

ZONING BOARD OF ADJUSTMENT STAFF REPORT

March 23, 2026

ZBA-09-26

GENERAL INFORMATION

Petitioner

A-1 Investments Inc.

Requested Action and Purpose

Variance from the use specific standards to allow the operation of a liquor store.

Location and Existing Zoning

1500 McFarland Blvd E. Zoned GC. (Council District 5)

Size and Existing Land Use

Approximately 0.15 acres, General Commercial

Surrounding Land Use and Zoning

North: Right-of-way (15th ST E)

East: Right-of-way (McFarland Blvd E)

South: Vacant, GC

West: Commercial, GPD (Midtown Village)

Applicable Regulations

Sec. 25-101.c.6.iv - Standards specific to commercial uses

iv. Liquor store. No liquor store use shall be located within one thousand (1,000) feet of another liquor store use, a casino/gambling hall, a check cashing establishment, a tobacco or vape shop, a tattoo establishment, a sexually-oriented business, or a residential use in a residential district.

SUMMARY

The petitioner is requesting a variance from the standards specific to commercial uses for the operation of a liquor store. The property has been operating as a convenience store, and is now proposing to operate as a liquor store. The proposed liquor store is located within 1,000 feet of a residential use in a residential district, which is an apartment complex located at 1514 6th Ave E. The proposed Liquor store will operate Monday to Saturday from 8:00am to 11:00pm, and Sundays from 12:00pm to 9:30pm. The store will be staffed by two employees.

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.

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Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment

Variance Application

Property Information:

Site Address:

1500 McFarland Blvd., E., Tuscaloosa, Alabama 35401

Total Acres:

0.15

Number of Existing Structures:

1

Current Zoning:

General Commercial (GC)

Current Land Use:

Commercial

Applicant Information:

Applicant Name:

A-1 Investments, Inc. A-1 Investments, Inc.

Is the applicant also the property owner?

Yes

The primary consideration for a variance request is whether a literal enforcement of a zoning ordinance will result in an unnecessary hardship. Circumstances that are not hardships include self-inflicted or self-created, inconvenient, financial or personal. The petitioner must specifically state a hardship for the variance.

Detailed Description of the Proposed Request, including Hardship:

We request a variance from Sec. 25-101, specifically the 1000 foot prohibition of a liquor store within 1000 feet of a residential use in a residential district. The owner wants to use this location as a liquor/package store, and 1000 feet just barely reaches to the Blue Haus apartments located behind the Midtown shopping mall.

This is an extraordinary and exceptional condition that pertains only to this parcel in that this parcel stands along at the corner of 15th Street and McFarland Blvd., and the residential area within the 1000 feet reach is significantly separated from this property by the Midtown shopping mall, and there are no direct access between the two parcels.

The conditions are peculiar to this property in that the location of the proposed package store is on a parcel of land that is not connected to the shopping mall behind it, has no access between them, and only has access from McFarland Blvd. The residential area touched by the 1000 foot reach is student apartments, which are only minimally within the 1000 foot area.

These conditions are not the result of the owner's actions as the property was left in this location after the development of Midtown Mall and the widening of McFarland Blvd.

Not allowing the variance would be an undue hardship in that the property is peculiar in its location and access, has limited access and utility, and only minimally falls within the restriction of the 1000 foot area.

The granting of a variance is the minimum necessary to alleviate the hardship in that the majority of the apartment building which touches the 1000 ft area would fall outside of the said area, and the proposed package store will still be significantly removed from the residential uses, and not within a sight line, or where it could be accessed directly. Further, the patrons of the package store would not be anywhere around the residential area, or even passing by the residential area.

