

**TUSCALOOSA ZONING BOARD OF ADJUSTMENT MEETING DRAFT SYNOPSIS**  
**Monday, November 29, 2023, 5:00 p.m.**

**COMMISSION MEMBERS PRESENT**

Chairperson: Rob Steward  
Vice-Chair: Michele Coley  
Commissioners: Linda Ford, Joseph Eatmon, Sr., and Tim Gilliam

**ABSENT:** Mary Katherine Holt and Paul Rollins

**CITY STAFF PRESENT**

Emily Hayes, Associate Director of Planning  
Jonathan Bowen, Neighborhood Resources Coordinator  
Kim King, Associate City Attorney

*Chairman Steward announced that having received a synopsis of the previous meeting, the Board moves to dispense with the reading of the minutes of the same unless there are any deletions, additions, or corrections. Hearing none, Chairman Steward recommended approval of the minutes. Commissioner Ford made a motion to adopt the minutes. Vice Chairperson Coley seconded the motion. All Commissioners voted "yes"; no, none.*

**CITY ATTORNEY UPDATE**

There was no update from the City Attorney's office.

**PETITIONS FOR A WAIVER OF RULE 13 REQUIRING A SIX-MONTH WAITING PERIOD AFTER A DENIAL OF A PETITION BY THE BOARD**

This was removed from the docket by staff prior to the meeting.

**CASES TO BE WITHDRAWN**

**ZBA-128-23**

Neighborhood Resources Coordinator, Jonathan Bowen, presented the following items to the Commission:

**CASES TO BE HEARD**

**ZBA-120-23** Margie Pratt petitions for a special exception from the fence and wall regulations to construct a fence on the property located at 1201 16<sup>th</sup> Avenue East. Zoned R-2. (Council District 5).

Margie Pratt represented the petition.

There was one written comment in opposition to the petition. Roger Smith spoke in favor of the petition. No one spoke in favor of or opposition to the petition.

Chairperson Steward inquired why the petitioner built the fence ten (10) feet tall. Petitioner explained safety issues occurring with the adjacent property owner. Petitioner stated that the fence was erected approximately six (6) weeks ago and is ten (10) feet tall.

Chairperson Steward, Vice Chairperson Coley, and Commissioners Ford, Eatmon and Gilliam expressed their concerns regarding the fence height not being in compliance with the zoning ordinance and the fence being built in absence of a building permit.

Chairperson Steward read the petition for a special exception from the fence and wall regulations to construct a fence on the property located at 1201 16<sup>th</sup> Avenue East.

Chairperson Steward, Vice Chairperson Coley, and Commissioners Ford, Eatmon and Gilliam voted “no”; none, yes.

The petition failed.

**ZBA-121-23** Home Improvement Services petitions for a variance from the residential district regulations to construct a single-family detached home on the property located at 2637 Lake Crest Drive. Zoned R-1. (Council District 3).

Mike McGuire with McGuire and Associates, and Tommy Woods with Home Improvement Services represented the petition.

There were twelve (12) comments in support of the petition. Douglas Rice spoke in opposition to the petition due to the decrease in his property value and the degradation of the integrity of the neighborhood. No one else spoke in favor of or opposition to the petition.

Vice Chairperson Coley and Commissioner Gilliam and Eatmon expressed concerns with the variance due to the topography of the land and that there was not a hardship present where the setback could not be reached. Chairperson Steward and Commissioner Ford expressed support for the petition due to the topography of the land creating a hardship due to the home having to be constructed smaller than other homes in the neighborhood.

Chairperson Steward read the petition for a variance from the residential district regulations to construct a single-family detached home on the property located at 2637 Lake Crest Drive.

Chairperson Steward and Commissioner Ford voted “yes”; Vice Chairperson Coley and Commissioners Gilliam and Eatmon voted “no.”

The petition failed.

**ZBA-122-23** A+ Storage Tuscaloosa, LP, petitions for a special exception to allow the construction of a self-service storage facility on a property located at 4100 Skyland Boulevard East. Zoned BN. (Council District 6).

Robert Martin with Duncan Coker & Associates represented the petition.

No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition due to previous history of the development's special exception being approved two times before.

Chairperson Steward read the petition for a special exception to allow the construction of a self-service storage facility on a property located at 4100 Skyland Boulevard East.

The petition was approved by unanimous vote.

**ZBA-123-23** Kelly Fitts petitions for a variance from the residential district regulations to construct a retaining wall on the property located at 31 Audubon Place. Zoned R-3H. (Council District 4).

Kelly Fitts represented the petition.

No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition due to retaining wall being replaced with better quality and creating a better safety condition.

Chairperson Steward read the petition for a variance from the residential district regulations to construct a retaining wall on the property located at 31 Audubon Place.

The petition was approved by unanimous vote.

