

ZONING BOARD OF ADJUSTMENT STAFF REPORT

January 22, 2024

ZBA-03-24

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Trey Perman

Requested Action and Purpose

A special exception from the off-street parking regulations

Location and Existing Zoning

4005 Stillman Boulevard. Zoned BN. (Council District 1).

Size and Existing Land Use

Approximately 2.94 Acres, Vacant

Surrounding Land Use and Zoning

North: Single-family residence, R-2

East: Commercial, BN

South: Vacant Land, BN

West: Vacant Land, R-2

Applicable Regulations

[Sec. 24-122.](#) – Off-street parking requirement.

- (a) *General.* Except in the Central Business District (BC) and Institutional Districts (II), and except for business establishments included in shopping centers, the minimum number of required off-street parking spaces shall be provided as set out in the following table for: (1) new construction; (2) substantial reconstruction; where more than fifty (50) per cent of an existing building is destroyed or removed and subsequently built back; and (3) change of use from an industrial or residential use to any commercial use. The board of adjustment may require a greater number of parking spaces as a condition for granting a special exception, or may, as a special exception, grant a reduction in the number of parking spaces required in this section:

Minimum Requirement	
Retail store, except where otherwise specified	One per one hundred twenty (120) square feet of building floor area

SUMMARY

The petitioner is requesting a special exception from the off-street parking requirements to construct a Family Dollar/Dollar Tree. The proposed retail floor space will be approximately 10,000 square feet of building floor area. Per the code, a total of eighty-three (83) parking spaces are required. The petitioner is proposing thirty-three (33) off-street parking spaces, which is a reduction of fifty (50) spaces. Per the petitioner after “thorough analysis and considering factors such as the site's characteristics and the average transactions of every store”

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they have concluded the proposed number of spaces will “fully accommodate” the “needs and customer flow rate that a Dollar Tree generates.”

Office of Urban Development, Planning Division: If approved, staff recommends a condition be placed on the approval requiring additional landscaping and screening.

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



ZONING BOARD OF ADJUSTMENT

PETITION

Last Updated, May 2023

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**

Commercial \$ 200.00 per lot

Residential \$ 50.00 per lot

☐ **Use Variance**

Commercial \$ 200.00 per lot

Residential \$ 50.00 per lot

☐ **Variance**

Commercial \$ 200.00 per lot

Residential \$ 50.00 per lot

☐ **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.

**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.

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.

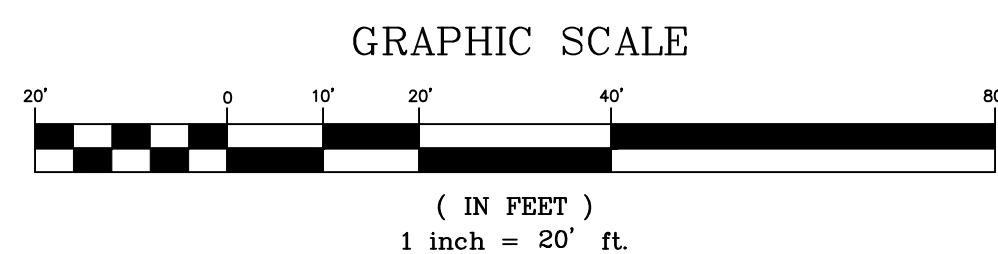
Important Items to Note:


- 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 alone 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: _____ **Signature:** Mason Mohon **Date:** _____



			SEAL					
1	12/12/23	ADDED UNLOADING ZONE						
NO.	DATE			REVISIONS		DWN	OKD	APPRV
DRAWN BY		DATE		CHECKED BY		DATE		
DESIGNED BY				DATE				
<div><div>PECO</div><div>PERMAN ENGINEERING CO., LL Engineers—Contractors—Developers 2425 Lumley Rd. Rainbow City, Al. 35906 Tel. (256) 413-0433 Fax: (256) 442-0161 E-mail: INFO@PERMANENG.COM</div></div>								
STILLMAN BLVD. TUSCALOOSA, AL								
SITE PLAN								
SCALE: 20'		SHEET NO. C1		PROJECT NAME: TUSCALOOSA				
DATE: 12/8/23				PECO PROJECT # FD230717				
				REV 1				

FAMILY DOLLAR STORE
96'X104'

From: [Mason Mohon](#)
To: [ZBA](#)
Cc: [Chris Copeland](#); [Jonathan Bowen](#)
Subject: Re: Parking Spaces Petition / Tuscaloosa
Date: Wednesday, January 10, 2024 10:44:42 AM

CAUTION: External email.

Good Morning,

My name is Mason Mohon, and I am writing to you as a project manager currently engaged in the planning and development of a new Dollar Tree location at 4005 Stillman Blvd. I am reaching out to discuss a matter related to parking requirements for this project.

As part of our development process, we have carefully considered the parking needs for the Dollar Tree at the mentioned location. However, after thorough analysis and considering factors such as the site's characteristics and the average transactions of every store, I am proposing a reduction in the parking requirements for this specific Dollar Tree development. We have come to the conclusion that 33 spaces will fully accommodate our needs and customer flow rate that a Dollar Tree generates.

