

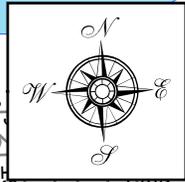
March

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

1. Roll Call
2. Approval of the minutes of the regular meeting of February 9, 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 #2011-06:** Kevin Peschang requests a variance of one parking space of the four parking space requirement for a retail TV repair business in a B-4 (highway business) district. The applicant proposes to maintain the residential structure for business storage and office space and convert the two and one-half car attached garage into a retail TV repair space with one employee, while maintaining three off-street parking spaces adjacent to the former garage at 4529 11th Street, Rock Island, Illinois.
6. **Public Hearing #2011-07:** Gregg Brandyberry requests a variance to allow living space for two dwellings on the entire first floor of a business zoned property in a B-2 (central business) district. The applicant proposes to locate residential living space in a mixed-use occupancy (combination personal office and living space) on the first floor of the structure at 1810/1812 2nd Avenue, Rock Island, Illinois.
7. Other Business
8. Adjournment

**Location Map for
BZA2011-3,
BZA2011-6 and BZA2011-7**

**BZA2011-7
1810-12 2nd Avenue**



**BZA2011-3
2901 24th Street**



**BZA2011-6
4529 11th Street**



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

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

Regular Meeting

7:00 p.m.

February 9, 2011

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

Staff Present: Alan Carmen, Alan Fries

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

Chairman Snyder said that Public Hearing #2011-03 from Jordan Catholic School at 2901 24th Street had been deferred until the March 9, 2011 meeting at the request of the applicant.

Approval of Minutes – Mr. Tschappat made a motion to approve the Minutes of the January 12, 2011 meeting. Ms. Jalloh seconded the motion, and it passed unanimously.

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

Public Hearing #2011-04 - Request from James Sexton 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 at 1800 9 ½ Street.

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

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 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 9-½ 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.

Chairman Snyder called for proponents.

James Sexton, 1800 9-½ Street, was sworn in. He said that along with people knocking at the side door he has had a lawn mower and grill stolen from his back yard and desires the fence to provide better security for his possessions. He said his attached one-car garage is too small to store things in.

Chairman Snyder asked who erected the fence. Mr. Sexton replied that he did and added that he was not aware of the zoning regulations for fences.

Mr. Tschappat asked if he would like the fence height to be six feet tall along the entire north side of the property. Mr. Sexton replied that he is aware that the City Engineer does not recommend that it be six feet in height for that entire area, so he proposes to only have the fence six feet in height in the rear yard and for an approximate 16-foot long segment adjacent to the side door and his daughter's bedroom.

Mr. Tschappat then asked if he measured the distance from the point of intersection and the angle of the proposed fence with the ten-foot setback to see if there was enough front yard left to be able to get a lawnmower around the corner on his lawn. Mr. Sexton replied that he has not been able to measure due to the snow cover in the yard area.

Joyce Fulton, 1800 9-½ Street, was sworn in. She asked for clarification on the way a fence can be angled at the intersection. Mr. Tschappat replied that the setback is from the point the two property lines intersect at the corner and that a fence can then be set on an angle from the points ten feet away from the point of intersection.

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

Decision Case #2011-04 – Mr. Tschappat asked staff how long would the section of a six-foot tall fence be along 18th Avenue. Mr. Fries replied that City staff and the City Engineer understood that the distance would be a total of 36 feet (20 feet in the rear yard area and 16 feet adjacent to the house).

Mr. Tschappat asked if the public hearing could be re-opened to ask the applicant another question.

After seeing that there was a consensus among Board members, Chairman Snyder re-opened the public hearing.

Mr. Tschappat asked if that length of fence was workable for Mr. Sexton. Mr. Sexton replied that he

understood that is what was acceptable to the City Engineer, but that he would like to have a distance of 20 feet along the house and another 20 feet in the rear yard and a setback of only eight feet at the intersection rather than ten feet.

Chairman Snyder closed the public again. He then asked the Board if they would like to give the applicant more time to re-measure his yard area to assess the existing fence location and options for changing his fence height and distance.

Ms. Williams made a motion to defer the request until the April 13, 2011 regular meeting because:

1. The Board wanted the applicant and staff to have additional time to measure and assess the existing fence location and options for considering the proposed variance.

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

Chairman Snyder 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: 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

