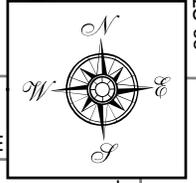


February

Rock Island Board of Zoning Appeals Regular Meeting Agenda February 9, 2011, 7:00 P.M.

1. Roll Call
2. Approval of the minutes of the regular meeting of January 12, 2011
3. Procedural Explanation
4. **Public Hearing #2011-03:** Jordan Catholic School requests a special exception to expand an authorized use, a variance of 12 feet of the 20-foot separation requirement between a school and a residential district adjacent to 2811 24th Street and a variance of five feet of the 20-foot separation requirement between a school and a residential zoning district adjacent to 2418 24th Avenue in an R-2 (one family residence) district. The applicant proposes to construct two attached one-story additions (92' x 74' and 48' x 122') in the north side yard and an attached one-story addition (22' x 44') in the west front yard at 2901 24th Street, Rock Island, Illinois.
5. **Public Hearing #2011-04:** James Sexton requests 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 in a front yard on a corner property in an R-3 (one and two family residence) district. The applicant proposes to maintain a six-foot tall privacy fence in an approximate 60 foot long segment in the north front yard at 1800 9 ½ Street, Rock Island, Illinois. The remainder of the fence in the north and east yards will be changed to meet the 42-inch height limit, but will be built up to the corner, not set back 25 feet as required.
6. Other Business
7. Adjournment

Location Map for BZA2011-3 and BZA2011-4



BZA2011-4
1800 9 1/2 Street

BZA2011-3
2901 24th Street



Prepared By: City of Rock Island,
Community and Economic Development Dept.,
Planning and Redevelopment Division
January 2011

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

Regular Meeting

7:00 p.m.

January 12, 2011

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

Staff Present: Alan Carmen, Alan Fries

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

Approval of Minutes – Mr. Tschappat made a motion to approve the Minutes of the December 8, 2010 meeting. Mr. Wild seconded the motion, and it passed unanimously.

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

Public Hearing #2011-01 - Request from Ron Taber for a variance of six feet of the eight-foot side yard setback requirement in an R-2 (one family residence) district at 3615 14th Street.

Mr. Fries presented the staff report. He explained that the Zoning requires an eight-foot side yard setback requirement for additions onto a principal structure (Section 15.5). The applicant proposes to construct an attached garage addition (28' x 32') in the south side yard.

The applicant will remove the existing two-car detached garage that he believes was constructed in 1924 and is now in need of repair. The proposed three-car attached garage will be located at approximately the same distance from the south property line (two feet), but will now be attached to the house addition that was granted a separation variance in 1991. The one-story garage addition will match the exterior wall materials on the south side of the residence.

The property is located to the south of a Local Landmark located at 3601 14th Street. The Preservation Ordinance allows the Preservation Commission to comment to the Board regarding requests within the district to determine impact on local landmark structures. Comments from Preservation Commission members received by staff have unanimously stated that the request will not have a negative impact on the adjacent Local Landmark.

Chairman Snyder called for proponents.

Ron Taber, 3615 14th Street, was sworn in. He said that he has done considerable work on the home through the years and now is the time to replace the old detached garage on the property because of its condition. He said the proposed garage will be larger to accommodate his larger vehicles and will also have three bays rather than two. He said that the proposed garage will be attached to a new kitchen

area and will be two feet from the south property line, which is approximately the same distance as the existing detached garage. He said that he has talked to his neighbors and they have no objections.

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

Decision Case #2011-01 – Mr. Tschappat made a motion to approve the request because:

1. The proposed addition will improve the return on the property.
2. The rear yard slopes down into a ravine area.
3. The proposed addition will not alter the character of the neighborhood.

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

Public Hearing #2011- 02 – **Request from El Patron Restaurant for a special exception to allow a temporary outdoor advertising sign and variances from the separation requirement and setback requirement for outdoor advertising signs in a B-3 (community business) district at 2000 4th Avenue.**

The applicant was not present, so Chairman Snyder asked for a motion to defer consideration until the February 2001 regular meeting.

Mr. Wild made a motion to defer public hearing 2011-02 until the February regular meeting because the applicant was not present.

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

Just after the Board voted to defer the request, the applicant arrived at the meeting.

Chairman Snyder called for a motion to reconvene the meeting.

Mr. Tschappat made a motion to reconvene the meeting.

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

Mr. Wild made a motion to re-open public hearing 2011-02.

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

Mr. Fries presented the staff report. He explained that the Sign Ordinance requires that freestanding outdoor advertising signs be authorized by the Board, have a maximum front yard setback of 25 feet and be separated from other outdoor advertising signs by 1,000 feet (Section 6 [a] [4]). The applicant proposes to maintain a temporary outdoor advertising sign (4' x 10') in the north and west front yards.

City staff received concerns regarding the sign from City Council members Jason Jones (5th Ward) and Joy Murphy (6th Ward). The subject property is located in the 5th Ward. Staff contacted the operators of the Los Amigos Vehicle Repair Business and explained the violations on the property. The business operators of Los Amigos contacted their cousins who operate El Patron Restaurant at 1806 2nd Avenue

about the situation and they paid the fee to file the application to the Board to consider the request for authorization and variances.

