

Zoning Board of Adjustment Report  
Meeting Date: 11/27/06

(\*\*\* These notes are NOT official minutes. They are notes taken by a private citizen and are not to be used or relied on as an official document.\*\*\*) Please excuse any errors/omissions in this report. Any that exist are my own and were unintentional.

The Zoning Board of Adjustment consists of 5 board members and two supernumerary members. The supernumerary members are called upon if one of the 5 board members can't attend the meeting or if one of the board members has a conflict of interest. The board members in attendance were Joe Romanek (Chair), John Sheffield, John Crummie, James West and Dana Keith.

Joe Romanek called the meeting to order and explained to those in attendance how the meeting would proceed. The following are the petitions that were brought before the board.

**ZBA-73-06:** A.E. and Penny Joiner petition for a variance from the residential occupancy restrictions to allow an extension of the deadline to register a property in an historic district as a legal nonconforming use to allow (3) unrelated people to reside together in a single dwelling unit at 61 The Downs. Zoned R-1H (Council District 7) (<http://www.tuscaloosaneighborhoods.org/Documents/Maps/District7.pdf>)

**(CONTINUED FROM LAST MONTH)**

**Issues:** Recall the following from last month's report... This petition is being continued until the city attorneys can look into the legality of this ordinance.

**NEW INFORMATION – CONTINUED UNTIL NEXT MONTH**

**ZBA-75-06:** LEN Properties petitions for a special exception to reduce the number of off-street parking spaces at 2615 – 11<sup>th</sup> street. Zoned BGO. (Council District 1) (<http://www.tuscaloosaneighborhoods.org/Documents/Maps/District1.pdf>)

**(CONTINUED FROM LAST MONTH)**

**NEW INFORMATION - WITHDRAWN**

**ZBA-84-06:** McGuire and Associates and the Townes of North River Development Co., LLC petition for variances from setback requirements to allow the construction of single-family dwellings on Lots 259-263, 269-272, 284-288, and 291-295 of the Townes of North River PUD. Zoned R-1 (Council District 3) (<http://www.tuscaloosaneighborhoods.org/Documents/Maps/District3.pdf>)

**Issues:** This property is west of Rice Mine Road NE – just past the Publix shopping center and on the left. This property is being developed with various housing types: condos, single family and large estate homes. Each type has its own setback requirements. In the plan, the developers wanted to have a 3.5 ft setback for the lots listed above. However, the engineer's plans platted the lots at 4 ft which was then approved by the Planning Commission. Apparently the error had something to do with the computer program which was used to draw up the plan. Instead of having the developers go back to the Planning Commission to have the entire plan reconsidered, the developers have come before the Board of Adjustment to request the ½ foot variance on these lots.

**Opposition from the floor:** None

**Vote:** 4 to 1 in favor.

**ZBA-85-06:** Wesley Burkhalter petitions for variances from minimum lot area standards to allow resurvey of lots 1 and 2 of Block 8, Lake Forest Subdivision Number One (1708 – 4<sup>th</sup> Avenue East.) Zoned R-3. (Council District 2)

(<http://www.tuscaloosaneighborhoods.org/Documents/Maps/District2.pdf>)

**Issues:** This property is on the corner of 4<sup>th</sup> avenue east and 17<sup>th</sup> street east. A house sits on one property and a small structure in poor condition sits on the second property. If facing the two lots, they are currently next to each other and are long and narrow. The owner wants to resurvey the lots. Lot one will now be in front of lot two. The two existing properties will be on lot one. The owner wants to build a new single family 3 bedroom house on lot 2. The Board is requiring that the owner tear down the small structure that is in poor condition. Mr. Burkhalter indicated that he would have it taken down within 30 days. The realignment of the lots and placement of the homes will allow the owner to have parking in the rear of each home. The Board wanted to make sure that there would be no parking on the street or in the alley.

**Opposition from the floor:** None

**Vote:** 5 to 0 in favor.

**ZBA-86-06:** Fred and Linda Harbison petition for a variance from setback requirements to allow an existing accessory structure to be attached to an existing single-family dwelling at 25 Hillcrest Drive. Zoned R-1. (Council District 7)

(<http://www.tuscaloosaneighborhoods.org/Documents/Maps/District7.pdf>)

**Issues:** Currently the homeowner has a detached carport. Both the home and carport meet setback requirements in their current condition. However, the homeowner wants to build a covered walkway between the two structures. This new construction will create a continuous roofline between the two structures. Because of this, the carport will no longer meet minimum setback requirements. As a freestanding structure, the setback is 5 feet. Once attached to the home the setback changes to 10 feet. Therefore, the homeowner is requesting a variance from the setback requirements.

**Opposition from the floor:** None

**Vote:** 5 to 0 in favor.

## ADDITIONAL BUSINESS

A new staff member was introduced to the board. Cecil Lancaster is the new zoning inspector for the city. He is a retired Tuscaloosa police officer.

The December board meeting will not be held unless something critical comes up. If this happens the December board meeting will be held during the first week of January.

The January board meeting will be held at the normal time – 4<sup>th</sup> Tuesday of the month.