

**July 8, 2015**

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
July 8, 2015  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the written agenda
3. Approval of the minutes of the regular meeting of June 10, 2015
4. Procedural Explanation
5. Public Hearing #2015-08: The applicants, CHS Rock Island, LP, have filed a request for a variance of 1 foot of the 20 foot sum of side yard setback requirement for a two-story residence in an R-4 (one to six family residence) district at 1028 16<sup>th</sup> Street.
6. Public Hearing #2015-09: The applicant, Karen and Gary Buchanan, have filed a request for a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard in an R-3 (one and two family residence) district at 2406 23<sup>rd</sup> Avenue.
7. Election of Chairman and Vice-Chairman
8. Other Business
9. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**June 10, 2015**

ATTENDANCE:	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
(x) Kevin Day		(x) Karen Williams
(x) Dave McAdam		(x) Larry Tschappat
( ) Gary Snyder		( ) Robert Wild
(x) Faye Jalloh		

Staff Present: Ben Griffith and 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 May 13, 2015 meeting. Ms. Jalloh seconded the motion, and it passed unanimously.

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

**Public Hearing #2015-06 - Request from Mark and Pamela Ernat for a variance of 25 feet of the 30-foot rear yard setback requirement in an R-2 (one family residence) district at 1520 22nd Avenue.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires a 30-foot rear yard setback requirement in an R-2 zoning district (Section 15.5). The applicant proposes to construct an attached two-car garage addition (24' x 28') in the south rear yard.

The applicants have a two-car attached garage with driveway access off of 22<sup>nd</sup> Avenue. Currently, they have a boat trailer parked in the north front yard of the existing driveway because with two vehicles they have no room for the boat-trailer inside the existing two-car garage.

The proposed attached garage will have access off the north/south alley to the west of the site. The existing privacy fence along the alley will be removed except for an access gate to the yard from the alley. The proposed one-story attached two-car garage will be located approximately four feet closer to the alley than the existing attached garage, but will meet the six foot setback from the alley property line. The proposed attached garage will also will be located approximately five feet from the south property line.

Vice Chairman McAdam called for proponents.

Pamela Ernat, 1520 22<sup>nd</sup> Avenue, was sworn in. She said they need the additional garage because they have a boat and two larger vehicles that will not fit into their existing attached garage.

**Decision Case #2015-06** – Mr. Tschappat made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The property is a corner lot with two front yards.
3. The proposed variance will not alter the character of the neighborhood.

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

**Public Hearing #2015-07** - Request from Dan Bonowski for a variance of six parking spaces of the six parking space requirement for three new apartments in a B-3 (community business) district at 309, 311 and 313 20<sup>th</sup> Street.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires two off-street parking spaces for each dwelling unit (Section 8.14). The applicant proposes to renovate the three downstairs commercial spaces into two commercial spaces and add three new upstairs apartments to the four existing upstairs apartments for a total of seven residential dwelling units at the site.

The applicant will reside in one of the seven apartments proposed for the site. The building housing his former business and residence was destroyed by fire during the past year and he has been searching for a new location to restart his business and locate a new residence. The City is providing some financial assistance with the conveying the northerly structures, and the applicant is utilizing the City's economic development programs for the renovation of these vacant buildings.

Floor plans for the proposed commercial and residential spaces in the combined three buildings were presented as part of the staff report. Six of the residential units will be located on the second floor of the combined structures, while one unit will be located on the third floor of the southerly building (313 20<sup>th</sup> Street). Primary access will be from 20<sup>th</sup> Street, but there will be secondary access via the unimproved public alley to the east.

The subject site is located across the street from B-2 zoning to the west, which does not have any off-street parking requirements for commercial and/or residential development within that zoning district. The reasoning is that there is adequate public parking facilities within the downtown area to provide adequate parking for businesses and commercial uses.

There are two public lots located to the north of the site. City "Lot D" is located north of the Illinois Casualty Company office (225 20<sup>th</sup> Street). City "Lot C" is located adjacent to the MetroLink facility at the northwest corner of 20<sup>th</sup> Street and 2<sup>nd</sup> Avenue. Both of these lots are within walking distance of the site. Public on-street parking is also available on both sides of 20<sup>th</sup> Street and 3<sup>rd</sup> Avenue. Finally, there are several private parking lots that the applicant may be able to secure space from the owners. Illinois Casualty Company has a private lot to the east of its building and there is a lot adjacent to the Fort Armstrong senior living facility across the street from the subject site.

