

# ZONING BOARD OF ADJUSTMENT STAFF REPORT

November 25, 2019

## ZBA-116-19

### GENERAL INFORMATION

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

Timothy and Tamara Scaturro

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

A special exception to allow the short-term rental of a dwelling

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

1606 Woodridge Road. Zoned R-1. (Council District 3)

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

Approximately 0.72 acres, single-family dwelling

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

North: Single-family dwelling, R-1

East: Single-family dwelling, R-1

South: Church, BN

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 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 thirty (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 forty-five (45) nights that a dwelling may be used as a short-term rental.
- f. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.

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### **SUMMARY**

The petitioner is requesting a special exception to allow the short-term rental of dwelling at 1606 Woodridge Road.

The dwelling features four (4) bedrooms and two and a half (2 ½) bathrooms. The property does not have a guest house/in-law suite; however, it does have an accessory structure on the property. The accessory structure is a small shed located in the backyard and is not useable as a dwelling unit. The home is not owner-occupied.

The petitioner plans to host a maximum of eight (8) guests and operate up to 30 nights per year.

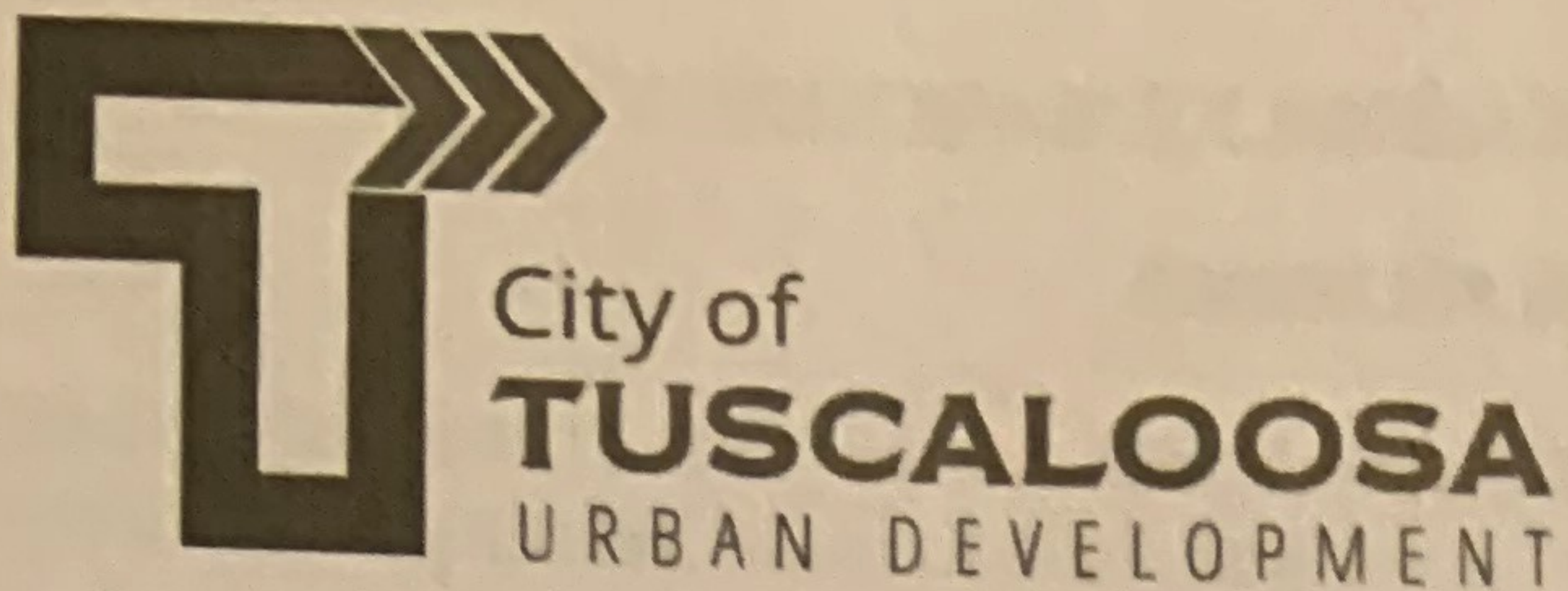
The property includes a two-car garage and a driveway with space for two (2) cars, according to the petitioner.

