



CITY OF BOAZ
Planning Commission Meeting Agenda
June 01, 2023
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 Planning Commission Meeting
 1. Adopt the minutes of the Planning Commission Meeting dated April 13, 2023.
- VI. Public Hearings
 1. A public hearing to hear a request of a Preliminary Subdivision Plat from Mr. Randall Pankey. The Dogwood Farms II subdivision will be located along Bruce Road, starting at the intersection of Mcville Road toward State Route 168. Mr. Pankey is seeking to build Patio/ Garden Homes on the property.
 2. A public hearing to hear a request from Brett Keller. Mr. Keller is seeking to rezone property located at 465 Gold Kist Street from R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District). Mr. Keller seeks to build a duplex on the property.
 3. A public hearing to approve a ROW dedication from TWAS Properties, LLC to the City of Boaz for a strip of land along Butler Avenue containing 0.14 Acres +/-, as described in the provided plat showing Lot 1, Parcel ID 1809303000063002, Book 6941, Page 281 TWAS PROPERTIES LLC, 72,049 Sq. Ft.+/- 1.65 Acres +/-.
 4. A public hearing to discuss an amendment of section 11.02.03 Procedure of the Boaz Zoning Ordinance no. 2021-1154, as follows:

Section 11.02.03 amended to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and

the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

VII. New Business

1. Entertain a motion to approve the preliminary plat provided by Mr. Pankey of Bradco Home Builders LLC, for The Dogwood Farms II Subdivision.
2. Entertaining a motion to approve to rezone property located at 465 Gold Kist Street, from R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District). Mr. Keller seeks to build a duplex on the property.
3. Entertain a motion to approve a ROW dedication from TWAS Properties, LLC to the City of Boaz for a strip of land along Butler Avenue containing 0.14 Acres +/-, as described in the provided plat showing Lot 1, Parcel ID 1809303000063002, Book 6941, Page 281 TWAS PROPERTIES LLC, 72,049 Sq. Ft.+/- 1.65 Acres +/-.
4. Entertain a motion to approve amending the Boaz Zoning Ordinance 2021-1154, Article 11 Administration and Enforcement as follows:

Section 11.02.03 amended to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

VIII. Old Business

IX. Public Comments

X. Chairman Comments

XI. Adjourn



CITY OF BOAZ
 Planning Commission Minutes
 April 13, 2023
 Boaz Public Library, Mastin Conference Room – 6:00 PM

I. Call to Order

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

PRESENT

Chris Alexander
 Harrold Johnson
 Nick Borden
 Randall White
 Rodney Frix
 Paul Hale

ABSENT

Chris Washburn
 David Wallace
 Josh Greer

II. Invocation

Randall White gave the Invocation.

III. Pledge of Allegiance

Nick Borden led the Pledge of Allegiance.

IV. Adoption of Agenda

Motion made by Alexander, Seconded by Borden. The motion passed by unanimous voice vote.

V. Reading and/or Approval of Minutes of Previous Planning Commission Meeting

1. Adopt the minutes of the Planning Commission Meeting dated March 2, 2023.

Motion made by Hale, Seconded by Borden. The motion passed by unanimous voice vote.

VI. Public Hearings

Motion made by Borden to open the Public Hearing at 6:02 P.M., Seconded by Alexander. The motion passed by unanimous voice vote.

Speaking against the rezoning

Tim Walker
 227 S Walnut Street

Boaz, AL 35957

Speaking against Item Number 6 under New Business

Christie Farmer
1117 James Street
Boaz, AL 35957

Chad Cofield
1213 James Street
Boaz, AL 35957

City Attorney Christie Knowles explained the proposed amendment to the Zoning Ordinance 11.02.03 Procedure to allow an appeal procedure for citizens.
Chris Alexander, Rodney Frix, and Christie Knowles discussed the appeal process.

Speaking against Item Number 6 under New Business

Greg Price
100 Christie Lane
Boaz, AL 35957

Speaking against the rezoning

Scott McDowell
240 Daily Street
Boaz, AL 35957

Motion made by Hale to close the Public Hearing at 6:25 P.M., Seconded by Alexander. The motion passed by unanimous voice vote.

Motion made by Borden to reopen the Public Hearing at 6:30 P.M., Seconded by Hale.

White, Alexander, and Frix opposed.
Borden, Hale, and Johnson voted in favor.
The motion did not pass.

1. A public hearing to hear a request from Tony Catanzaro for a zoning change from R-2 (Medium Density Detached Residential District) to R-3 (High Density Single-Family Residential District). This property is located on Bassett Street containing 5.53 acres+/- . The property owner is seeking to construct (townhouses) attached single-family dwellings.
2. A public hearing to hear a request from Tony Catanzaro for a zoning change from R-2 (Medium Density Detached Residential District) to R-3 (High Density Single-Family Residential District). This property is located on Daily St. adjacent to Douglas St. containing 6 acres. (Parcel no. 2401011003046000) The property owner is seeking to construct (townhouses) attached single-family dwellings.
3. A public hearing to discuss and amend the City of Boaz Zoning Ordinance Number 2021-1154 as underlined below:

§3-03 R-3 HIGH DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

§3.03.02 Triplexes and quadplexes. *Triplexes and quadplexes are permitted on corner lots only. Off-street parking may not extend forward of the front building line.*

1. Building Materials for duplexes, triplexes and quadplexes. Building exteriors must be constructed from high quality, durable materials as follows:
 - a) Brick or other masonry. When used for the facade of any building, concrete blocks must be split, rock, or ground-faced and may not exceed 25% of the masonry area of the facade. To add visual interest, the use of specialized textures and/or colors used effectively with other building materials and details are encouraged. Plain concrete block or plain concrete may be used only as foundation material if the foundation material is not revealed more than three feet above finished grade at the foundation wall.
 - b) Exterior insulation and finish system (EIFS) and similar troweled finishes (stucco) must be trimmed in wood, masonry, or other approved materials and may not be used adjacent to grade.
 - c) Horizontal wood and cement board siding. Composite boards manufactured from wood or other products, such as hardboard or plankboard, may be used when the board product is less than nine inches wide.
2. Prohibited Materials. The following materials are prohibited in visible locations unless an exception is granted based on the integration of the material into the overall design of the structure.
 - a) Plywood siding (including T-111 or similar plywood), except when used as a component in board and batten siding.
 - b) Highly tinted or mirrored glass (except stained glass) as more than 10 percent of the building facade
 - c) Corrugated fiberglass
 - d) Non-corrugated and highly reflective sheet metal
 - e) Vinyl siding is acceptable when the board size is less than six inches wide. However, it may not be used adjacent to grade. Vinyl siding cannot be painted, which limits opportunities for changing building colors as part of future renovations.

§3.04 R-4 Multi-Family Residential District

§3.04.01 Additional Requirements

2. Building Materials for multi-family dwellings including duplexes, triplexes and quadplexes. Building exteriors must be constructed from high quality, durable materials as follows:
 - a) Brick or other masonry. When used for the facade of any building, concrete blocks must be split, rock, or ground-faced and may not exceed 25% of the masonry area of the facade. To add visual interest, the use of specialized textures and/or colors used effectively with other building materials and details are encouraged. Plain concrete block or plain concrete may be used only as foundation material if the foundation material is not revealed more than three feet above finished grade at the foundation wall.

- b) Exterior insulation and finish system (EIFS) and similar troweled finishes (stucco) must be trimmed in wood masonry, or other approved materials and may not be used adjacent to grade.
 - c) Horizontal wood and cement board siding. Composite boards manufactured from wood or other products, such as hardboard or plankboard, may be used when the board product is less than nine inches wide.
3. Prohibited Materials. The following materials are prohibited in visible locations unless an exception is granted based on the integration of the material into the overall design of the structure.
- a) Plywood siding (including T-111 or similar plywood), except when used as a component in board and batten siding.
 - b) Highly tinted or mirrored glass (except stained glass) as more than 10 percent of the building façade
 - c) Corrugated fiberglass
 - d) Non-corrugated and highly reflective sheet metal
 - e) Vinyl siding is acceptable when the board size is less than six inches wide. However, it may not be used adjacent to grade. Vinyl siding cannot be painted, which limits opportunities for changing building colors as part of future renovations.

