

**Tuscaloosa Neighborhoods Together**  
notes on  
**TUSCALOOSA PLANNING AND ZONING COMMISSION**

*(\*\*\*These are not official minutes. They are notes taken by a private citizen and are not to be used or relied on in any way as an official document.\*\*\*)*

SEPTEMBER 19, 2006

Present:

Commissioners: Bobby Howard, Joe Romanek, Vince Dooley, Jimmy Warren, Gary Phillips, Robert Reynolds, Joe Duncan and Steve Rumsey

City Staff: Joe Robinson (TDOT), Jimbo Woodson (Legal), John McConnell

ZONING

Z-18-06: Alabama Excavating petitions to rezone a 5.35 acre parcel located along Garner Road, south of Highland Ridge subdivision and west of Peach Grove subdivision from R-1 to ML.

(Council District 6; for map, see: <http://www.tuscaloosaneighborhoods.org/pdf/District6.pdf>)

This property is located way out Hargrove Road. It is surrounded completely by property zoned R1 outside of which is some R2, but no ML. The petitioner owns a considerable amount of land immediately surrounding the subject property. On the property is a home that resembles a warehouse/office, a 9 door garage and a lot of earth moving equipment. The City did not know that the property was being used to store the equipment until it got the petition to change the zoning. The City had issued a building permit for a single-family residence and a barn in 2000.

The petitioner, Alabama Excavating, owned by the Tant family, is represented by Mike McGuire, engineer. He stated that the first structure is used as a residence by the owners' children who are in college. They store many items in the garage including four wheelers and equipment. They have filed this petition in order to bring the property into compliance with the zoning. Alabama Excavating was started about a year ago. They only store vehicles there. They decided to change the zoning when they realized bringing excavation equipment on the property was against the zoning. The engineer agreed with Commissioner Reynolds that using the property for storing the equipment is part of running the business, which is not allowed in R1 zoning.

Commissioner Joe Duncan was concerned because Garner Road - which accesses the property - is not built to withstand this type of heavy traffic. Mike McGuire countered that the road is not weight-restricted.

The City Attorney pointed out to the engineer that if the property is rezoned, the Tant's children will no longer be able to live in the house because it won't be zoned residential.

McGuire assured the Commission that the Tants have no intention of moving the business to the subject property and they are willing to take restrictions preventing them from doing so. They want to keep the property isolated and don't want to disturb the neighbors.

Commissioner Reynolds said that this property looks like a good site for future residential growth and stated that it wouldn't be good to have an industrial site in the area. Commissioner Phillips suggested continuing the petition so the owner can answer some of these concerns. Robert Reynolds moved that the City send notification to the property owners in the nearby subdivisions of Joshua Circle and Peach Grove and he moved to continue.

Continued.

Next, the Commission considered the following Original Zoning and Planned Unit Development together:

Annexation: property located immediately south of Oak Chase subdivision and on the west side of McWrights Ferry Road (Proposed North River Place – formerly Somerset). Staff recommends R-1 (Residence District). Developer requests R-2 (Residence District).

P-13-06: NORTHRIVER PLACE, (formerly SOMERSET), MASTER PLAN/PRELIMINARY PLAT, The master plan consists of 47 lots with phase one consisting of 31 lots located on the west side of McWrights Ferry Road and immediately south of Oak Chase subdivision. (Out of City)

(Property located in Council District 3)(Map: <http://www.tuscaloosaneighborhoods.org/pdf/District3.pdf>)

This was continued last month after it became contentious and the developer, Sam Wilson, said he would have to put mobile homes on it if it wasn't zoned brought into the City with an original zoning of R1. Apparently in the month since the last meeting, the developer and the Oak Chase neighborhood have gotten together and ironed out their differences. They submitted an agreement to the Commission which included that the subdivision covenants would require houses to be at least 2,400 sq.ft. There will be a 7' tall privacy fence along the back of the properties on the north side of the PUD. They will plant Leyland Cypress trees every 10' on the rear lot lines of the northern lots as the homes are built which will put approximately 5 on each lot. There was discussion of the tree plantings in the front yards. The yards are going to be so small that large trees would obscure vision for traffic. They will plant smaller trees further back from the street.

