

**AGENDA
NORTHPORT ZONING BOARD OF ADJUSTMENT
THURSDAY, FEBRUARY 20, 2025**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A. January 16, 2025

4. APPROVAL OF THE AGENDA

5. VERIFICATION OF PROPER NOTIFICATION

6. VERIFICATION OF NO CONFLICT OF INTEREST

7. NOTICE OF RIGHT TO APPEAL

8. OLD BUSINESS

A. **V-24-21 Mark Tunnell** - Mark Tunnell is requesting a variance from the building material standards found in Section 1002.13 for the property located at 5401 McFarland Boulevard.

9. NEW BUSINESS

A. **V-25-1 LaShonda Gay** - LaShonda Gay is requesting a variance from the setback requirements found in Table 4-2 for the property located at 3841 30th Avenue.

10. DISCUSSION

11. CITIZEN COMMUNICATIONS

12. ADJOURNMENT

NOTICE OF RIGHT TO APPEAL

In accordance with section 11-52-81 of the *Code of Alabama*, any party aggrieved by a decision of this Board tonight may within 15 days from tonight appeal to the Tuscaloosa County Circuit Court by filing with this board a written notice of appeal specifying the decision from which the appeal is taken. This right to appeal is available to the person or entity petitioning this Board tonight and all other parties that may be aggrieved by a decision of this Board.



TO VIEW OUR AGENDAS, AGENDA
PACKETS AND MINUTES

SCAN ME!



SUBSCRIBE NOW!

Are you interested in
getting notifications on
what's going on in
Northport?

Scan the QR Code and
subscribe to receive an
email directly to you!

We would love to notify
you!



@WWW.CITYOFNORTHPORT.ORG

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, JANUARY 16, 2025**

The Northport Zoning Board of Adjustment was called to order at 6:01 p.m. on Thursday, January 16, 2025, 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. Kevin Shobe, Mrs. Tena Phifer, Mrs. Jennifer Taylor – White, and Mr. 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, and Mrs. Holly Phillips.

Approval of Minutes

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

Approval of Agenda

Motion by Mr. Shobe to approve the agenda for January 16, 2025. **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, Mrs. Taylor – White – Yes. **Motion Carried.**

Adjourn to Executive Session – Voice Vote – Yeas – all

The Board went into an Executive Session for approximately 10 minutes.

Motion by Mr. Shobe to reconvene. **Seconded by Mr. Chandler.** Voice Vote – Yeas – All

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

Supernumerary Members: Mrs. Ramm stated that the Chairman did need to decide which of the Supernumerary Members would participate in voting tonight. Chairman Garner stated that Mrs. Phifer would participate in voting tonight.

New Business

- A. **V-24-18 Kentuck RV Park** – Lynwood Springer is requesting a variance from the parking requirements found in section 610 for the property located at 121 30th Avenue.

Lynwood Springer, 15202 Stonehedge Cliffs Road, stated that “he has plans to build an RV park and is requesting a variance for the parking spaces to be stone instead of concrete, with a ribbon curb 8 inches wide and 12 inches deep”. Mr. Springer stated that the reason he is asking for a variance for this vs. the concrete is because the mobile homes and RV’s are getting larger and weigh more, when people let down their leveling jacks it will sometimes break off the concrete. Mr. Springer showed the landscape plan. He stated that if you look at the stone vs the concrete it will look more aesthetically pleasing.

Mr. Garner asked Mr. Patten if he was aware of any other RV Parks other than the ones he’s referenced and what their services look like around Tuscaloosa County. Mr. Patten pulled up the packet where he included some examples of Deerlick Creek State Park and Lake Lurleen State Park showing concrete RV parking spaces.

Mr. Shobe asked Mr. Springer what made the change, because when he first came to them, it was going to be a top notch RV Park. Mr. Springer stated that it still is going to be top notch, it will look nice when you come into the park, with the asphalt, concrete patios, and the neat laid out crushed stone but the main reason he changed is because of going back and reading some of these people that have spent money on the concrete. This is not going to save any money, it may cost more. He also stated that aesthetically this is going to look a lot better. Mr. Shobe asked if this would be more than concrete, Mr. Springer stated it will probably cost a little more because they have to put down the crushed stone plus the ribbon curb.

Chairman Garner opened the floor for a public hearing.

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

Before Mr. Garner opened the floor for the motion he stated that this may be the most controversial topic other than signage and he wanted to make that clear, all the more reason why this board needed to be as consistent as possible. Mr. Springer stated that Mr. Patten is the one that first told them they had to have concrete. Mr. Springer said he never saw anywhere that said the pad had to be concrete, the way he sees it is storage. They have concrete places for the guests. Mr. Chandler asked Mr. Patten if he had any thoughts, Mr. Patten referred him to the portion of the Zoning Ordinance that is included in the staff report of the packet, that comes from section 610, that all parking spaces including adequate driveways and maneuvering areas shall be improved with a suitable, hard surface, permanent type of pavement. Mr. Springer stated that he still classifies this as a storage place, not somewhere that someone will be parking there and moving everyday. Ms. Taylor-White asked if he would be willing to change the material to concrete. Mr. Springer stated that as far as future maintenance with the concrete being cracked you cannot go in and bond new concrete to old concrete. Mr. Chandler stated that you can require them to put their blocks down, Mr. Springer stated that they aren’t going to do it if no one is there to watch them and force them. Mr. Chandler asked if Mr. Springer charged a deposit. Mr. Springer stated that he did. Mr. Dale asked if Mr. Springer required employees to go with the trailer when they are parked, Mr. Springer stated that they normally would not. Mr. Chandler stated that if you take a deposit and you inspect the site after they leave if they damaged it, you could use that deposit towards it. Mr. Springer stated that the deposit is not going to cover fixing the concrete and everything he is doing is inside the privacy fence, its all contained. Mr. Springer stated that he thinks this will look a lot better than concrete, he wants this park to be one of the best in the state, he has lived in a lot of RV parks over four states and talked to a lot of the owners, he wants this to be a first class experience. Mr. Shobe asked Mr. Springer if he had a study done

and went with the concrete would he be over the ISR. Mr. Patten explained that Mr. Shobe was referring to the impervious surface ratio which is the maximum amount impervious surface allowable on the site. Mr. Springer stated he would need to ask his engineer about that.

Motion by Mr. Chandler to grant Lynwood Springer a variance to allow gravel parking as shown on the site plan for the property located at 121 30th Avenue. **Seconded by Mr. Shobe** Roll call was as follows: Mr. Chandler – No; Mr. Shobe – No; Mr. Dale – No; Mr. Garner – No; and Mrs. Phifer - No. **Motion Failed.**

B. V-24-19 – Donnie Simpson is requesting a variance from the sign regulations found in section 806.02 for the property located at 3800 38th Avenue.

Donnie Simpson, 3800 38th Avenue, stated that he started buying and selling antiques when he retired, it outgrew his house. He put a gas pump out by the trees, used to have an old Tuscaloosa Newspaper stand, sometimes people will stop by to buy or sell stuff and he just applied for a business license there. He is just trying to keep the past alive somehow. Mr. Simpson passed around a picture of the sign.

Mr. Chandler asked if this was the actual sign and if it was without the service station. Mr. Simpson stated he thinks it looks nice, and he is just trying to get a variance to do it now, but he would not do it right now because of the road work. He just wants to complete the picture.

Mr. Garner stated that he loved the sign and that he very much appreciates what Mr. Simpson is trying to do, but he also thinks it has its place and he doesn't think the place is on Highway 43. He also stated that what him and Mr. Simpson see as artistic others may perceive as something more of an eyesore, it may create confusion for people passing by thinking it is a gas station. Mr. Simpson stated that he understands and eventually its going to be a little antique shop. Mr. Garner expressed concern about approving a variance over a very controversial subject.

Mr. Shobe asked Mr. Patten if the car hood in the front was in compliance with the ordinance, Mr. Patten stated that he is not aware of any issue with the Zoning Ordinance but would refer to someone in Code Enforcement or Legal regarding code on vehicles.

Chairman Garner opened the floor for a public hearing.

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

Motion by Mrs. Phifer to grant Donnie Simpson a variance from the sign regulations to allow a freestanding sign as shown on the site sketch for the property located at 3800 38th Avenue. **Seconded by Mr. Shobe** Roll call was as follows: Mrs. Phifer – No; Mr. Shobe – No; Mr. Dale – No; Mr. Garner – No; and Mr. Chandler – No. **Motion Failed.**

C. V-24-20 – Rodney Booth is requesting a variance from the accessory structure regulations found in section 607 for the property located at 1 Booth Estates.

Rodney Booth, 1 Booth Estates, spoke at the podium. He stated that he put an accessory building in his backyard and had no idea he needed a permit, he worked in construction with his father. Mr. Garner

clarified that he had a construction background but did not know he needed to ask for a variance. Mr. Booth confirmed that he did not know he needed a variance for a portable building. Mr. Booth stated that they were formerly at Black Warrior Village (RSB Enterprises) for almost 5 years before someone moved in on the other end. They had tenants moving in that their landlord said was not going to be moving in, they were down to two parking spaces, they had spent a lot of money, they had to come to peace and say they couldn't keep doing this.

Mr. Garner asked Staff to make sure that we are seeking 3 variances in this one request, **1. Impervious Surface Ratio** – where are we on this one? Mr. Patten stated that in this Zoning district which is RS-1 (Residential Single Family) the lots are allowed ISR of up to 0.3 which would mean 30% of the lot is covered with Impervious Surface, as proposed this one would be 0.34 which is a little over what is allowed. **2. Setbacks** – Mr. Patten stated that Accessory Structures are required to be 5' off the side or rear lot line, this is more than 5' off the rear lot line but the side lot line is closer to the 5', the site sketch shown on the drawing with the application shows 4' but after talking to Mr. Booth he says it maybe closer to 4.6'. Mr. Garner asked what the maximum levels of Square Footage is. Mr. Patten stated that its up to 50% of the size of the principle building which on this property is 2,744 so combining all accessory structures that are there already that would put him at 51%. Mr. Garner stated that was a lot.