Table 3-2 Area and Dimensional Requirements, Residential Districts,
Adding a minimum square footage requirement of 900sf (Square Foot) of living space per dwelling unit. In R-3 and R-4 Districts concerning Duplexes, Triplexes or Quadplexes.

§11-02 Amendments

§11.02.03 Procedure

4. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

§2-06 Fences, Walls & Hedges

§2.06.03 In residential districts, fences may not exceed 6' in height. However, fences located forward of the principle building may not exceed 30" in height.

VII. New Business

1. Entertain a motion to approve or deny a request from Tony Catanzaro for a zoning change from R-2 (Medium Density Detached Residential District) to R-3 (High Density Single-Family Residential District). This property is located on Bassett Street containing 5.53 acres+/-.

Motion made by Alexander to deny the rezoning request, Seconded by White.

There was some discussion between the Planning Commission members regarding the rezoning.

Chairman Frix asked if the public had received the same packet of information of the plans that the Planning Commission members had. The public did not have the same packet of information of the plans.

Hale made a motion to reopen the Public Hearing at 6:37 P.M., seconded by Johnson. The motion passed by unanimous voice vote.

Speaking for the rezoning

Tony Catanzaro (property owner)

Speaking against the rezoning

Kyle Van Scott
245 S Church Street
Boaz, AL 35957

Tim Walker
227 S Walnut St.
Daily Avenue
Boaz, AL 35957

Shelly Fowler
366 Daily Avenue
Boaz, AL 35957

David Nicholson
3400 Bethsaida Road
Boaz, AL 35957

Motion made by Borden to close the Public Hearing at 6:54 P.M., seconded by White. The motion passed by unanimous voice vote.

Motion was previously made by Alexander to deny the rezoning request, Seconded by White.

Voting in favor to deny: Alexander, White, and Frix

Opposed: Borden, Johnson, and Hale

The motion did not pass.

2. Entertain a motion to approve or deny a request from Tony Catanzaro for a zoning change from R-2 (Medium Density Detached Residential District) to R-3 (High Density Single-Family Residential District). This property is located on Daily St. adjacent to Douglas St. containing 6 acres. (Parcel no. 2401011003046000)

Motion made by Hale to table, seconded by Johnson.

Voting in favor to table: Borden, Alexander, Johnson, and Hale.

Opposed: Frix and White

3. Entertain a motion to approve or deny amending the City of Boaz Zoning Ordinance Number 2021-1154, Section 3-03 R-3 High Density Single-Family Residential District, §3.03.02 Triplexes and quadplexes to include the following underlined language pertaining to the exterior facade treatments of triplexes and quadplexes.

§3.03.02 Triplexes and quadplexes. *Triplexes and quadplexes are permitted on corner lots only. Off-street parking may not extend forward of the front building line.*

1. Building Materials for duplexes, triplexes and quadplexes. Building exteriors must be constructed from high quality, durable materials as follows:
 - a) Brick or other masonry. When used for the facade of any building, concrete blocks must be split, rock, or ground-faced and may not exceed 25% of the masonry area of the facade. To add visual interest, the use of specialized textures and/or colors used effectively with other building materials and details are encouraged. Plain concrete block or plain concrete may be used only as foundation material if the foundation material is not revealed more than three feet above finished grade at the foundation wall.
 - b) Exterior insulation and finish system (EIFS) and similar troweled finishes (stucco) must be trimmed in wood, masonry, or other approved materials and may not be used adjacent to grade.
 - c) Horizontal wood and cement board siding. Composite boards manufactured from wood or other products, such as hardboard or plankboard, may be used when the board product is less than nine inches wide.
2. Prohibited Materials. The following materials are prohibited in visible locations unless an exception is granted based on the integration of the material into the overall design of the structure.
 - a) Plywood siding (including T-111 or similar plywood), except when used as a component in board and batten siding.
 - b) Highly tinted or mirrored glass (except stained glass) as more than 10 percent of the building facade
 - c) Corrugated fiberglass
 - d) Non-corrugated and highly reflective sheet metal
 - e) Vinyl siding is acceptable when the board size is less than six inches wide. However, it may not be used adjacent to grade. Vinyl siding cannot be painted, which limits opportunities for changing building colors as part of future renovations.

Motion made by Alexander, Seconded by Borden.

The motion passed by unanimous voice vote.

- 4. Entertain a motion to approve or deny amending Boaz Zoning Ordinance 201-11-54, Section 3.04 R-4 Multi-Family Residential District, §3.04.01 Additional Requirements, as underlined below.

§3.04.01 Additional Requirements

- 2. Building Materials for multi-family dwellings including duplexes, triplexes and quadplexes. Building exteriors must be constructed from high quality, durable materials as follows:
 - a) Brick or other masonry. When used for the facade of any building, concrete blocks must be split, rock, or ground-faced and may not exceed 25% of the masonry area of the facade. To add visual interest, the use of specialized textures and/or colors used effectively with other building materials and details are encouraged. Plain concrete block or plain concrete may be used only as foundation material if the foundation material is not revealed more than three feet above finished grade at the foundation wall.
 - b) Exterior insulation and finish system (EIFS) and similar troweled finishes (stucco) must be trimmed in wood, masonry, or other approved materials and may not be used adjacent to grade.
 - c) Horizontal wood and cement board siding. Composite boards manufactured from wood or other products, such as hardboard or plankboard, may be used when the board product is less than nine inches wide.
- 3. **Prohibited Materials.** The following materials are prohibited in visible locations unless an exception is granted based on the integration of the material into the overall design of the structure.
 - a) Plywood siding (including T-111 or similar plywood), except when used as a component in board and batten siding.
 - b) Highly tinted or mirrored glass (except stained glass) as more than 10 percent of the building facade
 - c) Corrugated fiberglass
 - d) Non-corrugated and highly reflective sheet metal
 - e) Vinyl siding is acceptable when the board size is less than six inches wide. However, it may not be used adjacent to grade. Vinyl siding cannot be painted, which limits opportunities for changing building colors as part of future renovations.

Motion made by Borden, Seconded by Johnson. The motion passed by unanimous voice vote.

- 5. Entertaining a motion to approve or deny the amendment of Table 3-2 Area and Dimensional Requirements, Residential Districts, as follows:

Adding the minimum square footage of 900sf of living space per dwelling unit. In R-3 and R-4 Districts concerning duplexes, Triplexes and Quadplexes.

Motion made by White, Seconded by Borden. The motion passed by unanimous voice vote.

- 6. Entertain a motion to approve or deny the amendment of section 11.02.03 Procedure, as follows:

§11.02.03 Procedure

- 4. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner

objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

Motion made by Alexander to table, Seconded by Hale.

Voting in favor to table: Alexander, Hale, Johnson, and White

Opposed: Borden and Frix

The motion passed to table Item number 6.

- 7. Entertain a motion to approve or deny the amendment of section 2-06 Fences Walls & Hedges as underlined below:

§2.06.03 In residential districts, fences may not exceed 6’ in height. However, fences located forward of the principle building may not exceed 30” in height.

Motion made by Hale, Seconded by White. The motion passed by unanimous voice vote.

VIII. Chairman Comments

Chairman Frix stated this is not normally how Planning Commission meetings are. Chairman Frix stated he appreciated everyone that came out and that he would stay after the meeting if anyone had any questions.

IX. Adjourn

Motion made by Borden, Seconded by Alexander. The motion passed by unanimous voice vote.

The meeting adjourned at 7:07 P.M.

