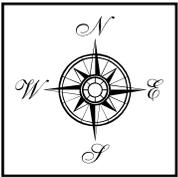




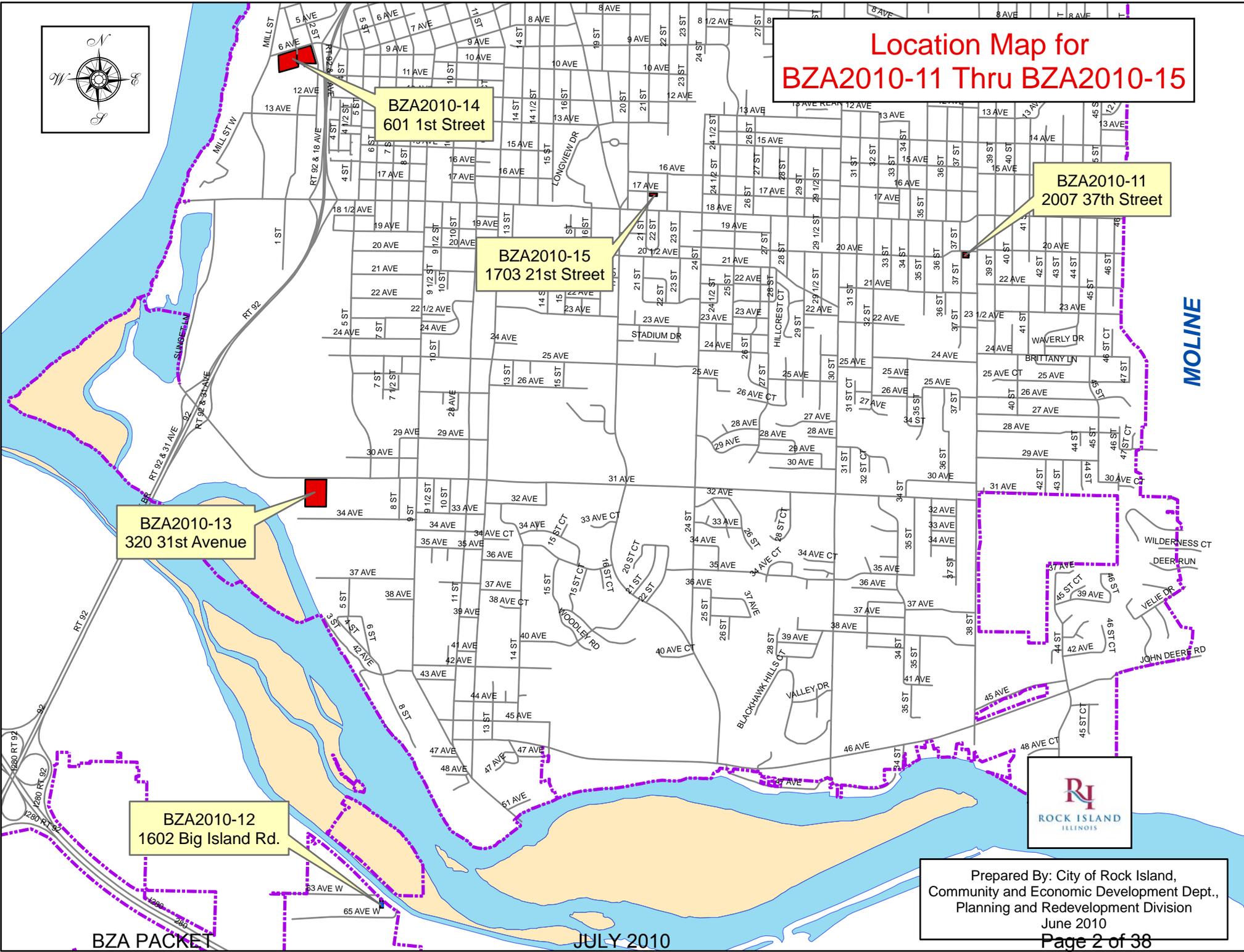
**Rock Island Board of Zoning Appeals Regular Meeting Agenda
July 14, 2010, 7:00 P.M.**

1. Roll Call
2. Approval of the minutes of the regular meeting of June 9, 2010
3. Procedural Explanation
4. **Public Hearing #2010-11:** Adam Swank requests a variance of 2.5 feet of the 3.5-foot maximum fence height in a front yard and a variance of eight feet of the 25-foot setback from point of intersection for a fence at a corner of a street and an avenue in a R-2 (one family residence) district. The applicant proposes a six-foot tall privacy fence in the north and west front yards at 2007 37th Street, Rock Island, Illinois.
5. **Public Hearing #2010-12:** Scott Showalter requests a variance of three feet of the three-foot setback for an accessory structure in a rear yard in an R-2 (one family residence) district. The applicant proposes to remove an existing one-car detached garage and construct a new two-car detached garage in the south rear yard at 1602 Big Island Parkway, Rock Island, Illinois.
6. **Public Hearing #2010-13:** The Electric Guard Dog requests a variance to allow an electric fence in an I-1 (light industrial) district. The applicant proposes to erect a ten-foot tall electric fence inside the existing six-foot tall chain link fence that surrounds the perimeter of the property at 320 31st Avenue, Rock Island, Illinois. (Old Dominion Freight Line)
7. **Public Hearing #2010-14:** City of Rock Island requests a variance from the requirement that the lowest floor for new and existing buildings undergoing substantial improvements have a lowest floor elevation with two feet of freeboard above the base flood elevation. The request consists of two elements: 1) that the existing building will not have a lowest floor elevation because it will meet the ordinance requirement of being used “solely for parking of vehicles, building access or storage in an area other than a basement area”, and 2) To allow a variance of one foot of the two-foot requirement for elevation above the base flood elevation for new construction in a I-2 (general industrial) district. The applicant proposes to renovate the existing 23,725 square foot accessory storage building for vehicle and bulk material storage, construct a new 25,800 square foot vehicle storage garage and 4,800 square foot office building and construct a 2,625 square foot truck wash facility on the site at 601 1st Street, Rock Island, Illinois.
8. **Public Hearing #2010-15:** Steve and Jaime Bramer request a variance of 1.5 feet of the 3.5-foot 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 a corner of an alley and an avenue in a R-2 (one family residence) district. The applicants propose to replace an existing four-foot tall picket fence with a five-foot tall picket fence at approximately the same location in the north front yard at 1703 21st Street, Rock Island, Illinois.
9. Other Business
10. Adjournment

An ordinary Fourth of July sparkler burns at a temperature of more than 1000° Celsius!



Location Map for BZA2010-11 Thru BZA2010-15



BZA2010-13
320 31st Avenue

BZA2010-14
601 1st Street

BZA2010-15
1703 21st Street

BZA2010-11
2007 37th Street

BZA2010-12
1602 Big Island Rd.



Prepared By: City of Rock Island,
Community and Economic Development Dept.,
Planning and Redevelopment Division
June 2010
Page 2 of 38

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

Regular Meeting

7:00 p.m.

June 9, 2010

ATTENDANCE:	(x) Present	() Absent
() Mike Healea		(x) Karen Williams
(x) Dave McAdam		(x) Larry Tschappat
(x) Gary Snyder		() Robert Wild
(x) Faye Jalloh		

Staff Present: Alan Carmen, Alan Fries

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

Approval of Minutes –Mr. Snyder made a motion to approve the Minutes of the May 12, 2010 meeting. Mr. McAdam seconded the motion, and it passed unanimously.

Procedural Explanation - Chairman Tschappat explained the procedure to be followed for the public hearing.

Public Hearing #2010-9 - Request from Immanuel Lutheran School for a special exception to expand an authorized use and a variance to allow a second sign for a church/school in an R-2 (one family residence) district at 3300 24th Street.

Mr. Fries presented the staff report. He explained that the Zoning Ordinance requires Board approval to expand an authorized use (Section 15.3) and the sign ordinance requires only one sign per property for a church/school use (Section 5[a] [7]). The applicant proposes to construct an attached church sanctuary addition in the north side yard and 72 additional parking lot spaces in the north side yard and west rear yard and also install an attached unlighted sign (approximately 4' x 8') on the east side of the proposed church building.

The church is seeking to construct a permanent location for its congregation at the Lutheran school facility. The sanctuary will seat approximately 293 people and will be located off the north end of the existing school structure (see site plan). The addition will have a 32 foot long “connection” extension with a vestibule, an entrance to the west and storage, restroom and mechanical areas. The sanctuary addition will then further extend 51 feet to the north and approximately 87 feet to the east (see building elevation). The proposed addition will be located approximately 400 feet from the north property line and 500 feet from the east property line. The brick facing on the addition will match well with the existing school structure and will not alter the character of the neighborhood.

