

**AGENDA
NORTHPORT ZONING BOARD OF ADJUSTMENT
THURSDAY, NOVEMBER 16, 2023**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A. October 19, 2023

4. APPROVAL OF THE AGENDA

5. VERIFICATION OF PROPER NOTIFICATION

6. VERIFICATION OF NO CONFLICT OF INTEREST

7. NOTICE OF RIGHT TO APPEAL

8. OLD BUSINESS

9. NEW BUSINESS

- A. **V-23-22** - Investar Bank is requesting a variance from the sign requirements found in Article VIII for a business located at 120 McFarland Boulevard.
- B. **V-23-23** - Todd Palmer is requesting a variance from the internal landscape requirements found in Section 703.01.a.7 for a proposed business located at 1901 1st Street.
- C. **V-23-24** - Todd Palmer is requesting a variance from the maximum building height found in Section 703.02.b.1 for a proposed business located at 1901 1st Street.
- D. **V-23-25** - Todd Palmer is requesting a variance from the commercial ground floor height found in Section 703.02.b.2 for a proposed business located at 1901 1st Street.
- E. **V-23-26** - Grant Huddleston is requesting a variance from the accessory structure standards found in Section 607 to allow a swimming pool on a lot without a principal structure for the property adjacent to 4802 Lake Forest Avenue.

10. DISCUSSION

11. CITIZEN COMMUNICATIONS

12. ADJOURNMENT

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

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, October 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, Mr. Chad Haynie, Mrs. Tina Phifer, Mr. Kevin Shobe and Mr. Brian Chandler. Absent and failing to vote was Mr. Tyler Walker. Also present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Mrs. Morgan Williams, Ms. Meredith Mullins, Mr. Chris Cunningham, and Mr. Brad Matthews.

Approval of Minutes

Motion by Mr. Haynie. to approve the minutes for September 21, 2023. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mrs. Phifer – Yes; and Mr. Chandler - Yes. **Motion Carried.**

Approval of Agenda

Motion by Mr. Chandler. to approve the agenda for October 19, 2023. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Chandler – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mr. Haynie; Mrs. 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

Old Business

New Business

- a. **V-23-21** – 7 Brew Northport – Southern Brew Company is requesting a variance from the building materials standards found in Section 509.03a for a business located at 1211 20th Avenue.

Mr. Shaun Patten stated that this is a request for a variance on the building standards for the business located at 1211 20th Avenue. He stated that this is shown as three parcels that have since been platted into one lot located between Lurleen B Wallace Boulevard and 20th Avenue with the anticipation of building a coffee shop. Mr. Patten stated that what the commission is considering on this case is the building materials for the steel columns that support the canopy of this business. He stated that the City's ordinance requires that the columns be platted to match the material of the siding of the building and the applicant wishes a variance from this requirement. Mr. Patten stated that the applicant has provided reasons as why that is included in your packet. He stated that one reason provided is that the columns are small, and it would be difficult to attach any hardy board material too and the other is from an architectural standpoint of this would look better to be painted steel.

Mr. Haynie stated that the reason for the variance is aesthetics, and this would look better than trying to tack up the hardy board.

Chairman Garner opened the floor up for public hearing.

With no one to appear before the board, Mr. Garner closed the public hearing.

Motion by Mr. Haynie to grant Southern Brew a variance to allow exposed steel columns for the proposed drive-through canopy as shown in the included plans for the site located at 1211 20th Avenue. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie - Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mrs. Phifer – Yes; and Mr. Chandler - Yes. **Motion Carried.**

X. DISCUSSION

XI. ADJOURNMENT

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

Mr. Jon Garner, Chairman

Julie Ramm, Secretary

NORTHPORT ZONING BOARD OF ADJUSTMENT
STAFF REPORT
November 9, 2023

AGENDA ITEM

Case Number: V-23-22

Request: A variance from sign standards

Location: 120 McFarland Blvd

Applicant: Investar Bank

SUBJECT PARCEL

Zoning: C-6 Highway Commercial

Zoning of Adjacent Property: C-6 Highway Commercial

Proposed Action: To allow a sign that exceeds the maximum height standards.

STAFF COMMENTS

Investar Bank is seeking a variance from the sign regulations. Those standards are in Sections 806.02.C and are included below:

C. Freestanding Signs in Nonresidential Zoning Districts

The following freestanding signs shall be permitted in all nonresidential zoning districts:

1. Freestanding signs may be pole signs or monument signs.
2. The following provisions shall apply to freestanding signs on lots with buildings that contain three or fewer building units or that contain less than 10,000 square feet in gross building area:
 - a. The maximum sign area for any individual freestanding sign shall be 100 square feet.
 - b. There shall be a maximum of one freestanding sign permitted on any lot.
 - c. For corner lots or double frontage lots, one additional freestanding sign shall be permitted on the second frontage. However, the aggregate maximum sign area of all freestanding signs on a corner lot or double frontage lot shall be 160 square feet. Such signs shall be a minimum distance of fifty (50) linear feet apart and located outside of any applicable site distance triangle.
 - d. The maximum height of a freestanding sign shall be 10 feet for monument signs and 20 feet for pole signs.
 - e. Freestanding signs shall be set back a minimum of 10 feet from any side lot line, as measured from the edge of the sign face.
 - f. Where reader boards are to be used, such reader boards shall be integrated into the structure of the freestanding sign and count toward the maximum allowable sign area. Such reader boards shall be subject to the provisions of Section 806.02(D).

STAFF RECOMMENDATIONS:

The standards for variances as outlined in section 1109.3 of the Northport Municipal Code are as follows:

1108.03. Standards for Variances. *The Board of Zoning Adjustment shall grant no variance in the strict application of the provision of this Ordinance unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised. It is the intent of this Ordinance that the variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. 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 that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate in writing that the appeal for the variance conforms to all of the requirements and standards listed below:

A. *The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

B. *The granting of the variance will not permit the establishment of any use, which is not permitted in the district.*

C. *There must be proof of unique circumstances: there must exist special circumstances or conditions fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.*

D. *There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.*

E. *That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.*

F. *That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*

G. *That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.*

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

SUMMARY:

Investar Bank seeks approval of a variance from the sign height standards to allow a 25-foot-tall freestanding business sign. The current zoning ordinance requires all signs to be no more than 20 feet tall. The applicant proposes to raise the existing sign, which is approximately 19'7" tall, by an additional 5 feet for better visibility.

The applicant has stated that the elevation of the sign is lower than that of McFarland Blvd, and raising it would make it easier to see from the main road. It should be noted that this property is not located directly on McFarland, but is instead on a smaller access road, which is at a different elevation than McFarland Blvd – see included Streetview images.

MOTION:

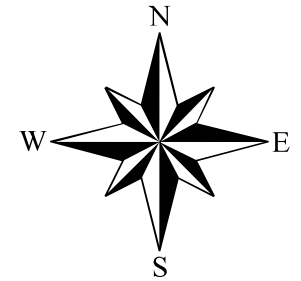
1. I make a motion to grant Investar Bank a variance to allow a sign up to 25 feet tall for the site located at 120 McFarland Blvd.

