

ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 27, 2026

ZBA-59-26

GENERAL INFORMATION

Petitioner

Joshua Jones

Requested Action and Purpose

Variance from the use specific standards for tent sheltered retail to operate a tent sheltered retail establishment with a vehicle or tent larger than 50 square feet in area for longer than 45 days per calendar year

Location and Existing Zoning

1201 Mcfarland Blvd NE. Zoned GC. (Council District 3)

Size and Existing Land Use

Approximately 0.54 acres, Commercial

Surrounding Land Use and Zoning

North: Commercial, GC

East: Commercial, NC

South: Commercial, GC

West: Commercial, GC

Applicable Regulations

Sec. 25-101.c – Standards Specific to Commercial Uses.

6.xi Vehicle-mounted or tent-sheltered retail.

(a) All vendors shall have a business license issued by the city.

(b) Food sales are permitted on the site only in accordance with the requirements that apply to the mobile food vending unit temporary use.

(c) All exterior lighting shall comply with article VI, division 6, exterior lighting standards.

(d) The vendor shall provide garbage receptacles and other facilities to prevent nuisances.

(e) The vehicle or tent and all signage used in connection with the use shall meet the setback, size, and location standards which apply to principal commercial structures in the zoning district and shall not be permanently affixed to the ground.

(f) The maximum size for a single tent is four hundred (400) square feet.

(g) No vehicle or tent larger than fifty (50) square feet in area shall be operated on any one premises for more than forty-five (45) days in a calendar year.

(h) This use may be accessory to a principal use on the site.

SUMMARY

The petitioner is requesting a variance from the use specific standards for tent sheltered retail to operate a tent sheltered retail establishment with a vehicle or tent larger than 50 square feet in area

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for longer than 45 days per calendar year. The petitioner will operate seven days a week from 8:00am to 7:00pm when weather permits, from March to December. Joshua Jones and his sister Juilia Jones will be the primary employees on site, but family members may assist them occasionally. Equipment used includes a refrigerated box truck, two 10' x 10' tents, four tables, and two benches.

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.

Infrastructure and Public Services, Engineering Division: No comment

Fire and Rescue Department, Fire Administration: No comment

Variance Application

Property Information:

Site Address:

1201 Mcfarland Blvd NE, Tuscaloosa, Alabama 35406

Total Acres:

2

Number of Existing Structures:

1

Current Zoning:

General Commercial (GC)

Current Land Use:

Vacant

Applicant Information:

Applicant Name:

Joshua Jones

Is the applicant also the property owner?

No

Property Owner Information:

Owner 1

Property Owner Name:

Stan Pate

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.