The applicant will also improve and expand the existing parking lot. Seventy-two additional parking spaces will be added in the north side yard and west rear yard. Two new lights will also be added to the north side parking area. Total parking on the site for the school and church will be 125 spaces. The school and church will not have full capacity activities at the same time (school operates Monday through Friday, while church services will be Sunday mornings).

The Zoning Ordinance requires one parking space for every four seats in a sanctuary. The ordinance requires 73 parking spaces for a sanctuary with 293 seats. The site plan meets the parking requirements for the proposed use expansion.

Chairman Tschappat called for proponents.

Paul Soyke, 9 Timber Ridge Drive in Coal Valley, was sworn in. He said that the proposed sign would be unlighted individual letters attached to the church addition. He said that this would better identify the church building from the school area. He added that the only other sign on the property is a freestanding sign close to 24th Street.

Chairman Tschappat asked if the whole church congregation will be moving their services to the new addition. Mr. Soyke replied that it would.

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

Decision Case #2010-9 – Ms. Williams a motion to approve the request because:

1. There is adequate parking for the proposed expanded use.
2. The expanded use will not alter the character of the neighborhood.

Ms. Jalloh seconded the motion, and it passed unanimously.

Public Hearing #2010-10 - Request from Ralph Marquis and Linda Nonnenmann for a special exception to substitute one non-conforming use for another in an R-3 (one and two family residence) district at 4334 14th Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires Board approval to substitute one nonconforming use for another (section 5.12). The applicant proposes to substitute a three chair hair salon for a dentist office.

The property has a long history of non-residential use, but has been vacant for over a year. The proposed three chair hair salon is similar to the service type of use that is the recent history of the property. There are approximately seven improved parking spaces on the property and it has access to 14th Avenue and 44th Street.

He said that the applicant also desires to replace the two existing approximate 15 square foot attached signs on the north and east façade of the building. The applicant proposes two unlighted attached signs (an approximate 3' x 5' sign on the east façade and a 3' x 10' sign on the north façade).

Chairman Tschappat called for proponents.

Ralph Marquis, 2033 34th Street, was sworn in. He said that he does not have a drawing of his proposed signs because his sign maker put the wrong business name on the drawings, but he believes that the proposed dimensions for the two signs will fit the building well. He said the flat attached signs will not be lighted and will identify the business name.

Chairman Tschappat asked if the Board could consider the sign request with the special exception since there was not information provided to the Board prior to the meeting. Mr. Carmen replied that since there have been two similar attached sign son the building the Board has the discretion to approve the two proposed attached signs.

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

Decision Case #2010-10 – Mr. McAdam made a motion to approve the request because:

1. There is adequate parking for the proposed use.
2. The proposed use will not alter the character of the neighborhood.

He added the stipulation that the two attached unlighted signs allowed will be a 3' x 10' fascia sign on the north façade and a 3' x 5' fascia sign on the east facade.

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

Other Business- Election of Officers:

Gary Snyder was nominated to be Chairman, and since there were no other nominations, he was approved by acclamation by Board members.

Karen Williams was nominated to continue as Vice Chair, and since there were no other nominations, she was approved by acclamation by Board members.

Mr. Carmen thanked outgoing Chairman Tschappat for all his years of service to the Board as chairman. He also reminded the Board of the opening ceremonies of Schwiebert Riverfront Park on July 3, 2010.

Chairman Tschappat adjourned the meeting at 7:35 p.m.

Respectfully Submitted,

Alan M. Carmen, Secretary
Rock Island Board of Zoning Appeals

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 28, 2010

SUBJECT: Case #2010-11- Request for a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard and a variance of eight feet of the 25 foot setback from point of intersection for a fence at a corner of a street and an avenue in an R-2 (one family residence) district.

Applicant:
Adam Swank

Location:
2007 37th Street

Request:
To allow a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard and a variance of eight feet of the 25 foot setback from point of intersection for a fence at a corner of a street and an avenue in an R-2 (one family residence) district.

Size of Property:
The property measures 100' x 119' (11,900 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 is flat and slightly above street level.

Affected Requirements:
The zoning ordinance requires that fences in a front yard have a maximum height of only 3.5 feet and a setback of 25 feet from point of intersection of a street to an avenue (Section 8.12). The applicant proposes to erect a six foot tall privacy fence in the north and west front yards.

Conditions to Authorize Variance:

1. Reasonable Return: That a variance from the setback from point of intersection for a 3.5 foot tall privacy fence will improve the return on the property.
2. Unique Circumstances: The lot is a corner lot with two front yards.
3. Character Alteration: That a variance from the setback from point of intersection for a 3.5 foot tall privacy fence will not alter the character of the neighborhood.

Comments:

The applicant has a double lot with his residence located on the southerly one-half of the property. The applicant indicates that he desires to have better privacy for his family and two dogs that he lets out from time to time and explains that children walking in the area have bothered the dogs. He indicates that a shorter fence would not provide adequate privacy and/or security.

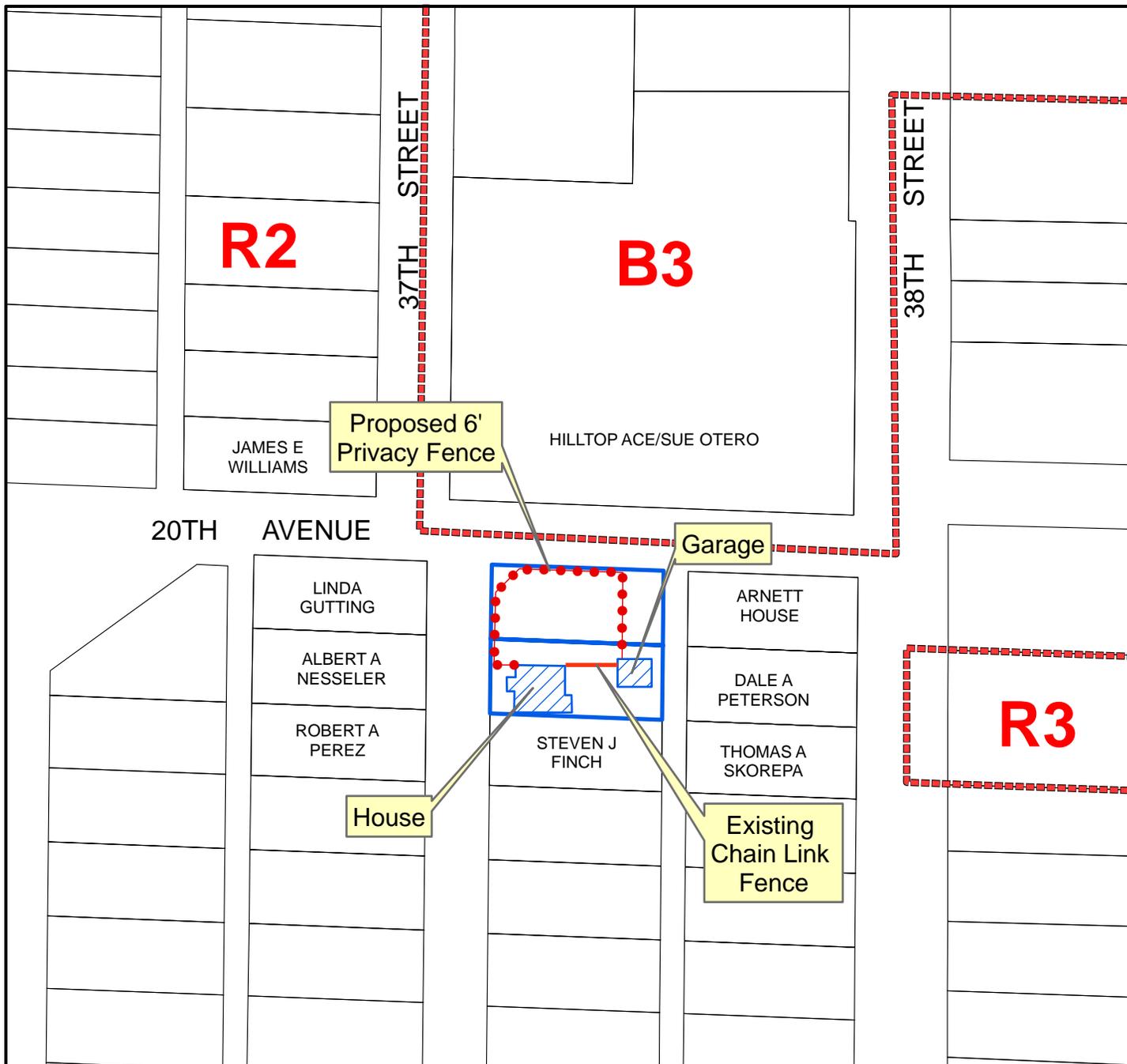
Staff contacted the City Engineer and asked him to make an assessment of the variance request. His analysis resulted in a recommendation that the Board deny the variance for the six foot tall fence because it would have a negative effect on visibility at the intersection. He also indicated that a shorter 3.5 foot tall privacy fence would make significantly less negative impact on visibility at the intersection. Staff concurs with the City Engineer's assessment and believes that a 3.5 foot fence with the requested setback variance would still provide some visual privacy for the applicant's family and pets.

