

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, June 16, 2022**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, June 16, 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. Kevin Shobe, and Mr. Brian Chandler. Also present were staff members Mrs. Julie Ramm, Mr. Brad Matthews, Mr. Ron Davis, Mr. Shaun Patten, and Mrs. Morgan Williams.

Approval of Minutes

Motion by Mr. Aubrey Dale to approve the minutes for August 2021, November 2021 and January 2022. **Seconded by Mr. Jon Garner.** Roll call vote was as follows: Mr. Dale-Yes; Mr. Garner-Yes; Mr. Shobe-Yes; and Mr. Chandler-Yes; **Motion carried.**

Approval of Agenda

Motion by Mr. Kevin Shobe to approve the agenda for June 16, 2022. **Seconded by Mr. Aubrey Dale** Roll call vote was as follows: Mr. Shobe-Yes; Mr. Dale-Yes; Mr. Garner-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 – Mr. Garner stated the Notice of Right to Appeal procedures were on the back of the agenda.

Old Business - None

New Business

V-22-08 Todd Jones – Todd Jones with Allstar Pro is requesting a variance from paved parking lot requirements in Section 610 for a business located at 2910 10th Street.

Todd Jones stated that the business, Allstar Pro is trying to obtain a business license and was unable to do so due to the parking lot requirements. He stated that he can't afford to pave his parking lot. Mr. Jones stated they have approximately 8 employees with no walk-in customers, most employees will be on jobsites. He also stated that no one will be present most of the day. This is an electrical and fencing business. They start their day at 7 am and they leave for the rest of the day. Mr. Jones stated they use the "yard" outside to store their materials and was the reason on the rental of this property. Mr. Jones stated the church next to him, that shares the "yard", went through this process as well on not having to meet the parking requirements.

Mr. Garner opened the floor for public comments.

Mr. Garner closed the public comments due to none.

Mrs. Ramm stated that financial reasons is not considered a hardship. She also stated that he would be required to submit a pavement plan to the Planning Department.

ZBA asked for the engineering input on the lot that is currently gravel.

Mr. Brad Matthews stated paving this lot would be a challenge due to elevation and drainage issues.

Mr. Garner asked Julie if a variance was permanent, she confirmed that it is, Chris Cunningham agreed.

Motion by Mr. Aubrey Dale to approve the requested variance from the required parking standards located at 2910 10th Street. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Garner-Yes; Mr. Shobe-Yes; Mr. Shobe-Yes; and Mr. Chandler-Yes; **Motion carried.**

V-22-09 Brasher Holdings, LLC – – Brasher Holdings, LLC is requesting a variance from residential lot size and setback requirements for RS-4 in Section 603.01 located at the east dead end of Northcreek Boulevard on the next phase of The Terrace at Northcreek.

Mr. Tom Sims, with Longleaf Engineering representing Brasher Holdings, says he wants to closely match the already existing phase of The Terrace of Northcreek, phase one, stating the lot sizes will be slightly larger than in phase 1.

Mr. Dale asked if the current development was conforming. Mrs. Julie Ramm stated it is not, it was at the time of the development.

Mr. Garner asked if new phase would meet all other requirements. Mr. Tom Sims stated it will.

Mr. Dale opened the floor for public comments.

Charles Sewell, 3805 Fernwood Lane, asked about how many lots would be built. He stated the property takes more than a 60 degree drop to the valley below. Mr. Todd Sims stated that the plans will be for 180 lots, in four different phases. They plan to tie into the Northcreek Blvd. as an entrance. Mr. Sims stated that the drop off located at the end of the neighborhood would not be developed but it would be beyond this. As well as, they are planning on using the second entrance for construction to avoid traveling through the existing phase 1.

Mr. Charles Sewell mentioned that the creek is protected by wetlands. Mrs. Ramm and Mr. Matthews stated that the wetlands would be addressed during the construction plans approval.

Mr. Johnny Hurst, speaking for Jolee Brown of 2821 19th Street, stated they would like a map of the proposed development. He received Mrs. Ramm's business card.

Mr. Dale closed the floor for public comments.

Mr. Chandler asked the developer what specifically their hardship was. Mr. Tom Sims responded that he wants to maintain unity with phase 1.

Motion by Mr. Chandler to approve the requested variance from the front lot standards, setbacks and lot width found in Table 6-2 contingent upon the property being rezoned RS-1 to RS-4 for the reduction for required side setbacks and minimum lot width for case V-22-09. **Seconded by Mr Kevin Shobe.**

Roll call vote was as follows: Mr. Chandler-Yes; Mr. Shobe-Yes; Mr. Garner-Yes; and Mr. Dale-Yes;

Motion carried.

V-22-10 Brasher Holdings, LLC- Brasher Holdings, LLC is requesting a variance from residential lot size and setback requirements for RS-4 in Section 603.01 located at the south side of the far west end of Old Union Chapel Road for a residential subdivision.

