

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, MARCH 21, 2024**

The Northport Zoning Board of Adjustment was called to order at 6:00 p.m. on Thursday, March 21, 2024, in the Council Chambers of the Northport City Hall by Vice - Chair Kevin Shobe.

Upon roll call the following members were found to be present: Mr. Chad Haynie, Ms. Tina Phifer, Mr. Kevin Shobe, and Mr. Brian Chandler. Absent and failing to vote was Mr. Jon Garner, Mrs. Jennifer Taylor-White. Also present were staff members Mrs. Julie Ramm, Mr. Shaun Patten, Mrs. Holly Phillips and Ms. Meredith Mullins.

Approval of Minutes

Motion by Mr. Haynie to approve the minutes for February 15, 2024. **Seconded by Mr. Chandler.** Roll call vote was as follows: Mr. Haynie – Yes; Mr. Chandler – Yes; Mr. Dale – Yes; and Ms. Phifer – Yes; Mr. Shobe – Yes. **Motion Carried.**

Approval of Agenda

Motion by Mr. Chandler to approve the agenda for March 21, 2024. **Seconded by Mr. Dale.** Roll call vote was as follows: Mr. Chandler – Yes; Mr. Dale – Yes; Mr. Haynie – Yes; Ms. Phifer – Yes; and Mr. Shobe – 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-24-4** – Wayne Darien is requesting a variance from the requirements of Section 608.01 to allow more than one home occupation to be operated in the same dwelling unit for the residence located at 13738 Brandon James Avenue.

Lashonda and Wayne Darien, 13738 Brandon James Avenue, stated that she already runs a mental home therapy business from the residence, and she does not see patients face to face and they are asking for a variance to run another business from their residence.

Mr. Haynie asked if anyone would be visiting the home for either of the home based businesses. Mrs. Darien stated no.

Vice – Chairman Shobe opened the floor up for a public hearing.

With no one to appear before the board, Vice – Chairman Shobe closed the public hearing.

Motion by Mr. Haynie to grant Wayne Darien a variance to allow a second home occupation for the property located at 13738 Brand James Avenue. **Seconded by Mr. Chandler.** Roll call was as follows: Mr. Haynie – Yes; Mr. Chandler – Yes; Mr. Dale – Yes; Ms. Phifer – Yes; and Mr. Shobe – Yes. **Motion Carried.**

- b. **V-24-6** – Gene Ray Taylor is requesting a variance from the requirements of article IX to expand a nonconformity and from the unified development site requirements in Section 1002.11 for the property located at 6801 McFarland Boulevard.

Robert Martin with Duncan Coker Associates, 302 Merchants Walk, stated Mr. Gene Ray Taylor is planning an expansion to his parts warehouse at his facility for Warrior Tractor. Mr. Martin stated they are requesting several nonconformities that are on the property site. He stated that this property was started back nearly 50 years ago when the zoning ordinance was different. He stated that the landscaping is non-conforming, and they would require removal of mature trees and placement of new along McFarland Boulevard. Mr. Martin stated that the landscaping is very dense and does not meet the requirements as is. He stated that as far as parking goes, the ordinance would require 542 spaces for this facility based of building square footage and the outdoor storage areas on the property. He stated if we must bring the property up to the zoning ordinance standards now, it will cause him to be out of operation and is not practical in this situation on the civil side of things.

Evan Fitts with FITTS Architects, 817 Albon Avenue, stated that this addition will not add any more employees so there is no need for additional parking. He stated that the architectural standards in the code on the metal building and that item b.1.c is unbroken facades every 75 feet. He stated that this is a metal building and that the existing color of the building is a dark bronze color with white downspouts along. He stated that there are some typical metal buildings, and they are wanting to maintain the same on the 150 feet addition. Mr. Fitts stated that the next issue is no blank walls. Mr. Fitts stated that materials of metal panels can be in the C-6 zone with a masonry base that is a third of the height of the building, which requires them to have a 10-foot masonry base. Mr. Fitts stated that if we must meet these standards to conform, the addition will look different.

Mr. Martin stated that this is not just about the aesthetics, but the construction of this building will be handled while the business is in operation and does not make sense for them to replace sides of buildings while in operation.

Mr. Chandler stated that in the packet stated that the current parking situation is adequate for the current operation of the business and asked if they have any issues with parking now. Mr. Martin stated that's correct, there are 89 parking spaces and overflow parking in the back rear of the facility.

Vice – Chairman Shobe opened the floor up for a public hearing.

With no one to appear before the board, Vice – Chairman Shobe closed the public hearing.

Motion by Ms. Phifer to grant Gene Ray Tayler a variance to allow the expansion of a nonconformity for the property located at 6801 McFarland Boulevard. **Second by Mr. Dale.** Roll call was as follows: Ms. Phifer – Yes; Mr. Dale – Yes; Mr. Haynie – Yes; Mr. Shobe – Yes; and Mr. Chandler – Yes. **Motion Carried.**

- c. **V-24-7(a)** – D P Holdings, LLC Series McFarland is requesting a variance from the minimum parking space size found in Section 610 for the property located at 6375 McFarland Boulevard.
V-24-7(b) – D P Holdings, LLC Series McFarland is requesting a variance from the setback requirements found in Table 43 for the property located at 6375 McFarland Boulevard.
V-24-7(c) – D P Holdings, LLC Series McFarland is requesting a variance from the building materials found in Section 509.03 for the property located at 6375 McFarland Boulevard.

Micah Hatley with DP Holdings, LLC represented Chick – Fil - A, 1203 Overlook Road, stated that parking space measurement they are requesting is 9 x 18 not 9 x 20. This is due to there being 3 public roads surrounding it and with the setbacks of 40 ft off the property squeezes the site a little bit. He stated that the topography of the area is an issue, along Airport and McFarland there are drainage swells in the right-of-way and a detention pond. He stated that this will allow more parking for the restaurant that will help with traffic. Mr. Hatley stated that there are 25ft and 30 ft drive aisle that are Chick-Fil-A standards. He stated that the building setback is for the order canopy that is detached from the building. He stated that there is not really a way to avoid the building setbacks with the canopy on the McFarland Boulevard side. Mr. Hatley stated that the canopy that is requested for the building is being requested that it be steel and not clad. He stated this would be for the pickup canopy and the order canopy. He stated that it is a Chick-Fil-A standards that matches the building with the other architectural elements and would match the other Chick-Fil-A on McFarland Boulevard.

Vice – Chairman Shobe opened the floor up for a public hearing.

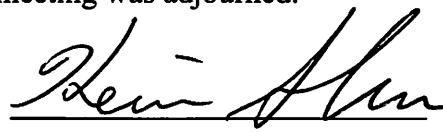
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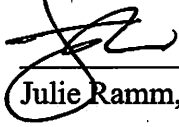
Motion by Mr. Haynie to grant D P Holdings, LLC Series McFarland a variance from the setbacks, building materials, and parking standards as shown on the site plan and application for the property located at 6375 McFarland Boulevard. **Seconded by Mr. Dale.** Roll call was as follows: Mr. Haynie – Yes; Mr. Dale – Yes; Ms. Phifer – Yes; Mr. Shobe – Yes; and Mr. Chandler – Yes. **Motion Carried.**

X. DISCUSSION

XI. ADJOURNMENT

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


Kevin Shobe, Vice-Chairman

A handwritten signature in black ink, appearing to read 'Julie Ramm', is written over a horizontal line.

Julie Ramm, Secretary