



CITY OF BOAZ
Boaz Planning Commission Meeting Agenda
August 04, 2022
Boaz Public Library Weathers 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 June 3, 2022
- VI. Public Hearings
 1. A public hearing to hear an application by Cathy V. Champion to rezone the property located at 51 Lake Cir. Boaz, Alabama 35956 from AG (Agricultural District) to R-2 (Medium Density Detached Residential District).

The purpose of the rezoning request is to allow her to sell or convey a piece of her property for someone to build a home. Due to the size restraints of the AG District's minimum lot size being 5 acres she would not be allowed to do so.
- VII. New Business
 1. Approval of zoning request by Cathy V. Champion to rezone the property located at 51 Lake Cir. Boaz, Alabama 35956 From AG (Agricultural District) to R-2 (Medium Density Detached Residential District).
 2. Discuss Agricultural District minimum square footage requirement for residential dwellings.
- VIII. Old Business
- IX. Public Comments
- X. Chairman Comments
- XI. Adjourn

CITY OF BOAZ
BOAZ PLANNING COMMISSION MINUTES
Regular Meeting - June 23, 2022

The Boaz Planning Commission met on June 23, 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, Josh Greer, Randall White, Harold Johnson, Chris Washburn, and Building Inspector Nick Borden.

Members Absent: Chris Alexander; Paul Hale; David Wallace

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

Randall White gave the invocation and Chris Washburn led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commission Member Chris Washburn made the motion, seconded by Nick Borden, to approve the June 23, 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 Harold Johnson, to approve the April 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 request by 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.

All adjoining property is zoned R-2 or B-3

A motion was made by Nick Borden to open the public hearing on the zoning change which was seconded by Randall White. 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 change.

Richard Marvich, J&I Properties. Owns the property next door at 719 E Mann, Boaz. Concerned that a road would be run next to his property. He is concerned about traffic in the area.

Milton Duke, property owner. The road will be on the west side of the property as per the property owners who were present at the meeting. The property was zoned business in 1991. He had it changed to residential years ago to sell a portion of. None of his remaining property should have been re-zoned.

James Easterwood, lives at 716 East Mann, Boaz. Concerned about traffic as well. The property next door has a residence.

Chairman Frix: The property adjacent to the at-issue property is already zoned B-3.

There being no parties requesting to be heard, a motion was made by Nick Borden to close the public hearing on the rezoning request which was seconded by Chris Washburn. The motion passed on unanimous voice vote and the public hearing was closed.

VOTE ON ZONING CHANGE

A motion was made by Randall White which was seconded by Nick Borden to approve the 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 motion passed unanimously.

ADJOURN

Chris Washbrn made the motion, seconded by Nick Borden, to adjourn the meeting at 6:13pm. 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

Boaz - "The City of Possibilities"

PUBLIC NOTICE July 25, 2022

The Boaz Planning Commission will hold a public hearing in the Boaz Public Library in the Mastin Room on August 4, 2022 at 6:00 PM to hear the application for the rezoning for the property located at 51 Lake Circle Road. The property is owned by Cathy V. Champion. The owner would like to rezone the property from AG to R- 2 (medium density detached residential district) in order to split the property into two parcels to build another home.

A description of the property is as follows:

Begin at Southwest corner of Government Lot 3, of the fractional Section 29; Thence run Easterly along the South line of said Lot 3, a distance of 210 feet to a point; Thence run Northerly parallel to the West line of said Lot 3, a distance of 86 feet to the point of beginning; thence North 04° 15' west parallel with said West line of Lot 3, a distance of 737 feet to an iron; Thence North 40° 50' East 301.33 feet to a cross on a rock; Thence South 73°54' East 203 feet to the center of a gum tree; Thence South 04°21' West 636.35 feet to a point on the West margin on a County Road; Thence South 25°08' West, along margin of Road, 244 feet; Thence South 74°33' West , 192.6 feet to the point of beginning, containing 6.42 acres, lying and being in Government Lot 3, for fractional Section 29, Township 10 South, Range 5 East of the Huntsville Meridian, Etowah County, Alabama, together with all improvements located thereon.

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

Boaz Planning Commission

APPLICATION FOR ZONING AMENDMENT

Case No. _____
Date _____

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: 51 Lake Circle
Boaz, Alabama
- b.) Name of Subdivision plat _____
- c.) Lot and Block numbers involved in change: _____
- d.) Total acreage of change: 6.4 Acres
- e.) Recorded in Plat Book Number: _____ Page Number: _____
- f.) Owned in whole by the undersigned? Yes
- g.) If owned in part, name(s) of co-owner(s): _____

2. Zoning change requested:

- a.) Present classification of property AG
- b.) Reclassification desired: R-2
- c.) Character of neighborhood: Rural

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

Cathy v. Champion to Sell Dewey m. Champion
Parcel of Property in order to build Residential
home.

