cardinal Airport Road. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-No; Mr. Dale-Yes; Mr. Garner-Yes; and Mr. Chandler-Yes; **Motion carried.**

V-22-04 Brilliant Coal Company, LLC – Requests a variance from curb cut requirements in Section 418.01 located at 4549 Robert Cardinal Airport Road.

Brad Bull, Brilliant Coal Company, LLC, 803 Main Avenue, appeared before the Board accompanied by Doug Varmon, Engineer, TTL, proposing to construct a new commercial building for custom golf cart sales located at 4549 Robert Airport Road. Mr. Bull stated he is requesting a variance from the curb cut requirements to allow a curb cut approximately 150 feet to the nearest curb cut. Mr. Bull also stated that constructing the drive entrance that would meet the ordinance would result in an excessively long driveway for the business.

Holly Phillips stated staff does not have objections in granting the variance request since moving the driveway will not create any additional traffic or pose any additional traffic issues.

Motion by Mr. Jon Garner to approve the requested variance from the curb cut requirements to allow a curb cut approximately 150 feet to the nearest curb cut distance located at 4549 Robert Cardinal Airport Road. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Garner-Yes; Mr. Shobe-Yes; Mr. Dale-Yes; Mr. Haynie-Yes; and Mr. Chandler-Yes; **Motion carried.**

V-22-05 Todd Palmer – Requests a variance from minimum parking requirements located at 1901 1st Street.

Frank Summers, TTL, 3516 Greensboro Avenue, Tuscaloosa, 35401 appeared before the Board representing Todd Palmer. Mr. Summer stated Mr. Palmer is requesting a variance from the minimum parking requirements for multiple unit developments/apartments. Mr. Palmer is proposing to construct an additional 88 units (180 bedrooms). The proposal, when fully constructed will consist of 118 units with 270 bedrooms. The zoning ordinance requires one space per bedroom for multiple unit developments. However, this zone allows a reduction of 25 percent, a total reduction of 67 spaces. The required parking, with the reduction for this site is 203 spaces. Mr. Palmer is requesting a variance to reduce the number of required parking spaces for an apartment building from 203 spaces to 188 spaces.

David Pass, Dockside Northport LLC, 1200 Greensboro Avenue, Tuscaloosa appeared before the Board stating his support for the variance, but also ask for the same consideration for future endeavors.

Jay Logan, Tuscaloosa, appeared before the Board stating his support of the variance request from the minimum parking requirements.

Motion by Mr. Chad Haynie to approve the requested variance from minimum parking requirements to 188 spaces located at 1901 1st Street. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie-Yes; Mr. Shobe-Yes; Mr. Dale-Yes; Mr. Garner-Yes; and Mr. Chandler-Yes; **Motion carried.**

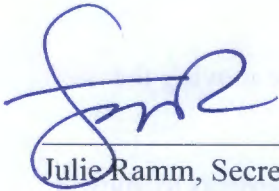
X. DISCUSSION

Motion by Mr. Chad Haynie to elect Jon Garner as Chairman of the Zoning Board of Adjustment. **Seconded by Mr. Brian Chandler.** **Motion carried.**

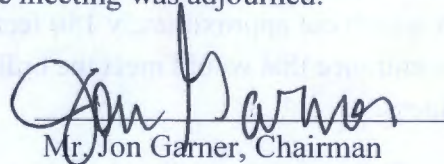
Motion by Mr. Chad Haynie to elect Kevin Shobe as Vice Chairman of the Zoning Board of Adjustment. **Seconded by Mrs. Tena Phifer.** **Motion carried.**

XI. ADJOURNMENT

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



Julie Ramm, Secretary


Mr. Jon Garner, Chairman