

## CITY OF BOAZ Zoning Board of Adjustments Agenda December 04, 2025

Boaz Public Library, Mastin Conference Room - 6:00 PM

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance
- IV. Adoption of Agenda
- V. Reading and/or Approval of Minutes of Previous Zoning Board of Adjustments Meeting
  - 1. Adopt the minutes of the Zoning Board of Adjustments Meeting dated September 4, 2025

## VI. Public Hearings

1. Entertain a motion to open a public hearing to hear a variance request from Mr. Adam Sewell. Mr. Sewell is seeking a variance from the 40' front yard setback requirement for the construction of homes located on lots 2,3,4 and 5 of the Pleasant Hill Phase 1 Subdivision along Misty Lane in Boaz, AL 35957. The property is in R1 (Low Density Residential District) and requires a setback of 40' on the front lot line. However, due to an unseen change in the ROW width on Misty Lane the homes were mistakenly placed aligning with neighboring homes vs conforming to the 40' front yard setback requirement. Mr. Sewell is asking for a 10' variance from the original 40' making the front yard setbacks 30' on lots 2-5 of the Pleasant Hill Phase 1 Subdivision.

#### VII. New Business

1. Entertain a motion to approve a variance request from Mr. Adam Sewell. Mr. Sewell is seeking a variance from the 40' front yard setback requirement for the construction of homes located on lots 2,3,4 and 5 of the Pleasant Hill Phase 1 Subdivision along Misty Lane in Boaz, AL 35957. The property is in R1 (Low Density Residential District) and requires a setback of 40' on the front lot line. However, due to an unseen change in the ROW width on Misty Lane the homes were mistakenly placed aligning with neighboring homes vs conforming to the 40' front yard setback requirement. Mr. Sewell is asking for a 10' variance from the original 40' making the front yard setbacks 30' on lots 2-5 of the Pleasant Hill Phase 1 Subdivision.

#### VIII. Public Comments

- IX. Chairman Comments
- X. Adjourn



## CITY OF BOAZ Zoning Board of Adjustment Minutes September 04, 2025 Boaz Public Library, Mastin Conference Room – 6:00 PM

### I. Call to Order

Chairman Battles called the meeting to order at 6:00 P.M.

#### **PRESENT**

Adam Rhoden

Keith Johnson

Frank Scott

Jerry Battles

**Kenny Smith** 

Blake King

**ABSENT** 

Keith Gaither

#### II. Invocation

Kenny Smith gave the Invocation.

#### III. Pledge of Allegiance

Chairman Battles led the Pledge of Allegiance.

#### IV. Adoption of Agenda

Motion made by Scott, Seconded by Rhoden. The motion passed by unanimous voice vote.

- V. Reading and/or Approval of Minutes of Previous Zoning Board of Adjustments Meeting
  - Adopt the minutes of the Zoning Board of Adjustments Meeting dated August 7, 2025
     Motion made by Rhoden, Seconded by Smith. The motion passed by unanimous voice vote.

## VI. Public Hearings

 Motion to open a Public Hearing to hear a request from The Industrial Development Board of Boaz, Alabama for a variance of the height restrictions located at 0 Henderson Road Boaz, AL 35957. The property is zoned M-1. An explanation of the Variance request is attached to the Public Notice.

Motion made by Scott to open the Public Hearing at 6:03 P.M., Seconded by Rhoden. The motion passed by unanimous voice vote.

Chairman Battles asked if anyone would like to speak "for" the variance request.

Scott Yoste (Attorney for the IDB) of 2312 Taylor Street, Guntersville, Alabama 35976 wante to make a quick note on behalf of the IDB. Mr. Yoste explained there was a similar application presented regarding this property at the last meeting by ECS Boaz Devco (not the property owner) and that this application is to be considered completely separate and being made in the name of the property owner which is the Industrial Development Board.

Bennett Snyder (TPA Group) of 1776 Peach Tree St NW Atlanta, GA explained he was at the previous meeting regarding this property. Mr. Snyder stated they received a lot of good feedback. Mr. Snyder stated this project is a \$67 million dollar investment with 82 full time jobs with an annual average salary of just under \$49,000. There will be about 300 construction jobs during construction and net \$350,000 estimated tax increase on the property. Mr. Snyder gave a presentation of the proposed project discussing the building, trees, traffic concerns, wetlands, and other information related to the project.