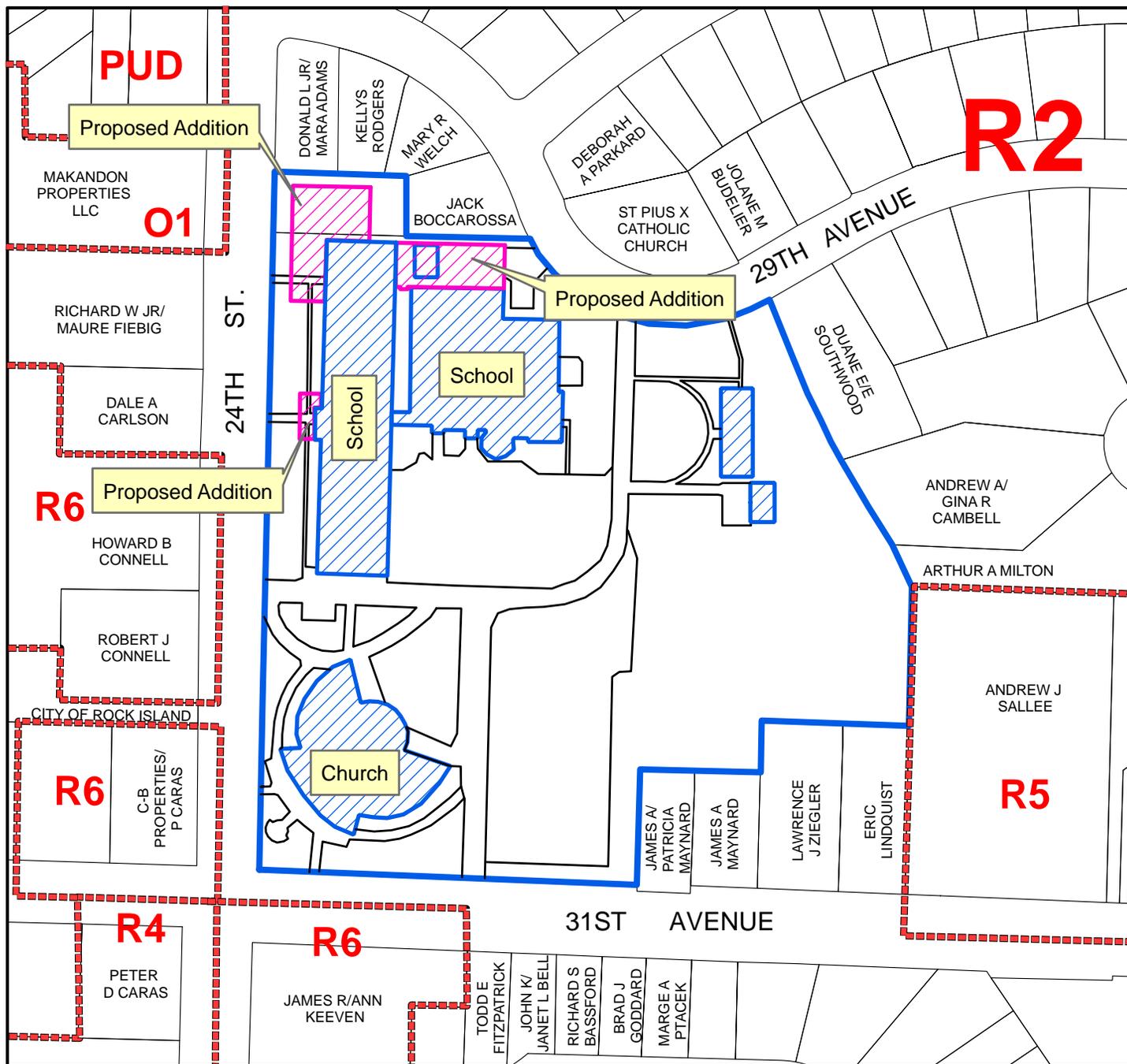
residential properties to the north. Staff has discussed this with the School's architect and they have indicated that funds will be budgeted for landscaping. Staff believes that a row of arborvitae trees would be a good buffer, but also would consider what neighbors may desire or suggest. Some type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



