

ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 27, 2026

ZBA-50-26

GENERAL INFORMATION

Petitioner

Drew Topham

Requested Action and Purpose

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

Location and Existing Zoning

2007 Maxie Thomas. Zoned DHE-H. (Council District 4)

Size and Existing Land Use

Approximately 0.13 acres, Single-family residential.

Surrounding Land Use and Zoning

North: Single-family residence, DHE-H

East: Single-family residence, DHE-H

South: Commercial, DHE-H

West: Single-family residence, DHE-H

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.

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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.
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. Parker Kolesar will be the primary contact. The petitioner has experience managing long-term rentals . The house will be equipped with cameras and keypad locks. The house is not owner occupied. When not rented, the property will be used by the petitioner's family. The house has 4 bedrooms and 3 bathrooms. The petitioner is requesting 8 adults and 2 vehicles.

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Office of Urban Development, Planning Division: If approved, staff recommends 4 adults / 2 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:

2007 Maxie Thomas Way, Tuscaloosa, Alabama 35401

Property Owner Name:

Drew and Randi Topham

Numer of Bedrooms:

4

Number of Bathrooms:

3

Total Square Footage of Residence:

1986 sq ft

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

N/A

Applicant Information:

Applicant Name:

Drew Topham

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

There is room for 2 parking spots on the property. One is under the car port in the rear of the home (covered). The other spot is designated in the photo attached as the space between the driveway and the side door to the home. Tandem parking is not needed. We have approval for 2 additional parking spots in the commercial lot behind the home as part of our purchase agreement with the business owner.

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

Parker Kolesar (702.782.2860) - Parker is our daughter and is a student at Alabama, living in Tuscaloosa. Secondary emergency contact: Kristy Lee (205.535.0014), resident of Northport Alabama
Owners Emergency contact: Drew Topham (702.415.9845) homeowner / Randi Topham (702.499.1876) homeowner

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

Untitled

Drew and Randi Topham own 2 properties in Las Vegas. One is a Primary Residence and the other is a rental property. Drew and Randi manage the rental alone, with no rental agency.

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 will post all City Ordinances and Rules clearly in the home and have them reviewed as part of the check in process. We will also post them on the websites as part of the short-term rental description. We will use Keypads for check in and cameras at the front and rear doors for monitoring.

Supporting Documents:

Rules and Regulations:

DRT Land and Cattle STR Rules pdf.pdf

Photos of Parking Area:

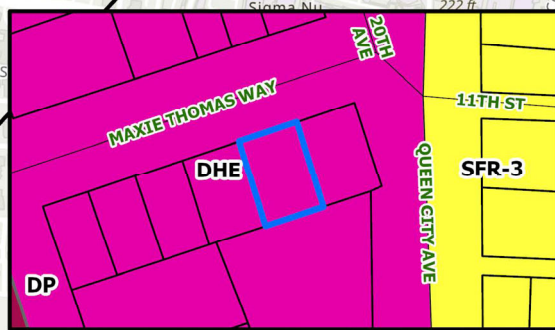
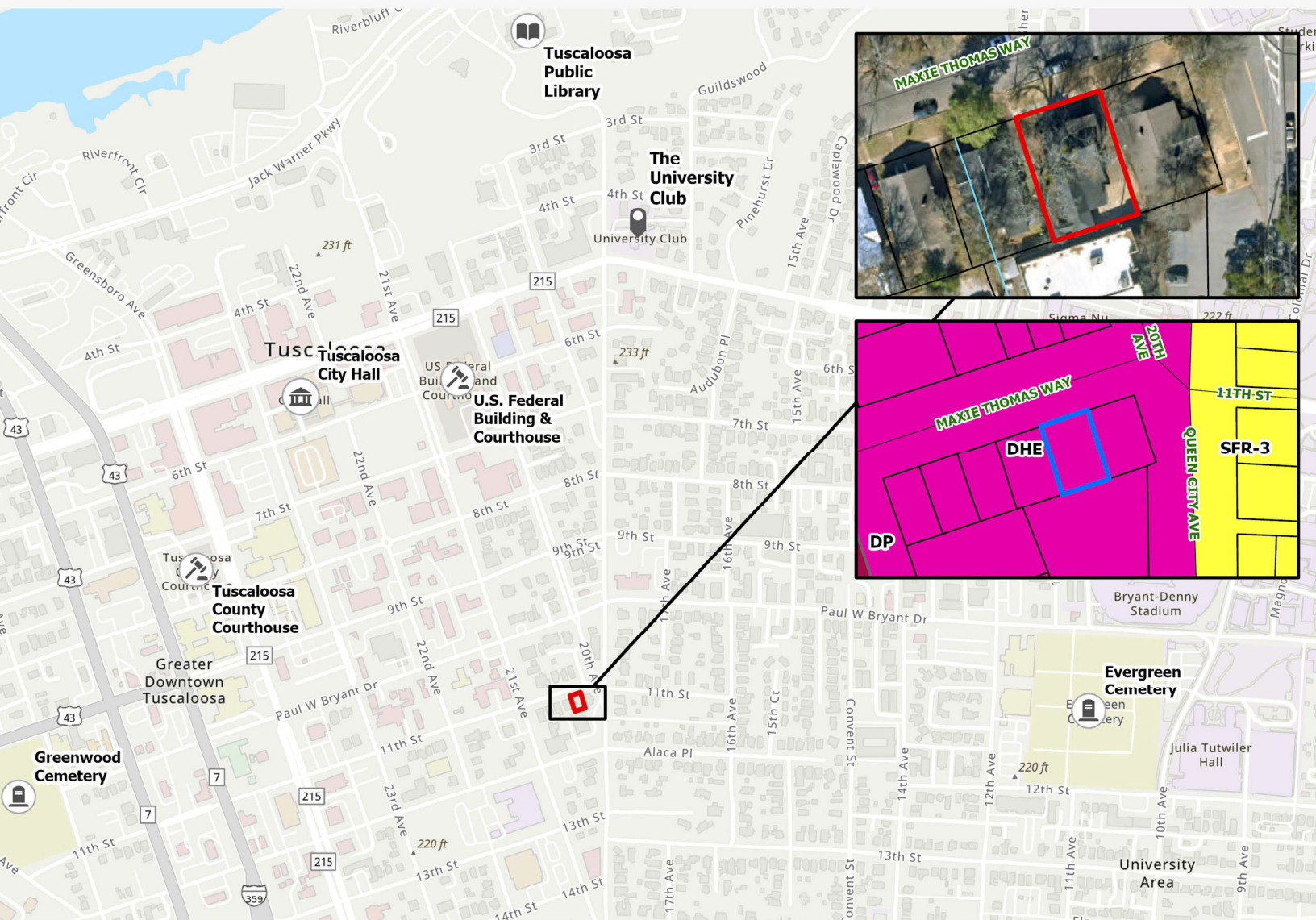
2007 MTW Parking 3.png