Northport Zoning Board of Adjustment

Variance Request

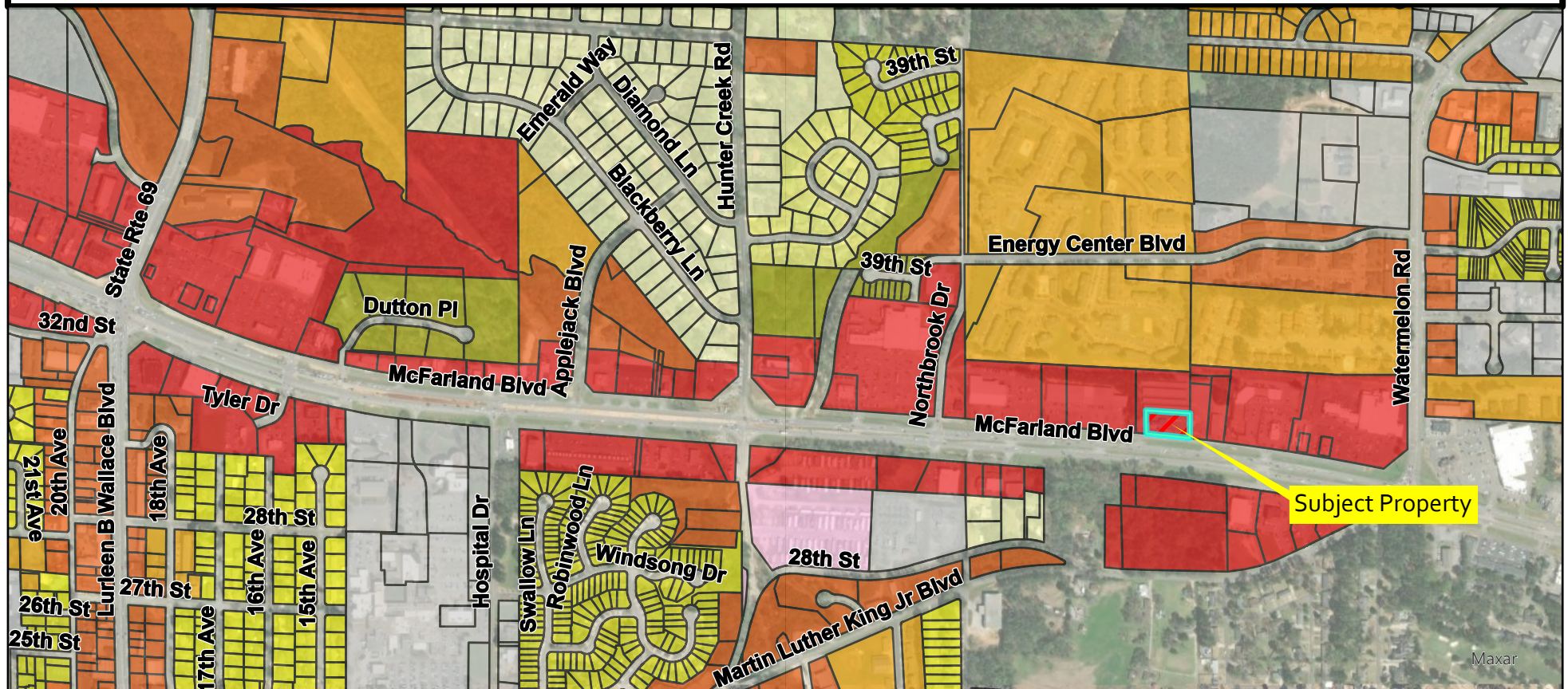
Zoning

- | | |
|--|--|
|  Commercial Highway |  Residential Multi-Family |
|  General Commercial |  Residential Single-Family - 1 |
|  Mobile Home Park |  Residential Single-Family - 2 |
|  Neighborhood Commercial |  Residential Single-Family - 3 |
|  Office and Institutional |  Residential Single-Family - 4 |
| |  Residential Single-Family - SD |
| |  Subject Property |



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.

0 500 1,000 2,000
Feet





Existing sign

Google

Image capture: Oct 2022



Front View
Scale: 3/8"=1'

- NOTES:
1. Remove existing pylon sign and install pylon shipped to KSI by customer.
 2. Add 2' base to pole cover raising height to cabinet to 10'.

Date:	January 30, 2023
Job Name:	Investar Bank
Job Location:	Tuscaloosa, AL
Salesperson:	T. Winters
Designer:	J. Tolley
Drawing Number:	243390

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. SIGNS DESIGNED FOR 120V SERVICE; PLEASE NOTIFY KSI IF POWER SOURCE IS DIFFERENT.

THIS DESIGN IS REGISTERED & UNAUTHORIZED COPYING IS PROHIBITED

REGISTERED

UL



Existing
Scale: 3/16"=1'



Proposed
Scale: 3/16"=1'



**KNIGHT SIGN
INDUSTRIES, INC.**

5959 Knight Ave. Tuscaloosa, AL 35405
www.knightsign.com 205.345.5242

NOTES:

Date: January 30, 2023
Job Name: Investar Bank
Job Location: Tuscaloosa, AL
Salesperson: T. Winters
Designer: J. Tolley
Drawing Number: 243390

THIS SIGN IS INTENDED TO BE
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THE SIGN. SIGNS DESIGNED FOR
120V SERVICE; PLEASE NOTIFY KSI
IF POWER SOURCE IS DIFFERENT.





FCO ALUMINUM
Scale: 3/4"=1'



Proposed
Scale: 1/4"=1'



**KNIGHT SIGN
INDUSTRIES, INC.**

5959 Knight Ave. Tuscaloosa, AL 35405
www.knightsign.com 205.345.5242

NOTES:

1. FCO Aluminum Plate Letters and Logo painted to match listed colors. Letters and Logo stud mounted wall.

 **PMS 294c**

 **PMS 430c**

SQ. FOOTAGE: 15

Date: January 30, 2023
Job Name: Investar Bank
Job Location: Tuscaloosa, AL
Salesperson: T. Winters
Designer: J. Tolley
Drawing Number: 243390

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FCO ALUMINUM
Scale: 1"=1'



PURPOSED
Scale: 1/2"=1'



KNIGHT SIGN
INDUSTRIES, INC.

5959 Knight Ave. Tuscaloosa, AL 35405
www.knightsign.com 205.345.5242

NOTES:

1. FCO Aluminum Plate Logo with brushed aluminum finish. Letters and Logo stud mounted to wall.

*Logo to consist of individual pieces.

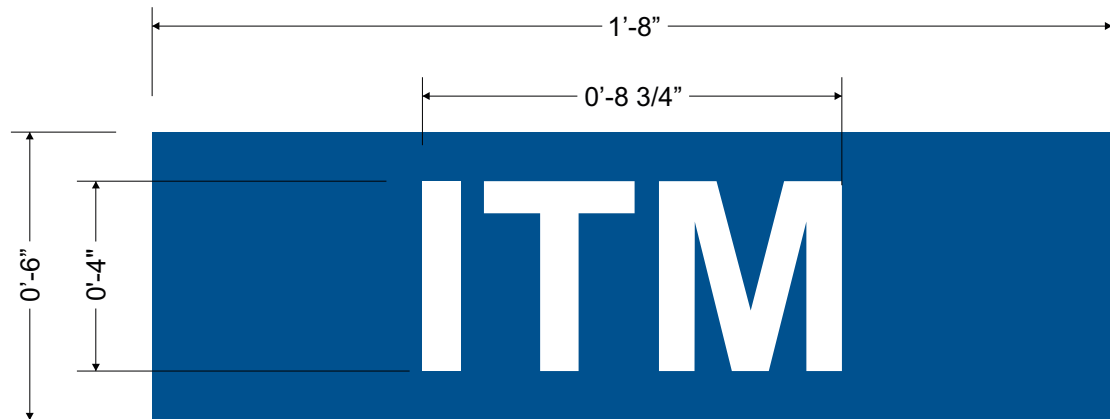
 **Brushed Alum.**

SQ. FOOTAGE: 9

Date: January 30, 2023
Job Name: Investar Bank
Job Location: Tuscaloosa, AL
Salesperson: T. Winters
Designer: J. Tolley
Drawing Number: 243390

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.090 ALUMINUM
Scale: 3"=1'



PURPOSED
Scale: 1/2"=1'



KNIGHT SIGN
INDUSTRIES, INC.

5959 Knight Ave. Tuscaloosa, AL 35405
www.knightsign.com 205.345.5242

NOTES:

1. .125 aluminum panel
painted to match PMS
294c with white vinyl
copy.

