

ZONING BOARD OF ADJUSTMENT STAFF REPORT

April 26, 2021

ZBA-25-21

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Randall Treglown

Requested Action and Purpose

A variance from the residential setback regulations

Location and Existing Zoning

1718 3rd Street. Zoned R-1H. (Council District 1)

Size and Existing Land Use

Approximately 0.16 acres, Single-family dwelling

Surrounding Land Use and Zoning

North: Open space, ML

East: Single-family dwellings, R-1H

South: Single-family dwelling, R-1H

West: Open space, ML

Applicable Regulations

[Sec. 24-35](#). - Yards and usable open space.

(c) *Rear yards*. For every principal building in a residence district, other than an RMH Mobilehome District, rear yards of the following minimum depths shall be provided:

Residence Districts	Minimum Depth
R-1	35 feet

SUMMARY

The petitioner is requesting a variance from the rear yard setback regulations in order to build an addition on the rear of the home. The proposed four foot addition will replace the existing deck and will be located 7.75 feet from the rear property line. The existing structure does not currently meet the R-1 rear or front yard setback regulations. The addition will allow for an existing bedroom to be converted into a two car garage on the main level. The petitioner has stated that parking on 3rd Street is limited, and with 3rd Street being so narrow, they would like to have off-street parking. The petitioner will remove the existing deck, which currently extends closer to the rear property line than the proposed addition. The property was platted in 1914 and is part of the Pinehurst Historic District. The rear adjacent property was the formal railway, and is currently the Guilds Woods Homes open space area. The petitioner has stated the property owner has a 60 year lease on the property along the rear setback and also owns the property to the north of the leased area.

Office of Urban Development, Planning Division: No comment

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, Feb 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:

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.

- 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.

Print Name: _____

Signature: _____

Date: _____

Please complete the applicable fields prior to application submission:

Answer the following for ALL requests:

Describe the reasons for the request and, if requesting a special exception, any extra related information. (e.g. number of parking spaces, hours of operation, etc.)

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.

**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

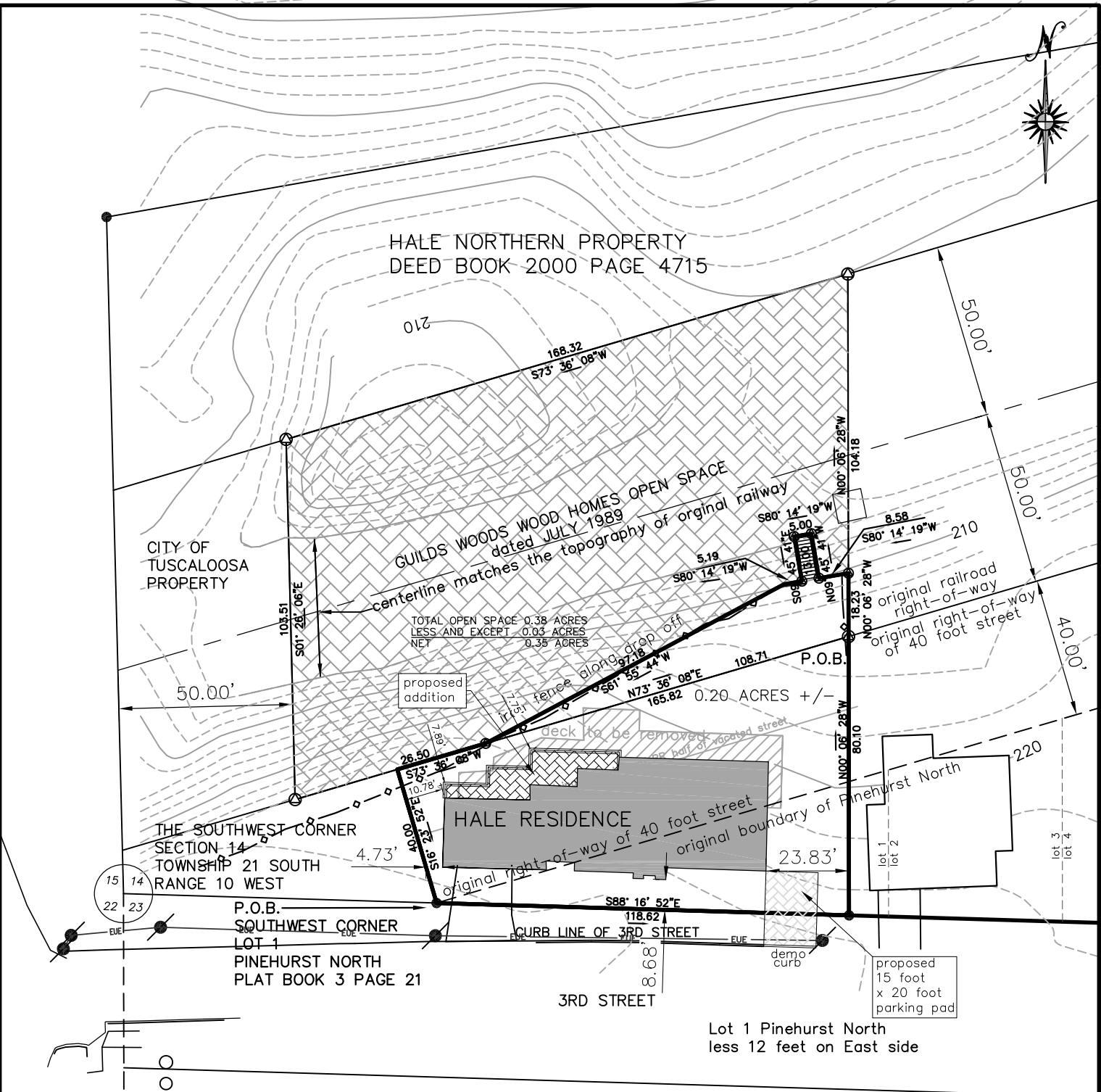
FOR OFFICE USE ONLY:

