

ZONING BOARD OF ADJUSTMENT STAFF REPORT
December 28, 2022

ZBA-137-22

GENERAL INFORMATION

Property Owner () Petitioner (X)

Barbara Pate

Requested Action and Purpose

Petition for a special exception to allow specialized retail dealing with limited or specialized clientele

Location and Existing Zoning

1302 The Townes. Zoned BNS. (Council District 3)

Size and Existing Land Use

Approximately 3.24 acres, Vacant lot

Surrounding Land Use and Zoning

North: Residential, R-3

East: Vacant lot, BNS

South: Church, BNS

West: Single-family residence, R-1

Applicable Regulations

[Sec. 24-53.](#) – Special exceptions

Special exceptions	BNS
Wholesale or other specialized store dealing with a limited or specialized clientele, and not with the general public, including feed and seed stores	X

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

(43) Wholesale store serving a limited or specialized clientele

PRIMARY

- a. No special exception shall be granted for the wholesaling of alcoholic beverages or perishable foods.
- b. In BGO districts, the board shall require a number of off-street parking spaces adequate, in their opinion, to accommodate the anticipated patronage.

DISCRETIONARY

- c. Warehouse storage space should not exceed two thousand five hundred (2,500) square feet in the BGO district or six thousand (6,000) square feet in the BC district and should be entirely enclosed within a building. Off-street loading space should be provided as necessary.

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SUMMARY

The petitioner is requesting a special exception operate a luxury pet resort called the “Paww Pet Resort”. This resort will offer eleven villas and ten suites for pets staying overnight. There will also be 21 indoor only kennels for pets participating in the daycare program. On the second floor, there will be an event space to be utilized for special events. The resort offers an indoor play area with roll up doors to allow for fresh air during the warmer months, but fencing will be put in place to prohibit pet access to the outside portions of the property. The screening panels shown on the drawings will be used to block the view of the dogs in the play area from the parking lot. The resort will also offer a sizable space for the retail sale of various items. There will be no kennels located outside of the building, and no play areas for off-leash dogs outside. All dog-related activities will be inside the footprint of the building as required by zoning.

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: 1302 The Townes / Lot 210 of Townes of North River

Property Owner

Name: Barbara Pate Phone: 1.484.695.1423 Email: bpate344@icloud.com

Address: 1906 Point Clear Road, Tuscaloosa, AL ZIP Code: 35406

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.

- | | | |
|---|---|--|
| <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.

This request is for a 'Special Exception Use' in a BNS zoning district. (Article IV, Sec. 24-25)

This project use is a 'pet day-care / boarding facility'.

The closest 'special exception use' listed in the code is a 'veterinary clinic'.

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:

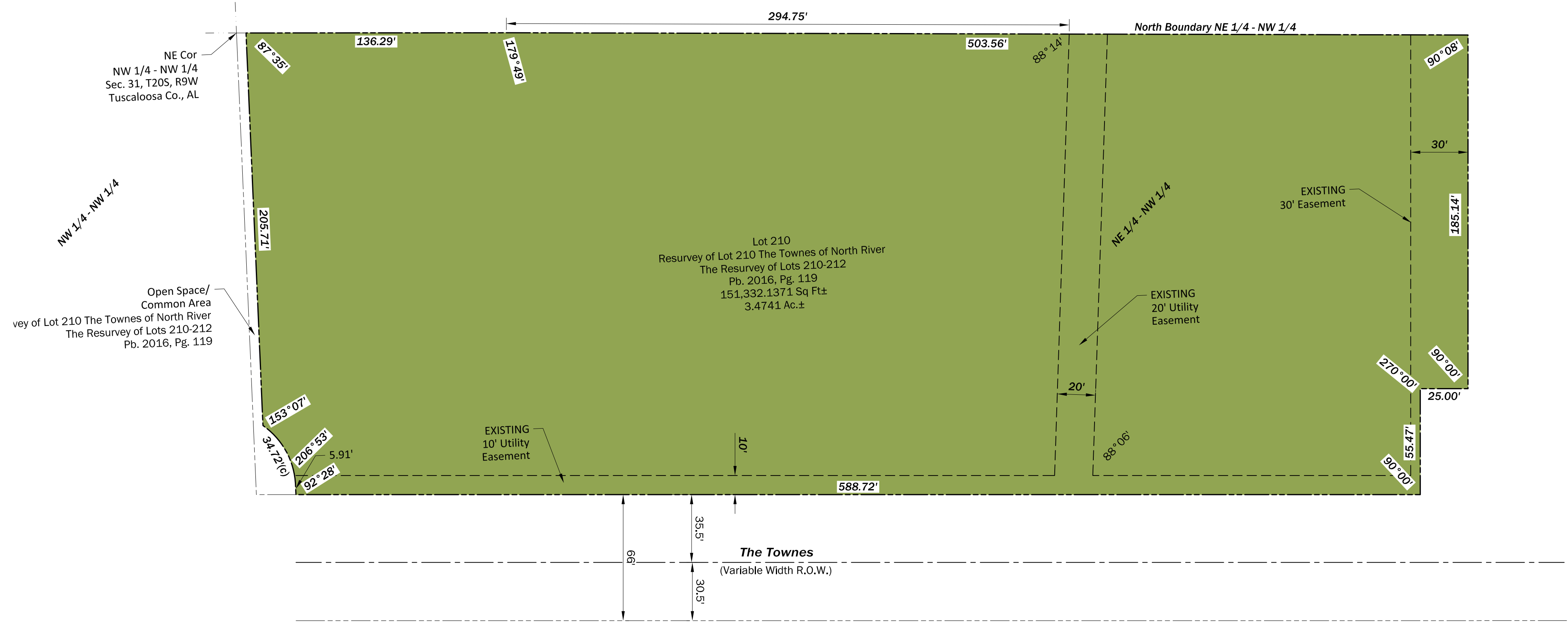
Provide the number of bedrooms and bathrooms the property has. Provide how many adults you are requesting to rent to and how many vehicles you are able to park in your driveway or parking areas (parking on the street is not allowed). Typically, two adults are allowed per vehicle. Include the width and 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.

