



CITY OF BOAZ
Planning Commission Agenda
June 23, 2022

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 date April 7, 2022.
- VI. Public Hearings
 1. A Public Hearing to hear a request from Milton F. Duke for a zoning change from R-1 (Low Density Detached Residential District), R-2 (Medium Density Detached Residential District) to B-3 (General Business District). This property is located at 717 E Mann Avenue. The property owner would like to build a climate controlled self-storage facility.
- VII. New Business
 1. Approve a zoning change for property located at 717 E Mann Avenue Boaz, Alabama 35957 from R-1 (Low Density Detached Residential District), R-2 (Medium Density Detached Residential District) to B-3 (General Business District).
- VIII. Old Business
- IX. Public Comments
- X. Chairman Comments
- XI. Adjourn

CITY OF BOAZ
BOAZ PLANNING COMMISSION MINUTES
Regular Meeting - April 7, 2022

The Boaz Planning Commission met on April 7, 2022 in the Mastin Conference Room at the Boaz Public Library at its regularly-scheduled meeting which commenced at 6:00 pm.

Members Present: Rodney Frix, Randall White Paul Hale, Harold Johnson, Chris Washburn, David Wallace, Chris Alexander, and Building Inspector Nick Borden.

Members Absent: Josh Greer

Rodney Frix, the Commission Chair, called the meeting to order.

Chairman Frix gave the invocation and Nick Borden led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commission Member Chris Alexander made the motion, seconded by David Wallace, to approve the April 7, 2022 agenda. Chairman Frix asked if there was any discussion and there was none. The motion passed on unanimous voice vote.

APPROVAL OF MINUTES

Commission Member Chris Washburn made the motion, seconded by David Wallace, to approve the December 7, 2022 Commission minutes. Chairman Frix asked if there was any discussion and there was none. The motion passed on a unanimous voice vote.

PUBLIC HEARING

Chairman Frix announced that the meeting was the noticed time and place for a proposed public hearing regarding the annexation of real property and a recommendation that the area annexed or portion thereof, remain zoned in accordance with its current use as determined at the time of annexation or be changed to a different zoning use.

The property at issue is located at 1151 East Henderson Road, Boaz, AL; is owned by Dan and Sheila Smith and; is to be zoned R-1 low density upon annexation. All adjoining property is zoned R-1 (low density detached residential).

The at-issue property is further described as follows:

Lot 5 of the A.D. Allen First Addition according to a survey and plat thereof as the same appears of record in Plat Book 6, Page 46, in the probate office of Marshall County, Al and situated in Marshall County, Alabama.

A motion was made by Chris Washburn to open the public hearing on the zoning designation which was seconded by Paul Hale. The motion passed on unanimous voice vote.

The hearing being open to the public, Chairman Frix asked if there was anyone present to speak “for” or “against” the zoning designation. No one was present to speak for or against the zoning designation.

There being no parties requesting to be heard, a motion was made by Harold Johnson to close the public hearing on the rezoning request which was seconded by David Wallace. The motion passed on unanimous voice vote and the public hearing was closed.

APPROVAL OF ZONING DESIGNATION UPON ANNEXATION

A motion was made by David Wallace which was seconded by Chris Alexander to approve the designation of the property at issue is located at 1151 East Henderson Road, Boaz, AL and is owned by Dan and Sheila Smith and is to be zoned R-1 low density upon annexation.

ADJOURN

Chairman Frix made the motion, seconded by Commission Member Paul Hale, to adjourn the meeting at 6:07 pm. The motion passed on a unanimous voice vote.

Minutes prepared by City Attorney Christie Knowles



City of Boaz Alabama

David Dyar
Mayor

COUNCIL
DAVID ELLIS
JOSH GREER
JOHNNY WILLIS
JEFF SIMS
MIKE MATTHEWS

Item 1.

PUBLIC NOTICE

June 6, 2022

The City of Boaz Planning Commission will hold a public hearing on Thursday, June 23, 2022 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 Milton F. Duke, for a zoning change from R-1(Low Density Detached Residential District), R-2 (Medium Density Detached Residential District) to B-3(General Business District). This property is located at 717 E. Mann Ave. The property owner would like to build a climate controlled self- storage facility. A legal description is as follows:

Pin # 46950 (currently zoned R-1) Lots Numbered One, Two, Three (1, 2 & 3) all in Block Two (2) of the John F. Williams Resubdivision of a portion of the R.L. McCleskey Annex to the Town of Boaz, according to plat made by E.H. Lee, C.E. and Surveyor which plat is on record in the Probate Office of Marshall County, Alabama, said lots lying and being situated in Marshall County, Alabama, together with improvements located thereon.

