

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

**Regular Meeting**

**7:00 p.m.**

**April 14, 2010**

ATTENDANCE:	(x) Present	( ) Absent
(x) Mike Healea		(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 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 February 10, 2010 meeting. Mr. Wild seconded the motion, and it passed unanimously.

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

**Public Hearing #2010-04 - Request from Jerry Bergheger (O’Melia’s Restaurant) for a variance of 13 feet of the 20 foot front yard setback requirement in a B-4 (highway business) district at 2900 Blackhawk Road.**

Mr. Fries presented the staff report. He explained that the Zoning Ordinance requires a 20-foot front yard setback requirement in a B-4 district (Section 28.6). The applicant proposes to construct an attached deck (20’ x 60’) in the north front yard.

The proposed open deck will provide an outside dining area that can be used during warm weather months of the year expanding the dining experience at the restaurant (see attached drawing). The deck will extend 20 feet out from the building with an additional four foot wide handicapped ramp extending out and leading from the parking lot to the deck (handicapped ramps are exempt from setback requirements). There will be a seven foot front yard maintained on the site. A new enclosed entry area will also be constructed on the deck leading into the main building.

Chairman Tschappat called for proponents.

Jerry Bergheger, 4530 24<sup>th</sup> Avenue, was sworn in. He said that the deck will help to bring more exposure and business to the restaurant.

Chairman Tschappat said that the handicapped ramp will also allow for easier access for people with disabilities.

Mr. Healea asked if the ramp will be open year round even when the deck is not open for outside eating. Mr. Bergheger replied that it would be open .

Ms. Williams asked if there would be any landscaping added. Mr. Bergheger replied that he would add low level bushes.

Todd Christensen, 2212 West 4<sup>th</sup> Street in Davenport and contractor from Able Builders, was sworn in. He asked how much landscaping would be required for the use. Mr. Carmen replied that the only landscaping required by the Zoning Ordinance would be for any parking lot expansion.

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

**Decision Case #2010-04** – Mr. Wild a motion to approve the request because:

1. The proposed addition will improve the return on the property.
2. The deck is located at the optimum site based on the interior floor plan of the restaurant, being adjacent to the interior eating area of the restaurant and the kitchen is located in the rear of the building.
3. The proposed addition will not alter the character of the neighborhood.

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

**Other Business:**

Mr. Snyder asked about the status of the detached accessory building at 1911 24<sup>th</sup> Street. Mr. Carmen said that the Board had approved an original and secondary variance for the size and height and the constructed building has met all the variance requirements.

Mr. Carmen informed the Board about the July 3<sup>rd</sup> opening ceremony for Schwiebert Riverfront Park.

Chairman Tschappat adjourned the meeting at 7:31 p.m.

Respectfully Submitted,

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