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. Deed / Survey
- d.) Fifty dollars (\$50.00) filing fee.

5. Certifications:

a.) Applicant Name Cathy V. Champion / Dewey M. Champion
 Address: 51 LAKE CIRCLE
 Telephone: Cathy - 256-593-2959 Dewey - 205-962-3920
 b.) Date: _____

6. Signatures:

Cathy V. Champion
Dewey M. Champion

Fee Paid: 50.00

Date Filed: 7/15/2022

Hearing Dates: Planning Commission 8/4/22 City Council: _____

Decision of Planning Commission: _____ City Council: _____

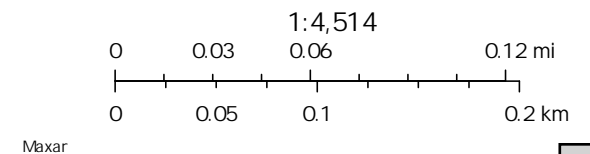
Champion Current Zoning and Adjoining Owners Map

Item 1.



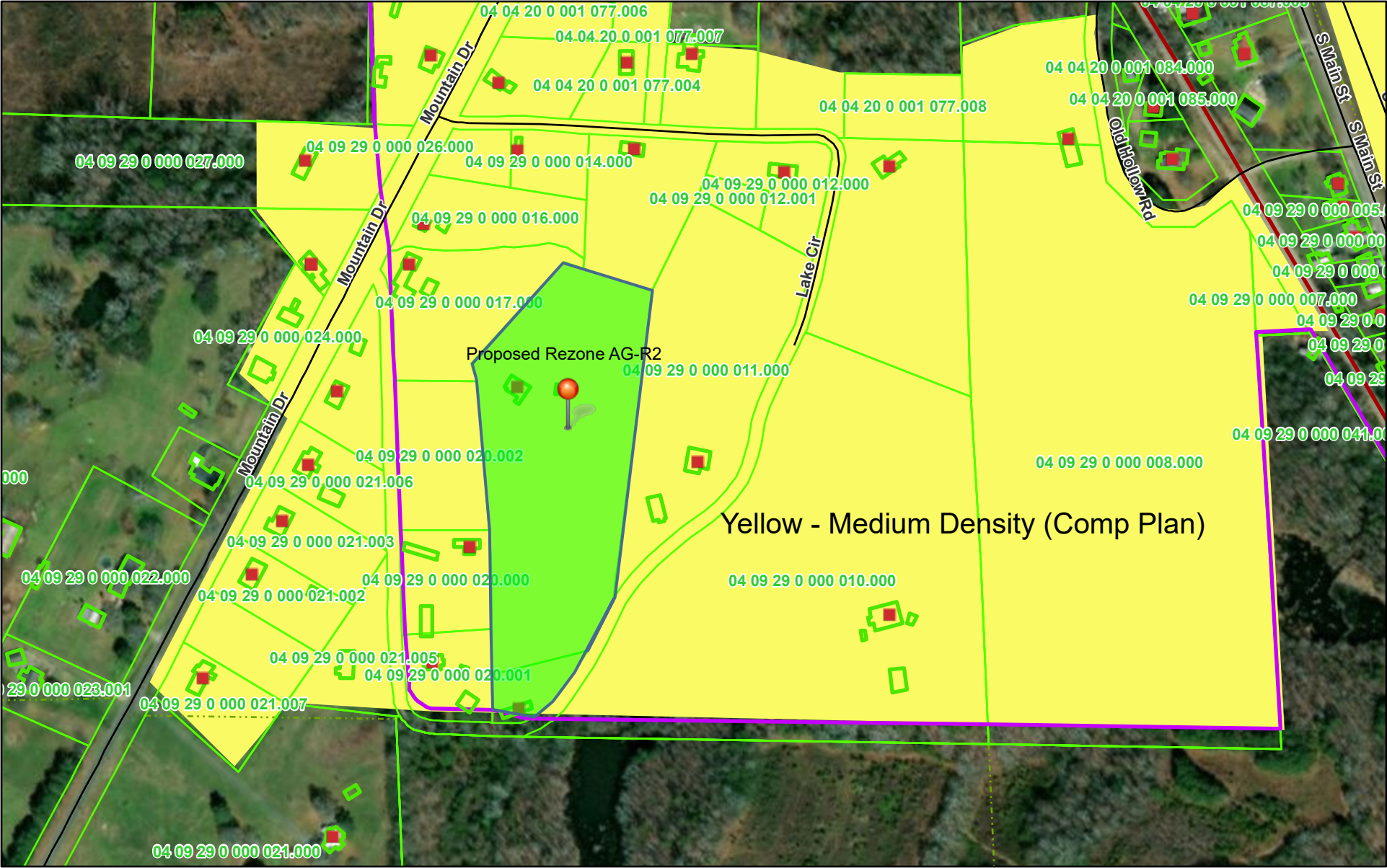
7/25/2022, 2:29:04 PM

- Addresses (Boaz)
- Streets (Boaz)
- Buildings
- Overlay - Hwy 431 & 168
- City Limits
- Zoning
- R-2
- AG
- E towah County - Parcels
- E towah County - Lot Line



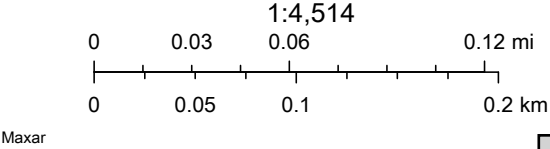
Champion, Comp plan outlook

Item 1.



7/25/2022, 2:47:52 PM

- Addresses (Boaz)
- Streets (Boaz)
- Buildings
- Overlay - Hwy 431 & 168
- City Limits
- Etowah County - Parcels
- Etowah County - Lot Line
- Medium Density Residential



ADJOINING PROPERTY OWNERS**Rezoning Request for Cathy V. Champion****Rezoning Request from AG-R2**

CHAMPION, CATHY V
51 LAKE CIRCLE
BOAZ, AL 35956

1. C/O LORETTA LOWE
527 5TH ST NW
ARAB AL 35016
2. MALOY, PAULETTE
635 LAKE CIRCLE
BOAZ, AL 35956
3. REINHARDT, PETER & SUSAN
375 LAKE CIRCLE
BOAZ, AL 35956
4. GUNTER, KATHY & TIM
456 LAKE CIRCLE
BOAZ, AL 35956
5. REINHARDT, PETER JR
375 LAKE CIRCLE
BOAZ, AL 35956
6. WOOTEN, JIMMY W & JERRY DON
221 LAKE CIRCLE
BOAZ, AL 35956
7. AUTWELL, ALVIN DEWAYNE
155 LAKE CIRCLE
BOAZ, AL 35956
8. FRIX, RODNEY & SHARON
2400 MOUNTAIN DRIVE
BOAZ, AL 35956
9. FRIX, RODNEY & SHARON
2400 MOUNTAIN DRIVE
BOAZ, AL 35956
10. FRIX, RODNEY D