The applicant located the temporary outdoor advertising freestanding sign on the subject property to advertise the restaurant since it is located on the Downtown Plaza and does not have any “drive-by” traffic. According to the Sign Ordinance the subject sign is defined as an outdoor advertising sign since it would “direct attention to a business, product, service or activity not necessarily intended to be sold or offered upon the premises where such sign is located”. The subject sign is also defined as a “temporary sign”; since it is not affixed to the ground (sign pole is located in a metal barrel that has concrete poured in to secure it).

The Sign Ordinance also regulates the location and separation standard between outdoor advertising signs. In the B-3 zoning district an outdoor advertising sign must be authorized by the Board and be separated by 1,000 feet from any existing outdoor advertising sign. Currently, there is an outdoor advertising sign within 270 feet of the proposed location of the sign on the subject property (an existing outdoor advertising sign is located in the undeveloped area on 2027 4th Avenue and is visible on attached aerial). There is also a 25-foot front yard setback requirement, which since this is a corner lot would be from the north and west property lines.

Staff believes that allowing the sign to be used to advertise another business does not meet the standards for separation between outdoor advertising signs and will add to the proliferation of signs along the corridor. Outdoor advertising sign area is not figured in the total sign area allowance on a property, so variances like the one requested could allow for significantly more signs on the commercial property than allowed for on-premise signs. This would add to the visual clutter of increased signs along corridors here and in other commercial areas.

The Downtown Design Guidelines identifies a prohibition of any new outdoor advertising signs within “The District”. These Guidelines were adopted by the Rock Island Preservation Commission and Renaissance Rock Island “to help property owners understand the importance of design considerations and to raise expectations of good design”. The Guidelines are only binding for certain City and/or Federal programs, but provide good design direction for the enhancement of all The District and downtown area.

Chairman Snyder called for proponents.

Bogar Gonzalez, 733 23rd Street in East Moline, was sworn in. He said that he did not enough finances to construct a nice sign, but asked for two months to come up with enough money to erect a nice new sign on the property. He said the sign is very important for his restaurant business because he does not have drive-by traffic there because it is located on the Great River Plaza. He submitted a petition with 39 signatures of customers of the restaurant in support of the request.

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

Decision Case #2011-02 – Ms. Williams made a motion to deny the request because:

1. The property can yield a reasonable return without the variance.
2. There is no unique circumstance to approve the request.

3. The existing outdoor advertising sign has altered the character of the neighborhood.

She added the stipulation that the applicant be given three months to remove the sign from the subject property.

Mr. Tschappat seconded the motion.

Mr. McAdam said that he would only be in favor of allowing a 30-day time period of requiring the sign to be removed because the sign is large and there are several violations from Sign Ordinance regulations.

Mr. Wild said that he would like the sign to come down tomorrow.

Mr. Tschappat agreed, and added that leaving it up longer sends a bad message to the community.

Chairman Snyder said he would be in favor of requiring a middle ground time period because El Patron Restaurant is a new business that is trying to get more advertising. He added that there may have been a language barrier for the applicant understanding all of the sign regulations in the Sign Ordinance.

Ms. Williams amended her motion by changing the time period required for removing the sign to 30 days rather than three months.

Ms. Jalloh seconded the motion.

Mr. McAdam agreed that three months is too long a time period, but that 30 days sends a message of compassion by the City to give the applicant adequate time to remove the sign.

Chairman Snyder called for a vote on the amended motion to deny the request and allow 30 days to remove the violating existing sign and it passed with Ms. Williams, Mr. McAdam, Ms. Jalloh and Chairman Snyder voting aye and Mr. Wild and Mr. Tschappat voting nay.

Chairman Snyder adjourned the meeting at 7:47 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: January 26, 2011

SUBJECT: Case #2011-03- Request for a special exception and separation variances from residential zoning districts to expand an authorized use in an R-2 (one family residence) district.

Applicant:
Jordan Catholic School & St. Pius X Catholic Church

Location:
2901 24th Street

Request:
To allow a special exception to expand an authorized use, a variance of 12 feet of the 20-foot separation requirement between a school and a residential district adjacent to 2811 24th Street and a variance of five feet of the 20-foot separation requirement between a school and a residential zoning district adjacent to 2418 24th Avenue in an R-2 (one family residence) district.

Size of Property:
The property measures 417' x 150' x 134' x 60' x 162' x 158' x 330' x 152' x 190' x 281' x 700' (approximately 434,184 square feet in area).

Zoning History:
Board of Zoning Appeals Case #2009-44- Request to expand an authorized use with an addition in the north front yard was approved.

Board of Zoning Appeals Case #2005-07- Request for variance to allow a second freestanding sign for school was approved.

Board of Zoning Appeals Case #97-20- Request for variances from area and height requirements for freestanding sign were approved.