Randy Goff of 1776 Peach Tree Street, Atlanta, GA said Envision is extremely happy to bring this to Boaz. Mr. Goff discussed the concerns citizens have regarding amonia and OSHA requirements for amonia.

Council Member Matt Brannon of 46 Kayla Circle discussed traffic concerns on Henderson Road. Mr. Brannon stated they will be working with public safety, the Police Chief, and logistics with the company for routes. Mr. Brannon stated this is a huge win for Boaz. Mr. Brannon explained Henderson is on the paving list for next year and they are working with ALDOT to upgrade Henderson.

Chairman Battles asked if there was anyone else to speak "for" the variance. There was no response.

Chairman Battles asked if there was anyone to speak "against" the variance.

Shelby Stanfield asked to speak on behalf of her mom Stella Walters of 505 Virginia Avenue which is across the street from this property. Ms. Stanfield went over the requirements of Article 4, Table 4-1 and Article 12 Section 12-6. Ms. Stanfield addressed her concerns of the cold storage unit including it not meeting requirements, fewer humans, noise concerns, fossil fuels, chemical coolants and other concerns.

Barry Moore of 970 W Henderson Road wanted to speak but said he is not totally against this project. Mr. Moore is concerned his home may be in jeopardy if they add a lane. Mr. Moore expressed concerns for more diesel trucks on the road and if the fire department would be able to handle a building this size if there was a fire. Mr. Moore stated this is his home and wants what is best for Boaz.

Mr. Brannon explained adding a lane was at the intersection of Hwy. 205 and not Henderson Road.

Shelby Stanfield provided documents to show this project is allegedly not in harmony with the surrounding area.

Board Member Adam Rhoden asked would the tree line run all the way through where the residential houses are.

Bennett Snyder answered they show it stopping where the wooded area is. They are open to extend if needed.

Mr. Rhoden and Mr. Snyder discussed the berm, fencing, and wall.

William Hudson of 1588 Mt. Vernon Road asked would the retention pond be circulating to \_\_\_\_\_ not get mosquitos and such. Mr. Snyder answered based on how small the pond is there is not enough water to keep retention. There will be stormwater calculations the City will have to approve. Mr. Snyder stated he has been working with Boaz Water and Sewer and Marshall-Dekalb since inception of this project.

Adam Rhoden said he appreciated some of the changes since the last meeting that were made. He can tell they have been listening to the concerns. Mr. Snyder stated he urges anything that comes up to get it to them to implement before sending the design to the City for approval.

Mr. Hudson asked would they property be maintained by Envision or would another facility go in there. Mr. Snyder answered he did not want to speak for the IDB and showed a slide to explain the property lines to Mr. Hudson. Mr. Snyder said he wouldn't consider it feasible to build anything.

Ms. Stanfield asked how would this not affect the wetlands. Mr. Snyder explained they have hired a wetlands consultant and have that documentation. Ms. Stanfield, Mr. Snyder, and Mr. Goff discussed the equipment that would be used, waste materials, and coolants.

Caleb Williams of 171 Watts Road explained how they will build a sealed fence around the wetlands area and any streams they will have to catch that. Mr. Snyder stated they would have an erosion control permit that will have to be City and State approved. They will also have to have a third party testing that.

Andrew Giles of 1667 Mount Vernon Road addressed concerns of how far back you would have to be to see the building. Mr. Giles and Mr. Snyder looked over the pictures Mr. Snyder had on the PowerPoint to give him an idea.

Deborah Rhoden of 1605 Mount Vernon Road wanted to know the hours of operation and addressed her concerns for 2nd shift hours. Mr. Snyder and Mr. Goff stated they would work on schedules to work with the community. They explained most traffic is during the day but trucks could come at night. They can manipulate the schedule to an extent.

Kimberly Warnock of 102 N Walnut Street stated her concern is traffic on Henderson because of school buses around 7am and that the road is not wide enough. Ms. Warnock also asked would the gates close and how far the gate is from the end of Henderson. Mr. Goff explained they could have someone monitor drops after hours. He stated he thinks the gate is about 750ft from the end of Henderson so probably 9 trucks could fit before it got congested. Mr. Goff explained they can't make it perfect but can manipulate truck traffic. Mr. Goff stated they put a lot of extra dollars in for signage for trucks to try to help prevent them from turning left. Mr. Snyder stated it is about 685ft from the gate to the road.

