

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, JUNE 9, 2020**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, June 9, 2020 in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Dale Phillips. Upon roll call the following members were found to be present: Mr. Shawn Blackburn, Ms. Nancy Dawson, Mr. David Kemp, Mr. Michael Manson, Mr. John Myers, Mr. Dale Phillips, Mr. Jerry Pruitt, Mr. Tony Roberts and Mr. Scott Roland. Staff present were Julie Ramm, Planning Director, Ron Davis, City Attorney, Max Snyder, Development Coordinator, Holly Phillips, Staff Engineer and Nannette McKinney, Administrative Assistant.

Approval of Agenda – Motion by Jerry Pruitt to approve agenda. **Second by Mr. Tony Roberts.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Roberts-Yes; Mr. Blackburn-Yes; Ms. Dawson-Yes; Mr. Kemp-Yes; Mr. Manson-Yes; Mr. Myers-Yes; Mr. Phillips-Yes; and Mr. Roland-Yes. **Motion carried.**

Approval of the Minutes – June 9, 2020. Motion by Jerry Pruitt to approve the minutes. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Kemp-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; Mr. Manson-Yes; Mr. Myers-Yes; Mr. Phillips-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **Motion carried.**

Verification of Proper Notification - Mrs. Ramm confirmed proper notification was given.

Verification of No Conflict of Interest – Chairman Phillips confirmed there were no conflicts of interest with Commission Members.

Information on Back of Agenda – Chairman Phillips explained the meeting procedures on the Agenda.

NEW BUSINESS

S-09-20 Resurvey of Lot 7 Preston Woods – Preliminary Plat for approximately 0.07 acres located on west of Lary Lake Road on the southern portion of Preston Woods Drive. **Waivers:** Sidewalks, Capped Sewer and Dedication of additional ROW.

Julie Ramm stated Melanie Santiago and Kerry Carruba request preliminary plat approval of the Re-survey of Lot 7 Preston Woods. The lot is located off Frank Lary Road in a previously platted subdivision. The total acreage of the re-survey is approximately .70 acres. The following waivers are requested: Sidewalks, Capped Sewer and Dedication of additional ROW.

The original preliminary plat was approved in 1993. At that time, the waiver for capped sewers was granted. The waiver for sidewalk installation was denied. However, no sidewalks were installed in this entire subdivision. Also, at the time of the original plat, the requirement for right-of-way width was 50 feet.

There is currently a house under construction on this lot. The homebuilder did not correctly locate the easement that runs across the lot and has built the house within the drainage easement. This is not a City drainage easement. However, the City cannot issue a Certificate of Occupancy on the house until the easement issue is cleared.

Jamie Autery, Autery Engineer and Land Surveyor, 1318 Lurleen B. Wallace Blvd, representing Ms. Santiago. Mr. Autery stated they were shifting the existing drainage easement to accommodate the home that was built there. The important thing to notice is that the easement starts and stops at the same location it did before. The homebuilder met with the county engineering office and they agreed to move the easement to the west, no lot line of changing anything. Mr. Autery also stated the waivers that were requested are to basely keep everything inline that is already there. There are no sidewalks. The dedication of addition ROW is fifty percent. All we are doing is moving the drainage easement a little further to the west. The easement did clip the corner of the house by 1.5 feet.

Scott Parrott, 14084 Preston Woods Drive, Northport, 35475 stated he live next door where the easement is being requested. Mr. Parrott stated the request for the easement to be moved there has been an excessive amount of water flow. Mr. Parrott also stated he spoke to the builder about fixing the problem, but there is no indication that this has been done. If this item is approved Mr. Parrott requested that the builder be held accountable for what they are doing and fix the problem before rezoning is completed.

Robert Taylor, 14075 Preston Woods Drive, Northport, 35475 stated he lives across the street. Mr. Taylor stated his concerns about the easement was the drainage from one end of Preston Wood to the other end that loop around Frank Lary road. Mr. Taylor also stated as the property was being developed a lot of trees were extracted and movement of easements. Mr. Taylor also stated he would like the builder to be accountable for the drainage easement for the entire subdivision.

Sharon Taylor, 14075 Preston Woods Drive, Northport, 35475 stated when it rains trees to the side of the lot fell on power lines because of the water backing up.

