

ZONING BOARD OF ADJUSTMENT STAFF REPORT

September 28, 2026

ZBA-82-26

GENERAL INFORMATION

Petitioner

Surinder Hari

Requested Action and Purpose

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

Location and Existing Zoning

422 23rd St. SFR-1. (Council District 2)

Size and Existing Land Use

Approximately 0.3 acres, Single-family residential.

Surrounding Land Use and Zoning

North: Single-family residence, SFR-1

East: Single-family residence, SFR-1

South: Single-family residence, SFR-1

West: Single-family residence, SFR-1

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. Carlos Ochoa will be the primary contact and will be available 24hrs a day in case of an emergency. The petitioner has experience managing two other short-term rental properties. The house is equipped with cameras and keypad locks. The house is not owner occupied. When not rented, the property will remain vacant. The house has 4 bedrooms and 4 bathrooms. The petitioner is requesting 8 adults and 2 vehicles. If approved, staff recommends 4 adults/2 vehicles based on existing driveway/off-street parking and occupancy as it relates to parking.

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:

422 23rd St, Tuscaloosa, Alabama 35401

Numer of Bedrooms:

4

Number of Bathrooms:

4

Total Square Footage of Residence:

2139

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 not rented the property will be locked and unoccupied.

Applicant Information:

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

2

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

Carlos Ochoa, contact number 281-904-4923. He is located in Tuscaloosa AL and is available 24 hours a day.

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

Untitled

2 other properties: 27 Springbrook Tuscaloosa, AL 35405, 2609 Hackberry Ln Tuscaloosa, AL 35401. No issues currently.

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

Cameras, Keypad locks are in place.

Supporting Documents:

Rules and Regulations:

COZY HOME HOUSE RULES.docx

Photos of Parking Area:

IMG_9756.jpg

Additional Documents:

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.

COZY HOME HOUSE RULES:

As a Superhost, we aim to make your stay as comfortable as it can possibly be! Our mission is to help our guests create beautiful family memories in our cozy home. For us to do so, we would truly appreciate it if you can follow these house rules and confirm that is has been reviewed WITHIN 48 HOURS OF YOUR BOOKING. This is to ensure that if there is any reason the House Rules cannot be followed, you, our guest, will have the option of cancelling the booking penalty free as we have a Strict Cancellation policy. Thank you in advance and truly appreciate your cooperation!

- No shoes within the house.
- Keep noise to a minimum after 10pm.
- There shall not be smoking inside the home. Extra cleaning fees to remove odor and stains may be applied.
- PLEASE WASH YOUR DISHES after use. If dishes are not washed, extra cleaning fees may be applied.
- PARKING: parking is provided on the driveway side by side. Our driveway is suitable for sedans or smaller SUVs. If larger/longer cars or if more than one car, you can park parallel in front of the house where the bushes are.
- We have recently added a Foosball Table and Pool Table in the home for our guest's entertainment. Please return all accessories to their rightful places at the end of your stay.
- Feel free to use the barbecue outside that is set up for our super guests' leisure use only. The BBQ is to be used by the guests who stay at the home and is not to invite others to the home as it will be considered as hosting a party. Please clean up after yourselves and keep the grill clean. If found left dirty and requires extra cleaning, an extra cleaning fee may be required. You will also need to add your own gas to the BBQ as it is not supplied.
- Please acknowledge that from occasionally, we may leave consumables such as condiments or snacks left behind by previous guests if they are not empty. We try our very best to ensure that it is not expired or stale. HOWEVER, ultimately, it is up to the guests' discretion and inspection to consume these items if they wish. The host does not take any responsibility for the consumables.
- Please do not rearrange our furniture.

- If you would like to host an event (i.e. wedding, graduation, not party), please speak with us about it first.

- If guests are found to have had a party without host permission which results in extra cleaning, guests will be responsible for extra cleaning charges and in the unfortunate event of the disruptions alerting neighbors, GUESTS WILL BE ASKED TO VACATE THE PROPERTY IMMEDIATELY.

- If guests are suspected of carrying and/or using illegal drugs of any kind, the authorities will be engaged, and GUESTS WILL BE ASKED TO VACATE THE PROPERTY IMMEDIATELY.

