

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
Thursday, September 17, 2020**

The Northport Board of Zoning Adjustment was called to order at 6:00 p.m. on Thursday, September 17, 2020 in the Council Chambers of the Northport City Hall by Chairman Jason Ward.

Upon roll call the following members were found to be present: Mr. Jon Garner, Mr. Jason Ward, Mrs. Tamara Madison and Mr. Tony O'Rourke. Absent and failing to vote was Mrs. Susan Rue and Mr. LaParry Howell. Also present were staff members Mrs. Julie Ramm, Mr. Ron Davis, and Mrs. Nannette McKinney

Approval of Minutes

Motion by Mr. Jon Garner to approve the minutes for August 20, 2020. **Seconded by Mr. Tony O'Rourke.** Roll call vote was as follows: Mr. Garner -Yes; Mr. O'Rourke-Yes; Mrs. Madison-Yes; Mr. Ward-Yes; **Motion carried.**

Approval of Agenda

Motion by Mr. Jon Garner to approve the Agenda for September 17, 2020. **Seconded by Mrs. Tamara Madison.** Roll call vote was as follows: Mr. Garner-Yes; Mrs. Madison -Yes; Mr. O'Rourke – Yes; Mr. Ward -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 – Mr. Ward stated the Notice of Right to Appeal procedures were on the back of the agenda.

Old Business

V-20-9 Grand Ponte Homeowners Association – Request a variance from the setback requirements in Section 608.05 to allow addition to existing pool house located at 13716 Shade Tree Lane.

Chad Haynie, President, Grand Pointe Homeowners Association, 12669 Leatha Circle appeared before the Board. Mr. Haynie stated a landscaping plan was submitted as requested. The landscaping plan proposes red diamond loropetalums and azaleas.

Jon Garner asked Mr. Haynie had he communicated with everyone that expressed concerns.

Mr. Haynie responded that he had reached out through emails to the Tunnells and met with Megan, that lives in Lot 242, which is the closest to the pool area.

Julie Ramm stated a clarification to the variance request. Mrs. Ramm stated the variance request is for the setback requirements and for the total square footage of the addition.

Merideth Tunnell, 13779 Highland Pointe Drive, stated Mr. Haynie did provide them with all the information. Mrs. Tunnell stated the pavilion will still be close to their home and they would have concerns about the setbacks, trash, and the noise. Mrs. Tunnell also stated this does affect other neighbors that were unable to attend the meeting.

Jamison Tunnell, 13779 Highland Pointe Drive, stated the photos provided were misleading on how close the pavilion will be with the hedges.

Jon Garner stated he would like clarification on the lot numbers.

Jamison Tunnell stated they lived at Lot 241.

Merideth Tunnell stated they had concerns with the water flow when the roof is extended.

Jon Garner asked if there were gutters on the current pool house.

Chad Haynie stated he does not believe there is a gutter system. Mr. Haynie also stated when the landscaping is started there will be proper drainage.

Megan Godfrey, 13783 Highland Pointe Drive, stated she and her boyfriend, Josh Hood, reside at Lot 242. Ms. Godfrey stated they were not aware the expansion project would affect them until seeing a posting on Facebook a month ago and the Tunnell's expressed concerns about it. Ms. Godfrey stated she reached out to Mr. Haynie and he met her at the pool to go over the plans. Ms. Godfrey stated it appeared that the expansion would affect their home. They didn't feel the landscaping would compensate for the privacy and it would have a negative impact on property value.

Jon Garner asked if there had been any discussion about any other structure.

Chad Haynie stated they did go back and look at other options. Mr. Haynie stated the only realistic option would be to come back toward the Tunnells home, which they don't want. He stated they cannot go to the south or to the east side because of underground utilities. He also stated they cannot go to the north because of the pool and the gate entrance would need to be relocated. Estimated cost for the expansion with the landscaping is approximately \$29,000.00. The architect stated a separate structure of this magnitude would cost approximately \$56,000.00.

Jason Ward asked what are the current setbacks.

Julie Ramm stated 25 feet for accessory structure.

Misty Caddell, 13820 Providence Place, Lot 220, stated she is one of the people that has been waiting for the pool and has lived in the neighborhood for over thirteen years. balance this. Ms. Caddell stated she would support fixing some of the drainage area, because the pool is higher than the adjoining owners

property. She also stated the shrubbery would improve their privacy dramatically, but when the neighbors bought the house you could already see in the back yard. Ms. Caddell also stated she would like to see some type of compromise, but not bankrupt the HOA.

Tony O'Rourke stated he has owned several properties and lived in different cities. He stated there is a lot to learn when purchasing a home. He has personally experienced some difficulty. Mr. O'Rourke stated he would like to come to some compromise.

Jon Garner asked if there were any water issues mentioned before.

Chad Haney stated no, but the proposed landscaping improvements for this side will include grading the area and drainage.

Jon Garner asked if there would be gutters for the roof.

Chad Haney stated there were no gutter plans for the roof.

Brian Chandler, 11225 Grand Pointe, stated there is currently new construction going on around the pool and those houses are selling quickly. Mr. Chandler stated people are still investing and not losing property value.

Chad Haney stated he does not see that the pool extension would affect anyone's property values negatively.

Motion by Mr. Jon Garner to approve the reduction in the setback in the requirements of 25' to 14' and total square footage to be increased from one thousand square feet to one thousand sixty-six square feet. **Seconded by Tamara Madison.** Roll call vote was as follows: Mr. Garner-Yes; Mrs. Madison – Yes; Mr. O'Rourke -Yes; and Mr. Ward - Yes. **Motion carried.**

New Business

V-20-12 Scott Bond – Requests variance from building materials in Section 1002.13.B.4 located at 1101 30th Avenue.

Bobby Herndon, P.L.S., 2728 Lurleen Wallace Boulevard, Northport, stated last month the setback reduction was approved. He stated that Scott Bond is also requesting a variance for the material of the proposed addition. He stated the current building is a metal building and Mr. Bond would like to use the same materials for the addition.

Mr. Ward asked if the expansion was next to the Mechanic Shop.

Julie Ramm stated yes.

Motion by Mr. Jon Garner to grant the variance to use match the existing material for the exterior finish on the proposed addition, located at 1101 30th Avenue. **Seconded by Mrs. Tamarina Madison** Roll

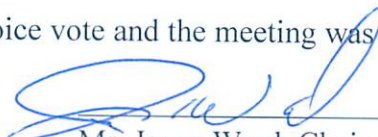
call vote was as follows: Mr. Garner-Yes; Mrs. Madison – Yes; Mr. O’Rourke – Yes; Mr. Ward -Yes.
Motion carried.

X. DISCUSSION

X. CITIZEN COMMUNICATION

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 6.55 p.m.



Mr. Jason Ward, Chairman



Julie Ramm, Secretary