Rock Island Board of Zoning Appeals Agenda
City Council Chambers
1528 3rd Avenue
July 10, 2019
5:30 PM

1. Call to Order and Roll Call

   Kevin Day, Dave McAdam, Donald Mewes, Nicole Finnie, Bill Sowards, Jeffrey Wright, Gary Snyder

2. Public Comment

3. Opening Items

   A. Approval of the Written Agenda for July 10, 2019
      Recommended Motion: Move to approve the written agenda for July 10, 2019.
   B. Approval of the June 12, 2019 Meeting Minutes
      Recommended Motion: Move to approve the meeting minutes for June 12, 2019.

4. Procedural Explanation

5. Old Business

   None

6. New Business

   Public Hearing #2019-13: Word of Life Christian Center request for a special exception to approve an expansion of an authorized use, a variance 3 three feet of the 6 foot separation requirement between a principal structure and an accessory structure and a variance of 2 foot of the 20 foot setback requirement for a structure associated with a church that is adjacent to residential zoning located in an R-3 (one and two family residence) district at 1804 7th Avenue. Recommended Motion: Move to approve.

   Public Hearing #2019-14: Kurt and Margaret Davis request for a variance of 21 feet of the 35 foot rear yard setback requirement in an R-1 (one family residence)O district at 34 Woodley Road. Recommended Motion: Move to approve.

7. Other Business

8. Adjournment

   Recommended Motion: Move to adjourn.
MINUTES OF THE
ROCK ISLAND BOARD OF ZONING APPEALS

Regular Meeting 5:30 p.m. June 12, 2019

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

Staff Present: Alan Fries.

Chairman Snyder called the meeting to order at 7:00 p.m.

General Public Comments – Chairman Snyder asked for any general public comments. There being none, he continued the meeting.

Approval of Minutes – Mr. Mewes a motion to approve the Minutes of the May 8, 2019 regular meeting. Mr. Day seconded the motion, and it passed unanimously.

Procedural Explanation – Chairman Snyder explained the procedure to be followed for the public hearing.

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

Mr. Fries presented the staff report. He explained that 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.

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.

Chairman Snyder called for proponents.

Amelia Martens, 2843 40th Avenue, was sworn in. She said she is requesting the variance to add a second stall to her attached one car garage.
Dave Griffin, 3604 46th Avenue, was sworn in. He said he is the contractor working on the proposed 5 foot garage expansion. He said the overhang on the addition towards the neighboring property will only be 1 and one-half feet, so it will maintain the proper separation from the neighbor’s garage.

Chairman Snyder asked if there would be enough room to maintain the proposed garage addition if the neighbor put up a fence on their property. Mr. Griffin replied there would be three feet, which in his opinion would be adequate room.

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

**Decision Case #2019-13** – Mr. Mewes made a motion to approve the request because:

1. Reasonable Return: The variance will provide a two car attached garage that will improve the return on the property.
2. Unique Circumstances: There is no unique circumstance.
3. Character Alteration: The variance will not alter the character of the neighborhood.

Mr. Sowards seconded the motion, and it passed unanimously (Mewes, Sowards, Day, Wright and Snyder).

**Other Business:**
Mr. Fries said there are currently two cases for the July 10th regular meeting.

**Adjournment:**
Chairman Snyder adjourned the meeting at 5:50 p.m.

Respectfully submitted,

Alan Fries
Acting Secretary, Rock Island Board of Zoning Appeals
Memorandum
Community and Economic Development Department

To: Board of Zoning Appeals
Subject: Case #2019-14-Request for special exception and variances
For proposed garage for an authorized church use in an R-3 (one and two family residence) district at 1804 7th Avenue

Date: June 24, 2019

Applicant:
Word of Life Christian Center

Location:
1804 7th Avenue

Request:
The request is for a special exception to approve expansion of an authorized use, a variance of 6 feet of the 6 foot separation between structures and a variance of 2 feet of the 20 foot setback for buildings associated with a church from adjacent residential zoning districts the property is located in an R-3 (one and two family residence) district.

Size of Property:
The property measures 130’ x 400.75’ (approximately 52,097 square feet).

Zoning History:
Board of Zoning Appeals Case #2008-31- The Board approved a lighted freestanding sign (5’ x 6’) to be located in the north front yard.

Existing Land Use and Zoning:
The site is occupied by a church. To the north is an office building and adjacent parking lots, zoned B-3. The neighborhood to the east, west and south is primarily a one and two family residential area, zoned R-3.

Topography:
The site slopes up 4 to 5 feet above street level.

Affected Requirements:
The zoning ordinance requires Board approval to expand an authorized church use, a minimum setback of 20 feet for all buildings associated with a church from an adjacent residential zoning district (Section 16.3) and a 6 foot separation between a principal building and an accessory building (Section 8.5A). The applicant proposes to construct a detached garage (24’ x 30’ and 15 feet in height) in the east side yard.

