

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, MAY 16, 2024**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, May 16, 2024, 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. Chad Haynie, Mr. Kevin Shobe, Mrs. Taylor-White, and Mr. Brian Chandler. Absent and failing to vote was Ms. Tena Phifer. Also present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Mr. Chris Cunningham, Mrs. Holly Phillips and Mrs. Morgan Williams.

Approval of Minutes

Motion by Mr. Shobe to approve the minutes for March 21, 2024. **Seconded by Mr. Haynie.** Roll call vote was as follows: Mr. Shobe – Yes; Mr. Haynie – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mrs. Taylor-White; and Mr. Chandler - Yes. **Motion Carried.**

Approval of Agenda

Motion by Mr. Mr. Haynie to approve the agenda for May 16, 2024. **Seconded by Mr. Chandler.** Roll call vote was as follows: Mr. Haynie – Yes; Mr Chandler – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mr. Shobe – Yes; and Mrs. Taylor-White – 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-24-8** - Lynwood Springer is requesting a variance for a property located at 123 30th Avenue; A) From the arterial street requirements found in Section 409.1.1.a.2. B) From the duration of stay found in Section 409.1.1.f.4.

Lynwood Springer, 15202 Stonehedge Cliffs Road, stated that the variance we are requesting for the arterial street is that the code requires 50 foot of arterial road frontage. Mr. Springer told the Board that the site proposes 30 sites with an 8-foot property fence that will have a gated entrance and pedestrian gate that includes a keypad entry. He stated that though he does not have a picture or sketch of the gate entrance for this property but stated it will be 70-80' off the road. He stated that 95% of the homes in the 5th Street area are rental property.

Mr. Garner asked Mr. Springer if the site will provide electricity and sewage. Mr. Springer stated all sites will have electrical hook up and sewage disposal, as well as water. The sites we are proposing are gravel or concrete and the RV Park will include amenities such as gated pet area and pavilion.

Mr. Haynie asked if there would be a privacy fence and what materials they are looking at using. Mr. Springer stated that are looking at a 8 foot privacy fence that will be made out of wood or metal.

Mr. Garner asked with the gated fence how entry would be gained. Mr. Springer stated that renters will be given an individual gate code with their stay to gain entry through the main entry and the pedestrian gate.

Mr. Shobe asked if Mr. Springer had a traffic study done and if he had a picture of where the gate entry would be. Mr. Springer stated that he does not have a picture of the gate entry and he did not do a traffic study. He stated he has had this property and that 30th Avenue is a dead end. The traffic down this street is not heavy.

Mr. Garner asked if the extension of the stay was for a specific reason. Mr. Springer stated yes that they have done the research through RV Park groups and a lot of parks do a season special for sporting events. He stated that they will be very particular on the RV's that will be allowed at the park. They are 10 years or newer, with maybe the exception of an older model RV that has been approved by submitting pictures of the outside appearance.

Chairman Garner opened the floor up for a public hearing.

Justin Synder, represented his father that owns the property adjacent to the this site, stated that they have no objections to the property being turned into an RV Park and the variances that have been requested. He stated they do have a concern with the flooding and water issue along the street. He stated they already have water and flooding that happens to the property around them and wonders if their will be a way to keep from the issue getting worse and where is the water from the development going to go.

Mrs. Phillips stated that she is not sure if gravel is allowed in this zoning or not. She stated that during the construction phase the applicant will have to submit plans that will have engineering involved and looks at the drainage and requirement for the increase in run off. She stated if there were gravel pads it would allow for more infiltration for run off but there are compatible detention system but either way they will not be allowed to increase their run off from this development.

Mrs. Taylor-White asked if staff had received a landscape plan yet. Mrs. Phillips stated she was not sure if a landscaping plan has been completed yet but there are landscaping requirements that will need to be met. Patten stated no, not yet but we did sit down with the applicant at a pre-design meeting and made them aware of the landscaping requirements that will be needed.