**ZBA-124-23** Gonzalez-Strength & Associates, Inc. (Mark Gonzalez) petitions for a special exception from the off-street parking regulations at 8600 Highway 69 South. Zoned BN. (Council District 2).

Lauren Towner with Gonzalez-Strength & Associates, Inc. represented the petition.

No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition due to the petitioner being previously approved for a similar request in 2015.

Chairperson Steward read the petition for a special exception from the off-street parking regulations at 8600 Highway 69 South.

The petition was approved by unanimous vote.

**ZBA-125-23** Brian Gray petitions for a variance from the residential district regulations to construct an addition on the property located at 3715 Dearing Downs Drive. Zoned R-1. (Council District 6).

Brian Gray represented the petition.

No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition due to the home's front setbacks causing a hardship where there is not a favorable alternative for construction of the addition.

Chairperson Steward read the petition for a variance from the residential district regulations to construct an addition on the property located at 3715 Dearing Downs Drive.

The petition was approved by unanimous vote.

**ZBA-126-23** Orly Alvarado petitions for a special exception from the fence and wall regulations to construct a fence on the property located at 2703 Greensboro Avenue. Zoned RD-2. (Council District 2).

Orly Alvarado represented the petition.

No one spoke in favor of or opposition to the petition.

Commissioners Eatmon, and Gilliam expressed concern due to the fence and wall regulations were not obtainable with a ten-foot setback. Chairperson Steward, Vice Chairperson Coley, and Commissioner Ford expressed concerns regarding the upkeep of the fence and other adjacent properties not having similar fences or walls.

Chairperson Steward read the petition for a special exception from the fence and wall regulations to construct a fence on the property located at 2703 Greensboro Avenue.

Commissioners Eatmon and Gilliam voted "yes"; Chairperson Steward, Vice Chairperson Coley, and Commissioner Ford voted "no."

The petition failed.

**ZBA-127-23** TBG II LLC and Corder Real Estate, Inc., petitions for a variance from the landscape requirements on the property located at 1306 Queen City Avenue. Zoned BN-H (DROD). (Council District 4).

Brock Corder with Corder Real Estate, Inc., represented the petition.

No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition due to the addition of more parking creating more commerce with existing and future businesses.

Chairperson Steward read the petition for a variance from the landscape requirements on the property located at 1306 Queen City Avenue.

The petition was approved by unanimous vote.

**ZBA-129-23** Abdulhai Muthana petitions for a special exception from the fence and wall regulations to construct a fence on the property located at 528 41<sup>st</sup> Street. Zoned R-2. (Council District 7).

Abdulhai Muthana represented the petition.

Two written comments were submitted in opposition to the petition. Dawn Butler and Sarah Spencer spoke in opposition to the petition. No one else spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed concerns for the petition due to the fence not following the zoning ordinance.

Chairperson Steward read the petition for a special exception from the fence and wall regulations to construct a fence on the property located at 528 41<sup>st</sup> Street.

Chairperson Steward, Vice Chairperson Coley, and Commissioners Ford, Eatmon and Gilliam voted “no”; none, yes.

The petition failed.

*Chairperson Steward made a motion for a five-minute recess. All Commissioners voted “yes”; no, none. The Commission recessed at 6:50 p.m.*

*The Zoning Board of Adjustments meeting reconvened at 6:57 p.m.*

**ZBA-130-23** Richard Beckman petitions for a special exception to allow the short-term rental of a property located at 10 Durrett Grove. Zoned R-2. (Council District 5).

Richard Beckman represented the petition.

There was one (1) written comment in opposition to the petition. There was also a petition of thirty (30) signatures in opposition to the petition. Helen Skiver spoke in opposition to the petition. Tanner Goode expressed support for the petition due to improvements made to the property of 10 Durrett Grove increasing adjoining property’s value. No one spoke in favor of or opposition to the petition.

Vice Chairperson Coley and Commissioners Eatmon, and Gilliam expressed concerns for the petition due to the property being the first short term rental in the area. Chairperson Steward, Vice Chairperson Coley and Commissioner Ford expressed support regarding the investment that was made into the property and experience the petitioner has with short term rentals.

Chairperson Steward read the petition for a special exception to allow the short-term rental of a property located at 10 Durrett Grove. Zoned R-2. Chairperson Steward recommended the petition have certain conditions which included the following:

- a. A maximum of four (4) adults,
- b. A maximum of two (2) vehicles,
- c. A maximum of thirty (30) nights for a 1-year probationary period,

- d. Accessory structures cannot be occupied by anyone at any time, and
- e. A City of Tuscaloosa business license must be obtained before operations begin.

Chairperson Steward and Commissioner Ford voted “yes.” Vice Chairperson Coley and Commissioners Eatmon and Gilliam voted “no.”

The petition failed.