Minutes prepared by City Clerk/ Treasurer Beth Stephens.



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 1.

PUBLIC NOTICE 05/15/2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 01, 2023 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 request of a Preliminary Subdivision Plat from Mr. Randall Pankey. The Dogwood Farms II subdivision will be located along Bruce Road, starting at the intersection of Mcville Road toward State Route 168. Mr. Pankey is seeking to build Patio/ Garden Homes on the property.

A legal description is as follows:

A PART OF TRACTS 5 & 6 OF J.A. KILPATRICK LANDS, AS RECORDED IN PLAT BOOK 2, PAGE 180, PROBATE OFFICE OF MARSHALL COUNTY, ALABAMA, ALSO BEING A PART OF SECTION 31, TOWNSHIP 09 SOUTH, RANGE 5 EAST, HUNTSVILLE MERIDIAN, MARSHALL COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A 1 2 INCH DIAMETER REBAR WITH YELLOW CAP STAMPED TUCKER LS 21862, LOCATED AT THE NORTHEAST CORNER OF LOT 8 OF DOGWOOD FARMS I SUBDIVISION, AS RECORDED IN PLAT BOOK 8, PAGE 413, PROBATE OFFICE, MARSHALL COUNTY, ALABAMA, THEN N41°50'36"W A DISTANCE OF 170.48 FEET TO A 1 2 INCH DIAMETER REBAR WITH YELLOW CAP STAMPED TUCKER LS 21862 ON THE SOUTH RIGHT-OF-WAY OF BRUCE ROAD. THEN ALONG SAID SOUTH RIGHT-OF-WAY N59°55'13"E A DISTANCE OF 22.59 FEET TO AN IRON SET (THIS IRON AND ALL OTHER IRONS REFERRED TO AS "SET" ARE 1 2 INCH DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED ALLEN PLS 31826). THEN CONTINUE ALONG SAID RIGHT-OF-WAY S89°23'40"E A DISTANCE OF 603.78 FEET TO AN IRON SET. THEN LEAVING SAID RIGHT-OF-WAY S03°34'17"E A DISTANCE OF 137.69 FEET TO AN IRON SET. THEN N89°23'40"W A DISTANCE OF 518.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.81 ACRES MORE OR LESS.

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

Chairman
Boaz Planning Commission



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 2.

PUBLIC NOTICE May 16, 2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 1st 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 request from Brett Keller. Mr. Keller is seeking to rezone property located at 465 Gold Kist Street St. From R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District). Mr. Keller seeks to build a duplex on the property. The legal description is as follows:

The North half of Lots 22, 23, 24, and 25 in Block of the R. E. Aldridge Addition as prepared by southern Realty Co., of Boaz, Ala., and surveyed by J.M. Morton, C.S. and platted and recorded in Plat Book 1 Page 46 in the Probate Office of Marshall County, Alabama, together with all improvements located thereon. (B-15909;tm)

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

Chairman
Boaz Planning Commission



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
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Item 3.

PUBLIC NOTICE **05/15/2023**

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 01, 2023 at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to approve a ROW dedication from TWAS Properties, LLC to the City of Boaz for a strip of land along Butler Avenue containing 0.14 Acres +/- . As described in the provided plat showing Lot 1, Parcel ID 1809303000063002, Book 6941, Page 281 TWAS PROPERTIES LLC, 72,049 Sq. Ft.+/- 1.65 Acres +/-.

A legal description is as follows:

A Parcel of land situated on the southwest one-quarter of the southwest one-Quarter of section 30, Township 9, South, Range 5 East, Marshall County, Alabama

At said time and place, all persons in favor of or in opposition of said right of way dedication can be heard.

Chairman
Boaz Planning Commission



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
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JEFF SIMS
MIKE MATTHEWS

Item 4.

PUBLIC NOTICE May 16, 2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 1st at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to discuss an amendment of section 11.02.03 Procedure of the Boaz Zoning Ordinance no. 2021-1154, as follows

Section 11.02.03 amended to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

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

Chairman
Boaz Planning Commission



City of Boaz Alabama

David Dyar
Mayor

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Item 1.

PUBLIC NOTICE 05/15/2023

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A legal description is as follows:

A PART OF TRACTS 5 & 6 OF J.A. KILPATRICK LANDS, AS RECORDED IN PLAT BOOK 2, PAGE 180, PROBATE OFFICE OF MARSHALL COUNTY, ALABAMA, ALSO BEING A PART OF SECTION 31, TOWNSHIP 09 SOUTH, RANGE 5 EAST, HUNTSVILLE MERIDIAN, MARSHALL COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A 1 2 INCH DIAMETER REBAR WITH YELLOW CAP STAMPED TUCKER LS 21862, LOCATED AT THE NORTHEAST CORNER OF LOT 8 OF DOGWOOD FARMS I SUBDIVISION, AS RECORDED IN PLAT BOOK 8, PAGE 413, PROBATE OFFICE, MARSHALL COUNTY, ALABAMA, THEN N41°50'36"W A DISTANCE OF 170.48 FEET TO A 1 2 INCH DIAMETER REBAR WITH YELLOW CAP STAMPED TUCKER LS 21862 ON THE SOUTH RIGHT-OF-WAY OF BRUCE ROAD. THEN ALONG SAID SOUTH RIGHT-OF-WAY N59°55'13"E A DISTANCE OF 22.59 FEET TO AN IRON SET (THIS IRON AND ALL OTHER IRONS REFERRED TO AS "SET" ARE 1 2 INCH DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED ALLEN PLS 31826). THEN CONTINUE ALONG SAID RIGHT-OF-WAY S89°23'40"E A DISTANCE OF 603.78 FEET TO AN IRON SET. THEN LEAVING SAID RIGHT-OF-WAY S03°34'17"E A DISTANCE OF 137.69 FEET TO AN IRON SET. THEN N89°23'40"W A DISTANCE OF 518.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.81 ACRES MORE OR LESS.

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

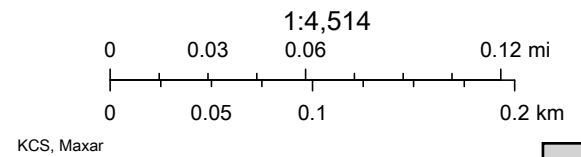
Chairman
Boaz Planning Commission

Adjoining property owners Dogwood II



5/16/2023, 6:07:50 PM

- Addresses (Boaz)
- Overlay - Hwy 431 & 168
- Marshall County - Lot_Line
- Streets (Boaz)
- City Limits
- Marshall County - Parcels
- Buildings



City of Boaz Miscellaneous Receipt

Misc. Receipt No: 13366
POS Receipt No: 12974
Receipt Date: 05/11/2023

Received By: Jill Smith
Received On: 05/11/2023 3:21 PM

Customer ID: 495
Name: BRADCO HOME BUILDERS
Description: PRELIMINARY SUBDIVISION PLAT FEE

Miscellaneous Receipt Total
\$60.00

GL Account Number	GL Account Description	Debit	Credit
01-4-10-4079-000	Sub-Div/Zoning Var. Appl. Fee	\$0.00	\$60.00
Miscellaneous Receipt Totals:		\$0.00	\$60.00

Thank You!

CITY OF BOAZ

APPLICATION FOR PRELIMINARY SUBDIVISION PLAT

APPLICATION/CASE NO. _____

A Preliminary Plat is required if the proposed subdivision contains six or more lots, or if any street or other public improvements are to be dedicated to the city.

The applicant shall submit a complete application, including three copies of the Preliminary Plat and Construction Plans as required in Section 3.10.02 of the Subdivision Regulations, along with a filing fee of \$25.00 plus \$5.00 per lot; at least 15 days prior to a regularly scheduled meeting of the Planning Commission. As per the Subdivision Regulations adopted by the City of Boaz, if the City requires a consulting engineer review of the development, all fees incurred by the City for consulting engineer review will be paid in full by the Developer prior to issuance of Final Plat. The City will notify all the adjacent property owners by mail at least five days prior to the public hearing.

