

ZONING BOARD OF ADJUSTMENT STAFF REPORT
September 28, 2026

ZBA-80-26

GENERAL INFORMATION

Petitioner

Gregory & Elizabeth Jones

Requested Action and Purpose

Variance from the use specific standards for accessory structure to allow an accessory structure to be located closer to the street than the principal structure.

Location and Existing Zoning

2304 58th St E. Zoned SFR-1. (Council District 7)

Size and Existing Land Use

Approximately 0.5 acres, 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

Division 3. – Accessory Uses and Structures

Sec. 25-107.b

b. All accessory uses and structures shall:

1. Comply with all applicable city, state, and federal regulations;
2. Be customarily accessory and clearly incidental and subordinate to the principal use and structure;
3. Be located on the same lot as the principal use or structure;
4. Comply with the standards for the zoning district in which it is located;
5. Comply with the development standards in article VI, development standards;
6. Be located at least five (5) feet from any lot line in a required side or rear yard;
7. Not cover more than thirty (30) per cent of the required rear yard; and
8. Not be occupied as a dwelling except where specifically permitted by this ordinance.

Division 3. – Accessory Uses and Structures

Sec. 25-107.e

e. In a residential zoning district, no accessory structure shall:

1. Be located closer to a street than the principal structure;
2. Be taller than the principal structure on the site; or

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3. Exceed the larger of six hundred fifty (650) square feet of building footprint, or forty (40) percent of the principal structure's building footprint, whichever is larger.

SUMMARY

The petitioner is requesting a variance from the use specific standards for accessory structure to allow an accessory structure to be located closer to the street than the principal structure. The petitioner states that the subject property has several unique physical characteristics (i.e. irregular boundary configuration, slopes in the side and rear yards, limited space in the rear yard) that would make relocating the accessory structure "difficult and potentially impractical." Additionally, the petitioner claims that relocating the accessory structure "may create concerns regarding visibility, setbacks, and overall suitability [in regard to placement on the property]."

Variance Application

Property Information:

Site Address:

2304 58th St. E., Tuscaloosa, Alabama 35405

Total Acres:

1.5

Number of Existing Structures:

2

Current Zoning:

Single Family Residential 1 (SFR-1)

Current Land Use:

Residential

Applicant Information:

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:

Please see "Additional Document Section"

Supporting Documents:

Site Plan (if applicable):

2304 58th Street Tuscaloosa.pdf

Elevation Drawings (if applicable):

2304 58th Street Tuscaloosa.pdf

Additional Documents:

Variance Request Jones.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.

September 3, 2026

Gregory L. & Elizabeth I. Jones
2304 58th St. E.
Tuscaloosa, AL 35405

Subject: Request for Residential Variance

To whom it may concern:

We, **Gregory L. and Elizabeth I. Jones** respectfully submit this request for a variance to allow the existing shed on our property to remain in its current location, where it is being used to house a vehicle. The structure was placed in good faith based on our understanding of the property's layout and usable space, and we had no intention of violating any city ordinance or regulation.

Unique Property Hardship

Our property has several unique physical characteristics that significantly limit suitable locations for the shed:

- The property has an irregular boundary configuration.
- Portions of the side yard and backyard are affected by significant slopes.
- The placement of the home limits the amount of practical and usable space available behind the residence.
- Areas that may satisfy the city's placement requirements are located on steep terrain, making construction or relocation difficult and potentially impractical.

To provide objective documentation of these conditions, we have retained a local land surveyor, Montgomery & Hinkle, Inc., to evaluate the property and provide professional information in support of this request.

Challenges Associated with Relocation

Relocating the shed may create additional concerns, including:

- Placement closer to a busy public roadway.
- Placement near a nearby intersection.
- Potential issues related to setbacks and visibility.
- The need to locate the structure immediately adjacent to the garage, reducing the functionality and appearance of that area of the property.

Impact on Surrounding Properties

To the best of our knowledge, the shed's current location:

- Does not negatively affect neighboring properties.
- Does not interfere with public access.
- Does not adversely affect the safe use of the surrounding area.

Allowing the shed to remain in its current location would accommodate the property's physical limitations without creating a negative impact on the surrounding community.

Facts Supporting This Request

- The shed was placed in its current location in good faith.
- The property's irregular shape and existing home placement create limited practical relocation options.
- Significant slopes make relocation difficult and potentially impractical.
- The attached
- professional land survey documents the property's boundary configuration, grade changes, setbacks, and usable building area.
- The shed does not interfere with neighboring properties, public access, or safety.
- Alternative locations may create concerns regarding visibility, setbacks, and overall suitability.

We respectfully ask the board to consider the unique physical characteristics of our property and approve this variance request to allow the shed to remain in its current location. Thank you for your time and consideration.