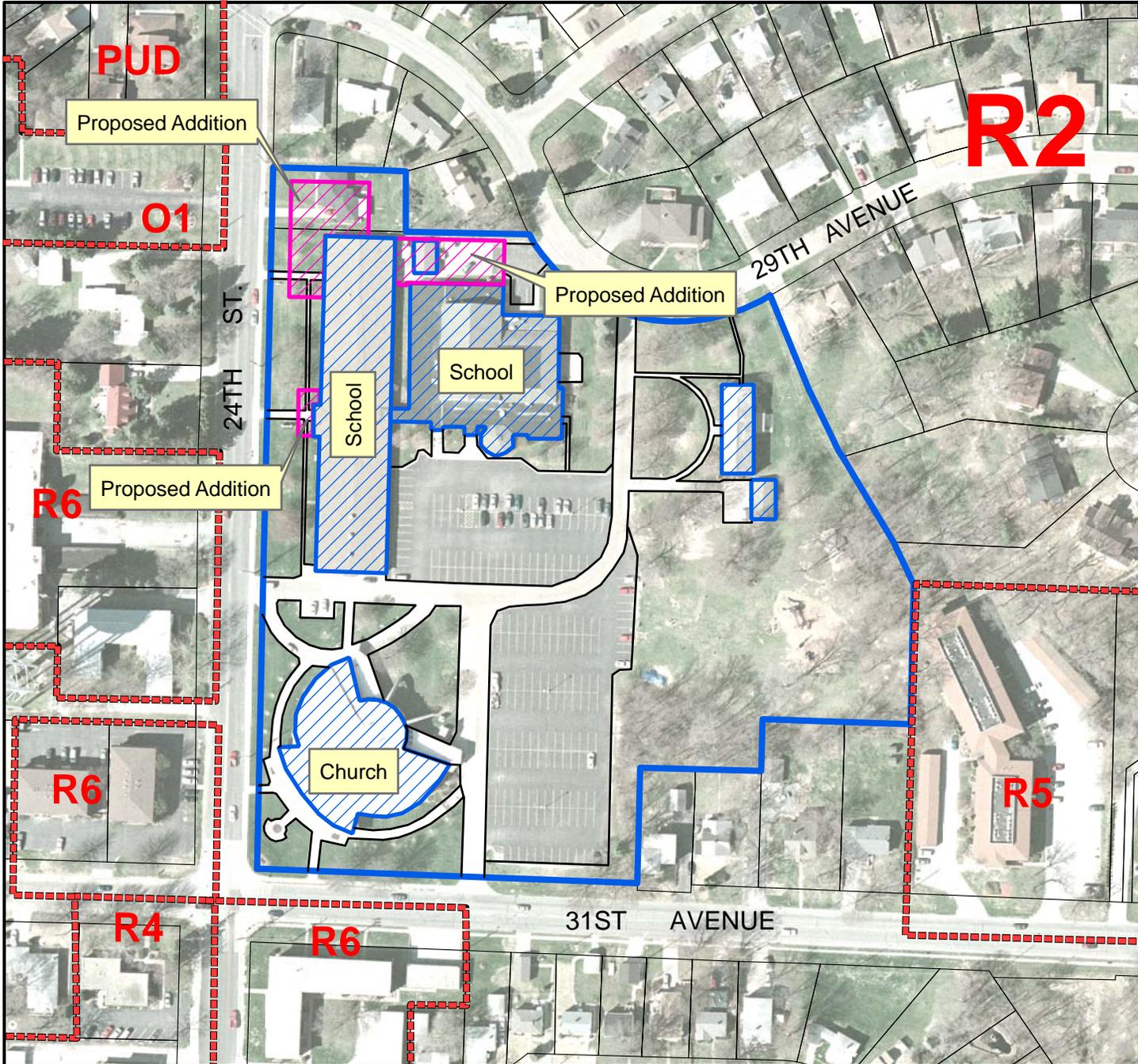
0 50 100 200 300
Ft

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.

