

ZONING BOARD OF ADJUSTMENT STAFF REPORT

January 22, 2024

ZBA-08-24

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Angela Lewis

Requested Action and Purpose

Petition for a special exception to allow the short-term rental of a property

Location and Existing Zoning

3719 26th Avenue East. Zoned R-1. (Council District 6).

Size and Existing Land Use

Approximately 0.33 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, R-1

East: Multi-Family Residence, Outside City Limits

South: Single-family residence, R-1

West: Single-family residence, R-1

Applicable Regulations

[Sec. 24-91.](#) – Special exceptions.

(35.5) *Short-term rental of dwelling*

PRIMARY

- a. Property must be within the city limits.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

DISCRETIONARY

- a. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.
- b. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.
- c. The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.

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- d. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).
- e. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.
- f. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.

Sec. 24-372.B. Conditional Uses:

1. Outside of the TO Downtown-Campus District and for property inside the city limits, the zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in [Section 24-91](#), approve the short-term rental of a dwelling subject to the following:
 - a. Approvals will be granted for a period of three (3) years unless otherwise specified by the zoning board of adjustment for a shorter period.

SUMMARY

The petitioner is requesting a special exception to allow the short-term rental of a dwelling. Angela Lewis will be the primary contact in case of emergency. This is the petitioner's first experience managing a short-term rental. The house is equipped with fire and carbon monoxide alarms, as well as keypad locks. The house has three (3) bedrooms and one and a half (1.5) bathrooms. The house is not owner occupied. According to the petitioner, when the house is not being rented short-term, it will be used by family. The petitioner is requesting six (6) adults and three (3) vehicles.

Office of Urban Development, Planning Division: If approved, staff recommends 4 adults / 2 vehicles based on existing driveway /off-street parking and occupancy as it relates to parking.

Office of Urban Development, Codes and Development Services Division: 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
SHORT-TERM RENTAL
PETITION

Last Updated, May 2023

Please complete all of the following fields:

Location of Property

Address: 3719 26th Ave. East

Petitioner
Name: Angela Lewis Phone: (205) 657-9664 Email: angela.lewis@gmail.com
Address: 3327 32nd Ave. East ZIP Code: 35405

Property Owner (if different from petitioner)
Name: Phone: Email:
Address: ZIP Code:

Note: The Special Exception to allow a short-term rental will be granted to the listed petitioner on this application. The approval will be void if the listed petitioner is no longer affiliated with the short-term rental.

The Petitioner requests a Special Exception from the Zoning Board of Adjustment to allow a short-term rental:

Any residential properties located in a historically designated area of the City require a special exception. Any properties that are outside of the Tourist-Overlay District and within Tuscaloosa City Limits that are zoned for residential use, excluding apartments and condominiums, require a special exception.

Who will be the primary contact in case of an emergency? Where are they located in relation to the property? Will they be available 24 hours a day?

Angela Lewis, will be accessible 24 hours a day

What is the petitioner's experience managing short-term rentals? (ex. how many properties, location, any issues, etc.)

This will be my 1st experience with STR.

What security measures are in place for renters to prevent violations of City ordinances and protect the neighborhood? (ex. cameras, keypad locks, noise detection systems, etc.) Attach a copy of your rules and regulations for renters along with this petition.

Fire and carbon monoxide alarms.

Keypad locks that will be changed after every tenant

**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

Property Information:

Number of Bedrooms: 3 Number of Bathrooms: 1 1/2

Note: Multiple beds in a room should not be counted towards the number of bedrooms. Please contact the Building and Inspections Department at 205-248-5110, if you are unsure whether a room meets the IBC requirements for a bedroom.

Is this the owner's primary residence? ☐ Yes ☒ No

If yes, where will the property owner stay when the home is being rented? If not, please explain how this property will be used when it is not being rented on a short-term basis.

On-street parking is prohibited while the dwelling is being rented on a short-term basis. Parking must be located on driveways or within a parking area on the property. No more than two vehicles may be parked tandem (one vehicle behind the other). Typically, two adults are allowed per vehicle. Submitting photographs of the parking area is highly encouraged.

How many vehicles are you requesting to park in your driveway or designated parking area during the short-term rental? How many adults are you requesting to rent at one time?

Long driveway can handle 3 cars. 6 adults at one time

Important Items to Note:

- A \$400 filing fee must be submitted 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.
- Approval by the Zoning Board of Adjustment is only ONE of the requirements for short-term rentals. You must submit a completed packet and receive a City of Tuscaloosa Business License before operating. Required documents can be found here: www.tuscaloosa.com/str.
- No accessory dwelling (pool house, mother-in-law suite, etc.) may be occupied by anyone at any time during the short-term rental.

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 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: Angela Lewis Signature: _____ Date: 11-30-23

Check in

Check in is any time after 3:00 PM - 12:00 AM

Check out

Check out is at 11 AM or earlier on your final day.

Please leave the house as you generally found it.

If you use dishes, please wash them prior to leaving.

