



CITY OF BOAZ
Planning Commission Meeting Agenda
February 08, 2024
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 Nov 2, 2023.
- VI. Public Hearings
 1. A public hearing to hear a request from Johnson Real Estate Investments, LLC and Sana Cobb for a zoning change from M-1(Light Industrial District) to B-2 (Community Commercial District). This property is located at 1700 Wagner Drive Boaz, AL 35957. The property is to be sold contingent on the rezoning approval. The new owners plan to open a convenience store where one once existed.
 2. A public hearing to hear a request of a Conditional Use Approval from Blake King a representative of Kings Discount Home Center, LLC. This property is located at 2807 US HWY 431 Boaz, AL 35957. The applicants are currently operating a retail home improvement business at the said location and are seeking approval for lumber and other building materials to be staged on site along the front of the property which lies within the 431 overlay district therefore requiring approval by the Planning Commission.
- VII. New Business
 1. Entertain a motion to approve a request from Johnson Real Estate Investments, LLC and Sana Cobb for a zoning change from M-1(Light Industrial District) to B-2 (Community Commercial District). This property is located at 1700 Wagner Drive Boaz, AL 35957. The property is to be sold contingent on the rezoning approval. The new owners plan to open a convenience store where one once existed.
 2. Entertain a motion to approve a Conditional Use Approval application from Blake King a representative of Kings Discount Home Center, LLC. This property is located at 2807 US HWY 431 Boaz, AL 35957. The applicants are currently operating a retail home improvement business at the said location and are seeking approval for lumber and other building materials to be staged on site along the front of the property which lies within the 431 overlay district therefore requiring approval by the Planning Commission.
- VIII. Old Business

1. Revisit general discussion concerning amending of Article 8 (Sign Regulations) in the Boaz Zoning Ordinance No. 2021-1154. Review and discuss sign ordinance examples.

IX. Public Comments

X. Chairman Comments

XI. Adjourn



CITY OF BOAZ
Boaz Planning Commission Meeting Minutes
November 02, 2023
Boaz Public Library, Mastin Conference Room – 6:00 PM

I. Call to Order

Nick Borden called the meeting to order at 6:00 P.M.

PRESENT

Chris Alexander
David Wallace
Harrold Johnson
Nick Borden
Paul Hale
Steven Bates

ABSENT

Darby Pruitt
Matt Brannon

II. Invocation

Nick Borden gave the Invocation.

III. Pledge of Allegiance

Steven Bates led the Pledge of Allegiance.

IV. Adoption of Agenda

Motion made by Wallace, Seconded by Alexander. 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 September 28, 2023.

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

VI. Public Hearings

1. Entertain a motion to open a public hearing concerning a request from Angel Rogue Ramirez for a zoning change from R-1(Low Density Detached Residential District) to B-3 (General Business District). This property is located at 801 Bethsaida Road Boaz, AL 35957. The property owner currently owns an adjoining B-3 zoned lot and would like both connecting lots to be zoned the same in order to combine the lots and have a larger B-3 zoned lots.

Motion made by Wallace to open the public hearing at 6:03 P.M., Seconded by Hale.

There was no public in attendance.

Motion made by Wallace to close the public hearing at 6:03 P.M., Seconded by Alexander.

Item 1.

VII. New Business

1. Entertain a motion to approve a request from Angel Rogue Ramirez for a zoning change from R-1(Low Density Detached Residential District) to B-3 (General Business District).This property is located at 801 Bethsaida Road Boaz, AL 35957. The property owner currently owns an adjoining B-3 zoned lot and would like both connecting lots to be zoned the same in order to combine the lots and have a larger B-3 Zoned parcel.

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

2. Appoint Boaz Planning Commission Chairman.

Motion made by Borden to appoint Steven Bates as Boaz Planning Commission Chairman, Seconded by Wallace. The motion passed by unanimous voice vote.

3. Appoint Boaz Planning Commission Vice Chairman.

Motion made by Borden to appoint Darby Pruitt as Boaz Planning Commission Vice Chairman, Seconded by Alexander. The motion passed by unanimous voice vote.