Office of Urban Development, Planning Division: No comment

Office of Urban Development, Building and Inspections Division: No comment

Infrastructure and Public Services, Engineering Division: No comment

Tuscaloosa Fire and Rescue Service: No comment



## ZONING BOARD OF ADJUSTMENT

### PETITION APPLICATION

Last Updated, Oct 2019

Please complete all of the following required fields:

#### Location of Petitioned Property

Address: 1606 Woodridge Road, Tuscaloosa AL 35406

(TS) *Tamra and Timothy* (PS)

#### Property Owner

Name: ~~Tamra~~ Scaturro

Phone: 303-929-2832

Email: scaturrot@icloud.com

Address: 2661 S. Youngfield Ct Lakewood, CO 80228

ZIP Code: 80228

#### 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 lot ☐ **Appeal Zoning Officer's ruling** ..... \$ 10.00 per lot

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

Desire of 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: Tamra Scaturro

Signature: *Tamra Scaturro*

*Timothy Scaturro*

*[Signature]*

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.)

Desire for a short term rental. Looking to rent around 30 nights per year. There are 4 bedrooms  
and 2.5 bathrooms. There is no guest house or in-law suite, only a small shed in the backyard. No we will not be  
residing there full time - it is a second home. Maximum number of adults is 8, with 2 parking spots in the garage and  
2 parking spots on the large driveway, so a total of 4 cars.

**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.

NA

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.

The location of the home is on the main street - so there will be no traffic entering into the neighborhood.

**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

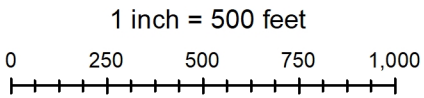
Email: [zba@tuscaloosa.com](mailto:zba@tuscaloosa.com)

**SUBMIT FORM**

**FOR OFFICE USE ONLY:**

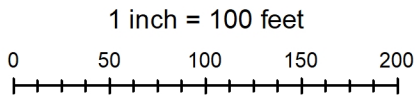
ZBA Case Number: \_\_\_\_\_ Submission Date: \_\_\_\_\_  
Zoning District: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