OWNER/APPLICANT INFORMATION

Property owner: Bradco Home Builders, LLC

Address: PO Box 853 Boaz, AL 35957

Telephone Numbers: Work: 256-572-3722 Home: _____

Person Making Application: Randall Parkey

SUBJECT PROPERTY INFORMATION

1. Name of Proposed subdivision: Dogwood Farms II
2. Location: Along Bruce Rd. starting at intersection of McVilleville Road
3. Present Zoning: R-7
4. Number of proposed lots: 7
5. Does the proposed subdivision require the extension of public streets or other public improvements? Yes No _____.
6. Is the Preliminary Plat submitted pursuant to a sketch Plat? No If so, the applicant must provide a copy of the approved Sketch Plat.
7. Is the Preliminary Plat a resurvey or extension of an existing subdivision? Yes _____ No . If so, the applicant must provide a copy of the approved Subdivision Plat.

§3.10.02 Preliminary Plat Requirements. The Preliminary Plat must indicate the proposed future development, including the proposed street and drainage pattern. The Preliminary Plat must clearly note what improvements the Subdivider proposes to make off-premises necessary to the development of the subdivision, including drainage, utilities and other improvements. It must also note all off-premises improvements the Subdivider proposes to request the City Council to make, if any, necessary to the development of the subdivision, including drainage, improvements necessary to carry stormwater runoff to a major drainage channel, extension of water mains, sewers and other improvements.

The Preliminary Plat must be clearly and legibly drawn, may not be smaller than 11 inches by 17 inches, nor at a scale smaller than 1" = 100'.

The Preliminary Plat must contain the following information:

1. General

- A. Date, north point scale, and 1" = 800' vicinity sketch map
- B. Name of Owner, Subdivider, and Subdivision Engineer
- C. Width, location, and purpose of all easements
- D. Public land-location and dimension of land to be dedicated or reserved for parks, open space, or other public use
- E. Lot number and block number clearly identifying each parcel
- F. Dimensions of all lots and location of all existing structures
- G. Building setback line along each street
- H. Any portion of land in or adjacent to the subdivision subject to periodic flooding by storm drainage, overflow, or ponding
- I. Zoning classification
- J. Proposed use of the lots and a copy of the document used in establishing restrictions
- K. The names of adjacent subdivisions and the names and addresses of the record owners of adjoining properties as they appear on current tax records
- L. Topography at five foot or smaller intervals as required by the Subdivision Official

2. Street Plan

- A. Location of all existing and proposed public ways, drives, and easements in or adjacent to the proposed subdivision. In addition, the names of existing or proposed public ways must be identified.
- B. Widths of existing and proposed rights-of-ways
- C. Clear identification of location and width of rights-of-ways of any street adopted as part of the Major Street Plan.
- D. Street names which are subject to approval by the Commission and City Council
- E. Topography at five foot contour intervals unless a closer contour interval is required by the Commission
- F. Plan and profile of all streets
- G. Location of all sidewalks and crosswalks
- H. Typical cross sections of proposed streets or as recommended by the City Engineer

- I. Curve data for the centerline of each street: delta, tangent, and radius

3. Storm Drainage and Erosion Control Plan

- A. Location of proposed drainage ways, streams, and ponds in the subdivision
- B. Location, size, and invert elevations of proposed drainage structures including profiles of the storm drainage system, culverts, bridges, pipes, drop inlets, and top elevations of headwalls and any other data as may be required by the Commission
- C. Area of land contributing runoff to each drainage structure
- D. Location of easements and rights-of-way for drainage ways and maintenance as recommended by the City Engineer
- E. Typical cross sections of each drainage way
- F. Direction of water flow throughout the subdivision
- G. Stormwater drainage calculations, including all assumptions made along with pre- and post-development delineation maps
- H. Erosion and Sediment Control Plan showing all Best Management Practices (BMPs) for controlling pollutants leaving the site through stormwater runoff.
- I. Letter of certification of engineering sufficiency signed by the subdivision engineerj. Letter of certification signed by the subdivision engineer ensuring installation in accordance with the approved plat

4. Sanitary Sewer Plan, when applicable

- A. Location and size of all existing and proposed sewers in the subdivision, the points of the subdivision and location of sewer laterals
- B. Direction of flow of each sewer line
- C. Location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, treatment plants
- D. Profiles of sewage system
- E. Letter of certification of engineering sufficiency signed by the Subdivision Engineer

5. Septic System Plan, if applicable, must be submitted to the Health Department or other authority having jurisdiction

- A. Location and capacity of all septic tanks proposed within the subdivision
- B. Soil type according to County soil survey
- C. Depth of soil, if less than six feet
- D. Location of percolation test holes and results of percolation tests
- E. Location of tile fields and minimum lengths of tile runs
- F. Letter of certification of engineering sufficiency signed by the subdivision engineer

6. Water Distribution Plan

- A. Location and size of the water distribution system including pipes, valves, fittings, high pressure pumping equipment, and other data as may be required by the Commission
- B. Location of all fire hydrants
- C. Letter of certification signed by the Subdivision Engineer that the distribution system meets the requirements of the municipal water system

- D. Water systems not to be served by the Boaz Water System must have a notation of the same on the certificate of the Subdivision Engineer and will be subject to approval by the Water Department and §5.03.02 Water Facilities

7. Electrical Distribution Plan

- A. Location of all poles or subsurface facilities serving each lot or parcel within the subdivision and, where necessary, to abutting property
- B. All required easements, including anchor easements for guy wires
- C. Letter of certification signed by subdivision engineer that the plan meets electrical requirements, and whether the system will be installed by the electric utility provider

Page 2

Application/Case No. _____

Preliminary Subdivision Plat

If the applicant is not the owner of the subject property, the owner shall stipulate in a letter to the commission, that the undersigned applicant is authorized to request this subdivision. By signing this document I am affirming I understand the rules and regulations for the City of Boaz for development and will pay all fees associated with development.



Signature of Owner/ Applicant

5-11-23

Date

OFFICIAL USE ONLY

Date Filed: _____ Date of Notice: _____ Date of Hearing: _____

Fee Paid \$ _____ Receipt No: _____ Date Paid: _____

Decision of Planning commission: Approved: _____ Denied: _____

List Condition for Approval or Reasons for Denial:

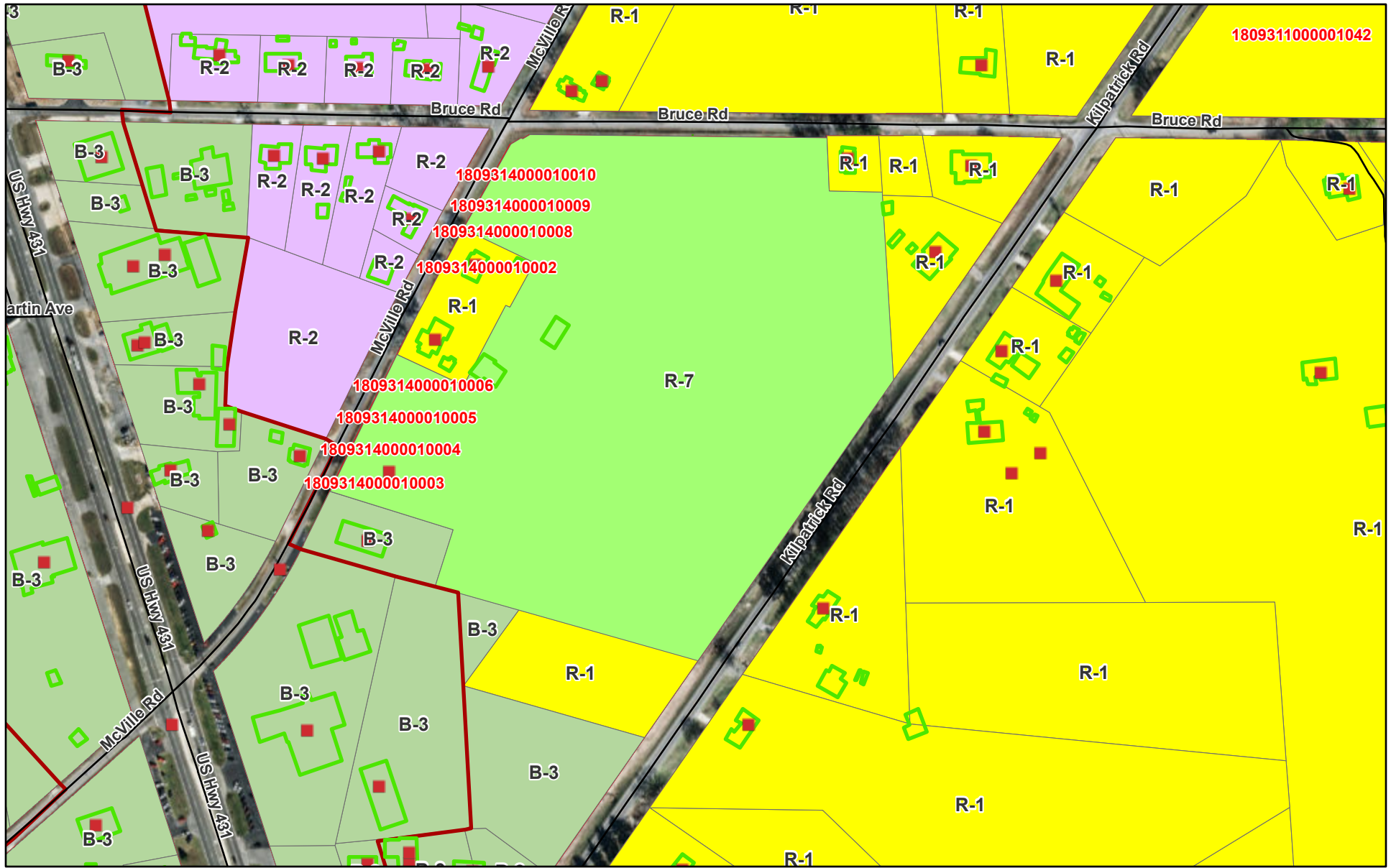
NOTE:

This application must be accompanied by:

1. Five (5) Copies of Preliminary Plat and Construction Plans.
2. Legal description of property as it appears at the Probate Office.
3. List of surrounding property owners.
4. Filling fee of \$25.00 Plus \$5.00 per lot.

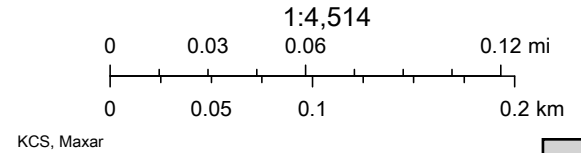
Please See Pages 3, 4 and 5 for Preliminary Plat Requirements

Current Zoning Dogwood Farms II



5/16/2023, 6:10:38 PM

- Addresses (Boaz)
- Overlay - Hwy 431 & 168
- R-1
- Marshall County - Parcels
- Streets (Boaz)
- City Limits
- R-2
- Marshall County - Lot_Line
- Buildings
- Zoning
- B-3
- R-7





City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 2.

PUBLIC NOTICE May 16, 2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 1st 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 request from Brett Keller. Mr. Keller is seeking to rezone property located at 465 Gold Kist Street St. From R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District). Mr. Keller seeks to build a duplex on the property. The legal description is as follows:

The North half of Lots 22, 23, 24, and 25 in Block of the R. E. Aldridge Addition as prepared by southern Realty Co., of Boaz, Ala., and surveyed by J.M. Morton, C.S. and platted and recorded in Plat Book 1 Page 46 in the Probate Office of Marshall County, Alabama, together with all improvements located thereon. (B-15909;tm)

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

Chairman
Boaz Planning Commission

APPLICATION FOR ZONING AMENDMENT

Case No. _____

Date 01/26/2023

STATE OF ALABAMA
COUNTY OF MARSHALL

This is to certify that I (we) the undersigned owner(s) do hereby request the Boaz Planning Commission to consider a zoning amendment for the property identified below:

1.) Description of property for which amendment is requested:

a.) Address: 465 GOLD KIST ST, BOAZ, AL 35957

b.) Name of Subdivision plat R.E. ALDRIDGE ADDITION PBI, PG 46

c.) Lot and Block numbers involved in change: LOTS 22, 23, 24, & 25/BLK 6

d.) Total acreage of change: 0.19 ACRE

e.) Recorded in Plat Book Number: 1 Page Number: 46

f.) Owned in whole by the undersigned? YES

g.) If owned in part, name(s) of co-owner(s): N/A

2. Zoning change requested:

a.) Present classification of property R1

b.) Reclassification desired: R3

c.) Character of neighborhood: RESIDENTIAL & BUSINESS MIX

3. a.) Reasons for requesting change and use to which property will be put:

I WOULD LIKE TO BUILD A DUPLEX ON THE PROPERTY

4. The following attachments **must** accompany the request for consideration of a zoning amendment:


- a.) One copy of a list of the names and addresses of the owners of all properties lying within two hundred (200) feet of any part of the property to be rezoned.
- b.) One copy of a map or plat, drawn to scale, showing the existing and proposed zoning re-classification and other pertinent information.
- c.) One copy of the legal description of the property to be rezoned.
- d.) Fifty dollars (\$50.00) filing fee.

5. Certifications:

a.) Applicant' Name BRETT KELLER
 Address: 283 SUMMIT PT, GUNTERSVILLE, AL 35976
 Telephone: 256 - 738 - 1051

b.) Date: 01/26/2023

6. Signatures:



Fee Paid: _____

Date Filed: _____

Hearing Dates: Planning Commission _____ City Council: _____

Decision of Planning Commission: _____ City Council: _____

VICINITY MAP



X 2 1/2"
 RON 3.18' NORTH
 6.05' OF PROPERTY CORNER

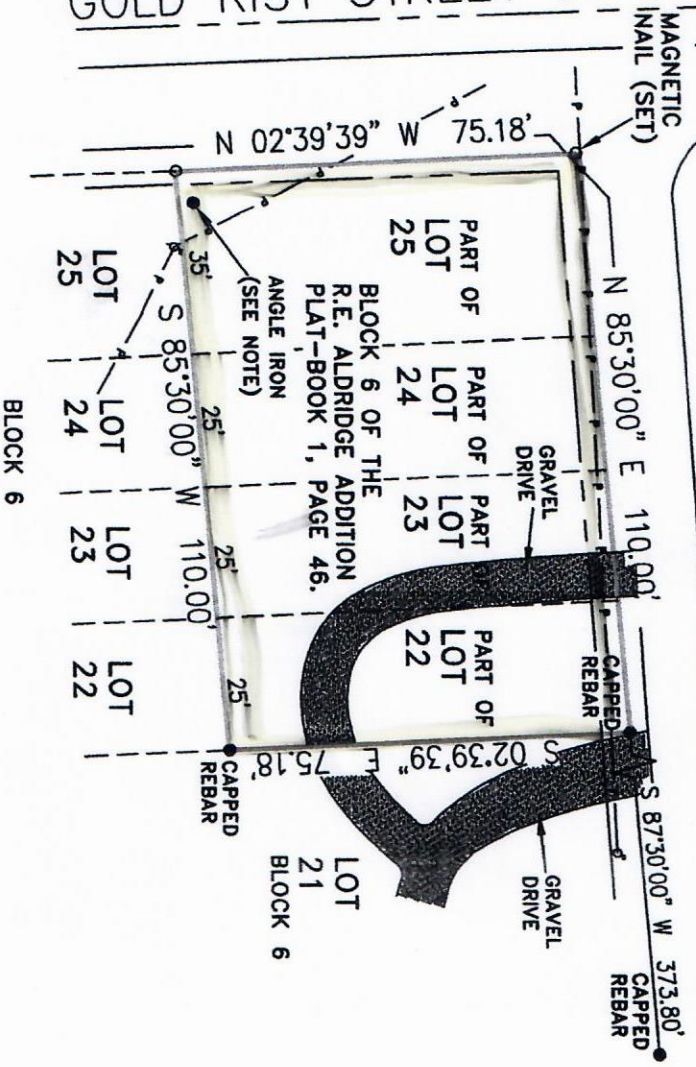
ADDITION ADDITION, PLAT BOOK 1, PAGE 46.