The proposed residential development on the eastern edge of downtown is consistent with the recently approved Downtown Revitalization Plan (2015), Downtown Strategic Plan (2007), RiverVision Plan (2004), the City of Rock Island Comprehensive Plan, and the Illinois Comprehensive Housing Plan.

Mr. Fries reported that staff had heard from David and Nancy Ramacitti, 2044C 3<sup>rd</sup> Avenue, who did not express any comments on the parking variance, but had concerns over use of the north/south unimproved public alley between their property and the subject property.

Vice Chairman McAdam called for proponents.

Charles Knudsen, 307½ 20<sup>th</sup> Street, was sworn in. He said he lives next door to the subject property and is representing Mr. Bonowski who was being detained with child care. He said he has no problem with the proposed mixed-use development, but hopes there will be more angled parking on downtown streets, especially 20<sup>th</sup> Street, due to the demand for on-street parking in the area.

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

**Decision Case #2015-07** – Ms. Williams made a motion to approve the request because:

1. The proposed variance allowing for the renovation of the vacant structures will improve the return on the property.
2. There is no space on the existing site for any reasonable off-street parking. There are public and private lots located nearby.
3. The proposed variance will not alter the character of the neighborhood.

Mr. Tschappat seconded the motion. He asked about the status of angled parking in the area.

Mr. Griffith said that the City is looking to add angled parking as an implementation of the recently approved Downtown Plan. He said it is a good time for the City to consider the 20<sup>th</sup> Street area as a result of the renovation of the buildings for the subject site.

Vice Chairman McAdam called for a vote on the motion to approve the request, and it passed unanimously.

**Other Business:**

Mr. Griffith said there have been two cases submitted for the July regular meeting agenda. He said the election of new officers will also be on the agenda, but will be at the end of business after the public hearings. He reminded the Board members to be mindful of any *ex parte* communications and to contact the Planning Office with any questions regarding any items on upcoming agendas.

**Adjournment:**

Vice Chairman McAdam adjourned the meeting at 7:35 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Ben Griffith". The signature is written in a cursive style with a large initial "B" and a distinct "G".

Ben Griffith, AICP, Secretary  
Rock Island Board of Zoning Appeals

DRAFT

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: June 26, 2015

SUBJECT: Case #2015-08- Request for a variance from the sum of side yard setback requirements for a two-story residence in an R-4 (one to six family residence) district.

Applicants:  
CHS Rock Island, LP

Location:  
1028 16<sup>th</sup> Street

Request:  
To allow a variance of 1 foot of the 20-foot sum of side yard setback requirement for a two-story residential structure in an R-4 (one to six family residence) district.

Size of Property:  
The property measures 50.5' x 114.73' (approximately 5,794 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is occupied by a recently constructed single family residence. The neighborhood is primarily a single family residential neighborhood, zoned R-4.

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

Affected Requirements:  
The zoning ordinance requires a 20-foot sum of side yard combined setback for both side yards added together (Section 17.5). The applicant proposes to maintain the recently constructed two-story residence on the site.

Conditions to Authorize Special Exception:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: None.