 PMS 294c

 WHITE

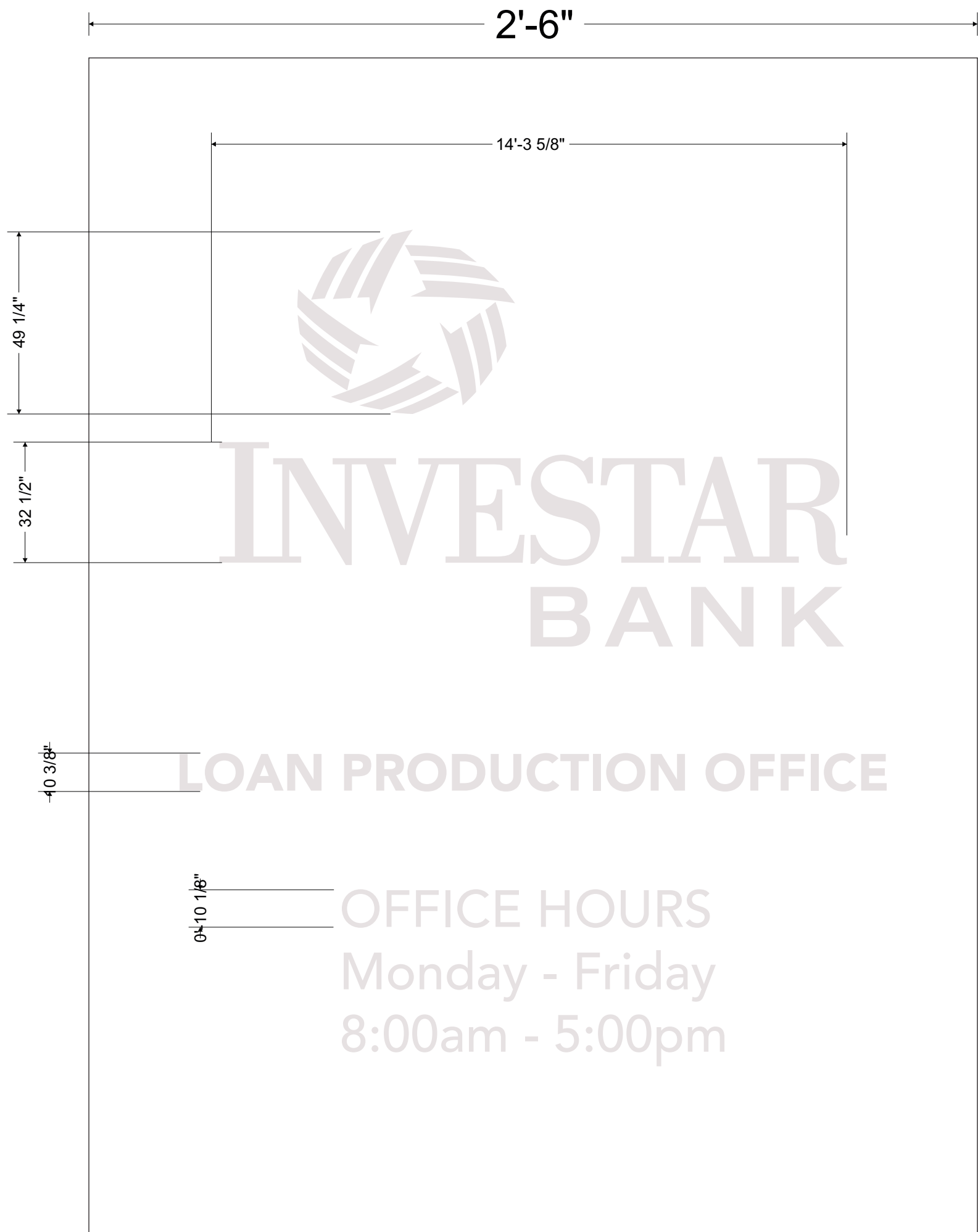
SQ. FOOTAGE: .75

Date: January 30, 2023
Job Name: Investar Bank
Job Location: Tuscaloosa, AL
Salesperson: T. Winters
Designer: J. Tolley
Drawing Number: 243390

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IF POWER SOURCE IS DIFFERENT.



Door Vinyl
Scale: 3"=1'



KNIGHT SIGN
INDUSTRIES, INC.

5959 Knight Ave. Tuscaloosa, AL 35405
www.knightsign.com 205.345.5242

NOTES:

1. 1st surface 3M Frosted Vinyl applied to office door.

3M Frosted

SQ. FOOTAGE: 4

Date: January 30, 2023
Job Name: Investar Bank
Job Location: Tuscaloosa, AL
Salesperson: T. Winters
Designer: J. Tolley
Drawing Number: 243390

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City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to planning@cityofnorthport.org.

PROCESS

1. You have requested a variance, special exception or interpretation of the Zoning Ordinance. The Zoning Board of Adjustment has the full authority to rule on cases such as this after a public hearing.
2. The Zoning Board of Adjustment meets in City Hall, located at 3500 McFarland Boulevard, in the Council Chamber at 6:00 p.m. on the third Thursday of each month.
3. You or your agent must be present at the meeting to explain your request and answer questions.
4. No later than the closing of business hours four weeks prior to the meeting, the following must be submitted to the Planning and Inspections Department:
 - An Administrative Appeal Application completely filled out and signed (page 2 and 3 of this packet);
 - The names and mailing addresses of all adjoining property owners as obtained from the Tax Assessor on the first floor of the County Courthouse. Adjoining owners include owners on all sides of the property in question and also the property across streets, creeks, power line right-of-ways, etc.;
 - A filing fee of \$75.00, plus certified mailing fees per adjoining property owner and advertising fees;
 - A small drawing (8x11) of the lot in question with dimensions; existing and proposed new construction with dimensions; distance to the property lines of all structures; any other concerns which may be applicable to your case, such as existing and proposed parking spaces, heights of structures, access roads, etc. The drawing are not required to be professionally prepared, but must be legible and accurate.
5. A decision of the Zoning Board of Adjustment is final. The Circuit Court will hear any appeals to the decision of the Zoning Board of Adjustments. Appeals to the Circuit Court must be applied for within 15 days after a final decision of the Zoning Board of Adjustment has been made.



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

Date of Application: _____

SUBMITTAL CHECKLIST

- | | |
|--|--|
| ☐ Completed Application | ☒ Designation of Agent Form (if applicant is not property owner) |
| ☐ \$75 Appeal Fee (additional fees may apply) | ☐ Names and Addresses of all Adjoining Properties |
| ☐ Site Plan/Sketch (showing property lines, existing and proposed structures, and dimensions) | |

PROPERTY INFORMATION

Property Address: 120 McFarland Blvd N. Northport, AL 35476
Property Subdivision and Lot Number: _____
Property Zoning District: _____
Existing Buildings on Property: _____
Proposed Construction on Property: _____

PETITIONER INFORMATION

Petitioner Name: Knight Sign Industries, Inc.
Petitioner Phone: (205) 345-5242 Petitioner Email: mzavaleta@knightsign.com
Petitioner Address (if different than property information above): 5959 Knight Ave. Tuscaloosa, AL 35405
Petitioner is Owner of Property (if yes, skip owner information): ☐ Yes ☒ No

OWNER INFORMATION

Owner Name and/or Company: James Richard Key
Owner Mailing Address: P.O. Box 84207 Baton Rouge, LA, 70884
Owner Phone: (225) 227-2165 Owner Email: _____

☒ BY CHECKING THIS BOX, I HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

The information contained in this document is true and correct and may be relied upon by the City of Northport. By typing my name and by checking this box, this acknowledges that I am bound by this document just as if I had signed the document rather than typed my name to this document.

Applicant Signature: Melissa Zavaleta Date: 9/22/23



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

REQUEST INFORMATION

Describe the nature of the request:

Knight Sign is needing to raise the Investar Bank pylon
by 5 feet.

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the same zoning district:

We are asking to raise the height of this
pylon based off of the grade of the highway being
higher than the pylon's grade.

Describe how your appeal (if granted) would impact neighboring properties or how it would or would not be contrary to the public interest:

This will have no impact on neighboring
properties.

