

ZONING BOARD OF ADJUSTMENT STAFF REPORT
September 26, 2022

ZBA-115-22

GENERAL INFORMATION

Property Owner () Petitioner (X)

Leah Alexander

Requested Action and Purpose

Petition for a use variance to allow cottage court duplexes

Location and Existing Zoning

582, 584, 586, 588, 592, 594, 596, & 598 30th Avenue East. Zoned RD-2. (Council District 5)

Size and Existing Land Use

Approximately 1.09 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, R-1

East: Single-family residence, RD-1

South: Single-family residence, RRD-1

West: Single-family residence, RD-2

Applicable Regulations

[Sec. 24-344](#). – Building types allowed by district.

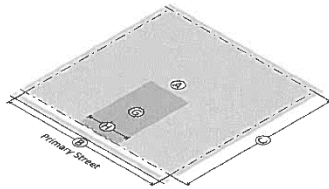
Building types are allowed by district as set forth below:

	Residential Detached RD-1
Cottage Court	
Detached and Duplex	----

[Sec. 24-343](#). – Cottage court.

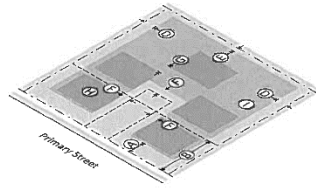
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1. Lot Standards



Lot Dimensions	
A Lot area (min)	22,500 sf
B Lot width (min)	150'
C Lot depth (min)	150'
Lot Parameters	
D Dwelling units per min lot area (max)	5
E Dwelling units per lot (max)	12
F Lot area per dwelling unit (min)	4,500 sf
Courtyard	
G Area (min)	3,000 sf
H Width (min)	40'
I Courtyard area per dwelling unit	600 sf

2. Building Placement



Building/Structure Setbacks	
A Primary street - principal buildings (min)	15'
B Primary street - accessory structures (min)	50'
C Side street (min)	10'
D Side interior (min)	10'
E Rear (min)	5'
F Rear, alley	4' or 20' min
Courtyard Encroachment	
G Porch including steps (max)	8'
H Balcony (max)	6'
Building/Structure Limitations	
I Building separation (min)	0' or 10'
J Principal building footprint (max)	1,200 sf
K Accessory structure footprint (max)	150 sf
Parking Location	
L Parking between building and street	No

SUMMARY

The petitioner is requesting a variance to allow cottage court over-under/back-to-back duplexes. This zone does not allow for duplexes, however, they are allowed in higher density zones (RA-1/RA-2). Rezoning is not a viable option as some variances would still be required. The current dwellings are 4 bed/4 bath. The proposal is to convert eight of these existing dwellings into duplexes, with a 1 bed/1 bath unit on the bottom, and a 2 bed/2 bath unit on the top. The top unit will be accessed from an exterior staircase. The petitioner is also requesting the timeframe be tied with the owner of the property, rather than being limited to the 6-month frame to pull a building permit. Overall, density will decrease by one bedroom per unit, with the current proposal being a reduction from 166 beds to 158 beds. Parking will not change, so the current 166 parking spaces will remain. If approved, this project would allow for greater work-force housing options in an area that was devastated by the tornado.

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, July 2021

Please complete all of the following required fields:

Location of Petitioned Property

Address: 408, 414, 418, 512, & 518 30th Ave. E. Tuscaloosa, AL

Property Owner

Name: Cottage Court I, LLC Phone: (205) 554-1792 Email: hudson@alliedrealtyinc.com
 Address: 3507 Veteran's Memorial Parkway, Tuscaloosa Al ZIP Code: 35404

Petitioner (if different from owner)

Name: Leah H. Alexander Phone: (205) 343-9214 Email: leah@alexanderarc.com
 Address: 5520 10th Ct. E. Northport, Al ZIP Code: 35473

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 type="checkbox"/> Special Exception | <input checked="" 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.

See Variance narrative attached.

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.

The fact that the current zoning ordinance prohibits Duplexes as an approved permitted use for this property is in itself a hardship at the present time due to the current needs for workforce housing within our city. There is a demand for and shortage of 1 and 2 bedroom housing units and this property is unable to meet these needs due to the current zoning regulations. A use variance to allow Duplexes at this location could provide additional much needed work force housing units at a critical time in the housing market. Also re-zoning of this property is not feasible because some variances would still be required as a result in consideration of this option.