2400 MOUNTAIN DRIVE
BOAZ, AL 35956

11 Total

§3-02 R-2 MEDIUM DENSITY DETACHED RESIDENTIAL DISTRICT

The purpose of the R-2 District is to protect existing single-family residential areas and the development of additional medium density residential areas. The district regulations are designed to protect essential single-family amenities of the district, to promote a suitable environment for family life and accommodate other uses customary to medium-density single-family neighborhoods.

TABLE 3-2: AREA AND DIMENSIONAL REQUIREMENTS, RESIDENTIAL DISTRICTS

	Minimum Yards (ft)				Min. Lot Area (sf) or Max. Density (du/ac)	Min. Lot Width (ft)	Max. Height	Maximum Lot Coverage (structures)	Minimum Living Area (sf)
	Front		Rear	Side					
	Primary	Secondary							
R-1	40	30	40	10	15,000 sf	100	35 ft	25%	1,200
R-2	35	25	35	10	10,000 sf	75	35 ft	30%	1,000
R-3 and R-4									
Single-family detached	25	20	20	8/0 ¹	9,000 sf	45	35 ft	50%	900
Single-family attached	20	15	20	0 ²	10 du/ac	20	35 ft	60%	900
Duplex, Triplex, Quadplex	25	20	20	8	6,000 sf ³	60	35 ft	50%	n/a
Nonresidential Uses	25	20	35	10	n/a	60	35 ft	50%	n/a
Multifamily (R-4 only)	25	20	35	8	18 du/ac	100	4 stories	60%	n/a
R-6	See §3-05 R-6 Manufactured Housing District								
1. Single-family dwellings must be set back at least eight feet from one side lot line and may extend to the other side lot line. An easement must be provided on the zero lot line for maintenance access to the dwelling on the adjoining lot. Dwellings must be separated from structures on adjoining lots, or otherwise designed, for fire separation purposes in accordance with Building and Fire Codes.									
2. Building groups must be separated by at least 20 ft.									
3. 6,000 sf for the first dwelling unit plus 1,500 sf per additional unit.									