4. Open discussion for Planning Commission Work Sessions.

Nick Borden opened the discussion for Planning Commission Work Sessions. Planning Commission members discussed having Work Sessions before future meetings. They decided they will schedule Work Sessions for 5:30 P.M. when they have a need for one.

VIII. Old Business

1. Revisit general discussion concerning amending of Article 8 (Sign Regulations) in the Boaz Zoning Ordinance No. 2021-1154.

Planning Commission members discussed amending Sign Regulations in the Boaz Zoning Ordinance.

IX. Chairman Comments

1. The appointed positions of Chairman and Vice Chairman will be in effect at the next scheduled Planning Commission meeting.

Nick Borden announced the appointed positions of Chairman and Vice Chairman will be in effect at the next scheduled Planning Commission meeting.

X. Adjourn

The meeting adjourned at 6:26 P.M.

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

Minutes prepared by City Clerk/ Treasurer Beth Stephens.



City of Boaz Alabama

COUNCIL
DAVID ELLIS

Item 1.

David Dyar
Mayor

JOHNNY WILLIS
MATT BRANNON
MIKE MATTHEWS

PUBLIC NOTICE Jan 19, 2024

The City of Boaz Planning Commission will hold a public hearing on Thursday, February 8, 2024 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 Johnson Real Estate Investments, LLC and Sana Cobb for a zoning change from M-1 (Light Industrial District) to B-2 (Community Commercial District). This property is located at 1700 Wagner Drive Boaz, AL 35957. The property is to be sold contingent on the rezoning approval. The new owners plan to open a convenience store where one once existed.

A legal description is as follows:

Commencing at the Northeast corner of the West fractional Part of the Northeast ¼ of Section 25, Township 9 South, Range 4 East; thence North 70°39' West along the Indian Boundary Line, 264.6 feet to a point on the North right-of-way line of a new 100 foot roadway and a True Point of Beginning; thence along said roadway, south 74°00' West 882.9 feet to an intersection with Highway No. 205; thence along said right-of-way line North 15°55' West 444.9 feet; thence South 81°54' East 265.0 feet; thence North 10°05' East 100.0 feet to the intersection with the Indian Boundary Line; thence along said boundary line, South 70°39' East 732.5 feet to the Point of Beginning, and being a portion of the West fractional part of the Northeast ¼ of Section 25, Township 9 South, Range 4 East in Marshall County, Alabama.

LESS AND EXCEPT THE FOLLOWING: Beginning at a point on the East margin of Highway 205 which is located North 70°39' West 264.6 feet, South 74°00' West 882.9 feet and North 15°55' West 238.35 feet from the Northeast corner of the West Fractional Part of the Northeast ¼ of section 25, Township 9 South, Range 4 East. Marshall County, Alabama; thence from the Point of Beginning, North 15°55' West 206.55 feet along said East margin to a point; thence leaving Highway 205, South 81°54' East 298 feet to a point; thence South 17°27'36" East 109.39 feet to a point; thence South 17°05'11" West 276.20 feet to the Point of Beginning; being situated in Marshall County, Alabama.

Property commonly referred to as 1700 Wagner Drive Boaz, AL 35957.

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

Boaz Planning Commission



City of Boaz Alabama

COUNCIL
DAVID ELLIS

Item 2.

David Dyar
Mayor

JOHNNY WILLIS
MATT BRANNON
MIKE MATTHEWS

PUBLIC NOTICE Jan 22, 2024

The City of Boaz Planning Commission will hold a public hearing on Thursday, February 8, 2024 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 Conditional Use Approval from Blake King a representative of Kings Discount Home Center, LLC. This property is located at 2807 US HWY 431 Boaz, AL 35957. The applicants are currently operating a retail home improvement business at the said location and are seeking approval for lumber and other building materials to be staged on site along the front of the property which lies within the 431 overlay district therefore requiring approval by the Planning Commission.