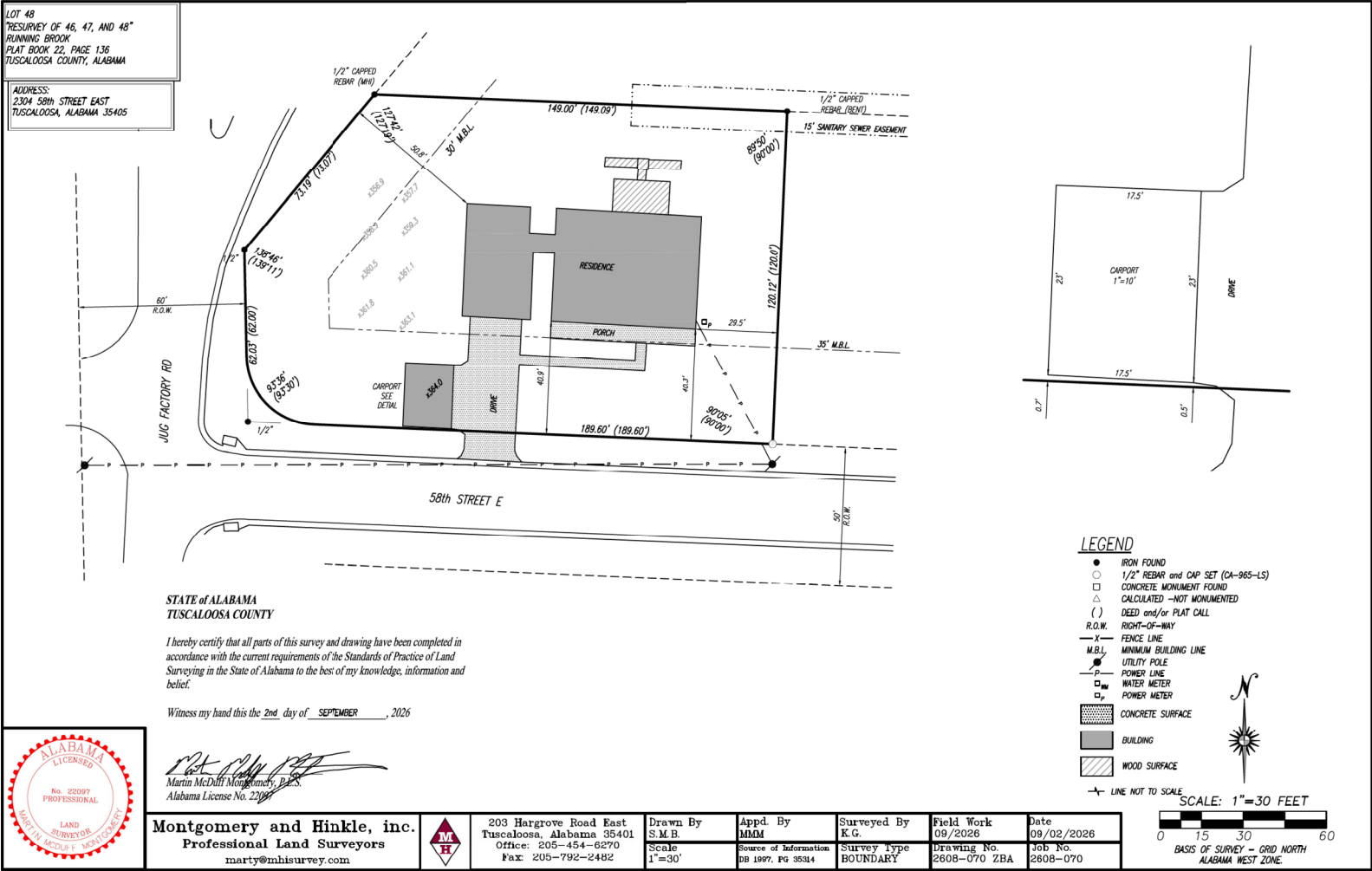
Respectfully submitted,

Gregory L. Jones

Elizabeth J. Jones

LOT 48
RESURVEY OF 46, 47, AND 48"
RUNNING BROOK
PLAT BOOK 22, PAGE 136
TUSCALOOSA COUNTY, ALABAMA

ADDRESS:
2304 58th STREET EAST
TUSCALOOSA, ALABAMA 35405



STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

Witness my hand this the 2nd day of SEPTEMBER, 2026

Martin McDuff Montgomery, R.L.S.
Martin McDuff Montgomery, R.L.S.
Alabama License No. 22097

Montgomery and Hinkle, inc.
Professional Land Surveyors
marty@mhisurvey.com

203 Hargrove Road East
Tuscaloosa, Alabama 35401
Office: 205-454-6270
Fax: 205-792-2482

Drawn By
S.M.B.
Scale
1"=30'

