

ZONING BOARD OF ADJUSTMENT STAFF REPORT

October 25, 2021

ZBA-111-21

GENERAL INFORMATION

Property Owner () Petitioner (x)

David Clements

Requested Action and Purpose

Petition for a special exception to allow a personal care home for adults on the property

Location and Existing Zoning

6535 Johnson Road. Zoned R-3. (Council District 1)

Size and Existing Land Use

Approximately 0.39 acres, vacant structure

Surrounding Land Use and Zoning

North: Single-family residence, R-2

East: Vacant, R-3

South: Vacant, R-3

West: Single-family residence, R-3

Applicable Regulations

Sec. 24-91. – Special exceptions.

(22) Nursing home; personal care home for adults

PRIMARY

a. The property shall have ready access to a street classified as a collector street or higher in the Major Street Plan of Tuscaloosa.

b. Means satisfactory to the board for the clean, hygienic disposal of nursing home wastes, especially infectious disease-bearing wastes, shall be provided.

DISCRETIONARY

c. The coverage of all buildings on the lot should not exceed thirty (30) per cent of the lot area.

d. A nursing home should have at least one off-street loading space through which non-ambulatory patients may be admitted or discharged. Such loading space should be screened, so that loading or unloading of patients would take place out of sight of adjacent properties and off the street.

e. For such uses proposed in a BGO district, the applicant should demonstrate to the satisfaction of the board that the design of the proposed nursing home or personal care home will afford patients sufficient protection from the noise, lights, and traffic of the commercial district to provide a suitable patient environment.

SUMMARY

The petitioner is requesting a special exception to operate a “non-profit faith-based ministry for men and veterans.” It will be in operation 24 hours and feature sleeping quarters for up to 12 patients. There will also be 2 employees on staff at a time. Johnson Road is classified as a Major Collector.

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Office of Urban Development, Planning Division: No comment

Office of Urban Development, Code Enforcement: No comment

Office of Urban Development, Building and Inspections Division: The structure may have to come into ADA compliance, if not already, depending on the level of work they'll have to do.

Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: The building has an existing sprinkler system.



ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION
Last Updated, July 2021

Please complete all of the following required fields:

Location of Petitioned Property

Address: 6535 Johnson Rd., Tuscaloosa, AL 35401

Property Owner

Name: Cahaba Capital Corp Phone: (205) 349-5500 Email: _____

Address: 2909 7th Street, Tuscaloosa, AL ZIP Code: 35401

Petitioner (if different from owner)

Name: David Clements Phone: (205) 765-8167 Email: clavidaashleyclements@yahoo.com

Address: 13969 Stone Harbour Dr. Northport, AL ZIP Code: 35475

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.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Special Exception | <input type="checkbox"/> Use Variance | <input type="checkbox"/> Variance |
| Commercial \$ 200.00 per lot | Commercial \$ 200.00 per lot | Commercial \$ 200.00 per lot |
| Residential \$ 50.00 per lot | Residential \$ 50.00 per lot | Residential \$ 50.00 per lot |
| <input type="checkbox"/> Short-Term Rental \$ 400.00 per lot | <input type="checkbox"/> Appeal Zoning Officer's ruling \$ 10.00 per lot | |

Briefly describe the variance, special exception, and/or appeal being requested. Include any related information, such as number of parking spaces, hours of operation, etc., related to your request.

A non-profit faith-based ministry for men + Veterans that provides a clean Christian environment. Residents are required to have full-time employment, peer-to-peer group meeting, and attend Celebrate Recovery meetings. It will be a 24-hour residence that includes ample parking for 12 residents + 2 employees. Handicap accessible entrance is available from parking. Hallway + bathrooms have handicap handrails. There is not any city noise, lights, or traffic that would distract the residents.

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

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.

Answer the following for SHORT-TERM RENTAL requests ONLY:

Provide the number of bedrooms and bathrooms the property has. Provide how many adults you are requesting to rent to and how many vehicles you are able to park in your driveway or parking areas (parking on the street is not allowed). Typically, two adults are allowed per vehicle. Include the width and length of your driveway. A typical parking space is 9' wide by 20' deep. Tandem parking (one vehicle behind the other) of not more than two vehicles is allowed, and a garage can be used. Photos can be provided with this application showing the proposed parking.

- 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.