AS MADE TO DETERMINE THE LOCATION OR
 SHIELD ENCROACHMENTS BENEATH THE

AS MADE TO VERIFY THE RIGHT OF WAY OF
 THE LOCATION OF PROPERTY CORNERS, AND
 F ROADS OR STREETS.

SUBJECT TO ANY RIGHTS OF WAY OR
 AT MAY EXIST, RECORDED OR UNRECORDED.

GOLD KIST STREET 30' R.O.W



TERRELL STREET 30' R.O.W

LEGAL DES

STATE OF ALABAMA
 COUNTY OF MARSHALL

I, Robert L. Taylor, a Registered Land Surveyor, have prepared this plat and drawing in accordance with the requirements of the Standards and Code of Alabama to the best of my knowledge and belief, and the same is more particularly described as follows:

The North half of Lots 22, 23, 24, and 25, Addition as prepared by Southern Realty by J. M. Morton, C.S. and plotted and in the Probate Office of Marshall County, Alabama, the City of Boaz, Marshall County, Alabama.

NOTE: The above described property is situated in the City of Boaz, Marshall County, Alabama. According to my survey the

ROBERT
Taylor



WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF MARSHALL)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of **SEVEN THOUSAND DOLLARS** (\$7,000.00), and other good and valuable consideration in hand paid to **Bert Phillips Properties, LLC, an Alabama Limited Liability Company** (hereinafter referred to as "Grantor(s)"), the receipt and sufficiency of which is hereby acknowledged, by the **All Season Homes, LLC, an Alabama Limited Liability Company** (hereinafter referred to as "Grantee(s)"), does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee(s), in fee simple absolute together with every contingent remainder and right of reversion, and subject to all the provisions contained in this warranty deed, the following described real property situated in Marshall County, Alabama, to-wit:

The North half of Lots 22, 23, 24, and 25 in Block 6 of the R. E. Aldridge Addition as prepared by Southern Realty Co., of Boaz, Ala., and surveyed by J. M. Morton, C.S. and platted and recorded in Plat Book 1 Page 46 in the Probate Office of Marshall County, Alabama. said lots being situated in the City of Boaz, Marshall County, Alabama, together with all improvements located thereon. (B-15909;tm)

No part of the above described property constitutes the homestead of either party.

SOURCE OF TITLE: Deed book 6011, Page 32 in the Probate Court of Marshall County, Alabama

LESS AND EXCEPT such oil, gas, and other mineral interests, and all rights and privileges in connection therewith, as may have been reserved or conveyed by prior owners, if any.

THIS CONVEYANCE AND THE WARRANTIES CONTAINED IN THIS WARRANTY DEED ARE MADE SUBJECT TO THE FOLLOWING:

Any and all covenants, restrictions, regulations, conditions, easements, rights-of-way, liens, set back lines, and other rights of whatever nature, recorded and/or unrecorded.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD unto said Grantee(s), and the heirs and assigns of said Grantee(s), in fee simple, forever.

AND except as to the above, and taxes hereafter falling due, which are assumed by said Grantee(s), for the Grantor(s), and for the heirs and assigns of the Grantor(s), hereby covenants and warrants to and with said Grantee(s), Grantee's heirs and assigns, that the Grantor(s) is seized of an indefeasible estate in fee simple in and to said real property, and has a good and lawful right to sell and convey the same, and that the Grantor(s) is in quiet and peaceable possession of said real property, and that said real property is free and clear of all liens and encumbrances, unless otherwise noted herein and/or incorporated herein by reference, and Grantor(s) does hereby WARRANT and will forever DEFEND the title to said real property, unto said Grantee(s), and Grantee's heirs and assigns, against the lawful claims and demands of all persons whomsoever.

City of Boaz
Miscellaneous Receipt

Item 2.

Misc. Receipt No: 12074
POS Receipt No: 11812
Receipt Date: 01/26/2023

Received By: Chelsea Richey
Received On: 01/26/2023 11:57 AM

Customer ID: 400
Name: BRETT KELLER
Description: APPLICATION FOR ZONING AMENDMENT

Miscellaneous Receipt Total
\$50.00

GL Account Number	GL Account Description	Debit	Credit
01-4-10-4079-000	Sub-Div/Zoning Var. Appl. Fee	\$0.00	\$50.00
Miscellaneous Receipt Totals:		\$0.00	\$50.00

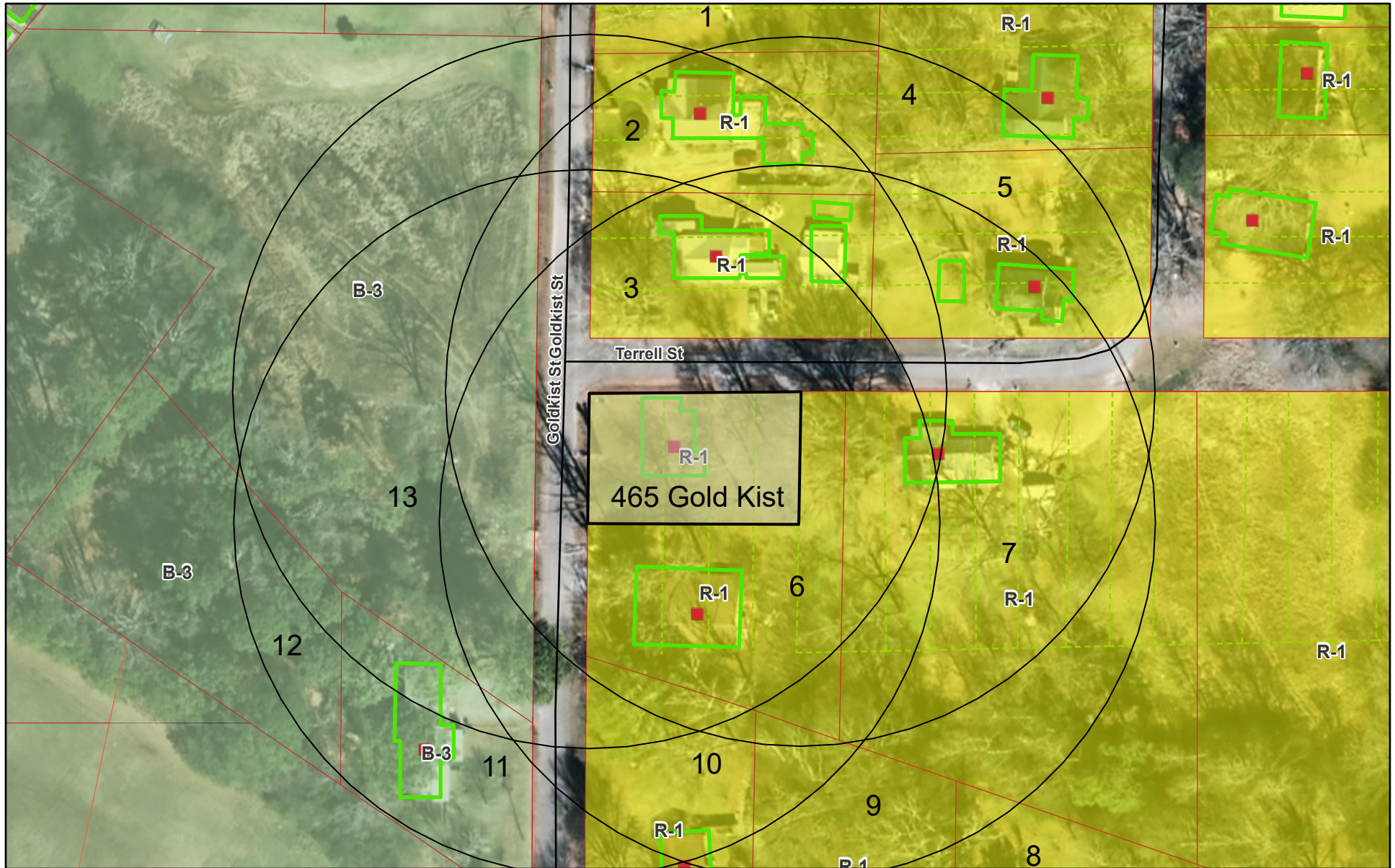
Thank You!