Existing Land Use and Zoning:
The site is occupied by a church and private elementary school, zoned R-2. To the north, south and east are predominately single-family residences, zoned R-2. To the west are several multi-family and single-family uses, zoned R-2, R-4 and R-6.

Topography:

The site slopes up approximately four to five feet from 24th Street and is slightly above street level from 29th Avenue.

Affected Requirements:

The zoning ordinance requires Board authorization to expand an authorized use in a residential zoning district and a 20-foot separation from a school and adjacent residential zoning (Section 15.3). The applicant proposes to construct two attached one-story additions (92' x 74' and 48' x 122') in the north side yard and an attached one-story addition (22' x 44') in the west front yard.

Conditions to Authorize Variances:

1. Reasonable Return: The proposed additions will add needed classroom and educational resource labs for the school.
2. Unique Circumstances: The proposed additions locations best fit the school's existing floor plan.
3. Character Alteration: The proposed additions will not alter the character of the neighborhood.

Comments:

The applicant will remove the existing single-family residence located at 2817 24th Street and consolidate that lot with the large parcel where the elementary school is located. The approximate 9,563 square foot one-story northwesterly addition will extend into this former residential parcel to within eight feet from the north property line. A four-foot tall chain link fence will be located adjacent to the proposed addition along the north property line. This addition will also extend approximately 41 feet to the west from the existing western building façade (maintaining a 28-foot west front yard and exceeding the 25-foot minimum by three feet). This addition will include classrooms and computer and science labs that will accommodate 110 new 7th and 8th grade students who will be transferred from an existing school location in Milan (see attached floor plans and building elevations for all three proposed additions).

The 5,856 square foot addition off the north end of the gym area of the existing school will extend to within 15 feet from the property line adjacent to 2418 24th Avenue (an existing detached garage currently located in this area will be removed). The proposed one story addition will include a music, art and multi-purpose room that will be used by all of the 430 students of the school.

The proposed 968 square foot one-story addition off the west entrance will include a new principal's office and lobby area. This addition will extend 22 feet out from the existing west exterior wall and will maintain an approximate 48-foot west front yard.

School officials have indicated that they will meet with neighbors prior to the Board meeting to discuss the expansion and answer questions and/or concerns (as of the writing of this report no specific date has been provided to staff).

Staff believes that some type of landscaping should be provided along the north property line (along with the proposed chain link fence) to provide a buffer between the school expansion and

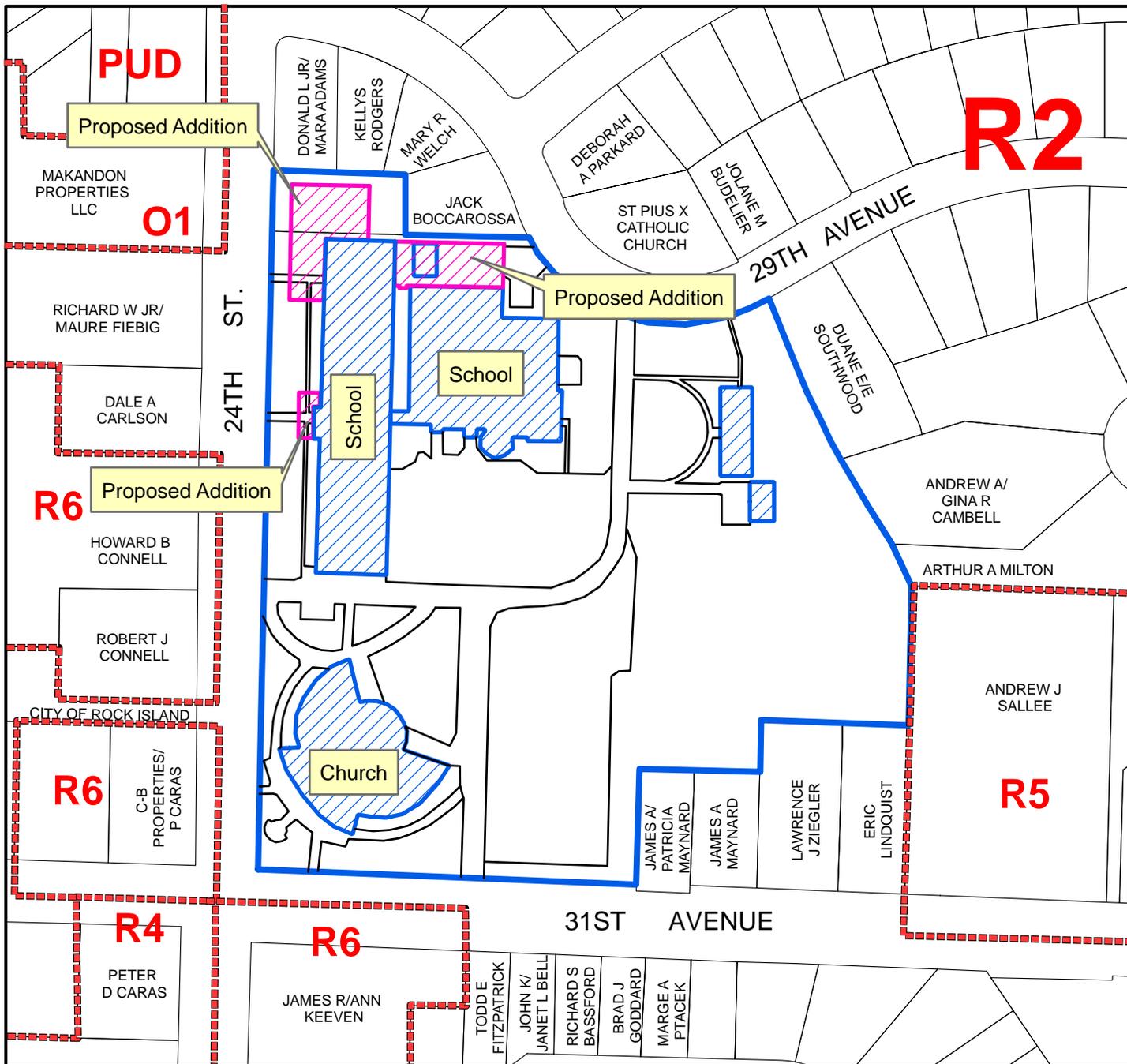
residential properties to the north. Staff has discussed this with the School's architect and they have indicated that funds will be budgeted for landscaping. Staff believes that a row of arborvitae trees would be a good buffer, but also would consider what neighbors may desire or suggest. Some type of landscaping should be stipulated by the Board.