Mr. Booth stated that's a lot combined, but he is only 3" away from the side setback line and 1% over the combined square footage. Mr. Booth stated that he just needs the building. Mr. Garner stated that cases like these are very difficult because it is essentially taking action and then asking for forgiveness, and everybody sympathizes with him but the ordinances exist for a reason. Mr. Booth stated that he has neighbors across the street that have 5 buildings in their yard. Mr. Garner asked Mr. Patten what the story was on that. Mr. Patten stated that he cannot speak to every one of the buildings over there but he did go by and look at some of them in the area and it looks like majority of them pre-date the ordinance, there are some and they will be receiving a letter from the City about bringing the property into compliance.

Mrs. Taylor-White asked Mr. Booth if he had talked to any of his neighbors prior to coming here tonight to get their support. Mr. Booth stated that he had asked them for support and they were happy to support him.

Chairman Garner opened the floor for a public hearing.

Linda Crowder, 2 Booth Estates, stated that Mr. Booth came and discussed this with her prior to moving the building in before they knew they had to have a permit or anything, she was good with it. It is her personal opinion that if it is ok with her it should not be a problem.

Norris Booth, he knew he was bringing the building in, they have neighbors on the street that have carports or accessory buildings, he is right behind this building and he does not have a problem with it.

Pat Geddes, 2605 Mayfield Street, representing the customers of Rodney Booth, stated that there are a lot of them that depend on Rodney.

Mr. Garner stated that no one was downing the business.

Kathy Pearson, 19 Booth Estates, stated that she has no issues with this building being on the site.

Carl Anthony Fletcher, 12568 Lakeland Country Estates, worked for Rodney at the other location, he feels like the service he provides is invaluable to the community.

Mr. Garner asked Mr. Booth if he had explored other options for spaces in the community. Mr. Booth stated that he has, they looked at one here on 43 but after an \$80,000 investment at the other location and the stress that it has brought on them, this was the alternative, it was either this or they would have to file bankruptcy.

Chairman Garner closed the public hearing.

Mr. Chandler stated that he wanted on the record that if they do approve the variance the variance will stay with the property forever, so down the road, you no longer live there, someone could come in and tear down the home and build another larger home. Mr. Booth asked if the building could be removed if they did not want the building there. Mr. Chandler stated that they could remove the building.

Mr. Patten stated that the way the sample motion is worded it would tie the variance to the site sketch provided with this application so if someone were to redevelop this property unless they were going to redevelop it exactly as shown on that site sketch the variance wouldn't apply to them. The variance would be permanent and it does run with the land but it would not apply to future development on this site.

Mr. Booth stated that his aunt actually had the property resurveyed, her fence is actually sitting a foot over the property line, there is a manhole sitting at the back of all four lots, and that is where the fence goes over the property line, so that 5' he is in the clear there. Mr. Shobe stated that when Mr. Booth brought up his finances it really handicapped him, because if he wanted to give it to him he couldn't. Mr. Booth stated that Mr. Garner asked if he had explored other options. Mr. Shobe stated that they cannot give a variance due to a financial burden.

Mr. Patten stated that he is not really sure what he was saying about the fence. Mr. Chandler stated that the fence doesn't necessarily represent the property line. Mr. Patten asked Mr. Booth if the site sketch that was sent in with the application if that was measured to the fence and not the property line, Mr. Booth confirmed that was correct. Mr. Patten asked if he had a survey stating he was 5' off the property line. Mr. Booth confirmed that he does have a survey.

Mr. Garner asked staff if staff had a survey, Mrs. Ramm stated that we do not have a survey, if we had a survey and that survey showed it was 5' off the property line, then that would be one less variance that they would be asking for. Mr. Shobe stated that we could table it until next month, until he had the survey. Mr. Patten stated that the Zoning Board does have the ability to table the request and request additional documentation or consider moving on the other two variance requests and allow Mr. Booth to resolve this with the staff, if he has the survey. Mr. Garner clarified that the other two requests are ISR and Maximum Allowable Sq Footage.

Mr. Chandler asked staff how the motion is stated in the packet, if it includes all 3 variables. Mrs. Ramm let the Board know that they could change this motion. Mr. Patten stated that the board could state instead

of just a blanket variance from the accessory structure regulations, you could say from the accessory structure regulations for ISR and Maximum Size, leave out the setback because that may be resolved. Mrs. Ramm stated if the Board wanted to go that way and wanted to leave the setbacks out, if the board votes “no” on the setbacks or the board doesn’t address the setbacks and the survey does not show that he is in compliance with the ordinance, then Mr. Booth would have to start back over again, meaning: filing fees and adjoining property owner fees. The board may want to table the setbacks, so then it can come up at the next meeting if the survey does not show the footage necessary. Mr. Garner asked Mrs. Ramm if the board could table one specific piece of the case. Mrs. Ramm stated that was correct, because it is 3 separate requests. Mr. Chandler wanted to clarify that if the all-inclusive motion fails, then they can go with additional motions that break each item up. Mr. Patten stated that the Board could do it that way or the Board can start by voting on them individually or just the two.

Mr. Cunningham pointed out to Chairman Garner that there was a question about hardships, and there are a couple of things listed in the packet as well regarding hardships.

Motion by Mrs. Phifer to grant Rodney Booth a variance from the accessory structure regulations as shown on the site sketch for the property located at 1 Booth Estates. **Seconded by Mr. Dale** Roll call was as follows: Mrs. Phifer – No; Mr. Dale – Yes; Mr. Garner – No; Mr. Shobe -Yes; and Mr. Chandler – No. **Motion Fails.**

Mr. Chandler asked if the board could consider another motion. Mr. Patten stated that the board could consider another motion.

Motion by Mr. Garner to grant Rodney Booth a variance from the accessory structure regulations as it relates to the impervious surface ratio as shown on the site sketch for the property located at 1 Booth Estates. **Seconded by Mr. Shobe** Roll call was as follows: Mr. Garner – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mrs. Phifer -Yes; and Mr. Chandler – Yes. **Motion Carries.**

Motion by Mr. Garner to grant Rodney Booth a variance from the accessory structure regulations as it relates to maximum allowable square footage as shown on the site sketch for the property located at 1 Booth Estates. **Seconded by Mr. Shobe** Roll call was as follows: Mr. Garner – No; Mr. Shobe – Yes; Mr. Dale – Yes; Mrs. Phifer -Yes; and Mr. Chandler – No. **Motion Fails.**

Motion by Mr. Garner to grant Rodney Booth a variance from the accessory structure regulations as it relates to setbacks as shown on the site sketch for the property located at 1 Booth Estates. **Seconded by Mr. Shobe.** Roll call was as follows: Mr. Garner – No; Mr. Shobe – Yes; Mr. Dale – Yes; Mrs. Phifer -Yes; and Mr. Chandler – No. **Motion Fails.**

Mr. Garner made a motion to table the setbacks. Mrs. Ramm asked Mr. Cunningham if procedurally, can you make a motion to table an item after you failed the motion? Mr. Cunningham stated that he believes so because Mr. Garner is on the prevailing side of the motion.

Motion by Mr. Garner to table the variance request for Rodney Booth regarding the setback from the accessory structure regulations as shown on the site sketch for the property located at 1 Booth Estates.

Seconded by Mr. Shobe. Roll call was as follows: Mr. Garner – Yes; Mr. Shobe – Yes; Mr. Dale – Yes; Mrs. Phifer -Yes; and Mr. Chandler – Yes. **Motion Carries.**

Mr. Garner told Mr. Booth that the Board tabling the setbacks to next months meeting, gives Mr. Booth time to bring in the updated survey. Mr. Booth asked staff and board, if we turn down having a building, what is the point of the setbacks. Mr. Patten stated that the motion for the maximum size failed and the variance for ISR was granted. The two remaining out there are setbacks and maximum size and we will have to rehear that. Mr. Booth stated he cannot cut the building down anymore in size. Mr. Chandler stated he thinks what this board has attempted to do is allow Mr. Booth to bring more information on the one variance request that was in question. Mr. Patten stated that in order for the building permit to be approved by the planning department it would need to be in compliance or a variance granted. Mr. Garner asked if at this point could the entire case be tabled. Mr. Cunningham stated that the prevailing side in this case would be a no vote, could make a motion to rehear or could make a different motion similar to what we did on the tabling of the setback, that is probably the easiest.

Motion by Mr. Garner to table the variance request for Rodney Booth from the accessory structure regulations as shown on the site sketch for the property located at 1 Booth Estates. **Seconded by Mr. Chandler.** Roll call was as follows: Mr. Garner – Yes; Mr. Chandler – Yes; Mr. Dale – Yes; Mrs. Phifer -Yes; and Mr. Shobe – Yes. **Motion Carries.**

- A. **V-24-21** - Mark Tunnell requests a variance from the building material standards found in section 1002.13 for the property located at 5401 McFarland Boulevard.

Mark Tunnell, 13971 Knoll Point Drive, spoke at the podium. He stated that this location is Tuskalooza Lawn Care's new building and they used to be on Lurleen Wallace for 15 years. He stated that at the old building they had the lawn mowers stored under a covered pole barn, when they bought the new building, they decided they would put the old one in the back with no problem since it is on 4 acres. This is just to keep the lawn mowers from being damaged. They built a pole barn, 6x6 posts, steel trusses and a roof, they have about 50-60 mowers out there.