3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

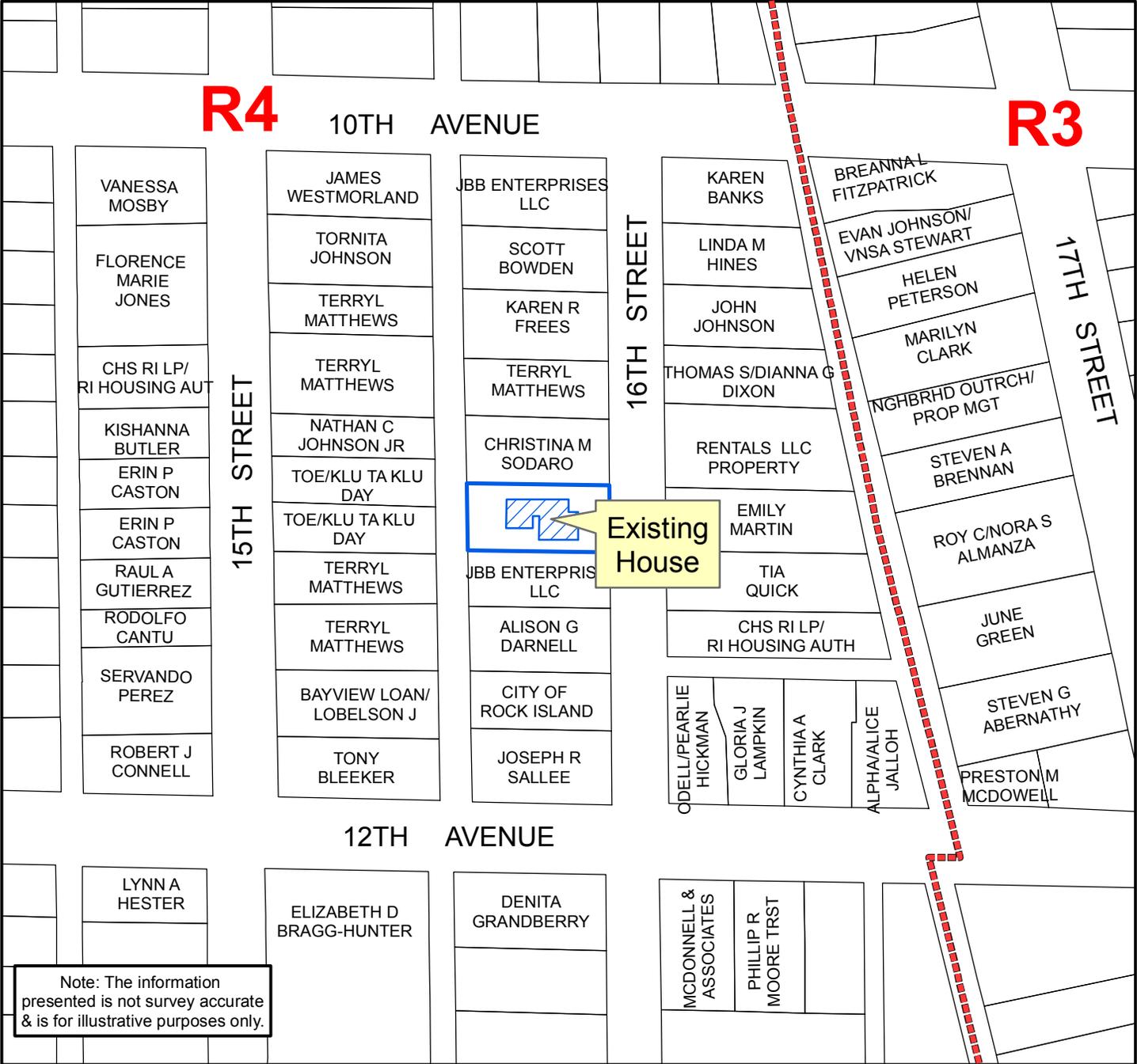
Comments:

Following completion of the house construction and a survey it was determined that the house did not meet the sum of side yard setback requirements of the ordinance. The north side yard was identified as 9.35' at its closest point, while the south side yard was identified as 9.75 feet. Staff is unable to administratively approve a variance, so the applicant applied for the setback variance.

Recommendation:

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

# BOARD OF ZONING APPEALS



**BOARD OF ZONING APPEALS  
2015-8**

**Legend**

- Parcels
- Subject Properties

DR. BY:           K.G.D.          

APPR. BY:           B.G./A.F.          



0 25 50 100 150 200  
Feet

**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



**ROCK ISLAND**  
ILLINOIS

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

# BOARD OF ZONING APPEALS



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## BOARD OF ZONING APPEALS 2015-8 Aerial Legend

-  Parcels
-  Subject Properties

DR. BY: K.G.D.  
APPR. BY: B.G./A.F.



0 25 50 100 150 200 Feet

## 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 26, 2015

SUBJECT: Case #2015-09- Request for a variance from the maximum height for a fence in a front yard of an R-3 (one and two family residence) district.

Applicants:

Karen and Gary Buchanan

Location:

2406 23<sup>rd</sup> Avenue

Request:

To allow a variance of 2.5 feet of the 3.5 foot maximum height for a fence in a front yard of an R-3 (one and two family residence) district.

Size of Property:

The property measures 60' x 151.1' (9,060 square feet).

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a single family residence. To the east and south are single family residences, zoned R-2 and R-3. To the north is an apartment building, zoned R-5. To the west is a parking lot and a vacant commercial building, zoned B-1.

Topography:

The site slopes up approximately ten feet from street level.

Affected Requirements:

The zoning ordinance requires that fences in a front yard not exceed 3.5 feet in height (Section 8.12). The applicant proposes to maintain a six-foot tall wire fence with wood posts and gate in the west front yard for the purpose of keeping wildlife out of their garden.

