

# ZONING BOARD OF ADJUSTMENT STAFF REPORT

January 23, 2023

## ZBA-02-23

### GENERAL INFORMATION

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

Mavis Tire Supply, LLC (Nate Fuss)

#### **Requested Action and Purpose**

Petition for a special exception to allow an automobile repair shop

#### **Location and Existing Zoning**

8811 Highway 69 South. Zoned BN. (Council District 2)

#### **Size and Existing Land Use**

Approximately 1.22 acres, Vacant lot

#### **Surrounding Land Use and Zoning**

North: Commercial, BN

East: Vacant land, PJ

South: Vacant lot, BN

West: Commercial, PJ

#### **Applicable Regulations**

[Sec. 24-53.](#) – Special exceptions

Special exceptions	BN
Automobile repair shop	X

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

(2) *Automobile repair shop*

#### **PRIMARY**

- Hydraulic hoists, pits, and all lubrication, greasing, and repair equipment shall be entirely enclosed within a building.
- There shall be no storage of a wrecked or dismantled vehicle outside a building or a properly fenced enclosure for longer than two (2) weeks. No such fenced enclosure shall exceed ten thousand (10,000) square feet in area.
- All vehicle maneuvering areas outside a building shall be permanently surfaced with asphalt or concrete.

#### **SUMMARY**

The petitioner is requesting a special exception to allow a Mavis Tire Supply. The primary business model is the retail sale of tires, with the addition of brakes, shocks/struts, and exhaust systems. Mavis does not perform engine work. Services offered include the installation or repair of breaks, tires, shocks/struts and exhaust systems, as well as oil changes, state vehicle inspections and fluid replacement. The business will employ between 7-10 people. The hours of operation will be Monday-Friday 8:00 a.m. to 6:00 p.m., Saturday 8:00 a.m. to 5:00 p.m., and Sunday 9:00 a.m. to 5:00 p.m. The petitioner states no work will be conducted outside the building, and no

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parts/tires will be stored outside. They are proposing 30 parking spaces, which does meet the minimum requirement for the use.

Office of Urban Development, Planning Division: No comment.

Codes and Development Services: 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: \_\_\_\_\_

#### Property Owner

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

#### 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.

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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)

**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.

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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.

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**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.

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- 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: \_\_\_\_\_ Signature: Rachael Dickinson Date: 10/24/22





200 Summitt Lake Dr, Suite 250  
Millwood, NY 10595  
Office: 914.984.2500  
[www.mavistire.com](http://www.mavistire.com)

October 19, 2022

**RE: Statement of Operations – Proposed Store #2105 Tuscaloosa**

To Whom It May Concern:

Mavis Tire Supply was founded in 1972 as one of the first multi-brand tire dealers in the NY area. Today, Mavis is the second largest independent multi-brand tire dealer in the U.S. and operates 538 locations under the name “Mavis Discount Tire” as well as “Cole Muffler Brake & Tire,” “STS Tire,” “Kauffman Tire,” and “Sun Tire.” At Mavis, customer service and value-oriented products are, and always will be, the backbone of the company.

Mavis Tire Supply is proposing a new store on **Highway 69S just south of the Jack’s restaurant**. The store will employ 7 to 10 people and will operate in strict accordance with Mavis guidelines for professionalism, the safety of our employees and convenience of our customers. Hours of operation will be M-F 8AM to 6PM, Saturday 8AM to 5 PM and Sunday 9AM to 5PM. The store will be stocked daily using a 26 ft. box truck or smaller. Scrap tires will be stored inside and will be removed once a week. Mavis will not store or leave cars outside. The only exception to this will be the occasional customer who drops off their car after hours for a morning appointment. No work will be done outside the building. No parts or tires will be stored outside the building.

Mavis runs an environmentally clean operation. We use double-walled, 250 gallon tanks for new oil and waste oil. These will be filled and emptied approximately once a month.