Jana Pair of 207 Dogwood Drive stated she was loving what she was hearing and asked does the company donate to schools or help the community in any way. Mr. Goff answered they fully intend on Envision Cold being on the boards at local sporting events. They give the people running those buildings the autonomy. They do budget for that kind of stuff.

Stella Walters of 505 Virginia Avenue asked if they would be okay with this being in your backyard. Mr. Goff answered he would say yes.

Logan Pippin of 1668 Mount Vernon Road asked would the gate be manned at all times. Mr. Goff answered no, the gate will not be manned 24/7 but hopefully 8 hours a day. Mr. Pippin said he was concerned trucks would be backing up all night. Mr. Goff responded as long as

they were there the gate won't be closed and they have given the locals a switch to open the gate themselves. Mr. Pippin asked was there a set time traffic will be stopped or was it at his will. Mr. Goff answered he wouldn't say it is at his will but don't want to leave a driver sitting there 16 hours. Mr. Goff said they have to be flexible. Mr. Pippin and Mr. Goff discussed the ammonia evacuation plan.

Motion made by Rhoden to close the Public Hearing at 7:12 P.M., Seconded by Scott. The motion passed by unanimous voice vote.

#### VII. New Business

 Entertain a motion to approve a request from The Industrial Development Board of Boaz, Alabama for a variance of the height restrictions located at 0 Henderson Road Boaz, AL 35957. The property is zoned M-1

Motion made by Scott to approve the variance, Seconded by Smith. The motion passed by unanimous voice vote.

#### VIII. Chairman Comments

No Chairman comments.

## IX. Adjourn

The meeting adjourned at 7:13 P.M.

Motion made by Scott, Seconded by Rhoden. The motion passed by unanimous voice vote.

Minutes prepared by City Clerk/ Treasurer Beth Stephens.



## City of Boaz Alabama

COUNCII Item 1.

RODNEY FRIX
STEVEN BATES
ALAN HALES
MATT BRANNON
CALEB WILLIAMS

## Tim Walker Mayor

## **PUBLIC NOTICE November 19, 2025**

The City of Boaz Zoning Board of Adjustments will hold a Public Hearing on Thursday, December 4th at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to hear a variance request from Mr. Adam Sewell. Mr. Sewell is seeking a variance from the 40' front yard setback requirement for the construction of homes located on lots 2,3,4 and 5 of the Pleasant Hill Phase 1 Subdivision along Misty Lane in Boaz, AL 35957. The property is in R1 (Low Density Residential District) and requires a setback of 40' on the front lot line. However, due to an unseen change in the ROW width on Misty Lane the homes were mistakenly placed aligning with neighboring homes vs conforming to the 40' front yard setback requirement. Mr. Sewell is asking for a 10' variance from the original 40' making the front yard setbacks 30' on lots 2-5 of the Pleasant Hill Phase 1 Subdivision.

The description of the properties is as follows:

355 Misty Lane

Parcel Number: 0506130001032005

**PIN:** 88405

LT 2 PLEASANT HILL PHASE 1 PLAT L-36 13-10-4

368 Misty Lane

Parcel Number: 0506130001032006

**PIN:** 88406

LT 3 PLEASANT HILL PHASE 1 PLAT L-36 13-10-4

388 Misty Lane

Parcel Number: 0506130001032007

**PIN:** 88407

LT 4 PLEASANT HILL PHASE 1 PLAT L-36 13-10-4

408 Misty Lane

Parcel Number: 0506130001032009

PIN: 88409

LT 5 PLEASANT HILL PHASE 1 PLAT L-36 13-10-4

At said time and place, all persons in favor of or in opposition to said variance request can be heard.

Boaz Zoning Board of Adjustments



## CITY OF BOAZ

Item 1. Application / No.

112 North Broad Street

Boaz, Alabama 35957

Building@cityofboaz.org

## VARIANCE APPLICATION

The applicant shall submit a complete application, including supplemental information and a non-refundable application fee of \$50.00, to the City of Boaz, at least (21) twenty-one days prior to the meeting at which the Board is to hear the Variance request.

If the applicant is not the owner of the subject property, the owner of the property shall stipulate in a letter to the Board, that this applicant is so authorized.

