

ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 26, 2021

**ZBA-60-21**

**GENERAL INFORMATION**

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

Samantha Patton

**Requested Action and Purpose**

Petition for a special exception to allow the operation of a childcare facility

**Location and Existing Zoning**

1920 25th Avenue. Zoned BGO. (Council District 2)

**Size and Existing Land Use**

Approximately 0.5 acres, commercial space

**Surrounding Land Use and Zoning**

North: Single-family residences, R-4

East: Vacant, BN

South: Single-family residence, R-3

West: I359

**Applicable Regulations**

Sec. 24-34. – Lot standards.

*(7) Day care center; night care facility; group day care home; kindergarten*

**PRIMARY**

- a. Safe, convenient driveways shall be provided. All loading and unloading of children or infirm adults shall take place on the premises of the day care center and not on the street.

**DISCRETIONARY**

- b. Establishments which will accommodate over thirty (30) children or infirm adults should be accessible via a street classified as a collector or arterial street in the Major Street Plan of Tuscaloosa.
- c. Locations in the center of intensive commercial activity or heavy traffic should be avoided.
- d. If the facility is for the care of children, it should be adequate in size, suitably fenced, and adequately landscaped to provide a suitable environment for children and to prevent adverse effects upon adjacent uses.

**SUMMARY**

The petitioners are requesting a special exception to allow a childcare facility at this location. The property was previously approved a special exception to operate as a childcare facility in 2006, 2009, and 2012. The property has an area off the street that would be able to be used to unload and load children.

Office of Urban Development, Planning Division: No comment

Office of Urban Development, Code Enforcement: No comment

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

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Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment



ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION

Last Updated, Feb 2021

Please complete all of the following required fields:

Address: 1920 25th Ave Tuscaloosa Alabama 35401

Location of Petitioned Property

Property Owner

Name: Phone: Email:

Address: ZIP Code:

Petitioner (if different from owner)

Name: Samantha Patton Phone: (205) 657-6442 Email: Sndrake23@gmail.com

Address: 2805 25th Ave NorthPort AL 35476 ZIP Code: 35476

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:

To Be use as a Child Care facility.

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: Samantha Patton Signature: Samantha Patton Date: 7.2.21

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.)

Hours of Operation 5:30 Am- 6:00 Pm (Monday - Saturday)  
10 Parking Spaces in back lot of school. Circle drive way for drop-off and pick up, with 3 Parallel Parks on side of Drive.

**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.

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.

Creative minds Child Development Center will provide child care for the people of Tuscaloosa and surrounding area, it will provide parents with longer hours of child, which in turn will allow parents to have better paying jobs.