ZBA Case Number: _____

Submission Date: _____

Zoning District: _____

Hearing Date: _____



THE CITY OF TUSCALOOSA
WAIVED ITS FIRST RIGHT OF
REFUSAL RESERVED IN THE
STATUTORY WARRANTY DEED
FROM THE CITY OF TUSCALOOSA
TO GUILDS WOODS HOMES INC.
IN DEED BOOK 1028, PAGE 128
BY RESOLUTION OF THE CITY
COUNCIL ON NOVEMBER 5, 2019.

revised to display
additions of
15' x 20' parking
and
proposed addition
to rear of residence
April 8th, 2021

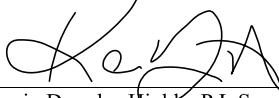
LEGEND

- IRON FOUND
- 1/2" REBAR and CAP SET (CA-965-LS)
- CONCRETE MONUMENT FOUND
- △ CALCULATED -NOT MONUMENTED
- () DEED and/or PLAT CALL
- R.O.W. RIGHT-OF-WAY
- ◇— FENCE LINE
- M.B.L. MINIMUM BUILDING LINE
- UTILITY POLE
- EUE— POWER LINE

State of Alabama
Tuscaloosa County

I hereby certify that all parts of this survey and drawing have been
completed in accordance with the current requirements of the
Standards of Practice of Land Surveying in the State of Alabama to
the best of my knowledge, information and belief.


Witness my hand this the 17th day of March, 2021


Kevin Douglas Hinkle, P.L.S.
Alabama License No. 24024

SCALE: 1"= 40 FEET



REVISED 12/19/2019

	Drawn By CVW	Appd. By KDH	Surveyed By TH MB	Field Work 12/19	Date 03/17/2021
	Scale 1" = 40'	Source of Information 1028/248	Survey Type EASEMENT	Drawing No. 2103-060	Job No. 2103-060

