

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

Regular Meeting

7:00 p.m.

July 8, 2015

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| ATTENDANCE: | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| | <input type="checkbox"/> Kevin Day | <input checked="" type="checkbox"/> Karen Williams |
| | <input checked="" type="checkbox"/> Dave McAdam | <input type="checkbox"/> Larry Tschappat |
| | <input checked="" type="checkbox"/> Gary Snyder | <input checked="" type="checkbox"/> Robert Wild |
| | <input checked="" type="checkbox"/> 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. Wild made a motion to approve the Minutes of the June 10, 2015 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 #2015-08 - Request from CHS Rock Island, LP for a variance of 1 foot of the 20 foot sum of side yard setback requirement for a two-story residence in an R-4 (one to six family residence) district at 1028 16th Street.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires a 20-foot sum of side yard combined setback for both side yards added together (Section 17.5). The applicant proposes to maintain the recently constructed two-story residence on the site.

Following completion of the house construction and a survey it was determined that the house did not meet the sum of side yard setback requirements of the ordinance. The north side yard was identified as 9.35 feet at its closest point, while the south side yard was identified as 9.75 feet. Staff is unable to administratively approve a variance, so the applicant applied for the setback variance.

Chairman Snyder called for proponents.

Steve Schmidt, 210 South Dodge Street in Galena, Illinois, was sworn in. He said he did the alta survey after the project was completed and determined there was the one-foot change in setbacks. He said it may have happened because the proposal was originally for a one-story residence rather than the two-story residence that was eventually built. He said that if some of the trim work had not been built as it was, there would probably not be a need for a variance.

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

Decision Case #2015-08 – Ms. Williams 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. McAdam seconded the motion, and it passed unanimously.

Public Hearing #2015-09 - Request from Karen and Gary Buchanan for a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard in an R-3 (one and two family residence) district at 2406 23rd Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that fences in a front yard not exceed 3.5 feet in height (Section 8.12). The applicant proposes to maintain a 6-foot tall wire fence with wood posts and gate in the west front yard for the purpose of keeping wildlife out of their garden.

Staff received a complaint regarding the fence and informed the residents of the need to bring it into conformance, or apply for a variance. The residents applied for a variance because they indicate they need the fence during summer months due to deer and other wildlife getting into their garden and eating their fruit and vegetables. They also indicated they had a fence up last year, but it did not have the wood posts and gate and that the fence was removed during the winter. They indicated the current fence is probably more noticeable to others, but is more stable with the wood posts and gate.

Staff understands the need for the taller fence and does not believe the height has any negative impact on the character of the neighborhood.

Chairman Snyder called for proponents.

Karen Buchanan, 2406 23rd Avenue, was sworn in. She said she put up the fence not realizing she had two front yards. She said she needs the fence to keep deer out of her garden area.

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

Decision Case #2015-09 – Mr. Wild made a motion to approve the request because:

1. The proposed variance has improved the return on the property.
2. The lot is a corner lot with two front yards.
3. The proposed variance will not alter the character of the neighborhood.

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

Election of Officers:

Chairman Snyder opened the floor for nominations for two-year terms for Chairman and Vice-Chairman.

Mr. Wild Made a motion to nominate Mr. