

ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 28th, 2025

ZBA-48-25

GENERAL INFORMATION

Property Owner (X) Petitioner (X)

Justin Durham

Requested Action and Purpose

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

Location and Existing Zoning

4574 Royale Drive. Zoned GPD. (Council District 3)

Size and Existing Land Use

Approximately 0.54 acres, Single-family residential

Surrounding Land Use and Zoning

North: Single-family residence, SFR-1

East: Single-family residence, GPD

South: Single-family residence, GPD

West: Single-family residence, GPD

Applicable Regulations

Sec. 25-39. Special Exception Use Permit

d. Decision-Making Standards for Special Exception Use Permit

The Zoning Board of Adjustment may approve a special exception use permit application only upon finding the proposed special exception use:

1. Complies with all applicable district-specific standards in Article IV :Zoning Districts;
2. Complies with all applicable standards in Article V : Use Regulations;
3. Complies with all relevant subdivision standards in the Subdivision Regulations;
4. Will not have a substantial adverse impact on vehicular and pedestrian safety;
5. Will not have a substantial adverse impact on vehicular traffic;
6. Is compatible with the character of surrounding development and the neighborhood;
7. Will not have a substantial adverse impact on adjoining properties in terms of noise, lights, glare, vibrations, fumes, odors, litter, or obstruction of air or light;
8. Will not have a substantial adverse impact on the aesthetic character of the area where it is proposed to be located; and
9. Will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public.

Sec. 25-101.c.4.iv.d General Standards

- (1) Short-term rentals shall comply with all building and fire codes, and comply with all provisions of this Ordinance, including Article VI Division 2, Off-Street Parking, Bicycle Parking, and Loading Standards, and Article VI Division 10, Signs and Billboards.

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- (2) Short-term rentals shall comply with the standards in Sec. 10.8-13, Noise in residential districts, of the City Code.
- (3) Off-street parking spaces may be provided on driveways or within a parking area on the property.
- (4) The property shall contain a dwelling able to be occupied.
- (5) Commercial events or other large events such as concerts or weddings are prohibited on the property.
- (6) The rental of units for a period of less than 24 hours is prohibited

Sec. 25-101.c.4.iv.g Decision Criteria

When deciding on an application for a special exception use permit to operate a short-term rental use, the Zoning Board of Adjustment shall consider the following factors, in addition to the general decision-making standards in Sec. 25-39.d:

- (1) Whether the property is permanently occupied and leased in its entirety to one party for periods of at least 30 consecutive nights;
- (2) Whether the short-term rental use is proposed to be or will be the primary or accessory use of the dwelling;
- (3) If a short-term rental is proposed for a site that has been previously used for a short-term rental, the number of complaints, violations, and other departures from the standards of this Ordinance and the City Code that have occurred on the property; and
- (4) As part of its evaluation on the character of surrounding development and the neighborhood and other potentially adverse impacts of the use, the characteristics of the neighborhood and surrounding properties including the underlying zone district, surrounding land uses, the number of nearby short-term rental uses, the topography, access, and similar factors.

SUMMARY

The petitioner is requesting a special exception to allow the short-term rental of a dwelling. Justin Durham will be the primary contact and will be available 24 hours a day in case of an emergency. The petitioner does not have experience managing short term rentals. The house is equipped with ring doorbell and keypad locks. The house is owner occupied. The house has 5 bedrooms and 3 bathrooms. The petitioner is requesting 9 adults and 4 vehicles.

Office of Urban Development, Planning Division: If approved, staff recommends 8 adults / 4 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

Office of the City Engineer: Two cars must park in the garage.

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: 4574 Royale Drive, Tuscaloosa, 35406

Petitioner

Name: Justin W. Durham Phone:

Address:

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?

Justin W. Durham will be the primary contact.

When the property is rented, we will be staying locally with friends. Yes, I'll be available 24 hrs. a day.

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

none

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.

Ring doorbell device. Key lock box.

**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: 5 Number of Bathrooms: 3

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?

Two cars can park in the driveway, and two more can park in a designated parking area off the street

We request to be able to rent to up to 9 guests 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/stri.
- 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: Justin W. Durham Signature:  Date: 06.17.2025

Welcome to Chez Royale
4574 Royale Dr.; Tuscaloosa, AL; 35406

To ensure a fantastic stay for you and future guests, here are some guidelines:

1. Check-In/Out Times:

Check-in is at 3pm and check-out is at 11am.

If you need some flexibility, let us know in advance and we'll do our best to accommodate.

2. Parking:

To remain observant of local ordinances, please park within the designated zones: 2 cars are able to park in the driveway, while another 2 may be parked in the paved area off-set from the road on the right side of the house.

Please note that you could incur a fine of up to [Specify amount] for breaking neighborhood parking regulations.

3. Respect the Peace—No Parties:

Keeping noise levels down, especially between 10pm and 7am, helps maintain a good relationship with our community and avoids you experiencing any neighbor complaints.

4. Smoke-Free Stay:

Inside our home is a strict no-smoking zone, which helps us maintain a fresh environment.

Please smoke outside in the designated area, where you'll find chairs, a table, and an ashtray.

5. No Extra Guests:

If you plan to have visitors during the day, no problem. But please make sure the only guests who stay overnight are those listed in your reservation.

This helps us follow local ordinances on maximum occupancy and keep our home comfortable and safe for everyone.

6. Pet Policy:

We're a pet-free home, which includes animals of all types.

7. Trash and Recycling:

Please take out the trash the night before before you check out. The garbage and recycling bins are behind the wooden fence to the left of the house. We appreciate your help in separating recyclables: We recycle plastics and clean paper/ cardboard

This small step makes a big difference to the environment and will help us avoid a fine.

