

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

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, August 15, 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, Mrs. Phifer, Mr. Kevin Shobe, Mrs. Jennifer Taylor-White, and Brian Chandler. Absent and failing to vote was Mr. Chad Haynie. Also present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Ms. Meredith Mullins, Mr. Chris Cunningham, and Mrs. Holly Phillips.

Approval of Minutes

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

Approval of Agenda

Motion by Mr. Mr. Shobe to approve the agenda for August 15, 2024. **Seconded by Mr. Dale** Roll call vote was as follows: Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – Yes; Mrs. Phifer – Yes; Mrs. Taylor-White – Yes; and Mr. Chandler – Yes. **Motion Carried.**

Approval of Proper Notification- Mr. Patten informed the Board that proper notification was given.

Verification of No Conflict of Interest - None

Notice of Right to Appeal

Old Business

- A. **V-24-11** – Insite Engineering is requesting variances for the property located at 2511 Lurleen B. Wallace Boulevard.
- a. Requesting a variance from the building orientation standards found in section 509.04.C
 - b. Requesting a variance from the trash receptacle standards found in section 506.02
 - c. Requesting a variance from curb cut spacing standards found in section 418.01
 - d. Requesting a variance from the frontage, perimeter, and foundation landscaping standards found in Article V

John Jett with Insite Engineering, 5800 Felspar Way presented the variance case along with Tyler Hendon with Express Oil Change, 1800 South Park Dr.

Mr. Hendon stated that the building orientation is for the building in the rear that will still have bays that will be facing the roadway. He stated originally that building would never be in the back of our locations but with the ordinance and the lot layout, this building will still face Highway 43. Mr. Hendon stated that with this second building being located behind the service building, we still feel like we still meet the intent of the variance.

Mr. Garner asked if vehicles would be entering the location from 27th Street, pull through and exit off 18th Avenue. Mr. Hendon stated that was correct. Mr. Garner asked how many oil change bays there would be and what would be the plan on stacking cars when pulling in. Mr. Hendon stated there are 3 bays and they do not think they will have more than one additional car waiting.

Mr. Jett stated that the dumpster location is within the landscape buffering due to this being a very tight lot for this development. Mr. Jett stated that we have pushed the dumpster a little in the landscape buffering to allow a little bit more access and circulation through the site.

Mr. Jett stated that during their preliminary meeting it was noticed in both locations for curb cut and no matter what goes on this property this would be required. He stated there was an existing curb cut off Highway 43 but in that preliminary meeting with City staff and ALDOT, we were informed that would no longer be an access. The access on Highway 43 will be closed off.

Mr. Garner asked if we were only looking at the back cut back on 18th Street. Mrs. Ramm stated that was correct. Engineering confirmed.

Mr. Chandler asked if this meets the parking space regulations. Mr. Patten stated that for this use they are required to have one space per 400 sq ft for office and indoor area and one per service bay. He stated we have not received the square footage numbers to verify but believe that this is something their engineers have worked on and have not given any indication that they will need a variance from this requirement. Mr. Jett stated that ordinance stated there was also a reduction they could do as well if 15-20% of the administrative reduction for parking. Mr. Patten stated that was for compact parking there is not an administrative reduction. Mrs. Ramm stated there may be another reduction available that would do with the trees located on site for tree credit for parking spaces. Mr. Hendon stated at this time they have 11 spaces. Mr. Chandler asked if the site plans are submitted and additional parking is needed, would they be required to come back to request this variance. Mr. Patten stated yes, the site plan and LDP requirements are a lot more involved in what is required for them to come for a variance. He stated there is a lengthy checklist that will be review.

Mr. Chandler asked if there would be any street parking available. Mrs. Ramm stated no, our parking requirements require for street parking, they would have to be off-street parking.

Mr. Dale asked how many customers are expected to be seen daily. Mr. Hendon stated average around 45. Mr. Dale stated that this was a concern for traffic on and off Highway 43.

Mr. Taylor-White asked if the parking they are providing is compatible with the other locations they have as far as the number of spaces. She stated the one that is located on 15th street looks to have less. Mr. Patten looked at the Rice Mine Location and stated that they have more parking available, with 8 spaces out front, a couple on the side, and about 8 spaces in the back.

