

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, July 21, 2022**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, July 21, 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, Ms. Tena Phifer, Mr. Kevin Shobe, Mr. Tyler Walker and Mr. Brian Chandler. Absent and failing to vote was Mr. Chad Haynie. Also present were staff members Mrs. Julie Ramm, Mrs. Holly Phillips, Mr. Chris Cunningham, Mr. Ron Davis, Mr. Shaun Patten, and Mrs. Morgan Williams.

Approval of Minutes

Motion by Mr. Kevin Shobe to approve the minutes for June 16, 2022. **Seconded by Mr. Aubrey Dale.** Roll call vote was as follows: Mr. Shobe – Yes; Mr. Dale - Yes; Mr. Garner - Yes; Ms. Phifer - Yes; Mr. Walker – Yes; and Mr. Chandler - Yes; **Motion carried.**

Approval of Agenda

Motion by Mr. Kevin Shobe to approve the agenda for July 21, 2022. **Seconded by Ms. Tena Phifer.** Roll call vote was as follows: Mr. Shobe - Yes; Ms. Phifer – Yes; Mr. Dale - Yes; Mr. Garner - Yes; Mr. Walker – Yes; and 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 - None

Notice of Right to Appeal – No conflict of Interest.

Old Business - None

New Business

V-22-12 Christopher Ross – Christopher Ross is requesting a variance from accessory structure regulations regarding setbacks and architectural compatibility in Section 607 for the property located at 5705 Dove Creek Avenue.

The petitioner was not present.

Mr. Garner opened the floor for public comments.

Mr. Wesley Snider, representing his grandparent's estate, 1706 Grand Lake Street, stated that when walking out in their driveway you can not even see the road. They conducted a survey and the tree located to the right of this property is located on their property. Mr. Snyder stated that the property value of the surrounding houses will decrease due to the circumstances. He also stated that the pallets used to

cover the lower part of structure is crazy and all mixed match in sizes and colors. Mr. Snyder stated that he works for the City of Tuscaloosa Planning and Zoning Code Enforcement.

Mrs. Elaine Kizzire, representing Mr. James Howell at 5609 Dove Creek Avenue, stated that she grew up in this house. She distributed a printed tax parcel map for the commission. She has been a real estate agent for 33 years. She contests to the fact that these types of structures, that Mr. Ross has in his yard, is reflecting the property value. Mrs. Kizzire asked that if this is approved is this the type of presented that we would like to have for Northwood Lake?

Mrs. Kay Holden, located at 3010 Natchez Landing Court, is the President of the HOA for Northwood Lake Subdivision. She stated that she has reached out to Mr. Ross multiple times to help him understand that this is not allowed, and it is also not allowed within the code for the City of Northport. Mrs. Holden stated that this does not add value to their neighborhood. She has helped measure off the setbacks with Mr. Ross and he has stated multiple times he did not know that this was not allowed. She did state that he is also behind on his yearly dues.

Ms. Jamie Dykes, 4015 Frontier Street, stated that she has received several complaints about it. She is here to say that she does not want this to be approved and does not want this to become a precedent to do this before being going through the process and being approved to have this type of structure.

Mr. Garner wants a representative from the city to provide a description of what is being violated at this time.

Shaun Patten stated that the building appears to be encroaching about 15 feet into a platted setback, which is 35 feet with the building 20ft from the right of way. The building is not architecturally compatible with the home itself.

Mr. Garner stated that for purposes of voting on this case number that Ms. Phifer will not be voting on case number V-22-12.

Motion by Mr. Brian Chandler to move to grant requested variance from accessory structure regulations regarding setbacks and architectural compatibility in Section 607 for the property located at 5705 Dove Creek Avenue. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Chandler - No; Mr. Shobe - No; Mr. Dale - No; Mr. Garner - No; and Mr. Walker - No; **Motion failed.**

V-22-13 – BNW Properties, LLC is requesting a variance from paved parking lot requirements in Section 610 for the business located at 6951 5th Steet.

Mr. Brock Phifer, located at 309 Rice Valley Road, had his engineer, Josh Bonner with Sentell Engineering, speak upon his behalf

Mr. Josh Bonner stated that he would like to be able to use a portion of the parking for a lay down area and storage on gravel versus having it paved. The reasons for this he stated were storm water and that when phase 3 is completed you will not be able to see this area from the road.

Mr. Garner asked if the items will be cleaned at this location, how many dumpsters will be stored here at one time and if the dumpsters would be a leasing agreement.

Mr. Phifer stated that the dumpsters will not be cleaned at this location and that they do not come back dirty. He also stated that they never wash the insides out. Mr. Phifer stated that this would be a leasing agreement and that once the dumpsters are picked up for return that all contents will be taken to landfill and the dumpsters will be empty before arriving back to the property.

Mr. Shobe asked if this is due to a hardship.

Mr. Bonner stated this is economical decision and it is a financially cheaper than having it paved.

Mr. Garner opened the floor for public comments.

Mr. Max Snyder, representing the Tuscaloosa County Industrial Development Authority, 2204 University Blvd, stated that they are an adjoining property owner and have a partnership with the Alabama Department of Mental Health that also boards this property to the west. They have been curious on the use of the proposed property and the gravel parking. They believe that this site is a major economic development in the Tuscaloosa County and that The City of Northport is a major funding part of theirs. Mr. Snyder stated again he is not speaking upon the behalf of the Alabama Department of Mental Health, but he can tell you that this site is actively marketed with them and that has significant interest and that it would be detrimental to be standing on this site and having a gravel parking lot for dumpster storage.

Mr. Garner closed the floor.

Mr. Garner requested a member of the Engineering Department speak on the behalf of the gravel parking.

Mrs. Holly Phillips stated that their worry is with the water quality and they would require the runoff to be done through a septic system and not through the storm drains.

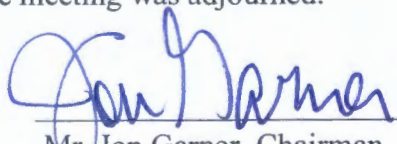
Mr. Garner stated that for purposes of voting on this case number that Mr. Dale will not be voting on case number V-22-13.

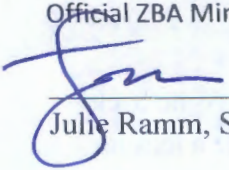
Motion by Mr. Jon Garner to grant requested variance from paved parking lot requirements in Section 610 for the business located at 6951 5th Street. **Seconded by Kevin Shobe.** Roll call vote was as follows: Mr. Garner-No; Mr. Shobe – No; Ms. Phifer – No; Mr. Walker – No; and Mr. Chandler – No; **Motion failed.**

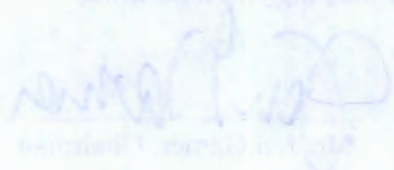
X. DISCUSSION

XI. ADJOURNMENT

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


Mr. Jon Garner, Chairman


Julie Ramm, Secretary


Julie Ramm, Secretary