May 8, 2019
Rock Island Board of Zoning Appeals
Council Chambers—Third Floor—City Hall—1528 – 3rd Avenue
Regular Meeting Agenda
5:30 PM

1. Call to Order and Roll Call

2. Procedural Explanation

3. Approval of the Minutes of the regular meetings of April 10, 2019.

4. **Public Hearing #2019-06:** The applicant, Make It Happen Improvements, has filed a request for a special exception to expand a nonconforming use, a variance to locate a new dwelling unit of the first floor of the existing apartment building and a parking variance of the two off street parking space requirement for the subject new unit in a B-1 (neighborhood business) district at 3814/3816/3820 14th Avenue.

5. **Public Hearing #2019-09:** The applicant, Chris Salazar/Arsenal Properties, LLC, has filed a request for a variance of 160 feet of the 300 foot separation requirement between an existing Unrelated group Family Use and a proposed Unrelated Group Family Use at 3215 7th Avenue.

6. **Public Hearing #2019-10:** The applicant, Teresa English, has filed for a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard, a variance to locate an accessory structure in a front yard and a variance to allow gravel surfaces for off street parking areas on the double-lot site in an R-3 (one and two family residence) district at 940 and 948 34th Avenue.

7. **Public Hearing #2019-11:** The applicant, Kevin Smith, has filed for a variance of 1.5' of the 3.5' maximum fence height in a front yard and a variance of 25 feet of the 25 foot setback from point of intersection for a fence at an intersection of an alley to street in an R-3 (one and two family residence) district at 625 23rd Street.

8. **Public Hearing #2019-12:** The applicant, Warren Ware, has filed a variance to allow an accessory structure to exceed the total ground floor square footage of the principal structure by a total of 239 square feet in an R-3 (one and two family residence) district at 1547 43rd Street.

9. **Public Hearing #2019-13:** The applicant, Amelia Martens, has filed for a variance of 3 foot of the 6 foot side yard setback requirement in an R-2 (one family residence) district at 2843 40th Avenue.

10. Public Comments and Other Business.

11. Adjournment.
MINUTES OF THE
ROCK ISLAND BOARD OF ZONING APPEALS

Regular Meeting 5:30 p.m. April 10, 2019

ATTENDANCE: (x) Present ( ) Absent
(x) Kevin Day
(x) Donald Mewes
( ) Gary Snyder
(x) Jeffrey Wright
(x) Dave McAdam
(x) Nicole Finnie
( ) Bill Sowards

Staff Present: Miles Brainard, Alan Fries.

Vice-Chairman McAdam called the meeting to order at 7:00 p.m.

Approval of Minutes – Mr. Day made a motion to approve the Minutes of the February 13, 2019 regular meeting. Mr. Wright seconded the motion, and it passed unanimously.

Procedural Explanation – Vice-Chairman McAdam explained the procedure to be followed for the public hearing.

Public Hearing #2019-05: The applicant, the Sisters of the Order of St. Benedict, have filed for a variance to locate a large solar energy system in a residential zoning district, a variance of 21 freestanding arrays of various sizes the one array requirement, a variance of 24,822 square feet in total area of the maximum 240 total square foot total area requirement for the one allowed freestanding array, a variance to not locate the arrays in a rear yard and a variance from the requirement to secure the arrays from climbing or unauthorized access in a split zoned property zoned R-5 (multiple family residence) and R-1 (one family residence) districts at 2200 88th Avenue West.

Mr. Fries presented the staff report he explained the applicant proposes to locate a large solar energy system with 22 total freestanding arrays that have a total combined area of 25,062 square feet. The array field will be located on the easterly front yard area that will not be secured with fencing or other proposed measures.

Vice-Chairman McAdam called for proponents.

Sister Sandra Brunenn, St. Mary Monastery at 2200 88th Avenue West, was sworn in. She said the Monastery relocated to Rock Island in 2001 and that one of its precepts is to take care of the earth. She said the variances will make their solar project possible.