Recommendation:

That the request as proposed be denied because it would create a visibility problem at the intersection and will alter the character of the neighborhood.

Staff further recommends that a variance of eight feet of the 25 foot setback from point of intersection for a 3.5 foot tall privacy fence be approved because it will improve the return on the property, the lot is a corner lot with two front yards and it will not alter the character of the neighborhood.

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS
2010-11

Legend

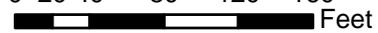
- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: A.M.C./A.F.



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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



ROCK ISLAND
ILLINOIS

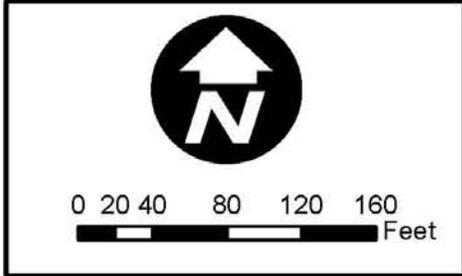
BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-11 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.
APPR. BY: A.M.C./A.F.



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



The logo for Rock Island, Illinois, featuring the letters 'RI' in a stylized font above the words 'ROCK ISLAND ILLINOIS'.



REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 28, 2010

SUBJECT: Case #2010-12- Request for a variance of three feet of the three foot setback for an accessory structure in a rear yard in an R-2 (one family residence) district.

Applicant:
Scott Showalter

Location:
1602 Big Island Parkway

Request:
To allow a variance of three feet of the three foot setback for an accessory structure in a rear yard in an R-2 (one family residence) district.

Size of Property:
The property measures 75.6' x 124.8' x 56.6' x 180' (approximately 8,626 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. To the east, west and south are single family residences, zoned R-2. To the north is the Hennepin Canal and an undeveloped property, zoned R-2.

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

Affected Requirements:
The zoning ordinance requires a three foot minimum setback for accessory structures in a rear yard of a residential zoning district (Section 8.5A). The applicant proposes to remove an existing one car detached garage and construct a new two car detached garage in the south rear yard.

Conditions to Authorize Variance:
1. Reasonable Return: A variance of two feet of the three foot setback will improve the return on the property.

2. Unique Circumstances: There is a septic field to the south of the proposed garage location limiting moving construction any further south on the site.
3. Character Alteration: A variance of two feet of the three foot setback will not alter the character of the neighborhood.

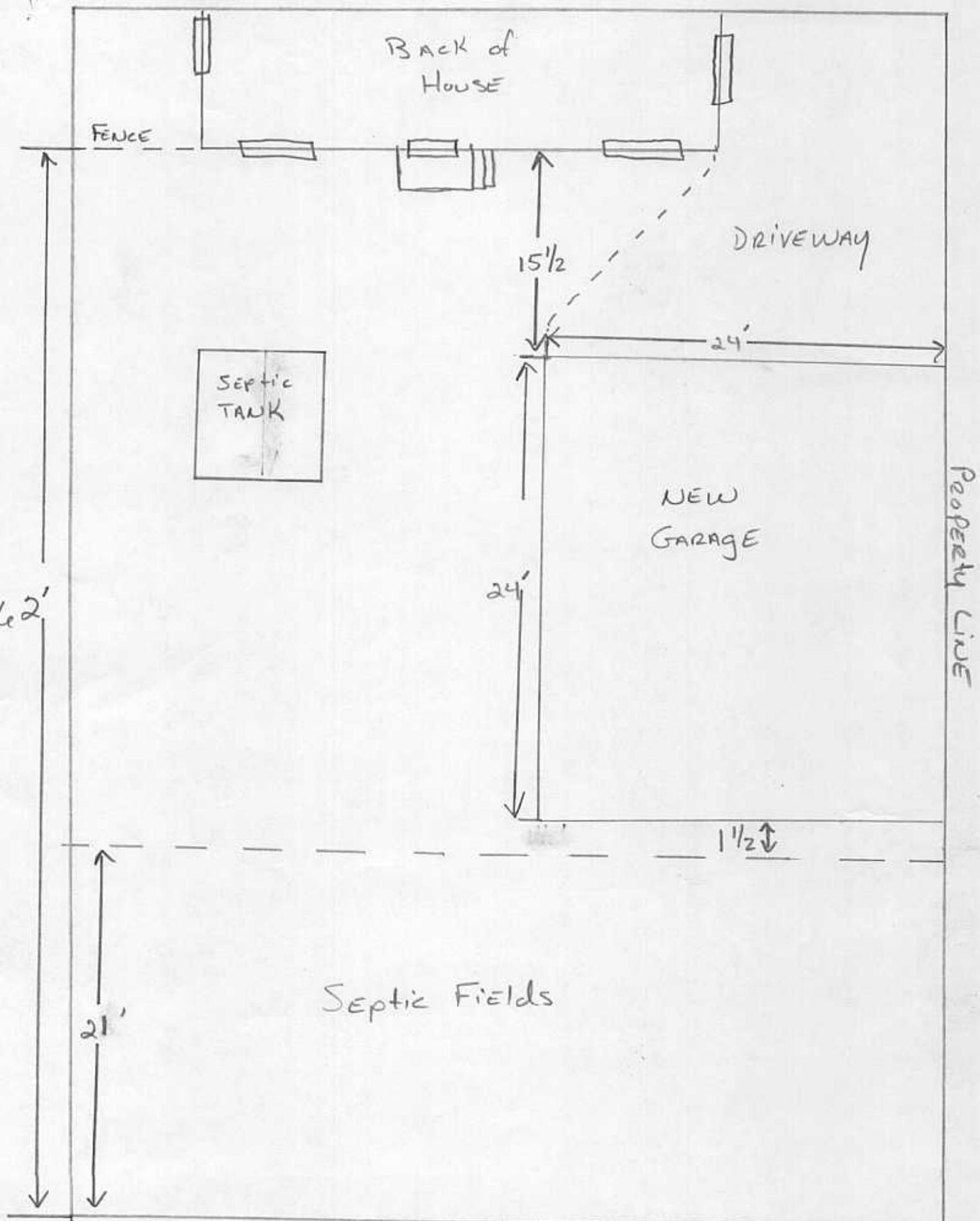
Comments:

The applicant will remove the existing one car detached garage and construct a proposed 24' x 24' detached garage at approximately the same location. The existing garage was constructed up to the east property line and the applicant desires to locate the new garage also up to the east property line. The applicant indicates that he cannot construct the proposed garage any further to the south due to a septic field located on the site. There is only a distance of 15.5 feet from the rear exterior wall of the house to the north wall of the proposed garage. The applicant also indicates that the variance is needed because of the space needed in order to turn a vehicle from the driveway into the westerly bay of the proposed two car garage.