Any additional information you would like to add to help process your request, including evidence of petitioner's interest in the property if petitioner is not the property owner:



City of Northport Designation of Agent Form

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

I, Thomas Doiron, being owner of the property which is the subject of this application
hereby authorize Knight Sign Industries, Inc. to act as my representative with the City of Northport's
(Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed
on the attached application form.

Property Owner Signature: Thomas Doiron

Date: 09/14/23

Property Owner Mailing Address:

P.O. Box 84207
Baton Rouge, LA 70884

Phone Number:

(225) 227-2165

Authorized Agent Mailing Address:

5959 Knight Ave.
Tuscaloosa, AL 35405

Phone Number:

(205) 345-5242

STATE OF ~~ALABAMA~~ LOUISIANA
PARISH ~~EAST BATON ROUGE~~
COUNTY OF ~~TUSCALOOSA~~

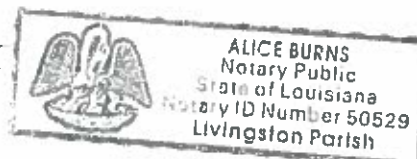
I, Alice Burns, a Notary Public in and for said County and State, hereby certify
that Thomas Doiron whose name is signed to the foregoing document, and who is known to
me or acknowledged before me on this day, that being informed of the contents of said document, did
execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 14th day of Sept. 2023

Alice Burns
Notary Public

My Commission Expires:

with death



NORTHPORT ZONING BOARD OF ADJUSTMENT
STAFF REPORT
November 9, 2023

AGENDA ITEM

Case Number: V-23-23, V-23-24, and V-23-25

Request: A variance from building height and landscaping standards

Location: 1901 1st Street

Applicant: Todd Palmer

SUBJECT PARCEL

Zoning: South Main Riverfront

Zoning of Adjacent Property: Recreational, Rivers Edge, South Main Riverfront

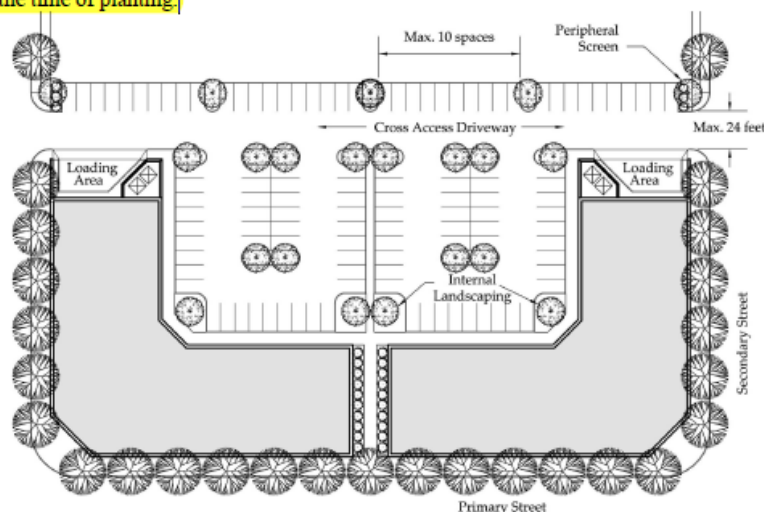
Proposed Action: To reduce the minimum first-floor height, to increase the overall allowable building height, and a reduction in internal landscaping requirements.

STAFF COMMENTS

Investar Bank is seeking a variance from the building height and landscaping regulations. Those standards are in Sections 703.01.A & 703.02.B and are included below:

7. Parking Design. Peripheral Screening: A year-round screening treatment shall be provided between any parking area and adjacent street. The screening area shall be a minimum of five (5) feet in width. While it should visually obscure pavement and vehicles and provide shade, for security purposes, it should not completely preclude views into the parking lot. Screening should include shade trees with an average maximum spacing of twenty (20) feet. Screening shall also include a low fence or wall, and/or shrubs with a minimum height of three (3) feet at the time of planting. Fencing shall be wood or metal, but shall not include chain link. Walls shall be brick, stone or concrete clad in stucco. Shrubs shall be evergreens. Trees shall be a minimum caliper of 2.5 inches at the time of planting.

Internal Landscaping: Landscaped islands or projections shall be provided to include one (1) or more shade trees at the end of all parking rows and within long parking rows. For each parking row, there shall be no more than ten (10) consecutive parking spaces between landscape islands/projections. Trees shall be a minimum caliper of 2.5 inches at the time of planting.



B. Building Scale & Placement

1. **Maximum Building Height: Sixty (60) feet.** Building heights shall be measured from the average grade of the front façade to either: a) the top of the parapet on the front façade of flat-roofed building; or b) the top of the eave on the front façade of pitched-roofed buildings. Non-habitable vertical architectural elements, such as steeples and cupola, shall not be counted toward building height calculations.

VII-15

April 2, 2012

2. **Commercial Ground Floor Height:** The minimum ground floor height of buildings in which the first floor will be used for commercial purposes shall be fourteen (14) feet. The ground floor height shall be measured from the finished floor to the ceiling.

3. **Railroad Trestle Visibility:** Between Main Avenue and the railroad within this district, no building shall be higher than seventy-five (75) percent of the height of the railroad tracks, as measured from the average elevation along the property line adjacent to the railroad right-of-way.

STAFF RECOMMENDATIONS:

The standards for variances as outlined in section 1109.3 of the Northport Municipal Code are as follows:

1108.03. Standards for Variances. *The Board of Zoning Adjustment shall grant no variance in the strict application of the provision of this Ordinance unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised. It is the intent of this Ordinance that the variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. 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 that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the

applicant shall establish and substantiate in writing that the appeal for the variance conforms to all of the requirements and standards listed below:

A. *The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

B. *The granting of the variance will not permit the establishment of any use, which is not permitted in the district.*

C. *There must be proof of unique circumstances: there must exist special circumstances or conditions fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.*

D. *There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.*

E. *That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.*

F. *That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*

G. *That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.*

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

SUMMARY:

Todd Palmer seeks approval of a variance from the building height and landscaping standards to accommodate construction of a 5-story hotel.

On building heights, the current ordinance has a maximum building height of 60 feet, as well as a requirement that the first floor of commercial buildings be at least 14 feet tall. The applicant requests a variance to allow a 68.5' tall building with a 10'8" first floor height. They have stated that the increased height will only apply to the middle portion of the building, and that the reduction in first floor height will better fit their architectural design.

On landscaping, the ordinance requires a landscaped island to be installed for every 10 contiguous parking spaces. The applicant is requesting a variance to waive this requirement for the purpose of

providing the required minimum parking spaces. To offset this reduction, the applicant proposes to include landscaping strips in the parking lot that are not required by the ordinance.

MOTION:

I make a motion to grant Todd Palmer a variance to allow

1. A reduction in the required minimum first floor building height from 14 feet to 10'8",
2. An adjustment from the maximum building height from 60 feet to 68.5 feet, and
3. An adjustment in the landscaping requirements as shown on the site plan for the property located at 1901 1st street.

