

## ZONING BOARD OF ADJUSTMENT STAFF REPORT

August 25<sup>th</sup>, 2025

### **ZBA-60-25**

#### **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 8 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

# Short-Term Rental Application

This application is for a request to the Zoning Board of Adjustment to approve a Special Exception to operate a short-term rental.

## Property Information:

**Site Address:**

4574 Royale Dr., Tuscaloosa, Alabama 35406

**Property Owner Name:**

Justin and Leah Durham

**Property Owner Address (if different than site address):**

**Numer of Bedrooms:**

5

**Number of Bathrooms:**

3

**Total Square Footage of Residence:**

2641

**Is this the Owner's Primary Residence?**

Yes

**If yes, where will the property owner stay when the home is being rented? If no, please explain how this property will be used when it is not being rented on a short-term basis.**

**Untitled**

The property owners will be staying with friends in the area.

## Applicant Information:

**Applicant Name:**

Justin Durham

**Applicant Address:**

4574 Royale Dr., Tuscaloosa, Alabama 35406

## Supplemental Information:

**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.

**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 to at one time?**

Untitled

We're requesting 4 vehicles and 8 adults.

**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?**

Untitled

Justin W. Durham is the primary contact, and he and his family live in the house. We'll be staying locally with friends and be available 24 hrs. a day.

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

Untitled

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 application at the bottom of the form.**

Untitled

We have a Ring doorbell and a key lockbox on the front door.

## **Supporting Documents:**

**Rules and Regulations:**

Rules and Regs.docx

**Photos of Parking Area:**

**Additional Documents:**

**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 garage.

**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 you check out. The garbage and recycling bins are behind the wooden fence to the left of the house as you face it. 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 under the kitchen sink. 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**

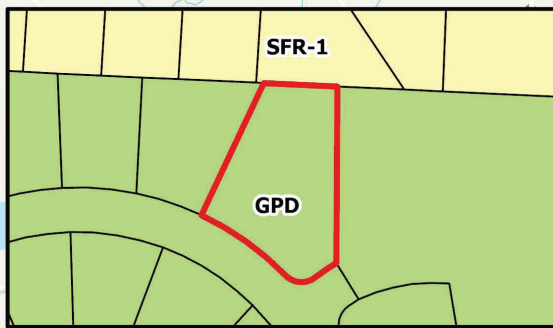
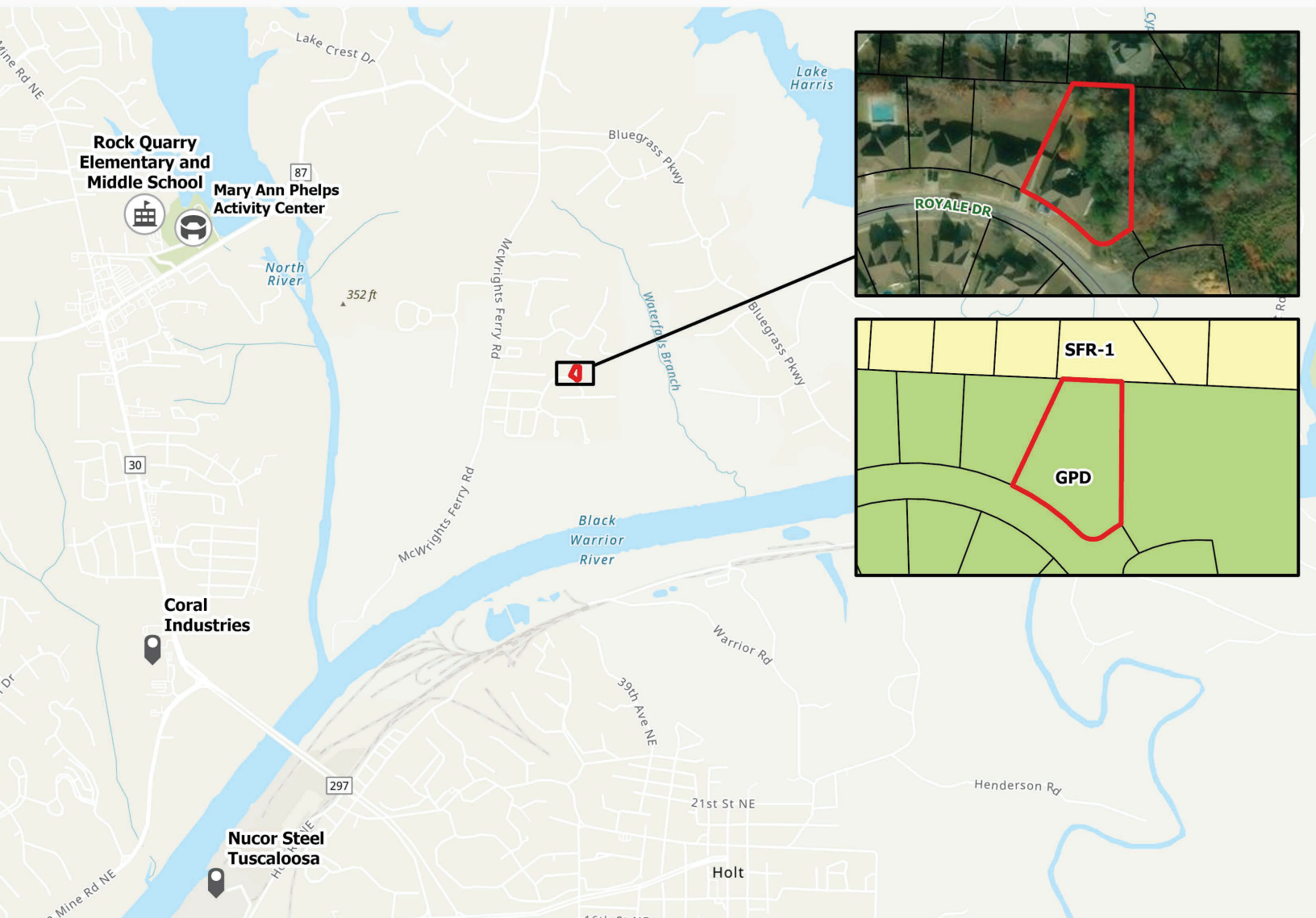
1 inch = 100 feet  
0 50 100 150 200 Feet





# 4574 Royale Dr

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







# 4574 Royale Dr

1 inch = 350 feet

0 200 400 600 800