8. Handling Damages:

Accidents happen. If something gets damaged, please let us know so we can take care of it.

9. Simple Clean-Up:

Before you leave, please rinse and put any dishes or kitchenware you've used into the dishwasher and run it, so our housekeeper doesn't have any extra work to do when preparing for our next guests. The detergent is located below the kitchen sink.

But please don't feel you have to strip the beds or wipe the floors, we'll take care of that!

10. Emergency Contact:

If you need assistance, you can reach Justin at 859.322.3958 at any time.

In case of emergency, please dial 911:

The fire extinguisher is located in the pantry and in the laundry room

The first aid kit is located in the laundry room

The electrical shut-off is located behind the door in the laundry room.

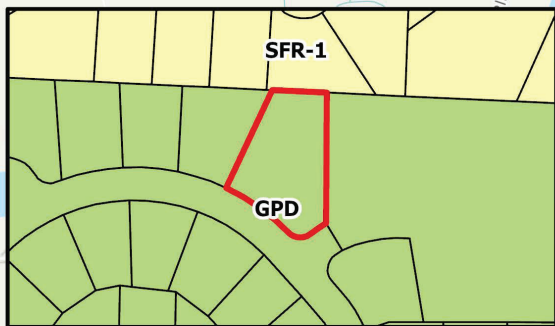
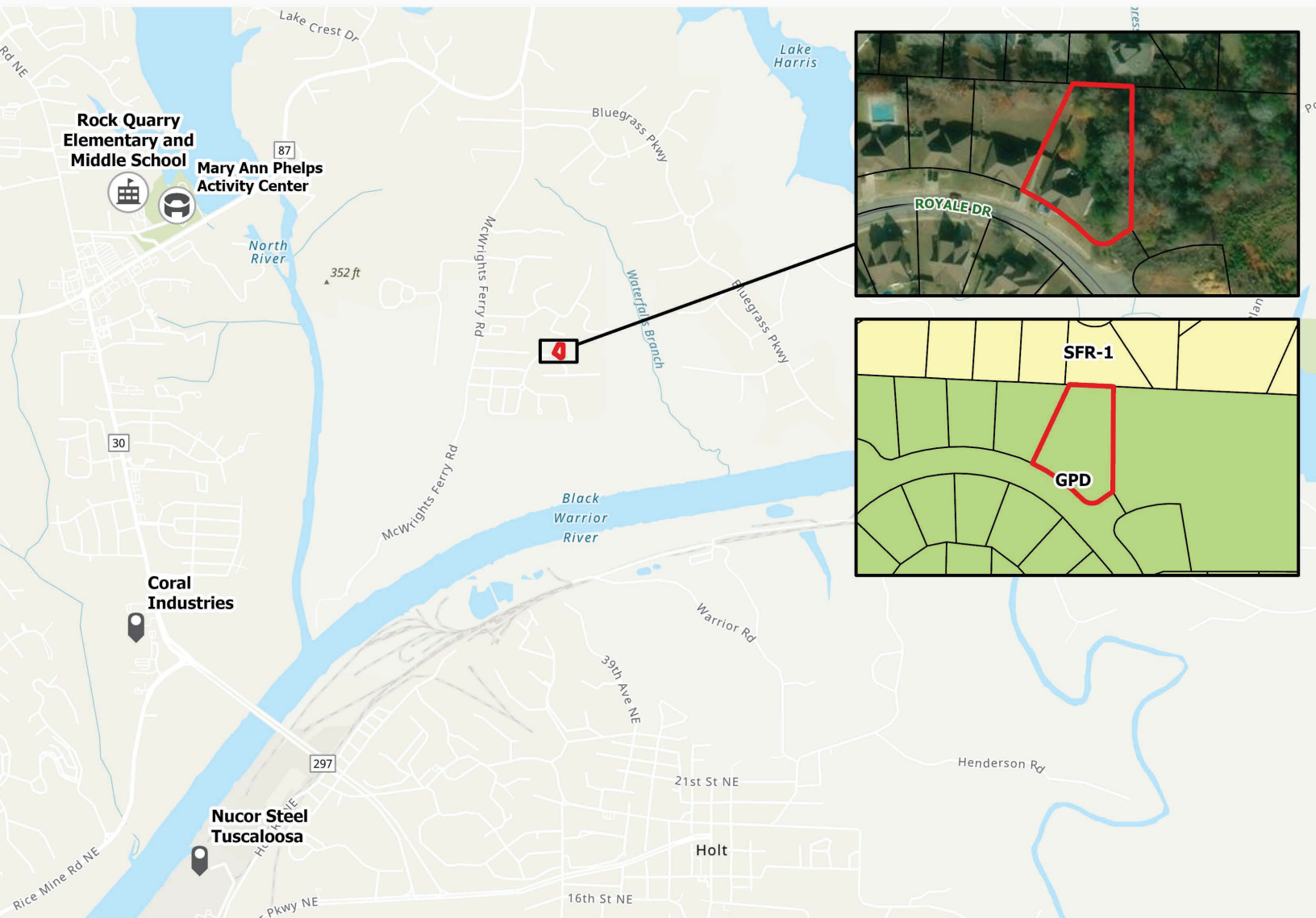
We hope these guidelines help you have a comfortable and enjoyable stay. If you have any questions, don't hesitate to reach out to us directly.

Thank you for choosing to stay with us and we appreciate your understanding and cooperation!



4574 Royale Dr

0 1,000 2,000 3,000 4,000 Feet





4574 Royale Dr

1 inch = 75 feet
0 30 60 90 120 Feet
+-----+-----+-----+-----+-----+





4574 Royale Dr

1 inch = 350 feet

0 200 400 600 800