The legal description is as follows:

Lots 6, 7, and 8 in Block 1 and Lot 7 in Block 2 of the Copeland's Second Addition to the City of Boaz, Alabama, according to the plat and survey of T. K. Davis, registered engineer, and found of record in Plat Book 4, page 66 in the Marshall County Probate Office, said lots being subject to existing easements for transmission lines.

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

Boaz Planning Commission

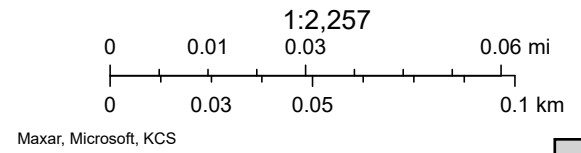
Sana Cobb Current Zoning Map

Item 1.

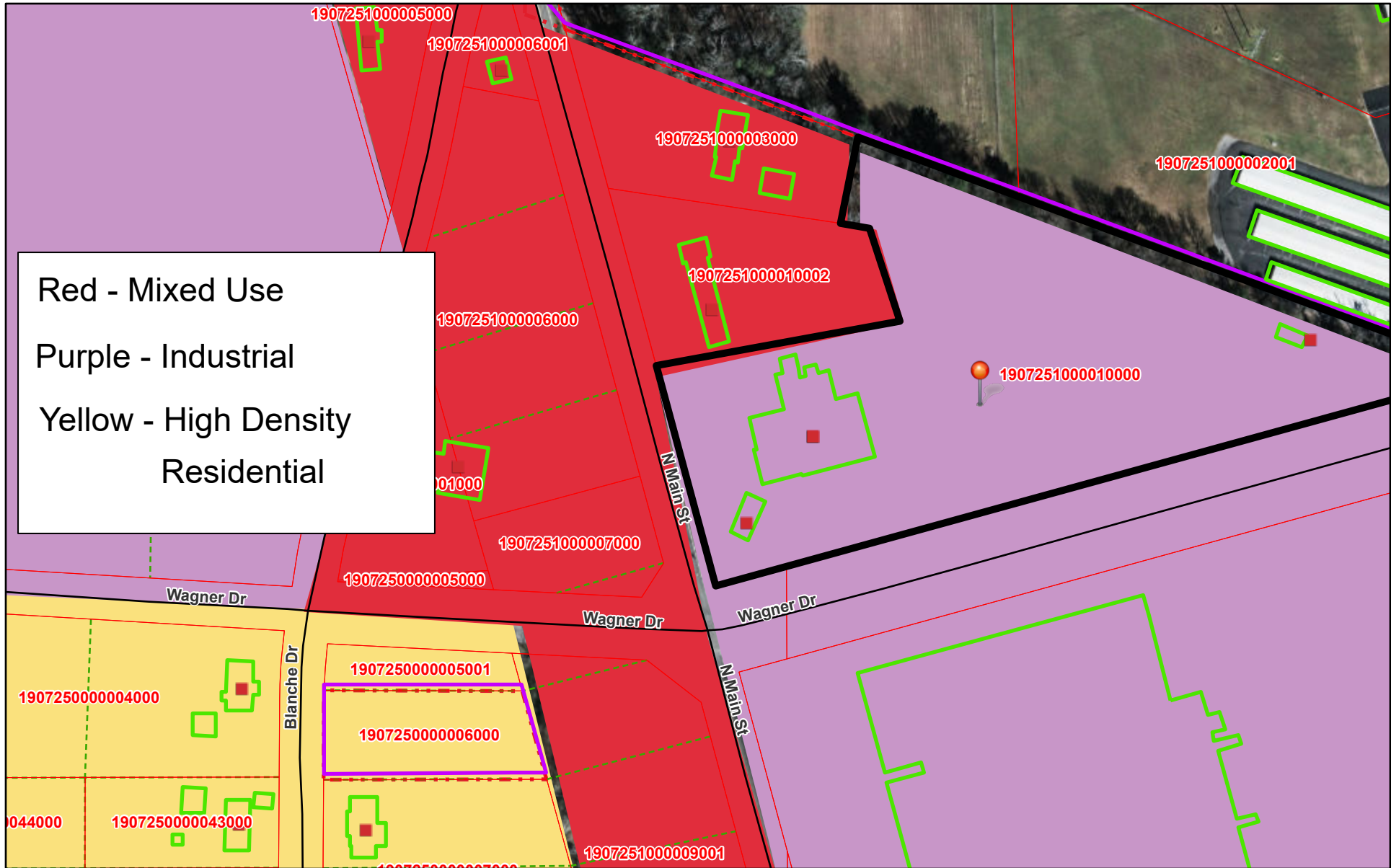


1/18/2024, 2:47:27 PM

- Addresses (Boaz)
- City Limits
- M-2
- Marshall County - Lot_Line
- Streets (Boaz)
- Zoning R-2
- Marshall County - City Limits Line
- Buildings
- B-2
- City
- Marshall County - Parcels
- M-1

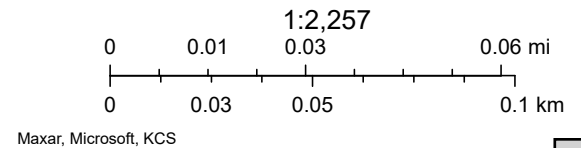


Sana Cobb Comp. Plan



1/18/2024, 3:02:44 PM

- Addresses (Boaz)
- ▭ City Limits
- ▬ Streets (Boaz)
- ▭ Marshall County - Parcels
- ▭ Buildings
- ▬ Marshall County - Lot_Line
- ▬ Marshall County - City Limits Line
- ▬ City
- ▭ General Commercial
- ▭ High Density Residential
- ▭ Industrial



ADJOINING PROPERTY OWNERS

**Sana Cobb 1700 Wagner Drive
Rezone M-1 to B-2**

**TS-Tech of North
1685 NORTH MAIN STREET
BOAZ AL 35957**

**PROGRESS RAIL SERVICES CORPORATION
P O BOX 1037
ALBERTVILLE AL 35950**

**STATON, BARRY STEVEN & JUDY K
PO BOX 648
BOAZ, AL 35957**

