

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

Regular Meeting

7:00 p.m.

February 12, 2014

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

Staff Present: Alan Fries and Ben Griffith

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

Approval of Minutes – Mr. Day made the motion to approve the Minutes of the January 14, 2014 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 #2014-02 - Request from J. L. & Kerrie Hinrichsen for a variance of 230 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-3 (one and two family residence) district at 3206 8th Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that there be a 300-foot separation standard between Unrelated Group Family Uses (Section 4.6). The applicant proposes to establish an Unrelated Group Family Use within 70 feet from an approved Unrelated Group Family Use at 3111 8th Avenue.

The applicant currently has a lease to students that meets the requirements in the Zoning Ordinance (two of the existing four residents are related, so they are counted as only three unrelated individuals). The applicants intend to continue to lease to four individuals, but do not expect to always have the opportunity to have some related individuals in the house. The identified existing Unrelated Group Family Use located at 3111 8th Avenue was approved for a separation variance by the Board at its December 11, 2013 meeting (the case map also identifies two additional Unrelated Group Family Uses within the 300 foot distance from the subject property). The subject property meets the off-street parking requirement because there are four improved driveway spaces in the south rear yard of the site. The Zoning Ordinance only requires two off street parking spaces for any Unrelated Group Family Use.

Chairman Snyder called for proponents.

Jeff Hinrichsen, 3129 7 ½ Avenue, was sworn in. He said that he owns nine student rental residences in the neighborhood and does not tolerate disrespectful students in his houses. He said he also grew up in the neighborhood and returned to the area after college. He said the subject house has four large bedrooms and he needs to rent to four individuals in order to help pay the high utility costs for the house. He said that currently he has four residents living there, but two of them are related twins, so the City does not consider the house having four unrelated individuals.

Mary Chappell, 718 34th Street, was sworn in. She expressed her support for the variance because the applicant lives in the neighborhood and takes very good care of all his properties.

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

Decision Case #2014-02 – Mr. Tschappat made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The proposed variance will not alter the character of the neighborhood

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

Public Hearing #2014-03 - **Request from J. L. & Kerrie Hinrichsen for a variance of 260 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-3 (one and two family residence) district at 3203 8th Avenue.**

The zoning ordinance requires that there be a 300-foot separation standard between Unrelated Group Family Uses (Section 4.6). The applicant proposes to establish an Unrelated Group Family Use within 40 feet from an approved Unrelated Group Family Use at 3111 8th Avenue.

The applicant currently has a lease to students that meets the requirements in the Zoning Ordinance (two of the existing four residents are related, so they are counted as only three unrelated individuals). The applicants intend to continue to lease to four individuals, but do not expect to always have the opportunity to have some related individuals in the house. The identified existing Unrelated Group Family Use located at 3111 8th Avenue was approved for a separation variance by the Board at its December 11, 2013 meeting (the case map also identifies two additional Unrelated Group Family Uses within the 300 foot distance from the subject property).

The subject property meets the off-street parking requirement because there are two spaces within a detached garage and one additional space located adjacent to the garage on the site. There is an accessory parking area with three additional spaces on a triangular shaped lot to the north of the subject site. The Zoning Ordinance only requires two off street parking spaces for any Unrelated Group Family Use. He said one comment of support had been received from Mike Henry, 3203 7th Avenue.

Chairman Snyder called for proponents.

Jeff Hinrichsen, who had previously been sworn in, said that this subject house is in an identical situation as the previous house in that he has four residents and two are related twins. He said this house has a two-car detached garage in the rear yard and that there is an extra parking area in a triangular-shaped lot across the alley to the north.

Mary Chappell, who had previously been sworn in, said her comments stated for the previous request also apply to this request. She said that the applicant has gone above and beyond requirements by purchasing the additional parking area to the north to be available for residents of the subject house.

Decision Case #2014-03 – Ms. Jalloh made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The proposed variance will not alter the character of the neighborhood

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

Public Hearing #2014-04 - Request from Y Thanh Nguyen for a variance of 24 feet of the 25 foot front yard setback requirement in a B-1 (neighborhood business) district at 2626 7th Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires a 25 foot front yard setback in a B-1 zoning district (Section 25.6). The applicant proposes to construct a one-story building addition (23' x 53') in the east front yard.

The applicant currently operates a body shop out of the existing commercial structure, but no longer sells vehicles on the property. The proposed one-story addition will be used for a gift shop and the east exterior wall will extend to within one foot of the east property line (this is the area where the outside storage is currently located). Since there is an opaque fence already at this location visibility will not be changed for vehicles exiting the alley.

The applicant will match the brick work on the north side of the addition and will likely utilize metal siding on the east and south sides. The single family residence to the south is located approximately four feet from the east property line.

The applicant has submitted a petition in support for his request signed by nine neighbors.

Chairman Snyder called for proponents.

Mark Schwiebert, 3913 14th Street and attorney representing Mr. Nguyen, was sworn in. He said that the applicant desires to relocate a family owned gift shop from Moline to the property after constructing the proposed building expansion. He said the new business would add sales tax revenue to the city and that the applicant has operated his body shop business on the site since 1997. He said the petition submitted in support of the variance indicates that the applicant gets along well with all his neighbors. He said that the proposed setback variance will not substantially change the site because there currently is a six foot tall privacy fence surrounding the area where the expansion is proposed. He said the site meets the parking requirements for both the existing and proposed additional use on the property.

Mr. Tschappat asked if the addition would be one story. Mr. Schwiebert replied that it would.

Y Thanh Nguyen, 2626 7th Avenue, was sworn in. He said access to the building would only be from the front door facing the street and not the alley to the south.

Mary Chappell, who had previously been sworn in, said that she supports the request and that the applicant has kept his property up well and been a good business operator in the city.

Jeff Hinrichsen, who had previously been sworn in, said as a resident who lives nearby he supports the request because the applicant operates a good business and keeps up his property well.

Decision Case #2014-04 – Mr. Wild 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.

Other Business:

Mr. Griffith indicated that one case has already been submitted for the March 12, 2014 regular meeting agenda. He indicated that there was still some time remaining to submit other applications before the deadline.

He also indicated it has not yet been determined when the request for variances for the new Police Station will be on the Board's agenda, but as details are worked-out he will keep the Board informed of the request.

Chairman Snyder adjourned the meeting at 7:30 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Ben Griffith". The signature is written in a cursive, flowing style.

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