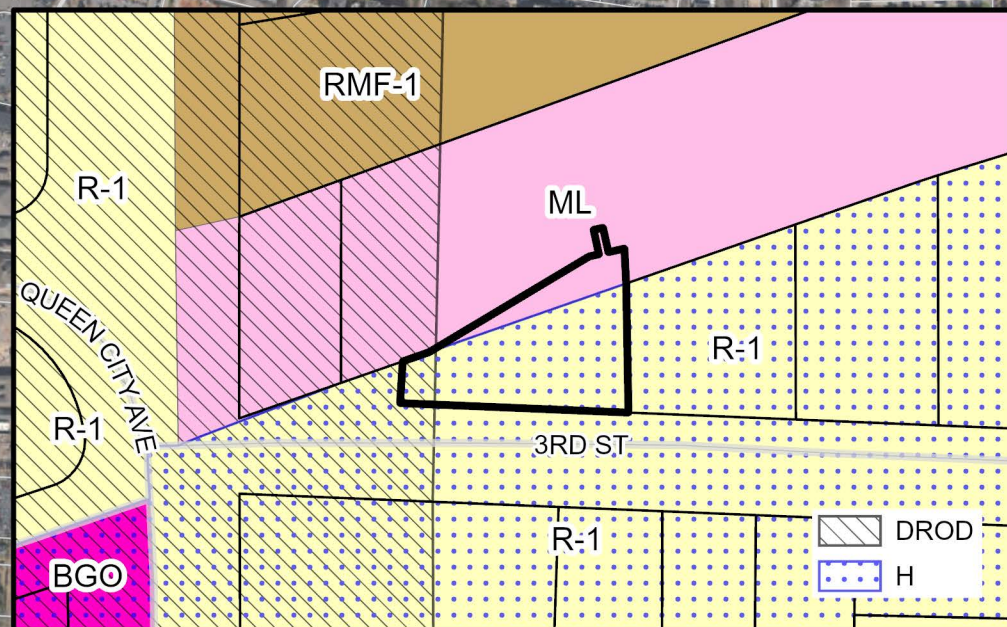
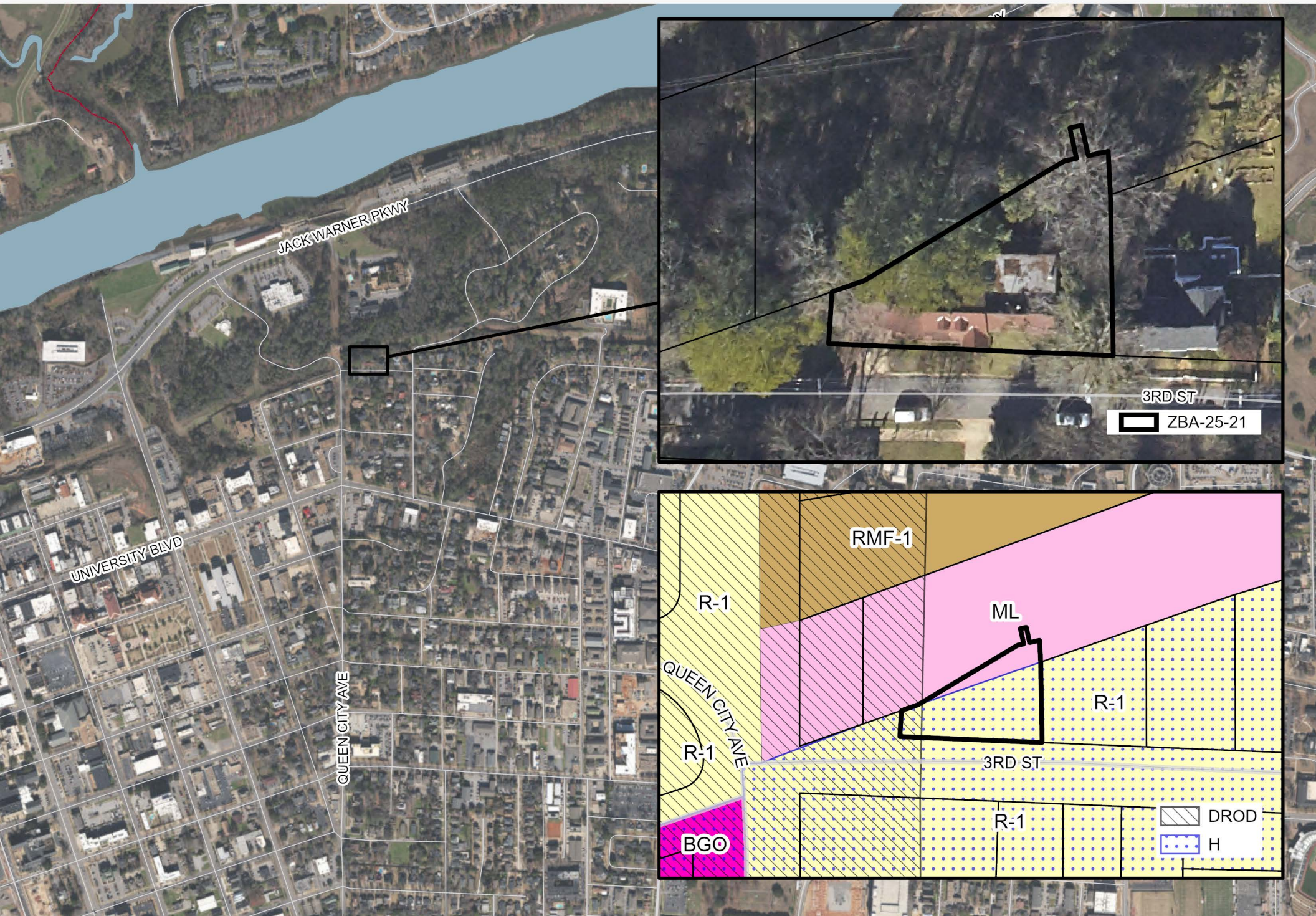
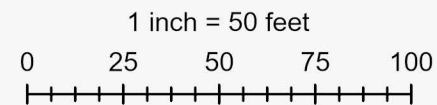
Montgomery and Hinkle, inc.
Professional Land Surveyors
kevin@mhisurvey.com