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.

The request to allow Duplexes in this location would be in harmony with what is reflected in Framework for this area. Also in terms of bedroom count, this would be a reduction in density as opposed to an increase as explained on page one. Finally, the change would not be injurious to the neighborhood - there would be no change to the development or exterior of the buildings other than the addition of an exterior staircase (in harmony with the current design) needed to access the 2nd floor unit of each Duplex.

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: Leah H. Alexander Signature: Leah H. Alexander Date: 8/31/2022

Alexander Architecture, LLC

residential

commercial

5520 10th Ct. E.
Northport, AL
35473

ZONING BOARD OF ADJUSTMENT

(205) 343-9214

VARIANCE NARRATIVE

Leah@Alexander
ARC.com

Regarding: Property Owner: Cottage Court I, LLC

Address: 408, 414, 418, 512, & 518 30th Ave. E. Tuscaloosa, AL

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.

Cottage Court I, LLC requests a use variance specifically tied to their ownership to allow Duplex structures for the above referenced properties zoned RD-2. Per the proposed plan diagrams attached, the owner desires to re-configure select 4 BR single family dwellings, and transition them into 3 BR duplexes (configured as a 1 BR unit downstairs, and 2 BR unit upstairs).

Presently there are 166 Bedrooms included on the property and 166 parking spaces.

At present there are 8 buildings available for re-configuration. As more become available when leases expire, more duplexes can be added. The reconfiguration of 8 buildings in phase I, would yield a total of 158 Bedrooms on the property. The parking count would not change.

GENERAL NOTES - FLOOR PLANS

- 1 ALL INTERIOR PARTITIONS ARE DIMENSIONED TO THE FACE OF STUD UNLESS NOTED OTHERWISE.
- 2 DIMENSIONS ASSOCIATED WITH INTERIOR PARTITIONS WHEN TAKEN FROM EXTERIOR WALLS ARE DIMENSIONED TO THE FACE OF STUD (TYPICAL) UNLESS NOTED OTHERWISE.
- 3 AT GYP. BD. PARTITIONS, DOOR FRAMES SHALL BE HELD 4 INCHES FROM FRAME FACE TO ADJACENT WALLS AT HINGE JAMB UNLESS NOTED OTHERWISE.
- 4 AT GYP. BD. PARTITIONS, ALL DOORS ARE DIMENSIONED TO THE CENTER WHERE SHOWN.
- 5 DIMENSIONS NOTED "VERIFY" SHALL BE CONFIRMED IN THE FIELD. REPORT VARIATIONS TO ARCHITECT BEFORE PROCEEDING WITH WORK AFFECTED.
- 6 WHERE DIMENSIONS ARE NOTED "CLEAR", IT IS FROM THE FACE OF FINISH MATERIAL TO FACE OF FINISH MATERIAL.
- 7 WHERE SURFACES ARE NOTED TO "ALIGN", FACES OF FINISH MATERIALS ARE TO ALIGN.
- 8 ALL EXTERIOR DIMENSIONS ARE FROM EXTERIOR FACE OF STUD (TYPICAL) UNLESS NOTED OTHERWISE.