As no one else wished to speak, the public hearing was closed.

Decision Case #2019-05 – Mr. Wright made a motion to approve the request because:
1. The proposed variances will improve the energy costs of the property and could serve as a model for other large scale solar projects in the community.
2. The large site is semi-private and has landscape buffers surrounding the site.
3. The proposed variances will not alter the character of the neighborhood.

Mr. Day seconded the motion, and it passed unanimously.

**Public Hearing #2019-06:** The applicant, Make It Happen Improvements, has filed a request for a special exception to expand a nonconforming use, a variance to locate a new dwelling unit on the first floor of an existing apartment building and a parking variance of the two off street parking space requirement for this new unit in a B-1 (neighborhood business) district at 3814/3816/3820 14th Avenue.

Mr. Fries presented the staff report. He explained the applicant proposes to locate an additional first floor dwelling unit in a former first floor office area of the nonconforming 19 unit two story apartment building.

Vice-Chairman McAdam called for proponents.

No one was present to represent the case.

Mr. Day made a motion to table the request until the May 8, 2019 regular Board of Zoning Appeals meeting, beginning at 5:30 p.m. in Rock Island City Hall.

Mr. Mewes seconded the motion, and it passed unanimously.

**Public Hearing #2019-07:** The applicant, Timothy Rade, has filed a request for a special exception to expand an existing structures nonconforming 2 foot south side yard setback instead of the 10 foot side yard setback requirements and a variance of 7 foot of the 10 foot rear yard setback in a B-1 (neighborhood business) district at 4018 14th Avenue.

Mr. Fries presented the staff report. He explained the applicant proposes to expand the existing tavern to the west by constructing a proposed roofed-over open pavilion (30’ x 18’) maintaining the south 2 foot side yard setback and a 3 foot west rear yard setback to property lines. He identified there is one interested Party request form received from Michelle McCarty Bull, 1406 41st Street and two comments from neighbors concerned over expanded noise from the business (Earl Sanders 4108 14th Avenue and James Kraus of 14491 Kruse Avenue in Davenport.

Vice-Chairman called for the proponent.

Tim Rade, 1532 1st Street in Moline and David Griffin, 3604 46th Avenue, were sworn in. Mr. Griffin said he was the building contractor for the proposed pavilion and said the roof line would extend to within 3 feet of the west property line and be supported by 6-inch by 6-inch columns. Mr. Wright asked if there were going to be live bands playing outside under the proposed pavilion. Mr. Rade, owner of the property, replied there would not be, but that there was a speaker outside hooked up to the inside juke box.

Vice-Chairman McAdam asked how late the business was open. Mr. Rade replied 2:00 a.m., but that if there were no customers in the tavern the business closes up earlier. He added he bought the tavern in 2007 and has gone to no smoking inside, so patrons go outside to smoke and sometimes talk when they are outside.
Vice-Chairman McAdam called for the Interested Party to come and ask questions.

No one came forward, so Vice-Chairman McAdam then asked for opponents to come forward.

Jim Kraus, 14491 Kruse Avenue in davenport, was sworn in. He said he owns the house next door at 4014 14th Avenue and wants to know if the business owner knows exactly where the property line is. He said his step daughter and her boyfriend live in the house next door and they have two children and he is concerned about the noise from the business.

Mr. Griffin said there is a privacy fence along the property line and they believe it identifies where the property line is located. He added the subject property is also 3 feet lower than the property to the west.

Eric Jones, 4014 14th Avenue, was sworn in. He said he is concerned about noise and also tavern patrons throwing cigarette butts over the fence onto his property.

Vice-Chairman asked for the applicant’s rebuttal.

Mr. Rade said he can turn down the outside speaker and turn it off at 10:00 p.m., so it will not be so loud. Mr. Griffin said he can put a partial fence between the support columns of the pavilion to act as a sound barrier.

As no one else wished to speak, the public hearing was closed.

