

ZONING BOARD OF ADJUSTMENT STAFF REPORT
March 27, 2023

ZBA-22-23

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Amerco Real Estate Company

Requested Action and Purpose

Petition for a variance from the industrial district setback regulations to construct a storage facility

Location and Existing Zoning

West of 6500 Interstate Parkway. Zoned ML. (Council District 6)

Size and Existing Land Use

Approximately 8.78 acres, Vacant land

Surrounding Land Use and Zoning

North: Interstate 20, ML

East: Commercial, BH

South: Single-family residence, R-1

West: Vacant land, ML

Applicable Regulations

[Sec. 24-74.](#) – Yard and height requirements.

(c) Minimum side and rear yard widths

(2) *Abutting a business district.* Where the side or rear lot line abuts a lot in a business district, then the side or rear yard adjacent to such lot line shall have a minimum width as follows:

- a. In ML and MG Industrial Districts, the minimum side or rear yard width shall be ten (10) feet, plus one foot for every foot by which the height of the building exceeds fifteen (15) feet.

SUMMARY

The petitioner is requesting for a variance from the industrial district setback regulations abutting a business district to construct a storage facility for U-Haul. The property to the East was recently rezoned from ML to BH, which triggered the setback regulations, and increased the required setbacks from ten (10) feet to thirty-five (35) feet (ten (10) feet plus one foot by which the height of the building height exceeds fifteen (15) feet). The proposed building will be forty (40) feet tall. Due to the size of the building, the drive aisle would be significantly reduced in order to meet the required setback. In order to ensure the large vehicles that typically are utilized by U-Haul, a sizeable drive aisle is needed.

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

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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: 6500 Interstate Parkway, Cottondale, AL 35453

Property Owner

Name: Amerco Real Estate Company Phone: 205-746-0927 Email: Cecil_Taylor@uhaul.com

Address: 2800 8th Ave. N, Birmingham, AL ZIP Code: 35203

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 checked="" 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.

A variance from the side setback requirement in ML Industrial District where abutting a business district is requested. The adjacent property to the east was recently rezoned from ML to BH. Before rezoning, the required side setback was 10'. Now that the adjacent property is zoned BH, the side setback requirement of 10', plus one foot for every foot by which the height of the building exceeds 15', results in a side setback requirement of 35' for the proposed 40' tall building. We are requesting that a 15' side setback be allowed in lieu of the 35' setback currently required.

**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.

When the property was purchased, the adjacent property was zoned ML. With the recent rezoning of the property to the east, the setback requirement has changed since purchase reducing the buildable area of the site.

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 adjacent properties to the west and northeast are still currently zoned ML, resulting in a 10' side setback along these shared property lines. A 15' side yard setback would be consistent with other adjacent and original property zonings. The property to the east (Tuscaloosa Chevrolet Campus) will not be adversely effected by the reduction of the side setback.

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: Lynn Taylor Signature:  Date: 2/27/23



TUSCALOOSA

DESIGNATION OF AGENT

PROPERTY OWNER

I, Amerco Real Estate Company, being owner of the property which is the subject of this application
PRINT NAME
6500 Interstate Parkway, Cottondale, AL 35453 (Tax Parcel ID 63-30-07-35-3-002-010.003) hereby authorize
SUBDIVISION NAME, PROPERTY ADDRESS, OR TAX PARCEL ID
Duncan Coker Associates, P.C. to act as my representative with the City of Tuscaloosa's Zoning Board of
PRINT NAME
Adjustment, and/or Planning and Zoning Commission, and/or Historic Preservation Commission, and /or City Council, as
required by the type of request listed hereon.

Such representation shall be for all purposes concerning any manner, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Signature

Date

2/27/23

STATE OF ALABAMA | COUNTY OF TUSCALOOSA

I, Jessica Amick, a Notary Public in and for said State at Large, hereby certify that
Lynn Taylor, who is named as Owners representative, is
signed to the foregoing document, and:

- ☒ Who is known to me, or
☐ Whose identity I proved on the basis of _____, or
☐ Whose identity I proved on the oath/affirmation of _____, a
credible witness to the signer of the above document

and that being informed of the contents of the document, he/she, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 27th day of February, 2023

