

STATE OF ALABAMA

COUNTY OF ETOWAH

CITY OF RAINBOW CITY, ALABAMA – PLANNING COMMISSION – November 30, 2021

The Planning Commission of the City of Rainbow City, Alabama met in a regular session at 3:30 P.M. and upon roll call the following members were present:

Present:
Wes Ellis, Chairman
Thomas Moon, Vice Chairman
Bettye Boyd
Brent Boggs
David King
Clark Hopper
Mona Wallace
Larry Harris

Absent: Mayor Joe Taylor

Also Present:
Jack Self
Joel Garmon
Laura Lloyd, City Attorney
Jo Ann Tallent
Joey Nelson
Bobby and Linda Fuggat
Tommie Carr

1. After roll call, Wes Ellis, Chairman, declared a quorum was present and the following business was transacted.
2. Minutes were presented from the October 26, 2021 meeting. Bettye Boyd moved to accept the minutes as presented. Brent Boggs seconded the motion. There were no changes or questions. Motion carried unanimously to accept the minutes as is.
3. Jo Ann Tallent was present seeking approval to rezone her property from AG-Agricultural to HC-Highway Commercial. The property is located at the the corner of Lumley Rd. and Steele Station Rd. The parcel number for this property is 16-07-26-0-001.003.000. Ms. Tallent would like to sell her property and she feels as though she could increase the value if the property was zoned Highway Commercial.
4. Joey Nelson was present in opposition of the rezoning request. Mr. Nelson's property is located at 2424 Lumley Rd. and is adjacent to Ms. Tallent's property. Mr. Nelson expressed that he was not necessarily opposed to the rezoning, but he did have concerns of what would be allowed to be built on the property. Chairman Ellis read a list from the Zoning Ordinance of what types of business are allowed in Highway Commercial district. He also assured Mr. Nelson that any development would have to come before the Planning Commission for approval before anything could be built.
5. After further discussion Clark Hopper made a motion of recommendation to the City Council to approve Ms. Tallent's request to rezone her property from AG-Agricultural to HC-Highway Commercial and that this approval is subject to all federal, state, county, city and local, laws, ordinances, restrictions, requirements and policies. Brent Boggs seconded the motion. Motion carried unanimously.

6. Bobby and Linda Fuggat were present requesting approval for a Conditional Use permit to place a mobile home on their property located at 50 Shawnee Dr. Mr. & Mrs. Fuggat's intent is for the mobile home to be their permanent residence. Chairman Ellis explained that the driveway for the property would need to be able to support a fire truck in case of an emergency. Brent Boggs asked if there were any restrictions on the property. Mr. & Mrs. Fuggat said there were not any restrictions that they were aware of.

No one was present in opposition.

7. After further discussion Larry Harris made a motion to approve the Conditional Use permit for Mr. & Mrs. Fuggat allowing them to place their mobile home at 50 Shawnee Dr. subject to all federal, state, county, city and local, laws, ordinances, restrictions, requirements and policies. Brent Boggs seconded the motion. Motion carried unanimously.
8. Tommie Carr was present for a request to annex his two (2) properties into the city limits of Rainbow City. The properties are located at 26 Applewood Lane and 75 Applewood Lane. Laura Loyd explained that during the title examination for Mr. Carr's property, there were concerns while looking at the map of the property at the County Probate office, whether or not the property would be officially contiguous to the city limits because the county map did not appear to match up with the Rainbow City's map, therefore until the discrepancy could be reconciled the Planning Commission can still go ahead and make a recommendation to City Council for approval but to note that this issue would need to be resolved before the property could be officially annexed.
9. After further discussion Bettye Boyd made a motion of recommendation to the City Council to approve the annexation of 26 Applewood Lane and 75 Applewood Lane subject to resolution of questions concerning the contiguity of the property and subject to all federal, state, county, city and local laws, ordinances, restrictions, requirements and policies. Thomas Moon seconded the motion. Motion carried unanimously.
10. There being no further business to come before the Planning Commission, Bettye Boyd made a motion to adjourn. Brent Boggs seconded the motion. Motion carried unanimously.
11. Meeting adjourned at 4:07 P.M.

Respectively Submitted,

Heather Hill