Pin # 46920 (currently zoned R-2) The North one-half of lots 6 and 7, in Block "B" of the R.L. McCleskey's annex to the Town of Boaz, Alabama, as the same appears of record in Plat Book "I", Page 73, in the Probate Office of Marshall County, Alabama.

Pin # 53411 (currently zoned R-2) Lots 6 and 7 in Block B of the R. L. McCleskey's Annex to the Town of Boaz, Alabama, according to the plat of said property made by James Respass, Civil Engineer for J.P. King Auction Company in November 23, 1923, as the same appears of record in Plat Book 1, page 73 in the Probate Office of Marshall County, Alabama, lying and being in the City of Boaz, County of Marshall, State of Alabama.

LESS AND EXCEPT: Twenty feet of even width off the West side of the South One-half of Lot 6 in Block B of the R. L. McCleskey's Annex of the Town of Boaz, Alabama, according to the plat of said property made by Jerry Respass, Civil Engineer for J.P. King Auction Company in November 24, 1923, as the same appears of record in Plat Book 1, page 73 in the Probate Office of Marshall, Alabama. Lying and being in the City of Boaz, County of Marshall, State of Alabama.

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

Duplicate Miscellaneous Receipt

Misc. Receipt No: 9179
 POS Receipt No: 9169
 Receipt Date: 04/20/2022

Received By: Jill Smith
 Received On: 04/20/2022 3:14 PM

Customer ID: 59
 Name: BOAZ CITY HALL
 Description: REZONING FOR 717 BE. MANN AVE

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:		<u>\$0.00</u>	<u>\$50.00</u>

Thank You!

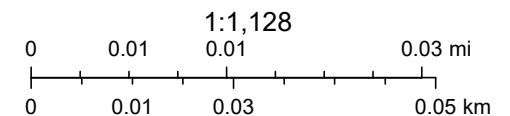
Duke's Rezoning Request For B-3 Zoning

Item 1.