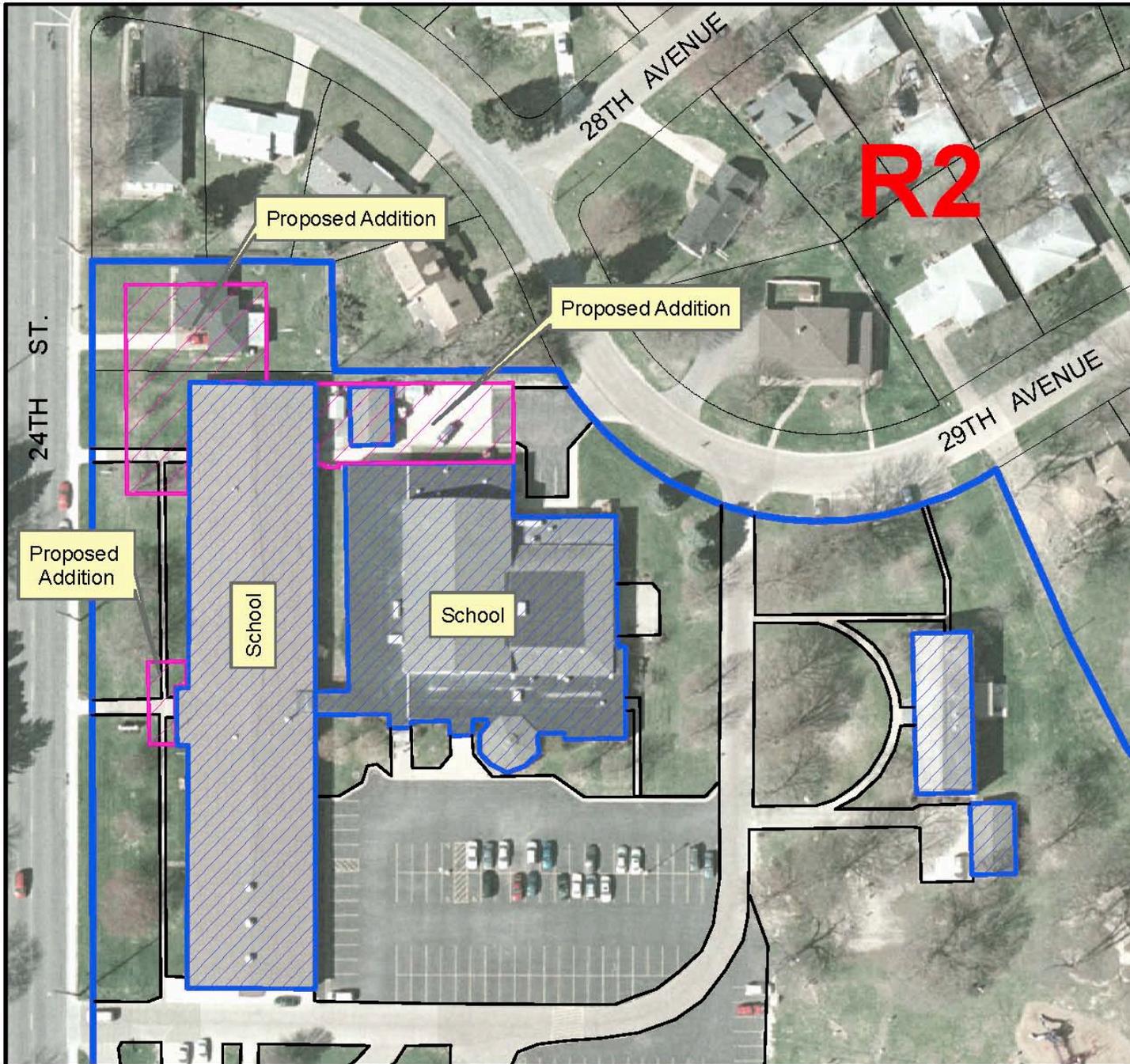

 0 50 100 200 300
 Ft

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.

0 30 60 120 180 Ft

City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

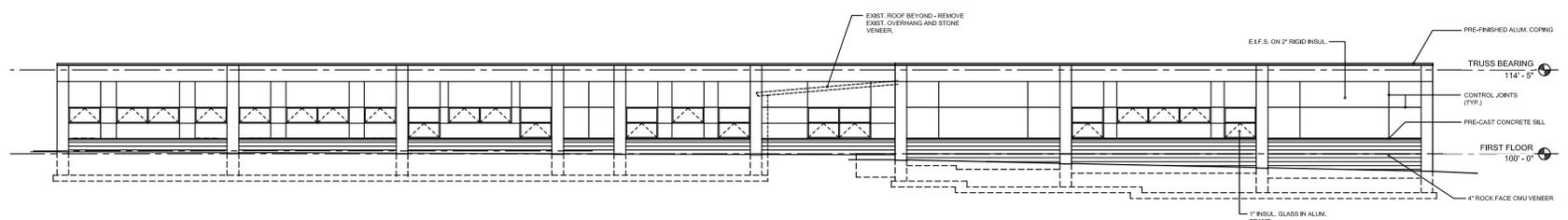




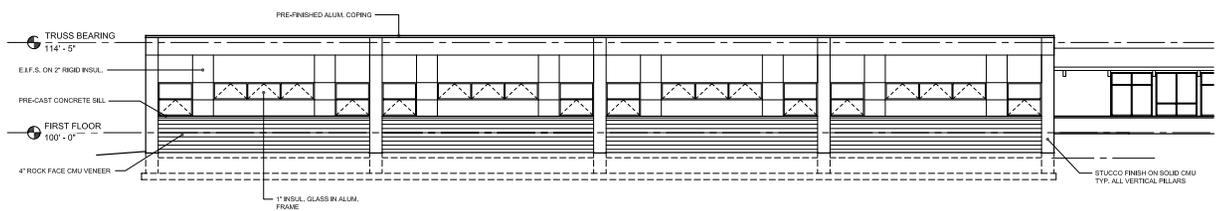
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

N
M
L
K
J
I
H
G
F
E
D
C
B
A

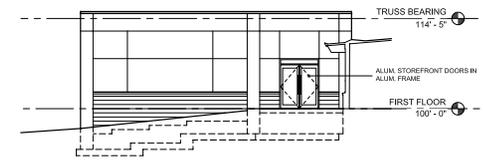
28 JANUARY 2011



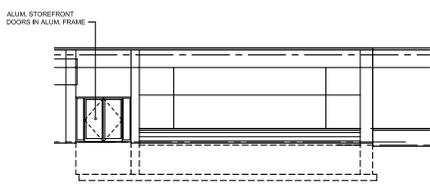
1 NORTH ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



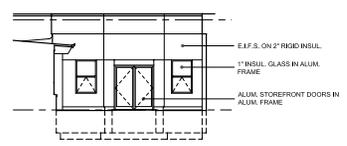
2 WEST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



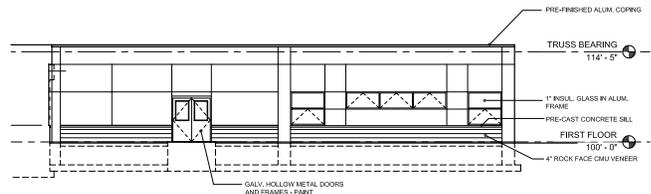
3 SOUTH ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



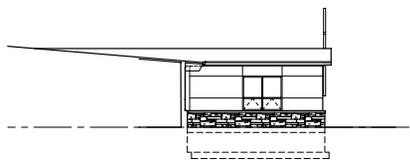
4 EAST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



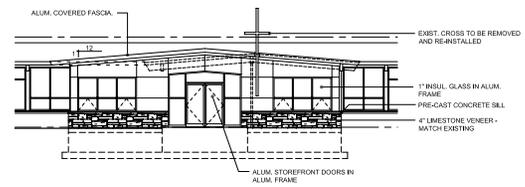
5 SOUTH ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



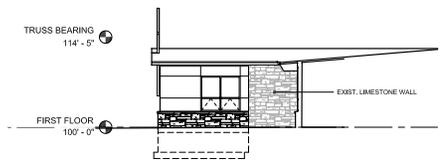
6 EAST ELEVATION - CLASSROOM ADDITION
 SCALE: 1/8" = 1'-0"



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: February 24, 2011

SUBJECT: Case #2011-06 Request for a variance from the off-street parking space requirement for a business in a B-4 (highway business) district.

