

ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 26, 2021

**ZBA-53-21**

**GENERAL INFORMATION**

**Property Owner (X) Petitioner (X)**

Jake Woodham

**Requested Action and Purpose**

Petition for a special exception to renew the short-term rental of a property

**Location and Existing Zoning**

321 18th Street. Zoned RD-1. (Council District 2)

**Size and Existing Land Use**

Approximately 0.19 acres, Single-family residential

**Surrounding Land Use and Zoning**

North: Church, RD-1

East: Single-family residence, RD-1

South: Church, RD-1

West: Single-family residence, RD-1

**Applicable Regulations**

[Sec. 24-91](#). – Special exceptions.

(35.5) *Short-term rental of dwelling*

**PRIMARY**

- a. Property must be within the city limits.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

**DISCRETIONARY**

- a. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.
- b. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.
- c. The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.
- d. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).
- e. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.
- f. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.

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Sec. 24-372.B. Conditional Uses:

1. Outside of the TO Downtown-Campus District and for property inside the city limits, the zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in [Section 24-91](#), approve the short-term rental of a dwelling subject to the following:
  - a. Approvals will be granted for a period of three (3) years unless otherwise specified by the zoning board of adjustment for a shorter period.

**SUMMARY**

The petitioner is requesting a special exception to renew the short-term rental of a dwelling. The dwelling has six bedrooms and four bathrooms. The property is owner-occupied and has a shared driveway. They were previously approved for the following:

- 6 adults
- 3 vehicles
- 30 nights per year
- 1 year
- Condition that the carport must be available for two vehicles to park

The petitioner is requesting the following:

- 10 adults
- 5 vehicles
- 45 nights per year
- 3 years

Office of Urban Development, Planning Division: No comment

Office of Urban Development, Code Enforcement: No violations found or complaints received

Office of Urban Development, Building and Inspections Division: No comment

Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment



ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION
Last Updated, Oct 2019

Please complete all of the following required fields:

Location of Petitioned Property

Address: 321 18th St. Tuscaloosa AL 35401

Property Owner

Name: Jake Woodham Phone: 205-427-1083 Email: jakewoodham321@gmail.com

Address: 12264 Hagler Mill Road Tuscaloosa ZIP Code: 35475

Petitioner (if different from owner)

Name: Same Phone: Email:

Address: ZIP Code:

The Petitioner requests the following item(s) from the Zoning Board of Adjustment:

A special exception is a conditional use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A variance is a deviation from the regulations in the zoning ordinance which requires proof of an unnecessary hardship. An appeal is a formal challenge of the zoning officer's ruling.

- Special Exception, Use Variance, Variance, Short-Term Rental, Appeal Zoning Officer's ruling

Briefly describe the variance, special exception, and/or appeal being requested:

Permission to do short term rentals. This is a ZBA Renewal Request.

Certification of Applicant

I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception, variance, or appeal requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located.

- 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.

Print Name: Jake Woodham Signature: [Handwritten Signature]



Please complete the applicable fields prior to application submission:

**Answer the following for ALL requests:**

Describe the reasons for the request and, if requesting a special exception, any extra related information. (e.g. number of parking spaces, hours of operation, etc.)

We would like to use this house for short term rental guests. The house has 6 bedrooms and 4 bathrooms. It has two carports and a driveway that can hold up to 6 cars. I am asking to be allowed up to 10 guests, 5 cars, and 45 nights per year. Our neighbor to the right already uses their house for STR's, and the neighbor to the left is a rental. We have a church across the street. We live here locally and will monitor the house at all times. We have strict rules guests must sign, The driveway is monitored with security cameras to prevent any issues with parking on the street. All of our rules, text messages, and documents all stress the rules of the parking.

**Answer the following for VARIANCE requests ONLY:**

The petitioner must specifically state a hardship for the variance. Explain the ways in which the zoning regulation creates a hardship on the property. When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in unnecessary hardship. Explain any special circumstances or conditions that are peculiar to the land or buildings because of which a strict application of the ordinance would deprive the applicant of the reasonable use of such land or building.

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Explain how the variance request is 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.

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**PLEASE SUBMIT AN ELECTRONIC COPY OF THIS APPLICATION AND ANY NECESSARY SUPPORTING MATERIALS TO:**