Mr. Garner asked staff if there was a picture in the slide show that show the building from McFarland Blvd. Mr. Patten stated that he did not have any pictures of it from McFarland Blvd but could show a picture from the Home Accents parking lot. Mr. Tunnell stated that they measured it and it's a little over 500 feet from the road to the pole barn. Mr. Garner stated that he would get the staff to help him but the purpose of the ordinance regarding the pole structure is the appearance or tied to the look of structure. Mr. Patten confirmed that it was tied to the architectural standards. Mr. Tunnell asked what he could do to make it look better, they had already talked about adding some greenery anyways because Mr. Tunnell does not like people being able to see what they have. Mr. Garner asked staff what it would take to get the structure in line with ordinance. Mr. Patten stated for the structure to meet the architectural standards, they would have to enclose it, there is a requirement to have 25% of the front elevation to be windows. Mr. Patten stated that in Commercial Districts accessory structures are still subject to the same architectural standards as principal structures. Mr. Tunnell stated that it would not serve a purpose for them to put a brick veneer over it. Mr. Patten stated that if the building were completed to the architectural standards, it would change parking requirements for the site because you are adding square footage, you will have to bring the entire

site into compliance. Mr. Garner wanted to clarify it would be a complete modification, requiring it to come into full compliance. Mr. Tunnell stated that with him being a fireman, that entails sprinkler systems, etc. on the existing 10,000 sf building. Mr. Chandler asked Mr. Tunnell if they used the green house for the storage. Mr. Tunnell stated the green house was connected to what they have at the new location and they used both sides. Mr. Chandler stated that he was assuming the greenhouse structure would not be up to code today. Mr. Patten stated this would have a legal nonconformity since the other building is an older building. Mr. Shobe asked if since he was willing to do the landscaping part then they could include that in the variance. Mr. Tunnell stated that he would be more willing to do that and make it look as nice as it could possibly look, because this is their building. Mr. Shobe stated if they added it to the variance they could add a time frame for when it needed to be completed. Mr. Patten stated that they could do that, but he recommended that if they wanted to add that as a condition they need to specify the height of the landscaping. Mr. Garner asked Mr. Tunnell if he would be opposed to the Board tabling this so that he could bring a landscape plan to the next meeting. Mr. Tunnell stated that he could show the board what they were wanting to do. Mrs. Ramm stated that just so everyone is on the same page, it may be best to have a landscape plan, not to get a landscape architect but to show the distance between them, the materials just so everyone knows. Mr. Chandler asked if the fence is on their property or the adjoining property, and who owns the fence. Mr. Tunnell did not know who owned the fence. Mr. Chandler asked Mr. Tunnell what Home Accents thinks about this. Mr. Tunnell stated that he had not heard from them, but he feels like they are glad to have someone there because they have been cleaning up behind the building. Mr. Chandler asked if the property goes all the back to the wood line. Mr. Tunnell stated that it did and it is fenced all the way around. Mr. Garner asked if this motion limits to this property owner or if it moves forward with the property. Mrs. Ramm stated that it still runs with the land. Mrs. Ramm stated that if they are going to submit a landscape plan, she would be specific about the type of plant, the distance between the plantings and where they are located, if they are thinking about any other portion of the property she would include that as well. Mrs. Phifer asked Mr. Tunnell if the trees he is proposing would be tall enough where you can see this from the road. Mr. Tunnell stated that was correct.

Mr. Garner asked Mr. Tunnell, if he hadn't bought this property and he was aware of this ordinance, would he have still bought the property? Mr. Tunnell stated that he needs a covered place to keep equipment. Mr. Garner asked if they told him that he had to bring the entire property up to code, would he still have bought the property? Mr. Tunnell stated that he likes the bushes idea. Mr. Garner stated that the problem is, it makes exceptions to the rules, and anytime we make exceptions to the rules it creates problems. Mr. Dale asked what would happen in the future when the trees start dying off. Mr. Patten stated that there is a requirement in the zoning ordinance that the landscaping has to be maintained. Mr. Garner stated that he is in favor of giving more time, because he personally needs some more time to think about it and that also gives Mr. Tunnell some more time to put together a landscape plan. Mr. Shobe asked what the time table would be to plant them. Mr. Tunnell stated that winter time is the time to plant so he would get them in as soon as approved.

Chairman Garner opened the floor for a public hearing.

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

Motion by Mr. Garner to table the variance request for Mark Tunnell from the building material standards found in section 1002.13 for the property located at 5401 McFarland Boulevard. **Seconded by Mr.**

Chandler Roll call was as follows: Mr. Garner – Yes; Mr. Chandler – Yes; Mr. Dale – Yes; Mrs. Phifer - Yes; and Mr. Shobe– No. **Motion Carried.**

DISCUSSION

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 6:07pm.

Mr. Jon Garner, Chairman

Julie Ramm, Secretary

***NORTHPORT ZONING BOARD OF ADJUSTMENT
STAFF REPORT
February 20, 2025***

AGENDA ITEM

Case Number: V-24-21

Request: A variance from building material standards

Location: 5401 McFarland Blvd

Applicant: Mark Tunnell and Russell Latner

SUBJECT PARCEL

Zoning: Highway Commercial (C-6)

Zoning of Adjacent Property: Highway Commercial (C-6) and Mobile Home Park (MHP)

Proposed Action: To allow an accessory structure that doesn't meet building material standards

STAFF COMMENTS

Mark Tunnell and Russel Latner are requesting a variance from the building material standards. Those standards are in section 1002.13 and are included below:

Works Director and/or City Engineer;

- e. When topography and/or terrain does not allow the installation of ADA compliant sidewalks as determined by a licensed civil engineer and agreed upon by the City Engineer;
 - f. When other circumstances make sidewalk installation unreasonable or inappropriate, as determined by the Planning Director and/or City Engineer.
- 2. Such fee-in-lieu arrangement shall be based on the total cost of sidewalk installation, as determined by the City Engineer.
 - 3. The developer shall have the choice of either installing the sidewalks or paying to the City the fee-in-lieu of such sidewalk installation, prior to any certificate of occupancy being issued for structures in any phase abutting the right-of-way within which the sidewalks are required.

B. Architectural standards. The standards of this section are intended to promote the health, safety and welfare of citizens by setting limited guidelines for construction with an emphasis on aesthetics. The guidelines may be supplemented or superseded by the planning commission and/or city council by specific design guidelines applicable to specific uses or portions of the city as set out herein.

1. *Height and massing.*

- a. Shall conform to the height requirements of each district.
- b. Multifamily, commercial and office structures shall be designed to be compatible and consistent with the architectural style and character of single family residential structures in the immediate vicinity. The exterior of multifamily structures may be designed to appear as a single building, such as a large single family detached dwelling.
- c. Lengthy unbroken facades should be avoided. As a general guide, the maximum horizontal length of an unbroken facade plane should be 50 feet in residential districts, and 75 feet in commercial and office districts. Facade offsets shall be sufficient to create a strong shadow line.
- d. Buildings on corner lots shall be considered more significant structures, due to the fact that they have at least two front facades visibly exposed to the street. It is strongly encouraged that such buildings be designed with additional height and architectural embellishments, such as corner towers, relating to their location.
- e. Buildings should be located to front towards and relate to public streets, both functionally and visually, to the greatest extent possible.

2. *Roofs.*

- a. The pitch and style of roofs should be consistent with that of surrounding structures. Generally roofs should project enough beyond the facade to cast a shadow

X-

and shall be of a color which would be consistent and compatible with the natural environment.

b. Architectural embellishments which add visual interest to roofs, such as dormers, belvederes, masonry chimneys, cupolas, clock towers and other similar elements are strongly encouraged.

c. Mechanical equipment should be concealed from public streets within the volume of the roof or enclosed within penthouse structures or screening that will substantially eliminate visibility of the equipment from public streets.

3. *Facades.*

a. Front facades should be architecturally emphasized through fenestration, entrance treatments and details. Architectural elements such as doorways, dormers, gables, and porches should be used to effectively articulate facades and reduce the scale of larger structures. Diverse architectural treatments should be integrated to avoid a cluttered appearance.

b. The architectural treatment of the front facade should be continued, in its major features, around all sides of a building that are visible from a public street. It is recommended that all sides of a building should be architecturally designed to be consistent with regard to style, materials, colors and details. Blank wall or service area treatment of side and/or rear elevations, visible from a public street is discouraged.

c. Fenestration should be architecturally compatible with the style, materials, color and details of the building. Windows should be vertically proportioned wherever possible. To the greatest extent possible, upper story windows should be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.

d. Blank, windowless walls are discouraged. If necessitated by local building codes, the wall should be articulated by the provision of blank window openings trimmed with frames, sills and lintels.

e. Each principal commercial building should have a highly visible customer entrance. All entrances to a building should be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and other similar elements. Any such element utilized should be architecturally compatible with the style, materials, colors and details of the building as a whole, including the doors.

4. *Materials.* Materials such as brick, stone and wood are preferred. Developers are encouraged to vary materials from building to building while limiting the number of different materials on any individual structure. In all instances the use of loud, garish colors on exterior façade materials shall be prohibited. Metal siding shall be prohibited on all sides of a building which are visible from any public street except under the following conditions:

Metal siding shall be allowed in industrial zones only (M-1 or M-2) for buildings under

X-

the following conditions:

- A minimum base of four feet or 30% of wall height, whichever is greater, of brick, stone, split face block, or other durable material (not smooth finish concrete masonry units or smooth concrete) shall be located on the sides facing a public street; if a multi-story building, the first story must meet this material requirement
- No exterior wall plane facing a public street may exceed thirty feet without an interruption or articulation. Examples include: wall offsets, material changes, pilasters, columns/posts, roofline or cornice line changes, projecting bays, porches.
- If an industrial zone is located adjacent to a residential zone, the front or main façade shall not have any metal siding (architectural metal panels are allowed).

Architectural metal panels shall be allowed in commercial zones (C-2, C-3, or C-6) under the following conditions:

- A minimum base of four feet or 30% of wall height, whichever is greater, of brick, stone, split face block, or other durable material (not smooth finish concrete masonry units or concrete) shall be located on all sides visible from a public street; if a multi-story building, the first story must meet this material requirement
- No exterior wall plane visible from a public street may exceed thirty feet without an interruption or articulation. Examples include: wall offsets, material changes, pilasters, columns/posts, roofline or cornice line changes, projecting bays, porches, fenestrations.

5. *Parking areas.* See Parking Section 611

6. *Landscaping standards.* See Landscape Bufferyard Article V

7. *Signage.* See Sign Article VIII

Section 1003. Conditional Uses.

Conditional uses are those uses that have some special impact which differs from the potential impacts of permitted uses or exceeds them in intensity, or have uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed in a particular location.

Upon submission of a request for conditional use approval, a review of the location, design, configuration, and impact shall be conducted to determine whether the proposed use would have a detrimental impact on neighboring properties.

The review considers the proposal in terms of:

- existing zoning and land use in the vicinity of the use;
- planned and proposed public and private developments that may be adversely affected by the proposed use;
- whether and to what extent the use at the particular location for which it is proposed is consistent with the intent of the Zoning Ordinance, and; any other development policies and/or regulations of the City of Northport; and
- whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety, and welfare in general.