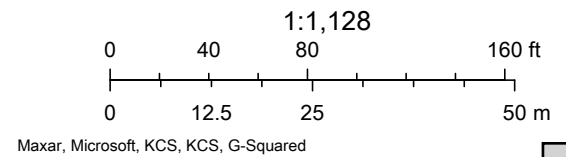
465 Gold Kist. current zoning and adj. property owners

Item 2.



2/6/2023, 11:00:14 AM

- Addresses (Boaz)
- City Limits
- R-1
- Streets (Boaz)
- Zoning
- Marshall County - Parcels
- Buildings
- B-3
- Marshall County - Lot_Line



ADJOINING PROPERTY OWNERS

Brett Keller
465 Gold Kist St.
BOAZ, ALABAMA 35957

Brett Keller
283 Summit PT.
Guntersville, AL 35976

1. JOHN RAY AMOS AND PATRICK LAMAR AMOS AND
415 GOLD KIST STREET
BOAZ, AL 35957
2. SIMS, JERRY LIVING TRUST AND STONE BREND
6811 ALABAMA HIGHWAY 168 WEST
BOAZ, AL 35957
3. RICHEY, KENNETH L & YVONNE
445 GOLDKIST STREET
BOAZ, AL 35957
4. JESSICA PINEDA AND JOSE MANUEL PINEDA AN
207 TERRELL STREET
BOAZ, AL 35957
5. MATIAS, HERMENEGILDO AGUILON
8726 ALABAMA HIGHWAY 179
BOAZ, AL 35956
6. MARR, DONALD R SR
1240 TAYLOR MILL
GUNTERSVILLE, AL 35976
7. THOMPSON, RONNIE & BRENDA
P O BOX 17
BOAZ, AL 35957
8. GARRARD, DONALD E & JIMMIE SUE
565 GOLD KIST ST
BOAZ, AL 35957
9. RUSH MARY ANN
530 RAINWATER ROAD
GUNTERSVILLE, AL 35976
10. POE, MICHAEL
515 GOLD KIST STREET
BOAZ, AL 35957
11. RENT RIGHT LLC
8255 U S HIGHWAY 431
ALBERTVILLE, AL 35950
12. TALTON PROPERTIES LLC
440 LEE HOLCOMB ROAD
BOAZ, AL 35956
13. KNOTT, DORIS
1202 SNELLGROVE AVENUE
BOAZ, AL 35957



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 3.

PUBLIC NOTICE 05/15/2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 01, 2023 at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to approve a ROW dedication from TWAS Properties, LLC to the City of Boaz for a strip of land along Butler Avenue containing 0.14 Acres +/- . As described in the provided plat showing Lot 1, Parcel ID 1809303000063002, Book 6941, Page 281 TWAS PROPERTIES LLC, 72,049 Sq. Ft.+/- 1.65 Acres +/-.

A legal description is as follows:

A Parcel of land situated on the southwest one-quarter of the southwest one-Quarter of section 30, Township 9, South, Range 5 East, Marshall County, Alabama

At said time and place, all persons in favor of or in opposition of said right of way dedication can be heard.

Chairman
Boaz Planning Commission

STATE OF ALABAMA
MARSHALL COUNTY

The undersigned Derek S. Meadows, a Registered Land Surveyor of the State of Alabama and TWAS Properties, LLC, Owner, hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map were made at the instance of said Owner; that this plat or map is a true and correct map of lands shown therein and known as Tidal Wave's Addition to Boaz, showing the subdivisions into which it is proposed to divide said lands, giving the length and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the length, width and name of each street as well as the number of each lot or block, and showing the relation of the lands to the government survey or to an adjacent recorded subdivision; and that iron pins have been installed at all lot corners and curve points as shown and designated by small solid circles on said plat or map. Said Owner also certifies that he is the Owner of said lands and that the same are not subject to any mortgage. Said surveyor also certifies that all parts of this survey and plat or map were prepared in accordance with the current requirements of the Standards of Practice for surveying in the State of Alabama to the best of my knowledge, information and belief.

Dated: 5/3, 2023. Dated: 5/14/23, 2023.
SURVEYOR: Derek S. Meadows OWNER: TWAS Properties, LLC
By: Derek S. Meadows Corporate Partner, GONZALEZ-STRENGTH & ASSOCIATES, INC. Reg. No. 29996
By: Scott Blackstock Designated Officer

STATE OF ALABAMA
MARSHALL COUNTY

I, Belinda R. Dennis, the undersigned Notary Public in and for said County in said State, hereby certify that Derek S. Meadows, Corporate Partner, Gonzalez-Strength & Associates, Inc., whose name is signed to the foregoing certificate as Surveyor, and who is known to me, acknowledged before me on this date, that being informed of the contents of said certificate, he/she executed the same voluntarily as such individual with full authority therefor.
Given under my hand and seal this 30 day of May, 2023.
Belinda R. Dennis My Commission Expires: 2/26/24
Notary Public

STATE OF ALABAMA
MARSHALL COUNTY

I, Cynthia W. Amos, the undersigned Notary Public in and for said County in said State, hereby certify that Scott Blackstock, whose name is signed to the foregoing certificate as Designated Officer of TWAS Properties, LLC, and who is known to me, acknowledged before me on this date, that being informed of the contents of said certificate, he/she executed the same voluntarily as such individual with full authority therefor.
Given under my hand and seal this 30 day of May, 2023.
Cynthia W. Amos My Commission Expires: 12/14/2025
Notary Public

CERTIFICATE OF APPROVAL FOR RECORDING
I hereby certify that the plat for Tidal Wave's Addition to Boaz subdivision has been found to comply with the Subdivision Regulations for Boaz, Alabama, with the exception of such variances, if any, as noted in the minutes of the Planning Commission, and that it has been approved for recording in the Office of the Probate of Marshall County.