**PROGRESS RAIL SERVICES CORPORATION
P O BOX 1037
ALBERTVILLE AL 35950**

**L FORTENBERRY ENTERPRISES LLC
P O BOX 275
CROSSVILLE, AL 35962**

**ALABBASI, YOUSEF
107 MOUNTAIN BREEZE COURT
RAINBOW CITY, AL 35906**

OWNER



**I D B BOAZ
1685 NORTH MAIN STREET
BOAZ AL 35957**

**JOHNSON REAL ESTATE INVESTMENTS LLC AND COBB SANA FAYE
10460 ALABAMA HIGHWAY 168
BOAZ, AL 35957**

**DEE ALABAMA PROPERTIES LLC
PO BOX 2545
GREEN BAY, WI 54306**

Adjoining Property Owners

Item 1.



1/18/2024, 3:50:39 PM

- Addresses (Boaz)
- Streets (Boaz)
- Buildings
- City Limits
- Marshall County - Parcels
- Marshall County - Lot_Line

Marshall County - City Limits Line
 City

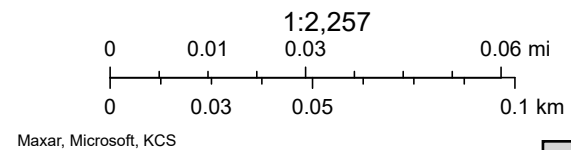


TABLE 4-1: AREA AND DIMENSIONAL REQUIREMENTS, NONRESIDENTIAL DISTRICTS

	Minimum Yards (ft)			Min. Lot Area (sf)	Min. Lot Width (ft)	Max. Height	Maximum Lot Coverage (structures)
	Front	Rear	Side				
B-1	0 ¹	0	0	n/a	n/a	35 ft	50%
B-2	0 ¹	0	0	n/a	n/a	35 ft	50%
B-3	0 ¹	0	0	n/a	n/a	35 ft	50%
B-4	0 ¹	0	0	n/a	20	65 ft	n/a
INST	0 ¹	15	10	n/a	n/a	45 ft	50%
M-1	40	25	25	40,000 sf	n/a	45 ft	50%
M-2	50	30	50*	n/a	50	60 ft	50%

¹ The Building Official may require any proposed buildings to be set back as necessary for location of utilities or to correspond to any negotiated right-of-way line. Typical easement is 20'. However, Building Official to make the final determination based on utility requirements.