FIFTH DIMENSION
ARCHITECTURE & INTERIORS LLC

Cottage Court Unit Type C

590 30th Avenue East Tuscaloosa, AL 35404

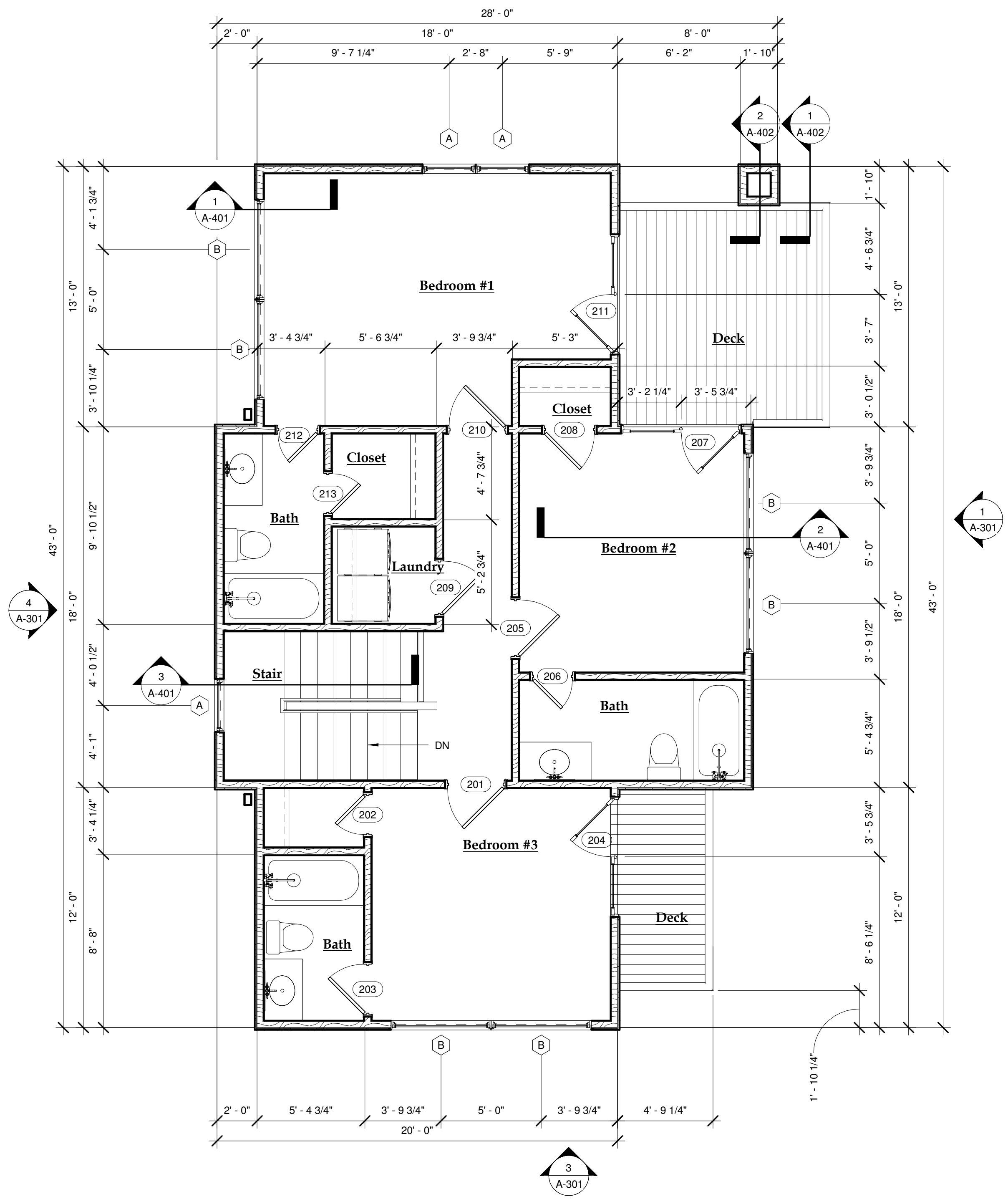
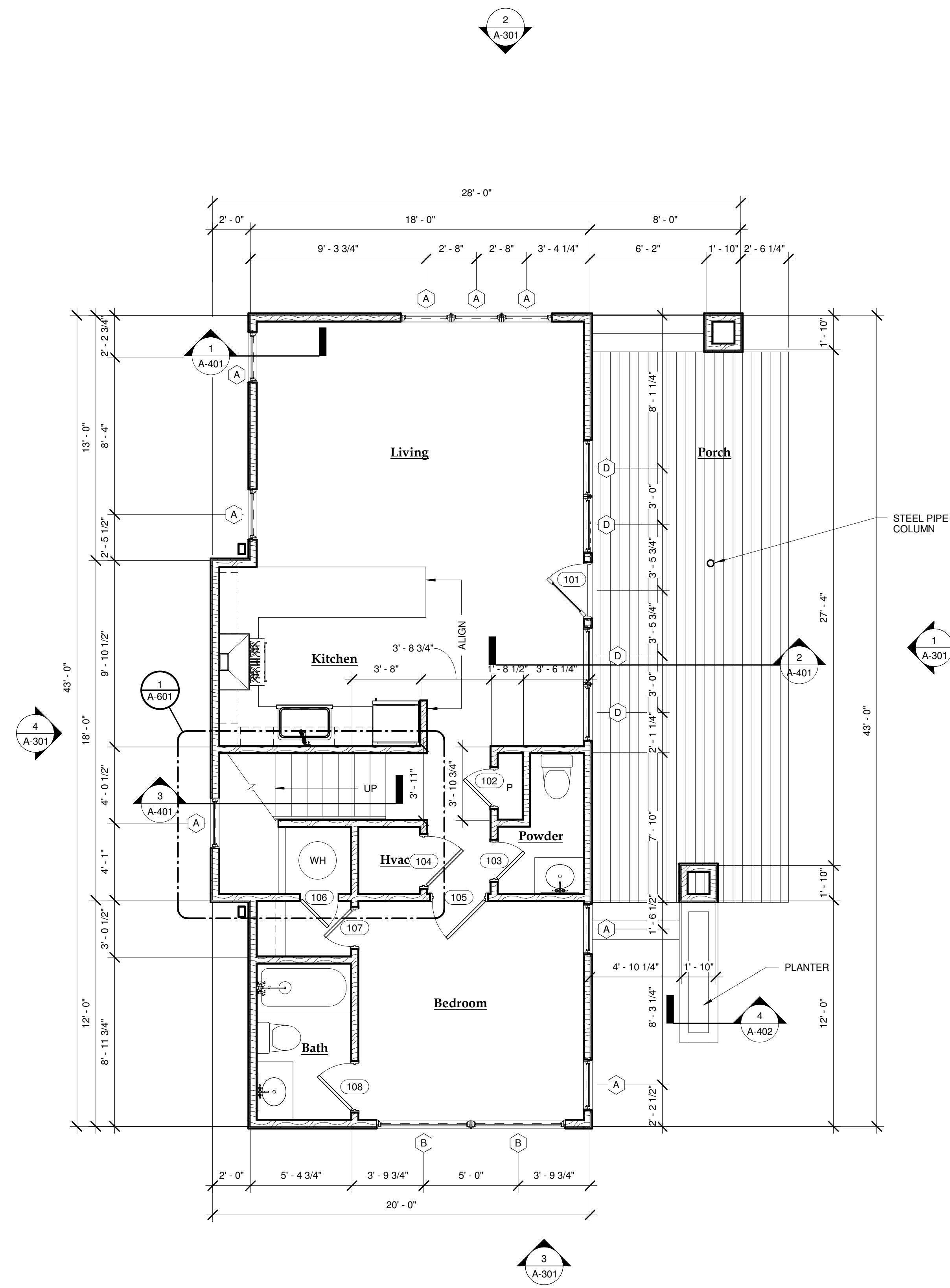
CONSTRUCTION DRAWING ISSUE