Conditions to Authorize Special Exception:

1. Reasonable Return: The proposed variance 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 variance will not alter the character of the neighborhood.

Comments:

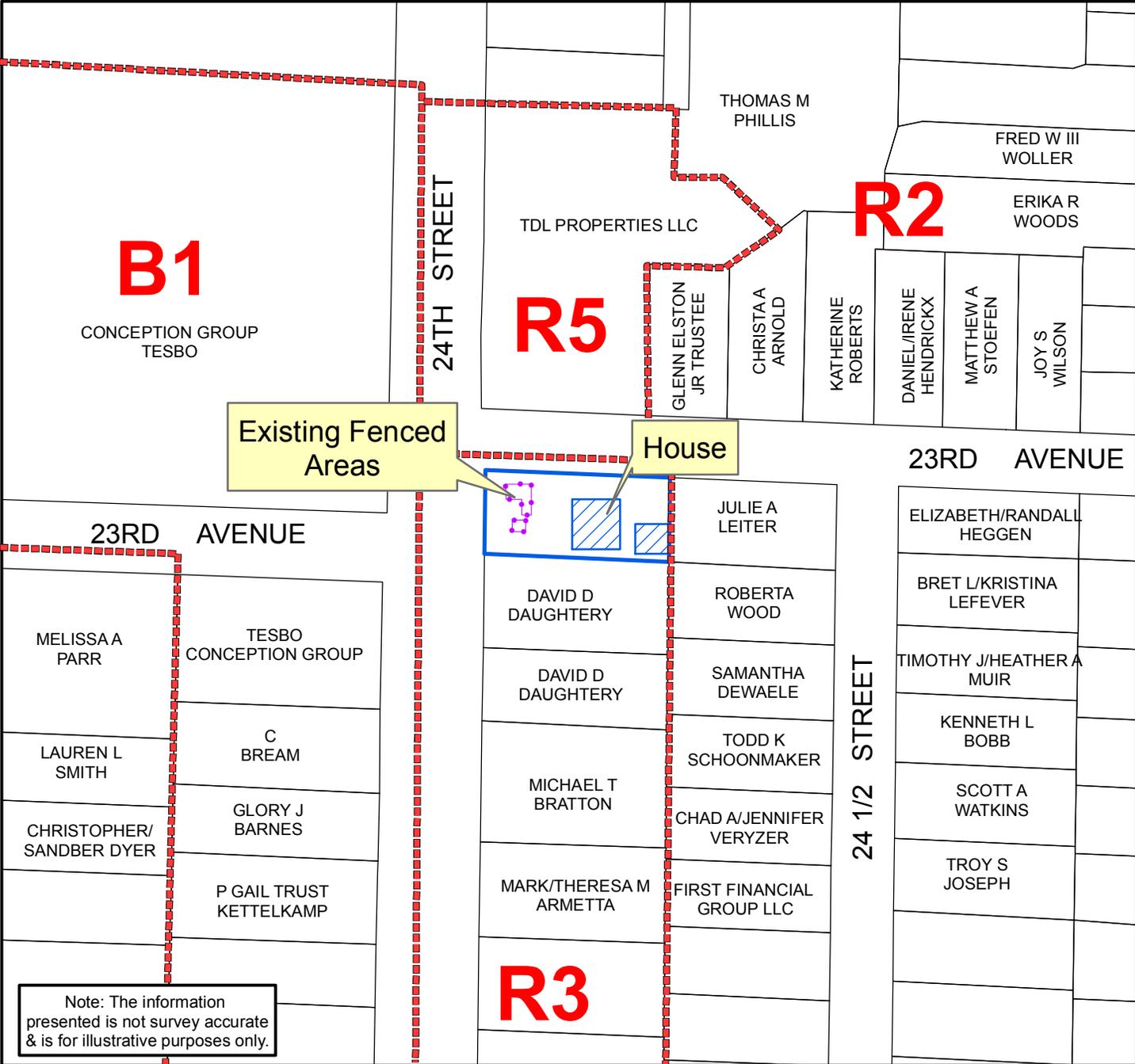
Staff received a complaint regarding the fence and informed the residents of the need to bring it into conformance, or apply for a variance. The residents applied for a variance because they indicate they need the fence during summer months due to deer and other wildlife getting into their garden and eating their fruit and vegetables. They also indicated they had a fence up last year, but it did not have the wood posts and gate and that the fence was removed during the winter. They indicated the current fence is probably more noticeable to others, but is more stable with the wood posts and gate.