# ZBA-116-19 Vicinity Map

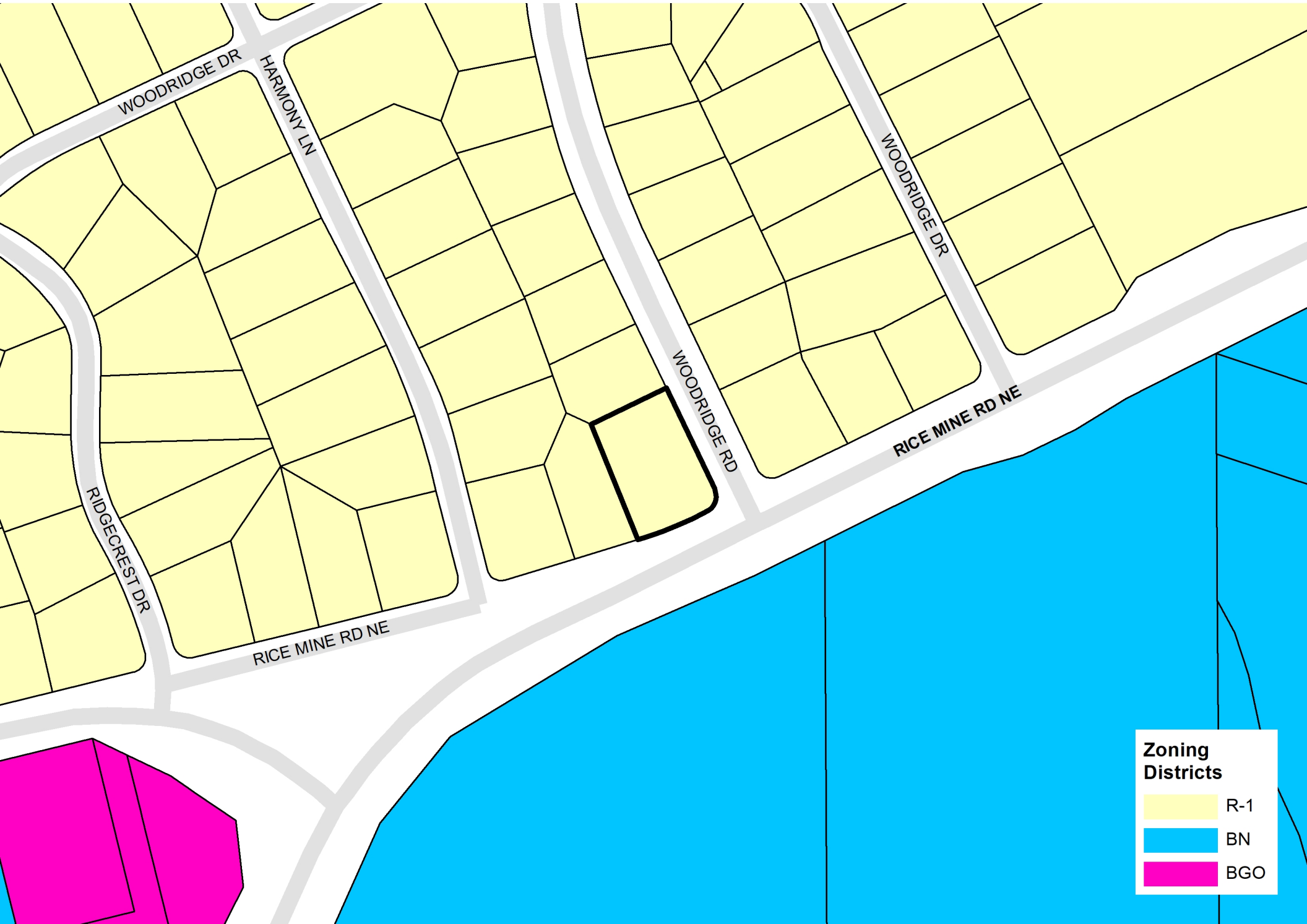
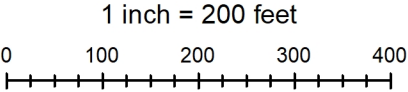


