ZONING BOARD OF ADJUSTMENT STAFF REPORT March 25, 2024

ZBA-29-24

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Michael and Julianna Hill

Requested Action and Purpose

Petition for a variance from the residential setback regulations to allow the construction of a single-family home

Location and Existing Zoning

1214 14th Street. Zoned R-3. (Council District 4)

Size and Existing Land Use

Approximately 0.13 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, R-3 East: Alabama Power Substation, R-3 South: University of Alabama Facility, I West: Single-family residence, R-3

Applicable Regulations

Sec. 24-35. – Yards and usable open space.

(a) *Front yard.* For every lot in a residential district abutting on a street, front yards of the following minimum depth shall be provided:

Residence Districts	Minimum Depth
R-3	25 feet

(b) *Side Yards.* For every building in a residence district, other than an RMH Mobilehome District, side yards of the following minimum widths (in feet) shall be provided:

Required Side Yards	
Single-family dwelling	
Two (2) side yards required. Aggregate width of both yards	14
Least width of either yard	5

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SUMMARY

The petitioner is requesting a variance from the front and side setback regulations to construct a single-family home. The petitioner plans to demolish the existing structure and rebuild a twenty-four (24) foot wide by fifty (50) foot long home in its place. The proposed front setback of fourteen (14) feet will align the front of this structure with the adjacent homes that face 14th Street. The lot is approximately thirty-seven (37) feet in width, so it does not meet the required minimum lot width for the district, which is sixty-five (65) feet. The proposed setback along the eastern portion of the lot will be four (4) feet. Per the petitioner, "The plan mirrors many of the current homes in the area and will have an all brick exterior similar to many of surrounding new homes."

Office of Urban Development, Planning Division: No comment

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

Variance

Please complete all of the following required fields:

Location of Petitioned Property Address: 1214 14th Street Tuscaloosa, AL, 35401 **Property Owner** Email: msh.hill@outlook.com Name: Michael and Julianna Hill Phone: 205.515.9074 Address: 1830 29th Ave S, Unit 425, Homewood, AL ZIP Code: 35209 **Petitioner** (if different from owner) Phone: _____ Email: Zip Code: Address: 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.

☐ Use Variance

Provide a detailed description of in relation to the proposed use, n			
See attached document: Se	ection A		

Commercial \$ 200.00 per lot

Residential \$ 50.00 per lot

☐ Appeal Zoning Officer's ruling \$ 10.00 per lot

Office of Urban Development:
Planning Division

□ Special Exception

Commercial \$ 200.00 per lot

Residential \$ 50.00 per lot

2201 University Boulevard, Annex III Tuscaloosa, AL 35401

NECESSARY SUPPORTING MATERIALS TO:

PLEASE SUBMIT AN ELECTRONIC COPY OF THIS APPLICATION AND ANY

Email: zba@tuscaloosa.com

Commercial \$ 200.00 per lot \times Residential \$ 50.00 per lot

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 <u>not</u> hardships include self-inflicted or self-created, inconvenient, financial or personal. The petitioner must specifically state a hardship for the variance.

	ve the applicant of the reasonable use of such property or building.
See attached document: Section B	<u></u>
Explain in detail how the granting of the	variance/use variance would be in harmony with the character of the
gurrounding area and why it would not be	
•	e detrimental to the neighborhood.
,	e detrimental to the neighborhood.
	e detrimental to the neighborhood.
,	e detrimental to the neighborhood.
surrounding area and why it would not be See attached document: Section C	e detrimental to the neighborhood.
•	e detrimental to the neighborhood.
,	e detrimental to the neighborhood.
•	e 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: Michael Shane Hoursignature: Date: 27 Feb 202

Michael Hill: 1214 14th St Variance Request

To: City of Tuscaloosa Zoning Board of Adjustment

From: Michael Shane Hill and Julianna Hill (Property Owners)

Date: February 29th, 2024

Subject: 1214 14th Street Variance Request for Setbacks

Section A

Re: 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 purpose of this request is to request a variance that will allow the new construction of a 24' wide by approximately 50' long.

I have attached the survey drawing (attachment A) showing the proposed positioning of the new home and detached structure.

The first request is an eastern side variance. The drawing shows the 5' setback to the west side (and should be in-line with current code) as well as a 4' setback on the east side (the slight variance request). The eastern variance is adjacent to a grass alley (that I currently mow and maintain).

The second request is for the front setback. I am requesting a front setback no further than the current house and inline with the other existing homes on the block. The drawing shows 14' setback and maintains the current aesthetics of the homes on the block.

Section B

RE: 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.

Without the variance for the side setback it is impractical to rebuild. A 24' wide structure is the minimum needed to build a functional home by today's building and living standards.

