



CITY OF BOAZ  
Planning Commission Agenda  
February 02, 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 date 11/03/2022.
- VI. Public Hearings
  1. A public hearing to hear an application from Mark L.Turk, O.D. for a petition to rezone lots 11 & 12 of the Hospital Heights Extension from R-1 (low density detached residential district) to B-2 (community commercial district). This property adjoins the property located at 2378 US Hwy 431 owned by Mark L. Turk, O.D. The property is located in a residential and business area. The property will be used for a doctor's office with entrance off of Hwy 431.
- VII. New Business
  1. Approval of an application from Dr. Mark L.Turk, O.D. for a petition to rezone lots 11 & 12 of the Hospital Heights Extension from R-1 (low density detached residential district) to B-2 (community commercial district).
- VIII. Public Comments
- IX. Chairman Comments
- X. Adjourn



CITY OF BOAZ  
Planning Commission Minutes  
November 03, 2022  
Boaz Public Library, Mastin Conference Room – 6:00 PM

I. Call to Order

Chairman Rodney Frix called the Planning Commission Meeting to order at 6:00 P.M.

PRESENT

Chris Alexander

Chris Washburn 6:04 P.M.

Harrold Johnson

Nick Borden

Randall White

Rodney Frix

Paul Hale

ABSENT

David Wallace

Josh Greer

II. Invocation

Chairman Frix gave the Invocation.

III. Pledge of Allegiance

Nick Borden led the Pledge of Allegiance.

IV. Adoption of Agenda

Motion made by Hale, Seconded by Borden.

Voting Yea: Alexander, Johnson, Borden, White, Frix, Hale

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

1. Adopt the minutes of the Planning Commission Meeting from August 4, 2022.

Motion made by White, Seconded by Alexander.

Voting Yea: Alexander, Johnson, Borden, White, Frix, Hale

VI. New Business

1. Discuss amending Table 5-1 Area and Dimensional Requirements, Agricultural District.  
Placing minimum square footage requirement on residential dwellings in agricultural district to a minimum heated square footage of 1200sf.

Motion made by White to make the minimum square footage requirement on residential dwellings in Agricultural District a minimum of 1200sf, Seconded by Borden.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

2. Discuss amending Table 3-1 Uses Permitted in Residential Districts.

Amending Institutional use, Low intensity.

Require obtaining Conditional Use Approval by The Planning Commission in residential areas

Motion made by Alexander to amend the Institutional use for Low Intensity on Table 3-1 from P (The use is permitted by right) to C (Conditional use, required approval by the Planning Commission), Seconded by Washburn.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

3. Discuss amending §4.04 B-4 Central Business District (Downtown)

Discuss Institutional use in B-4 District.

Motion made by Borden that all Institutional Uses in B-4 District is amended from Permitted (The use is permitted by right) to Conditional (Conditional use, required approval by the Planning Commission), Seconded by Hale.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

4. Discuss amending §2.07.03 Parking and storage of certain vehicles.

In residential districts, inoperable vehicles, vehicles without current license plates, including cars, trucks, vans, boats, buses, recreation vehicles, trailers, and similar vehicles must be store in the rear yard situated as not to be a visible nuisance from the public roadway or the adjoining property.

Motion made by Hale to amend 2.07.03 from having to be an enclosed structure to being situated in the rear yard as not to be a visible nuisance from the public roadway or the adjoining property, Seconded by White.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

5. Discuss amending §2.04.06 Temporary Structures and Portable buildings,

States that portable buildings cannot be used in residential areas. This has caused some issues is this something we should change or stick with?

Should we allow these units as long as they are planned to be properly placed and a minimum of 6" above the finished grade, anchored as not to be windborne / or shifted in the event of severe weather. As well as maintained in good condition.

Motion made by Hale, Seconded by Borden.

Hale withdrew his Motion.

Motion made by Hale to table item number 5, Seconded by White.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

VII. Adjourn

The meeting adjourned at 6:40 P.M.

Motion made by Borden, Seconded by White.

Voting Yea: Alexander, Washburn, Johnson, Borden, White, Frix, Hale

Minutes prepared by City Clerk Beth Stephens.