Supporting Documents:

Site Plan (if applicable):

Elevation Drawings (if applicable):

Additional Documents:

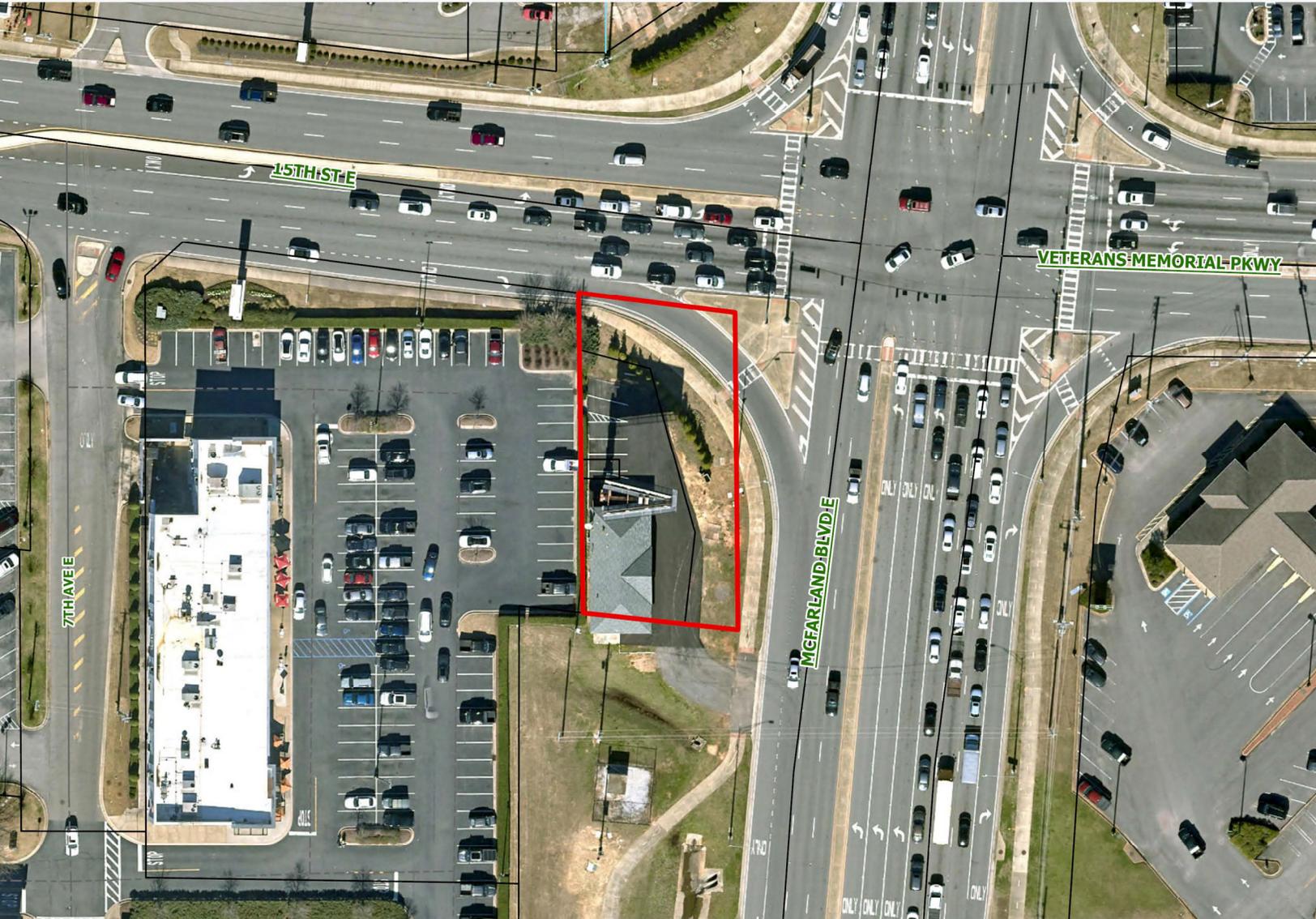
1755_001.pdf

Once submitted, a staff member will contact the applicant using the email provided on this form. If more documents are required, the staff member will clarify what is required in that email. By submitting this application, you recognize the city will send public notification and place a sign on the property with information for the public.