TABLE 4-2: USES PERMITTED IN NONRESIDENTIAL DISTRICTS

P – The use is permitted by right
 E – Uses existing as of the effective date of this Ordinance are permitted. New construction and expansion of an existing use is prohibited.
 SE – Special Exception Use, requires approval by the Board of Adjustment per [§12-05](#)
 C – Conditional use, requires approval by the Planning Commission per [§11-03](#)
 A blank cell indicates the use is not permitted.

	B-1	B-2	B-3	B-4	INST	M-1	M-2
Commercial Uses							
Ambulance Service			P	SE		P	P
Alternative Financial Services, subject to §6-03						P	
Automobile Repair, Minor	SE	P	P	P			
Automobile Repair, Major			P			P	P
Business or Professional Office	P	P	P	P			
Broadcast Studio	SE	P	P	P		P	
Business Support Service		P	P	P		P	
Commercial Kitchen	SE	P	P	P		P	
Construction Service, Major			P			P	P
Construction Service, Minor		P	P			P	P
Car Wash	SE	P	P				
Farm Support Business		P	P			P	
Funeral Home	SE	P	P	P	P		
Gas Station	SE	P	P				
Heavy Equipment and Vehicle Sales, Rental and Service			C			P	P
Medical Clinic	P	P	P	P			
Mini-storage Facility, subject to §6-14	SE	C	P			P	
Outdoor Storage		SE	P			P	P
Parking, Commercial	P	P	P	P		P	P
Repair Service	SE	P	P	P		P	
Research Laboratory		C				P	P
School, Commercial		P	P		P	P	P
Studio	P	P	P	P			







CITY OF BOAZ

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

APPLICATION/CASE #

CONDITIONAL USE APPROVAL APPLICATION

Applicant Name: <u>King's Discount Home Center, LLC</u>	Project Name: <u>King's Boaz Location</u>
Mailing Address: <u>1075 AL-68</u> <u>Albertville, AL 35951</u>	Site Address: <u>2807 US Hwy 431 Boaz, AL 35951</u>
Email Address: <u>blakeking@kingsdiscounthomecenter.com</u>	Phone Number: <u>256-660-1145</u>
Prefer to communicate via text messages? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Fax Number: _____
	Mobile Number: <u>256-571-5079</u>

A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION. If the applicant is not the owner, then a letter allowing the applicant to act as an "authorized agent" must be on file. THREE FULL-SIZE PAPER COPIES AND ONE 11X17 REDUCTION MUST ALSO ACCOMPANY THE APPLICATION. ELECTRONIC DOCUMENTS ARE PREFERRED.

Required Information Attached:

- Conceptual Stormwater Management plan
- Conceptual Site plan showing the location, use and size of structures, open spaces, landscaping parking and loading areas, access drives and vehicular and pedestrian circulation system.
- Location of exterior lighting and signs, including any illuminations of signs
- List of any noise, smoke odors and other impacts that will be produced by the proposed development that may affect adjacent properties and associated mitigation measures.