Mavis typically requires 25-30 parking spaces and it is rare that all 30 spaces are utilized. At maximum capacity, this accounts for 8 cars in the bays during operations, 8 cars in the lot waiting to be serviced, and 10 parking spaces for the employees.

The primary business of a Mavis Discount Tire store is the retail sale of tires. Additionally we sell brakes, shocks/struts and exhaust systems. Apart from the installation of the aforementioned items, Mavis does not perform engine work. Mavis performs oil changes, state vehicle inspections and replaces fluids. The installation of the tires and parts that Mavis sells does not require a car to be idling, as such there will be no fumes associated with the operation of this business. Mavis has conducted noise studies that prove the sound of tools does not exceed the ambient noise levels of standard service roads. Moreover, this particular location is significantly busier than the locations where these tests were performed. The tests were performed with the overhead doors open. The overhead doors of a Mavis store tend to be kept closed during winter and open during summer as the service bays are heated but not air conditioned.

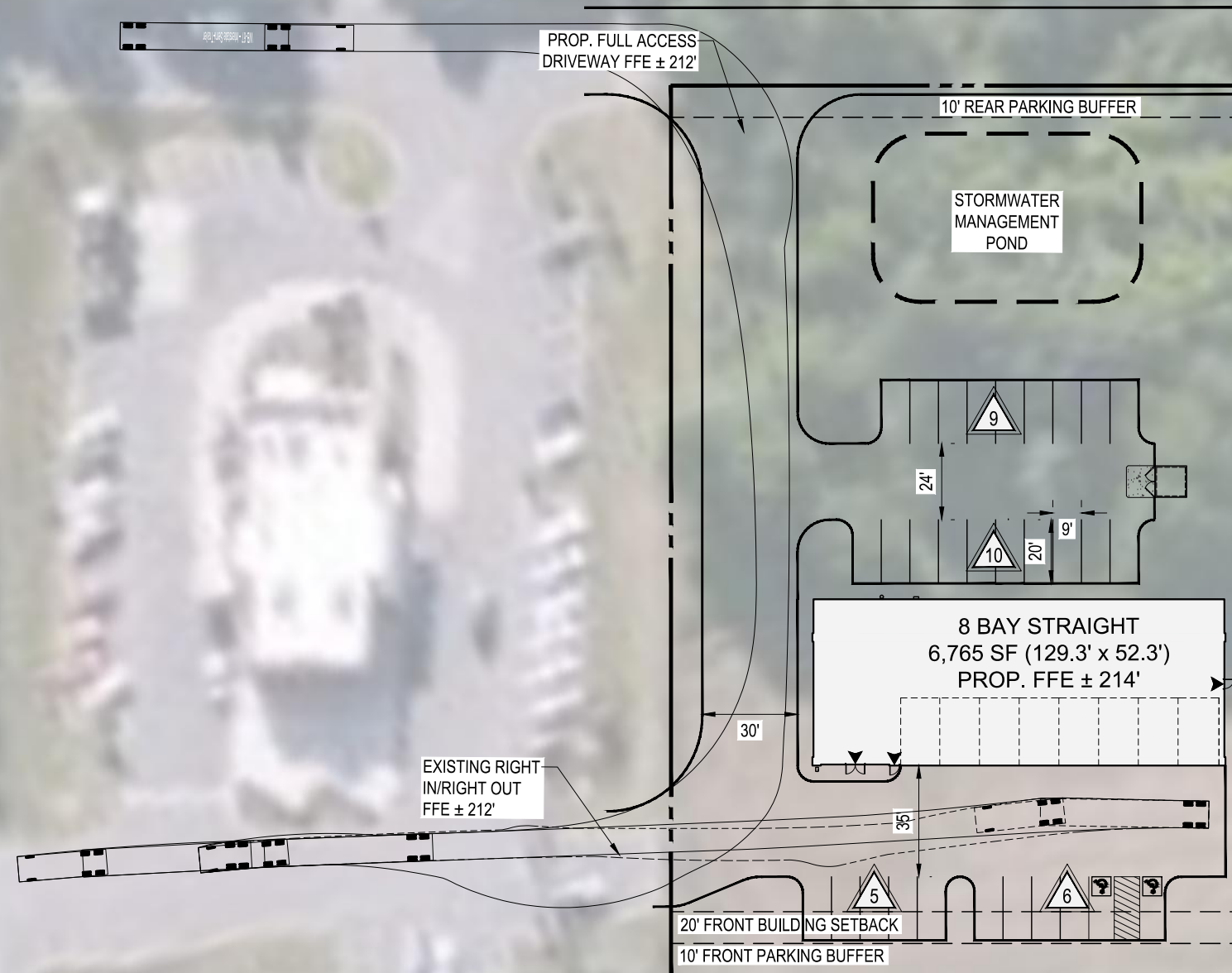
I hope the forgoing narrative of our intentions for the building answers your questions. If you have any additional comments or questions, please do not hesitate to contact me.