Recommendation:

That the special exception and variances be approved because it will add needed classroom and educational resource labs, the proposed additions locations best fit the school's existing floor plan and it will not alter the character of the neighborhood.

Staff recommends that the Board stipulate some level of acceptable landscaping be provided along the north property line (either arborvitae trees, or plantings suggested by neighbors).

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2011-3 Legend

- Parcels
- Subject Property

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

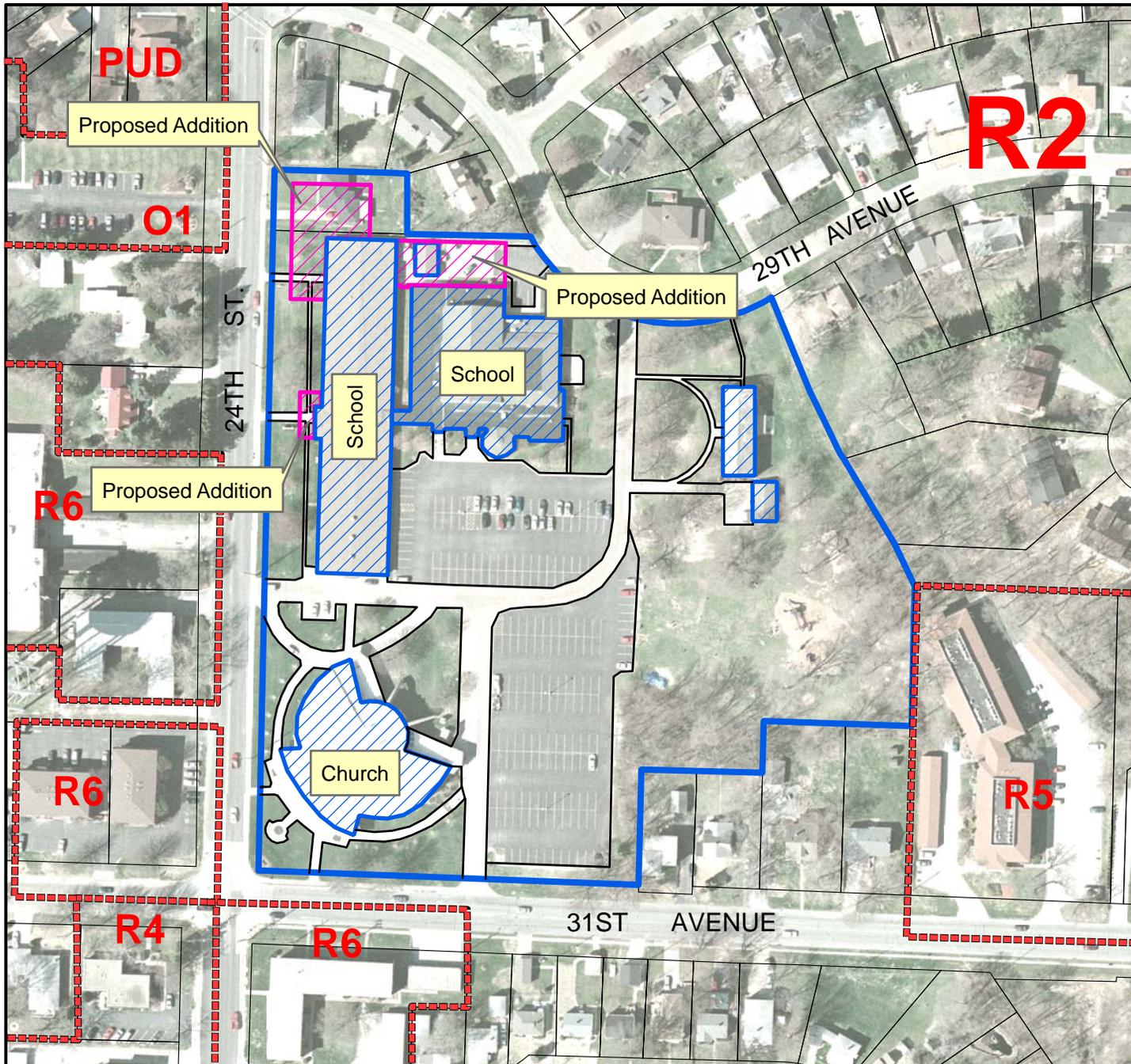


City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2011-3 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K. G. D.

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



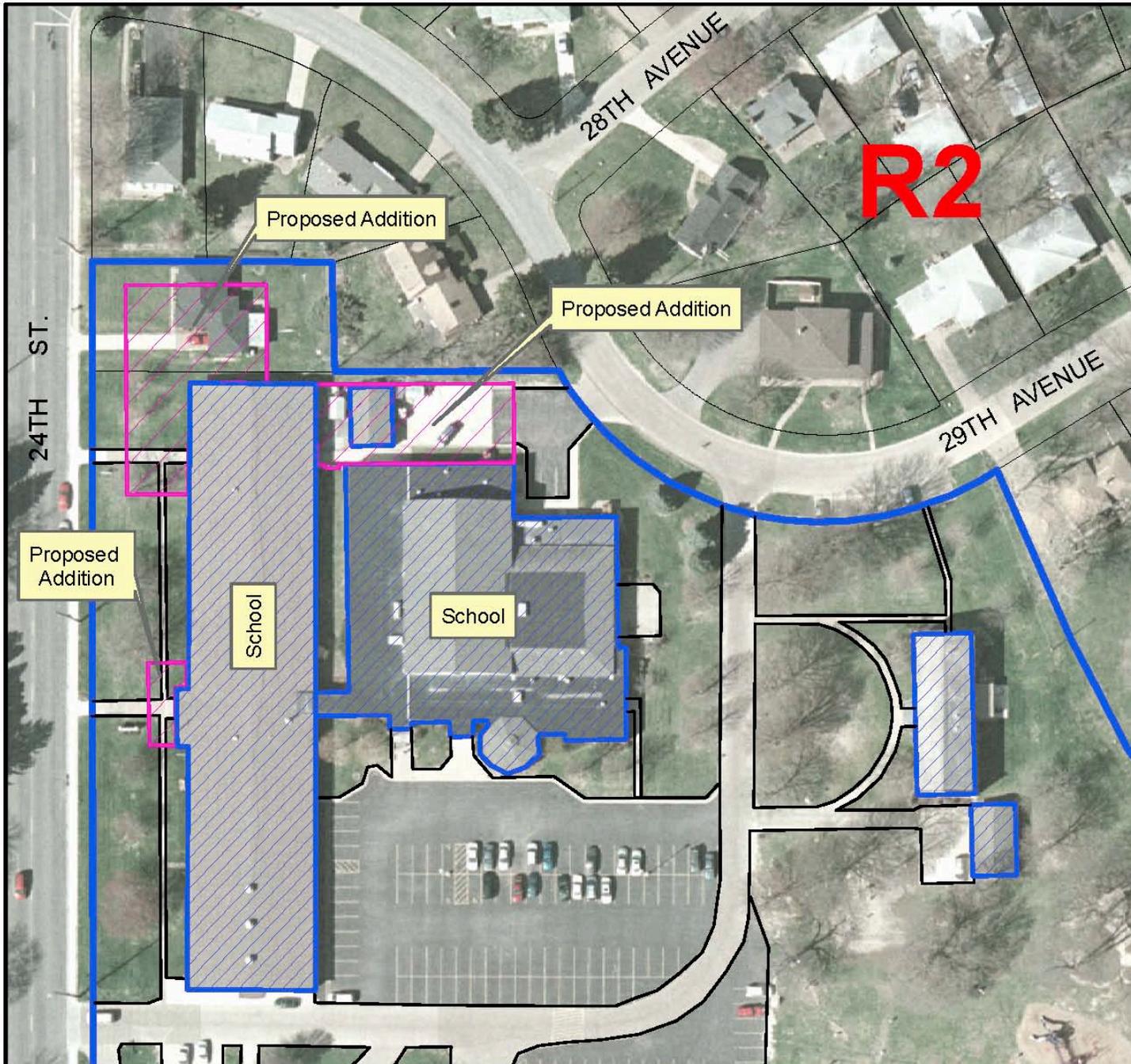
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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS
2011-3
Supplemental 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