**Decision Case #2019-07** – Ms. Finnie made a motion to approve the request because:

1. Reasonable Return: The proposed building addition and variances will improve the return of the property.
2. Unique Circumstances: The lot is a small corner lot with two front yards.
3. Character Alteration: The proposed variances will not alter the character of the neighborhood.

Mr. Day seconded the motion, and it passed unanimously.

**Public Hearing #2019-08:** The applicant, Townsend Engineering, has filed a request is for a variance of 10 canopy trees of the 10 canopy tree requirement for a proposed parking lot expansion located in the west front yard in an I-2 (general industrial) district at 8221 51st Street West.

Mr. Fries presented the staff report. He explained the zoning ordinance requires 1 canopy tree for every 5 parking spaces for a parking lot (Section 36.51). The applicant proposes a 49 space parking lot expansion without any canopy trees adjacent to the property line along the west front yard of the site.

The cultivation facility proposes to construct an approximate 50,000 square foot addition onto the existing approximate 36,000 square foot structure. The applicant also proposes to construct a 49 space parking lot expansion on the western segment of the existing parking and desires a variance from the canopy tree requirements for the new parking lot.

The landscape plan identifies seven new shrubs in lieu of the canopy trees along the western edge of the proposed parking lot. The landscape plan also identifies three new canopy trees for the site (two trees along
the southwest corner and one tree added to the row of trees on the north side of the existing 44 space parking lot on the site). The applicant explains the reason for the variance for the required 10 canopy trees is because the business is also planning in the near future another possible building expansion to the west and any new planted canopy trees on the west side of the parking lot and/or building would need to be removed to accommodate the future expansion.

Staff supports the variance for the canopy trees adjacent to the parking lot expansion, but staff also recommends to the Board that along with the three canopy trees proposed elsewhere on the site that two additional canopy trees (five in total) be required. These additional two canopy trees could be located either along the south or northern property lines.

He said staff is recommending approval because the parking lot expansion will improve the return on the property, there is a unique circumstance as the applicant is also planning another building expansion in the near future and believes the parking lot will also be expanded into the area where the canopy trees are required to be located for the future expansion and it will not alter the character of the neighborhood.

Approval should be subject to the following stipulation:
A total of five new canopy trees shall be provided on the site (2 additional canopy trees along with the identified 3 canopy trees on the submitted landscape plan). The two additional canopy trees shall be located along either the south or north property lines.

Vice-Chairman McAdam called for proponents.

Kyle Zelle, representing Townsend Engineering at 2224 E. 12th Street in Davenport, was sworn in. He said they will add a total of 10 new canopy trees spaced 35 feet apart along the southwest property line and the entrance road off of 51st Street West.

Missy Gasiorowski, representing Hodge Construction at 767 52nd Avenue, Ste 201 in Moline, was sworn in. She said that proposed second phase building expansion will be located to the west and south of the existing structure. She added that the third phase addition could happen soon after the second phase expansion.

As no one else wished to speak the public hearing was closed.

Decision Case #2019-08 – Mr. Mewes made a motion to approve the request because:

1. Reasonable Return: The proposed parking lot expansion will improve the return of the property.
2. Unique Circumstances: The applicant is also planning another possible building expansion to the west in the near future and believes the parking lot will also be expanded into the area where canopy trees are currently required to be located for the subject parking lot expansion.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

He included the stipulation that a total of five new canopy trees shall be provided on the site (2 additional canopy trees along with the identified 3 canopy trees on the submitted landscape plan). The two additional canopy trees shall be located along either the south or north property lines.
Mr. Day seconded the motion, and it passed unanimously.

**Public Hearing #2019-09:** The applicant, Chris Salazar/Arsenal Properties, LLC, requests a variance of 160 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-3 (one and two family residence) district at 3215 7th Avenue.

Mr. Fries stated that the applicant was not present in the audience and asked the board if it would consider tabling the request until the regular May 8, 2019 meeting.