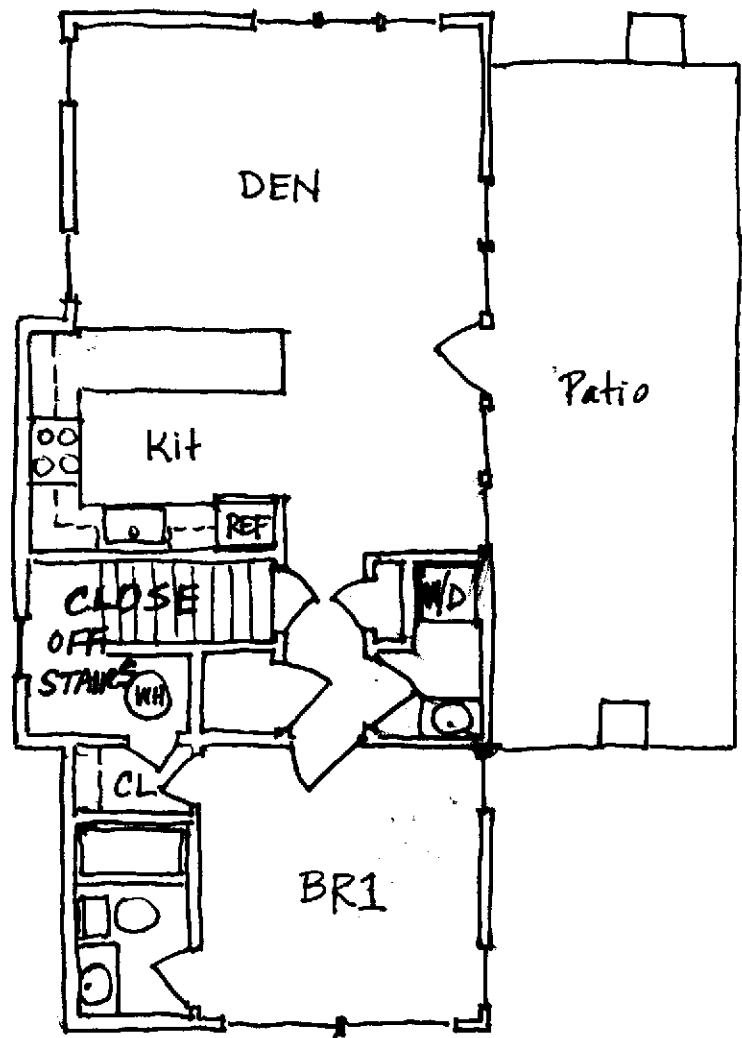
REVISIONS

NO.	DATE

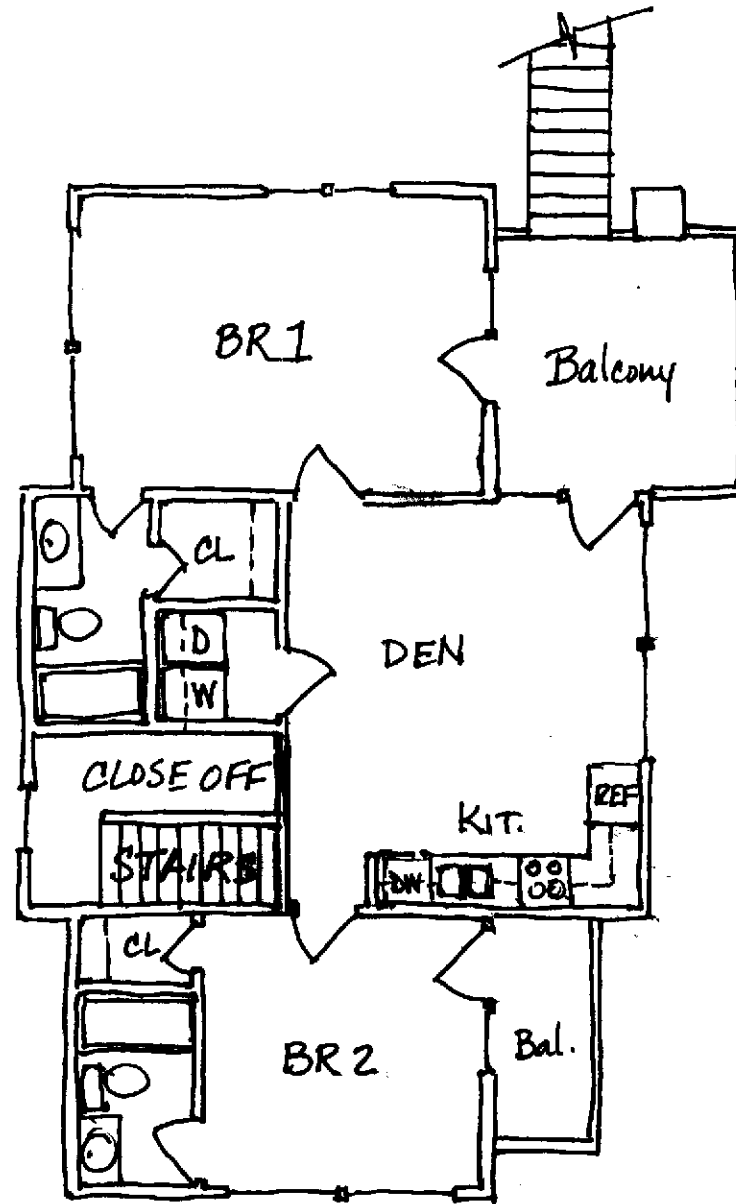
PROJ. NO. 15076
DATE 02-23-2016
SHEET NAME FLOOR PLAN