**ZBA-131-23** Nicki House petitions for a special exception to allow the short-term rental of a property located at 927 Hargrove Road East. Zoned R-2. (Council District 6).

Justin House represented the petition.

There was one written comment in opposition to the petition. No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition.

Chairperson Steward read the petition for a special exception to allow the short-term rental of a property located at 927 Hargrove Road East. Zoned R-2. Chairperson Steward recommended the petition have certain conditions which included the following:

- a. A maximum of four (4) adults,
- b. A maximum of two (2) vehicles,
- c. A maximum of thirty (30) nights for a 1-year probationary period,
- d. A contracted property manager being local to the property,
- e. Accessory structures cannot be occupied by anyone at any time, and
- f. A City of Tuscaloosa business license must be obtained before operations begin.

The petition was approved by unanimous vote.

**ZBA-132-23** Eric and Mindy Young petition for a special exception to allow the short-term rental of a property located at 2708 Stripling Drive. Zoned R-1. (Council District 6).

Eric and Mindy Young represented the petition.

Royce Roby spoke in favor of the petition. No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition.

Chairperson Steward read the petition for a special exception to allow the short-term rental of a property located at 2708 Stripling Drive. Zoned R-1. Chairperson Steward recommended the petition have certain conditions which included the following:

- a. A maximum of four (4) adults,
- b. A maximum of two (2) vehicles,
- c. A maximum of thirty (30) nights for a 1-year probationary period,
- d. Accessory structures cannot be occupied by anyone at any time, and

- e. A City of Tuscaloosa business license must be obtained before operations begin.

The petition was approved by unanimous vote.

**ZBA-133-23** Sola Akinrelere petitions for a special exception to allow the short-term rental of a property located at 44 Cherokee Hills. Zoned R-1. (Council District 6).

Sola Akinrelere represented the petition.

There were sixteen (16) written comments in opposition to the petition. A petition of thirty-five (35) signatures in opposition of the petition was submitted. Chapman Greer, Hardy McCollum, Mona Guin, Gina Nix, and Royce Roby spoke in opposition to the petition. No one spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed concern regarding the occupancy of ten (10) adults and five (5) vehicles and the narrow streets of the neighborhood. Chairperson Steward and Vice Chairperson Coley expressed support due to the woodland buffer surrounding the property and investment put into the property by the petitioner.

Chairperson Steward read the petition for a special exception to allow the short-term rental of a property located at 44 Cherokee Hills. Zoned R-1. Chairperson Steward recommended the petition have certain conditions which included the following:

- a. A maximum of six (6) adults,
- b. A maximum of three (3) vehicles parked off street,
- c. A maximum of thirty (30) nights for a 1-year probationary period,
- d. Accessory structures cannot be occupied by anyone at any time, and
- e. A City of Tuscaloosa business license must be obtained before operations begin.

Chairperson Steward, Vice Chairperson Coley and Commissioner Ford voted “yes.” Commissioners Eatmon and Gilliam voted “no.”

The petition failed.

**ZBA-134-23** Addison Criswell petitions for a special exception to allow the short-term rental of a property located at 3828 Woodland Hills Drive. Zoned R-1. (Council District 6).

Addison Criswell represented the petition.

No one spoke in favor of or opposition to the petition.

There were four written comments in opposition to the petition. No one else spoke in favor of or opposition to the petition.

Chairperson Steward, Vice Chairperson Coley and Commissioners Ford, Eatmon, and Gilliam expressed support for the petition.

Chairperson Steward read the petition for a special exception to allow the short-term rental of a property located at 3828 Woodland Hills Drive. Zoned R-1. Chairperson Steward recommended the petition have certain conditions which included the following:

- a. A maximum of eight (6) adults,
- b. A maximum of four (3) vehicles,
- c. The garage be accessible to one of the vehicles,
- c. A maximum of thirty (30) nights for a 1-year probationary period,
- d. Accessory structures cannot be occupied by anyone at any time, and
- e. A City of Tuscaloosa business license must be obtained before operations begin.

The petition was approved by unanimous vote.

#### **OTHER BUSINESS**

*The Zoning Board of Adjustment voted to approve the 2024 Meeting Dates and Deadlines. Chairman Steward recommended approval of the 2024 Meeting Dates and Deadlines. Commissioner Gilliam made a motion to adopt the minutes. Commissioner Eatmon seconded the motion. All Commissioners voted "yes"; no, none.*

#### **ADJOURN**

*Chairperson Steward asked whether there was any other matter to be brought before the Zoning Board of Adjustment. Seeing none, the Zoning Board of Adjustment meeting adjourned at 8:21 P.M.*

ATTEST:

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Zach Ponds  
Secretary of Zoning Board of Adjustments

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Rob Steward  
Chairperson of Zoning Board of Adjustments

*Please note: The formal synopsis will be adopted at the next available Board meeting.*