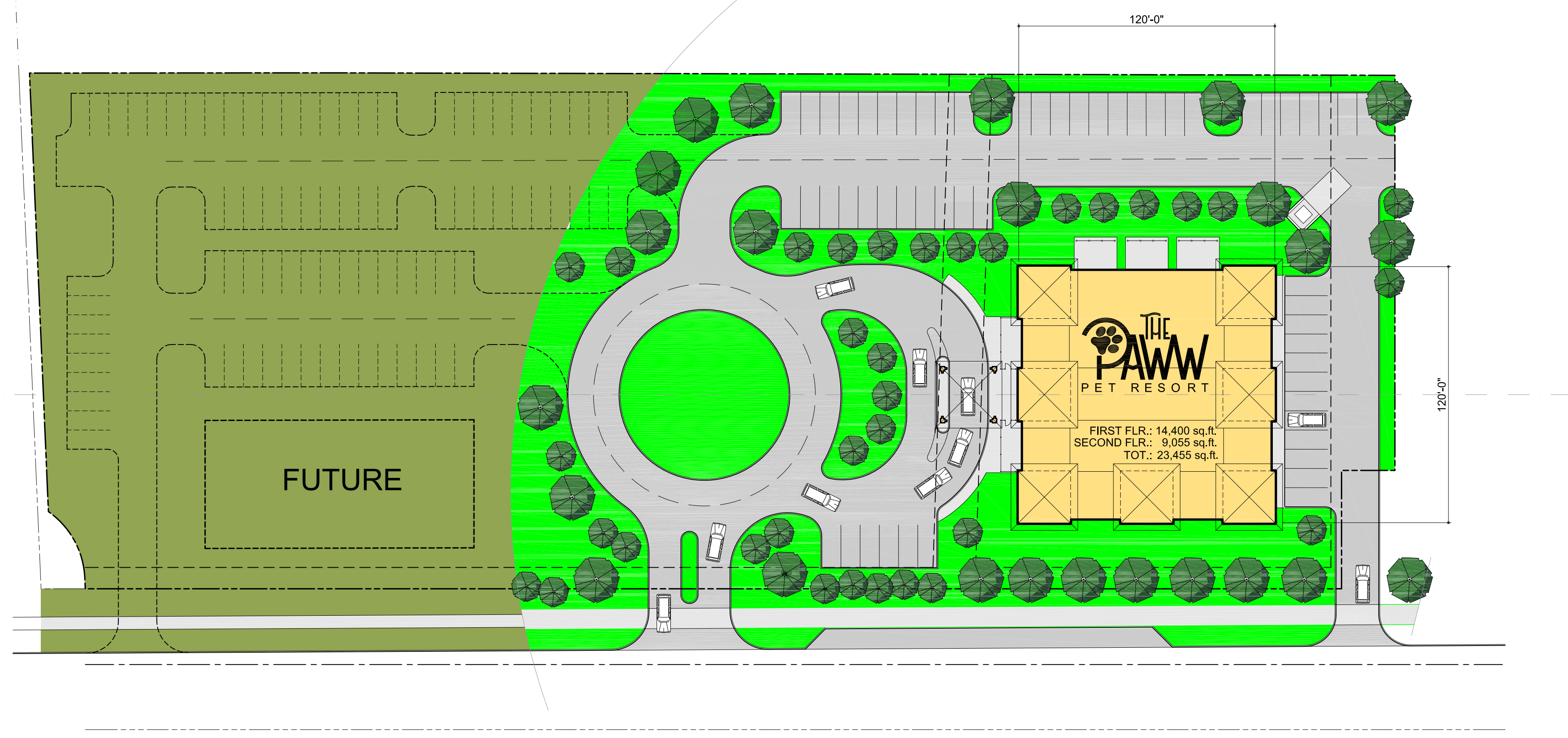
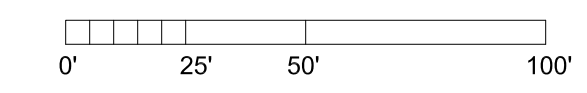
Certification of Applicant

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.

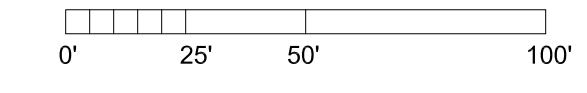
Print Name: D. Barbara Pate Signature:  Date: 12-2-22



EXISTING SITE PLAN



PROPOSED SITE PLAN




FITTS
 ARCHITECTS
 1606 Paul W. Bryant Drive
 Tuscaloosa, Alabama 35401
 205.759.5792 / fax 205.759.1041
 www.fittsarchitects.com