Appd. By
MMH
Source of Information
DB 1997, PG 35314

Surveyed By
K.G.
Survey Type
BOUNDARY

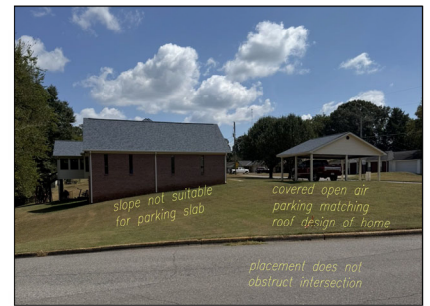
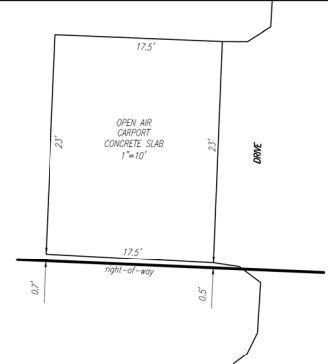
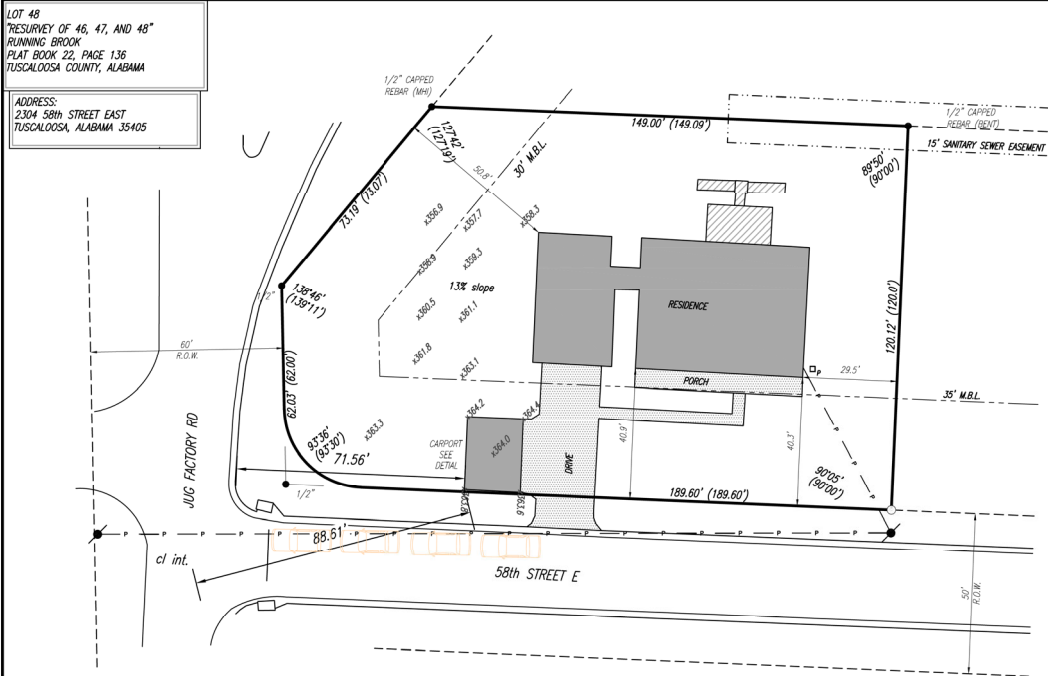
Field Work
09/2026
Drawing No.
2608-070 ZBA

Date
09/02/2026
Job No.
2608-070



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[Signature]
Martin McDuff Montgomery, R.L.S.
Alabama License No. 22097

LEGEND

- IRON FOUND
- 1/2" REBAR and CAP SET (CA-965-LS)
- CONCRETE MONUMENT FOUND
- △ CALCULATED - NOT MONUMENTED
- () DEED and/or PLAT CALL
- X- RIGHT-OF-WAY
- X- FENCE LINE
- M.B.L. MINIMUM BUILDING LINE
- UTILITY POLE
- POWER LINE
- WATER METER
- POWER METER
- CONCRETE SURFACE
- BUILDING
- WOOD SURFACE
- LINE NOT TO SCALE

Montgomery and Hinkle, inc.
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Fax: 205-792-2482

Drawn By
S.M.B.

Appd. By
MMM

Source of Information
DB 1997, PG 35314

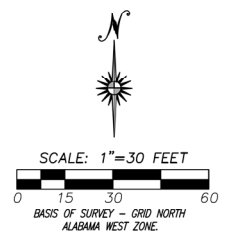
Surveyed By
K.G.

