OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, NOVEMBER 16, 2023

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, November 16, 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. Jon Garner, Mr. Chad Haynie, Mrs. Tina Phifer, Mr. Kevin Shobe and Mr. Brian Chandler. Absent and failing to vote were Mr. Aubrey Dale and 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 October 19, 2023. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Mrs. Phifer – Yes; and Mr. Chandler - Yes. **Motion Carried.**

Approval of Agenda

Motion by Mr. Shobe to approve the agenda for November 16, 2023. **Seconded by Mr. Chandler.** Roll call vote was as follows: Mr. Shobe – Yes; Mr. Chandler – 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-23-22** – Investar Bank is requesting a variance from the sign requirements found in Article VIII for a business located at 120 McFarland Boulevard.

Tom Winters with Knight Signs Inc, 5959 Knight Avenue, presented photos to the Board of the proposed sign design for the petitioner's variance request. He stated that the former sign was 30 feet, and the client is not able to utilize this sign due to age and with their new design there would have to be a lot of work done. Mr. Winters stated that they have requested to raise the sign 5 feet from the sign ordinance requirements and that will allow for visibility. He stated that there is a lot of signage down Highway 82, and they are battling for visibility with billboards and other that is much higher signage.

Mr. Garner asked Mr. Winters if the previous sign there 30 feet. Mr. Winters stated yes.

Mr. Chandler asked if there were any vantage points from the other direction and will this block other signs from that opposite direction. Mr. Winters stated no, I do not have a photo of the other direction but it does not block others due to other signage being much taller.

Mr. Shobe asked Mr. Winters what the purpose of increasing the sign was and do they believe this will bring more revenue. Mr. Winters stated that this is the first retail bank for Investar Bank, and they do believe that the visibility will be good for the business.

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. Chandler to grant Investar Bank a variance to allow a sign up to 25 feet tall for the site located at 120 McFarland Boulevard. **Seconded by Mr. Haynie.** Roll call vote was as follows: Mr. Chandler – Yes; Haynie - Yes; Mr. Garner – Yes; Ms. Phifer – No; and Mr. Shobe – No. **Motion Failed.**

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.

Andy McCartney with TTL, LLC, stated that they are proposing a hotel for this position on an extremely unique piece of property located along the river. He stated that they are requesting a variance for internal landscaping for this development. He stated that where they do not meet the landscaping requirements are the stretches of parking where there are more than 10 parking spaces. He stated that as the landscaping they are averaging a landscaping island every 7 parking spaces that does not meet the ordinance. However, they are we are exceeding the landscaping requirements overall throughout the property. Mr. McCartney stated that there will be landscaping on the south and east side of the building along with a landscaping strip through the middle which is more than what is needed to meet the landscaping code.

Mr. Haynie asked if they are requesting this variance to meet the parking requirements. Mr. McCartney stated that this is an extremely unique and difficult site, it is encumbered by an easement with the levee. He stated they must work around that and the condos that are already there. He stated they are trying to add parking and landscaping where they can. Mr. Todd Palmer stated there is also a large green space area. Mr. McCartney stated on the south side is the green space area.

Mr. Garner asked about gating of the property and where is the access to the hotel. Mr. McCartney stated the gate will stay up on the west end of the property for the condos that are in front of the proposed hotel. Mr. McCartney stated that First and Main will continue to access through the left side of the building. He stated there is public parking on 1st Street, parking for First and Main and the hotel. He stated the hotel access will be to the east of First and Main.

Mr. Garner asked if the hotel could be accessed through the left side. Mr. Palmer stated that the property will be separated by a fence, and they will move the gate opening to the fencing area that will be separating the hotel and condos. He stated that this would allow access for emergency entrance for the fire department.

Mr. Garner asked about the street parking on 1st Street and with people walking to the hotel. Mr. McCartney stated that the drive into the hotel is a 26-feet fire access drive and this will have a pedestrian path down 1st Street and the drive to the hotel. Mr. Garner stated he has concerns about the public parking and the distance of walking to the hotel. Mr. Palmer stated that they will offer valet parking.