---

Beth Stephens  
City Clerk/ Treasurer

## PUBLIC NOTICE JANUARY 19, 2023

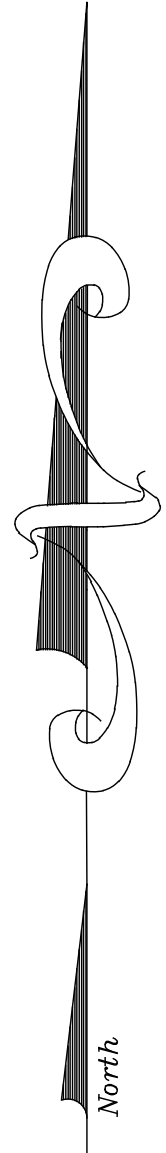
The City of Boaz Planning Commission will hold a public hearing in the Mastin Room at the Boaz Public Library on Thursday, February 2, 2023 at 6:00 PM. The purpose of the public hearing will be to hear an application from Dr. Mark L. Turk, O.D. for a petition to rezone lots 11 & 12 of the Hospital Heights Extension from R-1 (low density detached residential district) to B-2 (community commercial district). This property adjoins Dr. Turk's property located at 2378 US Hwy 431. The property is located in a residential and business area. The property will be used for a doctor's office with entrance off Hwy 431. A legal description is as follows:

All that part of Lot 11 of Hospital Heights Extension as recorded in Plat Book 3, page 13 in the Judge of Probate office in Marshall County, Alabama, more particularly described as follows: Beginning at an iron pin set, on the Westerly right of way (40°) of James Avenue, at the Southeast corner of Lot 11; thence leaving said right-of-way and along the South line of said lot, N 89° 21' 31" W a distance of 195.47 feet to a capped iron found on the Westerly line of said lot; thence leaving the South line and along the Westerly line N 17° 45' 04" W a distance of 85.09 feet to an iron pin set; thence leaving said Westerly lot line, N 70° 54' 03" E a distance of 50.00 feet to an iron pin set; thence N 17° 43' 14" W a distance of 3.60 feet to an iron pin set on the North line of said lot; thence along said Northerly lot line, S 89° 00' 44" E a distance of 177.07 feet to an iron pin set, on the Westerly right-of-way of said James Avenue, at the Northeast corner of said lot; thence along said right-of-way and the Easterly line off said lot S 01° 03' 14" W a distance of 100.00 feet to the point of beginning, containing 0.48 acres, more or less and except any easements or right-of-ways, and being a portion of Lot 11 of Hospital Heights Extension as recorded in Plat Book 3, page 13 in the Judge of Probate Office in Marshall County, Alabama.

All that part of Lot 12 of Hospital Heights Extension as recorded in Plat Book 3, page 13 in the Judge of Probate Office in Marshall County Alabama, more particularly described as follows: Beginning at an iron pin set, on the Westerly right-of-way (40°) of James Avenue, at the Northeast corner of Lot 12; thence along said right of way, S 01° 03' 14" W a distance of 100.00 feet to an iron pin set at the Southeast corner of said lot; thence leaving said right-of-way and along the South line of said lot, N 89° 00' 44" W a distance of 177.07 feet to an iron pin set thence leaving the South line of said lot, N 17° 45' 14" W a distance of 105.60 feet E a distance of 211.12 feet to the point of beginning, containing 0.45 acres, more or less, less and except any easements or right-of-way, and being a portion of Lot 12 of Hospital Heights Extension as recorded in Plat Book 3, page 13 in the Judge of Probate Office in Marshall /county, Alabama. According to the plat and survey of Joe B. Davis PLS/AL Reg. No 19744 dated May 7, 1999

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

Rodney Frix, Chairman  
Boaz Planning Commission



10' BUFFER REQUIREMENT WITH FENCE/WALL  
15' BUFFER REQUIREMENT WITHOUT FENCE/WALL  
6 TREES REQUIRED PER 120 LF

1. EXISTING TOPOGRAPHIC INFORMATION TAKEN FROM A GROUND RUN TOPOGRAPHIC SURVEY BY JWB&T, INC. DATED 10-03-2022.

COBB, LEE & ANNETTE  
2494 U S HIGHWAY 431, BOAZ, AL 35957

CP1-R0

**CONCEPTUAL ONLY**  
NOT FOR CONSTRUCTION