

**MINUTES OF THE  
ROCK ISLAND BOARD OF ZONING APPEALS**

**Regular Meeting**

**5:30 p.m.**

**August 12, 2020**

ATTENDANCE:	(x) Present	( ) Absent
(x) Kevin Day		(x) Tionn Fambro Carter
(x) Donald Mewes		( ) Nicole Parker
(x ) Gary Snyder		( ) Bill Sowards
(x) Tanja Whitten		

Staff Present: Alan Fries.

Vice Chairman Day called the meeting to order at 5:30 p.m.

**General Public Comments** – There was no one present to make any general public comments. The meeting continued.

**Approval of Written Agenda** – Mr. Mewes made a motion to approve the written agenda for the meeting. Mr. Whitten seconded the motion, and it passed unanimously.

**Approval of Minutes** – Mr. Mewes made a motion to approve the Minutes of the March February 12, 2020 regular meeting. Ms. Whitten seconded the motion, and it passed unanimously.

**Procedural Explanation** – Vice Chairman Day explained the procedure to be followed for the public hearing.

**Public Hearing #2020-7:** The applicant, Lindbloom Properties asking for a variance for 1227 35<sup>th</sup> Street, has requested the public hearing be tabled because a representative of the company has been called out of town and cannot be present tonight.

Mr. Fries said staff recommends that the request be tabled until the September 9<sup>th</sup> regular meeting.

Mr. Mewes made a motion to table the request until the September 9<sup>th</sup> regular meeting. Ms. Fambro Carter seconded the motion, and it passes unanimously.

Chairman Snyder entered the meeting.

**Public Hearing #2020-8:** The applicant, Julio Guevara, requests a variance to allow a Portable Outdoor Storage Unit to permanently remain in the north side yard, a variance of 5’7” of the 6’ separation between the storage unit and the principal building and a variance of 3’ 9” of the 5’ setback requirement from a property line in a B-3 (community business) district at 639 17<sup>th</sup> Street, zoned B-3 (community business) district.

Mr. Fries presented the staff report. He said the City has received statements of concerns about drainage and close proximity from Robert Lohmeier who owns 633 17<sup>th</sup> Street. Mr. Fries further explained that the

zoning ordinance requires that Portable Outdoor Storage Units only be allowed in business zoning districts for 90 days per calendar year, that there be a 6 foot separation between the storage unit and any structure on the subject property, and a 5 foot setback from all property lines. (Section 8.14 [I] [2]). The applicant proposes to maintain the existing storage unit on the property.

The City received a complaint regarding the location of the 20' x 8' x 8' storage unit and following investigation it was determined that it was in violation of zoning regulations. After contacting the owner of the property and business the applicant decided to submit a variance request to the Board.

The business recently expanded the structure with a building addition on the east end of the alley. The City required that a former shed on the north side be removed so the property would meet the north rear yard setback allowing the addition to extend all the way to the east property line. The loss of the shed has appeared to the need to locating the storage unit on the site. The applicant indicates that the storage unit is used to store products and merchandise. Staff believes that maintaining the storage unit at that location will have a negative effect on the property to the north due to its close proximity to the property line.

Chairman Snyder called for the applicant.

Julio Guevara, business owner of 639 17<sup>th</sup> Street, was sworn in. He said there is limited space on the site for storage and that he wants to stay in Rock Island and grow his business here.

Mr. Day asked that once the new building addition was completed was it being used for storage. Mr. Guevara replied that it is being used for additional indoor repair space and he has to the storage unit for old tires from repaired vehicles and other equipment.

Chairman Snyder asked him how full is the storage unit. Mr. Guevara replied that it is about  $\frac{3}{4}$  full.

Chairman Snyder then asked who told him he could locate the storage unit at its current location. Mr. Guevara replied the construction contractor who worked on the addition. Chair Snyder said it would have been better to talk to the City about location of the storage unit.

Chairman Snyder said one option is that the Board grant a 6 month temporary use to give Mr. Guevara time to determine what he can do to find additional storage options.

Ms. Whitten said he could possibly build a shed or locate the storage unit to another site across the alley.

Mr. Fries said the City owns a partial area of a parking lot across the alley that the main sections

of the lot are owned by AT & T. He said if the City conveys the City lot it would make a segment of the AT & T lot useable to them s the property line splits the parking aisle and some parking spaces.

Mr. Day asked to hear from Mr. Robert Lohmeier. He said the rain water flowing from the alley cannot flow to the west because the storage unit blocks that water and may come into the foundation of his building to the north of the site. He said his building is for sale he has concerns over a potential safety issue facing his building that incase of fire that the storage unit blocks any movement to the south.

Chairman Snyder asked if Mr. Guevara had any comments for Mr. Lohmeier. Mr. Guevara said he does not have any comments.

There being no questions, and as no one else wished to speak, the public hearing was closed.

**Decision Case #2020-08** – Mr. Days made a motion to table the request until the September 9<sup>th</sup> regular Board meeting to come back to the Board with a plan that has options of relocating the storage unit to some other location and/or property.

Mr. Mewes seconded the motion, and it passed unanimously (Mewes, Whitten, Fambro Carter, Day and Snyder).

**Adjournment:**

Chairman Snyder adjourned the meeting at 6:35 p.m.

Respectfully submitted,

Alan Fries  
Acting Secretary, Rock Island Board of Zoning Appeals