Mr. Day made a motion to table the request until the May 8, 2019 regular Board of Zoning Appeals meeting, beginning at 5:30 p.m. in Rock Island City Hall.

Mr. Mewes seconded the motion, and it passed unanimously.

**Other Business:**
Mr. Fries said there are four new cases for the May 8th regular meeting.

**Adjournment:**
Vice-Chairman McAdam adjourned the meeting at 6:45 p.m.

Respectfully submitted,

[Signature]

Alan Fries
Acting Secretary, Rock Island Board of Zoning Appeals
REPORT

TO:        Board of Zoning Appeals
FROM:     Community and Economic Development Department
          Planning and Redevelopment Division
DATE:     March 28, 2019
SUBJECT:  Case #2019-06- Request for a special exception to expand a nonconforming use, a variance to allow a first floor apartment in business zoning and a variance for the off street parking requirements for proposed additional apartment dwelling in an B-1 (neighborhood business) district.

Applicant:
Make It Happen Improvements

Location:
3820 14th Avenue

Request:
The request is for a special exception to expand a nonconforming use, a variance to locate a new dwelling unit on the first floor of an existing apartment building and a parking variance of the two off street parking space requirement for this new unit in a B-1 (neighborhood business) district.

Size of Property:
50' x 125' (approximately 6,250 square feet)

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a currently vacant, but under renovation, apartment building. The neighborhood is primarily a business area, zoned B-1.

Topography:
The site is flat and slightly above street level.

Affected Requirements:
The zoning ordinance requires Board authorization to expand a nonconforming use (Section 5.12) dwellings to be located above a first floor (Section 25.2N) and two off street parking spaces for a dwelling (Section 8.14 D). The applicant proposes to locate an additional first floor dwelling unit in a former first floor office area of the nonconforming 19 unit two story apartment building.
Conditions to Authorize Variance:
1. Reasonable Return: The property can yield a reasonable return without the variance.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will alter the character of the business neighborhood.

Comments:
The proposed approximate 700 square foot A.D.A. first floor dwelling will be located in the former office space of the apartment building. The easterly exterior doors will be removed and there will be only one remaining north exterior door to provide interior access to the subject dwelling unit and 8 additional first floor dwelling units (see attached building elevation and floor plan). The owner of the apartment building will market the units to be rented for approximately $550 rent per month.

Staff believes that the first floor space should be maintained as nonresidential space for either an onsite office, or commercial space. The city has many economic development programs available that could assist the property owner in marketing the space for commercial purposes.

Recommendation:
That the special exception and variance be denied because the property can yield a reasonable return without the variance, there is no unique circumstance and the first floor dwelling space will alter the character of the business neighborhood.
City of Rock Island
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

Note: The information presented is not survey accurate and is for illustrative purposes only.
Sign can only hang 18" from building face.
REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
       Planning and Redevelopment Division

DATE: March 22, 2019

SUBJECT: Case #2019-09- Request for a variance from the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated group Family Use in an R-3 (one and two family residence) district.

Applicant:
Chris Salazer/Arsenal Properties LLC

Location:
3215 7th Avenue

Request:
To allow a variance of 160 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-3 (one and two family residence) district.

Size of Property:
120' x 98.2' (approximately 11,784 square feet)

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by an existing dwelling with five unrelated individuals in residence. The neighborhood is primarily a single family residential area, zoned R-3. The closest existing Unrelated Group Family use is located at 3336 7th Avenue (140 feet to the east).

Topography:
The site slopes up approximately 20 feet from street level.

Affected Requirements:
The zoning ordinance requires there be a 300 foot separation requirement between an existing and proposed Unrelated Group Family Use (Section 4.62C). The applicant proposes to maintain an existing unapproved Unrelated group Family Use for 5 individuals in the single family residence on the site.
Conditions to Authorize Requested Variance:

1. Reasonable Return: The property can yield a reasonable return without the full variance.
2. Unique Circumstances: None.
3. Character Alteration: A full variance given the current condition of the retaining wall will alter the character of the neighborhood.