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Planning and Redevelopment

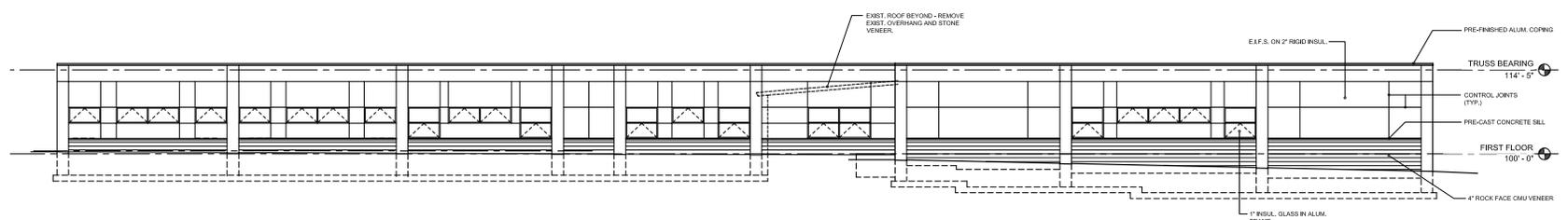




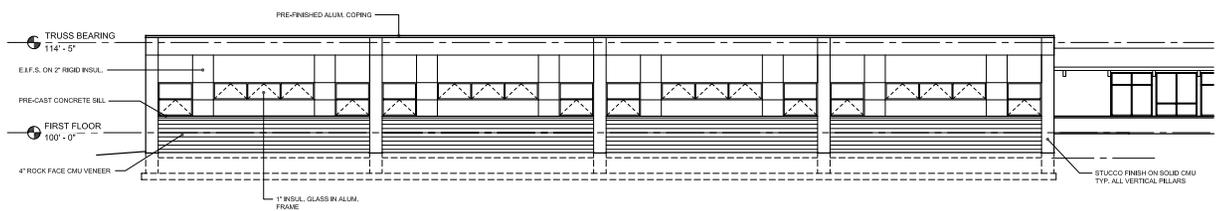
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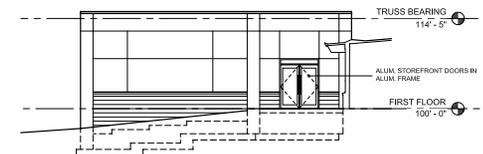
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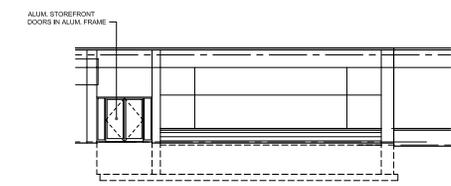
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 SCALE: 1/8" = 1'-0"



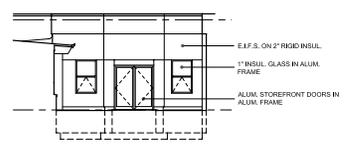
2 WEST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



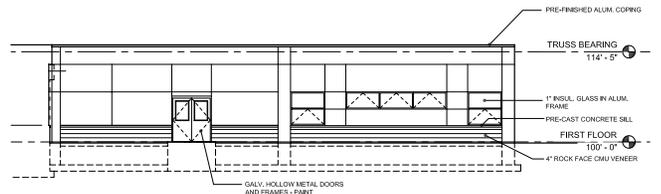
3 SOUTH ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



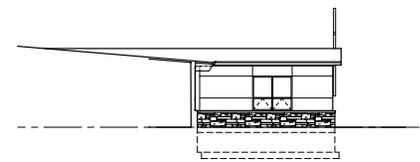
4 EAST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



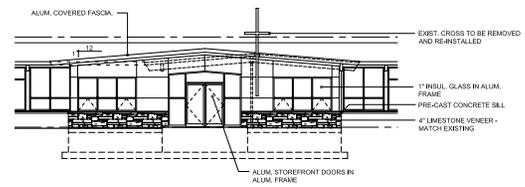
5 SOUTH ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



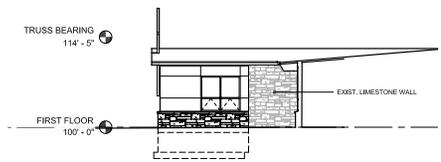
6 EAST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



7 NORTH ELEVATION - ADMINISTRATION ADDITION
 SCALE: 1/8" = 1'-0"



8 WEST ELEVATION - ADMINISTRATION ADDITION
 SCALE: 1/8" = 1'-0"



9 SOUTH ELEVATION - ADMINISTRATION ADDITION
 SCALE: 1/8" = 1'-0"

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: January 26, 2011

SUBJECT: Case #2011-04- Request 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 in a front yard on a corner property in an R-3 (one and two family residence) district.

Applicant:
James Sexton

Location:
1800 9-½ Street

Request:
To allow 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 in a front yard on a corner property in an R-3 (one and two family residence) district.

Size of Property:
The property measures 46.5' x 101' (approximately 4,695 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
To the north is Douglas Park, zoned R-3. To the east, south and west are single family uses, zoned R-3.