General Location: 2807 US-431

Gross Area of Subject Property: 1.4 ac Number of Individual Units: 1

Current Use: Leased Property (Multiple uses) Current Zoning District: B3

Proposed Use: Retail Home Improvement

Is the Proposed development to be on an existing lot of record? Yes No

Is the Proposed development located in the Hwy 431 or Hwy 168 Overlay Districts? Yes No

Proposed Cladding/Façade Material: Current Cladding/ Facade (Cedar, Brick, and Block)

(Hwy 431 and 168 overlay districts only)

Is site plan approval contingent on any other official action by the city? Yes No If yes please Specify:

- Annexation
- Subdivision plat approval
- Rezoning
- Other: _____

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I understand that any development approval(s) granted pursuant to this application shall be subject to all applicable regulations of the City of Boaz, and that such approval(s) shall expire if no building permit has been obtained within (12) months following date of approval, Or the conditional use ceases for a continuous time period in excess of six months. I further understand that this submission will be verified by Planning Department staff for completeness within 5 business days. An application that is deemed incomplete could result in the application not being considered at the next meeting. If this is the case, then I will be notified by telephone accordingly by the staff within 5 business days. I authorize the building official (and/or) Planning staff to take any action necessary to review and act on this application and release him/her for any such actions.

Applicant's Signature: <u>Blake King</u>	Date:
Applicant's Name (Please print): <u>Blake King</u>	<u>08/19/2023</u>

