

ZONING BOARD OF ADJUSTMENT STAFF REPORT

January 22, 2024

ZBA-12-24

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Donell Colvin, Jr.

Requested Action and Purpose

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

Location and Existing Zoning

2712 17th Street. Zoned R-4. (Council District 1).

Size and Existing Land Use

Approximately 0.09 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, R-4

East: Vacant Lot, R-4

South: Single-family residence, R-4

West: Single-family residence, R-4

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. Jasmine Joe will be the primary contact in case of emergency, she lives approximately five (5) miles from the property. The petitioner states their company, MCW1 Investments, owns multiple rental properties and has not had any issues. The house is equipped with security cameras, doorbell cameras, keypad locks and is in a well-lit area. The house has three (3) bedrooms and two (2) bathrooms. The house is not owner occupied. According to the petitioner, when the house is not being rented short-term, it will be vacant or used by the owner. The petitioner is requesting six (6) adults and three (3) vehicles.

Office of Urban Development, Planning Division: If approved, staff recommends 6 adults / 3 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

Last Updated, May 2023

Please complete all of the following fields:

Location of Property

Address: 2712 17th St. Tuscaloosa AL, 35401

Petitioner

Name: Donell Colvin Jr Phone: 205-860-1408 Email: MCW1inv@gmail.com

Address: 11621 Andrew Way Tuscaloosa AL 35401 ZIP Code: 35405

Property Owner (if different from petitioner)

Name: MCW1 Investments Phone: 205-860-1408 Email: MCW1inv@gmail.com

Address: 11621 Andrew Way Tuscaloosa AL ZIP Code: 35405

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?

Jasmine Joe will be the hosting party and will be available 24hrs a day when occupied or need. She lives only 5 miles away.

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

MCW1 Investments owns multiple rental properties and haven't had any issues at the moment.

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.

Cameras, doorbell cameras, keypad door locks, and well lit areas surrounding the perimeter of the home.

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: 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.

The home will be vacant when not occupied by renter,
unless owner are using for personal use

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?

6 cars can park inside the driveway enclosed by a privacy
fence and 1 car can park in the driveway outside of
the privacy fence.

Certification of Applicant

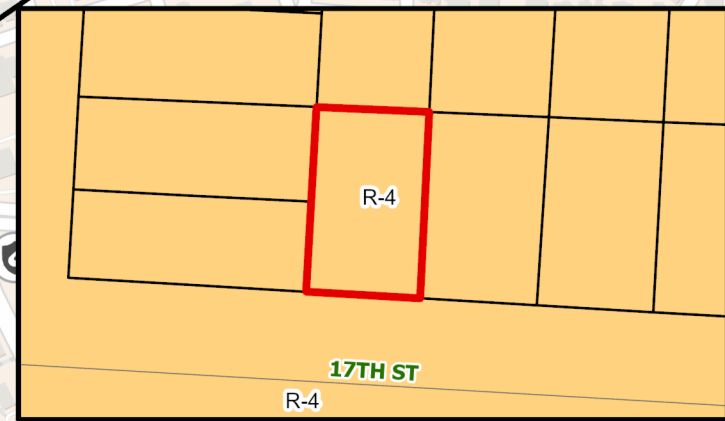
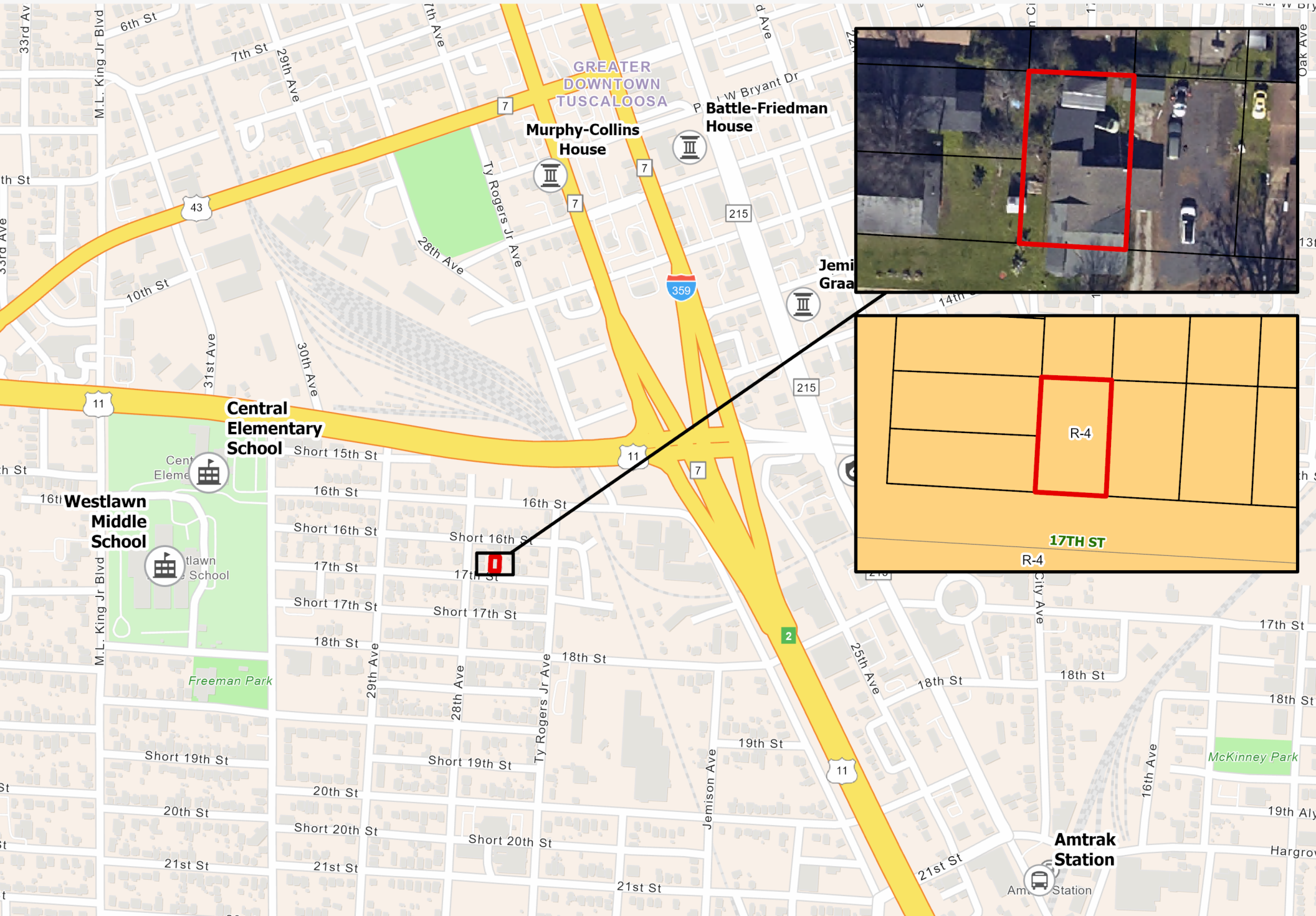
I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located. I also acknowledge that if the 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: Donell Calvin Jr Signature: [Signature] Date: 12/19/23



2712 17TH ST

0 300 600 900 1,200 Feet





2712 17TH ST

0 20 40 60 80 Feet