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

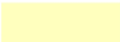


# ZBA-116-19 Aerial Map



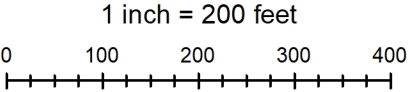
# ZBA-116-19 Zoning Map



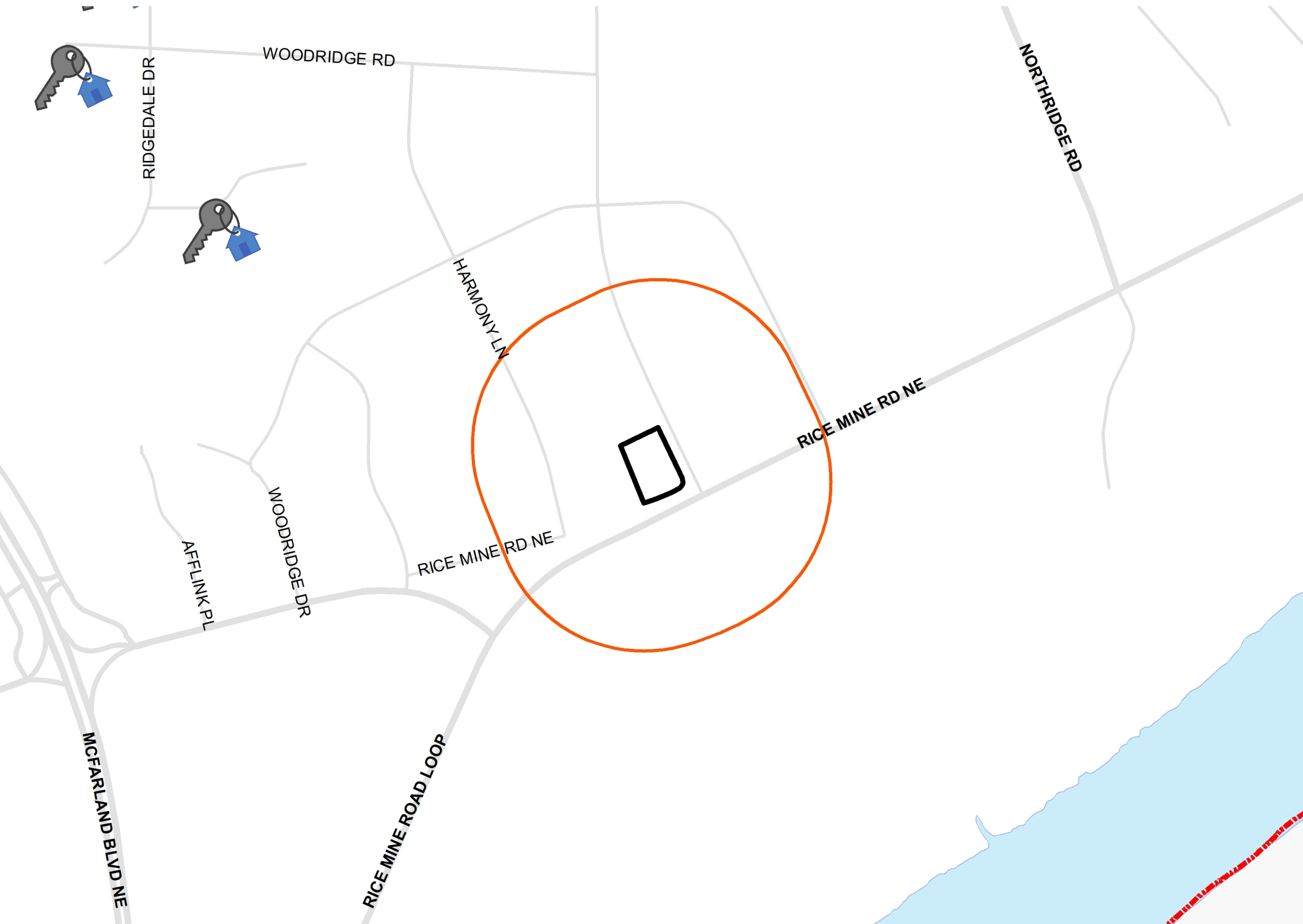
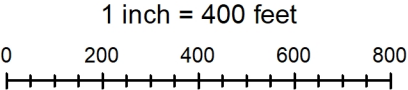
**Zoning Districts**

	R-1
	BN
	BGO

**ZBA-116-19**



# ZBA-116-19 Nearby Short-Term Rentals





11/12/2019



11/12/2019



11/12/2019



11/12/2019



City of Tuscaloosa  
2201 University Blvd.  
Tuscaloosa, AL 35401

Phone: 205-248-5110  
Fax: 205-349-0136

**ACCOUNT:**

TIM & TAMARA SCATURRO  
2661 S YOUNGFIELD Ct  
Lakewood CO 80228

Phone: 303 929 2832

## Paid Receipt

Page 1 of 1

DATE	INVOICE #
10/28/2019	19-02565
PAID DATE	10/28/2019

Date	Status	Payment	Amount
10/28/2019	Original Due		400.00
10/28/2019	Paid	Check 2762	(-) 400.00

<b>Total Paid</b>	400.00
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