Mr. Tom Sims, with Longleaf Engineering representing Brasher Holdings, stated that the developer was in the process of purchasing a companion site to the previous case. They will use the same builder and are requesting a variance from the lot width and setback requirements.

Mr. Garner asked if Sunrise Circle, an adjacent neighborhood, was confirmed. Julie said it may be. Julie clarified that this new neighborhood isn't in the master plan.

Mr. Sims stated that it will not have access on HWY43, only on Old Union Chapel Road.

Mr. Dale opened the floor up for public comments.

Mrs. Cara Green, 4180 Old Union Chapel Road, asked how many lots will be built and who the developer & builder will be. Mr. Tom Sims stated that they don't have a layout yet, Brasher Holdings is developer, and they have not chosen a builder yet.

Mrs. Britney Farnon, 4126 Sunrise Circle, stated that this can be seen from her house and wants to know if the new development will be only on the south side of Old Union Chapel Road. Mr. Tom Sims confirmed that it will be.

Mr. Charles Sewell, 3805 Fernwood Lane, asked for confirmation which parcel was being discussed and where the access points would be. Mr. Tom Sims showed the parcel on our map and confirmed that the accesses will only be on Old Union Chapel Road.

Mr. Sewell asked when County Road 62 would be extended, Mr. Garner said we wouldn't know that.

Mr. Dale closed the public comments

Motion by Mr. Garner to approve the requested variance from the front lot standards, setbacks and lot widths found in Table 6-2 contingent upon the property being rezoned RS-1 to RS-4 for the reduction for required side setbacks and minimum lot width for case V-22-10. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Garner-Yes; Mr. Shobe-Yes; Mr. Dale-Yes; and Mr. Chandler-Yes; **Motion carried.**

V-22-11 The Townes of North Lake- Porter-Higginbotham is requesting a variance from lot area and lot width in Section 603.01 of the Cottage and Courtyard of The Townes of North Lake residential subdivision.

Chris Dobbs and Bruce Higginbotham described the lots and presented a PowerPoint showing examples of a similar development. They are requesting a smaller lot size in the Special District zoning to 40 feet being the minimum, there will be bigger lots as well. This development will have "pocket parks" are the district as well. The lot ranges 40-66 feet lot sizes for different types of housing. With all being alley style homes.

Mr. Garner opened the floor for public comments.

Josh Bell, 201 Francis Bell Road, asked what the proposed alley style are lots, Mr. Dobbs stated that they are smaller, not estates lots. Mr. Bell said that Bell Lake is the head of 2-mile creek and the detention ponds can fail, just like at the Woodland behind the Target in Tuscaloosa. Mr. Bell mention the main entrance of Highway 69 N is already a major traffic problem.

Mr. Dobbs stated that the site is 200 areas, with over 75 acres being preserved as open space and all drainage will be accounted for. Mr Higginbotham continued the PowerPoint presentation showing more examples of a similar development. He said that they will have 4-5 detention ponds, 75+ areas of green space, with some of which was at the request of the adjoining property owners. He also stated that this is a new type of development that other municipalities have seen succeed. He states that they want walkability and a community feel, will build 5' wide sidewalks on both sides of the street, and will leave wetlands unaffected.

Mr. Dobbs stated that all phases will have walking trails from the front all the way to the back of the development at the lake.

Mr. Garner as about the access to the property. Mr. Higginbotham stated that ALDOT approved a turning lane and signal at Highway 69.

Mr. Shobe asked where the city stands on reviewing this. Ms. Ramm stated that the plat and master development plan are upcoming on the PZC.

Mr. Shobe asked about the environmental impact of this project. Mr. Higginbotham stated that almost all wetlands will be left untouched.

Ms. Edge, 3315 Highway 69, asked which properties on Highway 69 were bought for this property. Mr. Dobbs told her which parcels are included. Ms. Edge stated that she believes her property is shown on the map, and that Mr. Dobbs tried to buy her land, but wouldn't offer her a fair price because she is a woman.

Mr. Garner stated that this meeting is to just discuss the variances requested.

Mr. Chandler asked if Bell Lake would serve as a detention pond,

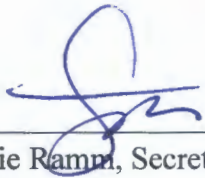
Mr. Higginbotham stated no.

Motion by Mr. Jon Garner to approve the requested variance from lot area and lot width in Section 603.01 of the Cottage and Courtyard of The Townes of North Lake residential subdivision subject to the master development that was presented. **Seconded by Mr. Chandler.** Roll call vote was as follows: Mr. Garner-Yes; Mr. Chandler-Yes; Mr. Dale-Yes; and Mr. Shobe-Yes. **Motion carried.**

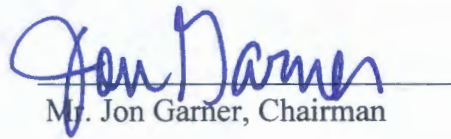
X. DISCUSSION

XI. ADJOURNMENT

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



Julie Ramm, Secretary



Mr. Jon Garner, Chairman