Applicant:
Kevin Peschang

Location:
4529 11th Street

Request:
To allow a variance of one parking space of the four parking space requirement for a retail TV repair business in a B-4 (highway business) district.

Size of Property:
The property measures 36.5' x 140' (5,110 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The property is occupied for a vacant single-family residence and attached garage. To the north is a single-family residence, zoned B-4. To the east, west and south are business uses, zoned B-4.

Topography:
The site is flat and slightly above.

Affected Requirements:
The zoning ordinance requires one parking space for every 200 square feet of retail floor area and one space for every two employees on a maximum shift (Section 8.14D). The applicant proposes to use the former residential structure for business storage and office space and convert the two and one-half car attached garage into a retail TV repair space with one employee, while maintaining three off-street parking spaces adjacent to the garage.

Conditions to Authorize Variance:

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:

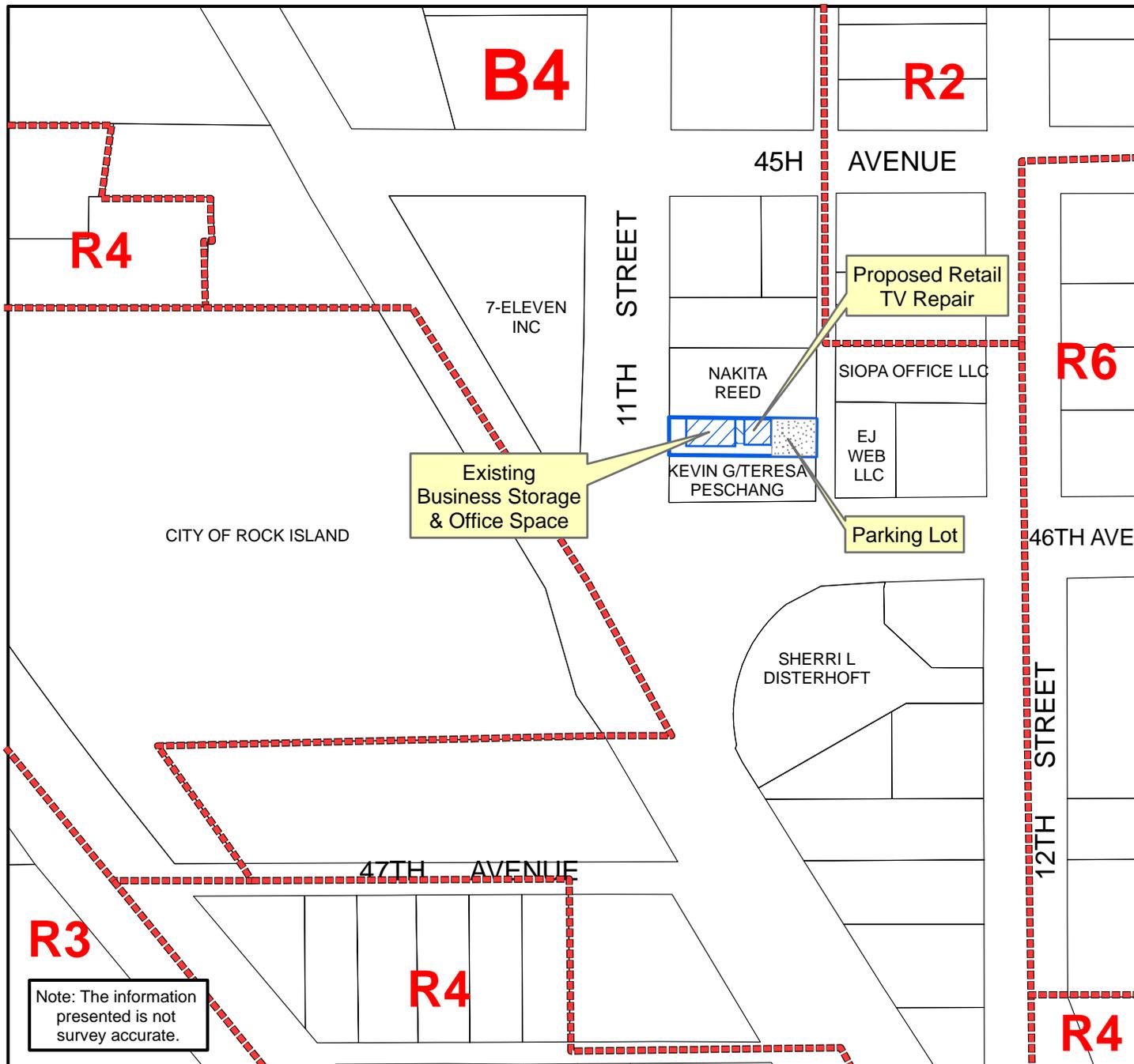
Currently, the applicant operates his TV repair and sales business out of B-4 commercial property directly to the south of the subject property. He has leased the subject property as housing space for some time and now has decided to relocate and “down-size” his business to the subject garage. The Zoning Ordinance requires four off-street parking spaces based on the area of the garage and one employee for the business. There is adequate space to provide three usable parking spaces to the east of the garage.