Comments:
The closest existing Unrelated Group Family Use is located to the southeast at 3336 7th Avenue. Other existing Unrelated Group Family Uses nearby are located at 3400 7th Avenue, 721 34th Street, 602 32nd Street, 3406 6th Avenue, 3412 6th Avenue and 3418 6th Avenue. The 300 foot separation requirement between Unrelated Group Family Uses was developed to reduce the concentration of these types of uses in neighborhoods in the city.

There is a long standing property maintenance code violation at the property that needs to be resolved in a timely manner. The retaining wall along the south hillside is in critical need of repair and replacement. This issue has not been resolved since last Summer and is a safety concern not only to dwellings residents, but to pedestrians walking along the sidewalk. Staff recommends that a temporary use be approved, so the current residents can remain in the dwelling until their lease expires, but that a full variance not be approved for 5 unrelated group residents to reside at the property until the code violation is resolved. The Zoning Ordinance would allow 3 unrelated individuals to reside at the property and be considered a “family” under Section 3.47 of said Ordinance.

Recommendation:
That the variance as requested be denied because the property can yield a reasonable return without the full variance, there is no unique circumstance and due to the condition of the existing retaining wall a full variance will alter the character of the neighborhood.

Staff further recommends that a temporary use until May 31, 2019 be approved to allow current residents to reside at the property until their lease has expired will not alter the character of the neighborhood and improve the return on the property. This recommendation for approval of a temporary use until May 31, 2019 is contingent on the property maintenance code violation on the south facing front yard retaining wall be repaired an approved by the City of Rock Island Inspection Division by May 31, 2019.
Note: The information presented is not survey accurate & is for illustrative purposes only.
REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: April 22, 2019

SUBJECT: Case #2019-10- Request for a variance of 2.5 feet of the 3.5 foot maximum fence height requirement in a front yard, a variance to locate an accessory structure in a front yard and a variance to allow gravel surfaces for off street parking areas on the site in an R-3 (one and two family residence).

Applicant:
Teresa and Nicolas English

Location:
940, 948 and 950 34th Avenue

Request:
The request is for a variance of 2.5 feet of the 3.5 foot maximum fence height requirement in a front yard, a variance to locate an accessory structure in a front yard and a variance to allow gravel surfaces for off street parking areas on the site in an R-3 (one and two family residence) district.

Size of Property:
The property measures 160’ x 130’ (20,800 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. The neighborhood is primarily a single family residential area, zoned R-3.

Topography:
The site slopes up one to two feet above street level.

Affected Requirements:
The zoning ordinance requires that an accessory structure not exceed the total area of the principal structure on the site (Section 8.5A). The applicant proposes maintain a 6 foot tall privacy fence and an accessory storage structure in the north front yard and locate gravel parking areas in the south rear yard of the site.
Conditions to Authorize Variance:

1. Reasonable Return: The variance to maintain the existing privacy fence in the front yard and allow an approximate 15 foot long gravel parking area adjacent to the alley along the south property line will provide for a reasonable return on the property.

2. Unique Circumstances: The applicants have had the privacy fence on the site since approximately 1995.

3. Character Alteration: The variance to maintain the existing privacy fence in the front yard and allow an approximate 15 foot long gravel parking area adjacent to the alley along the south property line will not alter the character of the neighborhood.

Comments:
Staff became aware of the conditions on the property from a neighbor inquiry. The main concern was the location and condition of several vehicles and trailers parked on an unimproved surface in the east side yard extending all the way to the alley in the south rear yard of the site. The applicant has relocated or removed most of the vehicles (motor home included) and trailers and now desires to only use the south 15 feet of the property to park vehicles and trailers on a new gravel. The applicants indicate that bringing the parking area up to Zoning Ordinance requirements (asphalt or concrete) would be cost prohibitive.

