

STATE OF ALABAMA

COUNTY OF ETOWAH

CITY OF RAINBOW CITY - BOARD OF ADJUSTMENTS – April 5, 2022

The Board of Adjustment of the City of Rainbow City, Alabama met in regular session at 4:00 P.M. in Council Chambers, and upon roll call the following members were present:

Present:

Rodney Prickett, Chairman
Bob McNeal, Vice Chairman
Thomas Colvin
Kim Parker
Bill Pendergrass

Absent:

Also present:

Joel Garmon, Building Official
Jack Self, Building Inspector
Kristyna Moore, Broadway Group
Harvey & Sue Coleman
Haytham Mobayed
William & Dottie Thornton

1. With a quorum being present, Rodney Prickett made a motion to start the meeting.
2. Mr. Prickett made an announcement that Willard Hart would no longer serve on the Board of Adjustments and thanked him for his many years of service. Bill Pendergrass has been appointed to the Board and will serve in Mr. Harts place.
3. The minutes from the March 1, 2022 meeting were presented. After review of the minutes, Bob McNeal moved to accept the minutes as presented. Kim Parker seconded the motion to approve. Motion carried unanimously.

Appeal No. 361:

Kristyna Moore with Broadway Group was present with a variance request for parking stalls at a new Dollar General store development located on Rainbow Drive, near Canoe Creek. Parcel number 20-05-15-0-001-075.000. The request is to change from 53 stalls per the Rainbow City Zoning Ordinance based on the square footage of the building, to 35 stalls. Mrs. Moore explained that based on the parking needs for Dollar General, the additional parking space would go unused and the space could be used more efficiently. And because of the parcel size, the stalls would have to go to the rear of the building which they don't like to do for safety reasons. Adding the additional parking stalls may also affect the receding wall.

Harvey and Sue Coleman were present not in opposition of the parking stalls, but to address concerns of the storm water runoff diversion that the development may cause to their property. Discussion followed. Mr. Prickett explained that the drainage concerns were outside of the scope of the present meeting and assured Mr. & Mrs. Coleman that those issues would be addressed with the Building Department and with the Planning Commission Board.

There was no one present in opposition of the request.

After further discussion Bill Pendergrass made a motion to accept the request for the variance for parking stalls. Bob McNeal seconded the motion.

(over)

The vote was as follows:

Rodney Prickett - YES
Bob McNeal - YES
Thomas Colvin - YES
Kim Parker - YES
Bill Pendergrass - YES

Appeal No. 362:

Haytham Mobayed was present with a variance request for a right of way setback for an accessory building that he has moved onto his property located at 211 Riddles Bend Rd. The set back is required to be 30 feet from the center of the road. Mr. Mobayed's building is 29 feet from center of the road. Mr. Mobayed explained that the building was for him, his wife and kids to use for fishing, riding in the boat or skiing one night on the weekend. It is not meant for them to live in.

Joel Garmon explained that there was more to the issue than just the building being too close to the road. Grey water and black water is an issue. There is no place to use the bathroom and no way to dispense black water. There is also nowhere for the grey water to runoff and according to the Health Department these waters need a place to go. Joel also explained that there was another building on the property that was 22 feet from the center of the right of way.

No one was present in opposition.

After further discussion Mr. Prickett explained that all the Board would vote on would be the variance for the right of way and that he would have to work with Joel on the other issues.

Bob McNeal asked about the other (blue) building. Mr. Garmon explained that the blue building that was there now was not the original building and that there is a concrete pad under the building that was moved in and that is where the original building was at.

Mr. Prickett called for a motion for the right of way variance. The request died from a lack of motion.

Appeal No. 363:

William & Dottie Thornton was present with a variance request to place a 1200 SQ FT detached garage in front of their property located at 406 Riverton Dr. The Rainbow City Zoning Ordinance only allows for 25% of the principle dwelling and the garage is also subject to the front yard requirements.

Mr. Thornton explained that there was limited access to the water side of the house and they were trying to place the building away from the house. They also wanted to place it in an area that would not obstruct anyone's view from the water. The building would be used to store their boat, jet skis and cars so that the property would not look cluttered. Discussion followed.

Mr. Thornton's neighbor was present in favor of the variance request and spoke highly of the Thornton's.

After discussion Tommy Colvin made a motion to accept the request for variance for parking stalls. Kim Parker seconded the motion.

The vote was as follows:

Rodney Pricket - YES
Bob McNeal - YES
Thomas Colvin - YES
Kim Parker - YES
Bill Pendergrass - YES

There being no further business to come before the Board at this time,
Kim Parker made a motion to adjourn. Tommy Colvin seconded the motion.
Meeting adjourned at 4:30 PM

Respectfully submitted,

Heather Hill
Recording Secretary