

ZONING BOARD OF ADJUSTMENT STAFF REPORT

August 24, 2026

ZBA-60-26

GENERAL INFORMATION

Petitioner

Bill Lundsford

Requested Action and Purpose

Variance from the rear setback requirements to allow the construction of a single-family dwelling.

Location and Existing Zoning

5327 Park Ave. Zoned GPD. (Council District 3)

Size and Existing Land Use

Approximately 1.5 acres, Residential

Surrounding Land Use and Zoning

North: Single Family Residential, GPD

East: Single Family Residential, GPD

South: Vacant, NC

West: Vacant, OS

Applicable Regulations

Division 7. - Planned Development Districts

Sec. 25-91.b.

b. Relationship to existing planned unit developments and RDD district. Lands designated in a planned unit development (PUD) or the riverfront development district (RDD) on January 1, 2025 are recognized as valid, and shall be carried out in accordance with the terms and conditions of their approval, so long as they remain valid and have not expired or been revoked, or been substantially modified with respect to the character of the development or the intent of the approval.

SUMMARY

The petitioner is requesting a variance from the rear setback requirements to allow the construction of a single-family dwelling. The rear setback requirement for the lot as created by the Planned Unit Development for the Townes of North River is 35 feet. The petitioner is requesting to build the structure 15 feet away from the rear property line. The petitioner states that they are requesting to move the structure closer to the rear property line due to topography limitations in the front yard and to preserve the existing large hardwood trees in the front yard.

Office of Urban Development, Planning Division: No comment

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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:

5327 Park Ave, Tuscaloosa, Alabama 35406

Total Acres:

1.5

Number of Existing Structures:

none

Current Zoning:

Single Family Residential 3 (SFR-3)

Current Land Use:

Residential

Applicant Information:

Applicant Name:

Bill Lunsford

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:

Petitioner is requesting a variance from the required 35' set back on the South property line to a 15' set back. The lot is 1.5 acres and has large hardwood trees on the front portion of the lot. In an effort to save as many trees as possible the house site needs to be moved to the location as shown on the archetech drawing. The property to the south property line has a large creek joining and crossing this lot and is owed by Ala Mental Health and is part of Sokol hiking and biking trail.

Supporting Documents:

Site Plan (if applicable):

