ZONING BOARD OF ADJUSTMENT STAFF REPORT March 25, 2024

ZBA-31-24

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Karl Sodergren

Requested Action and Purpose

Petition for a variance from the minimum lot standards to allow the construction of two detached houses

Location and Existing Zoning

401 25th Avenue East. Zoned RD-1. (Council District 5)

Size and Existing Land Use

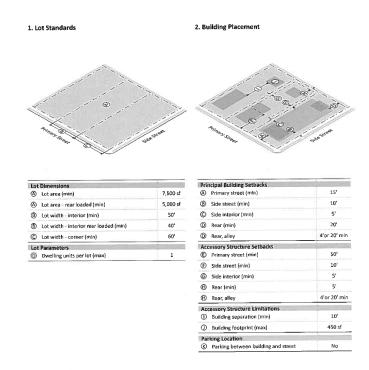
Approximately 0.22 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, R-3 East: Single-family residence, RD-1 South: Single-family residence, RD-1 West: Single-family residence, RD-1

Applicable Regulations

Sec. 24-337. – Detached house.



SUMMARY

The petitioner is requesting a variance from the minimum lot area, minimum lot width, and side setback regulations to construct two detached dwellings. Each brick house will be twenty-four (24) feet in width and

ZONING BOARD OF ADJUSTMENT STAFF REPORT March 25, 2024

forty (40) feet in length. Each lot will be just below 4,000 square feet in area, and approximately forty (40) feet wide. The side setback along 4th Street East is required to be ten (10) feet, however the back corner of the proposed dwelling closest to 4th Street East will be approximately eight (8) feet from the lot line. The required parking spaces will be placed in the rear of the proposed dwellings, with access from 4th Street East.

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

Please complete all of the following required fields:

Address: 40/ 25th Ave E Tuscaloosa AC				
Name: SOPERGREN Development Phone: 423-258-1299 Address: 312 Hargrove RdE, Tuscalusa AL 7	Email: KARLSOOEBGRENRGAG. I			
Name: KARC //. SODEREREN Phone:	Email: Zip Code:			
The Petitioner requests the following item(s) from the Zon	ing Board of Adjustment:			
A special exception is a conditional use which the zoning ordinance expressly properties a continuous continuo	ng ordinance which requires proof of an			
☐ Special Exception ☐ Use Variance	☑ 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			
☐ 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.				
see affected addedon Af				
DI FASE SURMIT AN ELECTRONIC CODY OF THIS ARRI	ICATION AND ANY			

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

application of the ordinar	nce would deprive the	onditions that are particular to the property or buildings where a strict applicant of the reasonable use of such property or building.
See attached	Addendum	3/
surrounding area and why	it would not be detri	nce/use variance would be in harmony with the character of the mental to the neighborhood.
See allamed	1700 EN QUA	

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:	SODÉRGREN	_ Signature:	Date: 5 March 2024
	KARL H.		



Addendum: Revised Variance Request re 401 25th Ave E

Karl Sodergren < karlsodergren@gmail.com>
To: Karl Sodergren < karlsodergren@gmail.com>

Fri, Mar 8 at 10:08 AM

A/ "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 petition is to request variances from the lot area minimums, lot width minimums and the side set back of lot 40R. As proposed 40R and 41R will require an adjustment of the dividing lot line.

Note: this now vacant property previously had two structures/dwellings and therefore this request is in keeping with the original use of the property.

B/ "Explain in Detail any special circumstance 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."