They request a waiver of the 20' set-back requirement. They want 15' setbacks. There will be 18' from the edge of the carport to the edge of the sidewalk. It is illegal to park on a sidewalk, but the developer stated that a Suburban is 16' long and will fit between the garage and the sidewalk. City Attorney reminded the Commission that they have never given a waiver on the setbacks and if they start down this road now, they will weaken the rule. Commissioner Jimmy Warren rebuffed him, stating that they have never had a development like this before.

There will be a 2' strip of grass between the curb and the 4' wide sidewalk.

TDOT Director, Joe Robinson, asked why the drainage easements can't be lined up with Oak Chase's easement. He pointed out that as designed the ditch will have to make two 90° turns, which just won't work; it will flood. The engineer said they would look at reconfiguring it.

Commissioner Warren moved to approve. Commissioner Reynolds wanted to add to the motion their reason for the specific exception to the 20' setback requirement. That was accepted. Jimmy Warren noted that the motion is intended to approve the annexation, the original R-2 zoning and the P.U.D.

Approved.

### ORIGINAL ZONINGS

● Property located on the west side of Buttermilk Road in Section 11, Township 22 South, Range 9 West (proposed Woodland Place subdivision and adjacent property) proposed for R-2 (Residence District) (Council District 6; for map, see: <http://www.tuscaloosaneighborhoods.org/pdf/District6.pdf>)

Approved with no discussion.

### PRELIMINARY SUBDIVISION PLATS

S-54-06: THE LODGE AT NORTHRIVER, consisting of one (1) lot located along Yacht Club Way and north of Yacht Club Bay No. 10. (Council District 3)(Map: <http://www.tuscaloosaneighborhoods.org/pdf/District3.pdf>).

This is in the Yacht Club area. Mr. Warner is buying the Lodge building and is going to run it in conjunction with the museum.

Approved.

S-55-06: MAREE ROUGE CONDOMINIUMS, This is the proposed conversion of a newly constructed 8 unit apartment complex located at 801 – 16<sup>th</sup> Avenue to condominiums. (Council District 4)(Map: <http://www.tuscaloosaneighborhoods.org/Documents/Maps/District4.pdf>)

Mike McGuire is the engineer on this project. He said the building meets all building codes for condominiums. There was then a discussion among the Commission, Staff and Mr. McGuire about whether the building codes were the same for Condominiums and for apartments. They think they are, but the might not be. No one was absolutely certain.

Approved.

S-56-06: LAKE POINT RESURVEY – A RESURVEY OF LOT 1 LAKE POINT, & A CONDOMINIUM RESURVEY OF LOT 2, LAKE POINT, consisting of three (3) lots located along Lake Tuscaloosa with frontage along Snow Road (a private access easement). This property is located near Alabama Highway 69 in Section 35, Township 19 South, Range 10 West. (Out of City)

This is along the lake on Highway 69. The only person who stood to ask questions about this was Ophelia Harrison, who owns neighboring property. On the property are currently a house and a duplex. The duplex is being subdivided into Condos so separate people can own them. Mrs. Harrison just wanted to know if these were the only buildings that were going to be built on the property. The engineer answered “yes”.

Approved.

S-57-06: RODNEY JONES SUBDIVISION, consisting of one (1) lot located along Old Sanders Ferry Road and in the North Half of the Southeast Quarter (N ½ of SE ¼ ) of Section 3, Township 22 South, Range 11 West. (Out of City)

This is one of those situations where a renter wants to purchase, so it has to be subdivided.

Approved.

### ANNEXATIONS

Portions of Peach Grove subdivision were annexed last time and when some more of the neighbors found out, they wanted to be brought into the City too. Approved for R1 original zoning.

Barrett Trace P.U.D. was annexed. If they said where it is located, I didn't catch it. Sorry.

## STREET VACATIONS

Apparently a portion of Daimler Benz Blvd. has been rerouted and they want the old portion vacated. It is of no use to the City and the City has to maintain it.  
Approved.