The property owner and adjacent property owners will be notified by mail at least (10) ten days prior to the hearing. A public notice of the hearing will be posted in four conspicuous places in the city of Boaz (15) fifteen days prior to the hearing

	7				
OWNER / APPLICANT INFORMATION					
Applicant(s): Adam Sevell	Property Owner(s): <u>Adam</u>	Sewell			
Address: 202 Co Rd 355	Address: 408 - 388 - 3	68 - 354			
Albertuille Al 35951	Misty Lane	Boaz			
Phone Number: 256 558 4043	Phone Numbers: 256	558 4043			
Email address: adam sencleonstruction Qumail. com					
SUBJECT PROPERTY INFORMATION					
Address: 408-388-368-354 Misty Lane Bog Z					
2,34,5 Lot: Subdivision Name:	2,34,5 Block: Subdivision Name: Bresuster Properties				
Zoning District: $R - l$					
EACH VARIANCE APLICATION SHALL BE ACCOMPANIED BY:					
1. A non-refundable application fee of \$50.00.					
2. A vicinity map showing location of the site in relation to the surrounding area and zoning of the site and adjacent property.					
3. A legal description of the property.					
4. A site plan drawn to scale, showing: the location, use and dimensions of all existing and proposed structures, points of ingress and egress to the property, all public and private roads, off-street parking and loading areas, buffers and landscaped areas, and signs.					
5. Any supplemental information which will assist the Board in reviewing the Variance request.					
Applicant Name (please print): Adam Sen	c11	Date: 11 - 3 - 25			
Applicant signature:					
Received Bv:		Date:			



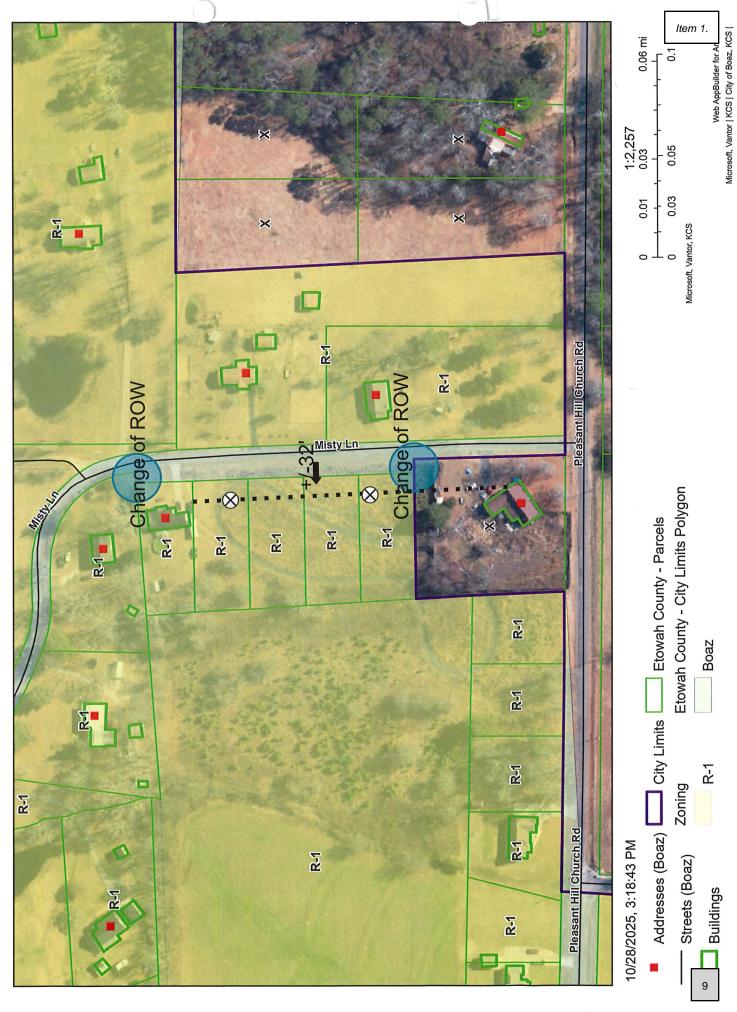
## CITY OF BOAZ

112 NORTH BROAD STREET BOAZ, ALABAMA 35957 BUILDING@CITYOFBOAZ.ORG

## VARIANCE APPLICATION

Explanation of Variance Request:				
We are asking for the Front set back to be				
We are asking for the Front set back to be thanged from 40' to 30' to allighen with existing house on the corner.				
existing house on the corner.				
Applicant Name (please print): Alum Sevell  Date: 1/-3-25				
Applicant signature:				
**APPLICATION WITHDRAWAL**				
Signature of Owner / Applicant Date				
OFFICIAL USE ONLY				
Date Filed : Date of Public Notice: Date of ZBA Hearing:				
Fee Paid: \$				
Decision of Zoning Board of Adjustment, Approved / Denied Date:				
List of conditions of Approval or Denial:				