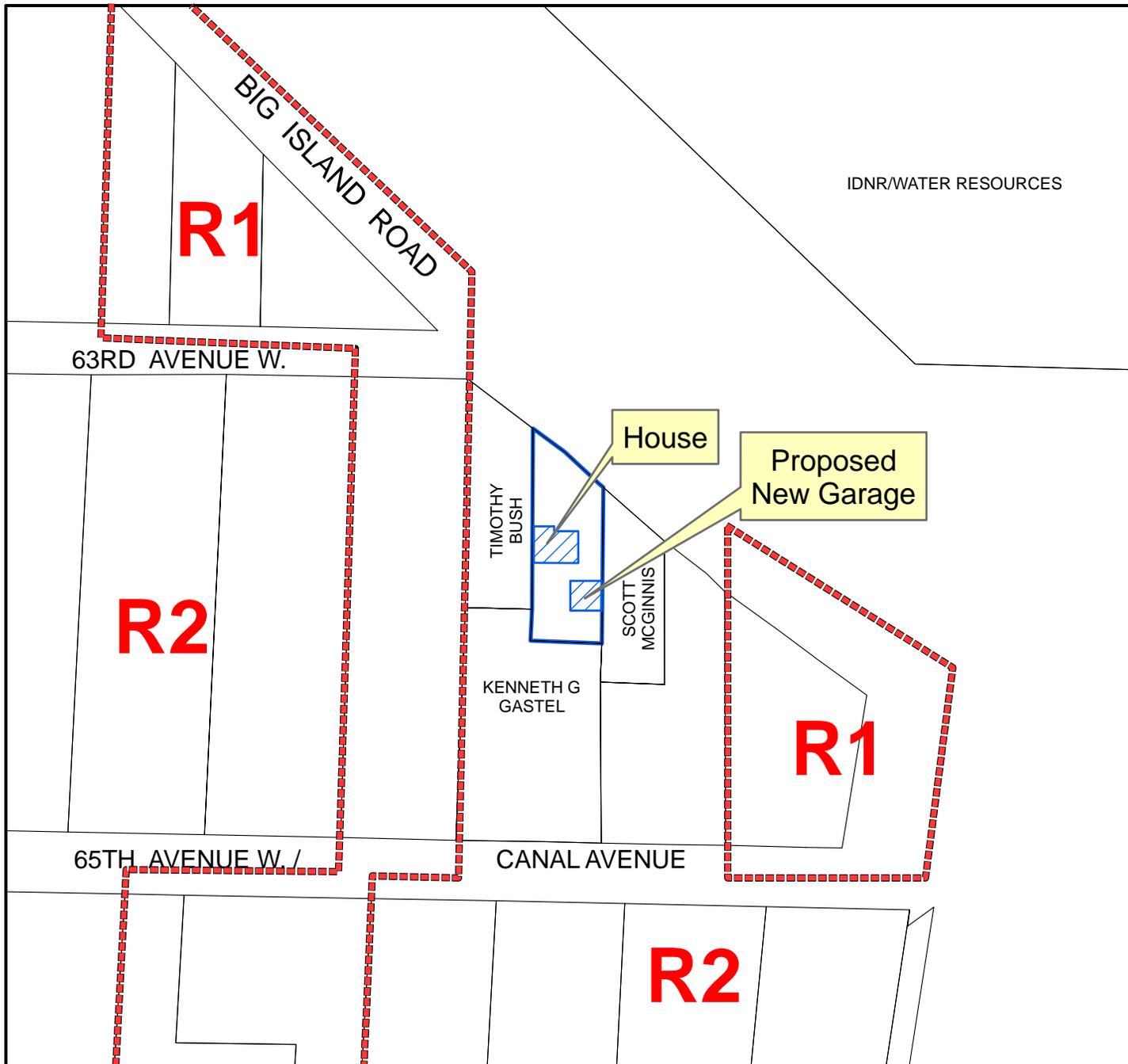
Recommendation:

That the variance of three feet of the three foot setback be denied because there would not be enough room to maintain the exterior wall of the garage, the roof overhang would extend over the property line and it will alter the character of the neighborhood.

Staff further recommends that a variance of two feet of the three foot setback be approved because it will improve the return on the property, there is a septic field to the south of the proposed garage location limiting moving construction any further south on the site and will not alter the character of the neighborhood.



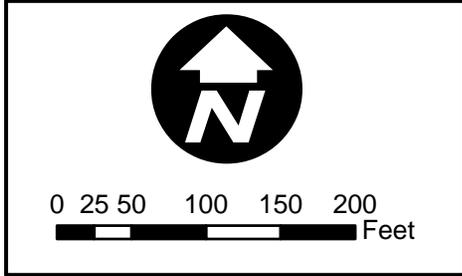
BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-12 Legend

- Parcels
- Subject Property

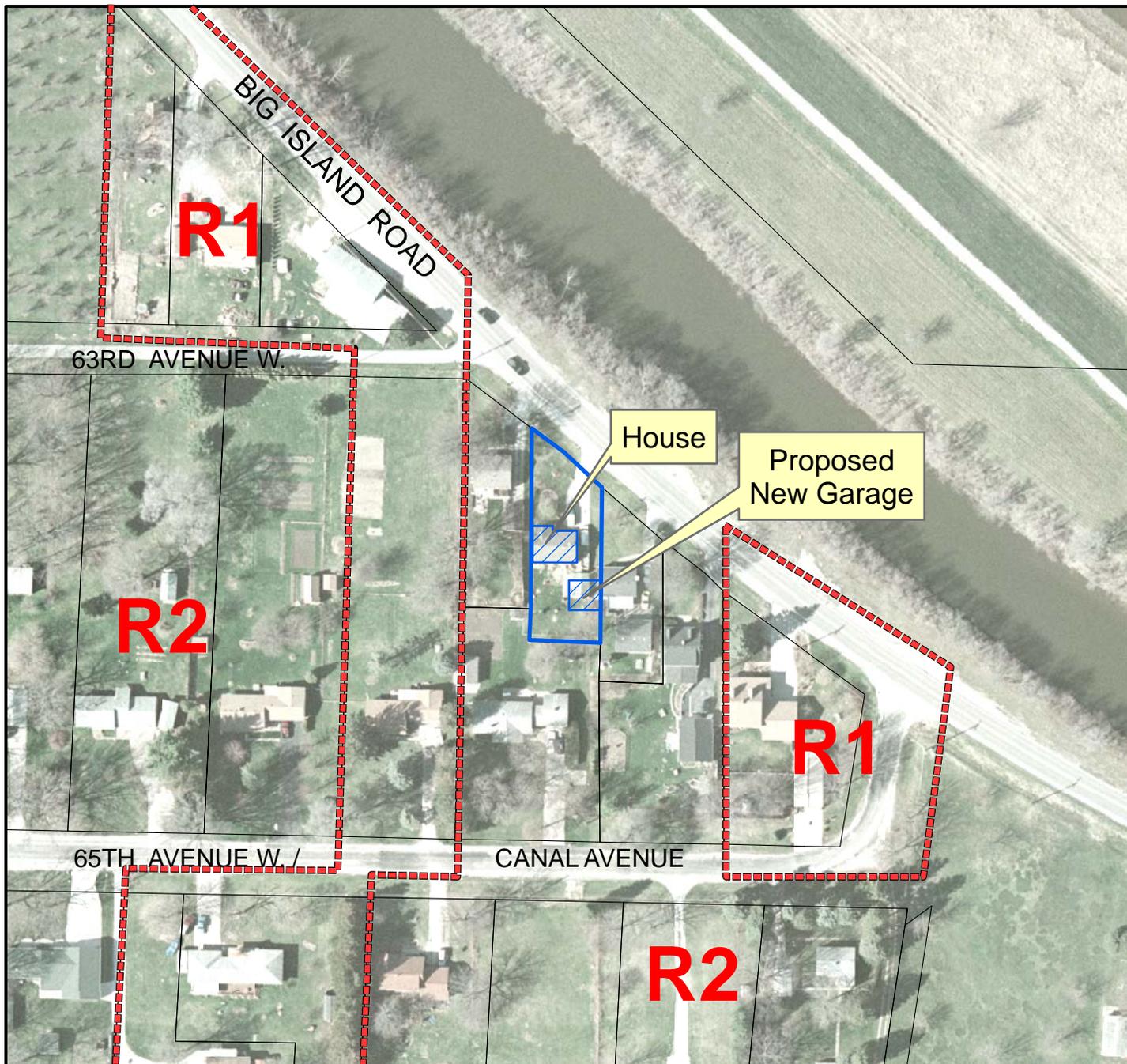
DR. BY: *K.G.D.*
 APPR. BY: *A.M.C./A.F.*



City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-12 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.

APPR. BY: A.M.C./A.F.



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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 28, 2010

SUBJECT: Case #2010-13- Request for a variance to allow an electric fence in an I-1 (light industrial) district.

Applicant:

The Electric Guard Dog (Cindy Vaughan and Michael Pate)

Location:

320 31st Avenue

Request:

To allow a variance to locate an electric fence in an I-1 (light industrial).

Size of Property:

The property measures 200' x 534.35' (106,870 square feet).

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a trucking facility. The neighborhood is primarily an industrial area, zoned I-1 and I-2.

Topography:

The site is flat and slightly above street level.

Affected Requirements:

The zoning ordinance requires that electric fences are only allowed in Agricultural or Suburban Estates 1 zoning districts (Section 8.12J). The applicant proposes to erect a ten foot tall electric fence inside the existing chain link fence that surrounds the perimeter of the property.

