

ZONING BOARD OF ADJUSTMENT STAFF REPORT

February 23<sup>rd</sup>, 2025

**ZBA-05-26**

**GENERAL INFORMATION**

**Petitioner**

Riley Voce

**Requested Action and Purpose**

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

**Location and Existing Zoning**

502 16<sup>th</sup> St Unit 4. GPD. (Council District 2)

**Size and Existing Land Use**

Approximately 0.02 acres, Single-family residential

**Surrounding Land Use and Zoning**

North: Commercial, GC

East: Vacant, MR-2

South: Single-family residential, SFR-4

West: Commercial, GC

**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. David Abril will be the primary contact in case of an emergency. The petitioner has experience managing long-term rentals. The house is equipped with keypad locks and cameras. The house is not owner occupied and will remain vacant when not rented short-term. The house has 3 bedrooms and 3 bathrooms. The petitioner is requesting 8 adults and 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

Office of the City Engineer: No comment

Fire and Rescue Department, Fire Administration: No comment

# ZBA Petition for Short-Term Rental

This application is for a request to the Zoning Board of Adjustment to approve a Special Exception to operate a short-term rental. Prior to submitting this form, a business license must be submitted to the Revenue Division.

**Have you submitted a business license to the Revenue Division?**

Yes

## Property Information:

**Site Address:**

502 16th st APT 4, Tuscaloosa, Alabama 35401

**Property Owner Name:**

Riley Voce

**Numer of Bedrooms:**

3

**Number of Bathrooms:**

3

**Total Square Footage of Residence:**

1600

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

No

**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**

When no one is staying here, our property manager will simply upkeep the place ensuring nothing unappealing to the eye begins growing on the unit and it stays nice and clean on the inside and outside. we also have a landscaper that manages the lawn, garbage and trees. It sour intention to keep a very clean and neat looking unit all year round!

## Applicant Information:

**Applicant Name:**

Riley Voce

## 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

3 cars, up to 8 adults. This is part of a 6 unit townhome property, where we own 5 of the 6 units. We have a private, large parking lot located between the units and commercial building property behind Hooligan's on 15th St

**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

We have a local, firefighter that helps manage the property. David Abril. He is available

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

### Untitled

we rent out all 5 of our properties with no issues. they are all college kids except for this one unit where we have been running short term rentals, unknowingly of the rules in place. I apologize for the mess! No issues, thankfully. We want to maximize the rental opportunities for game days throughout the year, football, basketball and baseball, plus graduations

**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

Keypad locks on all doors, randomly changing after each stay. We also are working to install cameras to our buildings.

## Supporting Documents:

### Rules and Regulations:

IMG\_7571.PNG

IMG\_7568.PNG

IMG\_7570.PNG

IMG\_7569.PNG

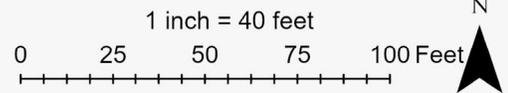
### Photos of Parking Area:

463F65C8-E3AD-4D27-AA1B-21AD143D496A.PNG

CF66D302-B737-4B77-93D1-46F038A5310B.PNG

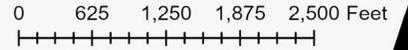


# 502 16th Street Unit 4





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1 inch = 350 feet  
0 200 400 600 800

N