The City did not receive a complaint regarding the fence or accessory structure, but they were identified during enforcing the issues with the vehicles and trailers parked on the unimproved surface. The applicants indicate that the privacy fence has been located on the property since approximately 1999 and the accessory building has been in the front yard since approximately 2009. Zoning Ordinance was revised in 1991 to require all front yard fences to not exceed 3 1/2 feet in height. The Ordinance had always not allowed accessory structures to be located in a front yard without a variance.

Staff recommends that the existing fence located in the north front yard receive a variance to allow it to remain as it has been there for many years, but that the variance for the more recently located accessory structure be denied. There is ample room to relocate the accessory structure into the east side yard, or south rear yard. Staff also recommends that the variance to allow a gravel parking area for vehicles and trailers be approved for the south 15 feet of the south rear yard (identified on case map) to accommodate the applicant’s additional vehicles, motor home and trailers.

Recommendation:
That the variance for locating the accessory structure in the front yard be denied because it is a self imposed unique circumstance and it will alter the character of the neighborhood. Staff also recommends that the variance to maintain the 6 foot privacy fence and allowing a 15 foot long gravel parking area adjacent to the alley along the south property line be approved because it will provide a reasonable return on the property and it will not alter the character of the neighborhood.
Note: The information presented is not survey accurate and is for illustrative purposes only.
REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: April 26, 2019

SUBJECT: Case #2019-11 - Request for a variance of 2.5 feet of the 3.5 foot maximum fence height for a fence in a front yard and a variance 25 feet of the 25 foot setback from point of intersection for a fence at a corner lot in an R-3 (one and two family residence) district.

Applicant:
Kevin Smith

Location:
625 23rd Street

Request:
The request is for a variance of 2.5 feet of the 3.5 foot maximum height for a fence in a front yard and a variance of 25 feet of the 25 foot setback from point of intersection for a fence on a corner lot (street to an alley) in and at a corner fence location in an R-3 (one and two family residence) district.

Size of Property:
The property measures 53’ x 124’ (6,572) square feet.

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. To the north is a duplex, zoned R-3. To the east is a vacant parcel, zoned B-1. To the south is a church owned open space and residence, zoned R-3. To the west is a neighborhood open space, zoned R-3.

Topography:
The site is flat and slightly above street level.

Affected Requirements:
The zoning ordinance requires a maximum fence height of 3.5 feet in a front yard and a 25 foot setback from point of intersection for a corner location of a street to an alley (Section 8.12). The applicant proposes to construct a 5 foot aluminum picket fence in the south front yard extending...
into the east rear yard.

Conditions to Authorize Variance:
1. Reasonable Return: The fence height and setback variances will provide better privacy and security and will also improve the return on the property.
2. Unique Circumstances: The lot is a corner lot with two front yards.
3. Character Alteration: That the fence height and setback variances will not alter the character of the neighborhood.

Comments:
The applicant desires to construct the fence because of security as they have had to remove part of an existing wood picket fence due to a vehicle damaging it and as a result they have had pedestrians cut across into their front yard (see site photo). The proposed 5 foot tall aluminum fence will extend from the remaining wood picket fence to the corner and then extend westward to an angled gate that will then extend to the attached one car garage (see site map and applicant drawing). Both the City Engineer and representative from the Police Department have determined that the proposed picket fence will not be a visual obstruction at the intersection of the alley to 7th Avenue.

Recommendation:
That both fence variances be approved improve the return and security on the property, the lot is a corner lot with two front yards and it will not alter the character of the neighborhood.
Victorian
(three rail spear top)

Height: 4’ and 5’
Section Width: 6’
Space Between Pickets: 3-7/8”

Residential Grade
5/8” Square Pickets
2” Square Posts

Commercial Grade
3/4” Square Pickets
2” or 2-1/2” Square Posts
Gate Detail
REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
       Planning and Redevelopment Division

DATE: April 26, 2019

SUBJECT: Case #2019-12- Request for a variance to allow an accessory structure to exceed
the total ground floor square footage of the principal structure located on the
property by a total of 239 square feet in area in an R-3 (one and two family
residence) district.