PROJECT

A NEW PET FACILITY


THE PAWW
 PET RESORT

1302 THE TOWNES
 TUSCALOOSA, ALABAMA

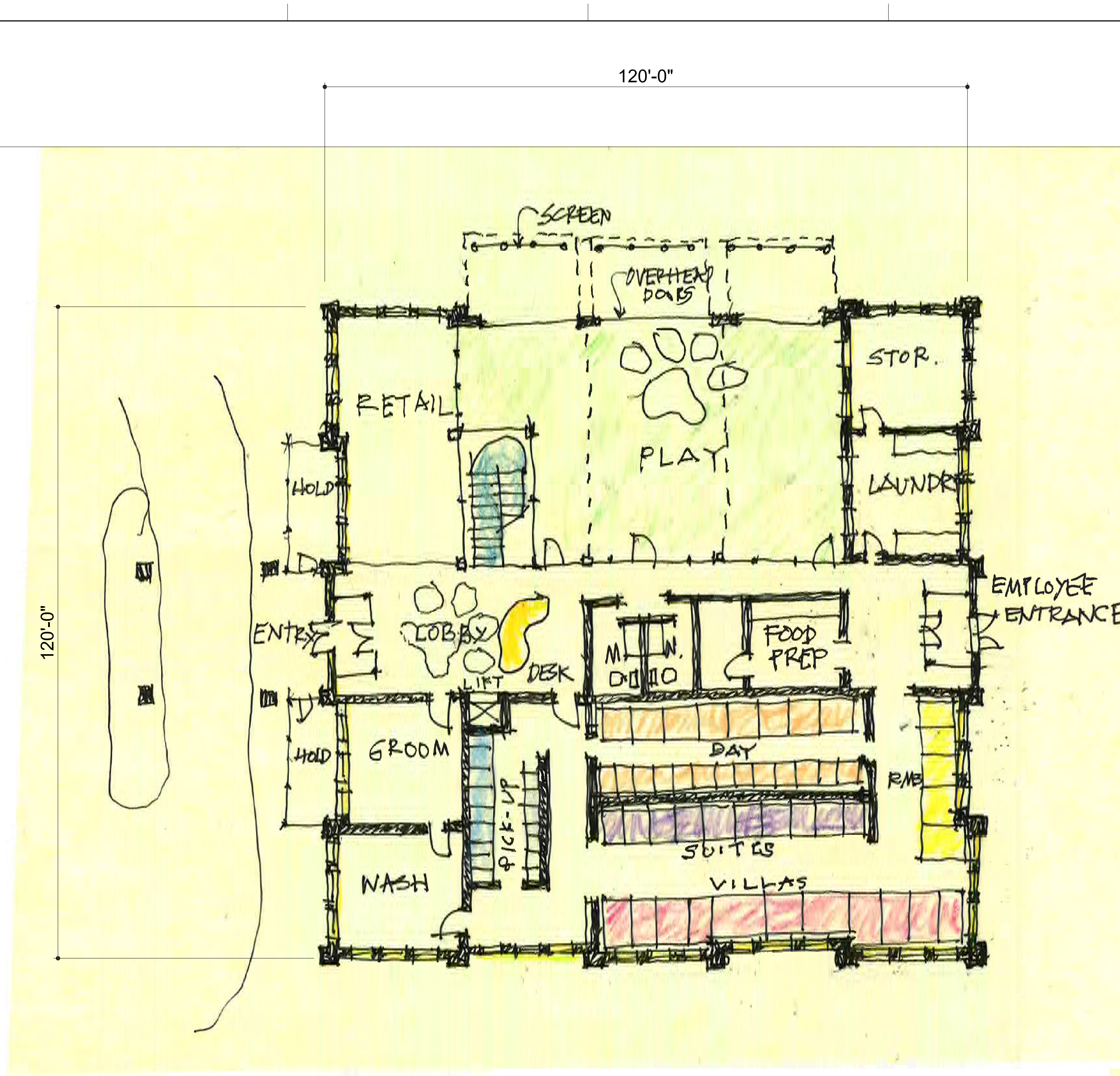
REVISIONS:

#	DATE	DESCRIPTION
1		

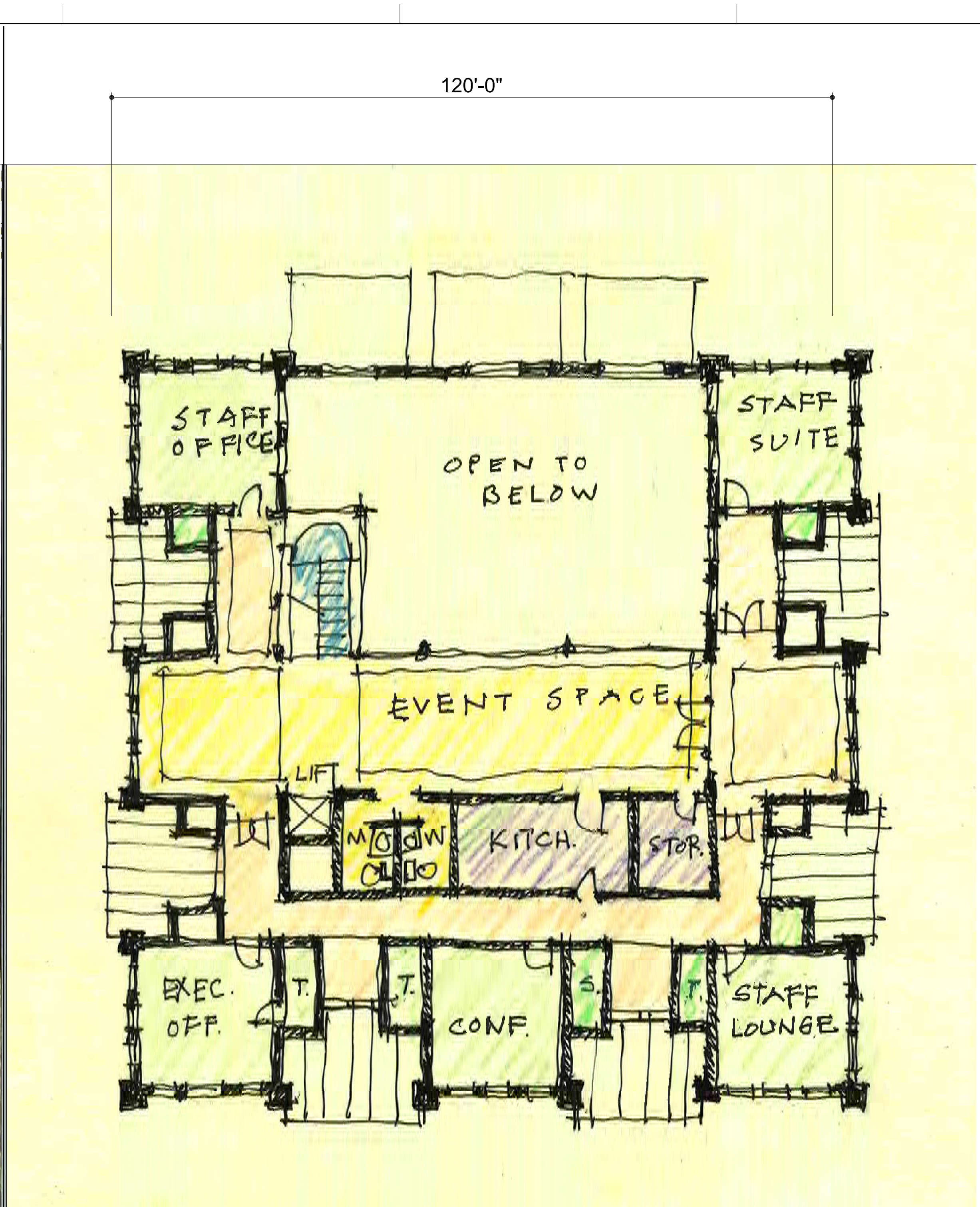
ONE INCH
FULL SCALE DRAWING

PROJECT No. FA 2215
 DATE 30 NOV 22
 SHEET

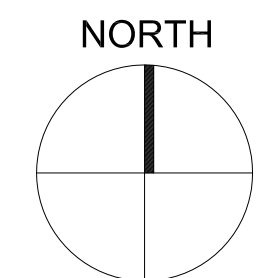
SITE PLANS



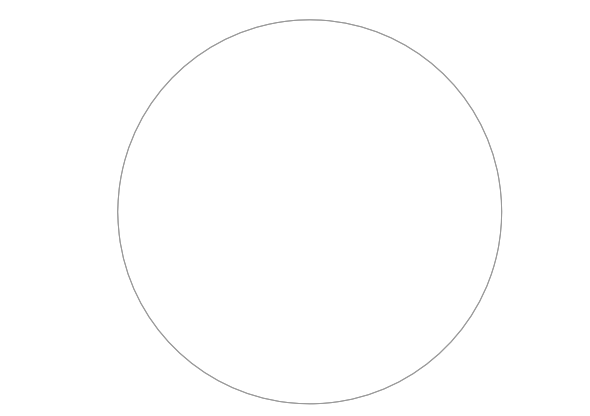
FIRST FLOOR



SECOND FLOOR



FIRST FLOOR: 14,400 sq.ft.
 SECOND FLOOR: 9,055 sq.ft.
 TOT.: 23,455 sq.ft.