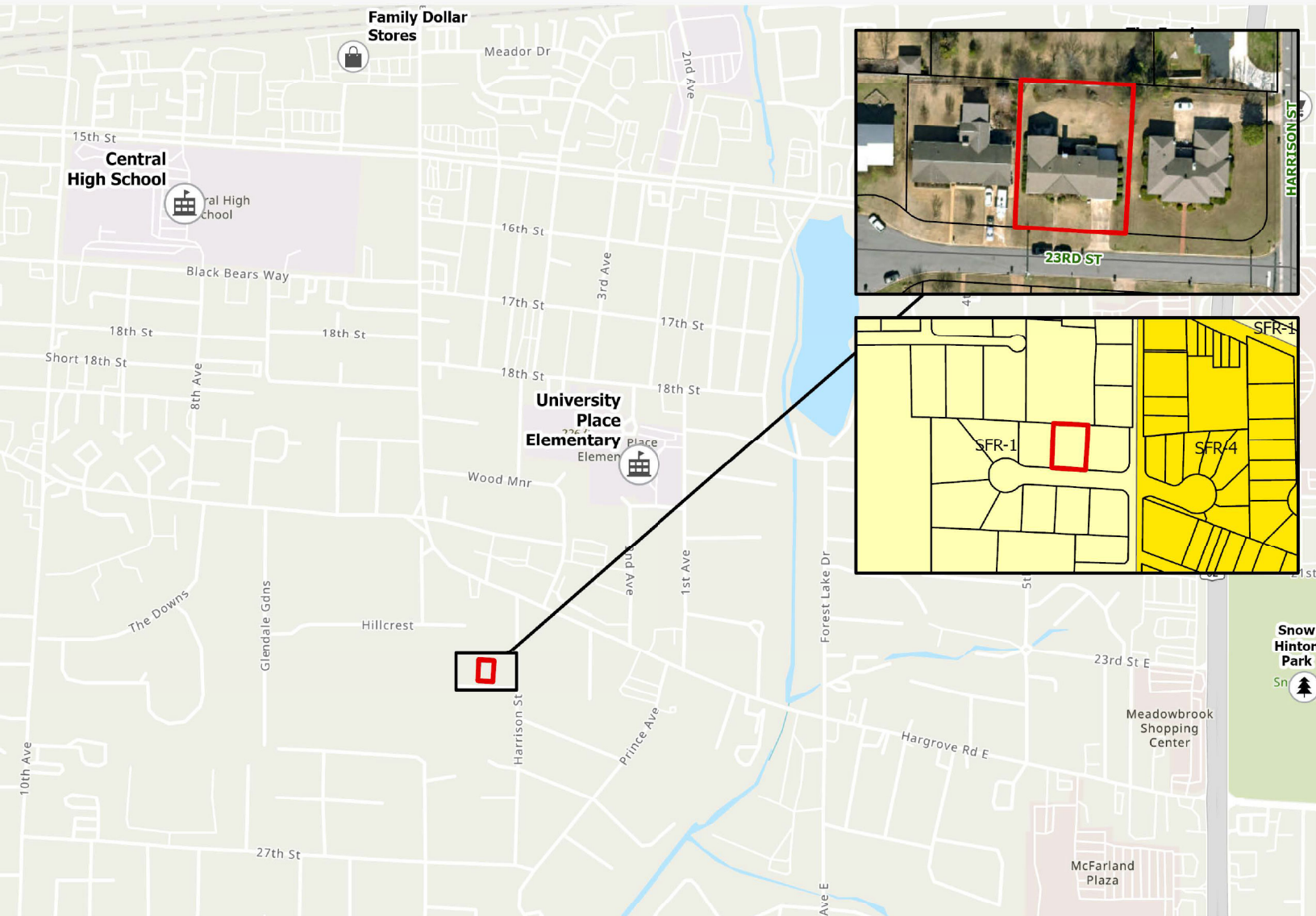
- Lastly, because this is an Airbnb community not a hotel, please be respectful of the property and keep it clean before you leave. (Respect our property and our things)





422 23rd Street

0 390 780 1,170 1,560 Feet





422 23rd Street

1 inch = 84 feet

0 50 100 150 200 Feet





422 23rd Street