Received By: _____

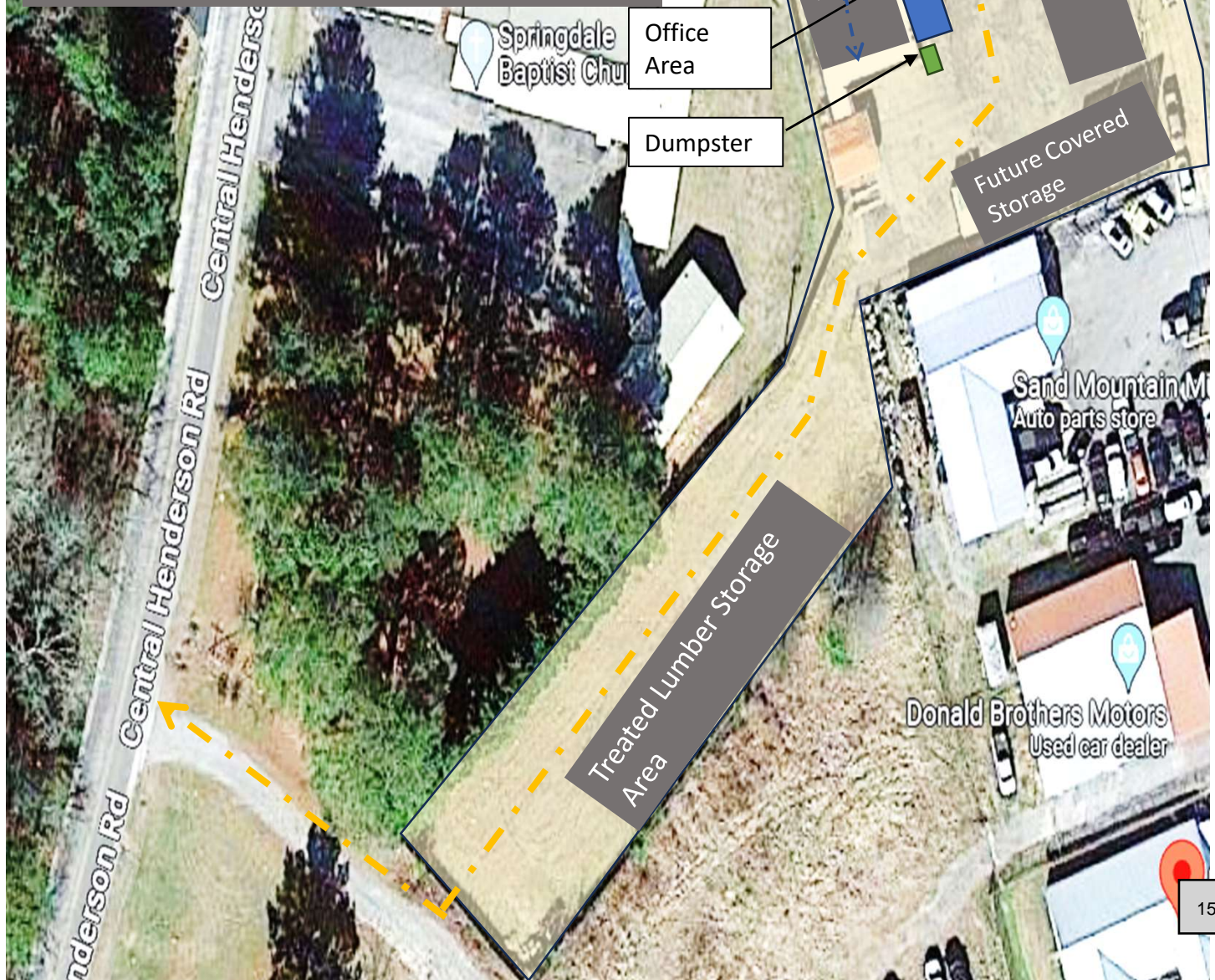
Date: _____

Conceptual Site Plan

Item 2.

Legend






- Vehicular Path for deliveries and lumber loading
- > Pedestrian Path for deliveries and lumber loading
- Loading zone for doors windows and larger items
- Dumpster

