

**OFFICIAL MINUTES
NORTHPORT BOARD OF ZONING ADJUSTMENT
THURSDAY, JANUARY 21, 2021**

The Northport Board of Zoning Adjustment was called to order at 6:00 p.m. on Thursday, January 21, 2021, in the Council Chambers of the Northport City Hall by Vice-Chairman Jon Garner.

Upon roll call the following members were found to be present: Mr. Jon Garner, Mr. Aubrey Dale, Mr. Chad Haynie, Mrs. Tena Phifer, Mr. Kevin Shobe, and Mr. Tyler Walker. Absent and failing to vote was Mr. Jason Ward. Also present were staff members Mrs. Julie Ramm, Mr. Ron Davis, and Mrs. Nannette McKinney

Approval of Minutes

Motion by Mr. Chad Haynie to approve the minutes for December 17, 2020. **Seconded by Mr. Kevin Shobe.** Roll call vote was as follows: Mr. Haynie -Yes; Mr. Shobe – Yes; Mr. Dale-Yes; Mr. Garner – Yes; Mrs. Phifer – Yes; and Mr. Walker- Yes. **Motion carried.**

Approval of Agenda

Motion by Mr. Aubrey Dale to approve the agenda for January 21, 2021. **Seconded by Mr. Chad Haynie.** Roll call vote was as follows: Mr. Dale-Yes; Mr. Haynie -Yes; Mr. Garner-Yes, Mrs. Phifer – Yes; Mr. Shobe – Yes; and Mr. Walker. **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. Garner stated the Notice of Right to Appeal procedures were on the back of the agenda.

Old Business

New Business

V-21-01 Jack Kubiszyn – Request variance to locate a digital billboard closer than 600 feet to a residence and within a 2000-foot radius of another billboard located at 6604 McFarland Boulevard.

Jack Kubiszyn, 1203 Dublin Circle, Tuscaloosa, 35406 appeared before the board to request converting an existing billboard located at 6604 McFarland Boulevard to a digital billboard. Mr. Kubiszyn stated the closest billboard is over 2,100 feet. Mr. Kubiszyn also stated there is a forest that will buffer the residential neighborhood from any light that would be emitted from the billboard. Julie Ramm stated, the current location of the billboard is closer than 600 feet to a residence and located within a 2000-foot radius to another billboard.

Mr. Kubiszyn stated that he will use the billboard for positive community and religious messages.

Jon Garner stated any decision rendered tonight will take precedent for future billboard variance request.

Julie Ramm stated the petitioner states he will use the billboard for positive community messages and religious messages. However, in Reed v. Town of Gilbert, the US Supreme Court invalidated an ordinance that treated signs differently based on their content, therefore the Zoning Board should not approve a variance based on the proposed content of the billboard.

Chad Haynie stated the residents on the other side during the winter month can see the current billboard as is. Mr. Haynie asked the petitioner would he consider planting evergreen trees that would not lose foliage in the winter?

Kevin Shobe asked if the variance is not passed, what are the plans for the billboard.

Mr. Kubiszyn stated he does not want to sell advertisement. Mr. Kubiszyn also stated the billboard is an asset and would be something positive for the community.

Chad Haynie asked if the billboards are dimmed at night.

Mr. Kubiszyn stated he was told the billboard will automatically dim at night.

Jon Garner asked for the distance between the proposed digital billboard and the next closest billboard.

Julie Ramm stated the distance is over the minimum distance. Mrs. Ramm also stated she measured the distance using two different mapping platforms.

Jon Garner asked where is the closest billboard.

Julie Ramm stated the closest billboard is located east of Airport Road and intersection of McFarland Boulevard.

Mr. Kubiszyn stated the billboard is on the tree line.

Julie Ramm stated she used Tuscaloosa County Tax Maps and Google Earth to measure both distances to received roughly the same number.

Motion by Mr. Jon Garner to approve the requested variance to reduce footage between signs to 2000 feet to 1600 feet and 600 feet to a residence of 352 feet radius of another billboard located at 6604 McFarland. **Seconded by Mr. Chad Haynie.** Roll call vote was as follows: Mr. Garner-No; Mr. Haynie -Yes; Mr. Dale-No, Mrs. Phifer – No; Mr. Shobe – Yes; **Motion Failed.**

V-21-02 Linda Kay/Designwerx – Requests Variance to allow a sign above the building roof or parapet line located at 742 McFarland Boulevard.

Linda Kay, 2305 Bear Creek Road, Duncanville, Alabama, appeared before the board stating she is owner of Designwerx. Ms. Kay stated Abdul, the owner of Smoke Corner, has a sign that is an 8 x 16-foot that was installed on the roof before the permit was approved. Ms. Kay stated she is requesting a variance to allow the sign to remain on the roof. Ms. Kay also stated the shopping center where the business is located does not have very good visibility for passing traffic.

Jon Garner asked if there was a location for the sign near the street.

Julie Ramm stated there is a pylon sign.

Linda Kay stated the sign is run down and only one tenant sign left on the pylon sign.

Jon Garner asked who is responsible for the sign.

Julie Ramm stated the property owner is responsible.

Julie Ramm stated the allowable square footage for a shopping center sign is based on square footage of the total building. Ms. Ramm also stated each tenant is allowed two square feet per linear footage of main or entry façade for wall signage.

Motion by Mr. Jon Garner to approve the requested variance to allow a sign above the building roof or parapet line located at 742 McFarland Boulevard. **Seconded by Mr. Kevin Shoebe.** Roll call vote was as follows: Mr. Garner-No; Mr. Shobe -No; Mr. Dale-No, Mr. Haney– No; Mr. Walker – No; **Motion Failed.**

IX. DISCUSSION

Ms. Ramm stated on the next meeting there will be a vote for Chairman and Vice Chairman.

Jon Garner encouraged all Zoning Board of Adjustment members to be responsive to all meetings held every third Thursday of each month.

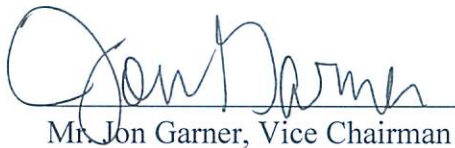
X. CITIZEN COMMUNICATION - None

XI. ADJOURNMENT

All members voted yes by a voice vote and the meeting was adjourned at 7:00 p.m.



Julie Ramm, Secretary



Mr. Jon Garner, Vice Chairman