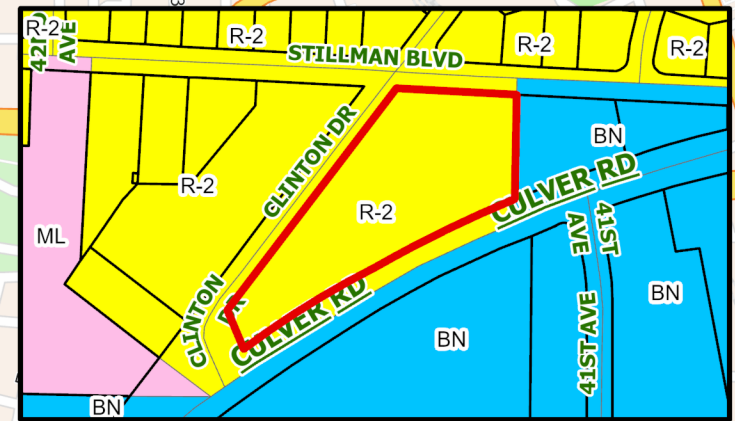
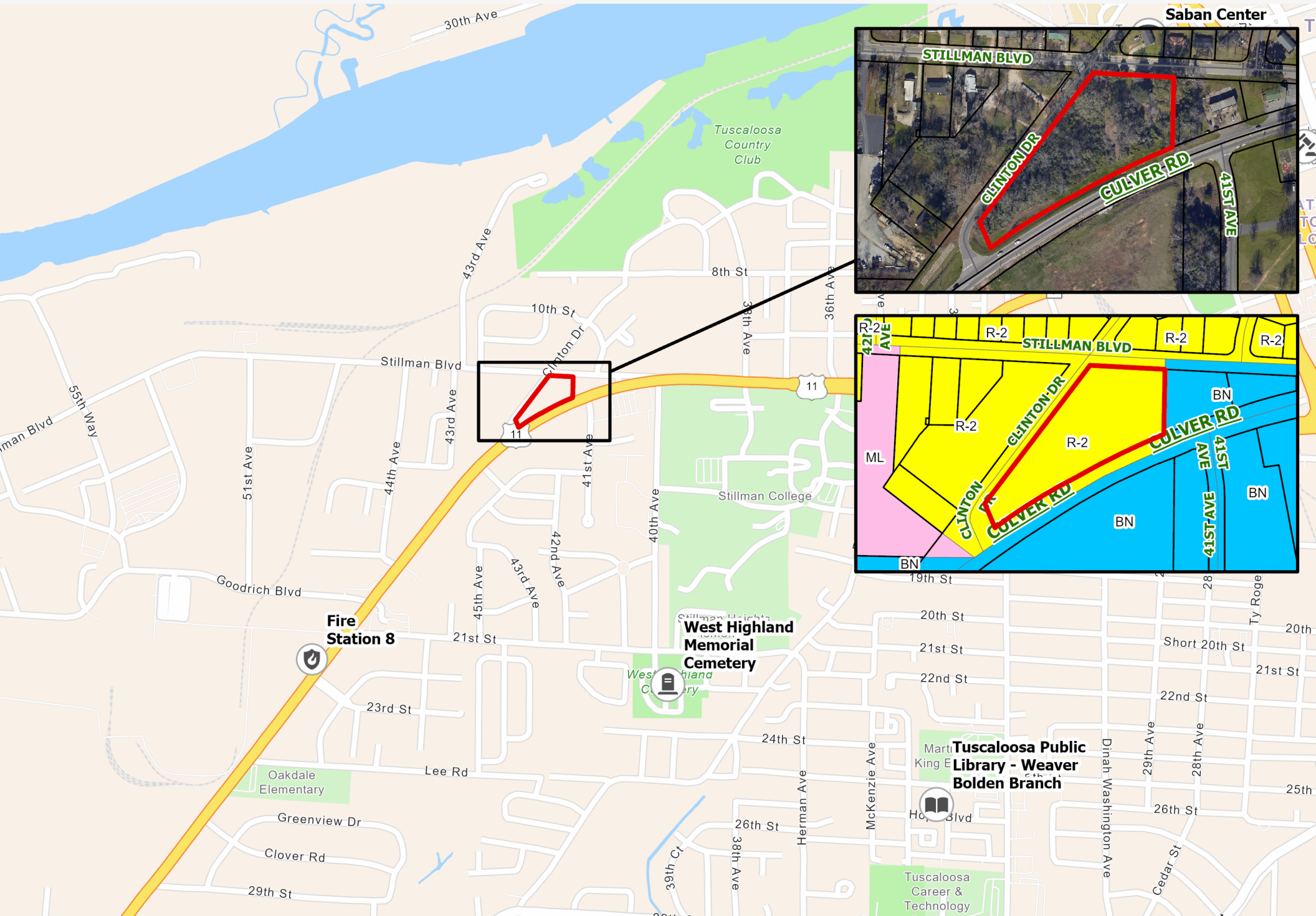
Thank you for your time and consideration. I look forward to the opportunity to discuss this matter further and work together to create a successful and sustainable development.



4005 Stillman Boulevard

0 500 1,000 1,500 2,000 Feet

N





4005 Stillman Boulevard

0 90 180 270 360 Feet