If there is an accidental oil spill, the accident is reported immediately to Facilities who maintain the stores after they open. Depending on the severity of the accident, Facilities dispatches an Environmental CleanUp Crew who cleans it up and disposes of it accordingly. Facilities sets up annual accounts with companies who maintain and clean the oil tanks so they are well equipped to handle such issues.

Sincerely,

Rachael Dickinson  
Pre-Construction Project Manager  
P 914.984.2500 ext5038  
[rdickinson@mavistire.com](mailto:rdickinson@mavistire.com)

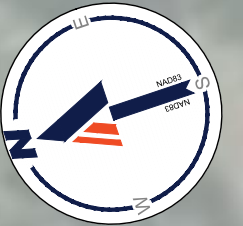
H:\2021\GA213543\CADDRAWINGS\CONCEPTS\X- OPTA-2 - GA213543 -> LAYOUT: CONCEPT



## CONCEPT PLAN NOTES

(Rev. 1/2020)

1. THIS CONCEPT WAS PREPARED STRICTLY AND SOLELY BASED UPON INFORMATION IDENTIFIED IN THE PLAN REFERENCES.
2. THE CONCEPT DEPICTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING SOLELY FROM LAYOUT PREFERENCES AND GUIDANCE DICTATED AND IDENTIFIED SOLELY BY THE CLIENT. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED, AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF APPLICABLE REQUIREMENTS AND AFTER THE PROCUREMENT OF ALL NECESSARY JURISDICTIONAL APPROVALS.
3. THIS CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES, ONLY, AND IS NOT INTENDED TO AND SHOULD NOT BE UTILIZED AS A ZONING OR CONSTRUCTION DOCUMENT.
4. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS PROVIDED TO THE ENGINEER, AT THE TIME OF THE ENGINEER'S PREPARATION OF THIS CONCEPT PLAN, BY THE OWNER AND OTHERS NOT UNDER ENGINEER'S CONTROL, AND IS SUBJECT TO CHANGE AFTER PERFORMANCE OF ADDITIONAL DUE DILIGENCE, FIELD SURVEY OR BOTH.
5. IT IS STRONGLY RECOMMENDED THAT A ZONING CONFORMANCE ANALYSIS BE PERFORMED TO DETERMINE AND EVALUATE IF THERE ARE ANY RESTRICTIONS AND/OR ZONING ISSUES, CONCERNS OR RESTRICTIONS THAT MAY OR COULD IMPACT THE FEASIBILITY OF THIS PROJECT, AS THE OWNER HAS DESCRIBED IT.