Please remove all of your belongings and any food (opened or unopened).

Leave any used towels in a pile on the bathroom floor and place any trash in the garbage cans.

To ensure you are not held liable for any damages or missing items that may have been missed by the cleaner, please scan through the property real quick to check for any damaged or obvious missing items. If you find any damages please text us immediately.

Damages exceeding the deposit amount will be billed to the guest and reported to Airbnb.

Guests are responsible for any damage caused during their stay and will be charged accordingly

House Rules

No smoking or vaping is allowed inside the Airbnb to maintain a smoke-free environment. Please use the back patio or carport area with the doors closed. No illegal drugs are allowed, including marijuana. Evidence of any smoking or illegal drugs such as cigarette butts, ash, smell or reports from neighbors will result in having their rental agreement terminated.

Please respect the quiet hours between 10 PM and 7 AM to ensure a peaceful stay for all guests and neighbors. Avoid excessive noise during quiet hours, including loud conversations, music, or TV volume, to respect the comfort and privacy of others. No loud music that can be heard outside of the house. If hosting a gathering, please adhere to any specific quiet hours policies provided by the host and ensure that noise levels are kept to a minimum.

Parties and events are not allowed in the Airbnb to respect the comfort and privacy of

neighbors.

Please conserve energy by turning off lights, appliances, and air conditioning and heat when not in use.

There are closets locked and/or marked for the owner's use only, please respect their personal belongings as they visit their property often.

No more than the reserved amount of guests. Occupancy is limited to 2 persons per bedroom, up to 6 adults. Only registered guests are allowed overnight

Please do not cut items on the counter-tops, use the provided cutting board

Do not use the premises for any illegal activities

The fireplace is not functioning, **do not** attempt to use the fireplace

Parking Instructions

Park only directly in front of the house on the driveway. Please do not park on the street.

Feel Free to Use

We are glad to provide initial supplies (shampoo, toilet paper, paper towels, etc). However, any replacement will be done by the guest.

Any books and magazines in the house

Toys and board games located in the coffee table drawers in the living room

Television Instructions

Use the remote control provided to power on the TV and adjust the volume to your preferred level.

Please do not tamper with any cables or connections behind the TV to avoid disruption or damage to the set up.

If you encounter any issues with the TV or have difficulty operating it, kindly reach out to your host for assistance.

Before checking out, turn off the TV and return the remote control to its designated location you found it

Bathroom Instructions

Please keep the bathroom clean and tidy during your stay, and dispose of any personal items properly.

Use the provided towels responsibly. You'll find a towel for each guest in the bathroom closet. Dark towels are provided for removing makeup to prevent staining while linens.

Report any plumbing issues or leaks immediately to ensure prompt repairs and prevent further damage.

Kindly refrain from flushing anything other than toilet paper to prevent clogging.

REMOVING MAKE-UP Please do not use the white towels to remove any make-up or large quantities of dirt that could potentially stain the towels permanently. Make-up removal stains and others of the sort are very difficult to remove and could result in a need to replace towels used for such purposes.

Trash Instructions

Collect garbage from all rooms, collect bathroom garbage and combine with the main can in the kitchen.

Make sure all garbage is properly bagged and tied to prevent odors and leaks.

Dispose of your garbage in the designated outdoor garbage bin provided next to the carport.

Do not place any overflow garbage in front of the garbage can, place it on top.

Do not leave any garbage outside the Airbnb unit or in common areas, as it may attract unwanted guests.

If you are unsure about the proper disposal of any specific items, please reach out to your host for guidance to ensure proper waste management.

Laundry Room

Laundry detergent is located above the washer and dryer in the laundry room.

Please make sure to check the lint collector and dispose of any lint BEFORE drying a load.

There is an iron and ironing board located in the laundry room. Please return it when you are finished.

Please place all used sheets and other linen in the laundry room when checking out.

Kitchen Instructions

Food is to be eaten in the kitchen and dining area **ONLY**

Plates and bowls are located in the cabinet above the microwave. Glasses and cups are located above the sink.

There are spices located on the counter to the right of the oven. Feel free to use them as you need.

Avoid putting grease down the drain. It can cause build-up and clogging.

There are pot holders to the right of the oven for hot pots and pans.

Please rinse off all your dishes before placing them into the dishwasher.

Before you Leave

Please ensure all windows and doors are securely locked to maintain the security of the Airbnb.

Dispose of any trash or leftover food properly and clean up any spills or messes to leave the space in a tidy condition.

Check that all appliances and lights are turned off to conserve energy and prevent any potential hazards.

Return any borrowed items or equipment to their designated places as instructed by the host.

Please leave a review or provide feedback about your stay to help us improve and assist future guests in making informed decisions.

Place all trash in the wastebasket, dirty dishes are to be put in the dishwasher.

