

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

**Regular Meeting**

**7:00 p.m.**

**January 14, 2015**

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

Staff Present: Ben Griffith and Alan Fries

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

**Approval of Minutes** – Mr. Day made a motion to approve the Minutes of the December 10, 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 #2015-01 - Request from Tim McGuire for a variance of 2.5 feet of the 3.5 foot maximum fence height requirement in a front yard in an R-3 (one and two family residence) district at 804 20th Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that fences not exceed 3.5 feet in height in a front yard on a residential zoned property (Section 8.12). The applicant proposes to complete construction of a 6-foot tall privacy fence in the north front yard.

Staff received an inquiry from a citizen about the fence in relation to City regulations. Staff contacted the property owner and the applicant indicated that he has recently purchased the property and was not aware of the regulations when he started to construct a 6-foot tall privacy fence in the north front yard. He indicated that his family desires a taller fence for better privacy and security because they have a little girl and a dog.

The property is located near a local landmark to the south (816 20<sup>th</sup> Street) and is also located in a National Registry historic district. The Preservation Ordinance allows for comment to the Board on any variance requests located near to local landmarks. The Preservation Commission provided a memo recommending that the Board deny the request.

Staff agreed that a 6-foot tall privacy fence would alter the character of this historic neighborhood, but understood the concerns for better privacy and security on a corner lot on a busy street. Staff's position is that a 4-foot tall privacy fence would not alter the character of the neighborhood.

Mr. Fries said the City had received one letter of support for the staff recommendation to approve a 4-foot tall fence from Diane Oestreich, 816 22<sup>nd</sup> Street.

Chairman Snyder called for proponents.

Tim McGuire, 804 20<sup>th</sup> Street, was sworn in. He said the second front yard identification is a technical definition and that the north yard acts practically more as a side yard for his residence. He said the fence is located near a rear door of the house and the design of the privacy fence would not clash with the house. He said they have legitimate privacy concerns regarding a unique security need for their family.

Chairman Snyder asked if the fence would be a picket fence. Mr. McGuire replied that it would be a privacy fence with solid slats and a dog-eared design on top.

Molly McGuire, 804 20<sup>th</sup> Street, was sworn in. She said that they are open to making the fence as historically and aesthetically pleasing as possible, but they still need a tall fence that provides adequate visual security for their family.

Chairman Snyder asked if a 4.5 tall fence would be adequate. Ms. McGuire replied that it would not be the ideal, but they would accept what the Board decided.

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

**Decision Case #2015-01** – Mr. Wild made a motion to approve the request for a 6-foot tall fence because:

1. The proposed variance will improve the return on the property.
2. The lot is a corner lot with two front yards and there is a unique security need for a taller fence for the family.
3. The proposed variance will not alter the character of the neighborhood.

Chairman Snyder called for a vote on the motion to approve a 6-foot tall privacy fence, and it passed unanimously.

**Other Business:**

Mr. Griffith informed the Board that there is one case on the agenda for the regular February meeting. 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:**

Chairman Snyder adjourned the meeting at 7:28 p.m.

Respectfully submitted,



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