Mr. Dale stated if you could require a right turn only coming out and exiting, this would route them to the red light making it easier to exit onto Highway 43. Mr. Jett stated that during the preliminary conversations and on Tuesday night's Planning Commission, it was stated that the long-range plan for ALDOT for Highway 43 would be that along 27th Street would likely be a right in, right out. Mr. Chandler stated turning left on Highway 43 would be tough.

Mr. Chandler asked if you have normal hours on Sundays due to there being a church nearby. Mr. Hendon stated they are closed on Sundays.

Mr. Chandler stated with the parking, you would have to squeeze into your landscaping. Mr. Jett stated there are a couple options on the additional parking if needed but we fill like this is an efficient site that provided the best circulation through the site.

Mr. Patten stated to clarify back on question of the maximum allowable parking believed to be that this regulation does not apply in this zone and is for the downtown area.

Mr. Garner stated that he thinks the community needs more oil change places. He stated that this appears to be a lot for a limited lot size. He asked if they have looked at other real estate options. Mr. Hendon stated that operationally, we want to be at this location. When we took this site to our team, stated they wanted to be there and making this work, even with putting the building in a rear. Mr. Garner stated that his concerned with the speed and traffic and should traffic back up and creating a safety issue.

Mr. Chandler stated that he had the same concern. He asked as far as visibility, are you going to have signage up on Highway 43. Mr. Higdon stated yes.

Mrs. Taylor-White asked the petitioner about the extra lot for additional parking spaces. Mr. Jett stated he does not believe that there has been any discussion of the additional parking lot. He stated that the new building and nice landscaping will hopefully bring a better look to the area.

Mr. Garner stated there are a lot of variances in this case. Mr. Jett stated that this is a revenue producer and an upgrade to what is there now. Mr. Chandler stated if we approve this variance, it follows the property and if Express Oil Change is not there, it stills stands. Mr. Hendon asked if there was a way to do a variance to tie it to Express Oil Change only. Mr. Patten stated that the way the motion reads, it would be tied to the site plan. Mrs. Ramm stated although if someone else was to come in an develop this with a similar design the variance would stand. Mr. Patten stated yes, that if someone came in with a similar design this variance would be permanent.

Mr. Jett asked if there was a time limit on the variance if the development is not constructed. Mr. Patten stated that condition can be put on the case. Mr. Cunningham stated that the time does get more difficult. He stated that you can put conditions on variance but with time limits it can be a little more challenging.

Mr. Shobe asked what the time limit is on starting the construction. Mr. Hendon stated that after its approval with council, they hope to be submitting plans within 5 weeks after and hopefully breaking ground by the end of the year.

Mr. Chandler asked about the motion for this case and asked if this would hold up, it states as shown, is this enough to tie the site plan. Mr. Patten stated that the way the example motion worded in the packet ties it to this site plan. Mr. Patten stated yes that if someone did come in with the same basic layout, the variance would stand.

Mr. Jett stated that Express Oil Change is in the process of buying the property and asked if the purchase was to fall through, would the original zoning revert. Mrs. Ramm stated that the property is already zoned correctly. Mr. Hendon clarified that this only calls for a conditional. Mrs. Ramm stated that is correct and that recommendation was made by Planning Commission on Tuesday night.

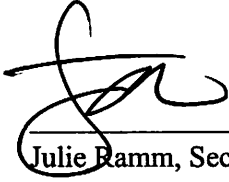
Motion by Mr. Chandler to grant Express Oil Change a variance from building orientation, trash receptacle, curb cut spacing, and landscaping requirements as shown on the site plan for the property located at 2511 Lurleen B. Wallace Boulevard. **Seconded by Mr. Shobe**. Roll call vote was as follows: Mr. Chandler – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mr. Garner – No; Mrs. Phifer – Yes; and Mrs. Taylor-White – Yes. **Motion Carried.**

New Business

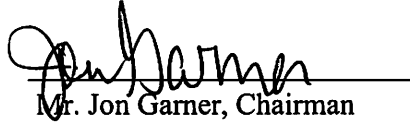
X. DISCUSSION

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 6:27pm.



Julie Ramm, Secretary



Mr. Jon Garner, Chairman