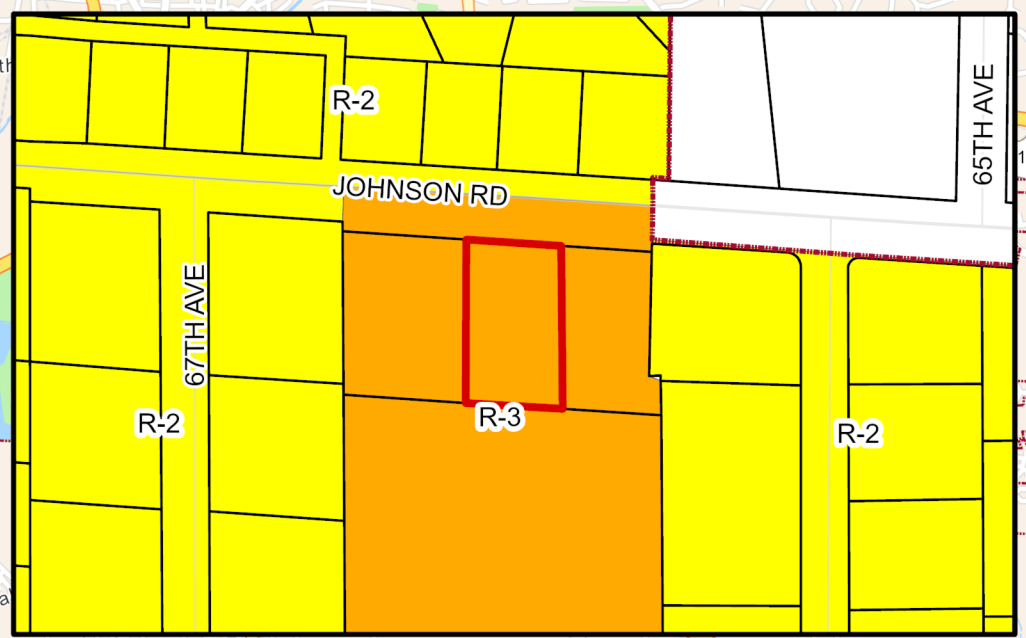
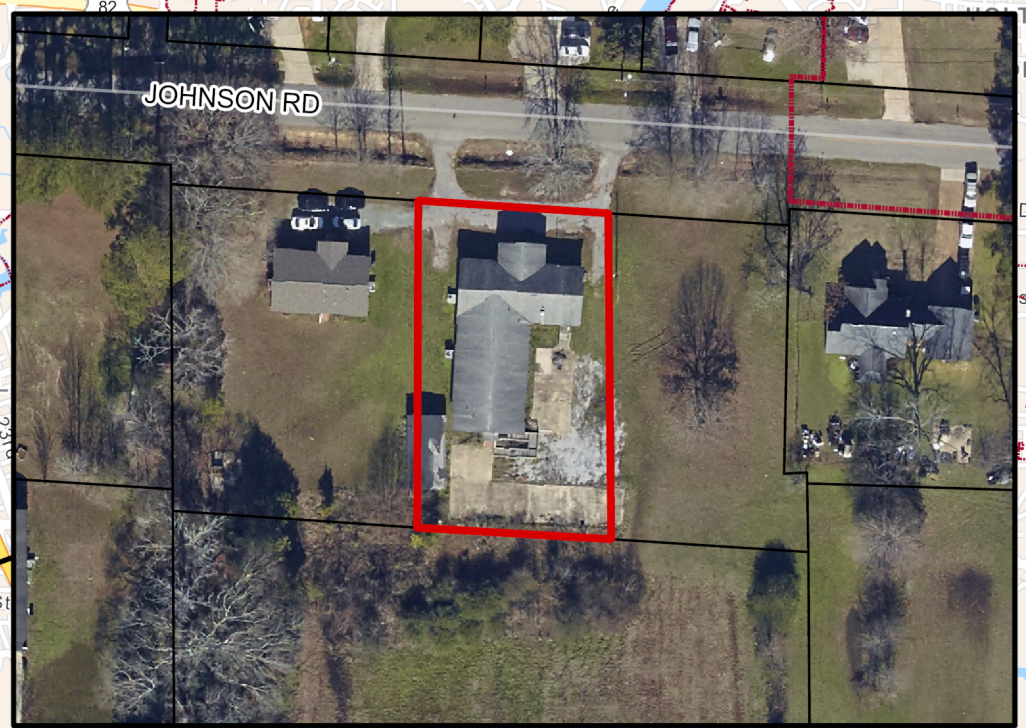