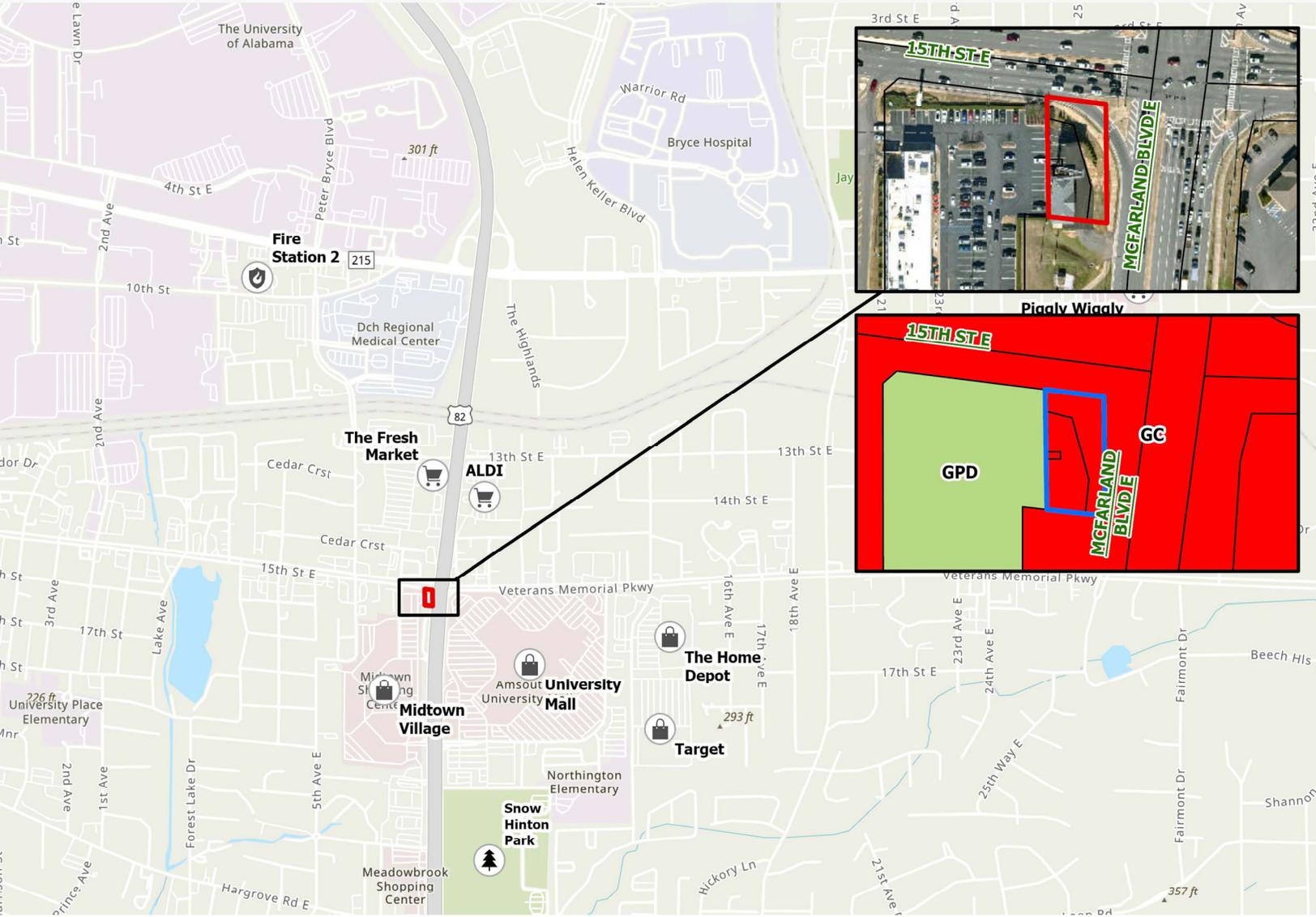
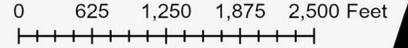
1500 McFarland Boulevard East

1 inch = 63 feet
0 30 60 90 120 Feet





1500 McFarland Boulevard East



Piggy Wiggly