6/8/2022, 3:55:15 PM

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

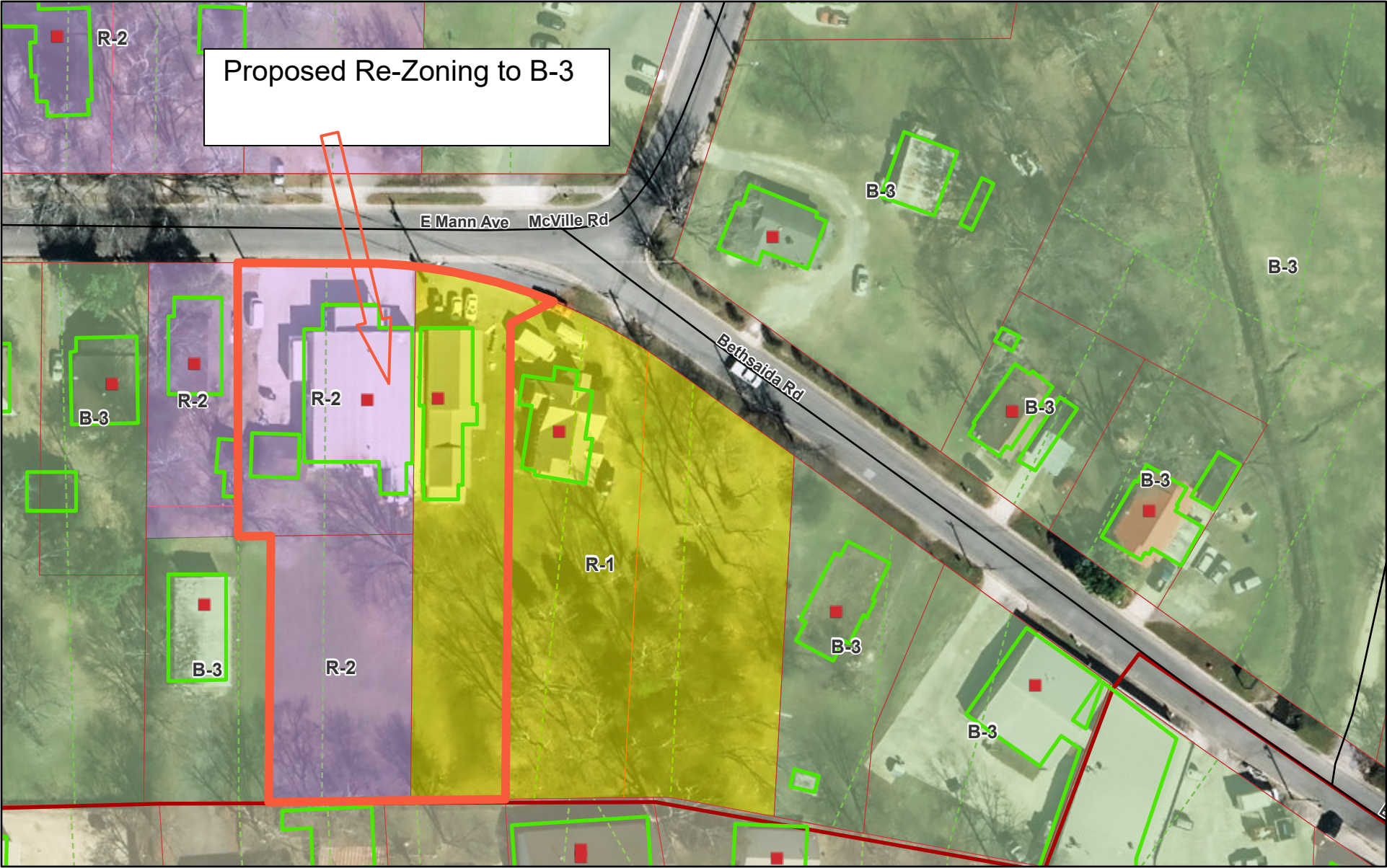


KCS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, KCS, G-Squared

Web AppBuilder for ArcGIS
Maxar, Microsoft | KCS | KCS, G-Squared |

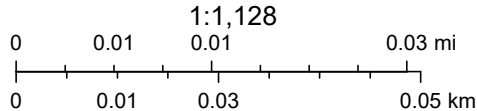
Duke Rezoning

Item 1.