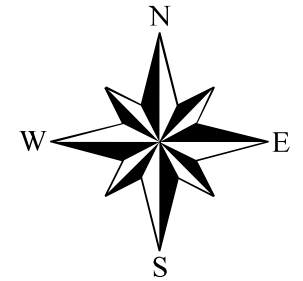
Northport Zoning Board of Adjustment

Variance Request

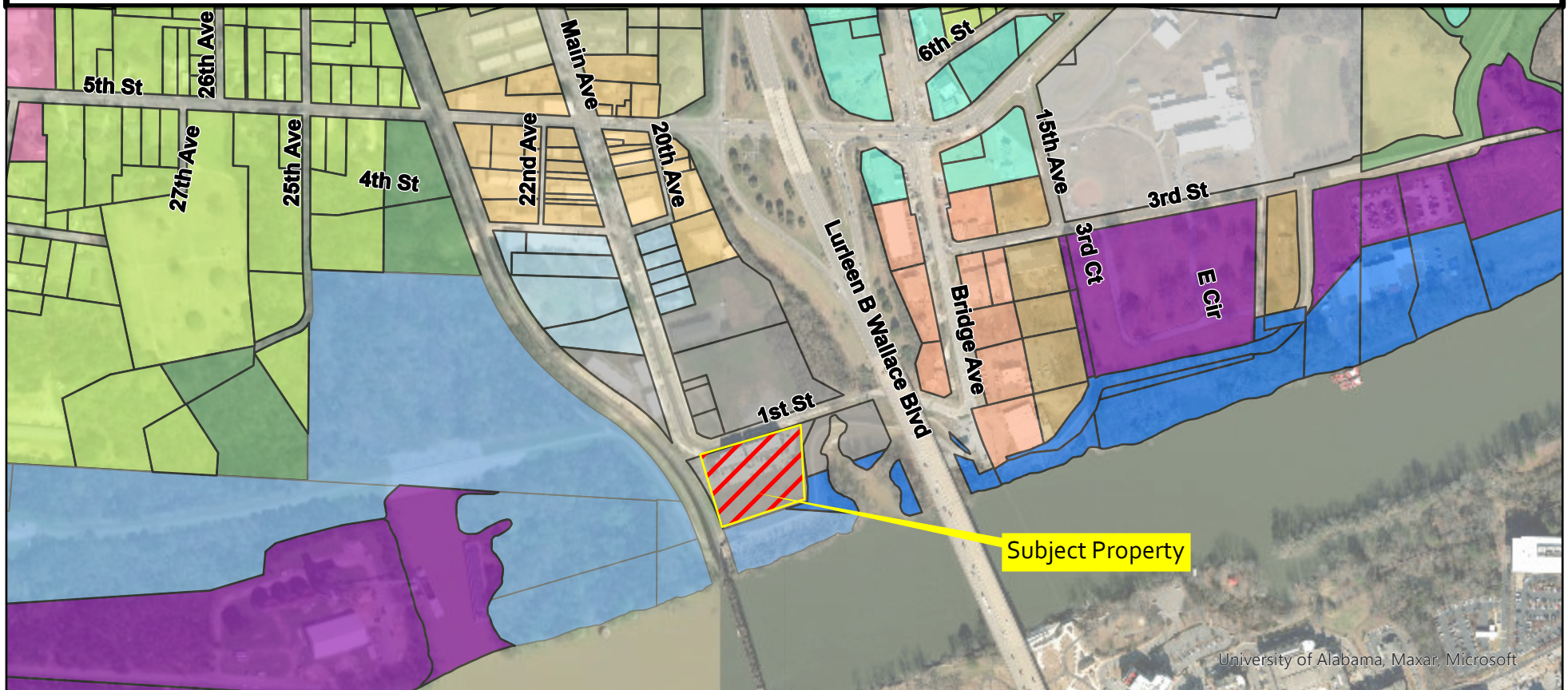
Zoning

- | | |
|--|--|
|  Bridge Avenue North |  New Urban Neighborhood |
|  Bridge Avenue South |  Office and Institutional |
|  Conservation |  Recreational |
|  Historic Downtown Core |  Residential/Commercial/Institutional |
|  Historic Neighborhood |  River's Edge |
|  Multi-Family Housing |  South Main Riverfront |
|  Neighborhood Center |  Working Riverfront |
| |  Subject Property |

0 500 1,000 2,000 Feet



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.



University of Alabama, Maxar, Microsoft



Approximate
location of
proposed hotel



City of Northport

Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to planning@cityofnorthport.org.

REQUEST INFORMATION

Describe the nature of the request:

Section 703.01.A.7 Internal Landscaping - Variance requested to allow alternative internal landscaping in lieu of providing a landscape island every 10 contiguous parking spaces.

Section 703.02.B.1 Maximum Building Height - Variance requested to allow a maximum building height of 68.5' in lieu of 60'.

Section 703.02.B.2 Commercial Ground Floor Height - Variance requested to allow a 10'-8" first floor height in lieu of 14'.

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the same zoning district:

See separate description attached.

Describe how your appeal (if granted) would impact neighboring properties or how it would or would not be contrary to the public interest:

The variances requested with this petition are expected to have zero impact on adjacent properties. The proposed hotel is surrounded by the existing levy on its east, west, and south sides. An existing residential condominium exists between the hotel and First Street on the proposed hotel's north side. Because the hotel will be located so far from public right-of-way and behind an existing 3-story condominium building, it will generally be hidden from view from Downtown Northport. It will however, facilitate continued positive economic impacts to the Downtown area.

Any additional information you would like to add to help process your request, including evidence of petitioner's interest in the property if petitioner is not the property owner:



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to planning@cityofnorthport.org.

PROCESS

1. You have requested a variance, special exception or interpretation of the Zoning Ordinance. The Zoning Board of Adjustment has the full authority to rule on cases such as this after a public hearing.
2. The Zoning Board of Adjustment meets in City Hall, located at 3500 McFarland Boulevard, in the Council Chamber at 6:00 p.m. on the third Thursday of each month.
3. You or your agent must be present at the meeting to explain your request and answer questions.
4. No later than the closing of business hours four weeks prior to the meeting, the following must be submitted to the Planning and Inspections Department:
 - An Administrative Appeal Application completely filled out and signed (page 2 and 3 of this packet);
 - The names and mailing addresses of all adjoining property owners as obtained from the Tax Assessor on the first floor of the County Courthouse. Adjoining owners include owners on all sides of the property in question and also the property across streets, creeks, power line right-of-ways, etc.;
 - A filing fee of \$75.00, plus certified mailing fees per adjoining property owner and advertising fees;
 - A small drawing (8x11) of the lot in question with dimensions; existing and proposed new construction with dimensions; distance to the property lines of all structures; any other concerns which may be applicable to your case, such as existing and proposed parking spaces, heights of structures, access roads, etc. The drawing are not required to be professionally prepared, but must be legible and accurate.
5. A decision of the Zoning Board of Adjustment is final. The Circuit Court will hear any appeals to the decision of the Zoning Board of Adjustments. Appeals to the Circuit Court must be applied for within 15 days after a final decision of the Zoning Board of Adjustment has been made.

 10.18.23



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

Date of Application: 10/18/2023

SUBMITTAL CHECKLIST

- | | |
|---|---|
| ☒ Completed Application | ☐ Designation of Agent Form (if applicant is not property owner) |
| ☒ \$75 Appeal Fee (additional fees may apply) | ☒ Names and Addresses of all Adjoining Properties |
| ☒ Site Plan/Sketch (showing property lines, existing and proposed structures, and dimensions) | |

PROPERTY INFORMATION

Property Address: 1901 1st Street, Northport, AL 35476
Property Subdivision and Lot Number: _____
Property Zoning District: SMR (South Main Riverfront)
Existing Buildings on Property: First & Main Residential Condominiums
Proposed Construction on Property: Hotel

PETITIONER INFORMATION

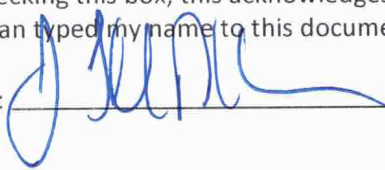
Petitioner Name: Todd Palmer
Petitioner Phone: (205) 750-0096 Petitioner Email: tpalmer@pelsco.com
Petitioner Address (if different than property information above): _____
912 29th Avenue, Tuscaloosa, AL 35401
Petitioner is Owner of Property (if yes, skip owner information): ☒ Yes ☐ No

OWNER INFORMATION

Owner Name and/or Company: _____
Owner Mailing Address: _____
Owner Phone: _____ Owner Email: _____

☒ BY CHECKING THIS BOX, I HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

The information contained in this document is true and correct and may be relied upon by the City of Northport. By typing my name and by checking this box, this acknowledges that I am bound by this document just as if I had signed the document rather than typed my name to this document.

Applicant Signature:  Date: 10-18-23

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the same zoning district:

The subject property is encumbered by a 20'-wide Corps of Engineers Access Easement adjacent to the levy along both the east and south property lines, which reduces the developable area of the property.