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

Affected Requirements:
The zoning ordinance requires a maximum height of 3.5 feet for fences in a front yard and a 25 foot setback from point of intersection for fences on a corner lot (Section 8.12). The applicant proposes to maintain a six-foot tall privacy fence in an approximate 36 foot long segment in the north front yard. The remainder of the fence in the north and east yards will be changed to meet the 42-inch height limit, but will be maintained approximately up to the corner, not set back 25 feet as required.

Conditions to Authorize Variances:

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

Comments:

The City received a complaint regarding the existing fence and contacted the applicant about the need to either bring the fence into conformance with zoning regulations, or apply for and receive a variance. The applicant has decided to apply for a variance based on a revision to his existing fence configuration. The applicant will reduce the fence height in the east front yard and proposes to only maintain a six-foot tall height for the fence along an approximate 36 foot long segment along the north front yard. This area will include a 20-foot long segment between the subject house and the west property line (providing privacy for the west rear yard) and a 16-foot long segment from the north side door of the house eastward towards the intersection. The applicant indicates that he would like to maintain the six-foot tall fence in this area to provide for more privacy and security for a child's bedroom since there have been people knocking on the side door when walking past the house.

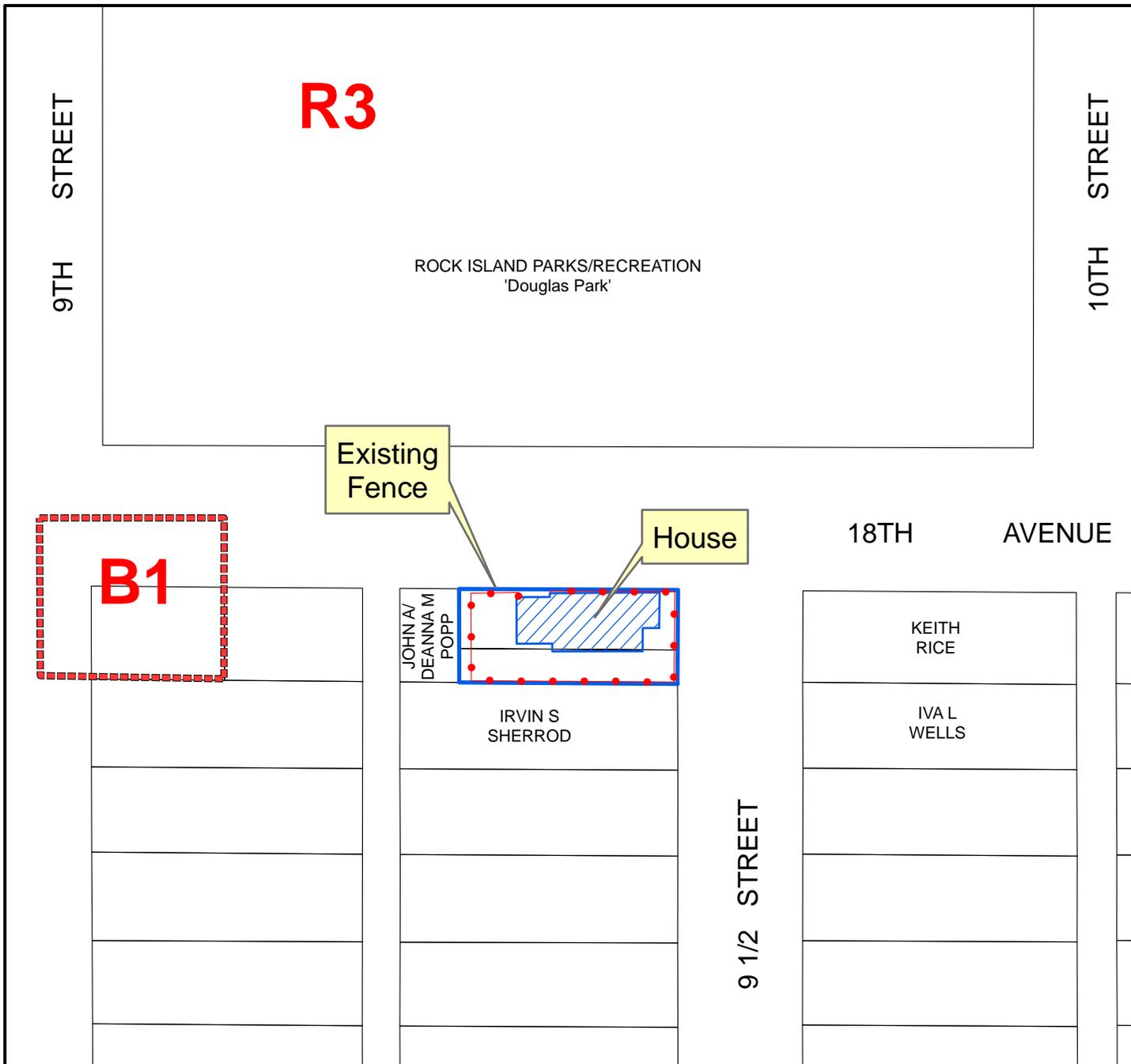
The City Engineer has reviewed the applicant's fence height revisions in relation to visibility at the intersection and recommends that the fence also be set back approximately ten feet from point of intersection along the east and north property lines. This would set the fence back to the sidewalk entrance to the residence off 9-1/2 Street, while still providing adequate visibility at the corner. The applicant is aware of the City Engineer's recommendation and understands that he could still enclose the front yards by angling the fence at the corner from the ten-foot setback points along the east and north property lines.

