BOARD OF ADJUSTMENT STAFF REPORT
January 4, 2017

ZBA-90-16

GENERAL INFORMATION

Property Owner ( ) Petitioner (X)
Mishell Palmore

Requested Action and Purpose
Variance from the residential front yard setback regulations for accessory structures

Location and Existing Zoning
3730 9th Street. Zoned R-3. (Council District 1)

Size and Existing Land Use
Approximately 0.207 acres, single-family dwelling

Surrounding Land Use and Zoning
North – Single-family dwelling, zoned R-3
South – Single-family dwelling, zoned R-4
East – Single-family dwelling, zoned R-3
West – Vacant land, zoned R-3

Applicable Regulations
Sec. 24-39. - Location of accessory structures on residential lots.

Accessory structures in residential districts and on any lot used primarily for residential purposes shall conform to the following regulations:

(1) No accessory structure shall be erected in a required front or side yard. An accessory structure shall not cover more than thirty (30) per cent of any required rear yard and shall be not less than five (5) feet from any lot line.
(2) On any lot adjoining, along its side lot line, another lot which is in a residential district, no part of any accessory building which is not an integral part of the main building shall be located within sixty (60) feet of any front lot line.
(3) Accessory structures shall not be occupied at any time as a dwelling.

Transportation
Frontage on 9th Street, a residential street, and 38th Avenue, a residential street

Parking
Two (2) spaces per dwelling unit

Physical Characteristics
One rectangular shaped lot

SUMMARY
The applicant is requesting a variance to maintain the placement of a storage building which does not conform to the required setback regulations of accessory structures on residential lots. As the property is a corner lot, it has two front yards (a primary and a secondary), two side yards, and no rear yards. The required setback from a front lot line applies, in full, to one front lot line. The secondary front yard, along 38th Avenue may have a reduced front setback. The storage building faces 9th Street and is located on the site of an existing single family home. The petitioner would like to maintain the location of the building to store tools and supplies.

Exact dimensions in relation to the existing home cannot be determined due to the fact a scaled site plan was not submitted by the petitioner

Planning: No comment

Building and Inspections: No comment

Fire: No comment

PETITION TO THE ZONING BOARD OF ADJUSTMENT ZP16-1960

DEADLINE FOR SUBMISSION OF PETITION: BY 12:00 NOON ON THE FIRST (1ST) MONDAY OF EACH MONTH. NO PETITION WILL BE ACCEPTED AFTER THE DEADLINE UNDER ANY CIRCUMSTANCES.

MEETING DATE AND TIME: TYPICALLY THE FOURTH (4TH) MONDAY OF EACH MONTH AT 5:00 P.M. IN THE CITY COUNCIL CHAMBERS ON THE SECOND FLOOR OF CITY HALL

The undersigned appeals to the Zoning Board of Adjustment for:

- ☐ **Special Exception**
  - ☐ Commercial
  - ☐ Residential
- ☑ **Variance**
  - ☐ Commercial
  - ☑ Residential
- ☐ **Appeal of a decision or ruling of the Zoning Officer**

ZONING DISTRICT R-3

Fee Schedule

Special Exception:
Commercial----------$200.00
Residential----------$ 50.00

Variance:
Commercial----------$200.00
Residential----------$ 50.00

Appeal:----------$ 10.00

Petitioner Mishell Palmore
Address 3730 9th Street Tuscaloosa, alabama ZIP 35401
Phone No. 205-826-6454

Property owner Carl Bishop
Address Tuscaloosa, Ala ZIP 35404
Phone No. 886-3841

Premises affected (street address) 9th street
Lot No. — in (name of subdivision) —
If property is not located in a recorded subdivision, Tax Parcel I.D. Number or legal description must be provided)
Lot size 160 ft. Date purchased 10.23.16
Existing buildings —
Proposed buildings or construction Stroage building
Proposed construction (type of materials) —

A special exception is the allowance of a use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A special exception may not be used as a substitute for a variance in order to avoid the burden of proving an unnecessary hardship.