6/7/2022, 2:05:22 PM

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

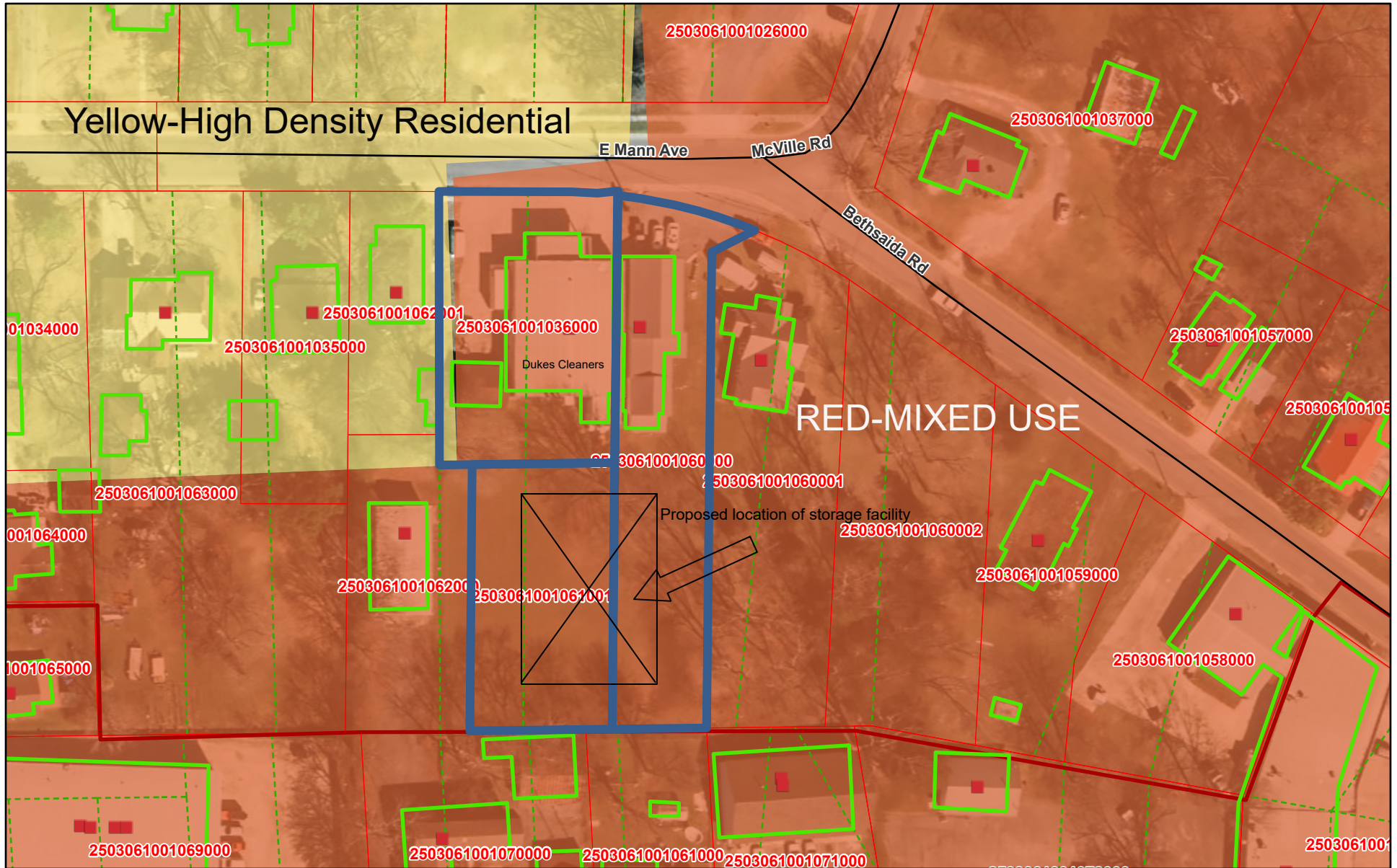


KCS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, KCS, G-Squared

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Maxar, Microsoft | KCS | KCS, G-Squared |

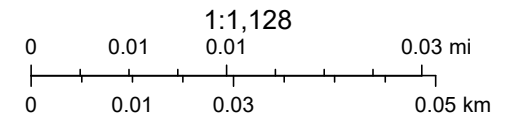
Duke's Rezoning Request For B-3 Zoning, Boaz Comprehensive Plan

Item 1.



6/8/2022, 4:06:18 PM

- Addresses (Boaz)
- Streets (Boaz)
- Buildings
- Overlay - Hwy 431 & 168
- City Limits
- Marshall County - Parcels
- Marshall County - Lot_Line
- High Density Residential
- Mixed Use