***HIGHWAY 69 S***

**BOHLER //**

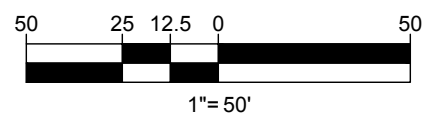
211 PERIMETER CENTER PKWY NE,  
SUITE 425  
ATLANTA, GEORGIA 30346  
Phone: (678) 695-6800  
**GA@BohlerEng.com**

## PROPOSED MAVIS TIRES & BRAKES

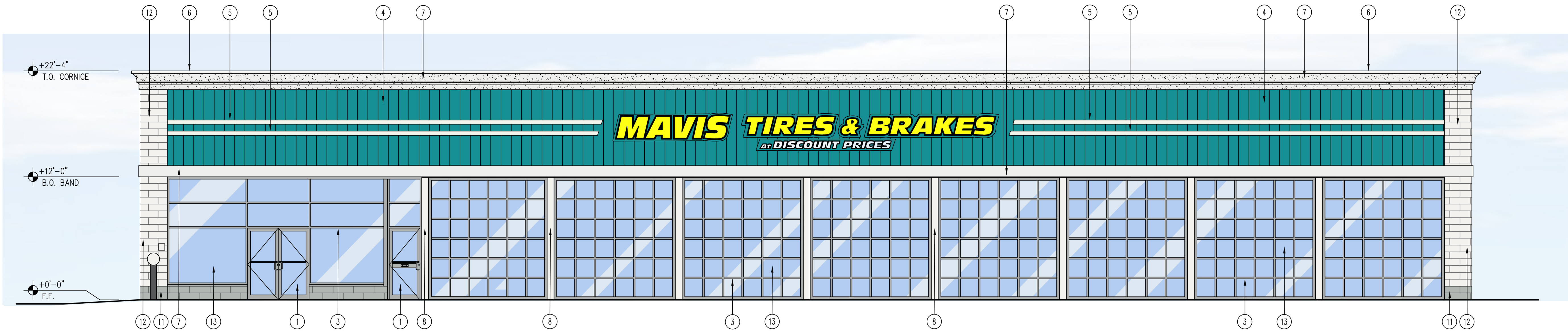


TUSCALOOSA, AL 35405 | PLAN REV. 2

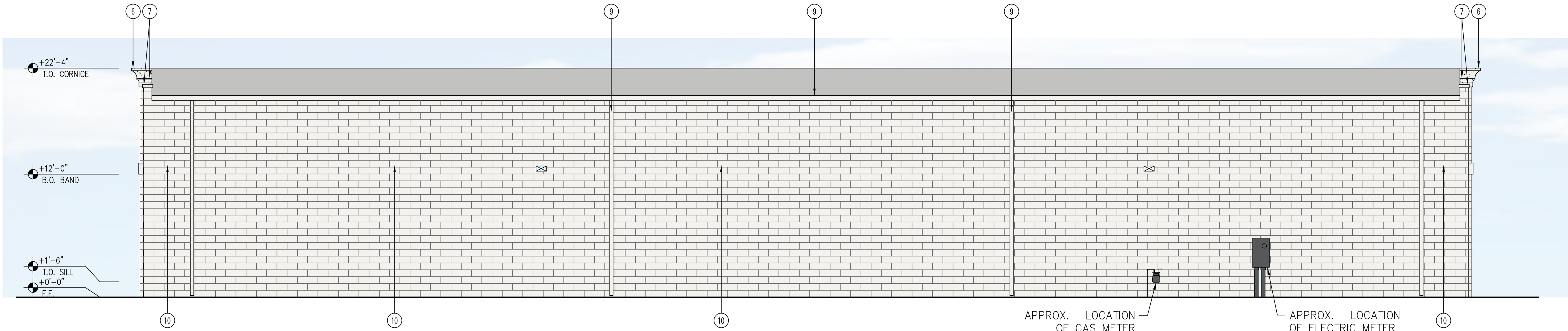
01/13/2022 | FH | GA213543 | Rev 2



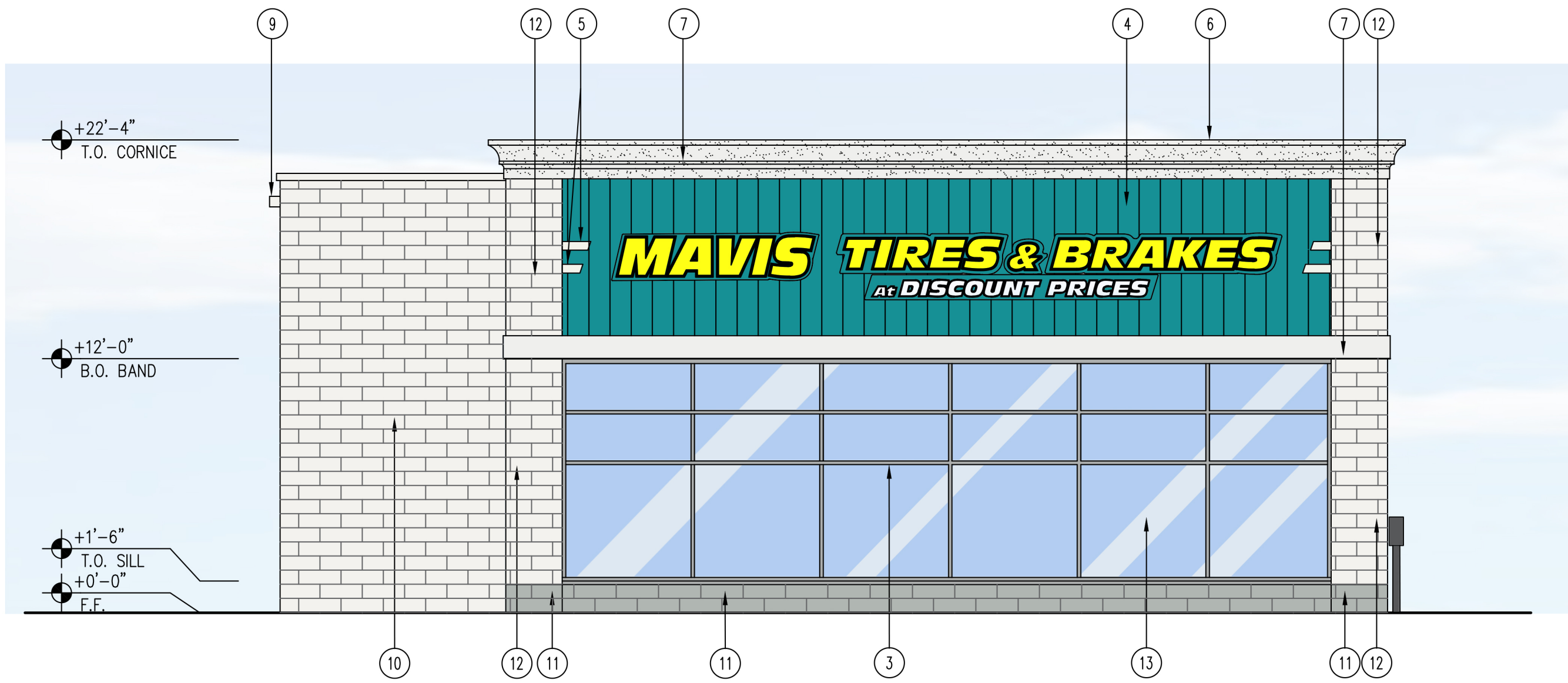




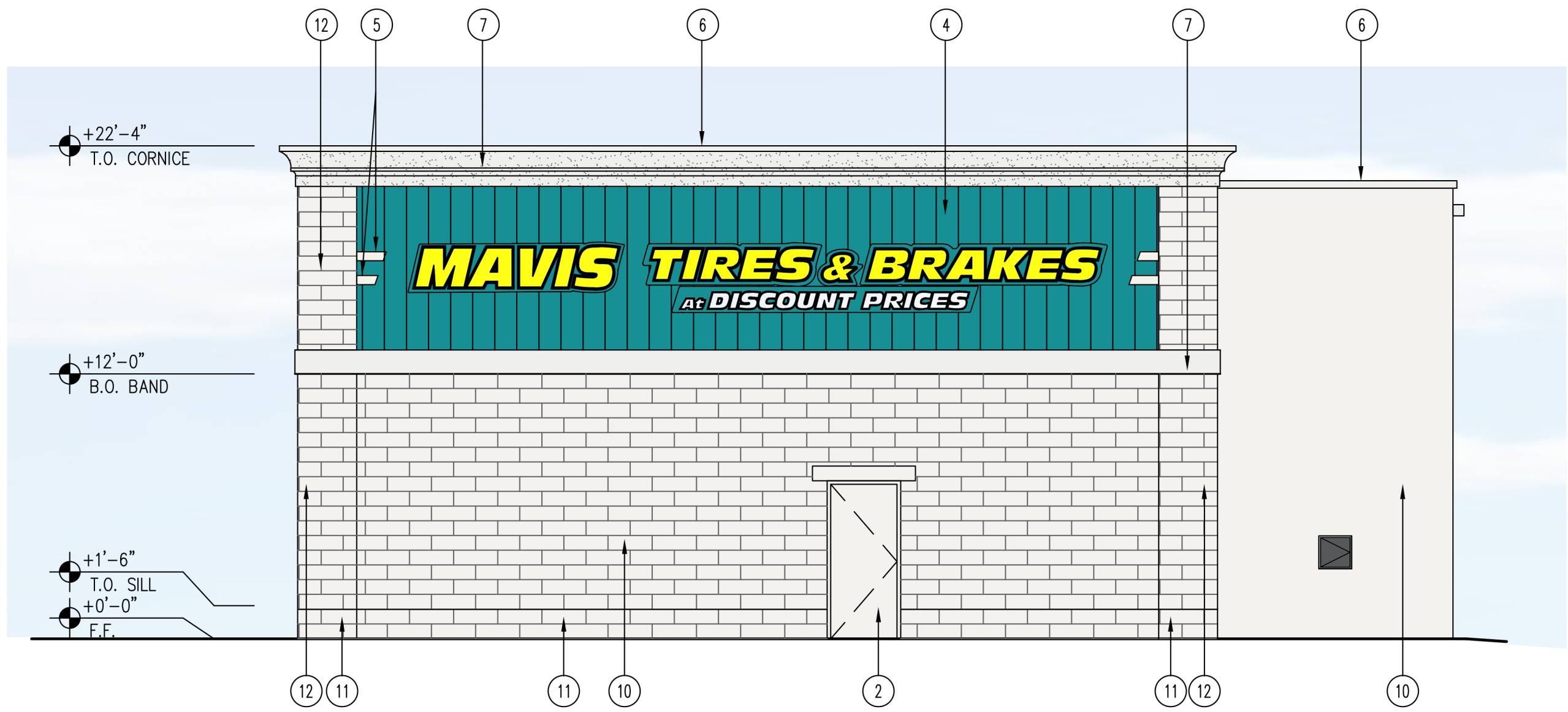
1 LEFT ELEVATION  
A-200  
SCALE: 1/8" = 1'-0"