STAFF RECOMMENDATIONS:

The standards for variances as outlined in section 1109.3 of the Northport Municipal Code are as follows:

1108.03. Standards for Variances. *The Board of Zoning Adjustment shall grant no variance in the strict application of the provision of this Ordinance unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised. It is the intent of this Ordinance that the variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.*

The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate in writing that the appeal for the variance conforms to all of the requirements and standards listed below:

A. *The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

B. *The granting of the variance will not permit the establishment of any use, which is not permitted in the district.*

C. *There must be proof of unique circumstances: there must exist special circumstances or conditions fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.*

D. *There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.*

E. *That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.*

F. *That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*

G. *That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.*

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

SUMMARY:

Mark Tunnell and Russel Latner are requesting a variance to allow an open pole barn structure for their business located at 5401 McFarland Boulevard. The ordinance currently does not allow for open-sided structures in non-residential zones. The proposed building would be 40' x 60' and would be located in the rear portion of the property (see included site sketch).

The petitioner has not cited a hardship.

The requested variance is not in conflict with the comprehensive plan.

The applicant has provided a proposed landscaping plan that would include a row of 8-10ft. tall evergreen shrubs around portions of the northern and western fence line (see included landscaping plan). The board may want to consider adding a condition that this row of shrubs be extended to cover the entire northern and western fence lines.

MOTION:

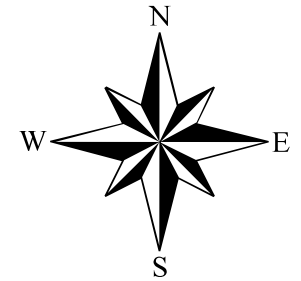
I make a motion to grant Mark Tunnell and Russel Later a variance from the building material standards to allow a pole barn as shown on the site sketch and landscaping plan for the property located at 5401 McFarland Blvd.

Northport Zoning Board of Adjustment

Variance Request

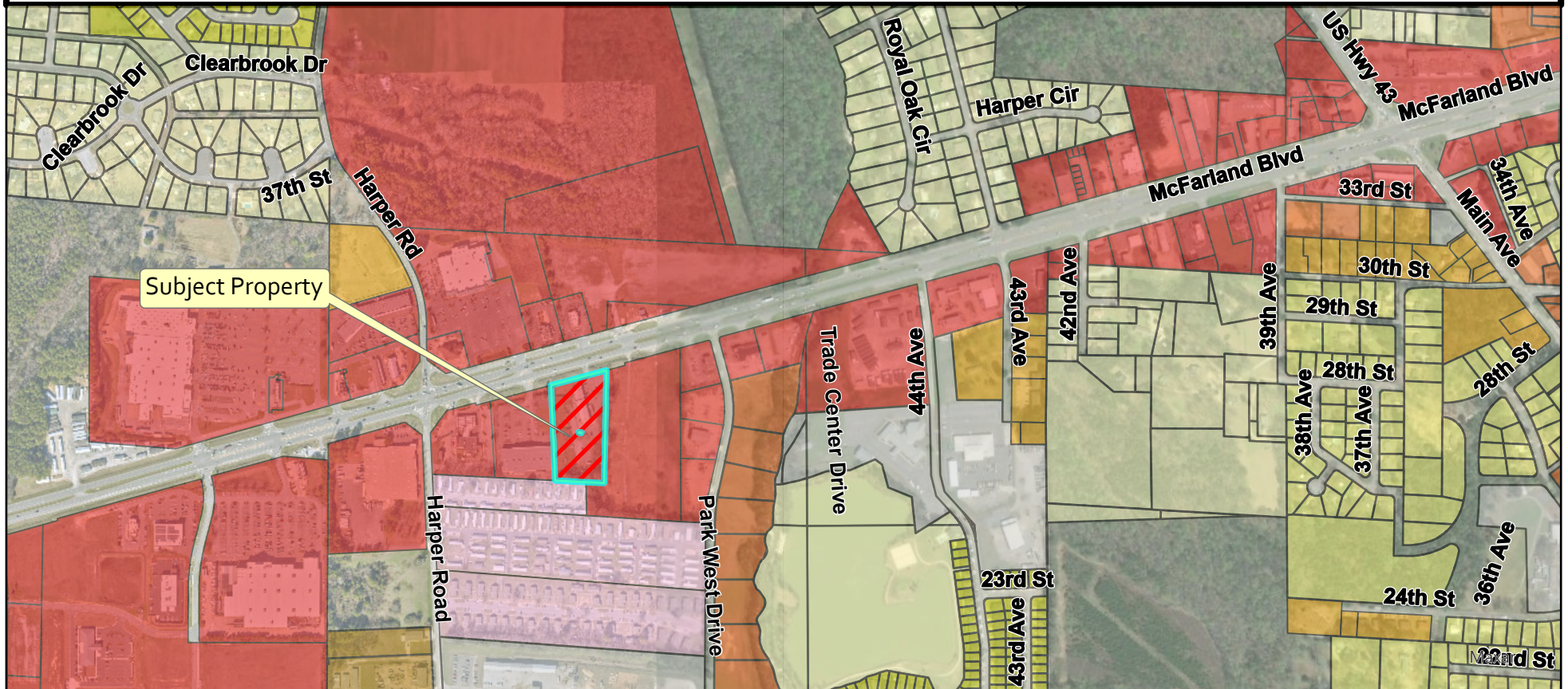
Zoning

- | | |
|--|---|
|  General Commercial |  Office and Institutional |
|  Commercial Highway |  Residential Multi-Family |
|  Light Industrial |  Residential Single-Family - 1 |
|  Mobile Home Park |  Residential Single-Family - 2 |
| |  Residential Single-Family - 4 |
| |  Subject Property |



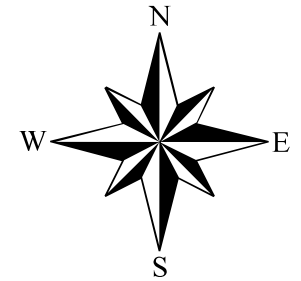
While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.