FITTS
 ARCHITECTS

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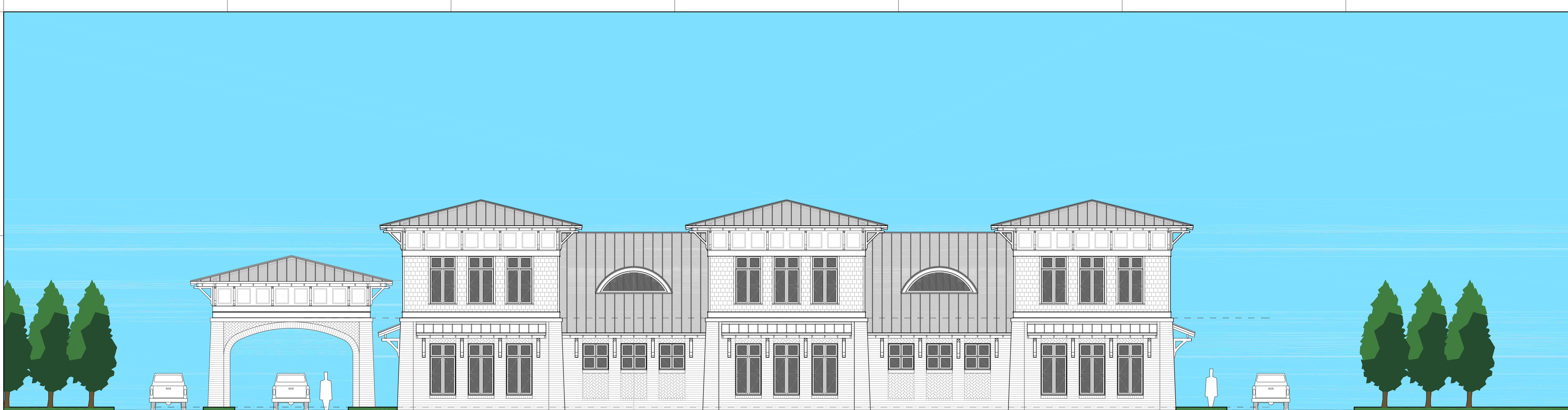
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 FULL SCALE DRAWING

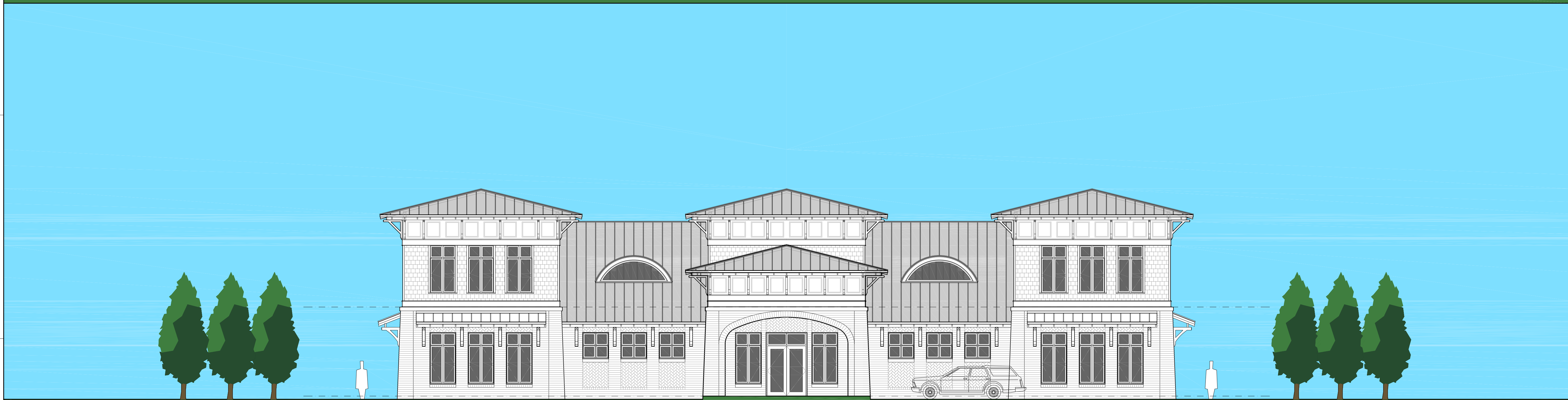
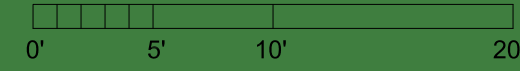
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PROPOSED
 FLOOR PLAN

