

# ZONING BOARD OF ADJUSTMENT STAFF REPORT

July 22, 2019

## ZBA-58-19

### GENERAL INFORMATION

#### **Property Owner (X) Petitioner (X)**

Bonnie Wilkinson

#### **Requested Action and Purpose**

Petitions for a special exception to allow short-term rentals.

#### **Location and Existing Zoning**

3870 Southwood Trace Lane. Zoned R-1. (Council District 7)

#### **Size and Existing Land Use**

Approximately 0.20 acres, Single-Family Dwelling

#### **Surrounding Land Use and Zoning**

North: Single-Family Dwelling, R-1

East: Single-Family Dwelling, R-1

South: Single-Family Dwelling, R-1

West: Single-Family Dwelling, R-1

#### **Applicable Regulations**

Sec. 24-91. – Special exceptions.

(35.5) Short-term rental of dwelling

#### **PRIMARY**

- a. Property must be within the City limits.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

#### **DISCRETIONARY**

- a. At least one (1) off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.
- b. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.
- c. The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than 30 consecutive nights.
- d. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).
- e. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding 45 nights that a dwelling may be used as a short-term rental.

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- f. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.”

### **Summary**

The petitioner is requesting a special exception to allow short-term rentals at 3870 Southwood Trace Lane. The petitioner is requesting 15 nights per year for rental operations, a max occupancy of 10 adult guests and has space on the property to accommodate up to 5 vehicles. The property is not owner occupied.

Planning: No comment

Building and Inspections: No comment

Fire and Rescue: No comment

Infrastructure and Public Services: No comment



TUSCALOOSA  
ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION

Please complete all of the following required fields:

**Location of Petitioned Property**

Address: 3870 Southwood Trace Lane

**Property Owner**

*Bonnie Wilkinson*

Name: Bonnie Wilkinson

Phone: 714 697 2798

Email: Wilkbon@gmail.com

Address: 12662 S. Swidler Place, Santa Ana, CA

ZIP Code: 92705

**Petitioner (if different from owner)**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

ZIP Code: \_\_\_\_\_

The Petitioner requests the following item(s) from the Zoning Board of Adjustment:

A special exception is a conditional use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A variance is a deviation from the regulations in the zoning ordinance which requires proof of an unnecessary hardship. An appeal is a formal challenge of the zoning officer's ruling.

☐ **Special Exception**

Commercial ..... \$ 200.00 per lot

Residential ..... \$ 50.00 per lot

☐ **Use Variance**

Commercial ..... \$ 200.00 per lot

Residential ..... \$ 50.00 per lot

☐ **Variance**

Commercial ..... \$ 200.00 per lot

Residential ..... \$ 50.00 per lot

☐ **Short-Term Rental** ..... \$ 400.00 per dwelling unit ☐ **Appeal Zoning Officer's ruling** ..... \$ 10.00 per lot

**Briefly describe the variance, special exception, and/or appeal being requested:**

Requesting a special exception for a short term rental.

**Certification of Applicant**

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. I recognize the City will send public notification and place a sign on the property with information for the public. This Petition will not be accepted until all required information is provided.

- 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.

Print Name: Bonnie Wilkinson

Signature: Bonnie Wilkinson

Please complete the applicable fields prior to application submission:

**Answer the following for ALL requests:**

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.)

I bought this home to use for a short term rental, & family and friends to use. I am a widow on a fixed income and this is my only property. My neighbors maintain the home and are agreeable to it being a short term rental.

It is imperative that I have this income to help with expenses. My grandson attends the University and is on the football team. Please grant me this request. It has a garage and parking in the driveway.

**Answer the following for VARIANCE requests ONLY:**

The petitioner must specifically state a hardship for the 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.

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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.