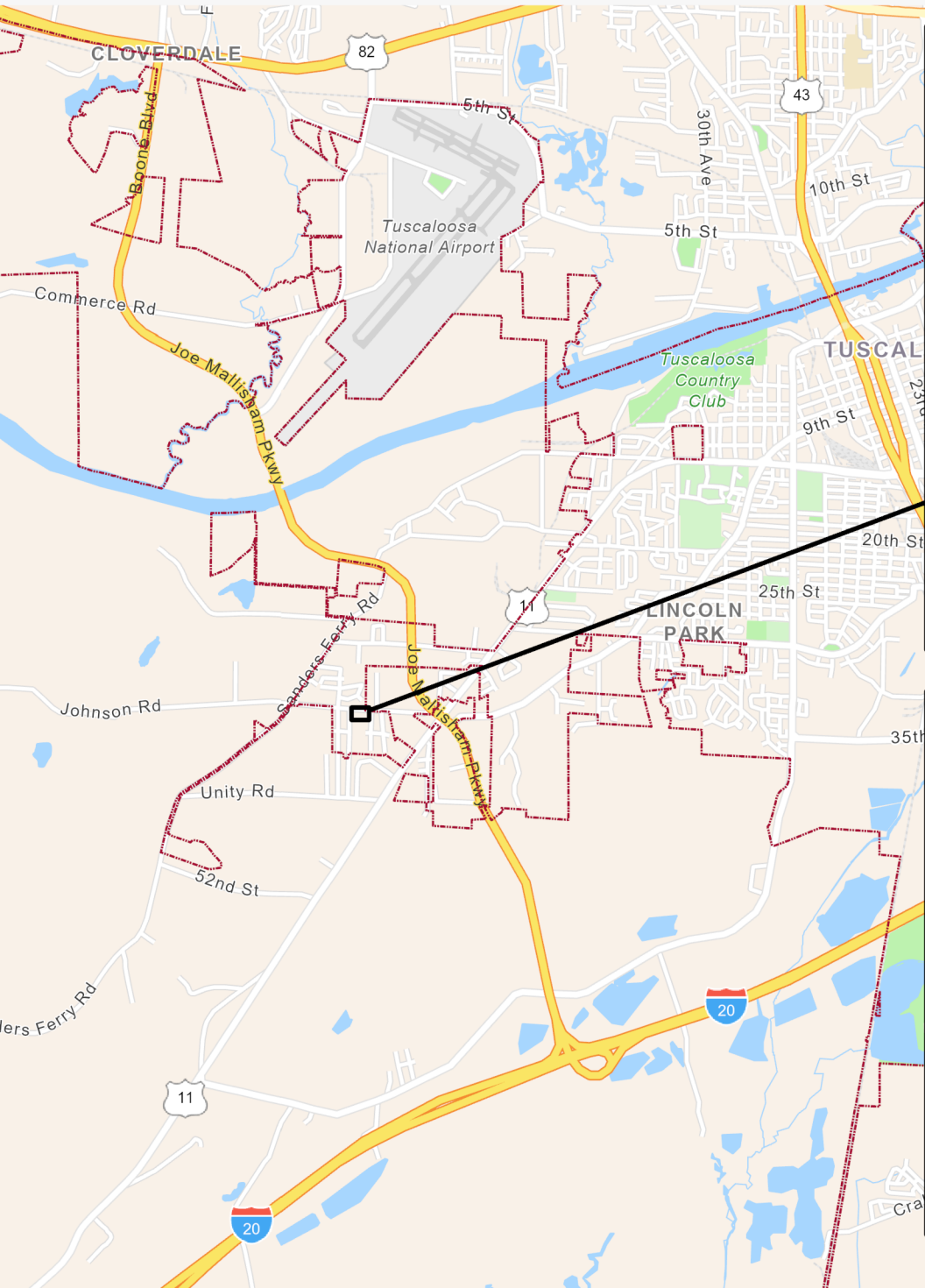
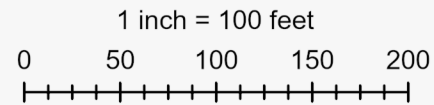
Certification of Applicant