SHEET NO. **A-201**





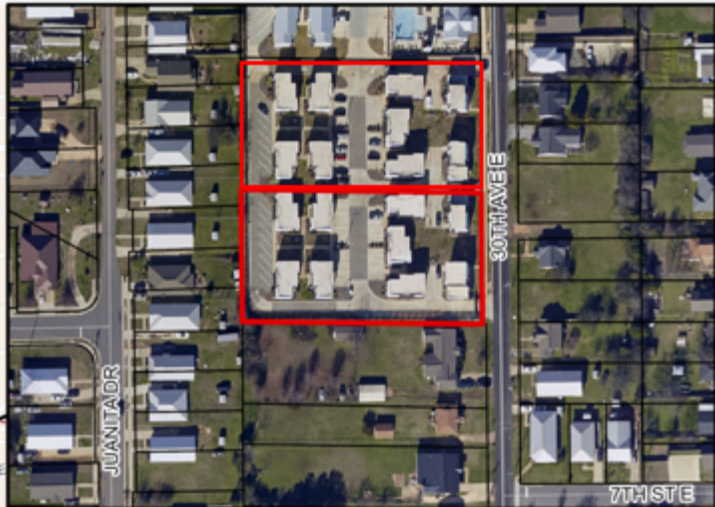
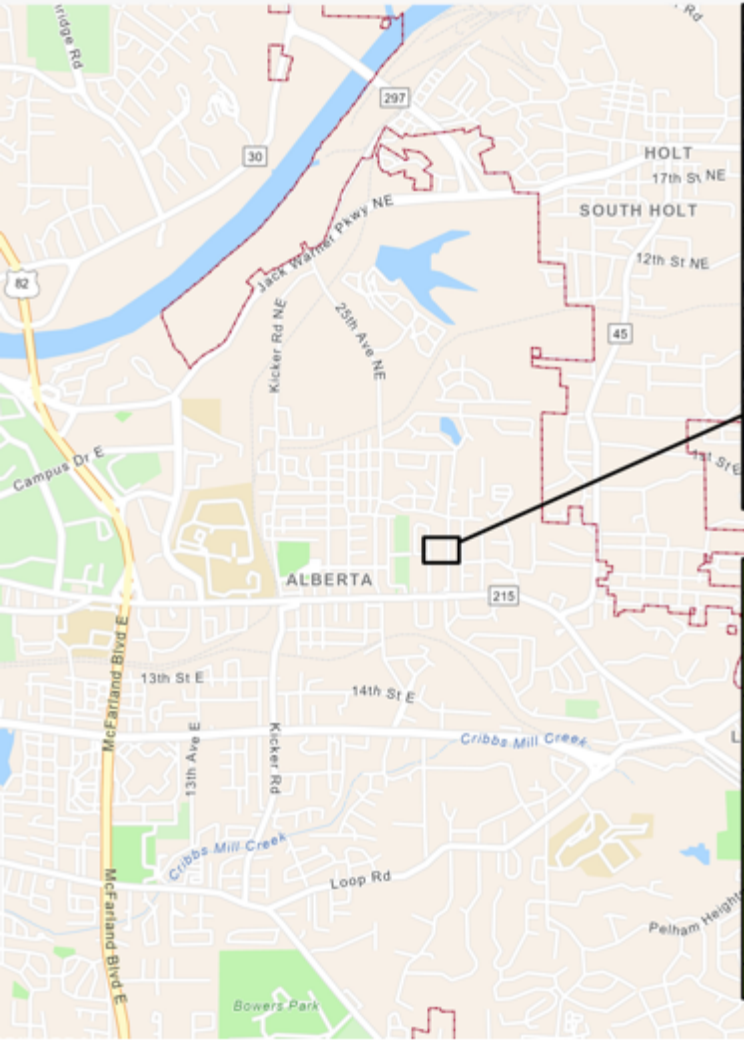
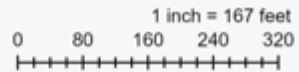
FIRST FLOOR PLAN