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**PLEASE SUBMIT AN ELECTRONIC COPY OF THIS  
APPLICATION AND ANY NECESSARY SUPPORTING MATERIALS TO:**

Office of Urban Development:  
Planning Division

2201 University Boulevard, Annex III  
Tuscaloosa, AL 35401

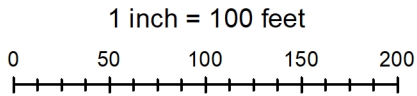
Blake Deason  
Email: bdeason@tuscaloosa.com

**FOR OFFICE USE ONLY:**

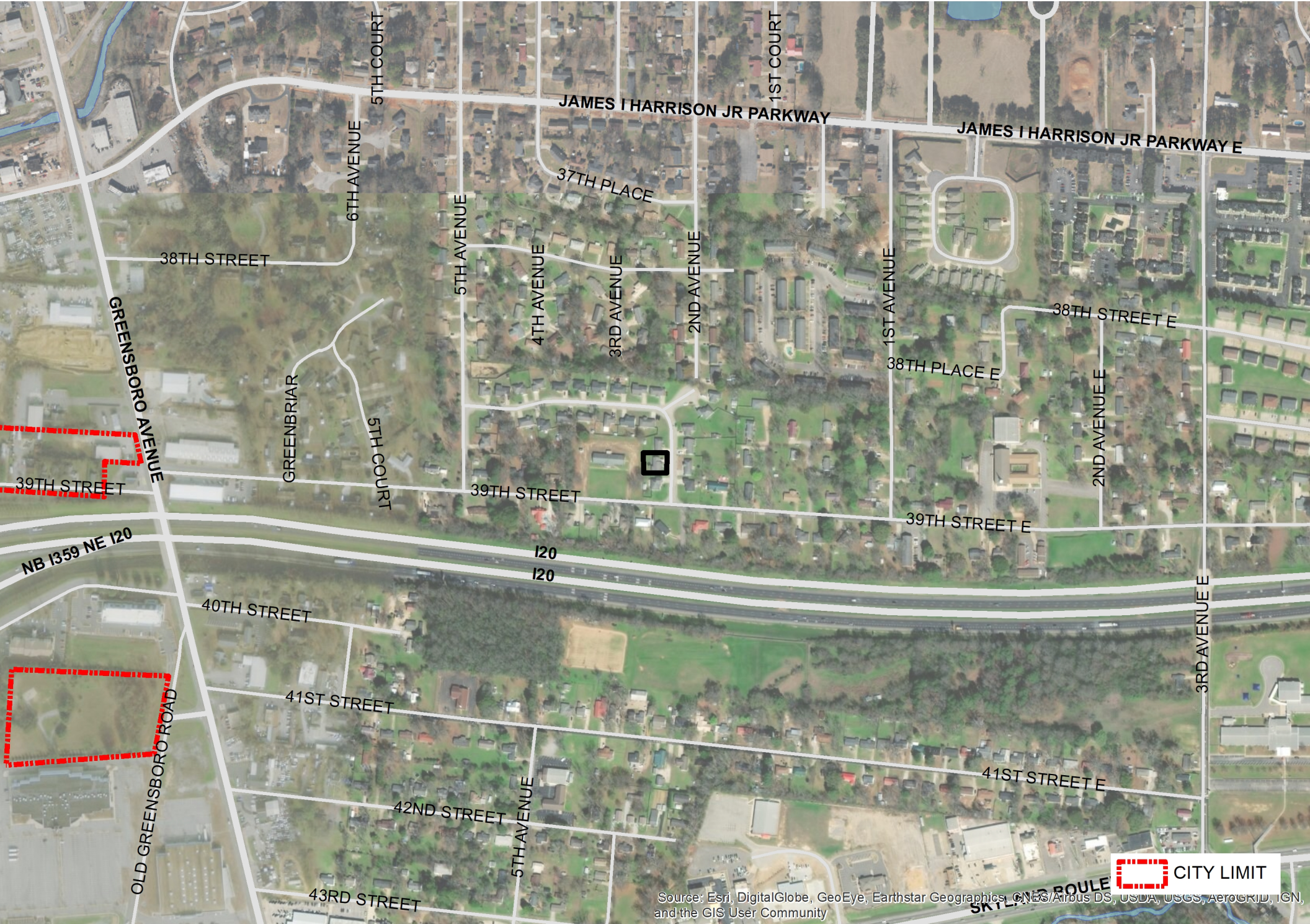
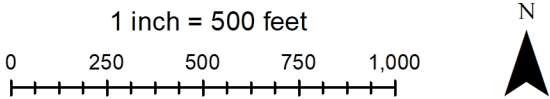
ZBA Case Number: \_\_\_\_\_  
Zoning District: \_\_\_\_\_