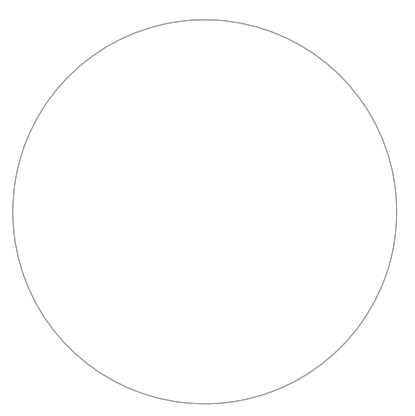
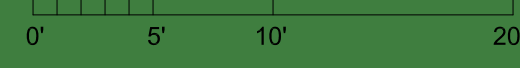


DROP-OFF

S T R E E T E L E V A T I O N



E N T R Y E L E V A T I O N



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ONE INCH
FULL SCALE DRAWING

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DATE

30 NOV 22

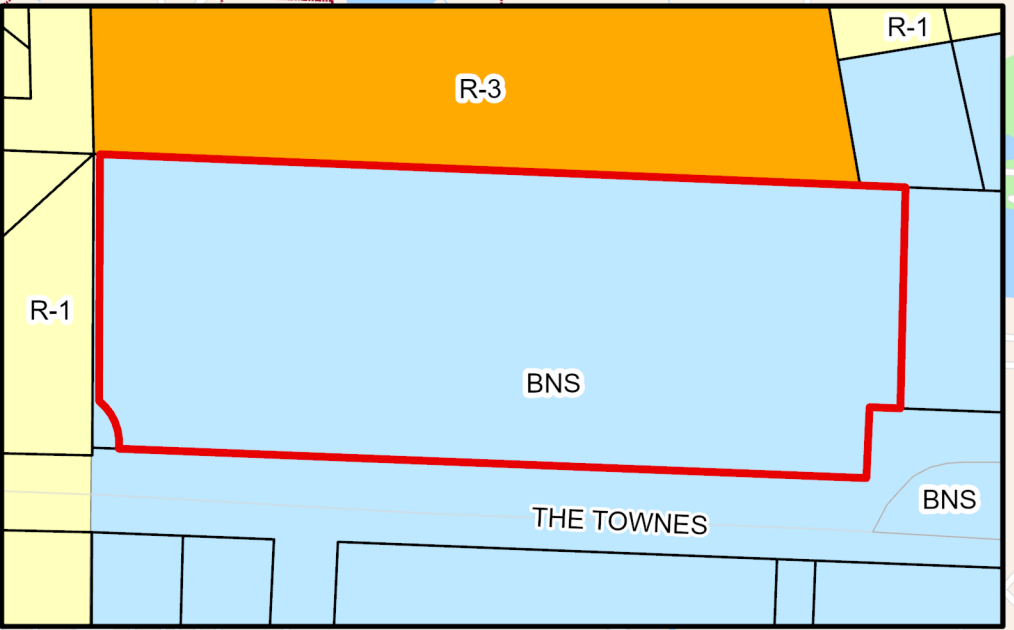
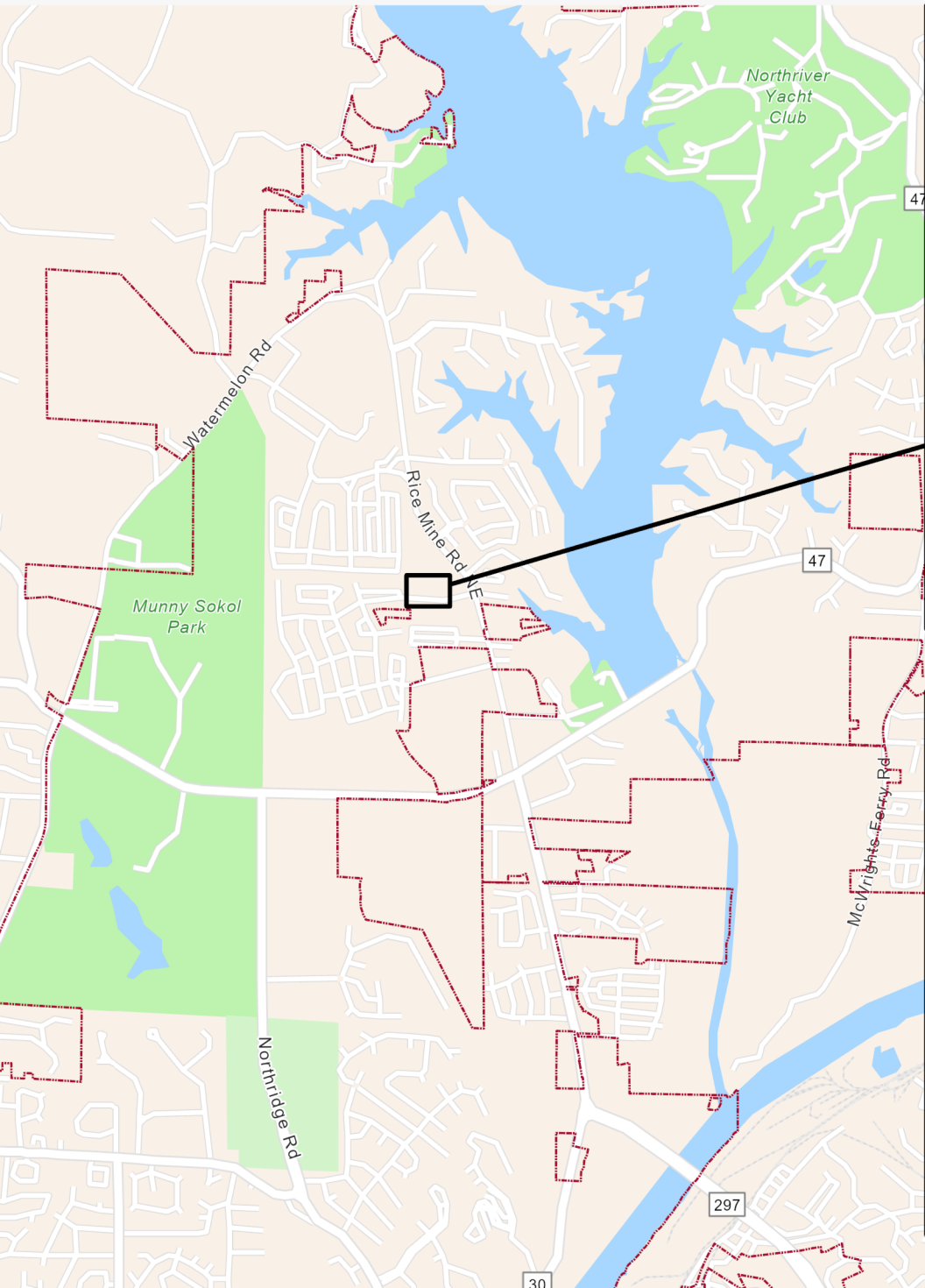
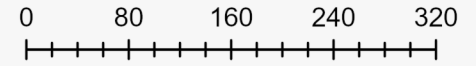
SHEET

A3.1



1302 The Townes

1 inch = 150 feet





1302 The Townes

1 inch = 133 feet

0 80 160 240 320



ARUNDELL ST

RICE MINER DR

SHADY TREE LN

THE TOWNES