Julie Ramm stated the setbacks in the county is 10 feet. It is indicated as 5 feet on the plat. Mrs. Ramm also stated she had talk to Jamie about it and he would either submit a new plat or get a waiver from the county.

Jamie Autery stated he did a drainage study because he had concerns if they were creating additional storm water runoff. The drainage area for this subdivision 29.54 acres. Mr. Autery stated if you look at the contours you see all the water is focused on this channel and it's not a blue line stream. It is a drainage well that carries water. Mr. Autrey stated the lot to the south of the subdivision plat records show it has the north half of lot 6, put aside for a detention area.

Rob McKeracher, General Manager, America's Home Place, 1420 McFarland Blvd Ste 1, Tuscaloosa stated he just started with the company in November. Mr. McKeracher stated once the drainage problem was bought to our attention, we took measure to put up a fence to control it. Mr. McKeracher also stated the stones that were placed in the channel were primary to prevent erosion. The stones were not to slow down the water, because in our opinion we never saw a lot of run off. Mr. McKeracher stated he had met with Mike Henderson, the Storm Water Inspector with Tuscaloosa County and there was some control measure in place.

Holly Phillips, Staff Engineer, stated this is not a city easement and inspection would go through the county. Mrs. Phillips stated the plat was sent to the county for review and the only comment that was expressed is the setback.

Tony Roberts asked did the property flood before the easement was moved.

Rob McKeracher stated after a rain.

Julie Ramm stated this is not a city easement. It is a county regulation to grant the waivers. Mrs. Ramm also stated setbacks are set up in the City Zoning Ordinances. There is no zoning in the county, therefore waiver would have to be granted through the county.

Mrs. Ramm also stated a Final Plat needed to be submitted. Mrs. Ramm stated the county will not approve if setback is shown.

Rob McKeracher stated he would move the setback 10 feet and not ask for any waivers.

Mrs. Ramm stated the intention is to meet county regulation. Mrs. Ramm also stated this petition also came before the board in 1993.

David Kemp stated he would like clarification on the erosion and settlement control.

Rob McKeracher stated where the channel is now, we placed large rip rap (large stone) to satisfy some concerns of the owner of the property. If there would be any major run-off it would slow it down. Mr. McKeracher stated we place some waddle (straw wrap like a sausage) for addition run-off on the Mr. Parrott property.

Mr. Parrot stated there are still excessive amount of water that is retained on property.

David Kemp stated Scott Anders is the Tuscaloosa County Engineer and could be contacted.

Motion by Jerry Pruitt to approve waivers and grant Preliminary Plat request for the Resurvey of Lot 7 Preston Woods of approximately 0.70 acres located west of Lary Lake Road on the southern portion of Preston Woods Drive. **Second by Mr. Shawn Blackburn.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Blackburn-Yes; Ms. Dawson-Yes; Mr. Kemp-Yes; Mr. Manson-Yes; Mr. Myers-Yes; Mr. Phillips-Yes; Mr. Tony Roberts and Mr. Roland-Yes. **Motion carried.**

XI. CITIZEN COMMUNICATION

XII. DISCUSSION

Michael Manson stated he would be vacating his position from the Planning and Zoning Board effective July 31st. Mr. Manson express his gratitude for allowing him to represent the City.

Ron Davis stated he would like the Commissioners to think about Grand Pointe Subdivision. Mr. Davis stated Grand Pointe are in their 5th Phase and construction trucks are going through Sections 1,2, 3, 4 & 4a are tearing up the roads. Mr. Davis also stated he had talked to the City Engineer on how to address this issue. Mr. Davis stated one way that was mention was to require an entrance for construction, or let people start from bottom and work backward. Mr. Davis also stated another possibility would be to designate a construction entrance to be used in all Phases. Mr. Davis stated the second thing to think about is where we are on Mobile Home Park requirements. There was one approach addressed in 2014 that did not work, especially in Green village. In Green village we have a 60 foot by 90-foot lot that is zone C6. Once the home falls apart you can't fix it because it's a non-conforming use. Mr. Davis stated another issue mention was not supporting Slum Lords.

Julie Ramm stated she would like to give the commission some time to think about the Construction Phases and Mobile Home Park to discuss at the next work session.

Dale Phillips made comments to the commission in reference to Ballard Concrete.

XII. ADJOURNMENT – 7:05 p.m.



Dale Phillips, Chairman

ATTEST:



Julie Ramm, Secretary