Re: internal landscaping, twenty (20) landscape islands will be provided throughout the development, which averages a landscape island per approximately seven (7) parking spaces (code requires a landscape island every ten (10) parking spaces). Additionally, a landscape strip (not required by code) is proposed in the middle of the hotel parking area to break up the large area of parking. Thus, we believe the intent of the code is met with the landscaping plan. Additionally, twenty-feet (20') of greenspace will be provided around the east and west perimeters of the building due to the Corps of Engineers levy access easement.

Re: maximum building height, a maximum building height of 68.5' is requested. However, note that the 68.5' building height will only be along the middle portion of the building. The east and west ends of the building will be at a height of approximately 66.6'. Note that no portion of the building will block site lines of the Trestle from Main Avenue. Additionally, the building will be located approximately 240' from First Street; therefore, the additional requested height will have much less impact on public views and site lines than a 60'-tall building constructed along the street frontage.

Re: commercial ground floor height, the proposed first-floor height of the hotel is 10'-8", which is typical of most hotels. Though a 14' first-floor height is understandable for a retail establishment or for commercial spaces adjacent to public rights-of-ways, a 14' first-floor will be atypical and arguably unnecessary and unbeneficial aesthetically and otherwise for a hotel. Additionally, this proposed hotel does not front a public street; it will be located almost 240' from First Street and will be located behind the existing First and Main condominiums. Therefore, an approximately 3' first floor height variance will likely be unnoticeable from the public right-of-way. Finally, the first floor of the building will not be visible from the Black Warrior River due to the height of the adjacent levy, so a reduction in the first-floor height will have no impact on the views from the River.

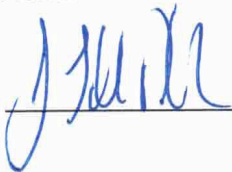


City of Northport

Designation of Agent Form

All applications, plans, and supporting documents may be submitted by email to planning@cityofnorthport.org.

I, Todd Palmer, being owner of the property which is the subject of this application hereby authorize TTL, Inc., to act as my representative with the City of Northport's (Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed on the attached application form.

Property Owner Signature: 

Date: 10.18.23

Property Owner Mailing Address: 912 29th AVE
TUSC. AL 35401
Phone Number: 205 394 1239

Authorized Agent Mailing Address: _____

Phone Number: _____

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NORTHPORT ZONING BOARD OF ADJUSTMENT
STAFF REPORT
November 9, 2023

AGENDA ITEM

Case Number: V-23-26

Request: A variance from ISR standards

Location: 4802 Lake Forest Avenue

Applicant: Grant Huddleston

SUBJECT PARCEL

Zoning: Residential Single Family

Zoning of Adjacent Property: Residential Single Family

Proposed Action: To adjust the impervious surface standards to allow a swimming pool.

STAFF COMMENTS

Grant Huddleston is seeking a variance from the ISR standards. Those standards are in Table 6-2 and are included below:

Table 6-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Conventional Subdivisions.

Zone ¹	Min. Lot Area (Sq. Ft.)	Min. Lot Width ² (Ft.)	Setbacks (in feet)				ISR ³	Height (Ft.)	Off-Street Parking
			Front	Rear	Side Yard	Side yard on Street			
RS-1	15,000	95	40	50	14	25	0.30	35	2
RS-2	12,000	85	35	35	12	25	0.40	35	2
RS-3	9,000	75	30	35	10	20	0.45	35	2
RS-4 ⁴	6,000	60	20	20	7	15	0.50	35	2

STAFF RECOMMENDATIONS:

The standards for variances as outlined in section 1109.3 of the Northport Municipal Code are as follows:

1108.03. Standards for Variances. *The Board of Zoning Adjustment shall grant no variance in the strict application of the provision of this Ordinance unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised. It is the intent of this Ordinance that the variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. 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 that

practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate in writing that the appeal for the variance conforms to all of the requirements and standards listed below:

A. *The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

B. *The granting of the variance will not permit the establishment of any use, which is not permitted in the district.*

C. *There must be proof of unique circumstances: there must exist special circumstances or conditions fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.*

D. *There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.*

E. *That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.*

F. *That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*

G. *That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.*

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

SUMMARY:

Grant Huddleston seeks approval of a variance from the ISR standards to allow construction of a residential swimming pool. The current ordinance limits lots in this zoning district to a maximum impervious surface ratio of 0.30. Based on estimates from staff, this lot appears to already be over that allowance. The addition of a swimming pool would further increase the amount of impervious surfaces on this lot.

MOTION:

I make a motion to grant Grant Huddleston a variance from ISR requirements to allow construction of a 12' x 24' swimming pool for the property located at 4802 Lake Forest Avenue.

Northport Zoning Board of Adjustment

Variance Request

Zoning

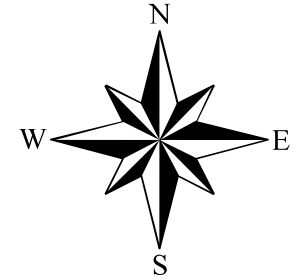
 Agriculture

 General Commercial

 Residential Multi-Family

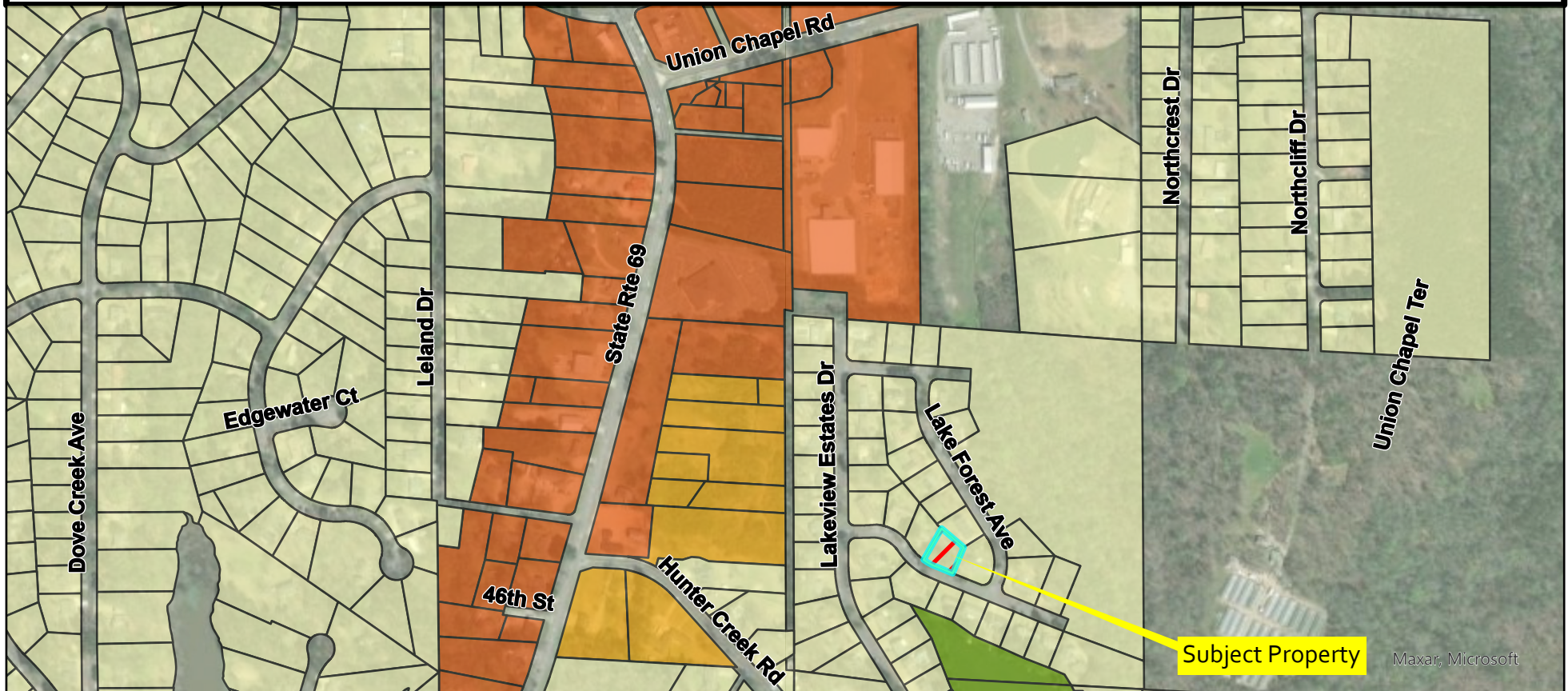
 Residential Single-Family - 1

 Subject Property



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0 500 1,000 2,000 Feet



Maxar, Microsoft



4802 Lake Forest Ave

Northport, Alabama

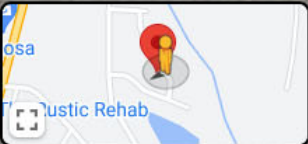


Google Street View



Jul 2022

[See more dates](#)



Google

Image captu



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to planning@cityofnorthport.org.

