

ZONING BOARD OF ADJUSTMENT STAFF REPORT

January 22, 2024

ZBA-01-24

GENERAL INFORMATION

Property Owner () Petitioner (X)

Stephanie Eatmon

Requested Action and Purpose

Petition for a use variance to operate a corner store

Location and Existing Zoning

2002 Fosters Ferry Road. Zoned R-4. (Council District 1)

Size and Existing Land Use

Approximately 1.48 acres, Single-family residential

Surrounding Land Use and Zoning

North: Multi-family residence, RMF-1

East: Single-family residence, R-4

South: Vacant Land, R-4

West: Stillman College, R-3

Applicable Regulations

Sec. 24-32. – Permitted Uses.

Retail Sales are not listed as a permitted use in the R-4 Zoning District.

Sec. 24-33. – Special exceptions.

Retail Sales are not listed as a special exception in the R-4 Zoning District.

SUMMARY

The petitioner is requesting a use variance to continue to operate a corner store in a residential district. The store was constructed and began operations prior to the enactment of the 1972 Zoning Ordinance. The property has always operated as a commercial business, however due to the change in ownership of the business, a use variance is required to continue to operate the store. In 2018, the property was approved for a use variance to allow a drive-up/walk-up restaurant. This restaurant operated in the back of the existing store. The petitioner states the store will have two employees. The hours of operation will be 7:00 a.m. to 6:00 p.m. six days a week. Five parking spaces will be available to employees and customers.

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Office of Urban Development, Planning Division: No comment

Office of Urban Development, Codes and Development Services Division: No comment.

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

Last Updated, May 2023

Please complete all of the following required fields:

Address: 2002 Foster Ferry Rd, Tuscaloosa, AL 35401
Location of Petitioned Property

Name: STEPHANIE EATMON Property Owner Phone: (256) 886-3123 Email: Eatmon Stephanie
Address: 1504 E 26 AVE Tus, Ala ZIP Code: 35404 00, 9 minis, Can

Name: _____ Petitioner (if different from owner) 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"/> Appeal Zoning Officer's ruling \$ 10.00 per lot | | |

Provide a detailed description of the proposed request. Include any related information, such as the history of the property in relation to the proposed use, number of parking spaces, hours of operation, number of employees, etc.

The Builder sides 26 wide 41 long in wide,
The Number of employees is two, Five parking
spaces and 7am to 6pm 6 days a week,
No other houses near the building,

Westside Cornerstone

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/Use Variance requests ONLY:

When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in an unnecessary hardship. Circumstances that are not hardships include self-inflicted or self-created, inconvenient, financial or personal. The petitioner must specifically state a hardship for the variance.

Explain in detail any special circumstances or conditions that are particular to the property or buildings where a strict application of the ordinance would deprive the applicant of the reasonable use of such property or building.

The property all ways been a Corner store so I want to keep using it For a Corner store! My hardship is I will like to continue to run it as a commercial business to keep as a convenience store for neighborhood.

Explain in detail how the granting of the variance/use variance would be in harmony with the character of the surrounding area and why it would not be detrimental to the neighborhood.

Because aren't any housing near the Commercial building, that will affect a Neighborhood, or traffic flow of a Neighborhood.

Important Items to Note:

- For all variance requests pertaining to a dimensional requirement of the site (setbacks, height, etc.), a scaled site plan and/or building elevation produced by a registered land surveyor, professional engineer, or architect is required to be submitted along with this application.
- A filing fee related to the specific request (reference page one of this petition) is required to be submitted along with this petition. Check is preferred, but an invoice can be sent upon request.
- In-person attendance at the ZBA meeting is mandatory for the petitioner.
- Any request which will not be represented by the property owner at the public hearing must be accompanied by a notarized designation of agent affidavit.

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 also acknowledge that if the Board determines that any of the foregoing information is not accurate, my petition may be denied because it contained false or otherwise incorrect information. 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:

Stephanie Eastmon

Signature:

Stephanie Eastmon

Date:

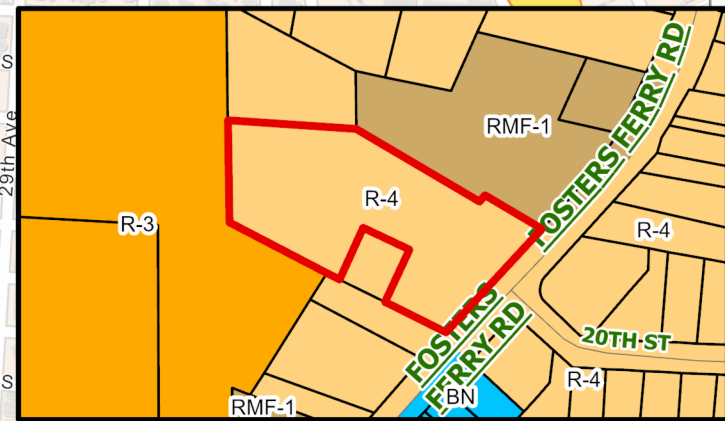
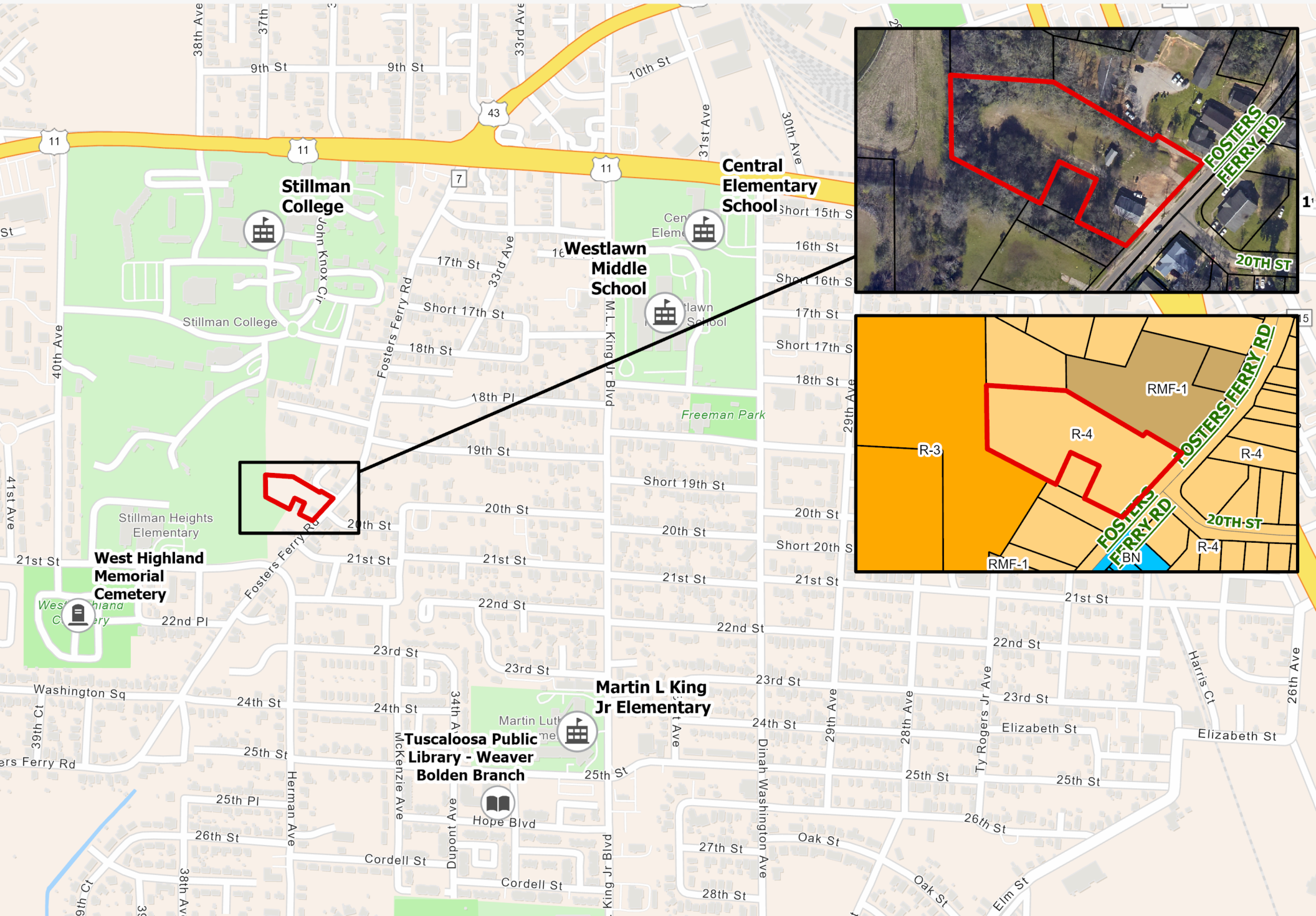
11/28/23



2002 Fosters Ferry Rd

0 350 700 1,050 1,400 Feet

N





2002 Fosters Ferry Rd

0 50 100 150 200 Feet