0 500 1,000 2,000 Feet



Northport Zoning Board of Adjustment

Variance Request



Parcels

□ Parcels

Future Land Use

■ Conservation

■ Conservation Floodway

■ Commercial Mix

■ General Mixed-Use

■ Limited Mixed-Use

■ Multifamily Residential

■ High Density Residential

■ High to Medium Density Transition

■ Medium Density Residential

■ Office-Trades Mix

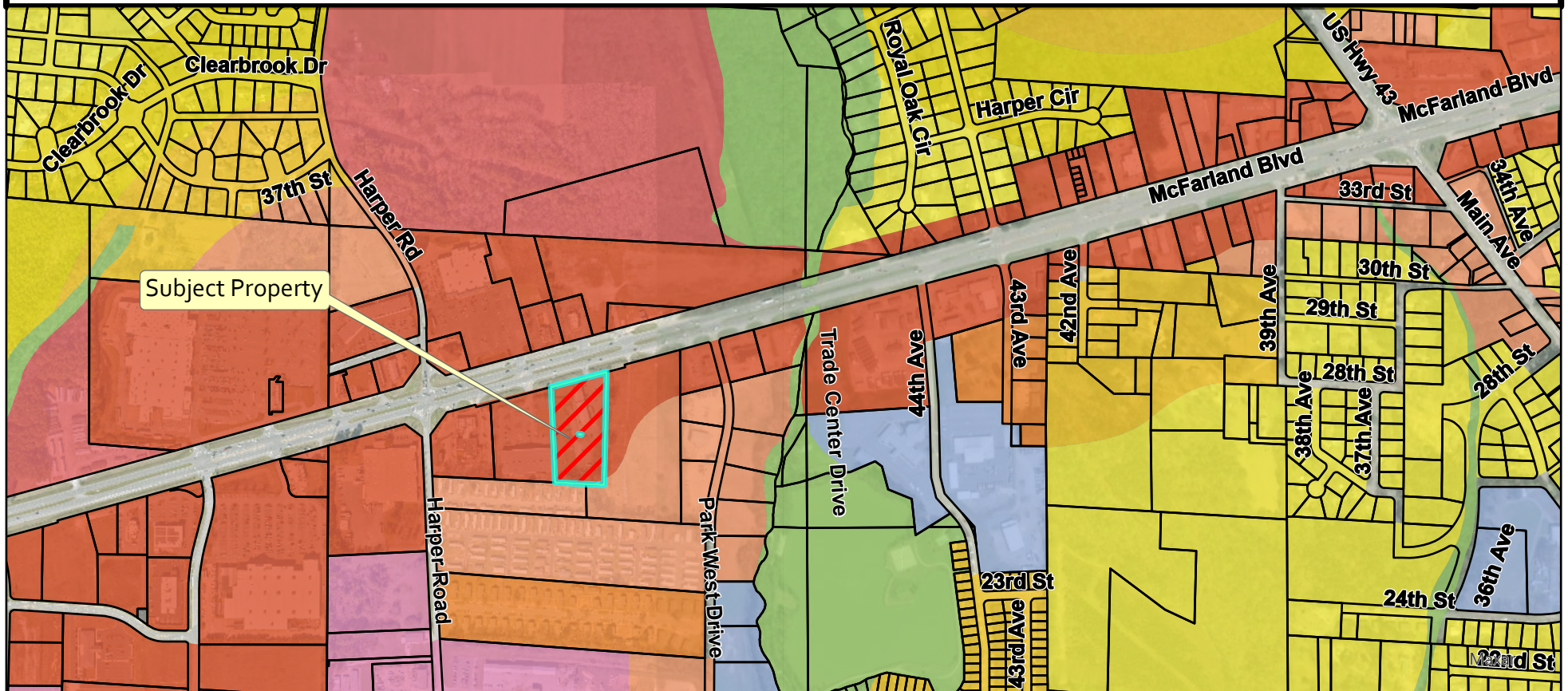
■ Institutional

■ Utilities

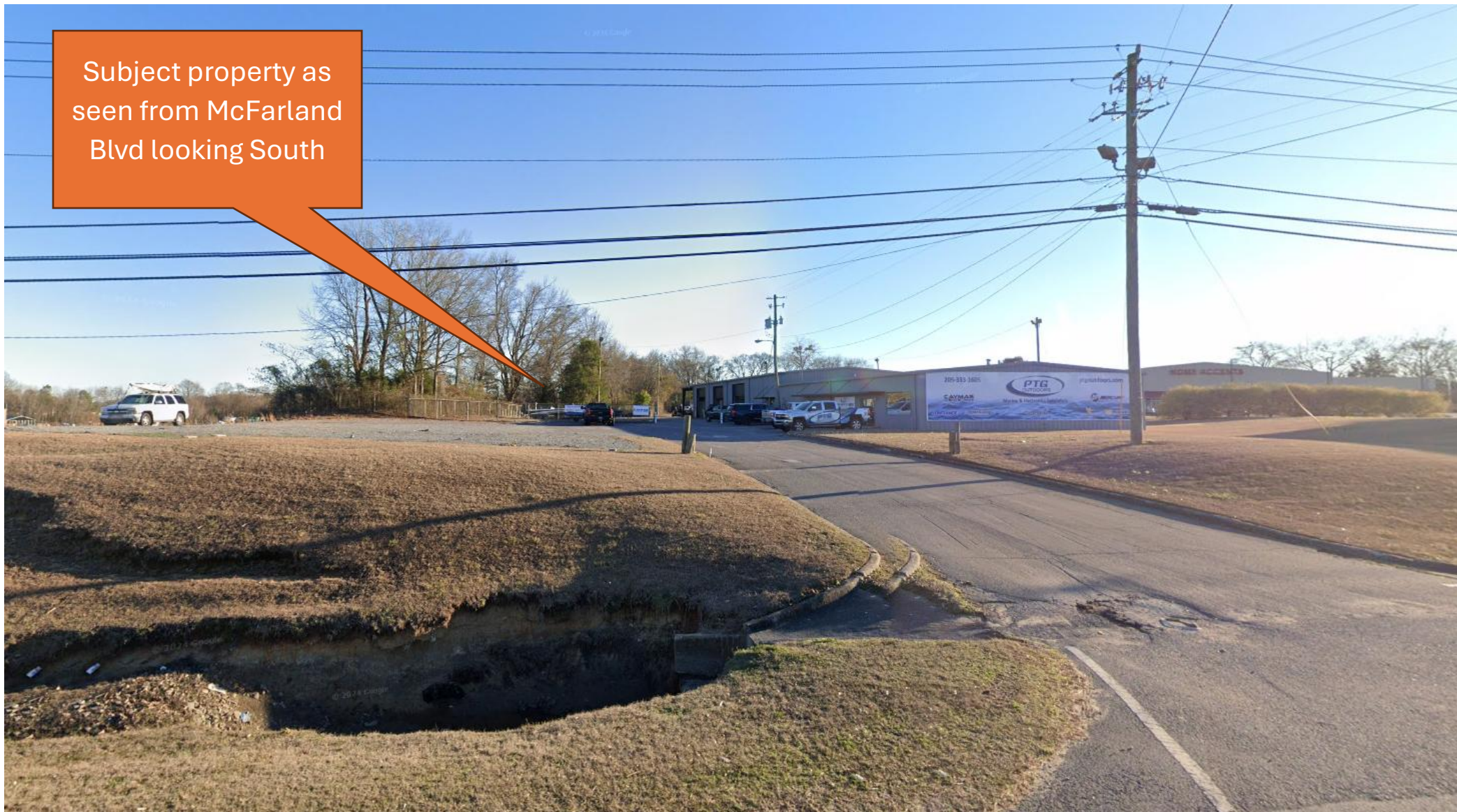
■ Subject Property

0 500 1,000 2,000 Feet

While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.



Subject property as
seen from McFarland
Blvd looking South





City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

Date of Application: 12/16/2024

SUBMITTAL CHECKLIST

- | | |
|--|---|
| ☒ Completed Application | ☐ Designation of Agent Form (if applicant is not property owner) |
| ☐ \$75 Appeal Fee (additional fees may apply) | ☐ Names and Addresses of all Adjoining Properties |
| ☐ Site Plan/Sketch (showing property lines, existing and proposed structures, and dimensions) | |

PROPERTY INFORMATION

Property Address: 5401 MCFGARLAND BLVD NORTHPORT, AL. 35476

Property Subdivision and Lot Number: _____

Property Zoning District: _____

Existing Buildings on Property: ONE

Proposed Construction on Property: 40' BY 60' POLE BARN

PETITIONER INFORMATION

Petitioner Name: MARK TUNNELL

Petitioner Phone: 205-792-8448 Petitioner Email: TUSKLAWNEQUIP@YAHOO.COM

Petitioner Address (if different than property information above): 13791 KNOLL POINTE DR.
NORTHPORT, AL. 35475

Petitioner is Owner of Property (if yes, skip owner information): ☒ Yes ☐ No

OWNER INFORMATION

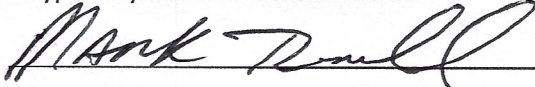
Owner Name and/or Company: TUNNELL LATNER ENTERPRISES

Owner Mailing Address: 5401 MCFARLAND BLVD. NORTHPORT, AL 35476

Owner Phone: 205-792-8448 Owner Email: TUSKLAWNEQUIP@YAHOO.COM

☒ BY CHECKING THIS BOX, I HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

The information contained in this document is true and correct and may be relied upon by the City of Northport. By typing my name and by checking this box, this acknowledges that I am bound by this document just as if I had signed the document rather than typed my name to this document.

Applicant Signature:  Date: 12/16/2024



City of Northport

Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

REQUEST INFORMATION

Describe the nature of the request:

IT IS A 40' BY 60' POLE BARN ON THE BACK SIDE OF THE 4 ACRE PROPERTY, AROUND 500' FROM
MCFARLAND BLVD. IT WILL BE USED AS STORAGE FOR CRATED MOWERS.

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the
same zoning district:

WE APPLIED FOR THE PERMIT BEFORE THE NEW ORDINANCE WAS VOTED ON.

Describe how your appeal (if granted) would impact neighboring properties or how it would or would not be contrary to
the public interest:

IT WOULD HAVE NO NEGATIVE IMPACT ON THE SURROUNDING BUSINESSES, ONLY POSITIVE IMPACT
DUE TO A THRIVING BUSINESS MOVING IN.

Any additional information you would like to add to help process your request, including evidence of petitioner's interest in
the property if petitioner is not the property owner:



City of Northport

Designation of Agent Form

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

I, MARK TUNNELL, being owner of the property which is the subject of this application
hereby authorize _____, to act as my representative with the City of Northport's
(Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed
on the attached application form.

Property Owner Signature: Mark Tunnell Date: 12/16/2024

Property Owner Mailing Address: 13791 KNOLL POINT DR.
NORTHPORT, AL. 35475

Phone Number: 205-792-8448

Authorized Agent Mailing Address: _____

Phone Number: _____

STATE OF ALABAMA

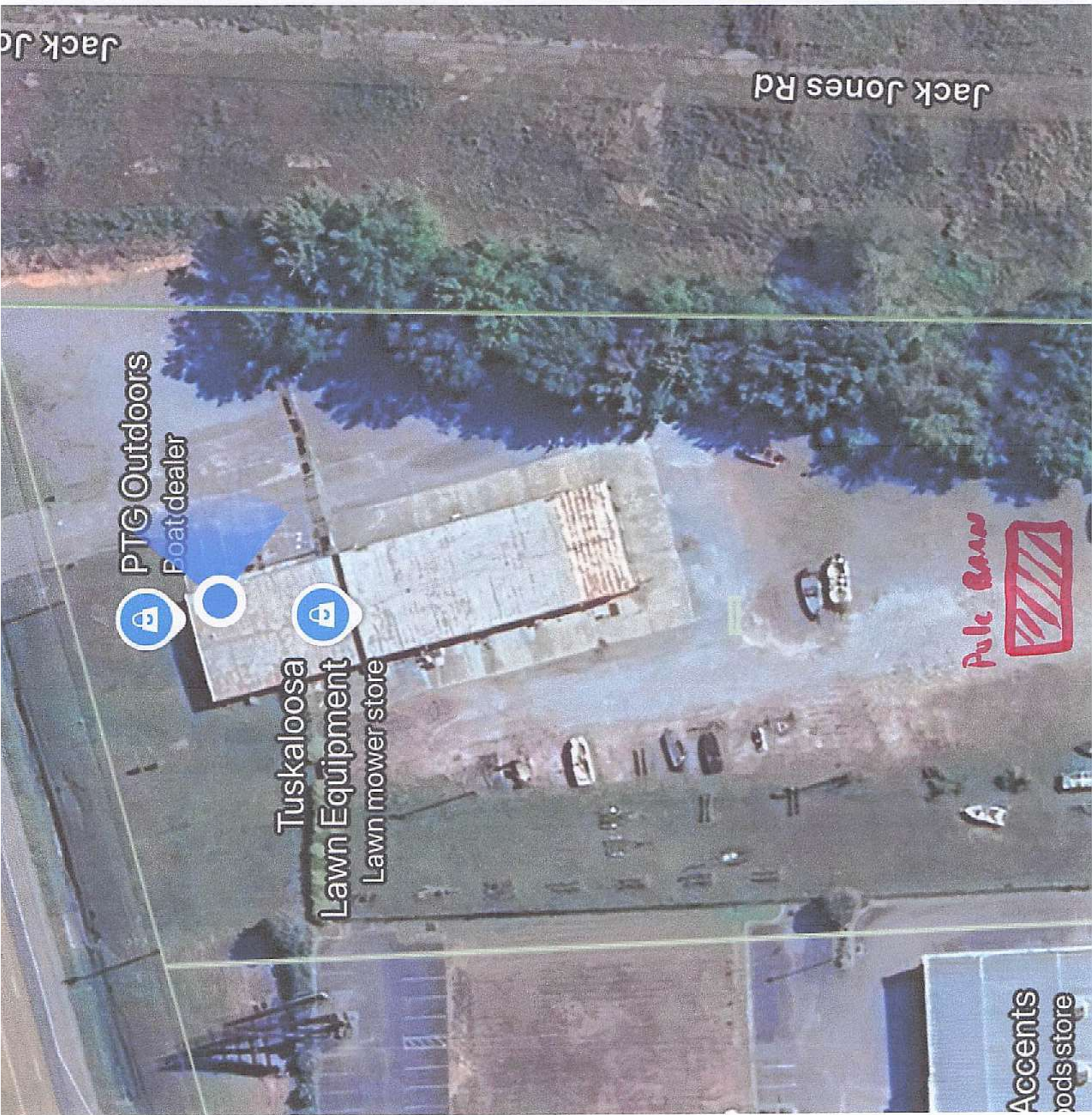
COUNTY OF TUSCALOOSA

I, _____, a Notary Public in and for said County and State, hereby certify
that _____, whose name is signed to the foregoing document, and who is known to
me or acknowledged before me on this day, that being informed of the contents of said document, did
execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this ____ day of _____, _____