203 Hargrove Road East
Tuscaloosa, AL 35401
OFFICE: 205-248-7396
FAX: 205-248-7398

THIS IS NOT A
BOUNDARY SURVEY



ZBA-25-21: 1718 3rd Street

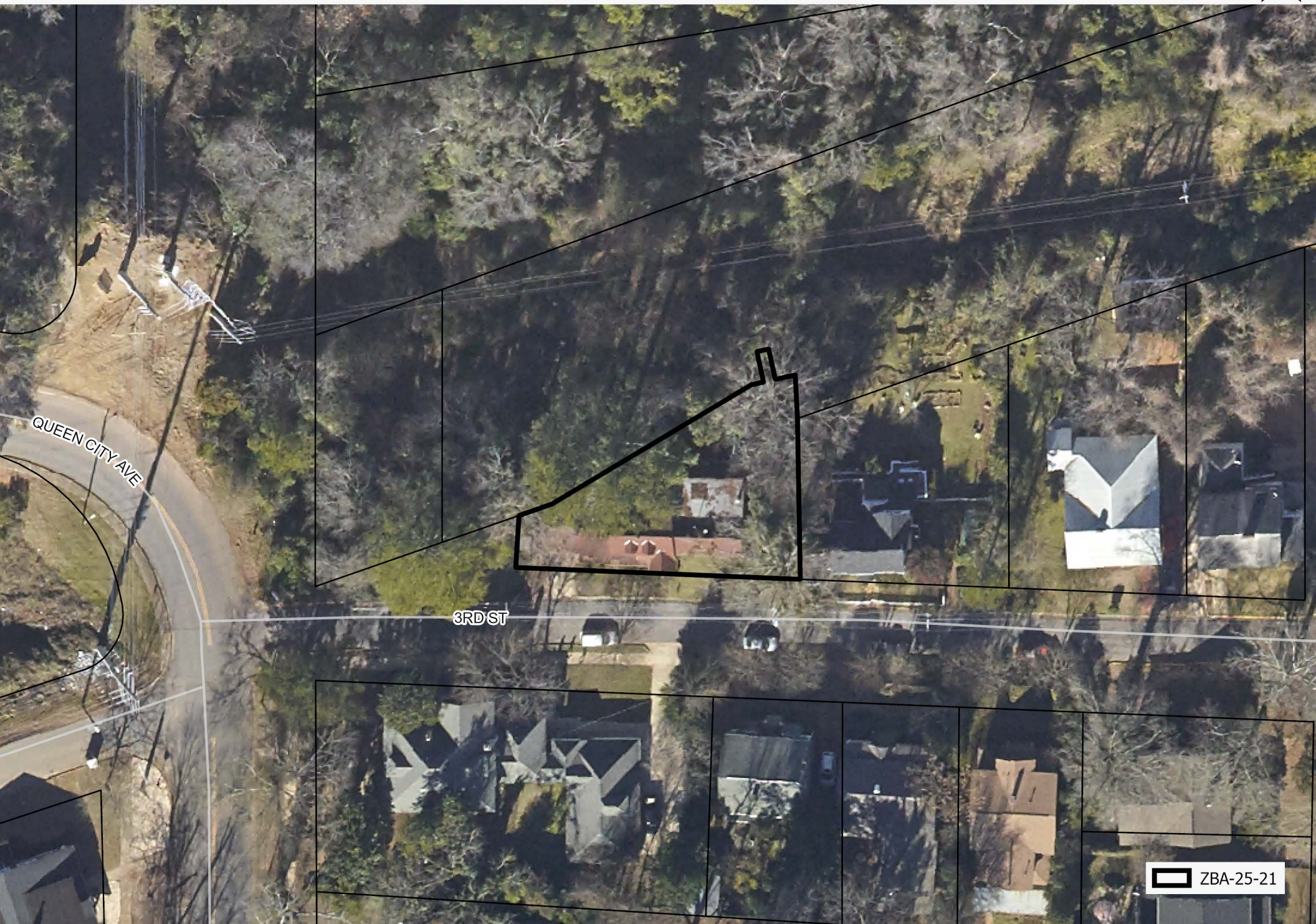




ZBA-25-21: 1718 3rd Street

1 inch = 50 feet
0 25 50 75 100

N



ZBA-25-21