Conditions to Authorize Variance:
1. Reasonable Return: The special exception and variances will provide a three car garage that will allow indoor storage for church vehicles and equipment.
2. Unique Circumstances: The property is a corner lot with two front yards.
3. Character Alteration: The special exception and variances will not alter the character of the neighborhood.
Comments:
The applicant located a concrete slab foundation several years ago in preparation for the proposed garage to be constructed when additional church funding was available. The standard detached garage will have access doors directed to the south parking lot and will meet the 15 foot height requirement for accessory buildings. There is an existing small stair access addition on the south side of the church structure that will be three feet from the north façade of the proposed garage. A variance is requested for this separation and the church’s building contractor is aware of construction fire separation requirements in the Building Code that will be necessary if the variance is approved. The 20 separation is required for all buildings associated with a church in an R-3 zoning district and the two foot variance from this setback is minimal.

Recommendation:
That the special exception and variances be approved because it will provide a garage for church vehicles and equipment, the lot is a corner lot with two front yards and it will not alter the character of the neighborhood.

Submitted by: Alan Fries
Urban Planner II

Approved by: Miles Brainard, Planning and Redevelopment Administrator
Note: The information presented is not survey accurate and is for illustrative purposes only.
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**Items Selected:**
- Gable roof w/ 4/12 pitch, Standard Trusses 2’ O.C.
- Truss Design Location Zip Code: 61201
- 2x4 Wall Framing Material
- 30’ Wide X 24’ Deep X 10’ High
- Vinyl Double 4” Lap Siding
  - White
- 7/16” OSB Wall Sheathing
- Tygrap Housewrap
- 12” gable/12” eave overhangs
- 1/2” OSB Roof Sheathing
- Castlebrook, Pewter Shingles
- O.C. Ventsure Ridge Vent
- White Aluminum Soffit & Fascia
- White Premium Roof Edge
- 2 - Garage Door Opener

**Options Selected:**
- The options you have selected are:
  - Deck Defense Synthetic Underlayment
  - 2 Rows Granular Ice & Water Barrier
  - 2 - 36x24 Window - White Vinyl Slider
  - 2 - 10x8 Overhead Door - Non-Insulated Ribbed
  - 1 - 36x80 Service Door - CM1 6-Panel Steel RS

**Estimated price:** $7,403.51*

*Today’s estimated price, future pricing may go up or down.
*Tax, labor, and delivery not included.

*** Take this sheet to the Building Materials counter to purchase your materials. ***

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN.

All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality.

Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE, THAT THE MATERIALS LISTED HEREIN ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.
Here are the wall configurations for your design.

Illustration May Not Depict All Options Selected

Gable Front View
(1) - PREHUNG STE PH36RHSTEE CM-1 6-PANEL STEEL DOOR

Gable Back View
(2) - IDEAL RIBBED M5EST 10X8 EZ-SET WHITE M5EST NONINS

Eave Front View
(1) - SLIDER (GOOD) 36X24

Eave Back View
(1) - SLIDER (GOOD) 36X24

Building Size: 30 feet wide X 24 feet long X 10 feet high
Approximate Peak Height: 15 feet 4 inches (184 inches)
NOTE: Overhead doors may need to be "Wind Code Rated" depending on your building location.
Confirm the door requirements with your local zoning official before construction.

Menards-provided material estimates are intended as a general construction aid and have been calculated using typical construction methods. Because of the wide variability in codes and site restrictions, all final plans and material lists must be verified with your local zoning office. Menards is a supplier of construction materials and does not assume liability for design, engineering or the completeness of any material lists provided. Underground electrical, phone and gas lines should be located and marked before your building plans are finalized. Remember to use safety equipment including dust masks and sight and hearing protection during construction to ensure a positive building experience.
Memorandum
Community and Economic Development Department
To: Board of Zoning Appeals
Subject: Case #2019-15-Request for variance from the rear yard setback requirements for a proposed deck in an R-1 (one family residence) district at 34 Woodley Road.

Date: June 24, 2019

Applicant: Kurt and Margaret Davis

Location: 34 Woodley Road

Request: The request is for a variance of 21 feet of the 35 foot rear yard setback requirement in an R-1 (one family residence) district.

Size of Property: The property measures 97’ x 52’ 116’ 50’ x 155’ (approximately 24,128 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-1.

Topography: The site slopes down approximately 8 feet in the west rear yard.

Affected Requirements: The zoning ordinance requires a 35 foot rear yard setback in a rear yard of an R-1 zoned property (Section 14.6). The applicant proposes to construct an attached open deck (15’ x 29’) in the west rear yard.

Conditions to Authorize Variance:
1. Reasonable Return: The variance will improve the return of the property.
2. Unique Circumstances: The property is an odd shaped lot with a smaller ravine rear yard.
3. Character Alteration: The variance will not alter the character of the neighborhood.
Comments:
The applicant will remove an existing sunroom (10' 8" x 21' 10") and replace it with an open deck (15' x 29'), which they indicate will provide them with better use and access to their rear yard. The existing sunroom is located 17 feet from the rear yard property line and the proposed open deck will be three feet closer (14') from the rear property line. The open deck will make less of an impact on adjacent property owners because of its less bulk and height than the existing sunroom.

Recommendation:
That the variance be approved because it will improve the return on the property, the property is an odd shaped lot with a smaller ravine rear yard and it will not alter the character of the neighborhood.

Submitted by:       Alan Fries
                    Urban Planner II

Approved by:       Miles Brainard, Planning and Redevelopment Administrator