Describe variance, special exception, or appeal requested:
Purchased a Shrage building. It's a Corner lot & don't have a back yard, Shrage building is sitting to the side next to property line.

FOR ALL REQUESTS FOR ANY VARIANCE FROM OR SPECIAL EXCEPTION TO A ZONING REQUIREMENT PERTAINING TO A DIMENSIONAL REQUIREMENT OR THE SITE, A SCALED SITE PLAN AND/OR BUILDING ELEVATION PRODUCED BY A REGISTERED LAND SURVEYOR, PROFESSIONAL ENGINEER, OR ARCHITECT SHALL BE REQUIRED. REQUESTS FOR AN EXCEPTION FROM FENCE REQUIREMENTS MUST DEPICT PROPOSED LOCATION AND DESIGN OF FENCE. ANY REQUEST WHICH WILL NOT BE REPRESENTED BY THE PROPERTY OWNER AT THE PUBLIC HEARING MUST BE ACCOMPANIED BY A DESIGNATION OF AGENT FORM.

NOTE: ALL REQUESTS GRANTED HAVE AN EXPIRATION DATE, AFTER WHICH THE REQUEST MUST BE GRANTED AGAIN BY THE BOARD. IF YOU HAVE QUESTIONS ABOUT THE TIME OF EXPIRATION, PLEASE DISCUSS WITH STAFF *BEFORE* THE HEARING.

THIS PETITION WILL NOT BE ACCEPTED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