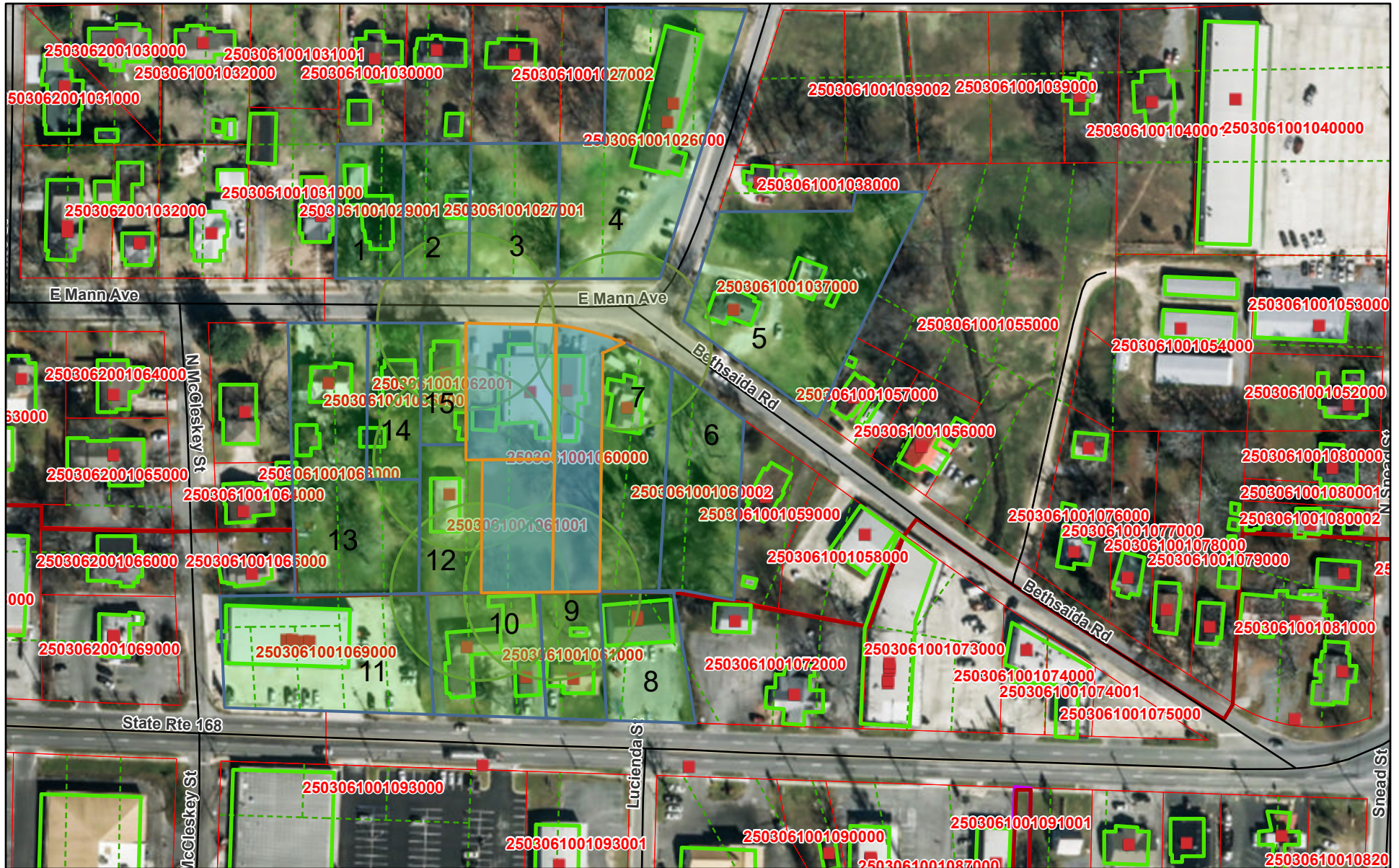


KCS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, KCS, G-Squared

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Maxar, Microsoft | KCS | KCS, G-Squared |

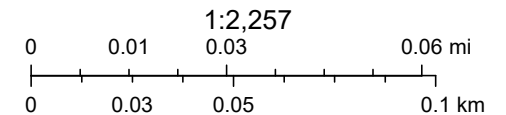
Duke Rezoning, adjoining property owners, numbered

Item 1.



6/8/2022, 1:42:28 PM

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



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ADJOINING PROPERTY OWNERS

MILTON F. DUKE

717 E. MANN AVE

BOAZ, ALABAMA 35957

PROPERTY OWNER:

DUKE, MILTON F JR
1820 LASSETTER ROAD
SOUTHSIDE, AL 35907

1. EASTERWOOD KELLY M AND EASTERWOOD JAMES
716 E MANN AVE
BOAZ, AL 35957
2. WHITFIELD BARBARA GAIL AND MCDANIEL JAME
716 EAST MANN AVENUE
BOAZ, AL 35957
3. WHITEFIELD PROPERTY MANAGEMENT LLC
P O BOX 1357
BOAZ, AL 35957
4. WHITFIELD GAIL
13616 ALABAMA HIGHWAY 168
BOAZ, AL 35957
5. CORONA, HEBERTO
205 MCVILLE ROAD
BOAZ, AL 35957
6. RAMIREZ ANGEL ROQUE
P O BOX 84
ALBERTVILLE, AL 35950
7. J & I PROPERTIES LLC
2004 DEBBIE STREET
BOAZ, AL35956
8. GABRIEL, ALVARO
811 WILLIAMS STREET
BOAZ, AL 35957
9. R BARKLEY ENTERPRISES INC
P O BOX 1034
ALBERTVILLE, AL 35950
10. BOLTON, KYTHIA I
P O BOX 188
HORTON, AL 35980
11. MILL STREET PLAZA LLC
206 BRIDLE RIDGE ROAD
GADSDEN, AL 35901

12. BOLTON KYTHIA I
P O BOX 188
HORTON, AL 35980
13. MARTINEZ, JOSE & MARICELA
705 EAST MANN AVENUE
BOAZ, AL 35957
14. WEATHERS, ROBERT J
P O BOX 457
ALBERTVILLE, AL 35950
15. WHITEFIELD, WAYNE L & MARY L TRUST
P O BOX 1357
BOAZ, AL 35957

Location in file:

Z:\Building Dept\BOARDS AND COMMISSIONS\Planning and zoning\Planning
Commission\REZONING\Milton F. Duke 717 E. Mann Ave