_____, 2023
Chairman, Planning Commission

Mayor, City of Boaz

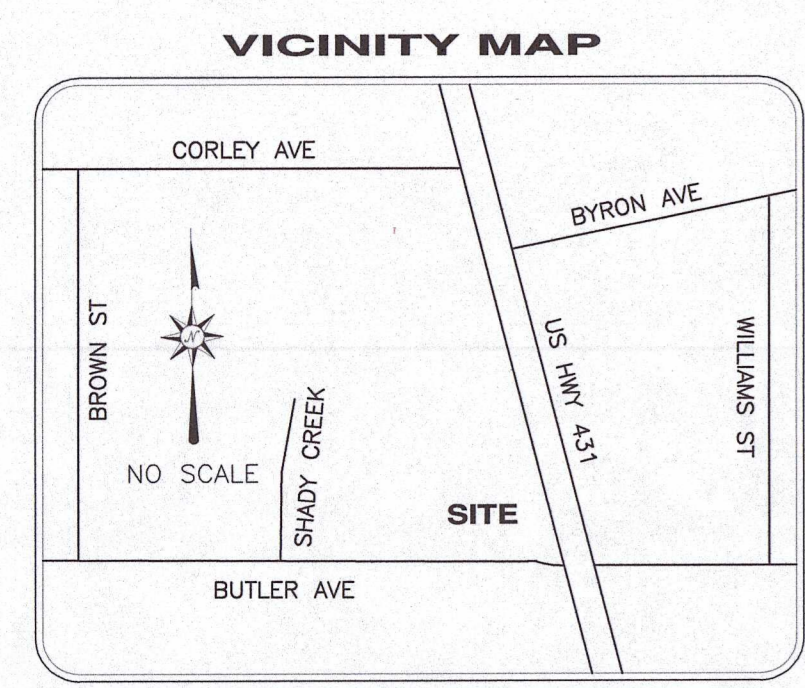
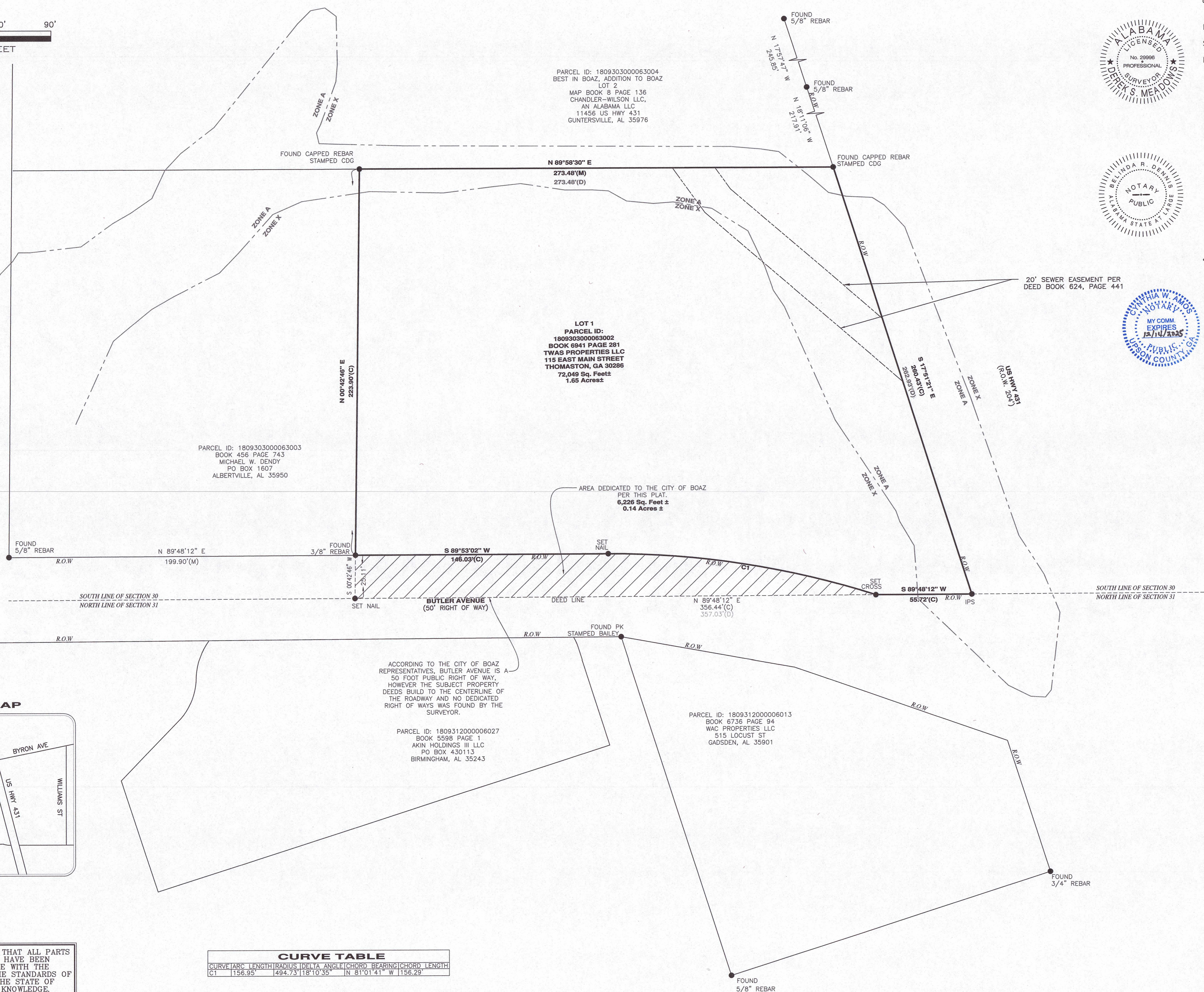
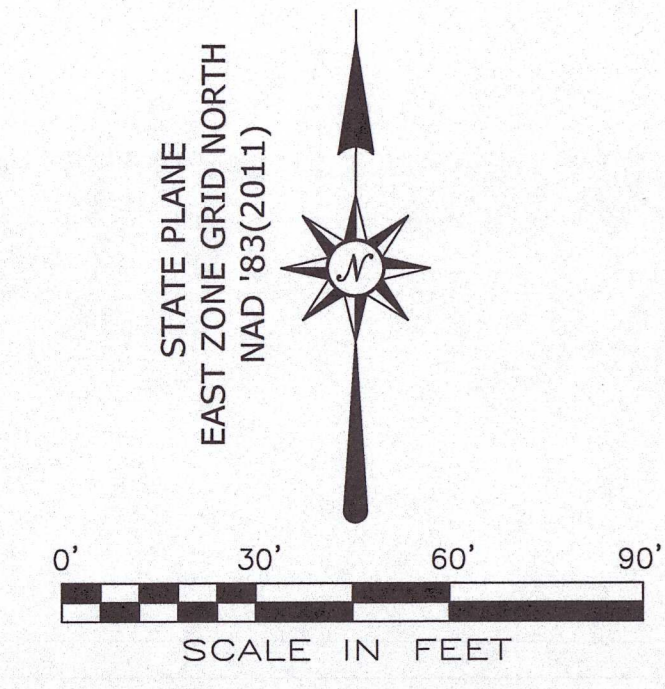
TIDAL WAVE'S ADDITION TO BOAZ

A parcel of land situated in the Southeast one-quarter of the Southwest one-quarter of Section 30, Township 9, South, Range 5 East, Marshall County, Alabama.

Prepared by:
GONZALEZ - STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, & SURVEYING
1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
Gonzalez-Strength.com
© Copyright 2019

LEGEND
● IFF IRON PIN FOUND
● IFS IRON PIN SET (5/8" REBAR w/CAP)
○ CONCRETE MONUMENT FOUND
○ CALCULATED POINT
— ROW RIGHT OF WAY

According to the Flood Insurance Rate Map (FIRM) for the City of Boaz, Alabama (community-panel number 010276 0433 E, dated March 21, 2019), portion of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain." Portion of the subject property lies within Zone A, defined as "without base flood elevation."



CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD	ANGLE	CHORD BEARING	CHORD LENGTH
C1	156.95	494.73	18'10.35"	N 81°01'41" W	156.29'	

I HEREBY CERTIFY (OR STATE) THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN THE ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

NA\2022 Projects\Olson Land Partners - Tidal Wave - Boaz\Survey\record plot\22-0542 RECORD MAP.dwg May 03, 2023 9:04 am



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 4.

PUBLIC NOTICE May 16, 2023

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 1st at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to discuss an amendment of section 11.02.03 Procedure of the Boaz Zoning Ordinance no. 2021-1154, as follows

Section 11.02.03 amended to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

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

Chairman
Boaz Planning Commission