2 RIGHT ELEVATION  
A-200  
SCALE: 1/8" = 1'-0"



3 FRONT ELEVATION  
A-200  
SCALE: 1/8" = 1'-0"



4 REAR ELEVATION  
A-200  
SCALE: 1/8" = 1'-0"

MATERIALS AND COLOR LEGEND

1	KAWNEER CLEAR ANODIZED ALUMINUM	2	BENJAMIN MOORE® - OC-129 AL- ABASTER WHITE SHEEN: SEMI-GLOSS	3	CLOPPY MODEL 903 COLOR: CLEAR SATIN ANODIZED ALUMINUM	4	ATAS - MULTIPURPOSE PANELS 12" WIDE, 0.012" ALUMINUM COLOR: #F5F5F5	5	ATAS - 0.032" ALUMINUM COLOR: #B0B0B0 COLOR: #B0B0B0	6	ROOF MFR - MATCH ROOF SYSTEM COLOR: MATCH ALABASTER WHITE	7	DRYVIT OR APPROVED EQUAL SWITCH BENJAMIN MOORE OC-129 ALABASTER WHITE FINISH: LUMESTONE	8	BENJAMIN MOORE COLOR: OC-129 ALABASTER WHITE SHEEN: LOW LUSTRE	9	WHITE MILL FINISH	10	BENJAMIN MOORE COLOR: OC-129 ALABASTER WHITE SHEEN: LOW LUSTRE	11	BENJAMIN MOORE COLOR: OC-129 ALABASTER WHITE SHEEN: LOW LUSTRE	12	BENJAMIN MOORE COLOR: OC-129 ALABASTER WHITE SHEEN: LOW LUSTRE	13	KAWNEER CLEAR ANODIZED ALUMINUM
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REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, color, materials, or construction that could occur due to material availability and final architectural modifications.

rdc.

11921 Freedom Drive #1110  
Reston, Va 20190  
t 703.668.0086  
rdcollaborative.com

MAVIS TIRE SUPPLY, LLC  
358 SAW MILL RIVER ROAD  
MILLWOOD, NY 10546  
(914) 984-2500

CLIENT



SEAL

SITE PLAN APPROVAL

11/03/2022

MARK



MAVIS DISCOUNT TIRE - 2105 Tuscaloosa AL  
Highway 69 S, Tuscaloosa, AL 35405

EXTERIOR ELEVATIONS - COLORED

Project No.: 22307

Sheet No.:

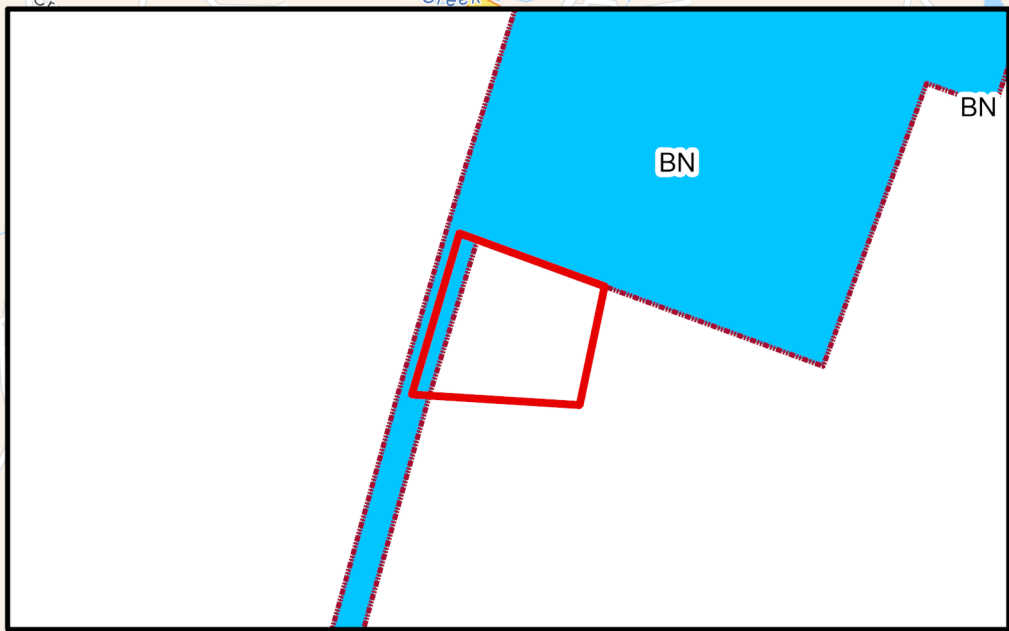
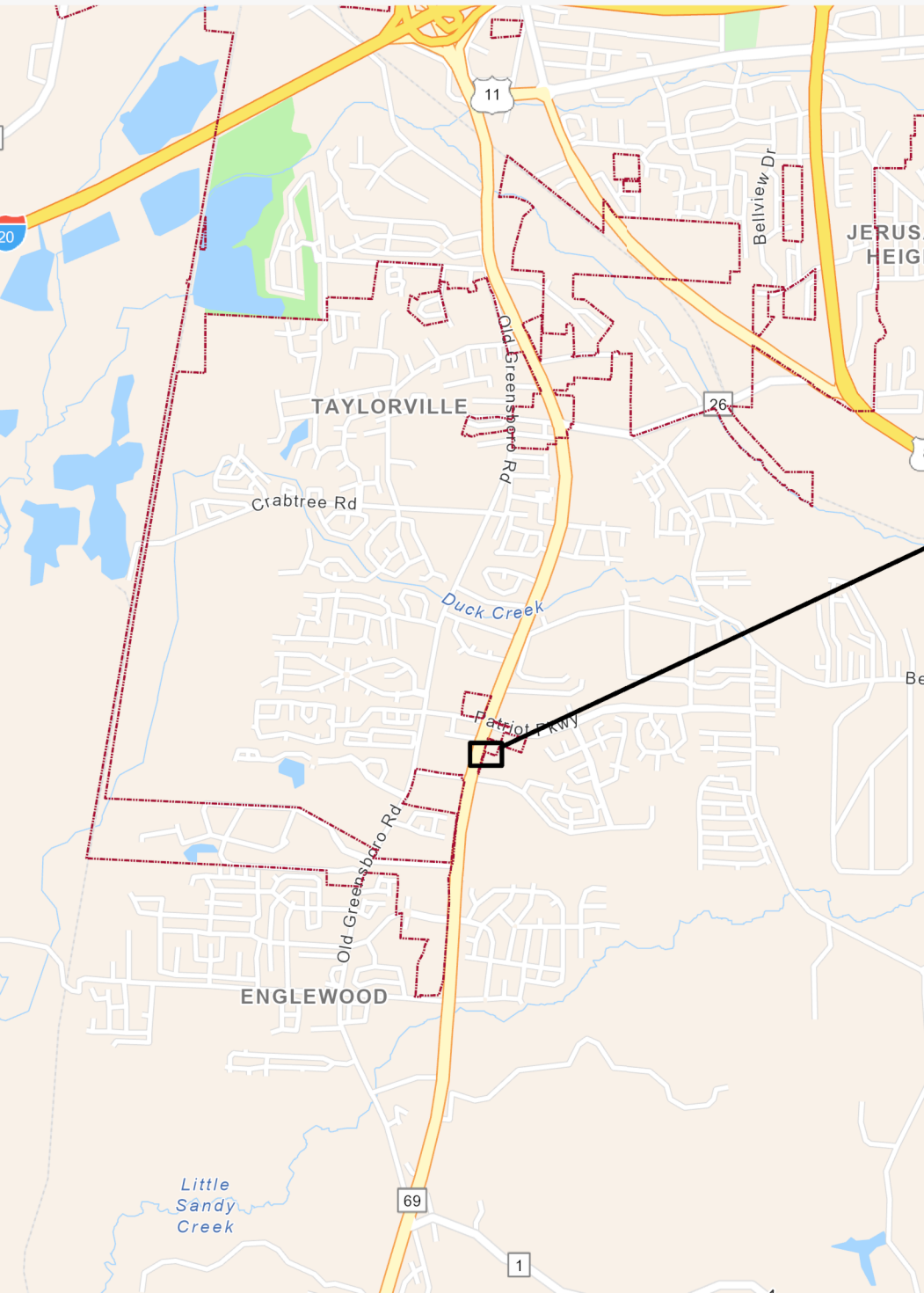
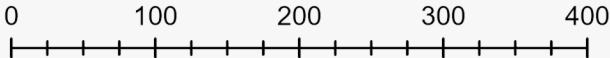
DA-200





# 8811 Highway 69 South

1 inch = 133 feet







# 8811 Highway 69 South

1 inch = 67 feet

0 40 80 120 160

N