Jessica Amick
Notary Public

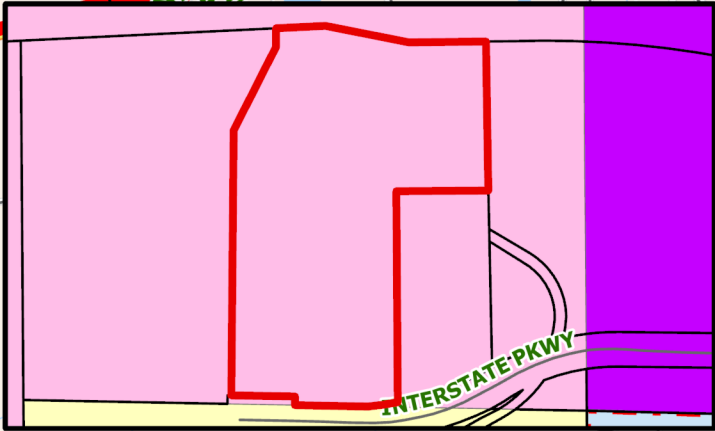
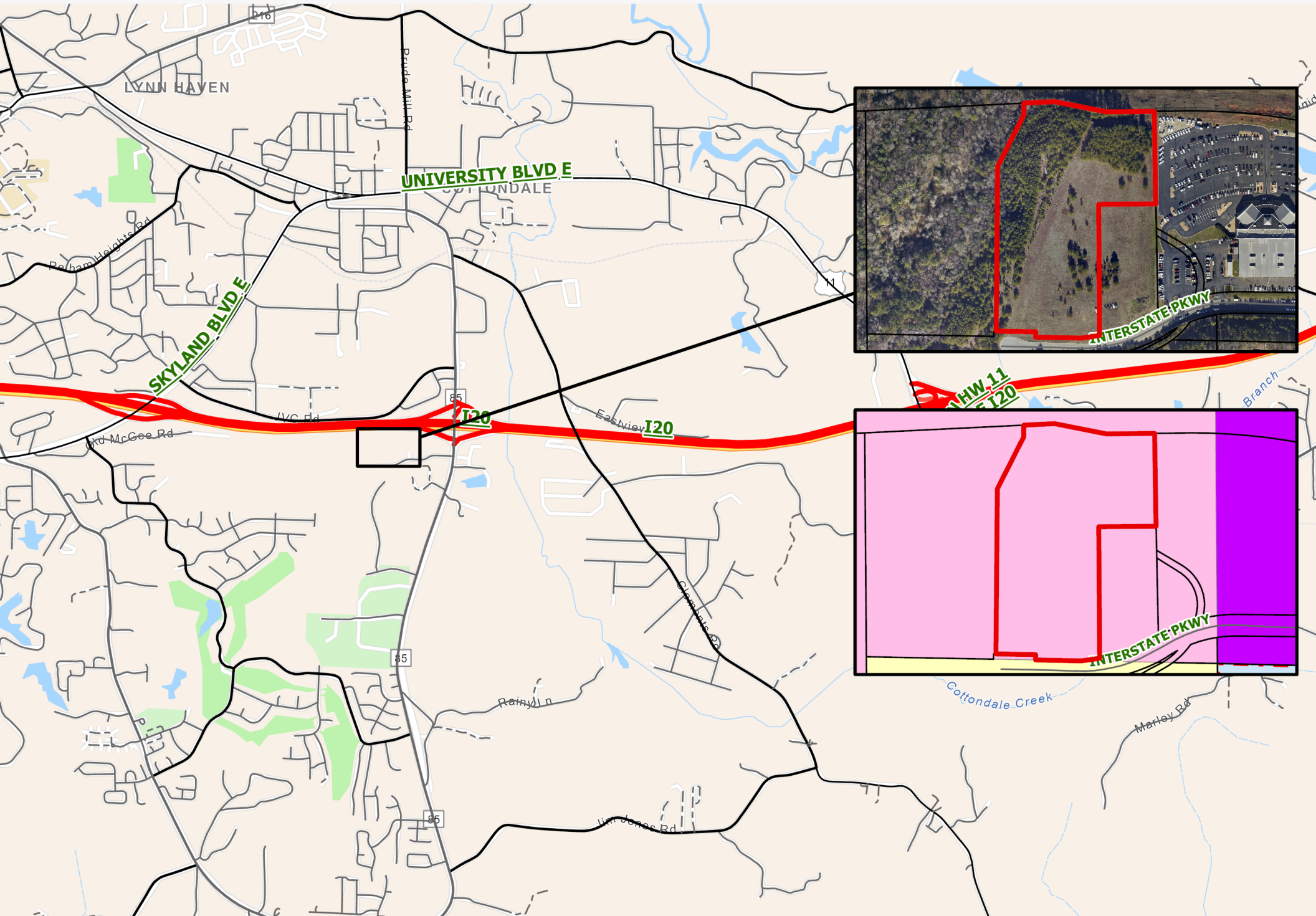
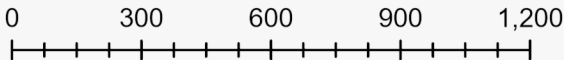
7/8/24
Commission Expiration





6500 Interstate Pkwy

1 inch = 445 feet





6500 Interstate Parkway

1 inch = 167 feet

0 80 160 240 320

N



I20

I20 BUTTERMILK RD NE

INTERSTATE PKWY



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