PROCESS

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2. The Zoning Board of Adjustment meets in City Hall, located at 3500 McFarland Boulevard, in the Council Chamber at 6:00 p.m. on the third Thursday of each month.
3. You or your agent must be present at the meeting to explain your request and answer questions.
4. No later than the closing of business hours four weeks prior to the meeting, the following must be submitted to the Planning and Inspections Department:
 - An Administrative Appeal Application completely filled out and signed (page 2 and 3 of this packet);
 - The names and mailing addresses of all adjoining property owners as obtained from the Tax Assessor on the first floor of the County Courthouse. Adjoining owners include owners on all sides of the property in question and also the property across streets, creeks, power line right-of-ways, etc.;
 - A filing fee of \$75.00, plus certified mailing fees per adjoining property owner and advertising fees;
 - A small drawing (8x11) of the lot in question with dimensions; existing and proposed new construction with dimensions; distance to the property lines of all structures; any other concerns which may be applicable to your case, such as existing and proposed parking spaces, heights of structures, access roads, etc. The drawing are not required to be professionally prepared, but must be legible and accurate.
5. A decision of the Zoning Board of Adjustment is final. The Circuit Court will hear any appeals to the decision of the Zoning Board of Adjustments. Appeals to the Circuit Court must be applied for within 15 days after a final decision of the Zoning Board of Adjustment has been made.



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

Date of Application: 9/29/2023

SUBMITTAL CHECKLIST

- | | |
|--|---|
| ☐ Completed Application | ☐ Designation of Agent Form (if applicant is not property owner) |
| ☐ \$75 Appeal Fee (additional fees may apply) | ☐ Names and Addresses of all Adjoining Properties |
| ☐ Site Plan/Sketch (showing property lines, existing and proposed structures, and dimensions) | |

PROPERTY INFORMATION

Property Address: 4802 Lake Forest Ave
Property Subdivision and Lot Number: 3102031002006.000
Property Zoning District: _____
Existing Buildings on Property: House, exterior shop
Proposed Construction on Property: Pool

PETITIONER INFORMATION

Petitioner Name: Grant Huddleston
Petitioner Phone: 205-310-4682 Petitioner Email: Granthuddleston@gmail.com
Petitioner Address (if different than property information above): _____

Petitioner is Owner of Property (if yes, skip owner information): ☒ Yes ☐ No

OWNER INFORMATION

Owner Name and/or Company: _____
Owner Mailing Address: _____
Owner Phone: _____ Owner Email: _____

☒ **BY CHECKING THIS BOX, I HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:**

The information contained in this document is true and correct and may be relied upon by the City of Northport. By typing my name and by checking this box, this acknowledges that I am bound by this document just as if I had signed the document rather than typed my name to this document.

Applicant Signature: Grant Huddleston Date: 9/29/2023



City of Northport

Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

REQUEST INFORMATION

Describe the nature of the request:

Variance to approve the installation of a pool. Owner owns both lots below

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the same zoning district:

Ownership of both lots

Describe how your appeal (if granted) would impact neighboring properties or how it would or would not be contrary to the public interest:

It would not impact neighboring properties at all.

Any additional information you would like to add to help process your request, including evidence of petitioner's interest in the property if petitioner is not the property owner:

ood morning,

I have reviewed the building permit for the swimming pool at 4802 Lake Forest Ave. The lot is zoned RS-1 which has an ISR restriction of 0.3. The total lot area is around 14,371 ft² so the allowable impervious area would be 4311 ft². Based on rough google earth measurements it looks like the lot currently has around 5700 ft² of impervious area (well over the allowed amount). That being said, while the pool itself will not be considered as impervious area, the concrete deck around the pool will be. Since you are already over the allowable impervious limit, this permit (since it will include additional impervious area) cannot be approved without a variance from the Zoning Board. If you have any questions about the variance application process, you may contact Shaun Patton in the planning department. Please let me know if you have any other questions.

Thank you,

Holly E. Phillips, P.E.
Engineering Department
City of Northport
205-339-7000
hphillips@cityofnorthport.org

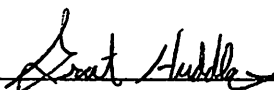
4802 Lake Forest Ave.



City of Northport Designation of Agent Form

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planning@cityofnorthport.org.

I, Grant Huddleston, being owner of the property which is the subject of this application
hereby authorize _____, to act as my representative with the City of Northport's
(Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed
on the attached application form.

Property Owner Signature: 

Date: 9/29/2023

Property Owner Mailing Address: 4802 Lake Forest Ave

Northport, AL 35473

Phone Number: 205-310-4682

Authorized Agent Mailing Address: _____

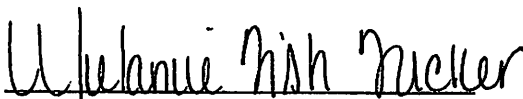
Phone Number: _____

STATE OF ALABAMA

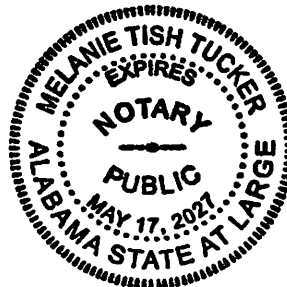
COUNTY OF TUSCALOOSA

I, Melanie Tish Tucker, a Notary Public in and for said County and State, hereby certify
that Grant Huddleston, whose name is signed to the foregoing document, and who is known to
me or acknowledged before me on this day, that being informed of the contents of said document, did
execute the same voluntarily on the day that bears the same date.