# Misty Lane



## City of Boaz Miscellaneous Receipt

Misc. Receipt No: 21640

POS Receipt No: 20423 Receipt Date:

11/03/2025

Customer ID: Name:

59

Description:

BOAZ CITY HALL

VARIANCE APPLICATION FEE

Receipted By:

Receipted On:

Jill Smith

11/03/2025 10:12 AM

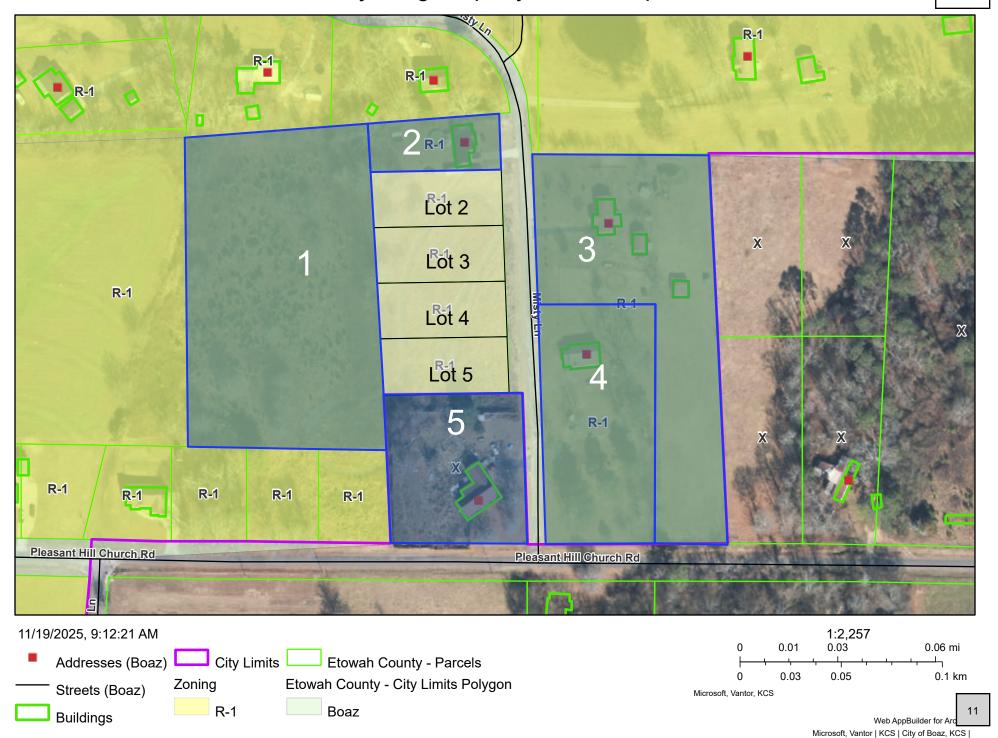
Miscella	neous Re	ceipt Total	
	\$50.00		

GL Account Number 01-4-10-4079-000	GL Account Description	\$50.00	iotai
Miscellaneous Receipt Totals:		<b>Debit</b> \$0.00	Credit \$50.00
		\$0.00	\$50.00

Thank You!

## Adjoining Property Owner Map

Item 1.



Owner

Item 1.

ADAM SEWELL CONSTRUCTION LLC 202 COUNTY ROAD 355 ALBERTVILLE, AL 35951

## ADJOINING PROPERTY OWNERS

Adam Sewell Variance

Lots 2-5 Pleasant Hill Phase 1

ADAM SEWELL CONSTRUCTION LLC 202 COUNTY ROAD 355 ALBERTVILLE, AL 35951

## Envelope Certified receipt

BREWSTER PROPERTIES, LLC 200 SOUTH CHURCH STREET BOAZ, AL 35957 BREWSTER PROPERTIES, LLC 200 SOUTH CHURCH STREET BOAZ, AL 35957

