BOARD OF ADJUSTMENT STAFF REPORT
February 25, 2019

ZBA-10-19

GENERAL INFORMATION

Property Owner ( ) Petitioner (x)
Holman Freight Company

Requested Action and Purpose
Special exceptions to operate a heavy construction equipment sales agency and to allow a temporary mobile or modular office

Location and Existing Zoning
4014 Culver Road. Zoned BH (pending). (Council District 1)

Size and Existing Land Use
Approximately 9.15 Acres, Commercial Business (Retail)

Surrounding Land Use and Zoning
North – Single-family dwellings, R-2
East – Single-family dwelling and restaurant, PJ
South – Vacant lots, PJ
West – Industrial, PJ

Applicable Regulations
Sec. 24-91. – Special Exceptions
(10) *Farm implement or heavy construction equipment sales agency*
PRIMARY

a. Not more than one acre shall be devoted to outside storage or display of farm implements or heavy construction equipment. Such outdoor storage area shall be well drained and surfaced with crushed rock or better. Wrecked or derelict equipment and parts shall not be stored outside an enclosed building.

(38) *Temporary mobile or modular office in commercial and industrial sites*
PRIMARY

a. The applicant shall demonstrate to the satisfaction of the board that there are serious practical reasons to use a mobile or modular unit rather than conventional construction.

DISCRETIONARY

b. Whenever possible, placement of the unit should be tied to a specific length of time or to the occurrence of a specific event. The unit shall be moved promptly after expiration of the allotted time, unless extended by the board.
c. The unit should blend with nearby structures on the premises or the surrounding area, should have tie-downs and underpinning, and if feasible, not be easily visible from surrounding property or a public street.

SUMMARY

The petitioner is requesting two special exceptions, one is to operate a heavy construction equipment sales agency, and the other is to allow a temporary mobile or modular office.

The petitioner would like to request these special exceptions and ask that they are granted contingent upon rezoning the property to BH (Business Highway) through the Planning and Zoning Commission within 3-4 months of ZBA approval.

Planning: No comment

Building and Inspections: No comment

Fire: No comment

OCE: No comment

City of TUSCALOOSA URBAN DEVELOPMENT

PETITION TO THE ZONING BOARD OF ADJUSTMENT

DEADLINE FOR SUBMISSION OF PETITION: BY 12:00 NOON ON THE FIRST (1ST) MONDAY OF EACH MONTH. NO PETITION WILL BE ACCEPTED AFTER THE DEADLINE UNDER ANY CIRCUMSTANCES.

MEETING DATE AND TIME: TYPICALLY THE FOURTH (4TH) MONDAY OF EACH MONTH AT 5:00 P.M. IN THE CITY COUNCIL CHAMBERS ON THE SECOND FLOOR OF CITY HALL

The undersigned appeals to the Zoning Board of Adjustment for:

☐ **Special Exception**
- ☐ Commercial
- ☐ Residential

☐ **Variance**
- ☐ Commercial
- ☐ Residential

☐ **Special Exception for Short-Term Rental**
- ☐ TO Lake District*
- ☐ TO Historic District** Historic District: _____

ZONING DISTRICT: ML

☐ **Appeal of a decision or ruling of the Zoning Officer**

Fee Schedule

Special Exception:
Commercial----------$200.00
Residential----------$ 50.00
Short-Term Rental----------$200.00

Variance:
Commercial----------$200.00
Residential----------$ 50.00

Appeal:----------$ 10.00

*The application shall be accompanied by a letter from the Home Owner Association stating that the short-term rental of a dwelling is allowed. (Sec. 24-372(B)(1))
**Short-term rentals in each locally designated historic district will be limited to a 10% cap of the total number of residentially used properties per district. (Sec. 24-372(B)(2)(a))

Petitioner Holman Freight Company, Holman Freight Transport, HFC Services
Petitioner Address 4014 Culver Road ZIP 35401
Phone No. 205-349-0488

Property Owner John Brown & Jack Moltz
Property Owner Address P.O. Box 2172 Tuscaloosa, AL ZIP 35403
Phone No. 205-394-2429

Address of subject property 4014 Culver Road Tuscaloosa AL 35401
Existing buildings on property (#) two

A special exception is the allowance of a use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A special exception may not be used as a substitute for a variance in order to avoid the burden of proving an unnecessary hardship.

Describe variance, special exception, or appeal requested:

_____

FOR ALL REQUESTS FOR ANY VARIANCE FROM OR SPECIAL EXCEPTION TO A ZONING REQUIREMENT PERTAINING TO A DIMENSIONAL REQUIREMENT OR THE SITE, A SCALED SITE PLAN AND/OR BUILDING ELEVATION PRODUCED BY A REGISTERED LAND SURVEYOR, PROFESSIONAL ENGINEER, OR ARCHITECT SHALL BE REQUIRED. REQUESTS FOR AN EXCEPTION FROM FENCE REQUIREMENTS MUST DEPICT PROPOSED LOCATION AND DESIGN OF FENCE. ANY REQUEST WHICH WILL NOT BE REPRESENTED BY THE PROPERTY OWNER AT THE PUBLIC HEARING MUST BE ACCOMPANIED BY A DESIGNATION OF AGENT FORM.

NOTE: ALL REQUESTS GRANTED HAVE AN EXPIRATION DATE, AFTER WHICH THE REQUEST MUST BE GRANTED AGAIN BY THE BOARD. IF YOU HAVE QUESTIONS ABOUT THE TIME OF EXPIRATION, PLEASE DISCUSS WITH STAFF *BEFORE* THE HEARING.

THIS PETITION WILL NOT BE ACCEPTED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

ZBA. NO._____ FILED: _____ HEARING DATE:_____

FEB 04 2019 City Tuscaloosa

Describe the reasons for the request and, if requesting a special exception, any extra related information (e.g. number of parking spaces, hours of operation, etc.).

If you are requesting a special exception, not a variance, please skip the next two questions and sign this page.

For a variance, the petitioner must *specifically* state a hardship for the variance. If you are requesting a variance, explain the ways in which the zoning regulation creates a hardship on the property. When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in unnecessary hardship. Explain any special circumstances or conditions that are peculiar to the land or buildings because of which a strict application of the ordinance would deprive the applicant of the reasonable use of such land or building.

Explain how the variance request is in harmony with the general purpose and intent of the regulations imposed by this ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception, variance, or appeal requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located.

David Trautman
PRINT NAME

SIGNATURE

FEB 04 2019
City of Tuscaloosa

ZBA-10-19 Vicinity Map

1 inch = 750 feet

0 375 750 1,125 1,500

N

ZBA-10-19 Aerial Map

1 inch = 200 feet

0 100 200 300 400

N

ZBA-10-19 Zoning Map

Holman
Freight Company
205-349-0488
USED TRUCK & EQUIPMENT SALES
02/14/2019 10:20 AM

TIMBERKING
AUTHORIZED
PERSONNEL
ONLY
02/14/2019 10:21 AM

HFC
SERVICES LLC
01/14/2019 9:33 AM

4014
01/14/2019 9:33 AM

DRIVERS
PLEASE
REPORT TO
OFFICE
Holman
01/14/2019 9:33 AM