Notary Public

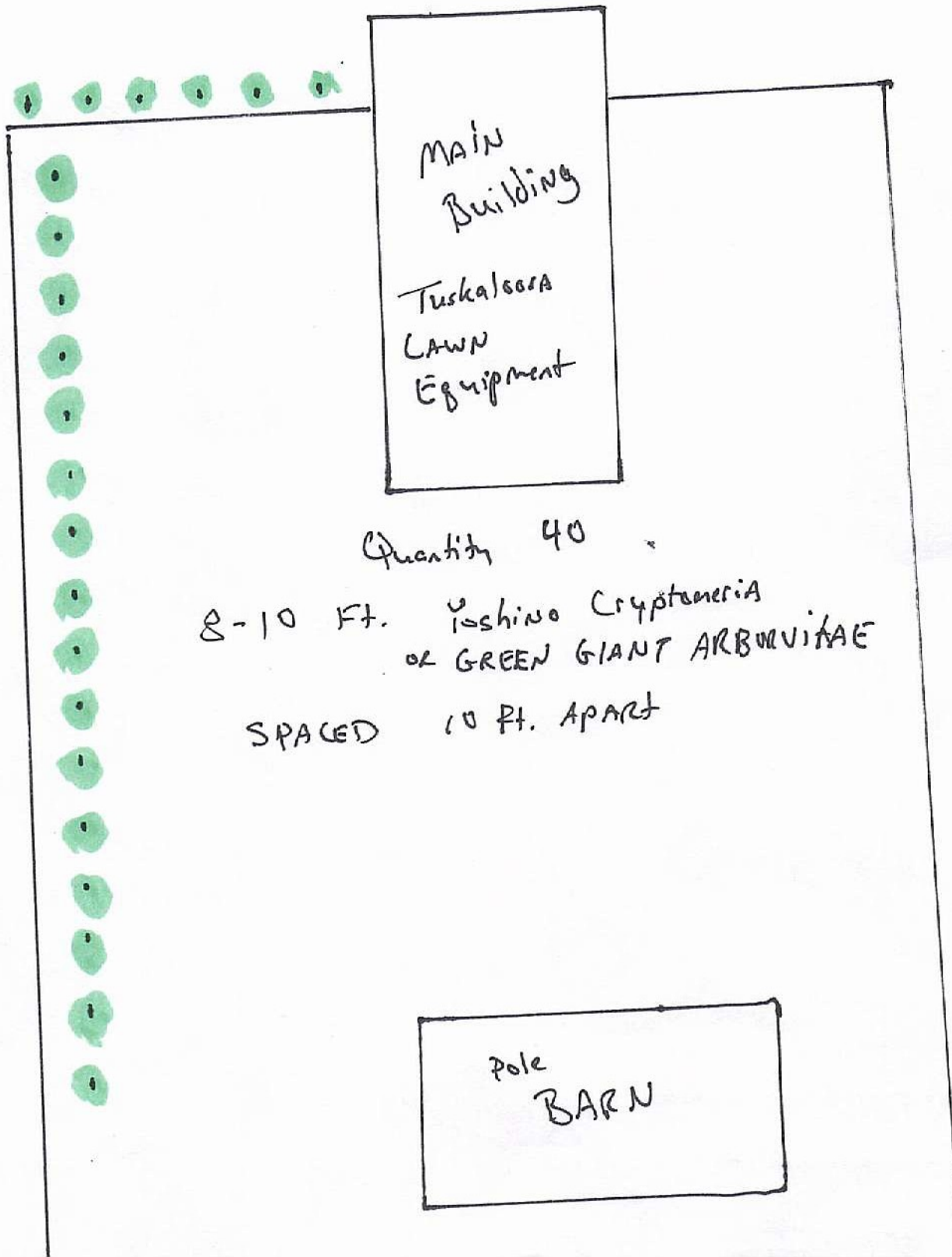
My Commission Expires: _____



McFARLAND BLVD

5401 McFARLAND BLVD.

Home Accents













Northport, Alabama

Google Street View

Dec 2023 See more dates

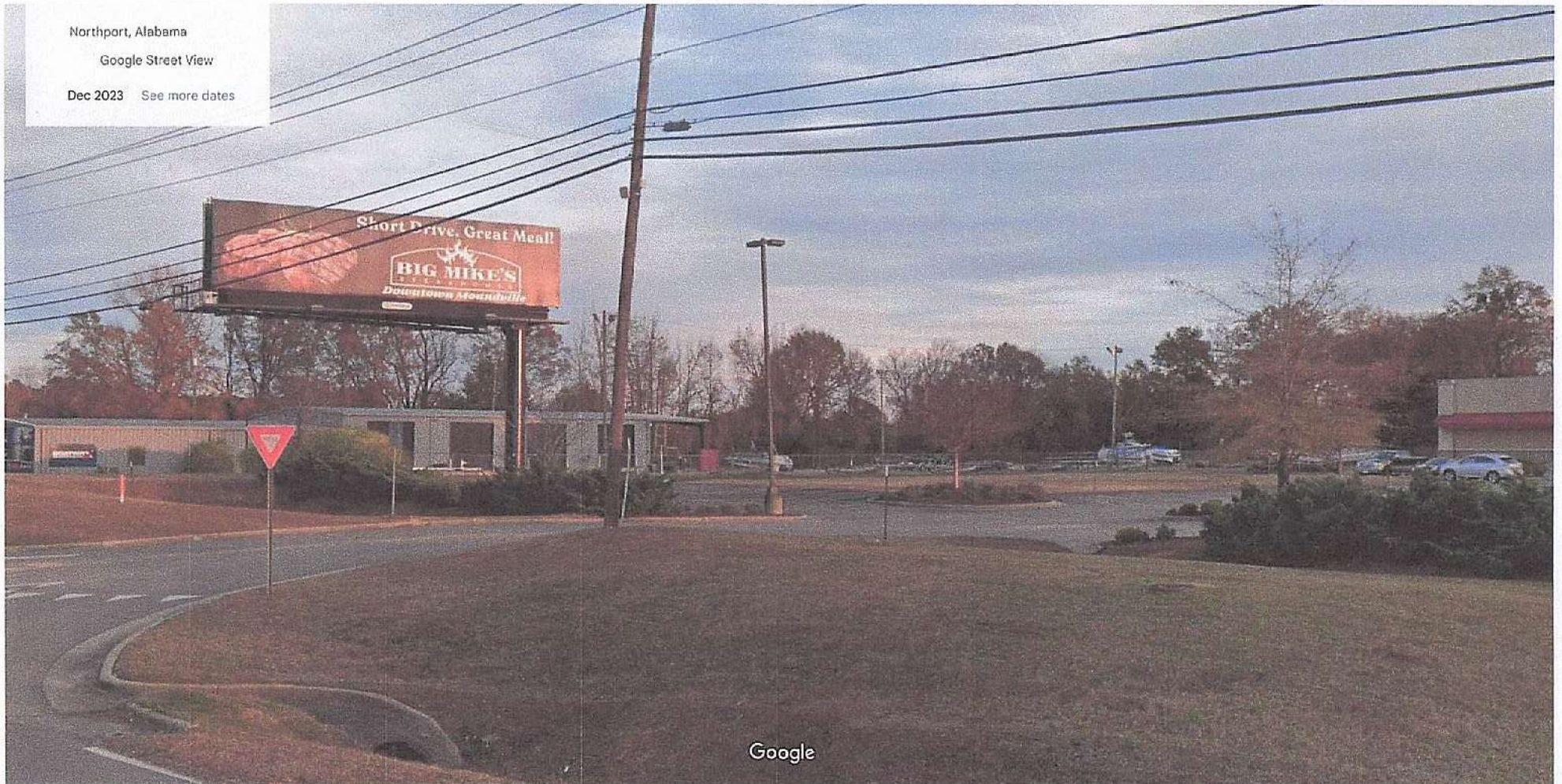
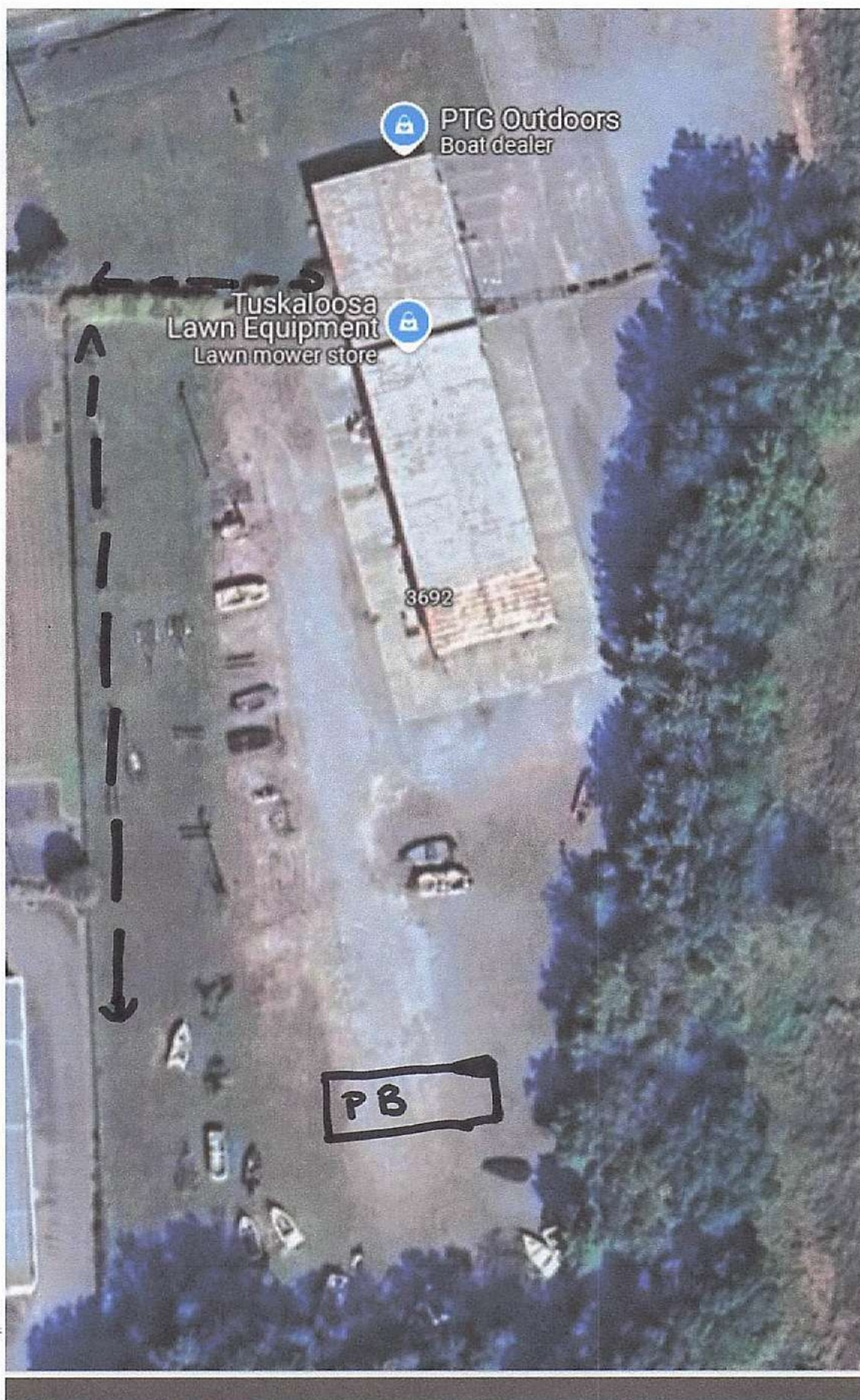