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. I recognize the City will send public notification and place a sign on the property with information for the public. This Petition will not be accepted until all required information is provided.

Print Name: David Clements Signature:  Date: 10-1-2021

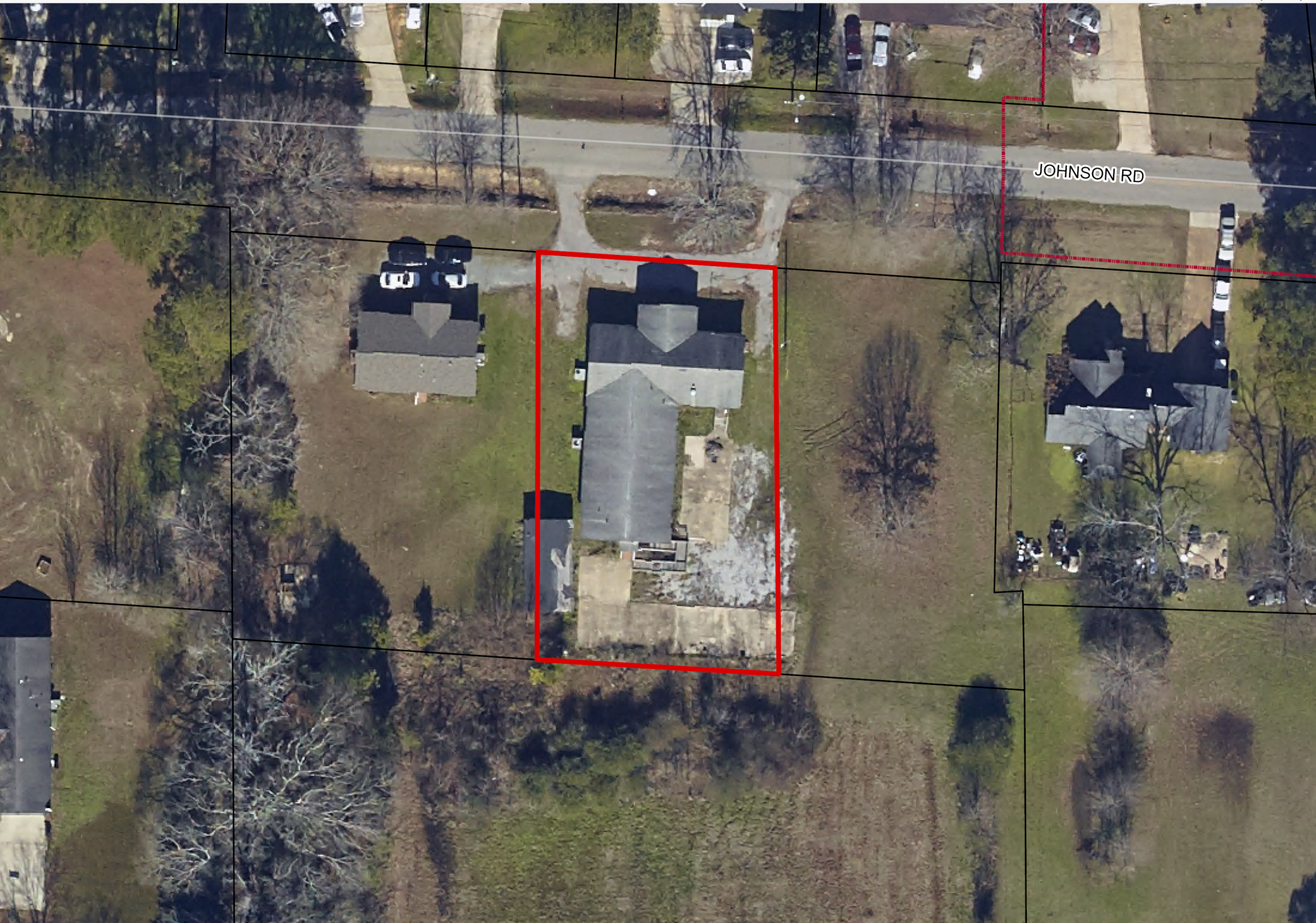
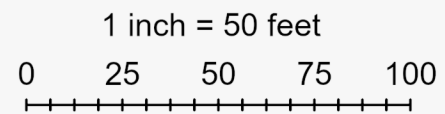


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