Conditions to Authorize Variance:

1. Reasonable Return: The proposed fence will improve the return on the property by providing better security.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The applicant desires the electric fence to provide better security for the Old Dominion Truck Lines facility, which is a national truck line that has been installing electric fences throughout its facilities nationwide. A local representative will be at the meeting presenting the need for the electric fence based on types of problems that have occurred locally on the site. The proposed fence will be set in approximately three to six inches inside the property from the existing seven foot tall chain link fence (with barb wire on top) on the site. The gate will remain on the existing fence and the proposed electric fence will be tied into the gate. When the gate is opened each day the electric fence will not be in operation.

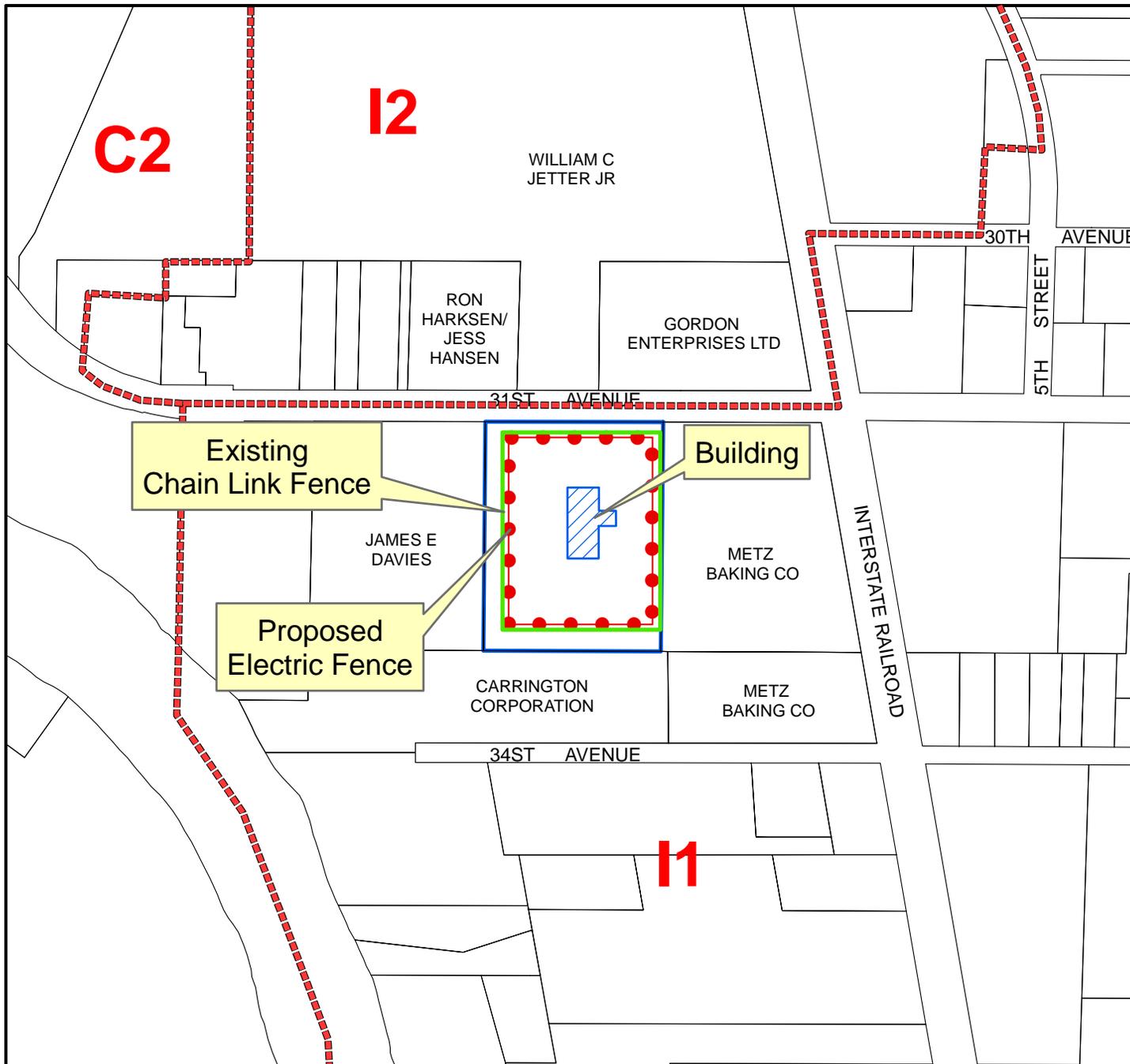
Signs will be posted every 40 feet in English and Spanish identifying that there is an electric fence surrounding the site. Several vehicle storage and towing businesses in the Quad City area have erected similar electronic fences at their businesses (Quad City Towing was approved in 2006 for an electric fence at 2550 5th Street).

The “voltage” of the fence will be powered by a 12 volt battery making it less than the maximum allowed in the Zoning Ordinance (ordinance requirements are to not exceed 25 milliamperes nor a pulsating current lower than one-tenth second in a one-second cycle). These voltage levels are set for agricultural uses. The voltage for the proposed fence will be set much lower (since it will be set to deter, not injure, humans).

Recommendation:

That the variance be approved because it will improve the return on the property by adding better security and will not alter the character of the neighborhood.

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS
2010-13

Legend

- Parcels
- Subject Property

DR. BY: *K.G.D.*

APPR. BY: *A.M.C./A.F.*



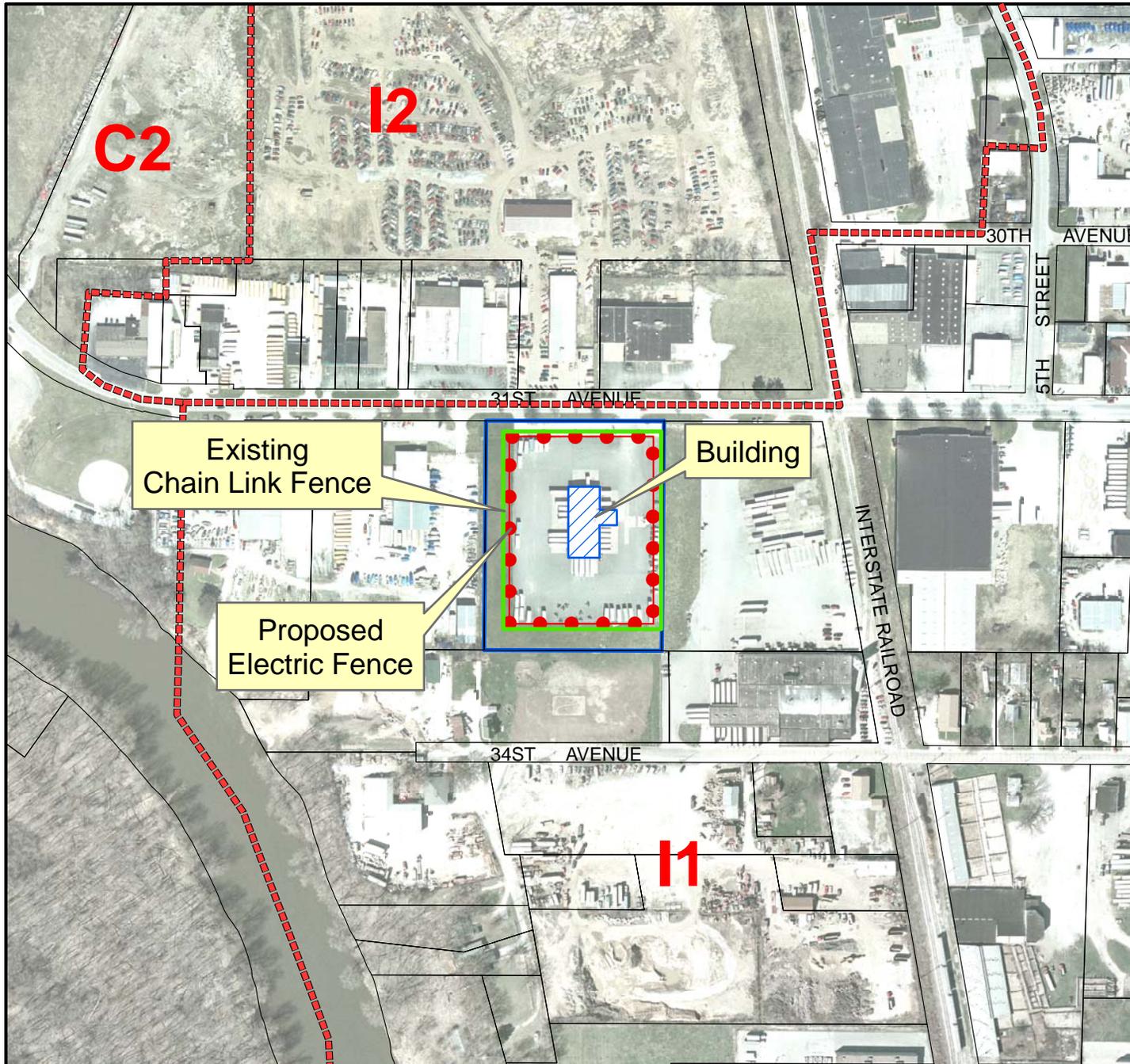


City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



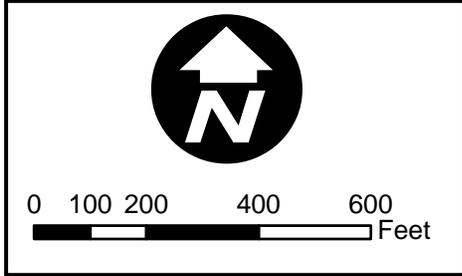
BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-13 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.
APPR. BY: A.M.C./A.F.