Image capture: Dec 2023 © 2025 Google





NORTHPORT ZONING BOARD OF ADJUSTMENT
STAFF REPORT
February 20, 2025

AGENDA ITEM

Case Number: V-25-1

Request: A variance from residential setback standards

Location: 3841 30th Avenue

Applicant: LaShonda Gay

SUBJECT PARCEL

Zoning: Residential Single-Family (RS-1)

Zoning of Adjacent Property: Residential Single-Family (RS-1)

Proposed Action: To allow a new mobile home that doesn't meet setback standards

STAFF COMMENTS

LaShonda Gay is requesting a variance from the setback standards. Those standards are in Table 4-2 and are included below:

Table 4-2 Area and Dimensional Requirements Residential Districts

Zone	Minimum Lot Area	Minimum Lot Width	Minimum Yard Setback				Maximum ISR	Maximum Building Height
			Front or Primary Front ¹	Secondary Front ¹	Rear	Side		
RS-1	15,000 sf	95 ft	40 ft	25 ft	50 ft	14 ft	0.40	35 ft
RS-2	12,000 sf	85 ft	35 ft	25 ft	35 ft	12 ft	0.40	35 ft
RS-3	9,000 sf	75 ft	30 ft	20 ft	35 ft	10 ft	0.45	35 ft
RM ^{2,3}	6,000 sf	60 ft	20 ft	15 ft	20 ft	7 ft	0.50	35 ft

1 The front or primary front setback applies on both frontages of dual-frontage corner lots. Secondary front setbacks apply to single-frontage corner lots only.

2 Common open space is required for developments containing lots of 9,000 sf or less in area subject to [§4.05](#) Open Space Requirements for High Density Residential Developments.

3 Applies only to detached single-family dwellings, lots in manufactured home subdivisions and any permitted nonresidential uses. For other permitted dwelling types, refer to the standards in [Article 7 Detailed Use Regulations](#).

STAFF RECOMMENDATIONS:

The standards for variances as outlined in section 1109.3 of the Northport Municipal Code are as follows:

1108.03. Standards for Variances. *The Board of Zoning Adjustment shall grant no variance in the strict application of the provision of this Ordinance unless it finds that the following requirements and standards are satisfied. In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised. It is the intent of this Ordinance that the*

variance be used only to overcome some exceptional physical condition of a parcel of land which poses practical difficulty to its development and prevents its owner from using the property as intended by the Zoning Ordinance. Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.

The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate in writing that the appeal for the variance conforms to all of the requirements and standards listed below:

A. *The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

B. *The granting of the variance will not permit the establishment of any use, which is not permitted in the district.*

C. *There must be proof of unique circumstances: there must exist special circumstances or conditions fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the district, and which circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.*

D. *There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of other variances granted under similar circumstances shall not be considered.*

E. *That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Zoning Adjustment is the minimum variance that will accomplish this purpose.*

F. *That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*

G. *That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.*

The Board may prescribe any safeguard that it deems necessary to secure substantially the objectives of the regulations or provisions to which the variance applies.

SUMMARY:

LaShonda Gay is requesting a variance to allow a new mobile home that does not meet setback standards for the property located at 3841 30th Avenue. The current ordinance requires that all lots in this zoning district maintain a 40-foot primary front and 25-foot secondary front setback. The home as proposed would sit approximately 20 feet from the primary front lot line (along 30th Avenue), and

approximately 18 feet from the secondary front lot line (along 39th Street) – see the site sketch included in the packet.

The current site consists of a vacant lot zoned Residential Single-Family (RS-1). It is surrounded to the east by a vacant lot zoned Residential Single-Family (RS-1), to the south by a vacant lot zoned Residential Single-Family (RS-1), to the west across 30th Avenue by a Single-Family Residence zoned Residential Single-Family (RS-1), and to the North by a Municipal water tower zoned Residential Single-Family (RS-1).

As a hardship, the applicant has cited the unusual shape of the lot, as well as topography and sewer concerns. The property is within the city limits but is not served by city sewer. The applicant has stated that efforts to avoid disturbing the on-site septic system have reduced the buildable area of the lot.

The requested variance is not in conflict with the comprehensive plan.

MOTION:

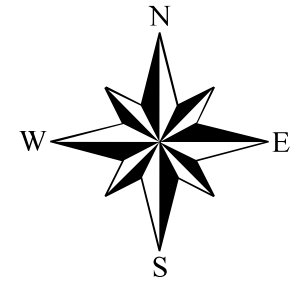
I make a motion to grant LaShonda Gay a variance from the setback standards to allow a mobile home as shown on the site sketch for the property located at 3841 30th Avenue.

Northport Zoning Board of Adjustment

Variance Request

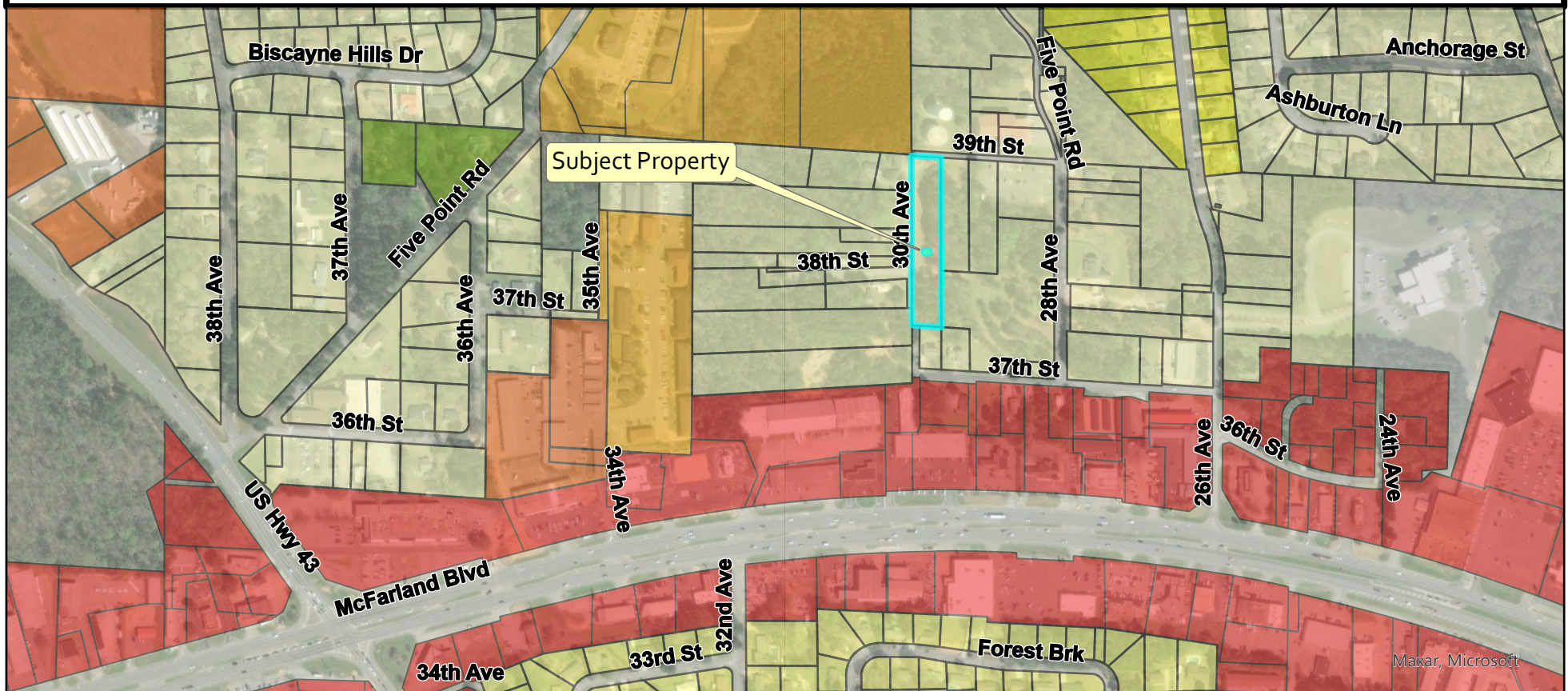
Zoning

- | | |
|--|---|
|  Agriculture |  Residential Multi-Family |
|  General Commercial |  Special District |
|  Commercial Highway |  Residential Single-Family - 1 |
|  Office and Institutional |  Residential Single-Family - 2 |
| |  Residential Single-Family - 3 |
| |  Subject Property |



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.