The applicant indicates that since he will still own the property to the south (his intention is to lease that space), he can park his business vehicle on that lot (which has considerably more parking space) and maintain all three spaces on the subject lot for his customers.

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
2011-6**

Legend

- Parcels
- Subject Property

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

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





0 25 50 100 150 200 250 Feet

City of Rock Island

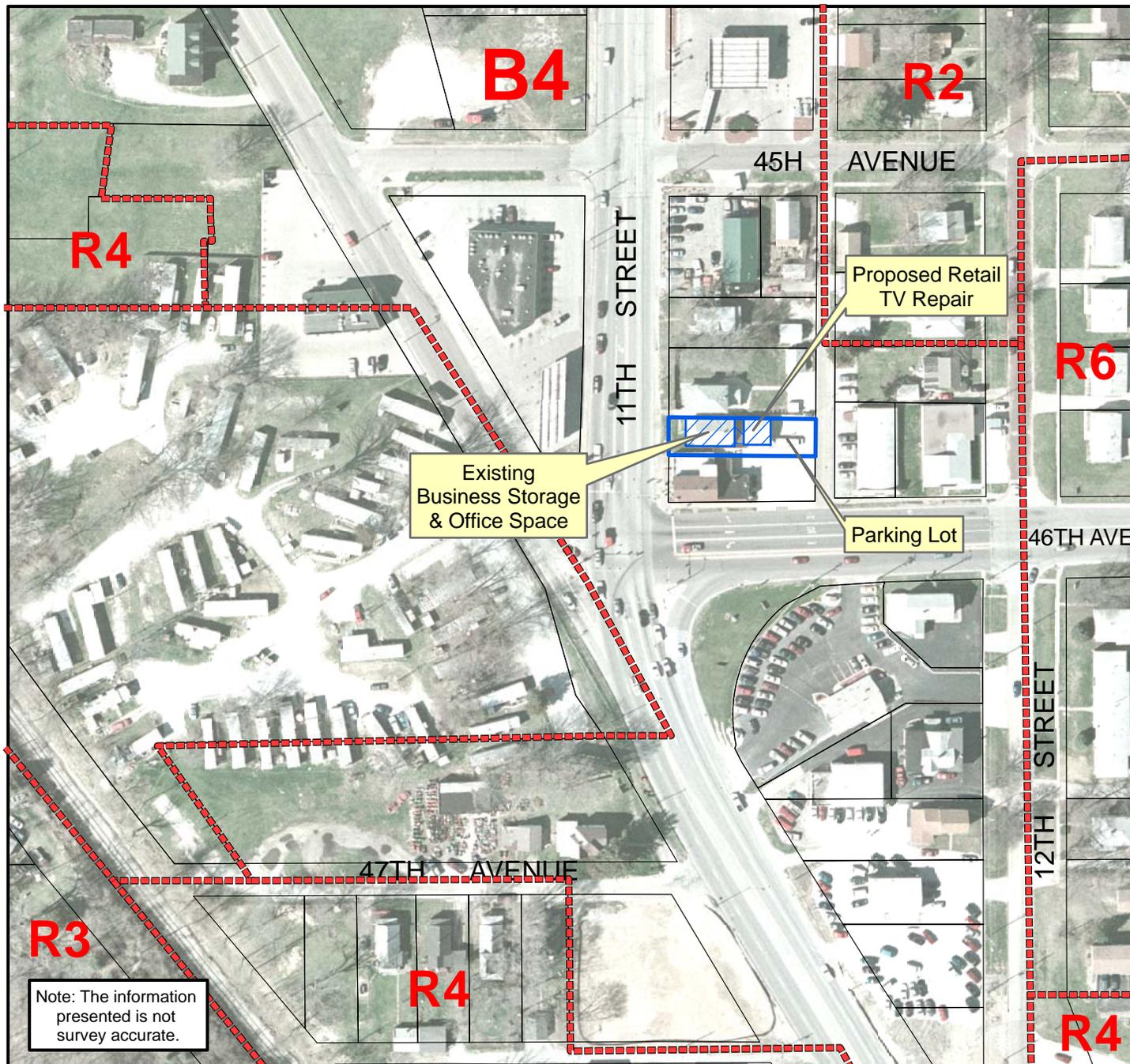
COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



ROCK ISLAND
ILLINOIS

Note: The information presented is not survey accurate.