Applicant:
Warren Ward

Location:
1547 43rd Street

Request:
The request is for a variance to allow an accessory structure to exceed the total ground floor
square footage of the principal structure by a total of 239 square feet in an R-3 (one and two
family residence) district.

Size of Property:
The property measures 50’ x 150’ (7,500 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. The neighborhood is primarily a single family
residential area, zoned R-3.

Topography:
The site slopes up one to two feet above street level.

Affected Requirements:
The zoning ordinance requires that an accessory structure not exceed the total area of the
principal structure on the site (Section 8.5A). The applicant proposes to construct a detached
garage (27’ x 32’’) in the east rear yard.
Conditions to Authorize Variance:
1. Reasonable Return: The variance will improve the return on the property.
2. Unique Circumstances: The dwelling is smaller than any other dwelling in the area (625 square feet in total area).
3. Character Alteration: The variance will not alter the character of the neighborhood.

Comments:
Currently, there is not a garage on the property. The proposed one story detached garage will have access off the alley and will meet all setback and area coverage requirements in the Zoning Ordinance (location proposed is 10’ from alley, 3’ from north property line, 18’ from south property line and 61’ feet from the dwelling). The single family dwelling on the site is 25’ x 25’ (625 square feet in area), while the proposed garage is 32’ x 27’ (864 square feet in area). The applicant has collector cars that he desires to keep inside the proposed garage.

Recommendation:
That the variance be approved because it will improve the return and security on the property, the dwelling is smaller than any other dwelling in the area than any other dwelling in the area and it will not alter the character of the neighborhood.
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REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
      Planning and Redevelopment Division

DATE: April 26, 2019

SUBJECT: Case #2019-13- Request for a variance of 3 feet of the 6 foot side yard setback requirement in an R-2 (one family residence) district.

Applicant:
Amelia Martens

Location:
2843 40th Avenue

Request:
The request is for a variance of 3 feet of the 6 foot side yard setback requirement in an R-2 (one family residence) district.

Size of Property:
The property measures 75' x 103' (7,725) square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. The neighborhood is primarily a single family residential area, zoned R-2.

Topography:
The site slopes up one to two feet above street level.

Affected Requirements:
The zoning ordinance requires a minimum side yard setback of 6 feet in an R-2 district (Section 15.5). The applicant proposes to construct an attached garage addition (5' x 30.5') in the west side yard. The applicant proposes construct an attached garage addition (5' x 30.5') onto the existing attached garage in the west side yard in order to create a two car attached garage space expanding the existing one car attached garage.

Conditions to Authorize Variance:
1. Reasonable Return: The variance will provide a two car attached garage that will improve
the return on the property
2. Unique Circumstances: None.
3. Character Alteration: The variance will not alter the character of the neighborhood.

Comments:
The addition is proposed in order to expand the one car attached garage into a two car attached garage. The addition will extend the proposed garage to within three feet of the property line. The property to the west (2835 40th Avenue) also received a three foot side yard variance for an attached garage in 1987. That neighboring garage is set back approximately 20 feet from the front of that house, so there is only about a 10 foot area that would be located adjacent to the proposed addition on the subject property. The proposed garage will be located 6 feet from the neighbor’s garage, which meets zoning separation requirements.

Recommendation:
That the variance be approved because it will improve the return and security on the property and it will not alter the character of the neighborhood.
BOARD OF ZONING APPEALS

39TH AVENUE

CTS-IL LLC
TIMOTHY HILDEBRANT
MARK WALLARAB

JONATHAN D HARRIS
DAVID/ SUZANNE GILLMORE
JOHN P BAINTER
BEVERLY MCANINCH

Proposed 2-Car Garage Expansion
1-Car Garage
Driveway
House

Note: The information presented is not survey accurate and is for illustrative purposes only.

City of Rock Island
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

Rock Island Illinois