City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 28, 2010

SUBJECT: Case #2010-14- Request for variances from the Flood Ordinance for an existing structure and new construction in an I-2 (general industrial) district.

Applicant:
The City of Rock Island

Location:
601 1st Street

Request:
To allow a variance from the requirement that the lowest floor for new and existing buildings undergoing substantial improvements have a lowest floor elevation with two feet of freeboard above the base flood elevation. The request consists of two elements: 1) for interpretation of the Flood Ordinance related to the existing building, and 2) To allow a variance of one foot of the two foot requirement for elevation above the base flood elevation for new construction in an I-2 (general industrial) district.

Size of Property:
The property measures 273' x 355' x 202' x 10' x 169' x 82' x 331' x 330' x 358' (227,576 square feet, or 5.2 acres).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a vacant industrial structure. The neighborhood is primarily an industrial area zoned I-2.

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

Affected Requirements:
The flood ordinance requires that for both new buildings constructed in a floodplain and existing buildings undergoing substantial improvements, that the lowest floor either be placed at or above the flood protection elevation or be structurally dry flood proofed (Section 11-72). The applicant

proposes to renovate the existing 23,725 square foot accessory storage building for vehicle and bulk material storage, construct a new 25,800 square foot vehicle storage garage and 4,800 square foot office building and construct a 2,625 square foot truck wash facility on the site.

Conditions to Authorize Variance:

1. Reasonable Return: The proposed variances will provide a needed City service that will improve the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variances will not alter the character of the neighborhood.

Comments:

The City proposes to convert the former Watt's Storage Facility into the City's Public Works Street Garage (see attached letter from Robert Hawes, Public Works Director/Assistant City Manager). A segment of the property is identified as a "Special Flood Hazard Area" by the April 5, 2010 Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency. The area on the subject site is described as a ponding area with flood depths between one and three feet.

The City is seeking the variance for the existing building because it believes that the existing building will not have a lowest floor elevation because it will meet the ordinance requirement of being used "solely for parking of vehicles, building access or storage in an area other than a basement area." The building is a "flood resistant enclosure" in that it will incur minimal damage if flooded (building is constructed of insulated metal wall panels on a concrete slab and all electrical and mechanical facilities will continue to be above the base flood elevation). If it interpreted that the existing building does not have to meet the requirements for a "lowest floor elevation" due to its use, then the City will not have to incur the considerable cost of raising the existing floor above the base flood elevation, for what appears to be little additional protection against property damage.

To allow the City to locate the lowest floor elevation of the new building only one foot above the base flood elevation, instead of two feet, is based on the City's understanding that the two feet of freeboard above the base flood elevation was developed primarily for residential properties where the quality of survey data is often questionable and the danger to life and property is higher. The two feet of freeboard provides some buffer, such that survey data can be off by up to two feet, so the property in question will still be protected from the base flood. The quality of survey data for commercial/industrial areas is typically better, so the one foot freeboard should be sufficient. Allowing for one foot of freeboard instead of two will substantially improve the functionality of the site and reduce the cost of construction. The City has investigated other potential locations for these facilities and found this site to be the most appropriate and cost effective.

Locating the new building one foot above the base flood elevation will already be costly due to the existing elevation of the site. The new building will need to be constructed 3.2 feet above the existing site elevation to meet the one foot requirement already making it challenging to construct driveway and parking areas on the site. This challenge would be much more difficult if

the new building had to be constructed 4.2 feet above the existing elevation. Allowing the new building to be constructed only one foot above the base flood elevation will not create an additional threat to public health or safety or create a nuisance.

Recommendation:

That the variances be approved because it will provide a needed City service that will improve the property, not create a flood or safety hazard and it will not alter the character of the neighborhood.



Board of Zoning Appeals
Planning & Redevelopment Division
City of Rock Island
1528 3rd Avenue
Rock Island, IL 61201-8678

June 21, 2010

**RE: Flood Ordinance Variance Application
Public Works Street Garage Project
City of Rock Island, Illinois**

Dear Board Members:

Please find attached an application for a variance from the City of Rock Island's (City) Floodplain Ordinance, Sec. 11-77, for the City's Public Works Street Garage project currently in design. The project is being implemented to replace the City's existing street garage facility that must be removed to make room for a major expansion required at the adjacent Mill Street Wastewater Treatment Plant.

The new Street Garage project includes the construction of a new 25,800 square foot vehicle storage garage and 4,800 square foot office building to house the City's Municipal Services Department. In addition, an existing building on the property will be modified for vehicle storage and bulk material storage. Should the budget allow it, an automated truck wash facility will also be constructed on the site to maintain the Municipal Services Department's vehicles.

I look forward to your review and decision regarding the City's variance application. If you have any questions or require additional information, please feel free to contact me at 732-2239.