**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: \_\_\_\_\_

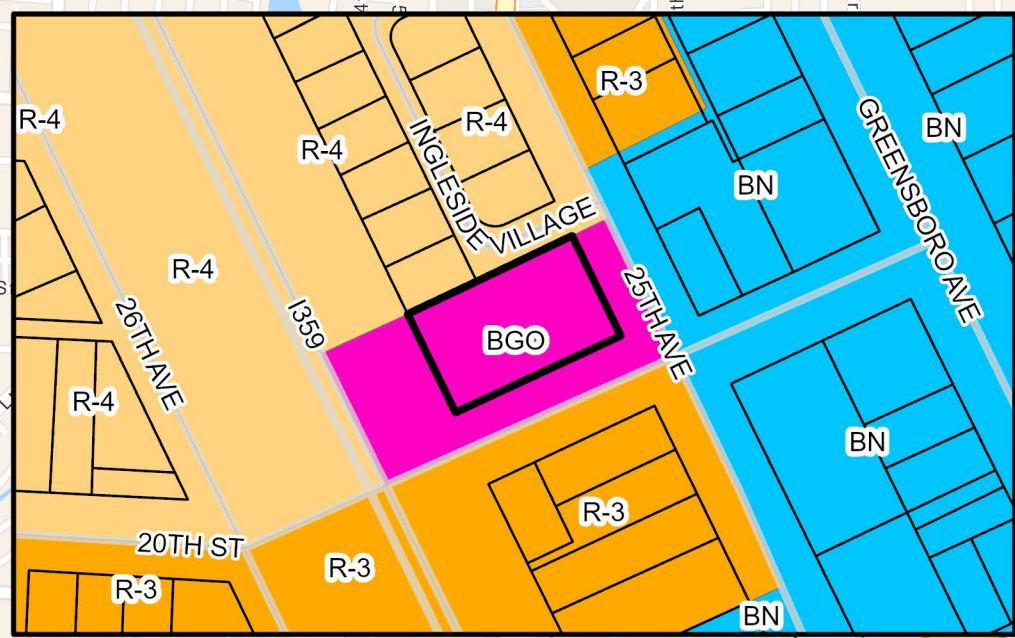
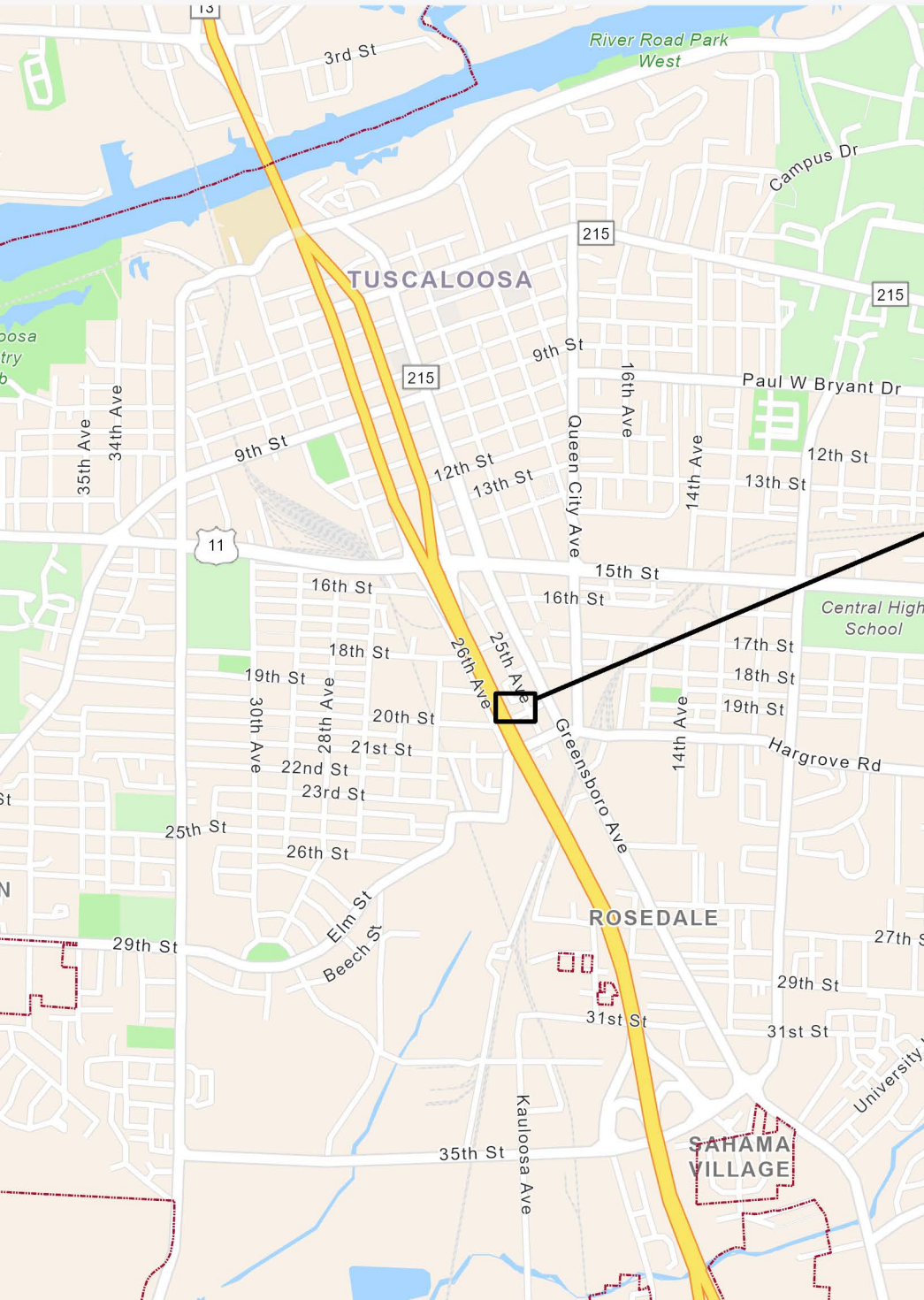
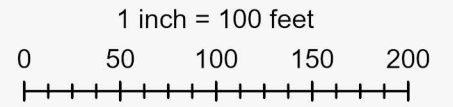
Submission Date: \_\_\_\_\_

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

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

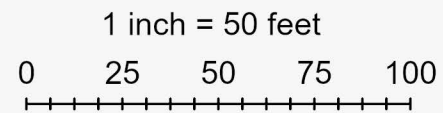


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1920











