



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.

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

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: _____ Signature: Jeffrey Bittinger Date: _____

ZONING BOARD OF ADJUSTMENT STAFF REPORT

March 27, 2023

ZBA-25-23

GENERAL INFORMATION

Property Owner () Petitioner (X)

Jeffrey Bittinger

Requested Action and Purpose

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

Location and Existing Zoning

251 Rice Mine Road Northeast. Zoned BN. (Council District 3)

Size and Existing Land Use

Approximately 2.92 acres, Commercial

Surrounding Land Use and Zoning

North: Single-family residence, R-1

East: Medical office, BGO

South: Medical office, MG

West: Commercial, BN

Applicable Regulations

[Sec. 24-53.](#) – Special exceptions

Special exceptions	BN
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

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

DISCRETIONARY

- 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.

SUMMARY

The petitioner is requesting a special exception operate a store that sells flowers, outdoor furniture, pottery, and gardening goods. The hours of operation will be Monday through Saturday from 9:00 a.m. to 6:00 p.m., and Sunday from 12:00 p.m. to 5:00 p.m.. The petitioner states there will be twenty (20) to thirty (30) parking spaces available for customers.

ZONING BOARD OF ADJUSTMENT STAFF REPORT

March 27, 2023

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

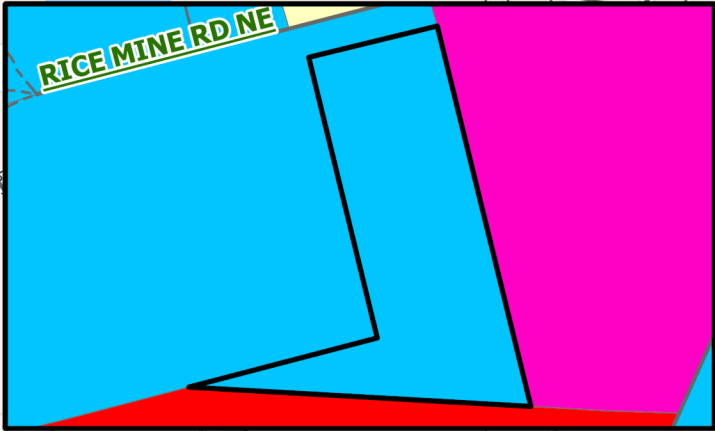
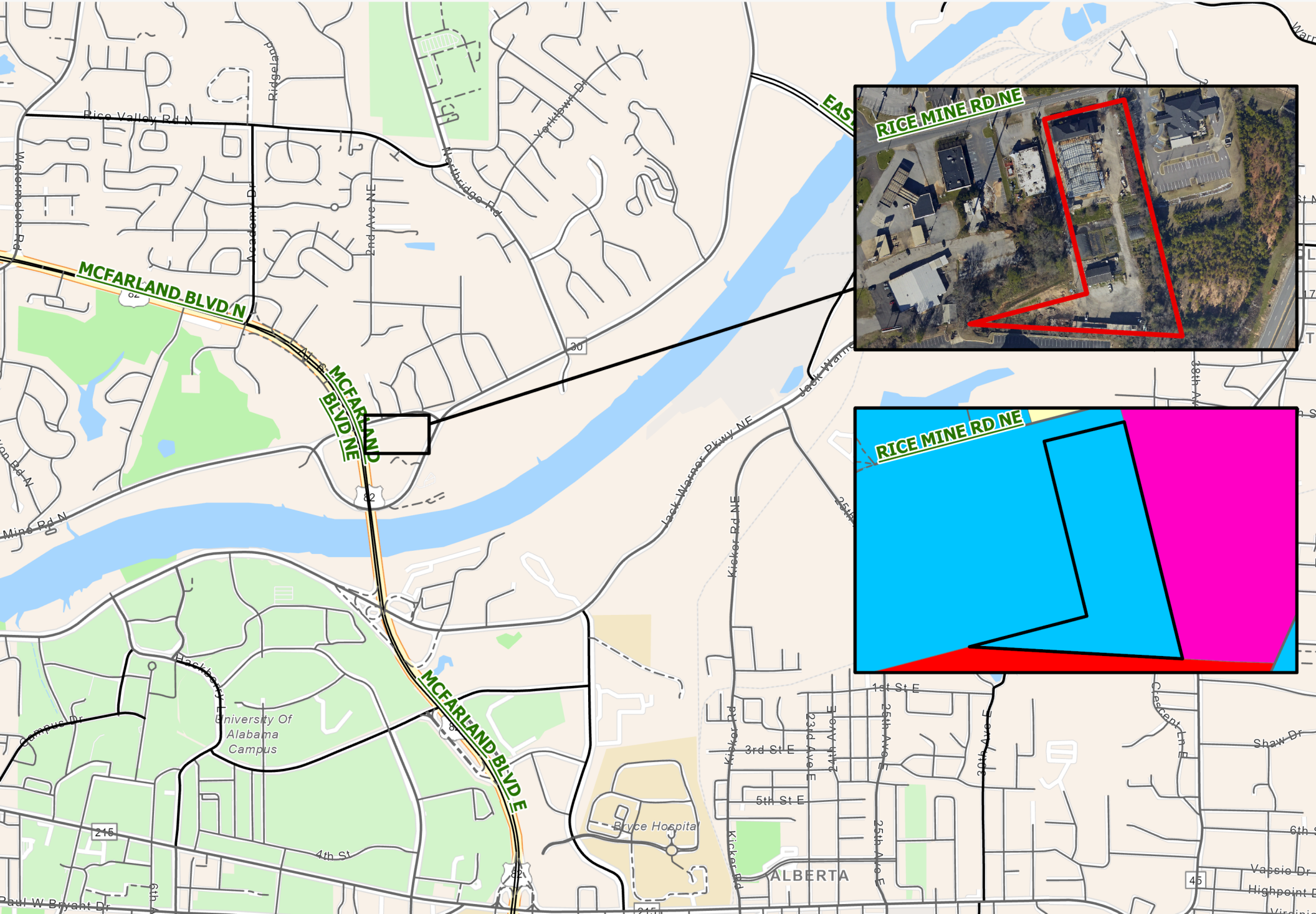
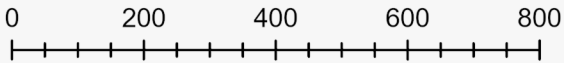
Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment



251 Rice Mine Road NE

1 inch = 291 feet





251 Rice Mine Road NE

1 inch = 125 feet

0 80 160 240 320

N