Office of Urban Development:  
Planning Division

2201 University Boulevard, Annex III  
Tuscaloosa, AL 35401

Email: [zba@tuscaloosa.com](mailto:zba@tuscaloosa.com)  
**SUBMIT FORM**

**FOR OFFICE USE ONLY:**

ZBA Case Number: \_\_\_\_\_

Submission Date: \_\_\_\_\_

Zoning District: \_\_\_\_\_

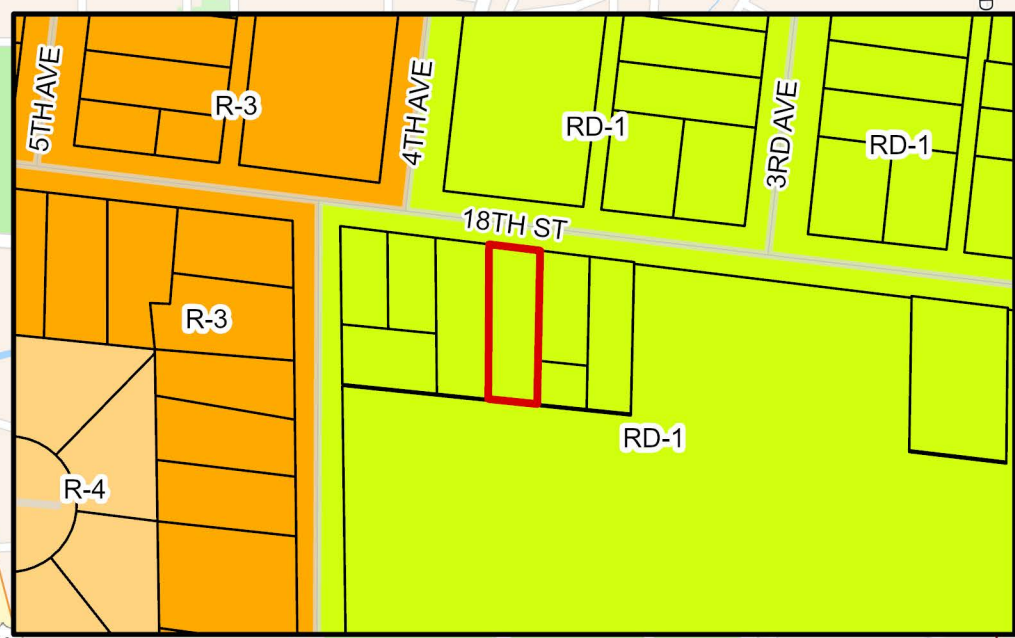
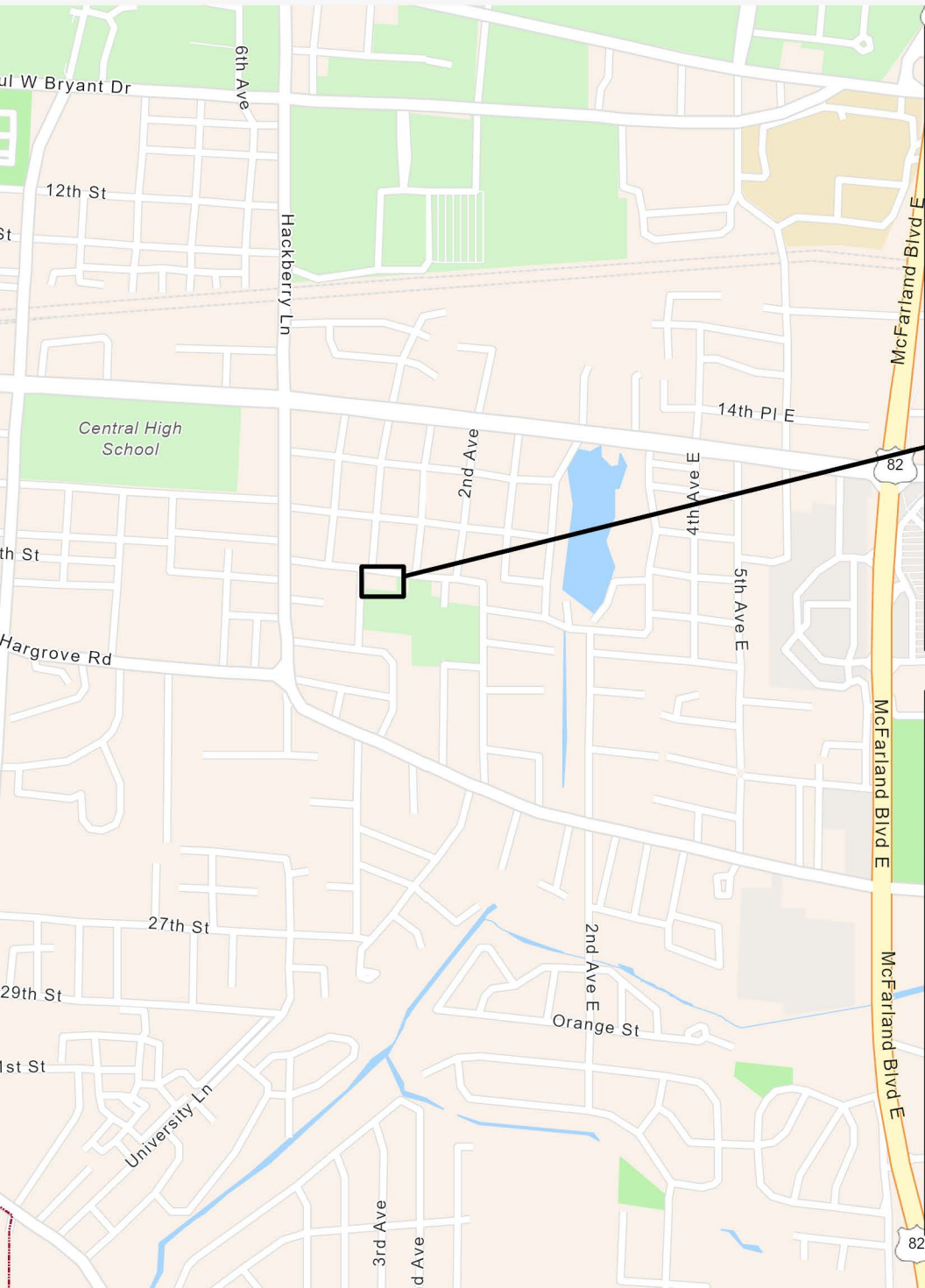
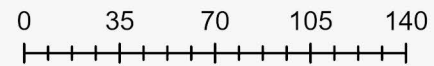
Hearing Date: \_\_\_\_\_