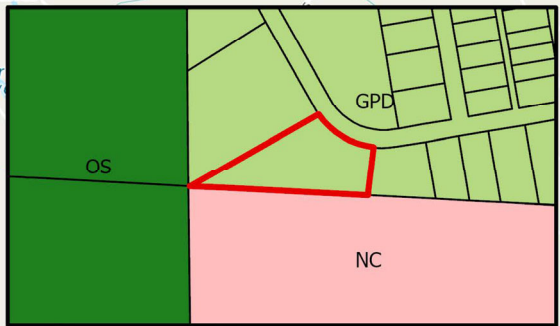
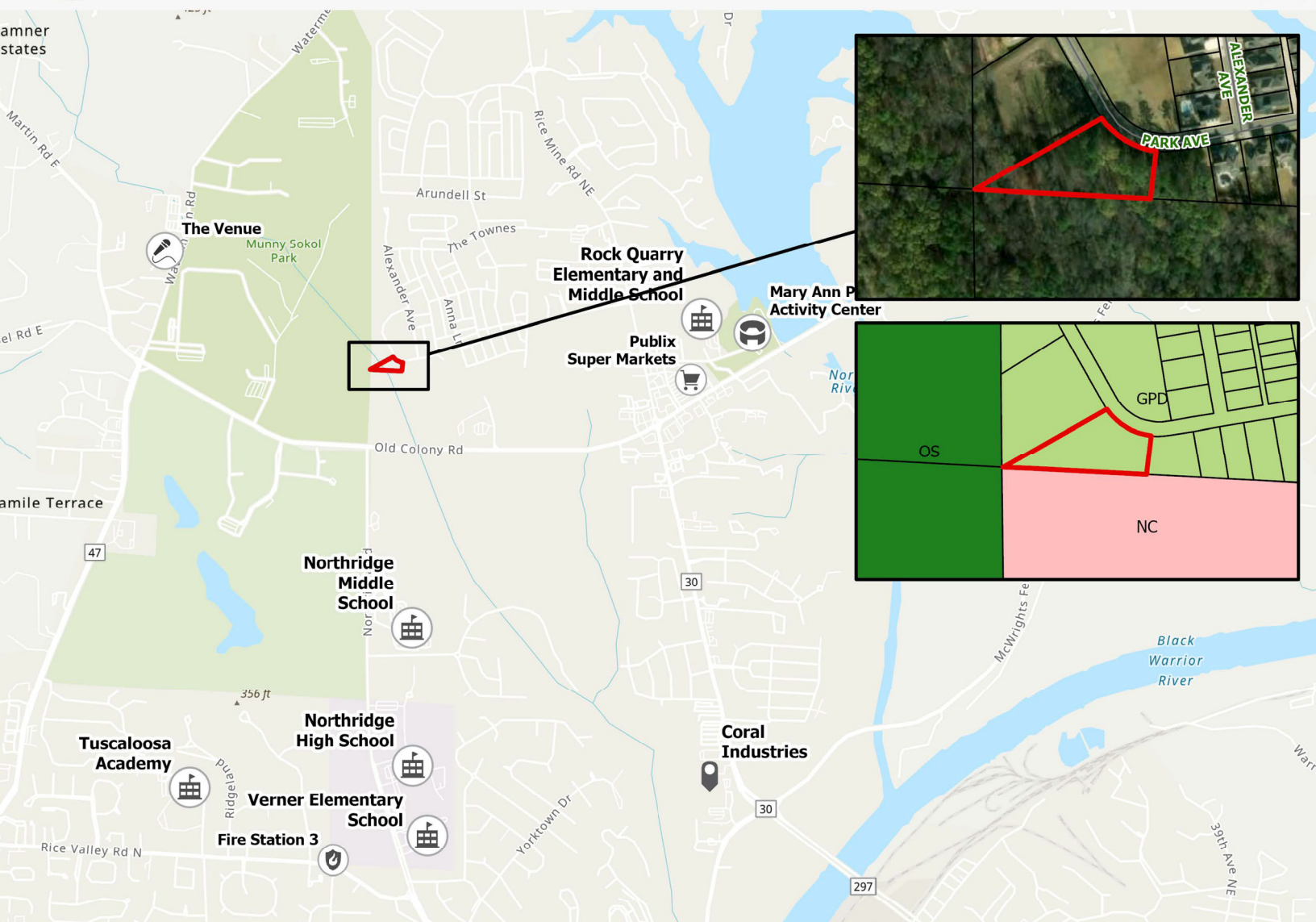
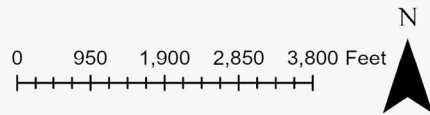
Aerial Image with Utility Easement & Home Layout -
2026 07 10.pdf

Elevation Drawings (if applicable):

Additional Documents:

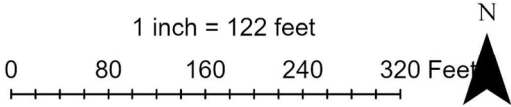
98 Townes city easment drawing.pdf

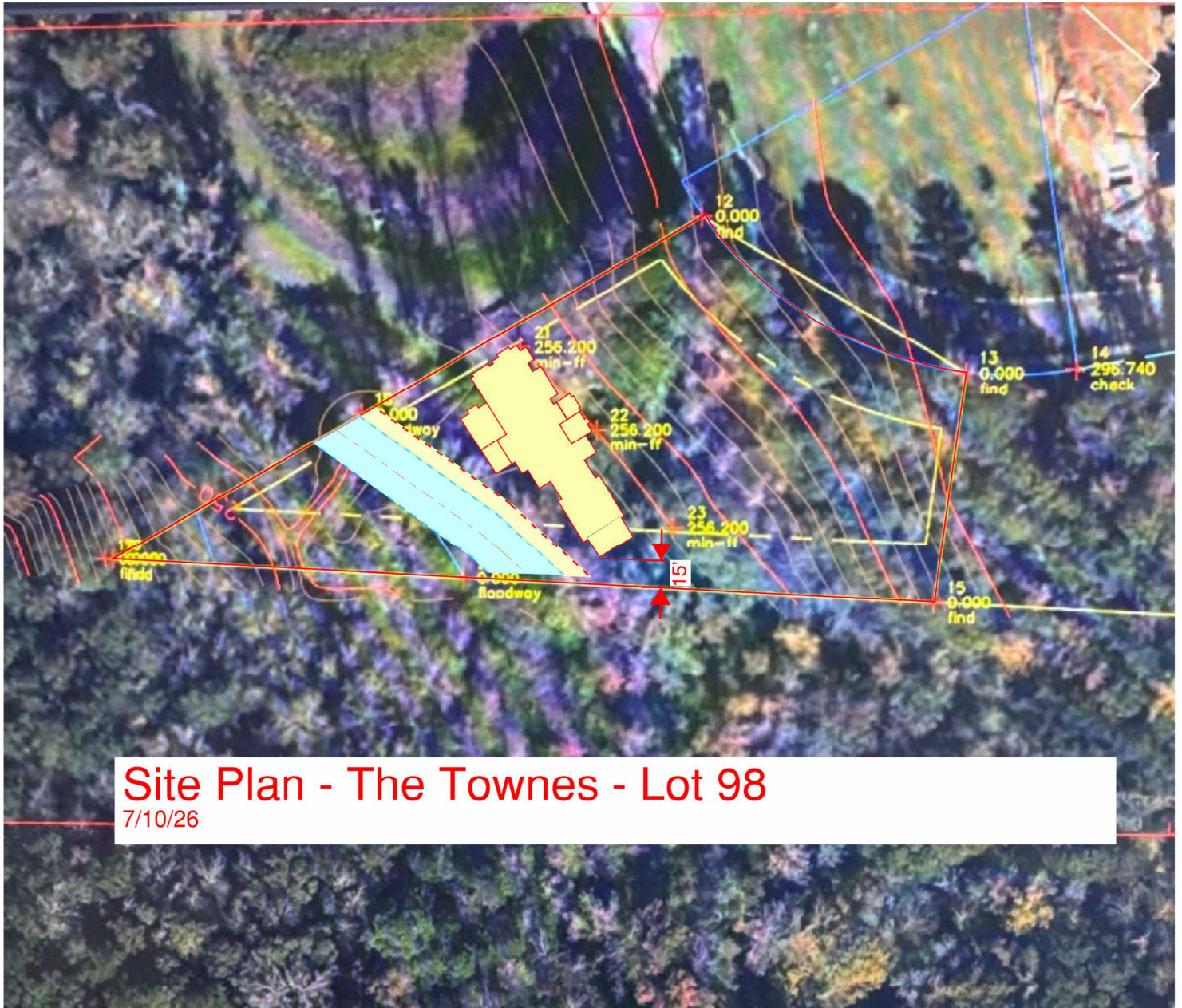
98 Townes survey.pdf





5327 Park Avenue





Site Plan - The Townes - Lot 98
7/10/26

- ▲ Coppas rebor Set (Alman Associates)
- Iron Pipe / Pin Found
- Wkt. Minimum Building Line

STATE OF ALABAMA
TUSCALOOSA COUNTY

MICHAEL J. MAQUIRE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, OF THE FIRM MAQUIRE & ASSOCIATES, A DIVISION OF GEA INC., MUSCOGEE COUNTY, ALABAMA, HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY SHOWN HEREON AND DESIGNATED AS "THE TOWNES OF NORTH RIVER PHASE 00", LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 05, TOWNSHIP 20S AND RANGE 05E, MUSCOGEE COUNTY, ALABAMA, AND THAT SAID PLAT IS A TRUE AND CORRECT MAPPING OF SAID SURVEY, BEING COMPLETED IN ACCORDANCE WITH THE STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA. I, MICHAEL J. MAQUIRE, AS CHIEF OF SAID REPRESENTATIVES, HEREBY ACCEPTS AND ADOPTS SAID SURVEY AND WITNESS MY HAND ON THIS 26th DAY OF APRIL, 2018.

CHRIS W. HAYSUP, MEMBER/MANAGER
THE TOWNES OF NORTH RIVER DEVELOPMENT COMPANY, LLC

MICHAEL J. McGUIRE, P.L.S. AL. LICENSE NO. 21782

STATE OF ALABAMA
TUSCALOOSA COUNTY

L. Christine D. Hallman, a Notary Public in and for said county in said state, hereby certify that Chris W. Hayles, whose name is signed to the foregoing certificate as Member/Manager for the Townes of Northriver Development Company, of the property shown herein, are known to me and acknowledged before me on this day that being informed of the contents of said certificate, they as such officers, executed the same voluntarily.