ARTICLE 5 Special Districts

§5-01 AG AGRICULTURAL DISTRICT

The purpose of the AG District is to provide a zoning classification for land which is not expected to experience urbanization in the immediate future. The types of uses, area and intensity of use of land which is authorized in this district is designed to encourage and protect agricultural uses until urbanization is warranted.

§5.01.01 Permitted Uses

1. Detached single-family dwellings, including Barndominiums and Red Iron Buildings
2. Agricultural uses including the raising of crops, livestock and poultry
3. Low-intensity institutional uses
4. Home occupation, subject to [§6-11](#)
5. Cemeteries
6. Kennels
7. Parks, playgrounds
8. Plant nursery

§5.01.02 Conditional Uses

1. Campgrounds
2. Golf courses and country clubs
3. Medium and high-intensity institutional uses
4. Farm support business
5. Public facility
6. Nursing care facility
7. Public utility facility, Major
8. Event and Wedding Venues

§5.01.03 Special Exceptions

1. Public utility facility, Minor
2. Group Care Facility

§5.01.04 Development Standards

1. Refer to Table 5-1 for area and dimensional requirements. Agricultural structures not intended for human occupancy are exempt from the height requirement in Table 5-1.
2. Single and Double-wide manufactured homes are permitted as single-family dwellings provided the lot area is at least five acres. Manufactured homes must have been manufactured within ten years of proposed installation and must be inspected, as required in the R-6 District, before a Certificate of Occupancy may be issued.
3. The keeping of livestock is permitted only on lots of at least two acres and is limited to one animal equivalent unit per net acre, in accordance with Table 5-2. Net acreage for keeping and raising of livestock and poultry is limited as follows:
 - a. Structures or fenced areas for the housing or feeding of animals or for the storage of manure must be set back at least 25 ft from any residential district boundary or property line of a lot used exclusively for residential purposes. Fence enclosures adjoining an agricultural district are not required to be set back from the property line.

- b. No livestock or poultry may be kept forward of the front building line on properties with a front yard less than 75 ft deep and that adjoin a residential property nor on any properties of two acre or less in area.
4. Concentrated animal feeding operations, as defined by the EPA, and indoor grower confinement operations are prohibited.

TABLE 5-1: AREA AND DIMENSIONAL REQUIREMENTS, AGRICULTURAL DISTRICT

Minimum Yards (ft)			Min. Lot Area	Min. Lot Width	Max. Height	Maximum Lot Coverage (structures)
Front	Rear	Side				
40	45	15	5 acres	150 ft	35 ft	25%

TABLE 5-2 ANIMAL EQUIVALENT UNITS

Cattle over 2 yrs. old	1.0	Horses, mules and donkeys over 2 yrs. old	1.25
Cattle 6-12 mos. old	0.5	Horses, mules and donkeys up to 2 yrs. old	0.8
Cattle 12-24 mos. old	0.75	Sheep and goats over 2 yrs. old	0.2
Turkeys, ducks and chickens	0.02	Sheep and goats up to 2 yrs. old	0.15

§5-02 MC MEDICAL CENTER DISTRICT

The purpose of the MC District is to provide for the orderly and efficient development of this District for medical and related uses.

§5.02.01 Permitted Uses

1. Businesses concerned primarily with the sale or servicing of hospital and medical equipment and supplies including, but not limited to, artificial limbs, hospital beds, wheelchairs, and other similar and related businesses
2. Florists, gift and card shops
3. Hospitals
4. Nursing care facilities
5. Medical and dental clinics
6. Pharmacies
7. Professional buildings primarily used by physicians, surgeons, optometrists, dentists and other members of the medical profession
8. Medical research laboratories
9. X-ray laboratories

§5.02.02 Conditional Uses: Places of residence for nurses and interns

§5.02.03 Special Exceptions: Helipad

§5.02.04 Development Standards. Refer to Table 5-3 for area and dimensional requirements.

TABLE 5-3: AREA AND DIMENSIONAL REQUIREMENTS, MC DISTRICT

Minimum Yards (ft)			Min. Lot Area	Min. Lot Width	Max. Height	Maximum Lot Coverage (structures)
Front	Rear	Side				
20	20	0	n/a	n/a	45 ft	60%