

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, JANUARY 19, 2023**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, January 19, 2023, in the Council Chambers of the Northport City Hall by Chair 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 and Mr. Brian Chandler. Absent and failing to vote was Mr. Chad Haynie and Mr. Tyler Waler. Also present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Mrs. Morgan Williams, Ms. Meredith Mullins, Mr. Chris Cunningham, and Mrs. Holly Phillips.

Approval of Minutes

Motion by Mr. Kevin Shobe to approve the minutes for November 17, 2022. **Seconded by Ms. Tina Phifer.** Roll call vote was as follows: Mr. Shobe – Yes; Ms. Phifer – Yes; Mr. Dale – Yes; Mr. Garner – Yes; and Mr. Chandler - Yes. **Motion Carried.**

Approval of Agenda

Motion by Mr. Mr. Aubrey Dale to approve the agenda for January 19, 2023. **Seconded by Mr. Jon Garner.** Roll call vote was as follows: Mr. Dale – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; Mr. Shobe – 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

- a. V-23-1 – James and Jennifer Ray are requesting a variance from the accessory structure standards in Section 607 to allow a swimming pool within 10 feet of a primary residence located at 11682 Arbor Oaks Road.

James Ray, 11682 Arbor Oaks Road, gave the commission a picture of the back yard. The petitioner stated that the property was surrounded by easements. He stated that they paid to have a survey done for their property to locate the drains and easements, but prior to this, they added a covered patio to their residence. The petitioner stated they are restricted on the use of their property with the easements for a residential pool. They are requesting to move the pool closer to their patio. They stated they understand the concrete issues for the City and the need to access the easement and drain located in their back yard.

Mr. Garner asked the petitioner if their intent was not to put concrete on the backside of their property.

Mr. Ray stated he would work out an agreement with the City on paper that if the concrete needed to be removed, they, as the owner, would remove it and pay to replace the concrete or do a pavior system.

Mr. Garner opened the floor for public comments.

With no public comments to be heard, Mr. Garner closed the floor.

Motion by Mr. Brian Chandler I make a motion to grant James and Jennifer Ray requested variance from the accessory structure standards to allow a swimming pool no closer than 3 feet and 4 inches of the residence located at 11682 Arbor Oaks Road. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Chandler – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; and Ms. Phifer – Yes. **Motion Carried.**

b. V-23-3 – William Wells is requesting a variance from the residential development standards in Section 603.03 to allow two dwelling units on one lot located at 2812 Main Avenue.

Christy Bobo, 230 10th Street, spoke on progress and preserving the history of the City of Northport. She asked the commission to grant the variance for the Oliver Heights Grocery Store to continue to share the History of 1940's Northport in its location leading into our Downtown Northport area.

William Wells, 2812 Main Avenue, spoke regarding the dwelling along with a slide show presentation. The petitioner stated that he and his wife restored Oliver Heights Grocery Store using original materials. They rent this dwelling out as an AirBnB property. The property is a studio type rental and many of their renters chose the rental for the history and location.

Mr. Chandler asked the petitioner if they advertise this for short-term rentals. Mr. Wells stated they will rent through Airbnb, which is a short-term rental.

Mr. Garner opened the floor for public comments.

With no public comments to be heard, Mr. Garner closed the floor.

Motion by Mr. Jon Garner I move to grant requested variance from the residential development standards to all two dwelling units on one lot for the residence located at 2812 Main Avenue. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Garner – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Ms. Phifer – Yes; and Mr. Chandler - Yes. **Motion Carried.**

X. DISCUSSION

a. Election of Chair and Vice Chair

Chair:

Motion by Mr. Kevin Shobe to nominate Jon Garner for Chair of the Zoning Board of Adjustment Board for 2023 year. **Second by Mr. Brian Chandler.** Roll call vote was as follows: Mr. Shobe -Yes; Mr. Chandler – Yes; Mr. Dale – Yes; Mr. Garner – Yes; and Ms. Phifer – Yes. **Motion Carried.**

Vice Chair

Motion by Mr. Jon Garner to nominate Kevin Shove for Vice Chair of the Zoning Board of Adjustment Board for 2023 year. **Second by Ms. Tina Phifer.** Roll call vote was as follows: Mr. Garner – Yes; Ms. Phifer – Yes; Mr. Dale – Yes; Mr. Shobe – Yes; and Mr. Chandler – Yes. **Motion Carried.**

XI. ADJOURNMENT

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



Julie Ramm, Secretary

Mr. Jon Garner, Chairman