# ZBA-53-21: 321 18th Street

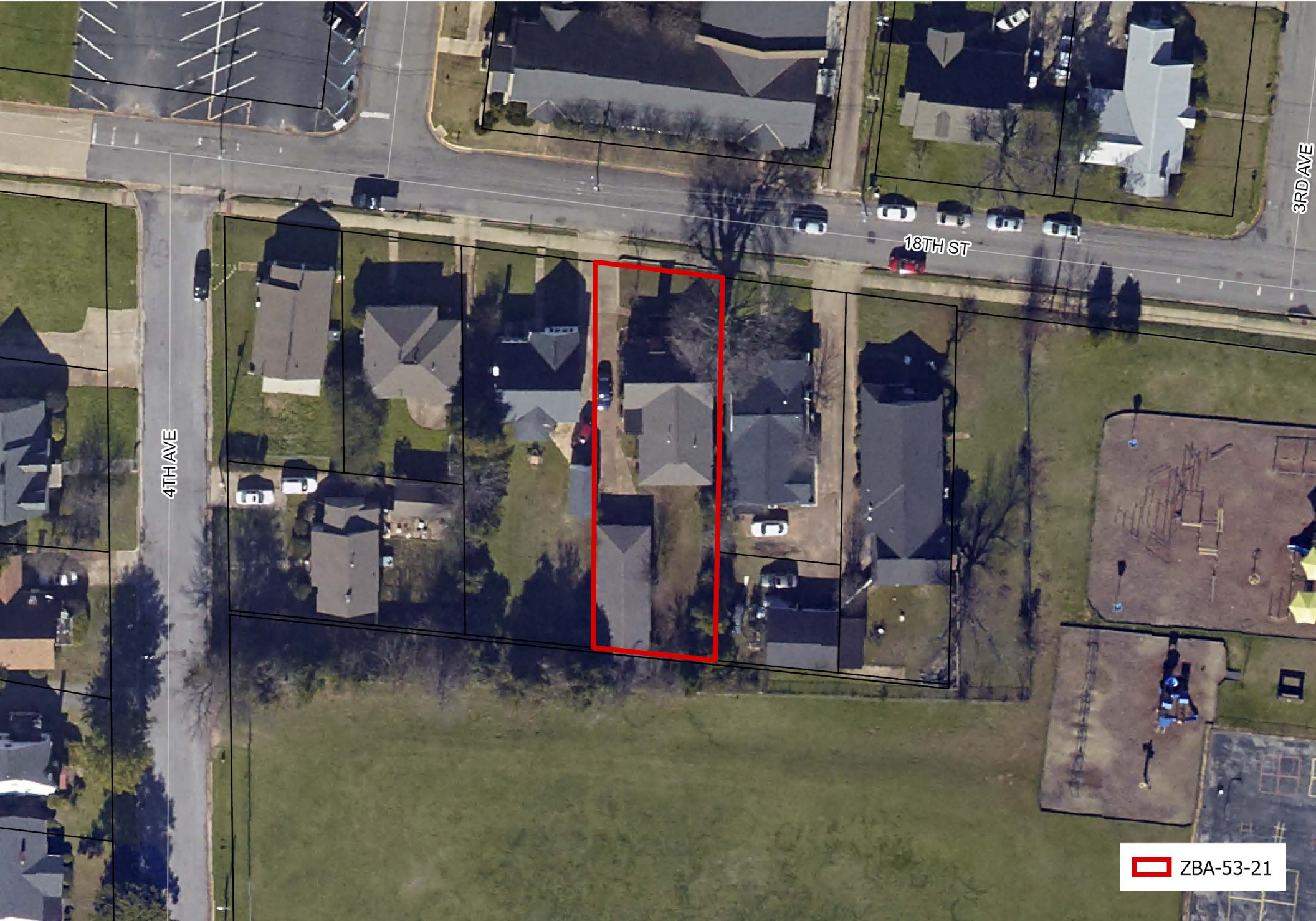
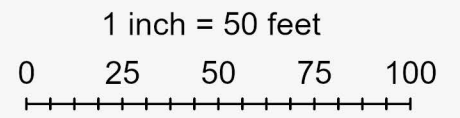
1 inch = 70 feet