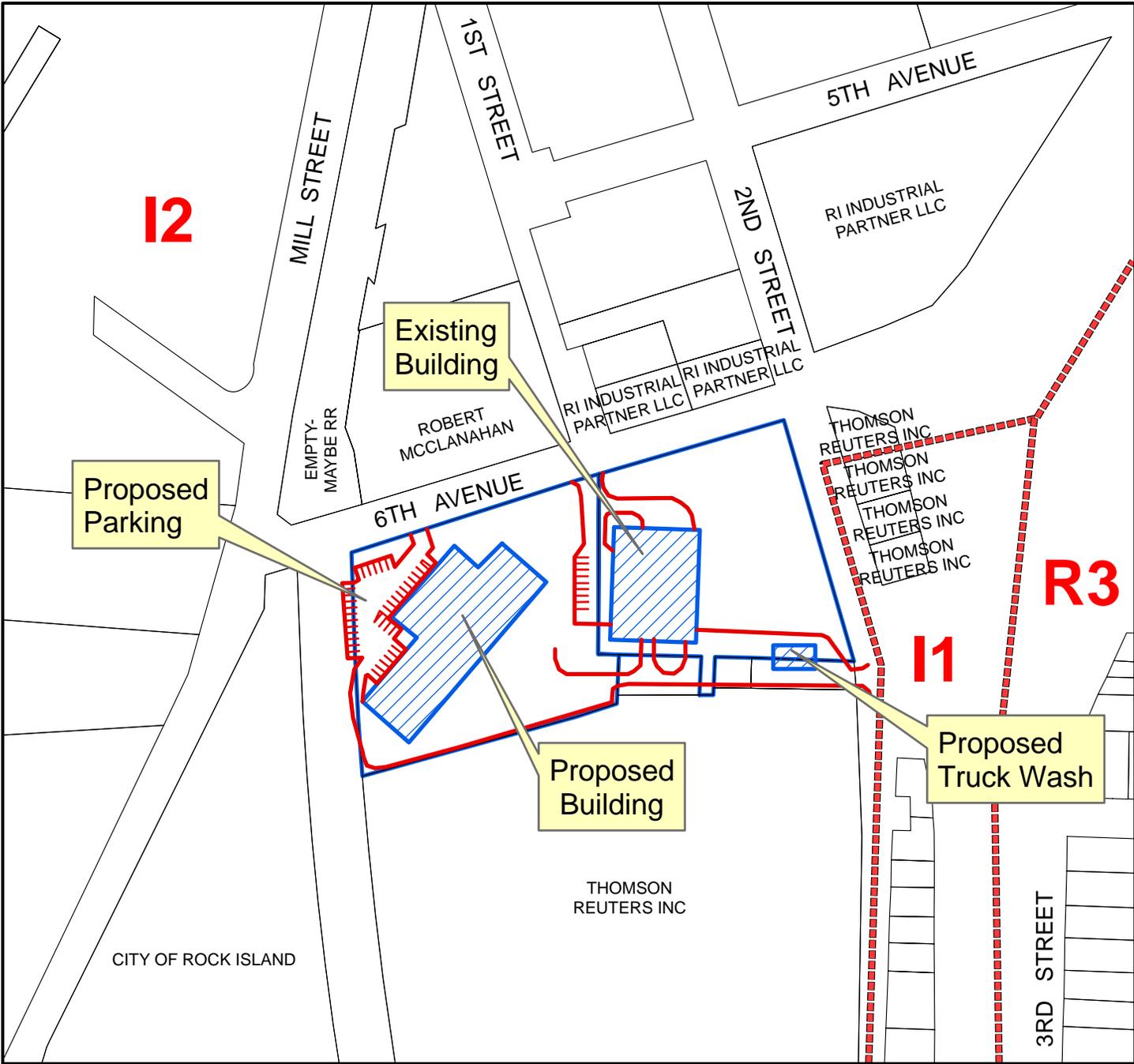
Sincerely,

City of Rock Island

Robert T. Hawes, P.E.
Public Works Director/Assistant City Manager

Attachments

BOARD OF ZONING APPEALS



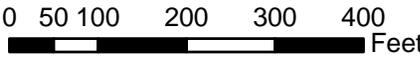
BOARD OF ZONING APPEALS
2010-14

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: A.M.C./A.F.

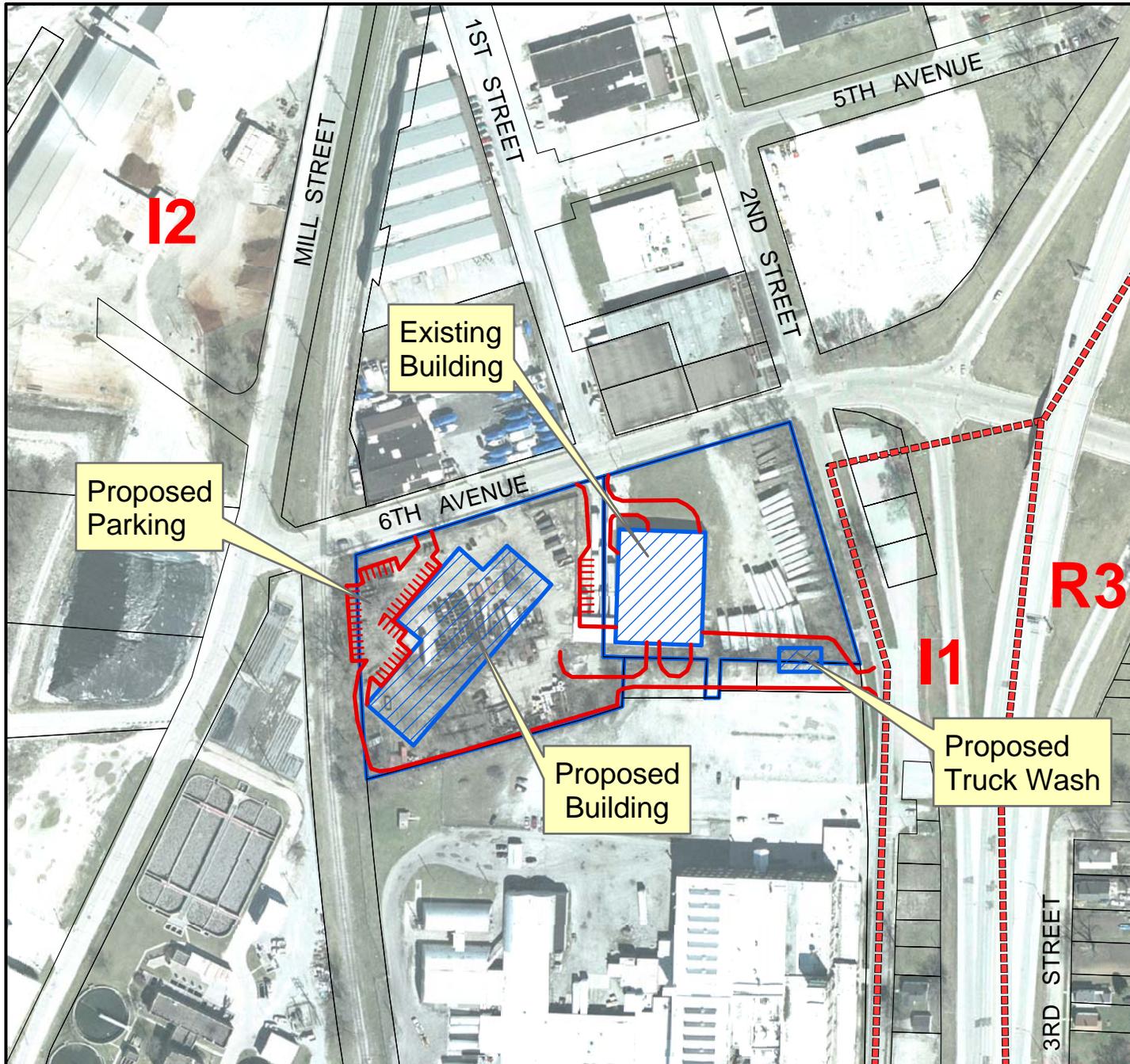



City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment


ROCK ISLAND
ILLINOIS

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-14 Aerial Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: A.M.C./A.F.



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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 28, 2010

SUBJECT: Case #2010-15- Request for a variance of 1.5 feet of the 3.5 foot 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 a corner of an alley and an avenue in an R-2 (one family residence) district.

Applicant:
Steve and Jaime Bramer

Location:
1703 21st Street

Request:
To allow a variance of 1.5 feet of the 3.5 foot 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 a corner of an alley and an avenue in an R-2 (one family residence) district.

Size of Property:
The property measures 50' x 145.25' (approximately 7,263 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 is flat and slightly above street level.

Affected Requirements:
The zoning ordinance requires that fences in a front yard have a maximum height of only 3.5 feet and a setback of 25 feet from point of intersection of a street to an avenue (Section 8.12). The applicant proposes to erect a five foot tall picket fence at approximately the same location in the north front yard.

Conditions to Authorize Variance:

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

Comments:

The applicants will remove the existing four foot tall picket fence that has pickets approximately three to four inches apart and replace it with the proposed five foot tall picket fence with pickets two inches apart. The applicants indicate that the new fence will provide better privacy and security for their small children while playing in the yard area.

Staff contacted the City Engineer and asked him to make an assessment of the variance request. His analysis was that there would not be a visibility concern at the intersection in relation to the proposed fence due to the wider boulevard along 17th Avenue.

The residence is located within the Highland Park Historic District. The Preservation Commission can comment on variance requests to properties within the district in relation to the impact on the historic structures and neighborhood. The Commission met on June 23rd and has passed along the comment that the variances will have no impact on the historic structure or historic district.

Recommendation:

That the variances be approved because it will improve the return on the property, the lot is a corner lot with two front yards, and it will not alter the character of the neighborhood.

REPORT

TO: Preservation Commission
FROM: Jill Doak, Urban Planner II
DATE: June 23, 2010
SUBJECT: Comment to BZA regarding fence at 1703 21st Street

The Board of Zoning Appeals has received a request from Steve and Jaime Bramer for a variance regarding replacement of their fence. Because of timing of Preservation Commission and Board of Zoning Appeals meetings, this process will be a comment from the Commission on the variances to BZA on June 23, BZA meeting on July 14, and then a COA for the July 28 Preservation Commission meeting. Otherwise, the applicants would be waiting until the BZA meeting on August 11. The applicants wish to install a taller and tighter fence for added security for their small children before school begins on August 3. The house is located one block south of the new Rock Island Center for Math & Science.

The request is for a variance of 1.5 feet of the 3.5 foot maximum fence height in a front yard and a variance of 25 feet of the 25-foot setback from the point of intersection for a fence at a corner of an alley and an avenue.

The property is on a corner and has a double front yard. The variance is for the front yard along 17th Avenue, which is the north side of the property. The house faces 21st Street. In 1991, the Preservation Commission approved a six foot tall fence in the second front yard (along 17th Avenue) for the property directly to the north at 1629 21st Street.

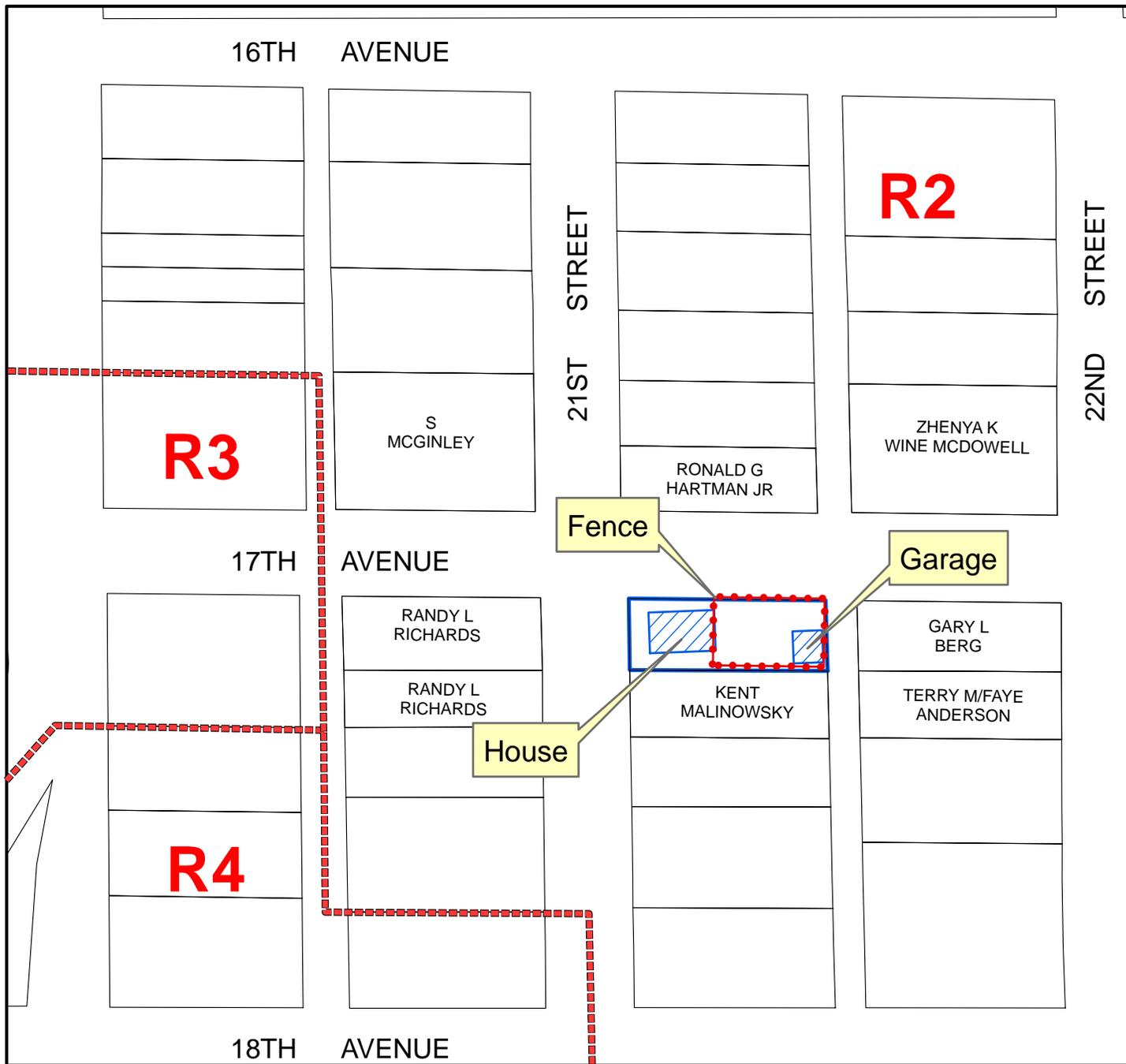
The existing fence at 1703 21st Street was approved by the Preservation Commission on April 30, 1998. It is 42 inches tall and has 3.5" wide pickets spaced 3.5" inches apart. The extends from the northeast corner (back) of the house in a northerly direction, then runs along the 17th Avenue sidewalk almost 80' to the alley, then turns 27' south to connect to the garage. The fence then runs along the south property line, basically connecting the garage and the house.

Given the deep boulevard along 17th Avenue, with approximately 16.5 feet of visibility at the alley, there is likely not to be a visibility issue with the City Engineer, even with the closer pickets.

Recommendation

Staff recommends the Commission comment to the Board of Zoning Appeals that the variances requested for the fence at 1703 21st Street will have no impact on the historic structure or the historic district.

BOARD OF ZONING APPEALS



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2010-15

Legend

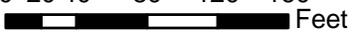
- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: A.M.C./A.F.



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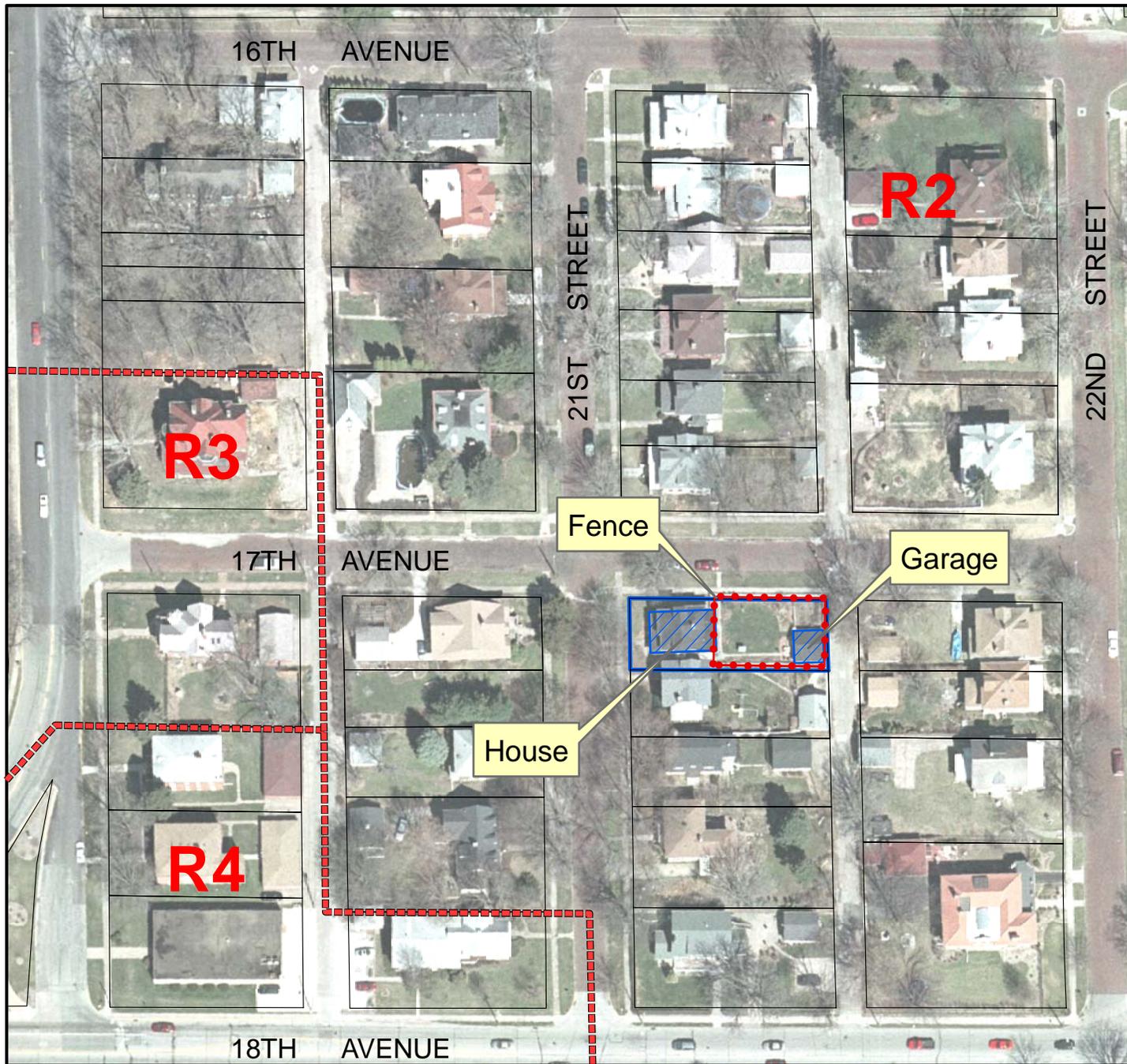
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ROCK ISLAND
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BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2010-15 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.
APPR. BY: A.M.C./A.F.



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Feet

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