Field Work
09/2026

Date
09/02/2026

Drawing No.
2608-070 ZBA

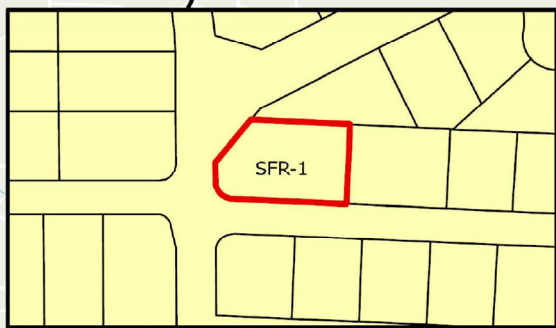
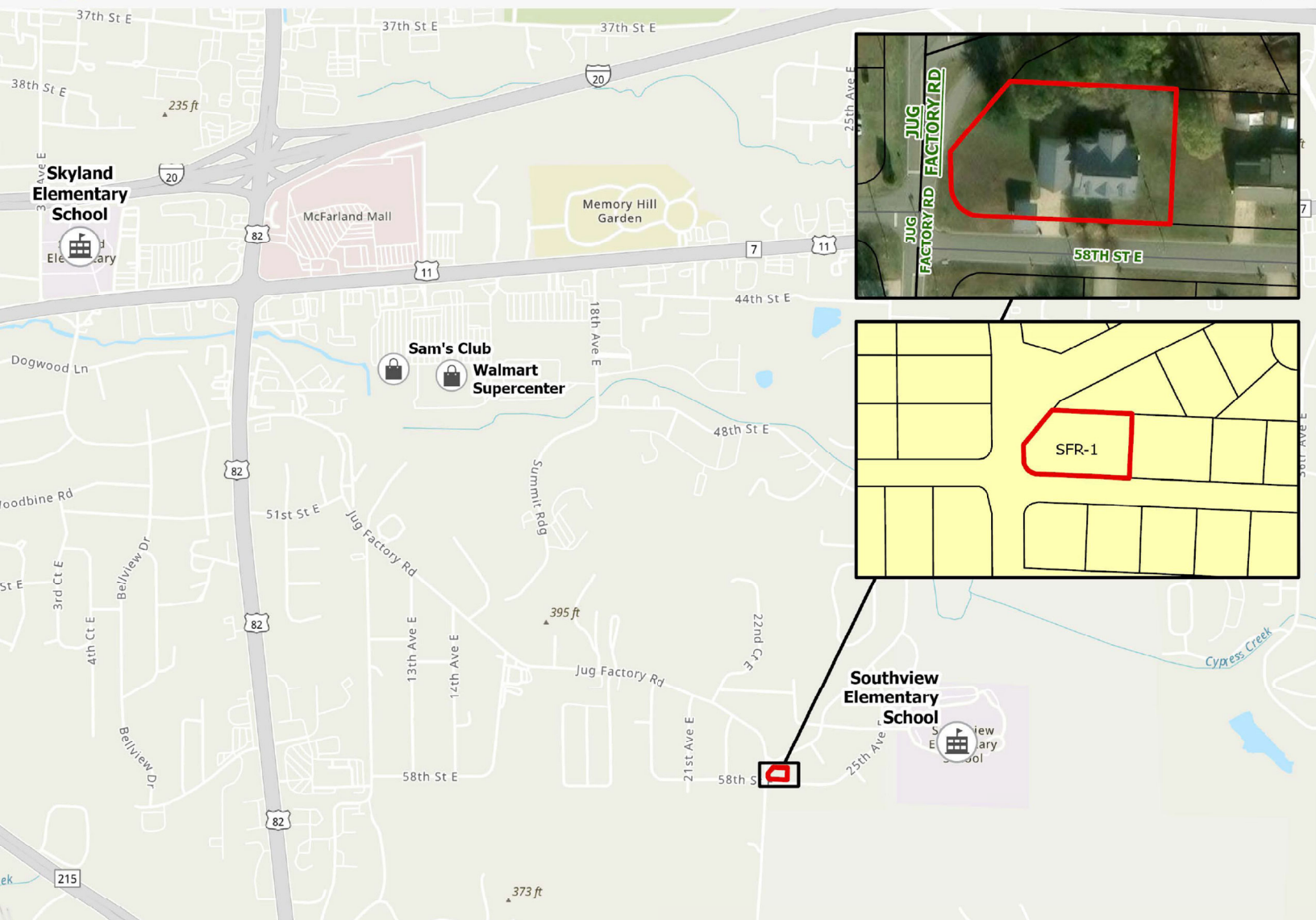
Job No.
2608-070





2304 58th Street East

0 610 1,220 1,830 2,440 Feet



Southview
Elementary
School





2304 58th Street East