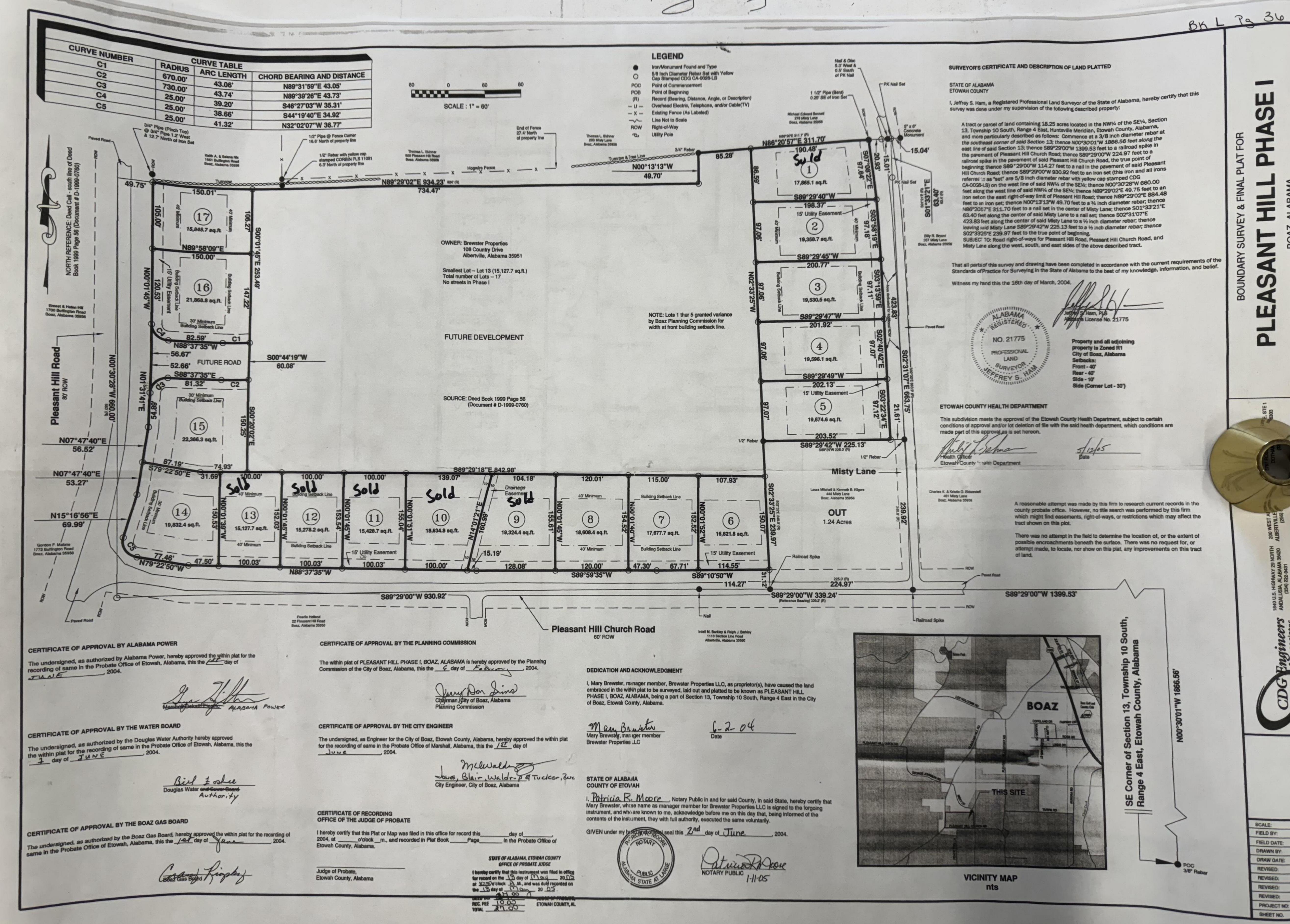
HARRIS, BRANDON J 340 MISTY LANE BOAZ, AL 35956 HARRIS, BRANDON J 340 MISTY LANE BOAZ, AL 35956

BRYANT, BILLY R 357 MISTY LN BOAZ, AL 35956 BRYANT, BILLY R 357 MISTY LN BOAZ, AL 35956

FRANCO, EDUARDO N & SANDRA L TORRES 401 MISTY LANE BOAZ, AL 35956

FRANCO, EDUARDO N & SANDRA L TORRES 401 MISTY LANE BOAZ, AL 35956

BAILEY, RICHARD T JR & PAMELA M 444 MISTY LN BOAZ, AL 35956 BAILEY, RICHARD T JR & PAMELA M 444 MISTY LN BOAZ, AL 35956



FIELD DATE: REVISED:

