

ZONING BOARD OF ADJUSTMENT STAFF REPORT

March 28, 2022

ZBA-26-22

GENERAL INFORMATION

Property Owner (X) Petitioner (x)

Kisha White

Requested Action and Purpose

Petition for a use variance to allow a barbershop in a residential zone

Location and Existing Zoning

1006 37th Avenue. Zoned R-4. (Council District 1)

Size and Existing Land Use

Approximately 0.11 acres, Multi-family Residential and Commercial

Surrounding Land Use and Zoning

North: Single-family Residential, R-4

East: Vacant lot, R-4

South: Single-Family Residential, R-4

West: Single-family Residential, R-4

Applicable Regulations

Sec. 24-32. – Permitted uses.

Not an allowed use in the R-4 zoning district.

Sec. 24-33. – Special exceptions.

Not allowed as a special exception in the R-3 zoning district.

SUMMARY

The petitioner is requesting a use variance to allow for a barbershop in a residential zoning. The petitioner states the property has always been used commercially. The property previously operated as a barbershop. The property was approved in 2013, by the Zoning Board of Adjustment, to operate commercially as a floral design and craft shop in case ZBA-26-13. The petitioner stated renovations will be made to the property and two chairs will be placed for use. The hours will be Monday through Saturday, 7AM-7PM. Part of the building will be torn down to allow for at least two cars in the driveway. However, the petitioner states they are catering to nearby residents who will walk to the barbershop.

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

Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment



ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION

Last Updated, July 2021

Please complete all of the following required fields:

Location of Petitioned Property

Address: 1006 37th Avenue

Property Owner

Name: Kisha White

Phone: 670-707-2806

Email: kdwhite04@yahoo.com

Address: 2735 Oak Street

ZIP Code: 35401

Petitioner (if different from owner)

Name: _____

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**

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

☐ **Short-Term Rental** \$ 400.00 per lot

☐ **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.

Requesting to renovate and reopen previous barber shop. Plan to put two barber chairs to serve local community which is in close walking distance. Hours will be Monday thru Saturday 7-7p. Plan to accommodate at least two cars by tearing down part of building on right side facing building and putting gravel for driveway in back. Most patrons will likely walk to business.

**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.

Property was previously set up as barbershop. Local community would like to see services once again offered within walking distance.

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.

Property was previously in business as barber shop. Plan is to add to services available to that area of the West End community.

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: Kisha White

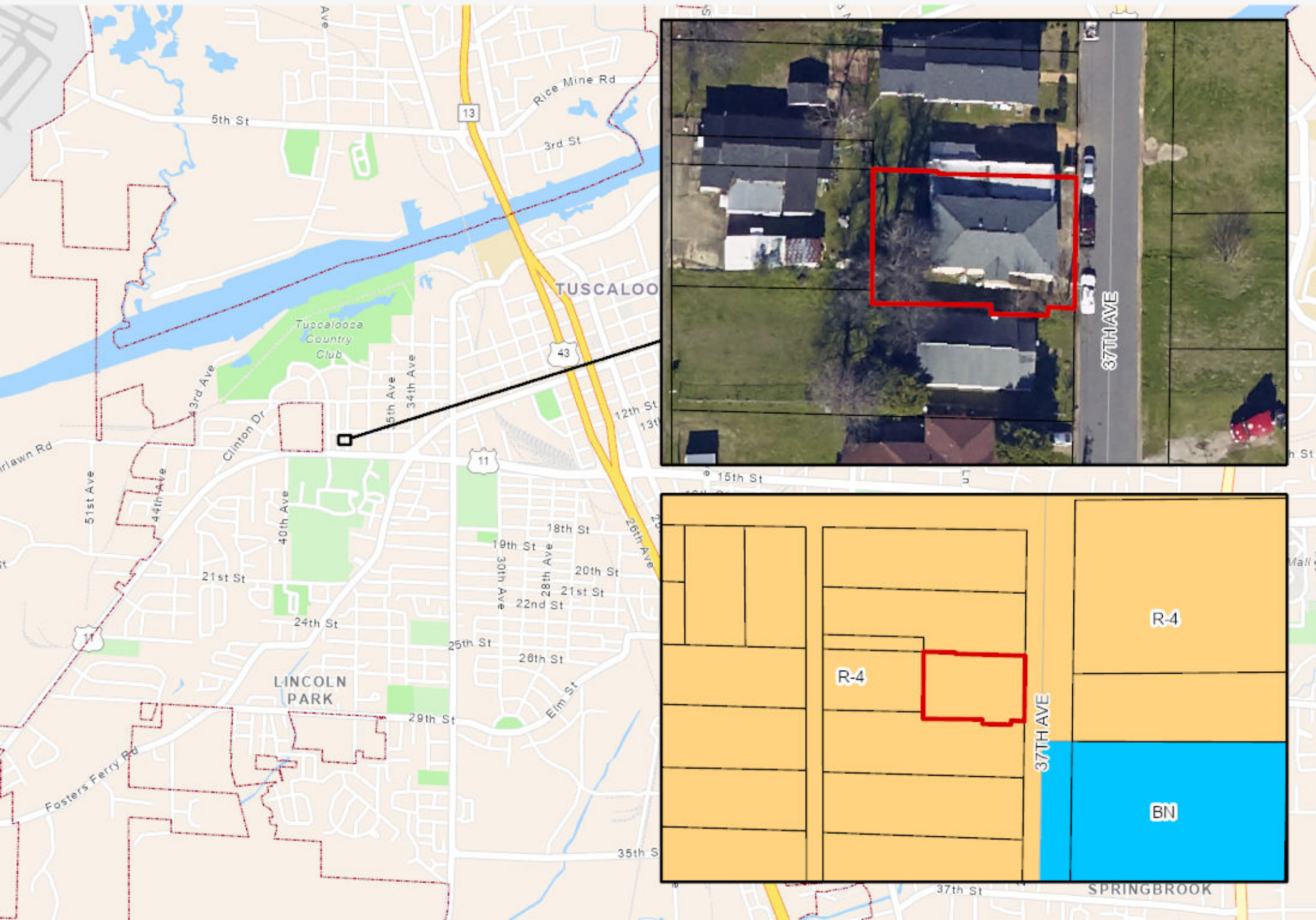
Signature: Kisha White

Date: 2/28/2022



1 inch = 50 feet

0 25 50 75 100





1006 37th Avenue

1 inch = 50 feet
0 25 50 75 100

N





GRAY'S BARBER SHOP

753-9623

GRAY'S BARBER SHOP

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Gray's
BARBER
SHOP

913

