

STATE OF ALABAMA

COUNTY OF ETOWAH

CITY OF RAINBOW CITY - BOARD OF ADJUSTMENTS – JUNE 1, 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:
Bob McNeal, Vice Chairman
Thomas Colvin
Willard Hart
Kim Parker

Absent: Rodney Prickett
Evelyn Muskett

Also present:
Joel Garmon, Building Official
Jack Self, Building Inspector
Ron Watkins
Greg & Debra Stone
Curtis & Freida Payne

1. With a quorum being present, Bob McNeal made a motion to start the meeting.
2. The minutes from the May 4, 2021 meeting were presented. After review of the minutes, Willard Hart moved to accept the minutes as presented. Kim Parker second the motion to approve. Motion carried unanimously.

Appeal No. 347:

Ron Watkins was present to represent himself concerning his frozen custard mobile food truck for a variance of the temporary use restriction in the Rainbow City Zoning Ordinance. Temporary use states "All temporary uses shall last for a period of no more than thirty (30) consecutive days." Mr. Watkins had signed a lease before he was aware of the restrictions. Mr. Watkins lease reads from May 1, 2021 through August 31, 2021. Mr. Watkins also asked that if his variance was granted, could he extend his variance time period to 6 months.

There was no one present in opposition of the request.

After further discussion Willard Hart made a motion to accept the temporary use variance to allow Mr. Watkins a 6 month variance subject to the submittal as his current lease reads with an ending date change from August 31, 2021 to November 30, 2021. Thomas Colvin seconded the motion.

The vote was as follows:

Willard Hart - YES
Kim Parker - YES
Bob McNeal - YES
Thomas Colvin - YES

Appeal No. 348:

Greg and Debra Stone was present to represent themselves for a variance concerning a carport that has been constructed on their property. The carport was constructed prior to purchasing a building permit. The structure was placed at a distance of 5 feet from the property line. The Rainbow City Zoning Ordinance states "such structures shall be no closer than 7.5 feet to any property line". Mr. & Mrs. Stone is seeking a variance to allow for the 5 FT distance.

Curtis and Freida Payne was present in opposition of the variance.

Mr. & Mrs. Payne own the property next door to the applicant and have concerns that the variance can cause issues with any future projects or developments that they may have on their property. It was discussed whether the posts or the overhang of the carport should maintain the property offset. Joel Garmon said he had a surveyor come out to the property and survey the property line and that the surveyor measured from the posts and he told Mr. Garmon that the posts was what you measured from to confirm the offset and not from the overhang.

After further discussion Thomas Colvin made a motion to deny the variance for the offset adjustment from 7.5 FT to 5 FT. Mr. & Mrs. Stone will need to make adjustments to their carport to maintain a distance of 7.5 FT from the property line. Kim Parker seconded the motion.

The vote was as follows:

Willard Hart - NO

Kim Parker - NO

Bob McNeal - NO

Thomas Colvin - NO

There being no further business to come before the Board at this time, Kim Parker made a motion to adjourn. Willard Hart seconded the motion. Meeting adjourned at 4:32 PM

Respectfully submitted,

Heather Hill
Recording Secretary