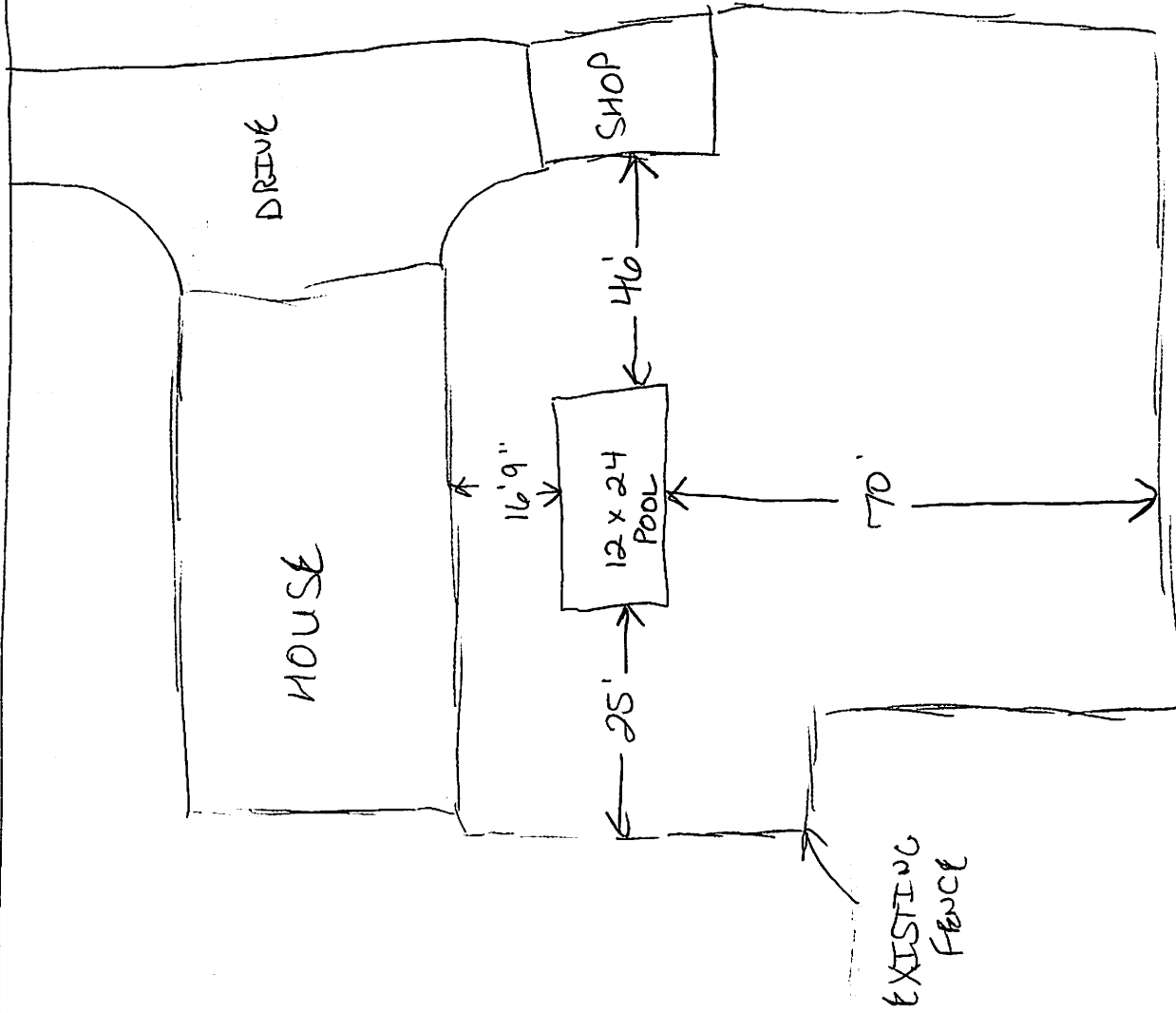
Given my hand and seal of office this 29 day of September, 2023

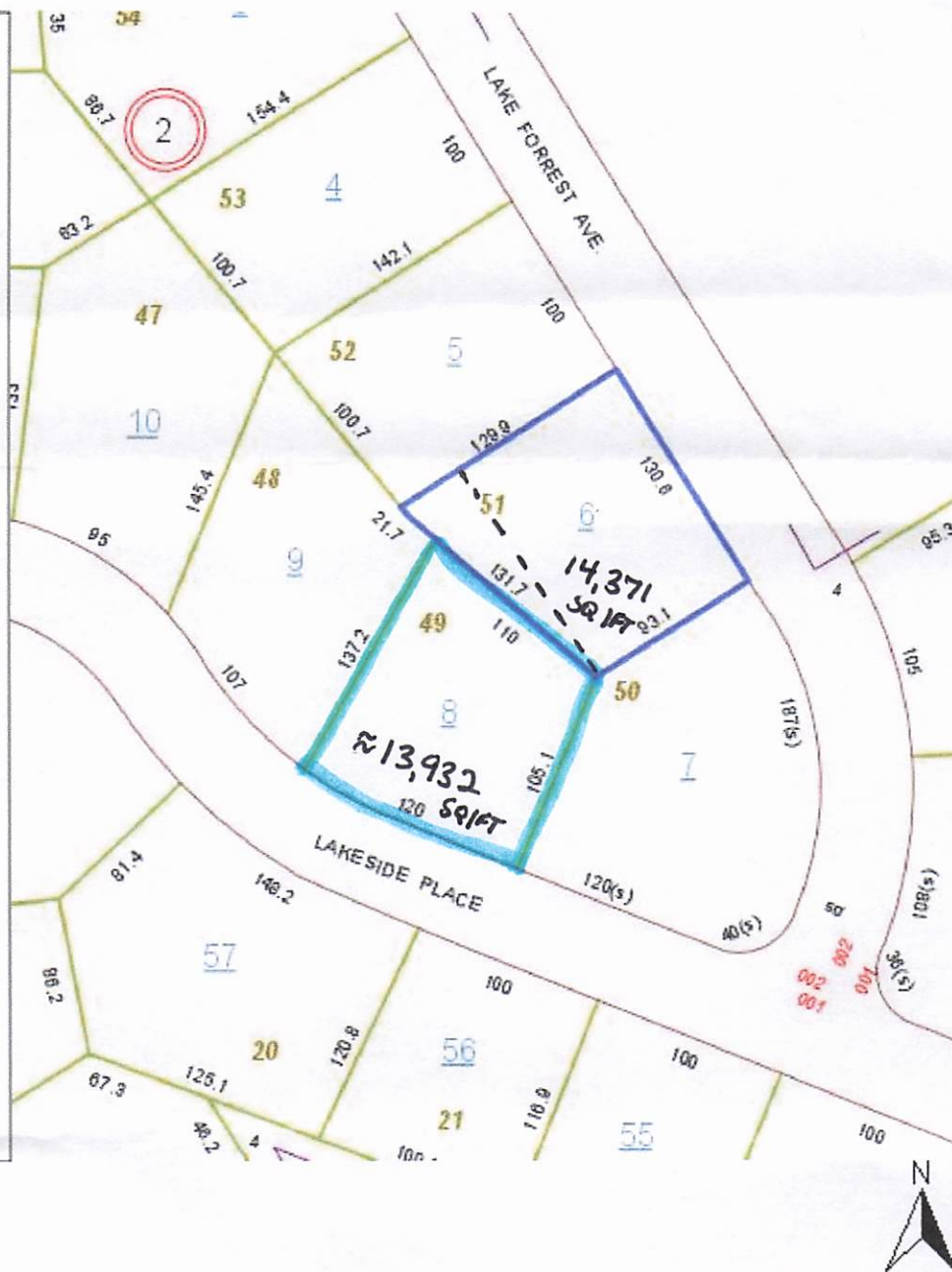
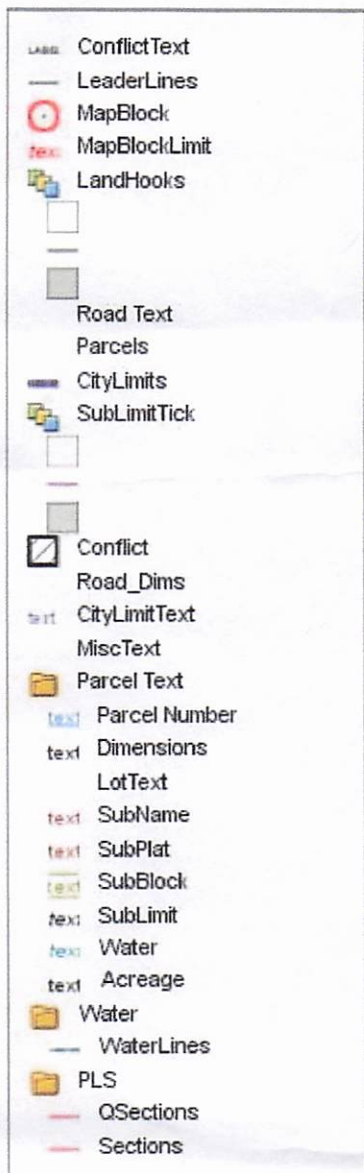

Notary Public

My Commission Expires: 5-17-2027



LAKE FOREST AVE





PARCEL ID							
HOUSE LOT	63	31	02	03	1	002	006.000
VACANT LOT	63	31	02	03	1	002	008.000