ZBA. NO. 90-16 FILED: 11-7-16 HEARING DATE: 11-28-16

Vicinity Map

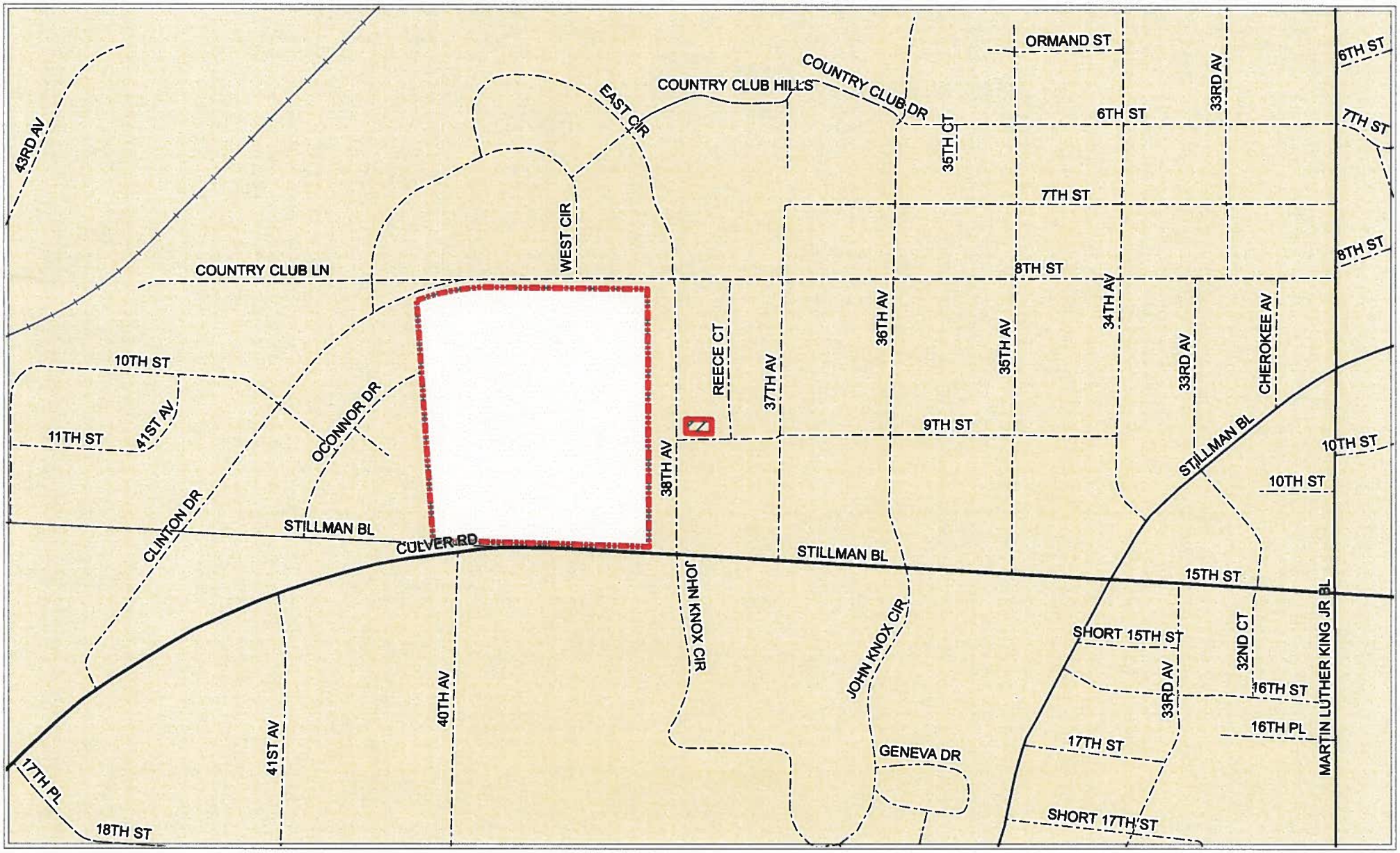
ZBA-90-16

Subject Property

City Limits

1 inch = 500 feet

0 200 400 600 800 1,000 Feet



ZBA-90-16

Subject Property

City Limits

Zoning Legend

DROD, ELCOD, PLOD, UAN, Historic, Historic Buffer, R-1, R-2, R-3, R-4, RD-1, RD-2, RA-1, RA-2, RMF-1, RMF-2, RM-3, RM-4, RMH, MX-3, MX-5, MX-8, BC, BN, BNS, BGO, BH, ML, MG, MH, I, RD