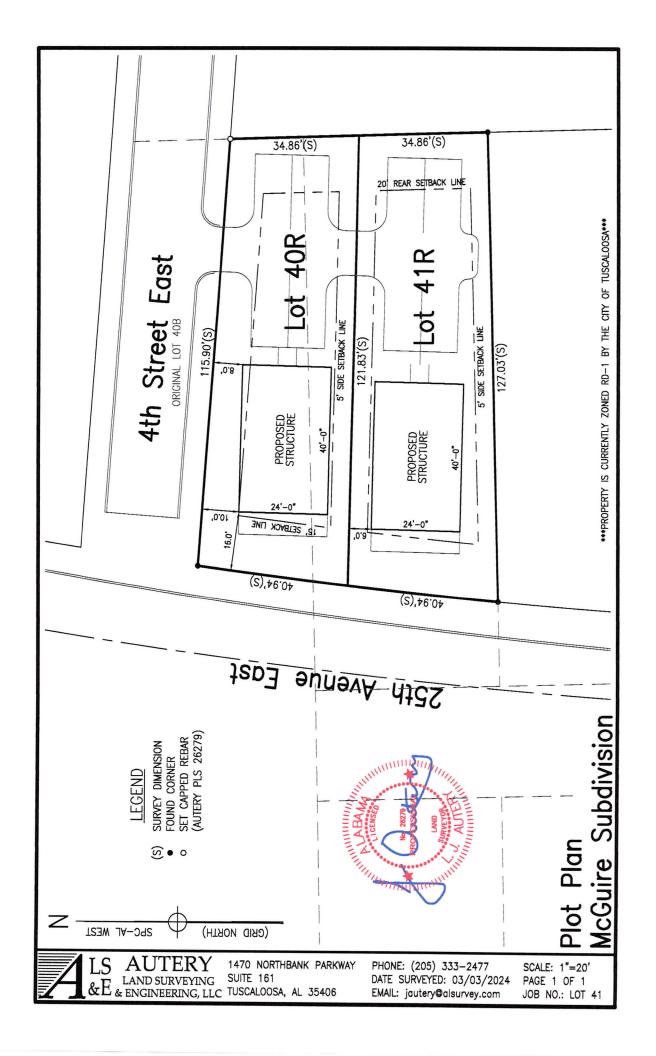
The subject property is currently two lots. One of which is unbuildable as it exists. Moving the lot line via Re subdivision dividing the total area into two equal sized lots would render both lots needing a variance in order to build two single family homes as both are just shy of meeting the minimum 5000 square foot requirement (rear load driveway/parking). Therefore, I am requesting a variance(s) in order to build a 24' wide by 40' long single family detached house on each lot. The intent is to make the second lot buildable as well as the first.

The two rear loaded parking for both houses will have the added benefit of no driveway ingress/egress from the busy divided 25th Ave E as both properties will be served by a driveway at the rear of the property via 4th St E.

C/ "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."

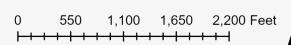
The variance will have no known detrimental impact to the neighborhood or general public welfare. In fact, this variance if granted will be a benefit to the

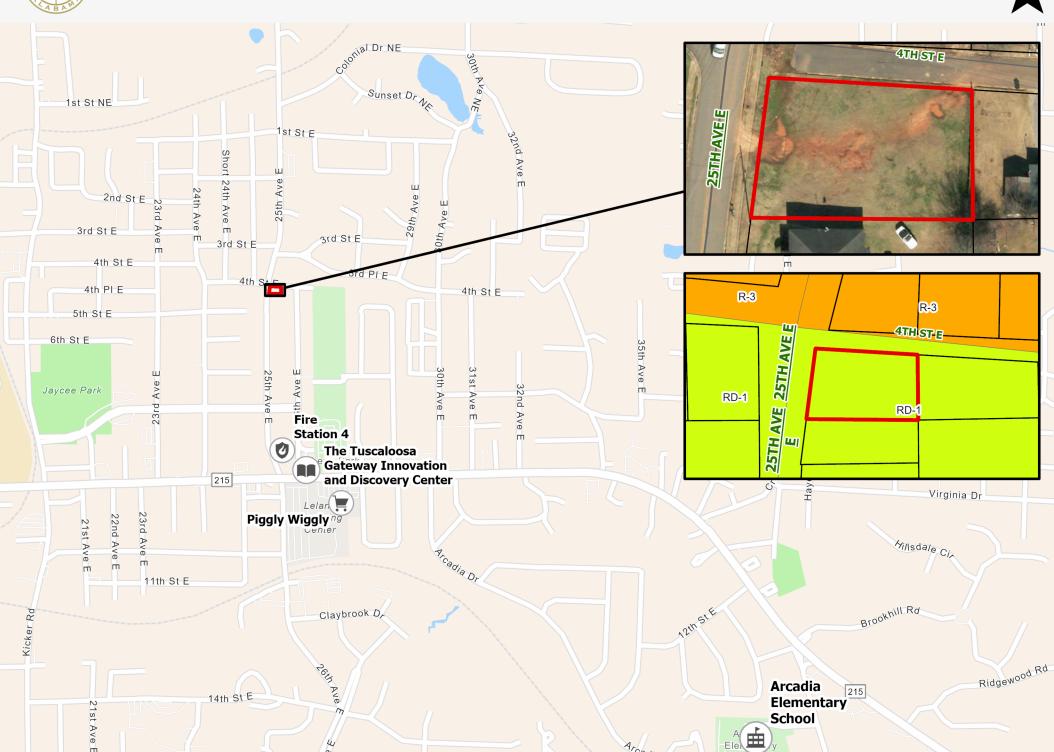
neighborhood and to public welfare; namely the public safety of having no driveway(s) ingress/egress from the busy divided 25th Ave E. Furthermore, I propose building two all masonry (brick) structures which will add value to the neighborhood and be aesthetically pleasing to the community.



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401 25th Avenue East







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1 inch = 50 feet 50





