BOARD OF ZONING APPEALS



Note: The information presented is not survey accurate.

BOARD OF ZONING APPEALS
2011-6 Aerial

Legend

- Parcels
- Subject Property

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



0 25 50 100 150 200 250 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: February 24, 2011

SUBJECT: Case #2011-07 Request for a variance to allow living space for two dwellings on the entire first floor of a business zoned property in a B-2 (central business) district.

Applicant:
Gregg Brandyberry

Location:
1818/1812 2nd Avenue

Request:
To allow a variance to allow living space for two dwellings on the entire first floor of a business zoned property in a B-2 (central business) district.

Size of Property:
The property measures 40' x 120' (4,800 square feet).

Zoning History:
Board of Zoning Appeals case #2009-13- Request for similar variance to allow living space only in the rear segment of the first floor and the entire second floor.

Existing Land Use and Zoning:
The area is a downtown neighborhood with a combination of retail, office, service and residential uses, zoned B-2.

Topography:
The site is flat and at street level.

Affected Requirements:
The zoning ordinance requires that any living space in a business zoning district be above a first floor commercial space (Section 26.2). The applicant proposes to locate residential living space in mixed use occupancy (combination personal office and living space) on the first floor of the structure.

Conditions to Authorize Variance:

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:

In 2009, the Board approved a variance creating first floor living space for two units in the rear of the commercial area and a second floor dwelling space for one of the two residential units. There were also two first floor 20' x 50' storefront spaces off of 2nd Avenue for either retail or office uses.

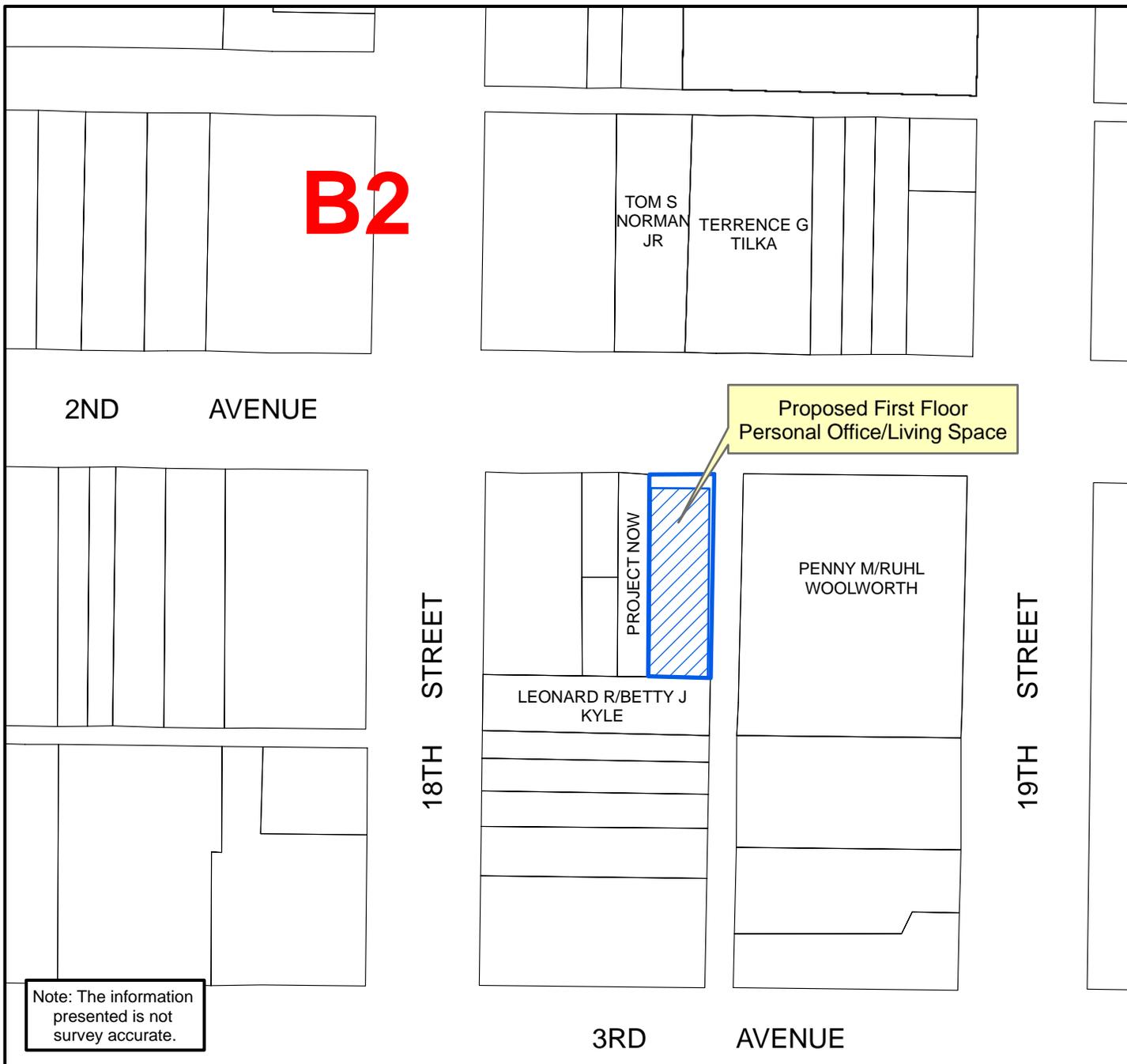
The applicant now desires to have the entire first floor area be residential, with the prospect of it also being a home office or live/work arrangement. Primary access to the two dwelling units will be from the private alley to the south, with additional access from the Great River Plaza.