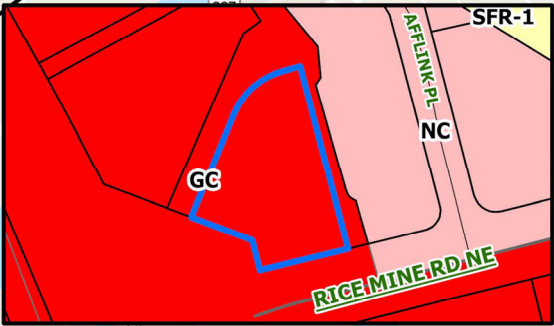
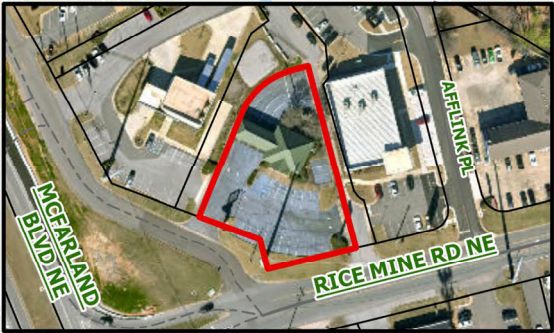
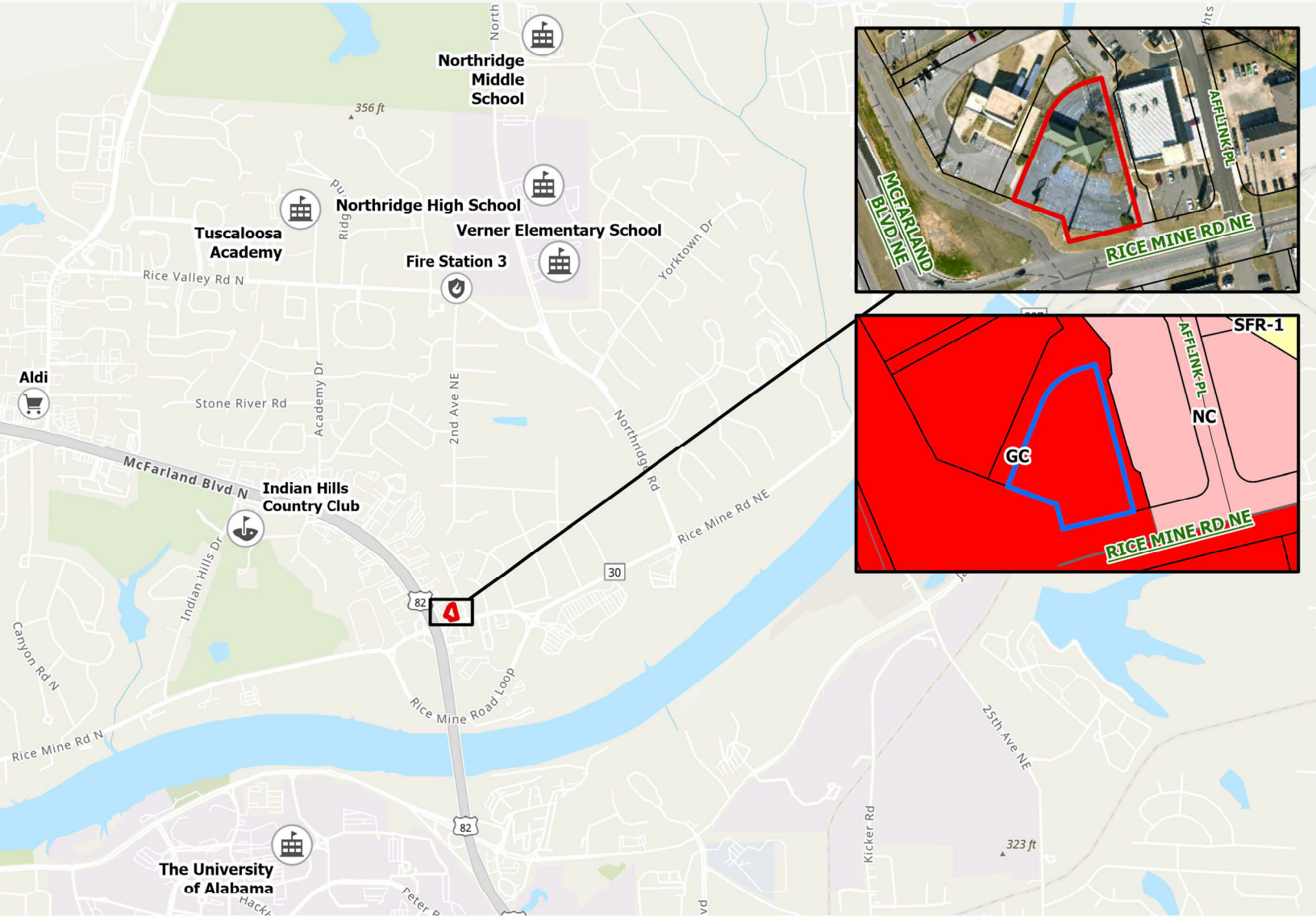
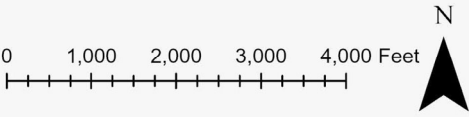
Detailed Description of the Proposed Request, including Hardship:

Retail Alabama Grown produce that Joshua Jones grows himself using tents to protect the produce from the sun and rain and tables to keep the produce up off of the ground.

Supporting Documents:



1201 McFarland Blvd Northeast





1201 McFarland Blvd Northeast

1 inch = 75 feet
0 40 80 120 160 Feet