Staff understands the need for the taller fence and does not believe the height has any negative impact on the character of the neighborhood.

Recommendation:

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

# BOARD OF ZONING APPEALS



**BOARD OF ZONING APPEALS**  
**2015-9**

**Legend**

Parcels

Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    



0 25 50 100 150 Feet



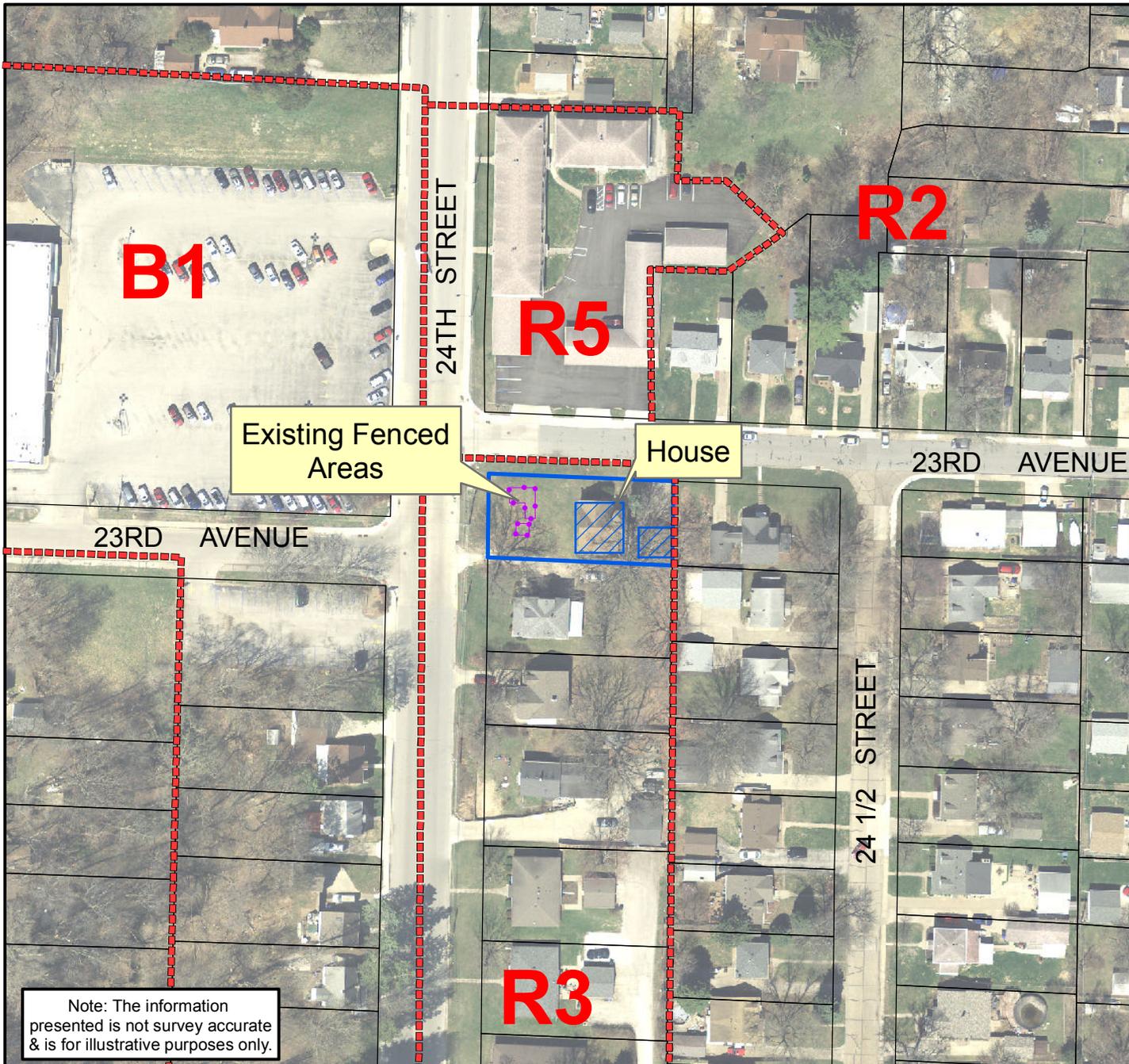
**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

  
**ROCK ISLAND**  
ILLINOIS

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# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2015-9 Aerial Legend

- Parcels
- Subject Property

DR. BY: K.G.D.  
APPR. BY: B.G./A.F.



0 25 50 100 150 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



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