

**OFFICIAL MINUTES  
NORTHPORT BOARD OF ZONING ADJUSTMENT  
THURSDAY, FEBRUARY 15, 2024**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, February 15, 2024, 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, Ms. Tina Phifer, Mr. Kevin Shobe, Mrs. Jennifer Taylor-White and Mr. Brian Chandler. Absent and failing to vote was Mr. Aubrey Dale. Also, present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Mrs. Morgan Williams, and Ms. Meredith Mullins.

**Approval of Minutes**

**Motion by Mr. Shobe** to approve the minutes for January 18, 2024. **Seconded by Mr. Chandler.** Roll call vote was as follows: Mr. Shobe – Yes; Mr. Chandler – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; and Mrs. Taylor-White - Yes. **Motion Carried.**

**Approval of Agenda**

**Motion by Mr. Haynie** to approve the agenda for February 15, 2024. **Seconded by Mr. Shobe.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Garner – Yes; Ms. Phifer – Yes; Mrs. Taylor-White – 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-24-3** – Devin Kerstetter is requesting a variance from the accessory structure standards found in Section 607.03 to allow metal siding on a building located at 504 Union Chapel Road.

Devin Kerstetter, 504 Union Chapel Road, stated that they are requesting to be allowed to have a metal painted building on their property for storage and workspace. He stated that the issue of the structure being placed 10 feet behind the house, he has no issue with. He stated that he is requesting a variance from sub section K which is in direct relation to what the building is constructed with. Mr. Kerstetter stated that the proposed building will have painted metal siding, a black roof, and landscaping around the front that will match the current residence and they are not looking for the look of a garage.

Mr. Garner asked if the square footage on the building was 800 and what would be the use of this space. Mr. Kerstetter stated that the building would be 800 square feet. He stated that living in an older home, they do not have storage space, and this will allow for that and for him to have a personal gym.

Mr. Shobe asked if he would be okay to move the location of the building. Mr. Kerstetter said the side yard is their best area for placement, however, moving it back to the allotted amount past the house is not an issue. He stated they have the space to do that.

Mr. Haynie asked what the purpose of placing the building on the side of the house for the driveway is that the reason you wanted it there. Mr. Kerstetter stated that the photo presented to the board shows the driveway wraps the side and comes to the side of the house, there is another significant drop off, terrace effect, to another flat area in the back yard. He stated that that area is not accessible by vehicle.

Mr. Garner stated that variance stays with the property and the importance of the reasons we have a zoning ordinance. He stated that the board must take into consideration that this stays forever. He stated that it's more than your consideration but beyond yours when you are not there.

Mr. Haynie asked if the reason behind the use of metal siding was due to the cost of metal is cheaper than brick. Mr. Kerstetter stated that the size of the building and the cost, materials, and maintenance were a concern for him. He stated metal siding would be easier to maintain.

Mr. Shobe asked if it would cost more to have the building located in the backyard. Mr. Kerstetter stated yes, a lot of money would have to be put in the backyard to allow it to be placed there.

Mr. Garner asked if they had considered other siding options. Mr. Kerstetter stated they have not, and they have not priced out other materials either. Mr. Garner asked if they were just under the impression that metal was cheaper. Mr. Kerstetter stated that was correct.

Mr. Haynie asked for staff clarification that if the building was located 10 feet from the front point of the house and was bricked a variance would not be needed. Mrs. Ramm stated that was correct if the building was located 10 feet behind the front point of the house. She stated that the square footage of the building is fine. She stated that if it were materials other than metal. Mr. Haynie asked so even vinyl siding would be fine. Mrs. Ramm stated that the materials would have to be compatible with the materials of the house. She stated for example if there is vinyl on the house then we would allow it.

Mr. Garner asked if the home at this residence brick was. Mr. Kerstetter said yes. Mr. Garner asked if the eave or the soffit on the house was covered in vinyl. Mr. Kerstetter stated no, they have brick, wood and metal gutters. Mr. Garner asked if hardy board would work. Mrs. Ramm stated that hardy board does sound like it is compatible with the house.

Mr. Shobe asked the petitioner what the hardship for the case was. Mr. Kerstetter stated that their building permit was denied for metal siding. He stated that this is the most convenient, quickest way for us to accomplish this task. He stated that this is a prefabricated kit that comes with concrete foundations, with metal studs, metal siding and metal roof. Mr. Garner asked if they get to pick their siding and they don't

have to use metal. Mr. Kerstetter stated no it is metal that comes with the kit, and you pick out your color materials.

Mr. Garner asked the petitioner if there were other kits with different materials that you could purchase. Mr. Kerstetter stated he did not know.