# ZBA-53-21: 321 18th Street



 ZBA-53-21

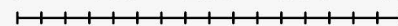




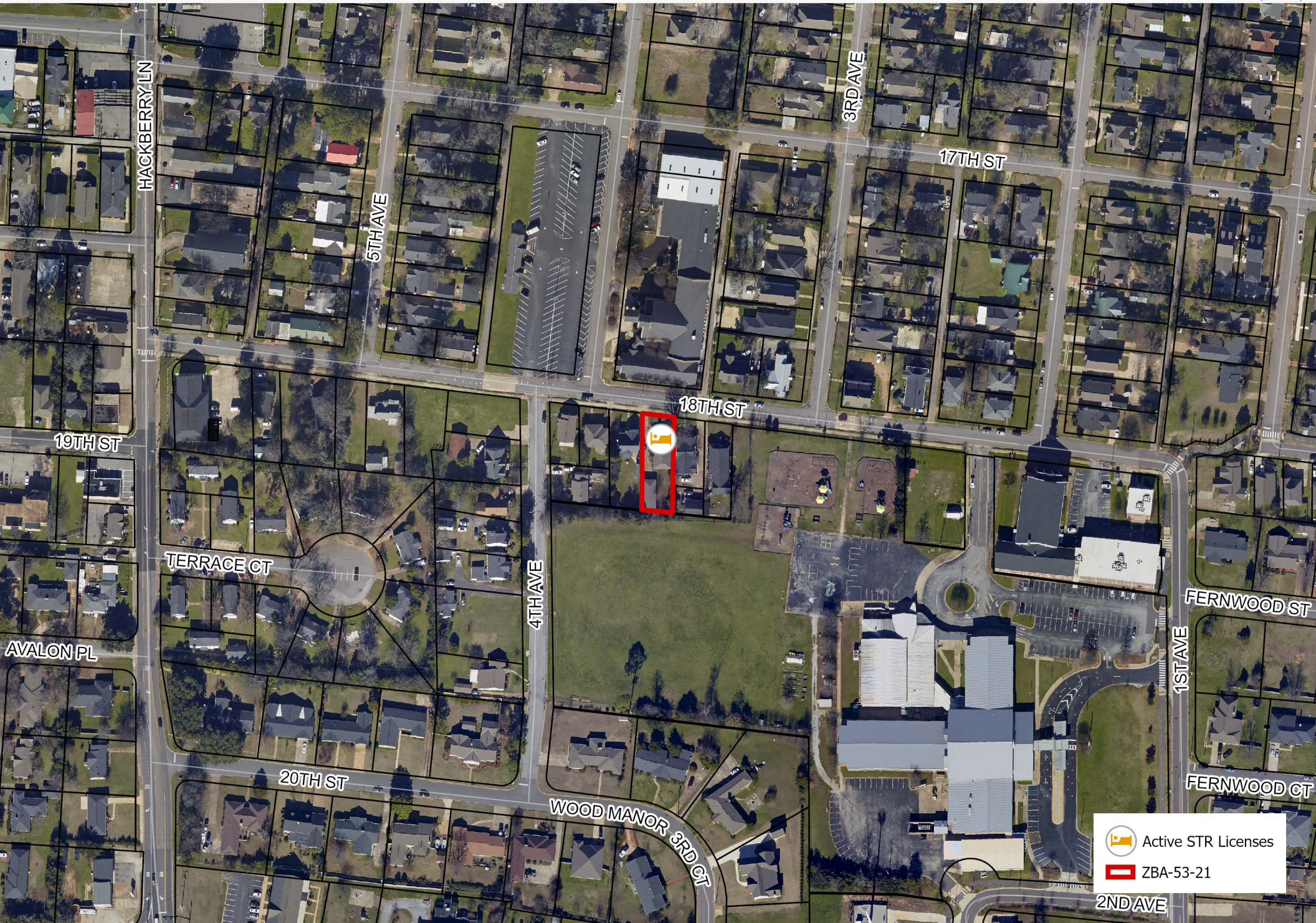
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1 inch = 200 feet

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N



-  Active STR Licenses
-  ZBA-53-21