SECOND FLOOR PLAN



The Elements 30th Ave East





The Elements

1 inch = 150 feet

0 75 150 225 300

N

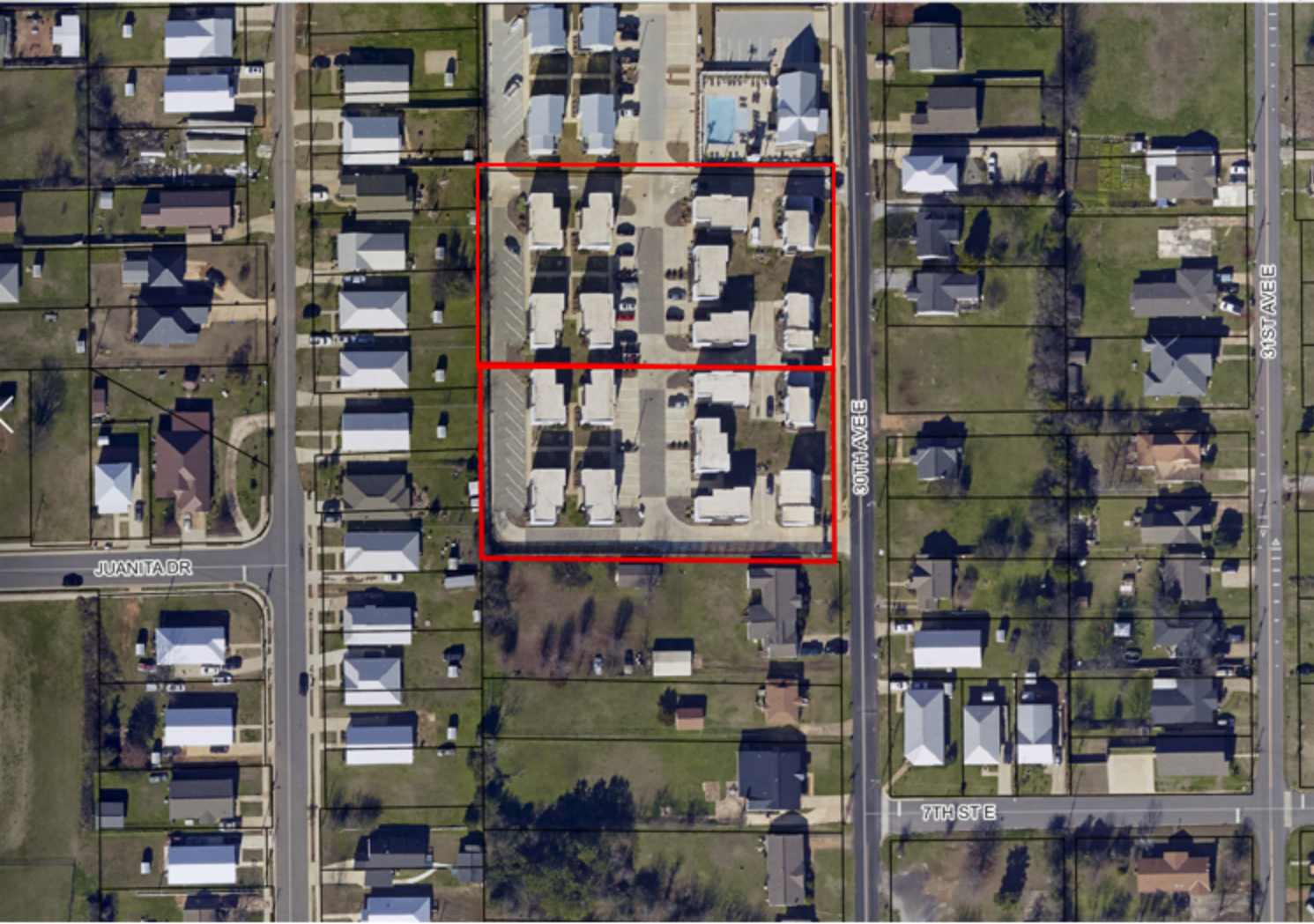




The Elements 30th Ave East

1 inch = 100 feet

0 75 150 225 300



JUANITA DR

30TH AVE

31ST AVE

7TH ST E