Staff believes that the proposed residential space is an innovative living arrangement that creates downtown housing that is consistent with the Downtown Strategic Plan (2007), RiverVision Plan (2004), the City of Rock Island Consolidated Plan and the State of Illinois' Comprehensive Housing Plan.

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 2011-7

Legend

- Parcels
- Subject Property

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



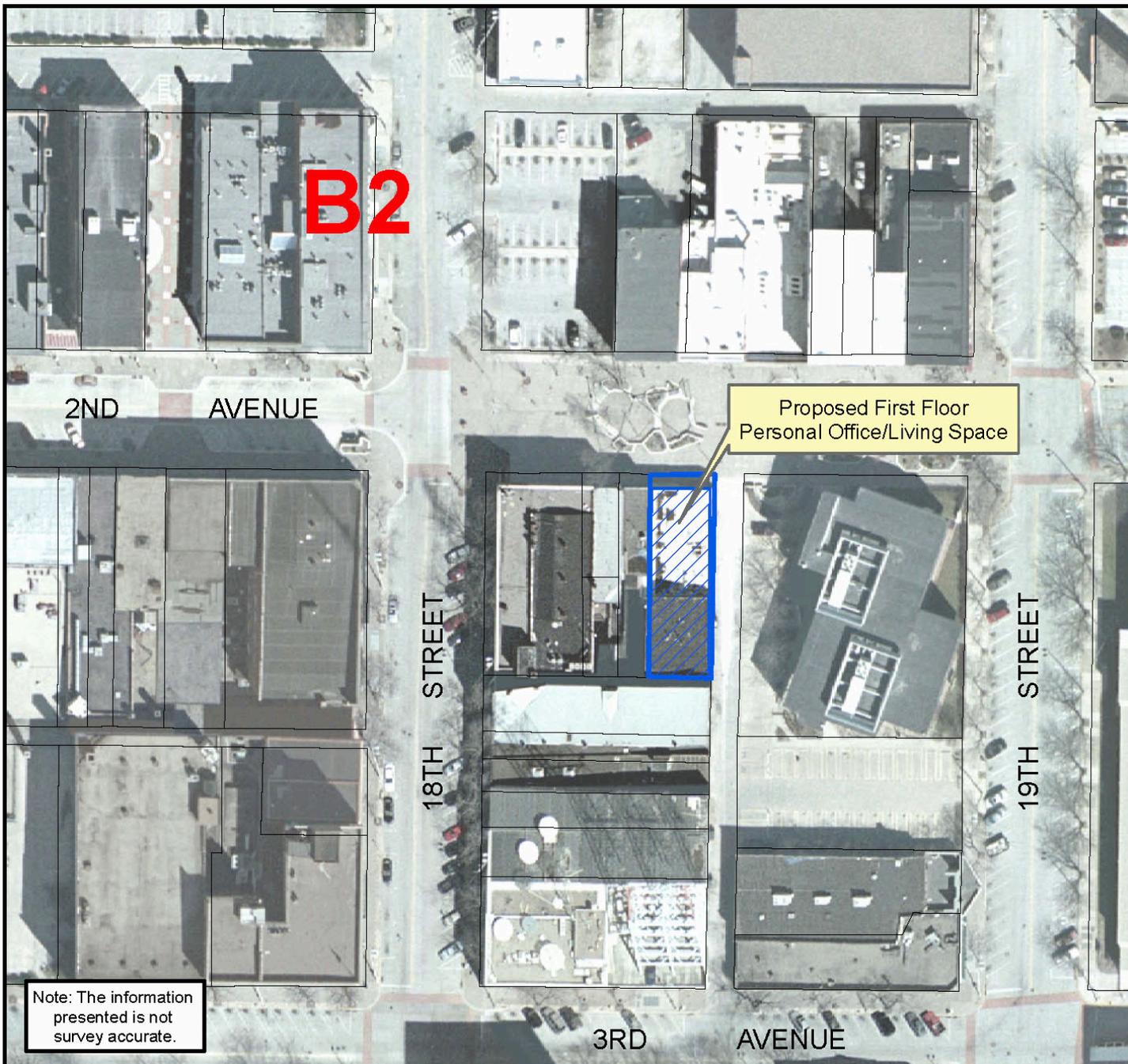
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Note: The information presented is not survey accurate.

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2011-7 Aerial

Legend

-  Parcels
-  Subject Property

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



0 25 50 100 150 200
Ft

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Note: The information presented is not survey accurate.

