

STATE OF ALABAMA

COUNTY OF ETOWAH

CITY OF RAINBOW CITY - BOARD OF ADJUSTMENTS – JULY 6, 2021

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  
Evelyn Muskett

Absent: Willard Hart  
Kim Parker

Also present:  
Joel Garmon, Building Official  
Jack Self, Building Inspector  
Neil Bell  
Bruce Sanders  
Greg & Debra Stone  
Curtis & Freida Payne

1. With a quorum being present, Rodney Prickett made a motion to start the meeting.
2. The minutes from the June 1, 2021 meeting were presented. After review of the minutes, one correction was made. Rodney Prickett was listed as both present and absent. Bob McNeal moved to accept the minutes as presented. Tommy Colvin second the motion to approve. Motion carried unanimously.

**Appeal No. 349:**

Bruce Sanders was present to represent himself for a variance request on a 1250 SQ FT accessory building to be built on his property located 122 Swindall Circle. Mr. Sanders home is 2400 SQ FT. The Rainbow City Zoning Ordinance maximum for an accessory building is 25% of the habitable floor area of the principle building. Mr. Sanders explained that he was in the initial stage of building plans and was not sure if he would build it at 1250 SQ FT but knew he needed more than 600 SQ FT. Mr. Garmon stated that as long as Mr. Sanders was within 7.5 FT from his property line that he did not have a problem it.

There was no one present in opposition of the request.

After further discussion Tommy Colvin made a motion to accept the variance for a 1250 SQ FT accessory building. Bob McNeal seconded the motion.

The vote was as follows:

Rodney Prickett - YES  
Bob McNeal - YES  
Thomas Colvin - YES  
Evelyn Muskett - YES

**Appeal No.'s 350, 351, 352 & 353:**

Neil Bell was present to represent New South Media, LLC for 4 variance requests for 4 billboards to be placed at 3500 Rainbow Dr., 1215 West Grand Ave. and 2 at Kid's Way and East Grand Ave. The Rainbow City Zoning Ordinance lists billboards

as prohibited throughout the City. Mr. Bell explained that the applications were submitted as an artistic display at 1215 W. Grand, a political display and an event display at Kid's Way & East Grand and a political display at 3500 Rainbow Dr. Rodney Prickett stated that it was his understanding that the prohibition against billboards had been enforced since Mayor Sue Glidewell was the Mayor and that has been the precedent and position of the City with the Ordinance going back 20 years. Mr. Bell read excerpts from the Rainbow City Zoning Ordinance and a prepared statement that is included with his application for his request for a variance.

Bill Wilson, Owner of Rainbow Powder Coating at 1215 West Grand Ave was present to speak in favor of the variance. Mr. Wilson made reference to 2 pre-existing billboards and local business signage along West Grand near his business.

Bob McNeal expressed concerns of the lights from the signs effecting the apartment complexes that are in close proximity to Kids Way. Mr. Bell explained that candle foot could be adjusted. Mr. McNeal also addressed concerns with the signs causing a distraction for drivers with the high volume of traffic through the area.

Rodney Prickett entertained a motion to approve the variance. The request for variance died due to lack of motion.

#### **Appeal No. 354:**

Freida Payne was present to represent herself for a variance request of 5 FT into the right of way for a garage located on her property at 40 Bluebird Lane. Documentation was provided to show that the garage was built in 1941 and that the Right of Way was not platted until 1966. Discussion followed

Debra Stone was present in opposition of the request.

After further discussion Thomas Colvin made a motion to approve the variance request for the garage in the right of way. Bob McNeal seconded the motion.

The vote was as follows:

Rodney Prickett - YES  
Bob McNeal - YES  
Thomas Colvin - YES  
Evelyn Muskett - YES

There being no further business to come before the Board at this time, Rodney Prickett made a motion to adjourn. Meeting adjourned at 4:37 PM

Respectfully submitted,

Heather Hill  
Recording Secretary