Mrs. Ramm stated that we do need to clarify which supernumerary members would be voting in this case. Mr. Garner stated Ms. Tina Phifer.

Chairman Garner opened the floor up for a public hearing.

Michael Wilsey, 374 Union Chapel Road, stated he was a neighbor right next door. He stated that the houses around them are all brick and were built in the sixties. He stated that the cost of brick is a lot more than it was then. Mr. Wilsey stated that there are metal buildings on this stretch of Union Chapel Road on either end of the road that are businesses that do not look as good as this is proposed to be. He also stated the two houses across the road have metal buildings and are larger and not as nice. He stated he had no issues with the metal building being located on the side of the house and visible from the road. Mr. Wilsey stated that he would understand if they lived on the Northwood Lake side of Union Chapel but on this side of road, we have other metal buildings along this stretch and people who live out of tents. Mr. Wilsey stated that the backyard of this property is an issue for placing the metal building there. He stated that there is a deep ditch that runs through the backyard. He asked the board if an issue on the façade of the building is, could another material be used on the front that matches the house for the street view.

Mr. Garner clarified with the staff that from the front corner the location of the building is not an issue. Mr. Patten stated that the applicant stated that 10 feet from the front point of the house would not be an issue. Mr. Garner asked about issues with square footage. Mr. Patten stated that as completed on the building permit application the square footage would not be an issue. Mr. Garner stated that the issue is the outside material and if he heard correctly that hardy board would be compatible. Mrs. Ramm stated wood or hardy siding is compatible. Mr. Garner asked would vinyl be compatible. Mrs. Ramm stated that they will put that on their building permit application for approval.

Mr. Wisley asked if they are not required to use exactly what their houses are made of. Mr. Garner stated he would defer to the staff for this answer, that what he is hearing is that brick would not necessarily be the only thing compatible with the house. He stated that it's what is compatible with the house but does not have to be the same material. He stated that it was up to the staff to decide.

Mr. Haynie asked if there were any complaints regarding location. Mr. Wisley stated not at all and that the picture is a little deceptive. He stated that the location he is talking about putting the building, it really drops down from the road, it is almost a story building difference.

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

Mr. Garner stated he wanted to point out that even if the motion fails there are still other options.

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

OFFICE OF THE DEAN

CHICAGO, ILLINOIS

TO THE HONORABLE CHAIRMAN OF THE BOARD OF TRUSTEES  
OF THE UNIVERSITY OF CHICAGO  
FROM THE DEAN OF THE UNIVERSITY  
SIR,  
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed plan for the University of Chicago. I am very glad to hear that the Board of Trustees is so interested in the subject, and I am sure that the plan proposed will be found to be a very desirable one. I am, Sir, very respectfully,  
Yours very truly,  
The Dean

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Mr. Haynie asked if J&J was in this area. Mrs. Ramm stated yes, it is back towards Highway 69, and they have architectural panels.

Mr. Garner stated that the other metal building in the area that was referenced probably pre-dates the ordinance. Mrs. Ramm stated that Strong, Inc. Gym and Tumblebus that are in this area, pre-date the ordinance and there are a couple that are in the county. She asked Mr. Patten for clarification. Mr. Patten stated that yes, they may be referring to the residential accessory structures. He stated that they found a couple of them and based off Google Maps and building permits issued that are larger than the standard accessory structure, either pre-dated the ordinance or was in the county. Mr. Garner stated about the ones that pre-dated the ordinance, if they were to have to do anything to them, they would be required to meet the zoning ordinance requirements.

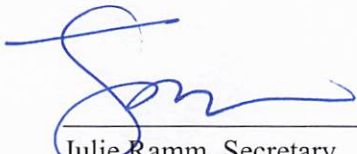
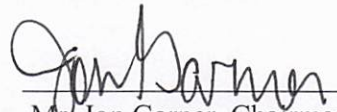
Mr. Shobe asked Mr. Patten if finance cannot be part of the hardship. Mr. Patten stated that cannot be the sole reason for the hardship.

**Motion by Ms. Phifer** to make a motion to grant Devin Kerstetter a variance to allow a 20' x 40' metal accessory structure for the property located at 504 Union Chapel Road **Seconded by Mr. Shobe.** Roll call was as follows: Ms. Phifer – No; Mr. Shobe – No; Mr. Garner – No; Mr. Haynie – Yes; and Mr. Chandler – No. **Motion Failed.**

## X. DISCUSSION

## XI. ADJOURNMENT

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

  
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Julie Ramm, Secretary  
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Mr. Jon Garner, Chairman