1 inch = 300 feet

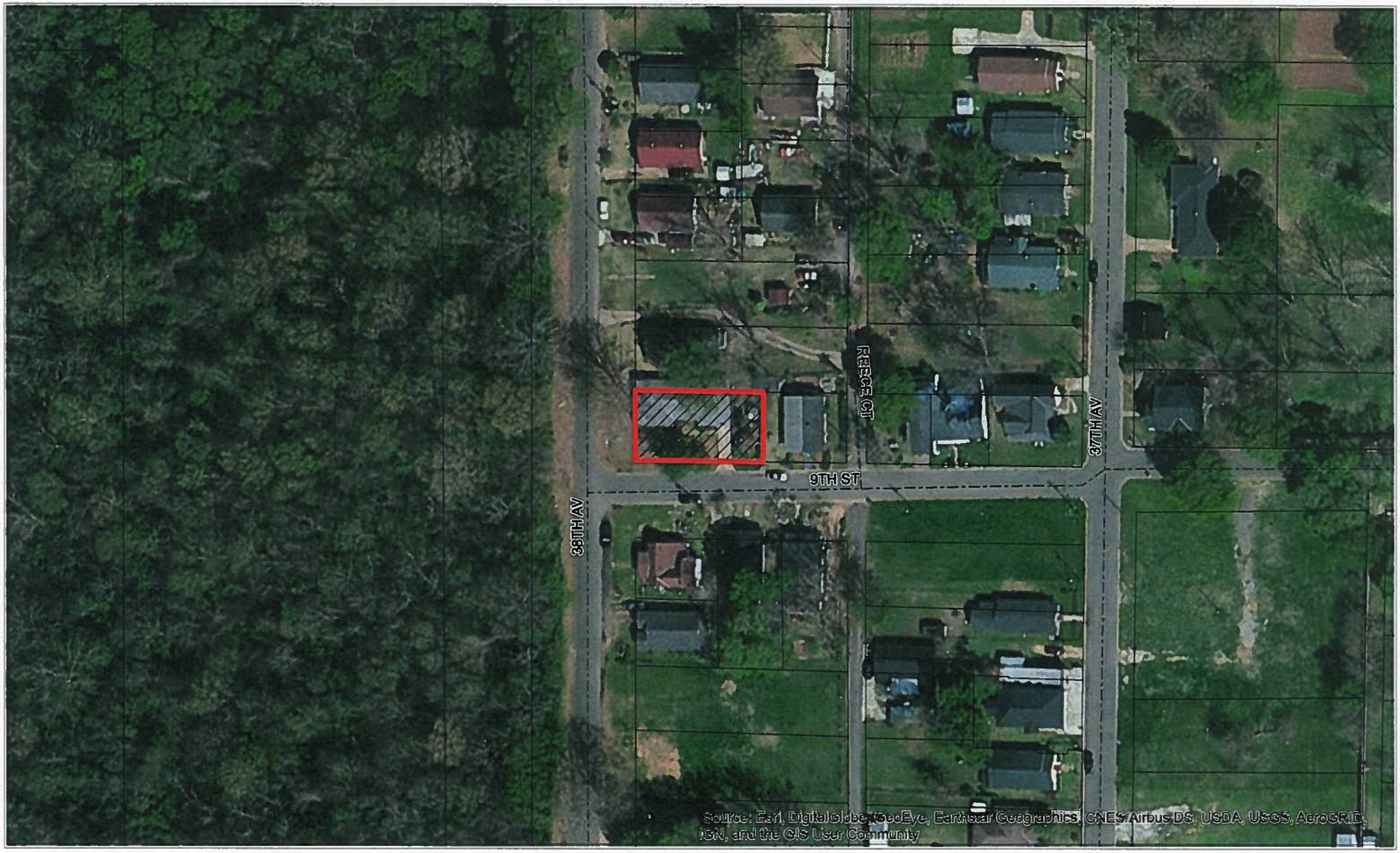
0 200 400 600 Feet

ZBA-90-16

Subject Property

1 inch = 100 feet

0 50 100 150 200
Feet



IF YOU RECEIVED THIS NOTICE BY MAIL, THE SUBJECT PROPERTY IS LOCATED IN YOUR IMMEDIATE AREA

VARIANCE REQUEST NOTICE

City of Tuscaloosa

What:

Tuscaloosa Zoning Board of Adjustment to consider request for a variance to the Zoning Ordinance

Where:
City Council Chambers

2201 University Blvd.

When:

November 28, 2016 at 5:00 p.m.

Case Number:

ZBA-90-16

Applicant:

Mishell Palmore

205-826-6454

Subject Property Address:

3730 9th Street

Property Size:

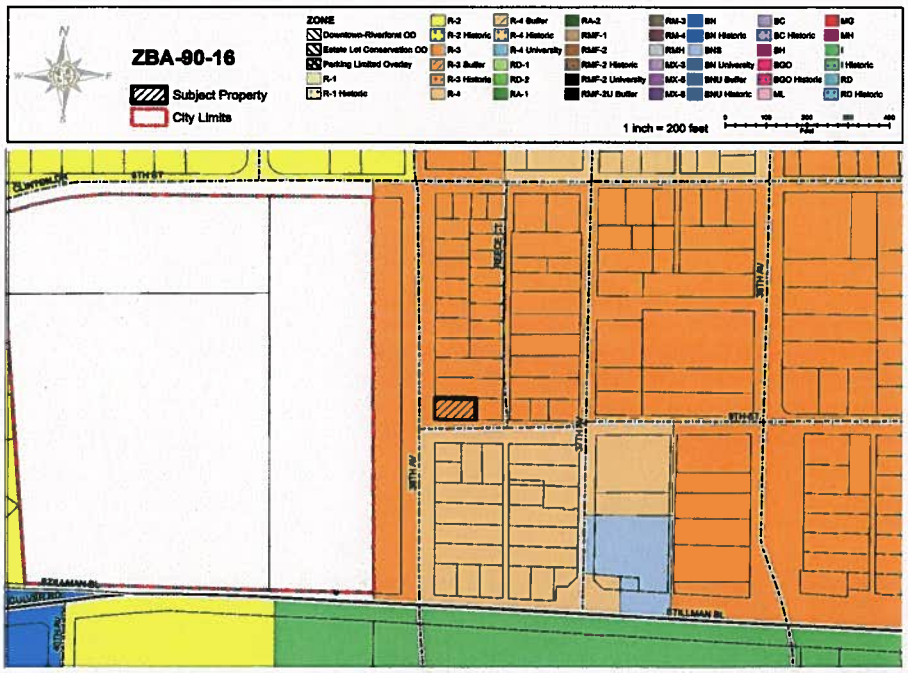
Approximately +/- . 207 acres

Current Zoning: R-3

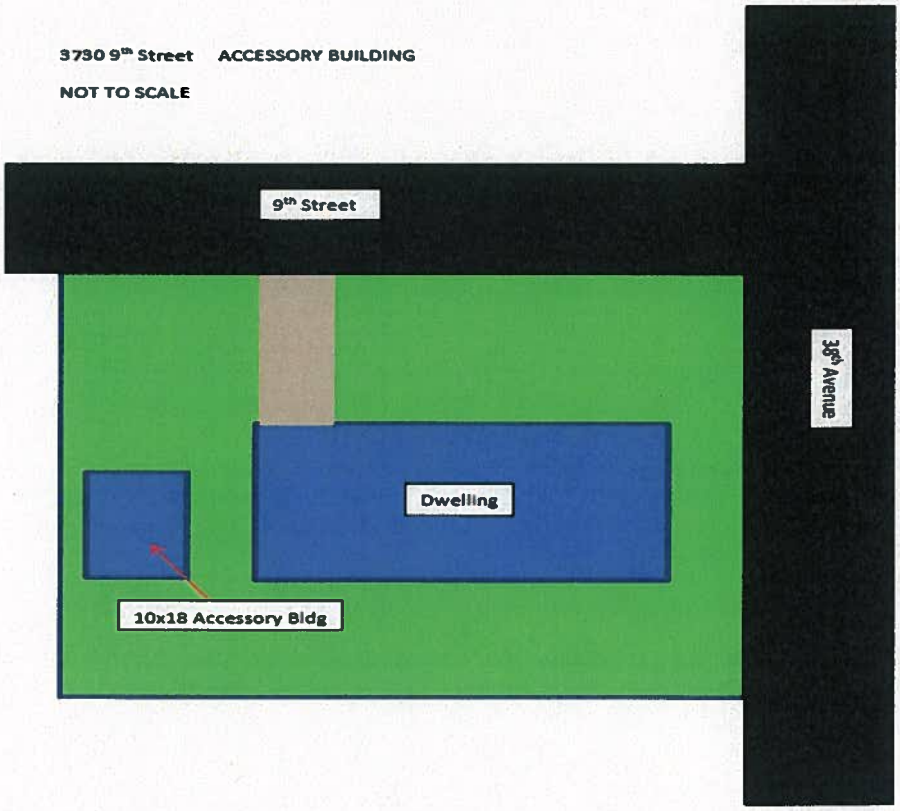
Variance or Special Exception Requested:

Petitions for a variance from the accessory structure front yard setback regulations at 3730 9th Street. Zoned R-3. (Council District 1)

http://www.tuscaloosa.com/zba



ZONING MAP



SITE PLAN

Please contact Planning & Development Services at 248-5110 or visit Tuscaloosa.com if you have questions