If you are staying Monday night, please take the trash can to the curb (by the mailbox)

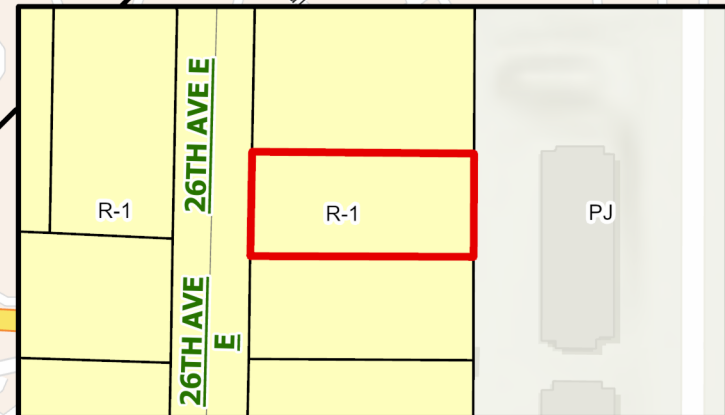
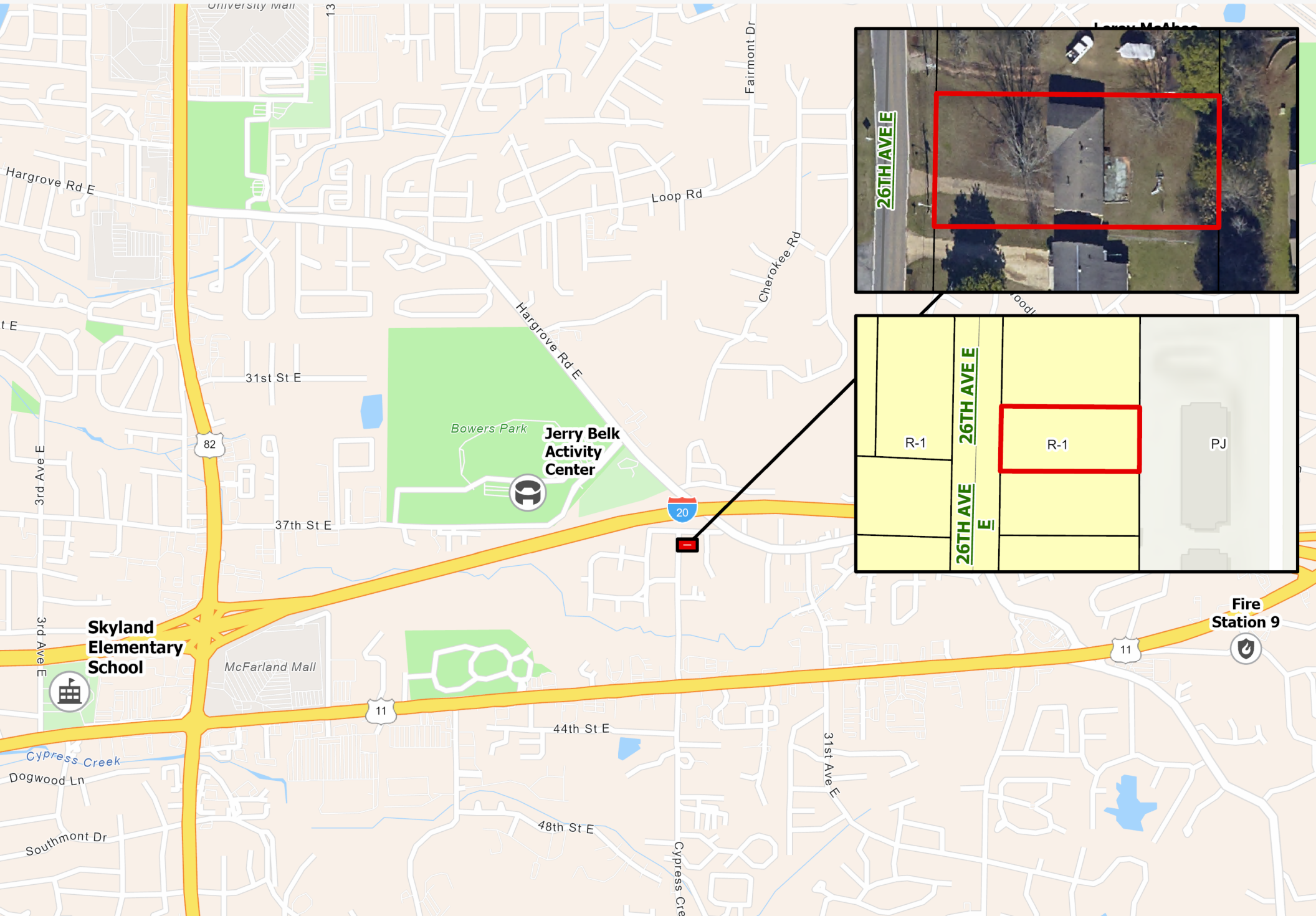
Make sure you have completed the check-out procedures.



3719 26th Avenue East

0 750 1,500 2,250 3,000 Feet

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Fire Station 9





3719 26th Avenue East

0 25 50 75 100 Feet