Recommendation:

That the variance to allow the fence as it currently exists be denied because it is a visibility hazard at the intersection and alters the character of the neighborhood.

Staff further recommends that the revised fence variance proposal (reducing the fence height to 3.5 feet in the east front yard and allowing a six-foot tall privacy fence only in an approximate 36 foot segment in the north front yard and allowing a 15-foot variance of the 25-foot setback from point of intersection at the corner) 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
2011-4

Legend

- Parcels
- Subject Property

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

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





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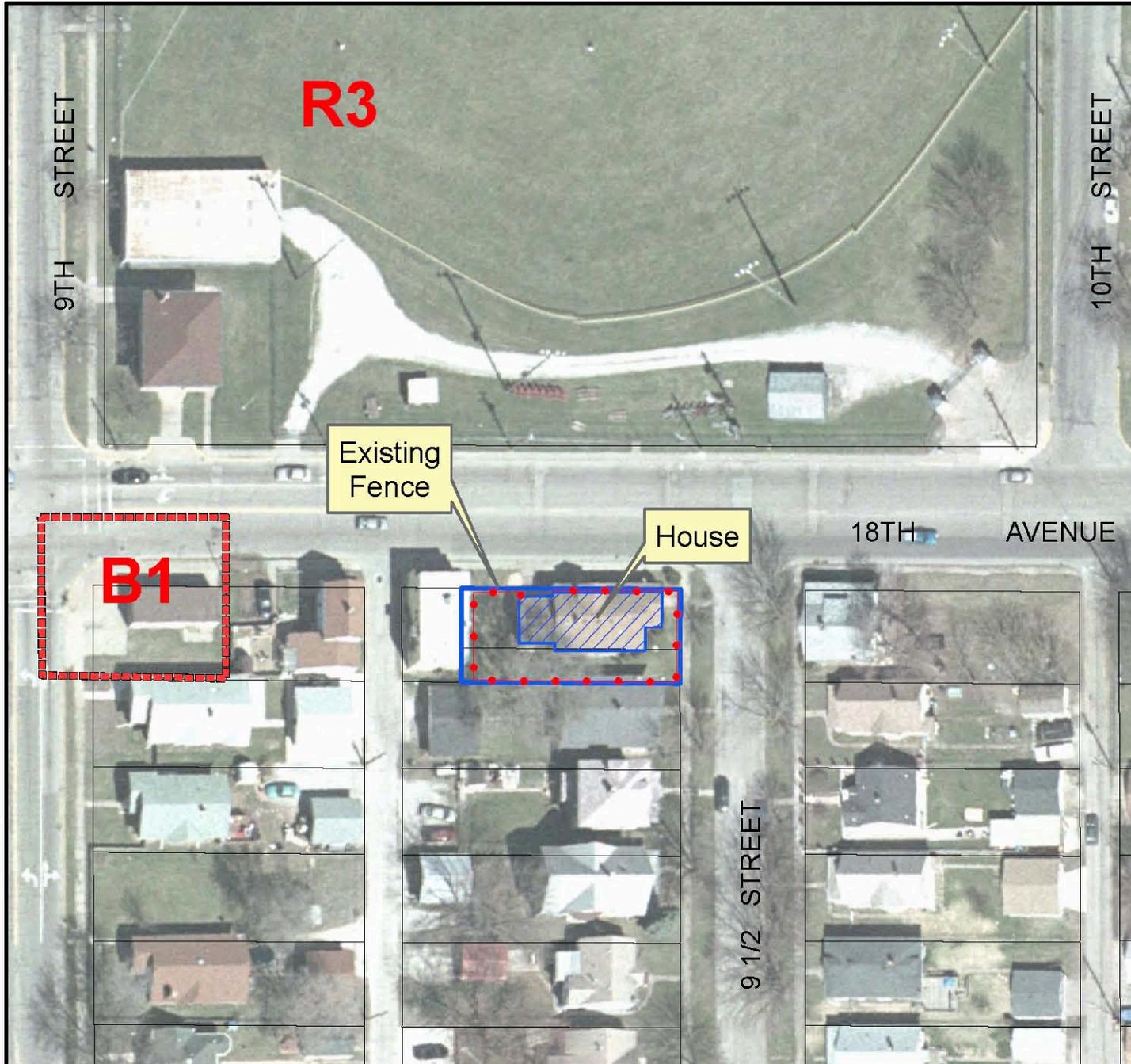
City of Rock Island

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ROCK ISLAND
ILLINOIS

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2011-4 Aerial

Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.

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



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