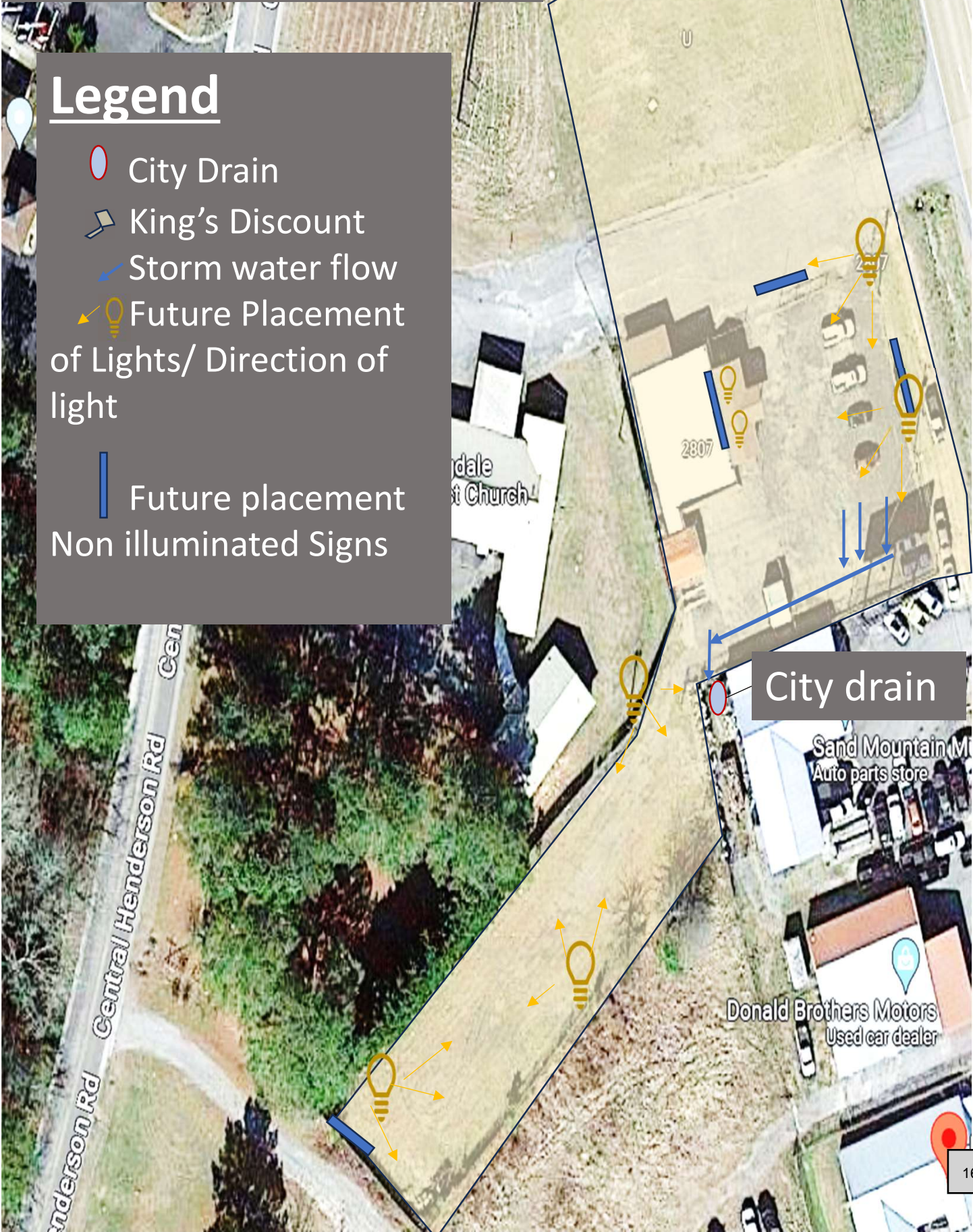


Conceptual Storm Water Management Plan & Exterior Lighting and sign Plan

Item 2.

Legend

-  City Drain
-  King's Discount
-  Storm water flow
-  Future Placement of Lights/ Direction of light
-  Future placement Non illuminated Signs



City drain

Sand Mountain M Auto parts store

Donald Brothers Motors Used car dealer

2807

rdale st Church











technicians as necessary.

Receive notices, correspondences, and official documents related to the property, including those from governmental bodies, regulatory agencies, and utility companies.

This authorization is granted with the understanding that King's Discount Home Center, LLC (Blake King or Brennen King) will act in good faith and in the best interests of both parties. King's Discount Home Center, LLC (Blake King or Brennen King) is expected to exercise due diligence, professionalism, and responsibility while acting as an Authorized Agent.

Please note that this authorization is limited to matters directly related to the commercial property at 2807 US Hwy 431 Boaz, AL 35957 and does not grant King's Discount Home Center, LLC (Blake King or Brennen King) the authority to make financial or legal decisions on behalf of Harley Properties, LLC unless explicitly specified in writing.

This authorization will be effective as of the date of this letter and will remain in effect until either party provides written notice of its termination. Both parties retain the right to revoke this authorization at any time, subject to a written notice provided to the other party.

Please do not hesitate to contact me if you require any further clarification or have any questions regarding this matter. We appreciate your attention to this request and look forward to a continued positive relationship.

Thank you for your cooperation.

Sincerely,



Rachel Lambert

Owner

Harley Properties, LLC

Lambert501@charter.net

256-738-9065

Rachel Lambert
Owner
Harley Properties, LLC
Lambert501@charter.net
256-738-9065
08/18/2023

Subject: Authorization for King's Discount Home Center, LLC (Blake King or Brennen King) as Authorized Agent for Commercial Property 2807 US Hwy 431 Boaz, AL 35957

To Whom It May Concern,

I hope this letter finds you well. I am writing on behalf of Harley Properties, LLC, the owner and landlord of the commercial property located at 2807 US Hwy 431 Boaz, AL 35957. We wish to formally grant authorization to King's Discount Home Center, LLC (Blake King or Brennen King), the tenant occupying the aforementioned commercial property, to act as an "Authorized Agent" in certain matters related to the property.

The purpose of designating King's Discount Home Center, LLC (Blake King or Brennen King) as an Authorized Agent is to streamline communication and facilitate efficient interactions between all involved parties. This designation will empower King's Discount Home Center, LLC (Blake King or Brennen King) to represent Harley Properties, LLC in dealings pertaining to the property. As an Authorized Agent, King's Discount Home Center, LLC (Blake King or Brennen King) will be authorized to:

Communicate with local authorities, regulatory agencies, and service providers on behalf of Harley Properties, LLC regarding property-related matters such as permits, inspections, and maintenance.

Initiate and manage property maintenance and repair requests, with the ability to liaise directly with contractors and service