Michael Hill: 1214 14th St Variance Request

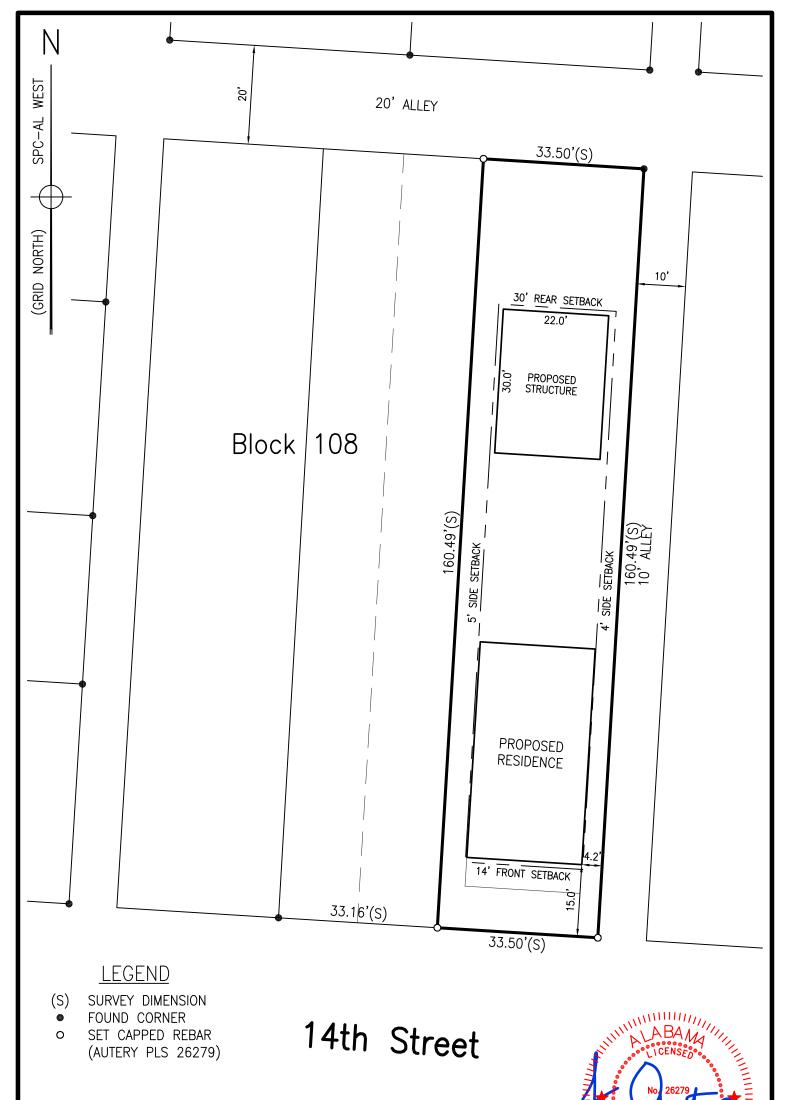
Section C

RE: 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.

I believe the variance, if granted, will be keeping in the spirit of the zoning intent of providing safe and functional housing. A modern 19' structure would have an overall negative impact on the neighborhood aesthetics. By moving to the 24' plan, the home will be functional as well as aesthetically appealing and compliment the new construction in the area. The plan mirrors many of the current homes in the area and will have an all brick exterior similar to many of surrounding new homes. To my knowledge there would be no negative impact to the general public welfare by granting this variance.

Very Respectfully,

Michael Shane Hill 205.515.9074 msh.hill@outlook.com



Plot Plan-Portion of Lot 13 Block 108, TCIL Survey S.O.T.: D.B. 2019, P. 23475

&E & ENGINEERING, LLC TUSCALOOSA, AL 35406

LAND SURVEYING

SUITE 161

1470 NORTHBANK PARKWAY

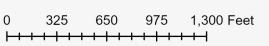
PHONE: (205) 333-2477

DATE SURVEYED: 02/27/2024 EMAIL: jautery@alsurvey.com

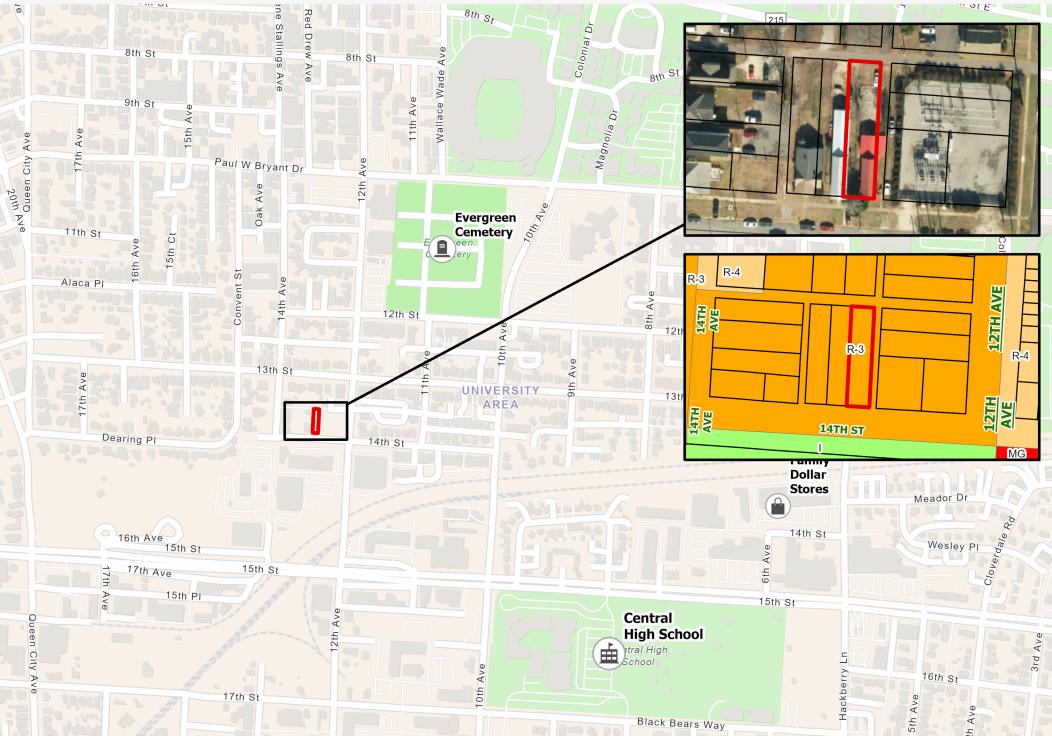
SCALE: 1"=20' PAGE 1 OF 1 JOB NO.: HILL

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1214 14th Street









1214 14th Street

1 inch = 50 feet 0 25 50 75 100 Feet