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

Mr. Springer stated that he and his engineer are aware of the flooding and water issues on 30th Avenue. He stated that the water does run down to the river. Mr. Springer stated that they will be installing and doing whatever is needed for drainage. He stated that he thought gravel would help with the storm water and he

would prefer to use gravel. Mr. Springer stated that research on using concrete pads for the RV sites have reported issues with the renters not putting blocks down and during set up causing the concrete to crack to the ground. He stated that if concrete is needed, he could do a boarder of concrete around the site and gravel in the center. He stated that the concrete boarder will keep gravel nice and neat in the area.

Mr Haynie asked staff with there being upgrades to the park, are there future plans for upgrading 30th Avenue. Mrs. Phillips stated there are no plans at this time to widen or upgrade 30th Avenue. The city just recently had 30th Avenue resurfaced.

Mr. Garner asked the petitioner to explain the reasoning behind the variance on extending the duration of stay.

Mr. Springer stated that they are asking for this variance for a convenience for renters during the fall season. He stated that if they had to work within the 60-day duration they could.

Mrs. Taylor-White asked if the applicant was up for negotiations on the timeframe. Mr. Springer stated they would just like to be able to offer renters during football season a week to put their RV out before the first week of football season and a week at the end of the season to all renters time to pack their items up.

Mr. Garner made a statement allowing the extension could help with football traffic.

Mr. Shobe asked if there would be night security. Mr. Springer stated no that they will have cameras and the gate will remain closed.

Mr. Chandler asked staff if the remaining days not requested in this variance would go back to the ordinance on the 60-day duration of stay. Mrs. Ramm stated yes.

Mr. Springer stated that I would only need the extension on duration of stay at the timeframe requested only and is okay with the 60-day duration the rest of the year.

Motion by Mr. Chandler to grant Lynwood Springer a variance from the recreational vehicle park standards of 1) the arterial street frontage requirements, and 2) the maximum duration of stay, to allow rentals for a maximum of 105 consecutive days between August 24th and December 7th for the property located at 123 30th Avenue. **Seconded by Mr. Shobe.** Roll call was as follows: Mr. Chandler – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; and Mr. Haynie - Yes **Motion Carried.**

- B. V-24-9** – Hightown Properties, LCL is requesting a variance from the required side setback found in Table 4-3 for a commercial property located on 36th Street and east of 26th Avenue.

Jonathan Bonner, with Insite Engineering, residential address 1109 Kingdom Road N, represented the owner Paige Howard, stated that this is a property for commercial development that is near 36th Street. He stated that the property was first platted in 1939 as Sallys Subdivision. Mr. Bonner stated that there is an unused/unplatted road that runs on the east side of this lot and the currently zoning regulations that are currently in place require a side set back of 40 foot. He stated that this particular lot on this area there is only about 27 of buildable area. This creates a hardship and they are asking for a variance from the side

setbacks to observe a 10 foot setback. Mr. Bonner stated that he believes that the city maintains this road does to a utility easement that runs through the road.

Mr. Haynie asked if it was far to say that the road isn't even there. Mr. Bonner stated yes it has grown up and put it is possible but would require the city to move the water line.

Mr. Chandler asked if the water line is in the road. Mr. Bonner stated yes.

Chairman Garner opened the floor up for a public hearing.

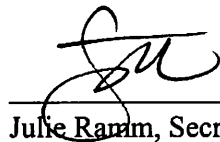
With no one to appear before the board, Chairman Garner closed the public hearing.

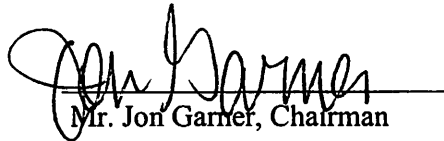
Motion by Mr. Haynie to grant Hightown Properties, LLC a variance to reduce the side yard on street setbacks from 40 feet to 10 feet for the property located directly west of 2430 36th Avenue. **Second by Mr. Shobe.** Roll call was as follows: Mr. Haynie – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – yes; and Mr. Chandler – 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