Mr. Haynie asked if due to the railroad easement there could not be a pedestrian path on the east side of the property. Mr. McCartney stated that getting an easement would take a lot of time from the railroad. Mr. Palmer stated if the hotel has full parking the valet will be available to park for the guests.

Mr. Garner asked about the gate issue again and moving it to allow access to the hotel on the west side of First and Main. Mr. Palmer stated that we must keep the two properties separated and to do this they have their own entrance. He stated we are only moving the gate to the fence that divides the properties to have emergency access. This gate will open automatically for emergency vehicles when the alarm goes off.

Mr. Haynie asked if there were any engineering concerns. Mrs. Phillips stated no.

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 Todd Palmer a variance to allow an adjustment in the landscaping requirements as shown on the site plan for the property located at 1901 1st Street. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Mr. Haynie – Yes; Ms. Phifer – Yes; Mr. Shobe – Yes; and Mr. Chandler – Yes. **Motion Carried.**

> **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.

Mr. McCartney with TTL, LLC stated that they are requesting a variance from the maximum building height to allow for the middle section of the building to be 68.5 feet and the side of the proposed hotel at 66 feet. He stated that with the easements and the hotel requirements for rooms they could not widen the hotel, they have to go up in height.

Mr. Garner asked if there was a visual. Mr. Palmer stated this is a newer prototype and it's considered a Stay Brand. He stated that typically their design is a rectangular shape, and they are allowing us to change this a little to accommodate. He stated they have not built one of these hotels yet, this will be the first one. Mr. Palmer stated that the rooms are equipped with a full refrigerator, double sink, microwave, and convection oven. He stated the lobby is 11 feet tall. He stated that they have a floor plan, and the room sizes are identical.

Mr. McCartney stated that the 60-foot requirement and a lot of the areas on Main Avenue are required to be pushed up to the front with the height requirement. However, this location will sit back from the main road 250 feet from the road and it's a different view.

Mr. Haynie asked what the style of the hotel will be and will it look like First and Main. Mr. Palmer stated that it will look like a typical hotel style close to Home 2, located across the river in Tuscaloosa.

Mr. Chandler asked if V-23-24 and V-23-25 depend on each other and can you really do one without the other. Mr. McCartney said the project is dependent on if both variances are approved or not.

Mr. Haynie asked why not go 14 feet. Mr. Palmer stated that there is 10 feet on the first-floor rooms with 11 feet for the lobby area. He stated going up you are going to have 9 feet. Mr. Garner asked Mrs. Ramm what the intent behind 14 feet is in the ordinance. She stated that for a store front right on Main Avenue with commercial on the first floor to give you the visual. Mr. Garner asked if there was any retail space available. Mr. Palmer stated no.

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 Todd Palmer a variance to allow an adjustment from the maximum building height from 60 feet to 68.5 feet for a business located at 1901 1st Street. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; Mr. Chandler – Yes. **Motion Carried.**

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.

Mr. McCartney stated they will not add anything since he discussed with V-23-24.

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 Todd Palmer a variance to allow a reduction minimum first floor building height from 14 feet to 10'8" for a business located at 1901 1st Street. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; and Mr. Chandler – Yes. **Motion Carried.**

e. V-23-26 – Grant Huddleston is requesting a variance from the maximum allowed ISR requirements found in Table 6-2 for a property located at 4802 Lake Forest Avenue.

Mrs. Ramm stated that the petitioner did reach out to staff and state they could not be here tonight. She stated that they can hear the case from staff without a petitioner or they have the option to table the case till the next meeting.

Mrs. Ramm stated that this meeting will serve as public notice.

Motion by Mr. Haynie to table the case for the December 21, 2023, meeting. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; Mr. Chandler – Yes. **Motion Carried.**

X. DISCUSSION

Mrs. Ramm stated that the next meeting will be December 21, 2023, and we now have at least one case for this meeting and need to know if there will be enough members to conduct this meeting. She stated that if the meeting location is changed, they will be notified. The board members did not have any issues with the meeting being held on December 21, 2023.

XI. ADJOURNMENT

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

Mr. Jon Garner, Chairman

Julie Ramm, Secretary