

# ORDINANCE NO. 2023-1177

## AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BOAZ, ALABAMA.

**BE IT ORDAINED** by the City of Boaz, Alabama, as follows:

**SECTION 1.** That after the adoption and posting of this ordinance the following described property owned by Dr. Mark L. Turk, O.D., currently zoned R-1 (Low Density Detached Residential District), shall henceforth be zoned B-2 (Community Commercial District). The property includes lots 11 & 12 of the Hospital Heights Extension adjoining Dr. Turk's property located at 2378 US Hwy 431 Boaz, Alabama 35957.

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 S01° 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 fee 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

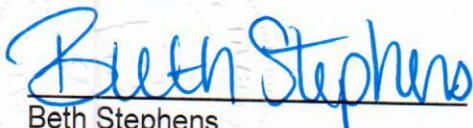
**SECTION 2.** Any part of any ordinance in conflict herewith is expressly repealed.

**SECTION 3.** This amendment shall not change any other terms and conditions of the zoning ordinance of the City of Boaz, Alabama.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF BOAZ, ALABAMA, THIS THE 25TH DAY OF SEPTEMBER, 2023.**

  
\_\_\_\_\_  
David Dyar  
Mayor

ATTESTED:

  
\_\_\_\_\_  
Beth Stephens  
City Clerk/Treasurer

**CERTIFICATION**

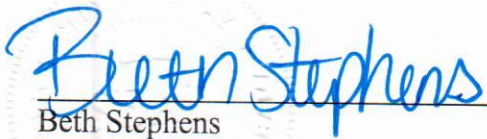
**STATE OF ALABAMA**

**COUNTY OF MARSHALL**

I, Beth Stephens, City Clerk/Treasurer of the City of Boaz, Alabama, a municipal corporation, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-1177 passed and adopted by the City Council of the City of Boaz, Alabama, on this date September 25, 2023.

This date, September 26, 2023.

(Seal)

  
Beth Stephens  
City Clerk/Treasurer

**CERTIFICATION**

**STATE OF ALABAMA**

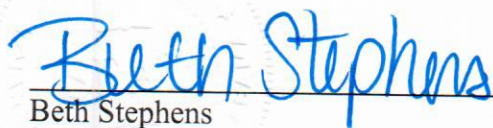
**COUNTY OF MARSHALL**

I, Beth Stephens, City Clerk/Treasurer of the City of Boaz, Alabama, a municipal corporation, do hereby certify that the foregoing Ordinance No. 2023-1177 was posted in the following three places:

Boaz City Hall  
Boaz Gas Board Building  
Boaz Water and Sewer Board Building

This date, September 26, 2023.

(Seal)

  
Beth Stephens  
City Clerk/Treasurer