Gave under my hand on this the 04 day of February 2019
Cheryl B. Balleman
NOTARY PUBLIC
My commission expires 09/23/23

General Notes

- ALL EASEMENTS, EXCEPT THOSE IDENTIFIED AS PRIVATE, SHOWING ON PLATS FOR PUBLIC UTILITIES, SANITARY, SEWERS, STORM SEWERS, AND STORM DITCHES, MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION, NO PRIVATE UTILITY, INCLUDING PRIVATE SANITARY SEWER LINES, THAT RUN ALONG THE PUBLIC UTILITY RIGHT-OF-WAY SHALL BE INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT, BUT MAY BE PERMITTED TO CROSS PERPENDICULAR TO THE EASEMENT, NO INCURMENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DESIGNATED EASEMENT, FENCED SUBDIVISIONS AND WITHIN AN EASEMENT ARE SUBJECT TO REMOVAL, WITHOUT COMPENSATION AT CONVENIENCE OF CITY OR COUNTY.

2. ALL RADII ARE 25 FEET UNLESS OTHERWISE NOTED.
3. ALL ANGLES AND DISTANCES FOR A CURVE ARE TO THEIR RESPECTIVE CHORDS.
4. THIS SURVEY AND DRAWING WAS COMPLETED WITHOUT BENEFIT OF A TITLE SEARCH OR OPINION. THEREFORE THERE MAY BE EASEMENTS AND RIGHTS-OF-WAYS WHICH ARE NOT SHOWN ON THIS DRAWING.
5. ALL IMPROVEMENTS NOT SHOWN AT THIS TIME.

6. SOURCE OF TITLE: O.B. 2005, PG. 20966

THIS PLAT APPROVED BY THE ENGINEERING DEPARTMENT OF THE
CITY OF TUSCALOOSA, ALABAMA ON THIS THE 30th DAY OF
December, 2019.

TUSCALOOSA CITY ENGINEER

THIS PLAT APPROVED BY THE CITY OF TUSCALOOSA PLANNING AND ZONING COMMISSION ON THIS THE 24 DAY OF December 2019.

SECRETARY
TUSCALOOSA PLANNING AND ZONING COMMISSION

THIS SUBDIVISION MEETS THE APPROVAL OF THE TUSCALOOSA

COUNTY HEALTH DEPARTMENT SUBJECT TO CERTAIN CONDITIONS OF APPROVAL AND/OR LOT DELETIONS ON FILE WITH THE SAID HEALTH DEPARTMENT, WHICH CONDITIONS ARE MADE A PART OF THIS APPROVAL, AS IF SET OUT HEREON

THIS PLAN APPROVED BY THE TUSCALOOSA COUNTY HEALTH
DEPARTMENT ON THIS THE 26th DAY OF
December, 2018.

ENVIRONMENTAL SUPERVISOR

THIS PLAT APPROVED BY THE ENGINEERING DEPARTMENT OF
TULALOO COUNTY ON THIS 22nd DAY OF
December 2019.

South Galesburg, T. 23 C.
TUSCALOOSA COUNTY ENGINEER



NOT PART OF
THIS SUBDIVISION

TOWNS OF NORTH RIVER
PHASE XVII
PLATBOOK 2016, PAGE 19

OPEN SPACE/
COMMON
AREA

TOWNS OF NORTH RIVER
PHASE XVII
PLATBOOK 2016, PAGE 19

OPEN SPACE/
COMMON
AREA

PARK AVENUE
50' RIGHT-OF-WAY

2019 234

[illegible]

QUARTER - SECTION	DATE
PART OF THE NORTHEAST QUARTER	
SECTION 36, T20S, R10W	

FINAL PLAT
THE TOWNES OF
NORTH RIVER
PHASE XXII
TUSCALOOSA COUNTY, ALABAMA

MCGUIRE ASSOCIATES
A DIVISION OF

GO

GONZALEZ - STRENGTH & ASSOCIATES, INC.
1000 WESTERN AVENUE, SUITE 1000 • LOS ANGELES, CA 90017
TEL: (213) 480-1000 • FAX: (213) 480-1001

FORM NO.
FD-1
PROJECT
10-0725

NOTE: NO FILLING OR CONSTRUCTION SHALL BE ALLOWED IN THE PORTION OF THIS SUBDIVISION DESIGNATED AS "FLOODWAY" WITHOUT THE WRITTEN PERMISSION OF THE CITY OR COUNTY ENGINEER.

157 7100 ELEVATION 256.20'