2007 Maxie Thomas Way

0 375 750 1,125 1,500 Feet

N





2007 Maxie Thomas Way

1 inch = 50 feet
0 25 50 75 100 Feet



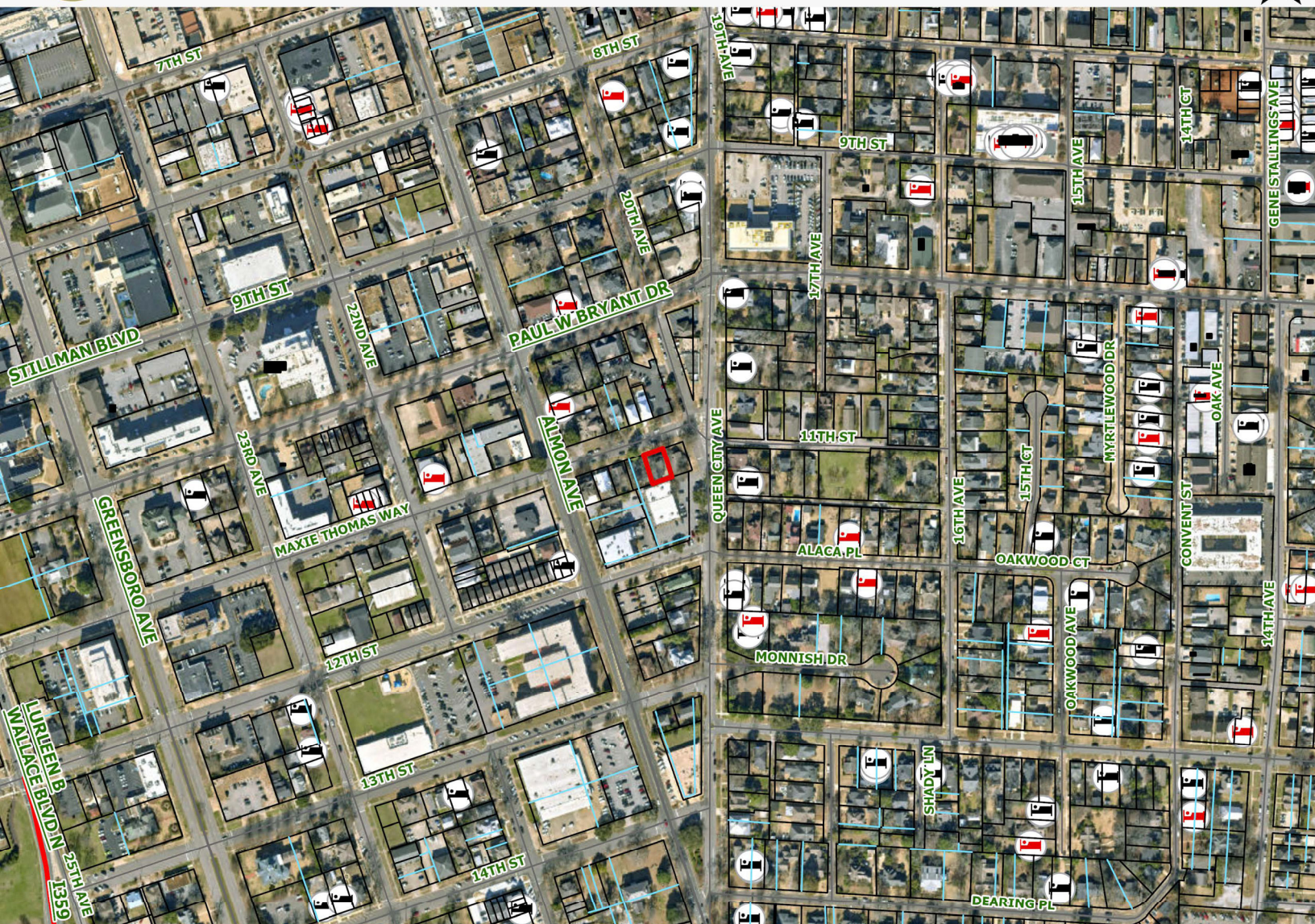


2007 Maxie Thomas Way

1 inch = 350 feet

0 200 400 600 800

N





NOTICE
THIS PROPERTY IS BEING
CONSIDERED FOR A
VARIANCE SPECIAL EXCEPTION
FOR USE AS A RESIDENTIAL
HOMEBASE FOR A BUSINESS
AND/OR PROFESSIONAL OFFICE
AND/OR OTHER USES
NOT PERMITTED BY THE ZONING
ORDINANCE.



2007 Maxie Thomas Way (Onsite Parking)