0 375 750 1,500 Feet



Maxar, Microsoft

Northport Zoning Board of Adjustment

Variance Request

Parcels

□ Parcels

Future Land Use

Commercial Mix

General Mixed-Use

Limited Mixed-Use

High Density Residential

High to Medium Density Transition

Medium Density Residential

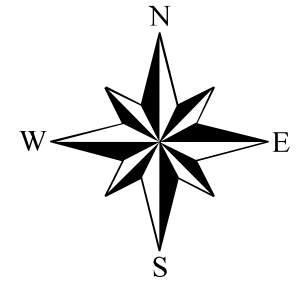
Medium to Low Density Transition

Low Density Residential

Institutional

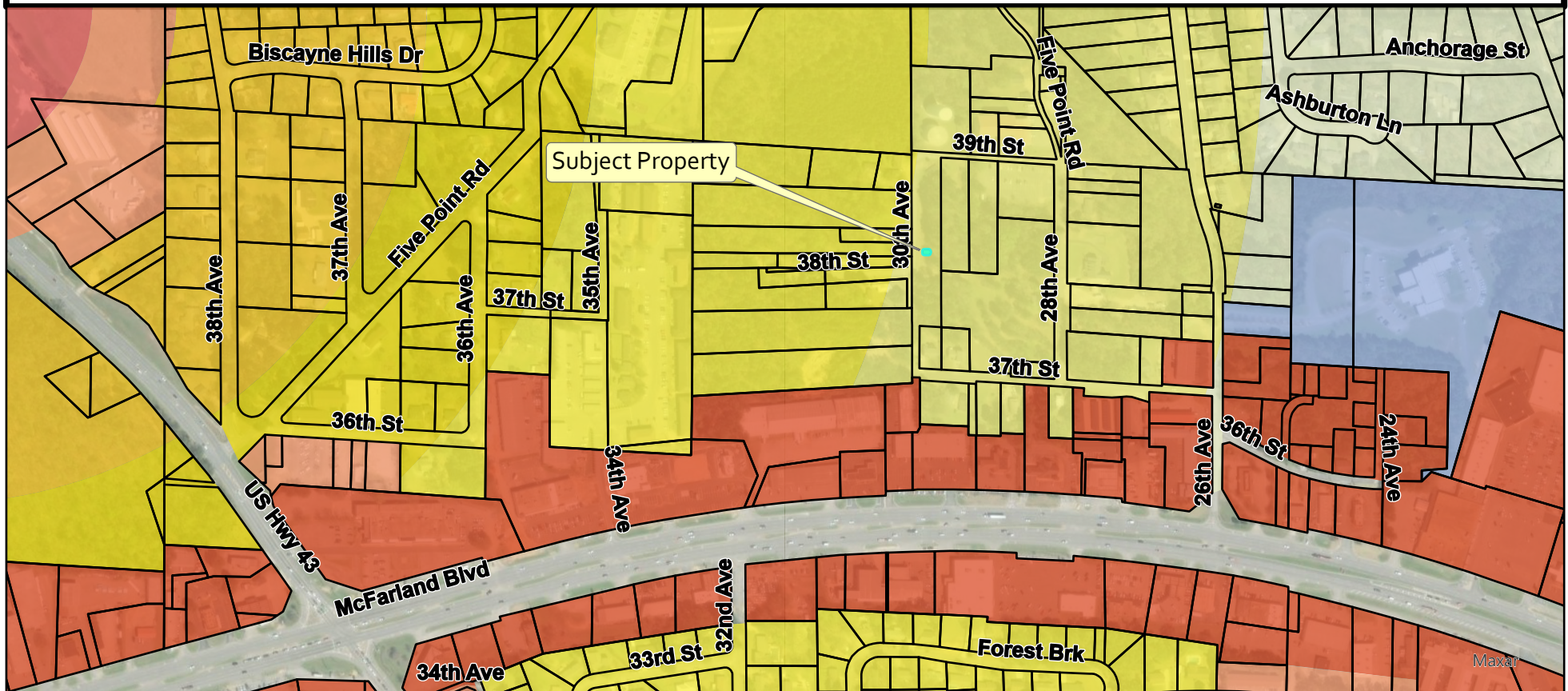
Utilities

Subject Property



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.

0 375 750 1,500 Feet





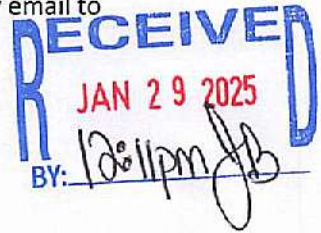
Subject property as seen
from 30th Avenue looking
Northeast.

V25-001



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.



Date of Application: 01/28/25

SUBMITTAL CHECKLIST

- | | |
|---|---|
| ☒ Completed Application | ☐ Designation of Agent Form (if applicant is not property owner) |
| ☐ \$75 Appeal Fee (additional fees may apply) | ☐ Names and Addresses of all Adjoining Properties |
| ☒ Site Plan/Sketch (showing property lines, existing and proposed structures, and dimensions) | |

PROPERTY INFORMATION

Property Address: 3841 30TH AVE, NORTHPORT, AL 35473
Property Subdivision and Lot Number: SALLIE SHIRLEY #11
Property Zoning District: _____
Existing Buildings on Property: NO
Proposed Construction on Property: MANUFACTURED HOME (REPLACEMENT)

PETITIONER INFORMATION

Petitioner Name: LA SHONDA GAY
Petitioner Phone: 205-799-1987 Petitioner Email: LAASHONDAONE@GMAIL.COM
Petitioner Address (if different than property information above): _____

Petitioner is Owner of Property (if yes, skip owner information): ☒ Yes ☐ No

OWNER INFORMATION

Owner Name and/or Company: _____
Owner Mailing Address: _____
Owner Phone: _____ Owner Email: _____

☒ BY CHECKING THIS BOX, I HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

The information contained in this document is true and correct and may be relied upon by the City of Northport. By typing my name and by checking this box, this acknowledges that I am bound by this document just as if I had signed the document rather than typed my name to this document.

Applicant Signature: La Shonda Gay Date: 1-28-25



City of Northport Variance Application Packet

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

REQUEST INFORMATION

Describe the nature of the request:

THE HOME I RESIDED IN WAS APPROXIMATELY 30 YEARS OLD AND FALLING APART. I DECIDED TO CUSTOM ORDER MY DREAM HOME TO REPLACE IT. UPON REMOVING MY OLDER HOME FROM THE PROPERTY AND TRYING TO SET UP MY NEW ONE, I LEARNED THERE WERE BEEN SETBACKS PUT IN PLACE WHICH WOULD RESTRICT MY HOME FROM BEING PLACED ON MY PROPERTY. WITHOUT THE SETBACKS, MY HOME WOULD FIT ON THE PROPERTY WITHOUT GOING OVER ANY PROPERTY LINES, WHICH IS WHY I'M REQUESTING A VARIANCE

Describe the special conditions pertaining to your property (or to your case) which sets your case apart from others in the same zoning district:

WITH THE NARROWNESS OF MY PROPERTY, COMBINED WITH THE CURRENT SETBACKS, IT CREATES A SIGNIFICANT CHALLENGE IN PLACING MY HOME WITHOUT ENCRANCHING ON NEIGHBORING PROPERTIES. ALSO, MY CURRENT SEPTIC SYSTEM DICTATES THE SPECIFIC PLACEMENT OF MY HOME ON THE PROPERTY.

Describe how your appeal (if granted) would impact neighboring properties or how it would or would not be contrary to the public interest:

IF MY APPEAL IS GRANTED, IT WOULD NOT HAVE ANY IMPACT ON NEIGHBORING PROPERTIES. AESTHETICALLY, IT WOULD ENHANCE THE NEIGHBORHOOD BY REPLACING A DILAPIDATED 30-YEAR HOME WITH A NEW MODERN ONE. THE IMPROVEMENT WOULD CONTRIBUTE TO THE OVERALL APPEAL OF THE AREA AND BENEFIT THE COMMUNITY.

Any additional information you would like to add to help process your request, including evidence of petitioner's interest in the property if petitioner is not the property owner:

N/A



City of Northport Variance Application Packet

Deadline Feb 20th
Meeting March 20th

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

PROCESS

1. You have requested a variance, special exception or interpretation of the Zoning Ordinance. The Zoning Board of Adjustment has the full authority to rule on cases such as this after a public hearing.
2. The Zoning Board of Adjustment meets in City Hall, located at 3500 McFarland Boulevard, in the Council Chamber at 6:00 p.m. on the third Thursday of each month.
3. You or your agent must be present at the meeting to explain your request and answer questions.
4. No later than the closing of business hours four weeks prior to the meeting, the following must be submitted to the Planning and Inspections Department:
 - An Administrative Appeal Application completely filled out and signed (page 2 and 3 of this packet);
 - The names and mailing addresses of all adjoining property owners as obtained from the Tax Assessor on the first floor of the County Courthouse. Adjoining owners include owners on all sides of the property in question and also the property across streets, creeks, power line right-of-ways, etc.;
 - A filing fee of \$75.00, plus certified mailing fees per adjoining property owner and advertising fees;
 - A small drawing (8x11) of the lot in question with dimensions; existing and proposed new construction with dimensions; distance to the property lines of all structures; any other concerns which may be applicable to your case, such as existing and proposed parking spaces, heights of structures, access roads, etc. The drawing are not required to be professionally prepared, but must be legible and accurate.
5. A decision of the Zoning Board of Adjustment is final. The Circuit Court will hear any appeals to the decision of the Zoning Board of Adjustments. Appeals to the Circuit Court must be applied for within 15 days after a final decision of the Zoning Board of Adjustment has been made.

WATER
TOWER