Submission Date: 06/14/2019  
Hearing Date: July 22, 2019

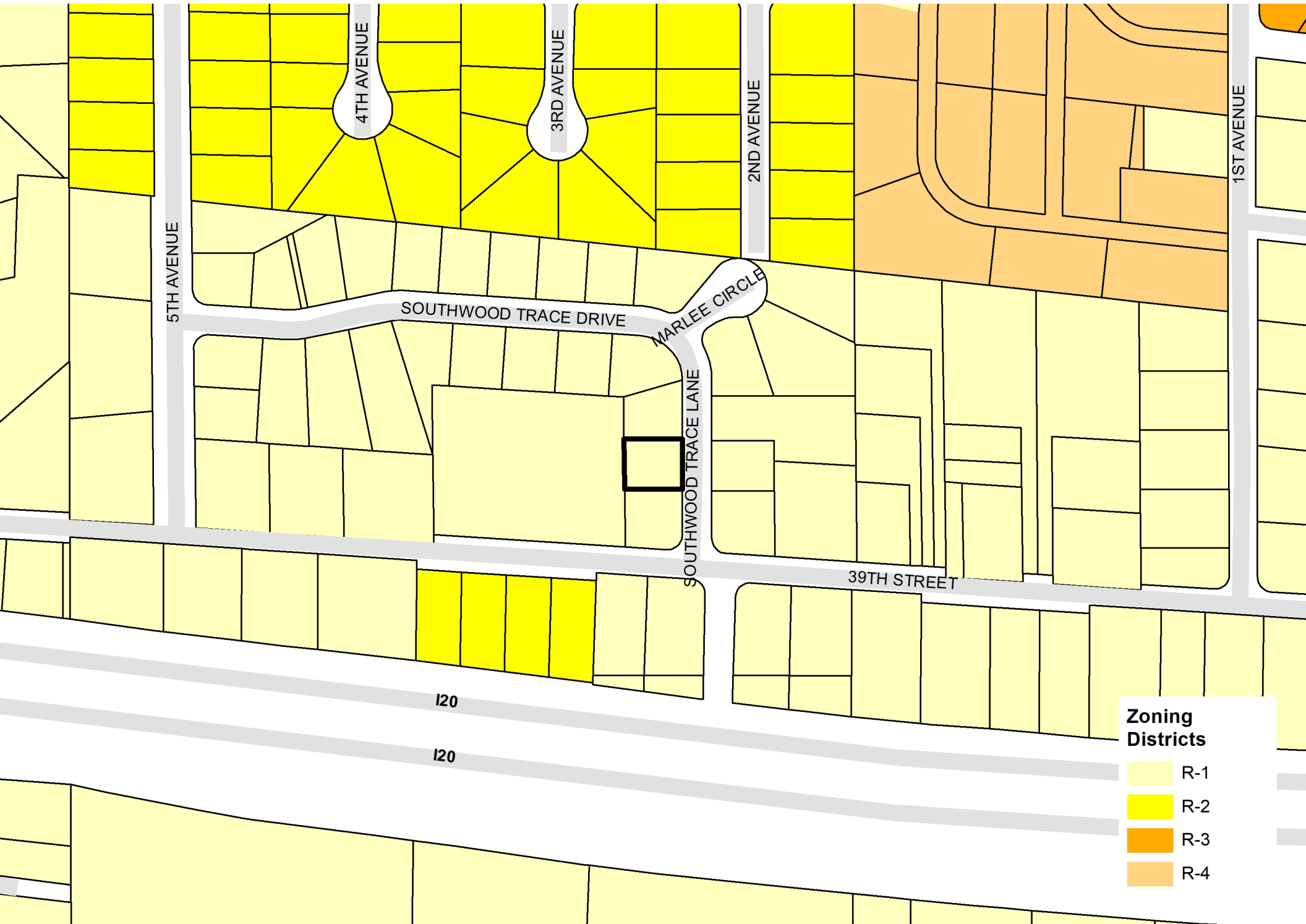
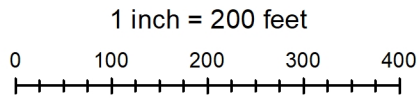
# ZBA-58-19    Aerial Map







# ZBA-58-19 Vicinity Map



# ZBA-58-19    Zoning Map



**Zoning Districts**

	R-1
	R-2
	R-3
	R-4



07/02/2019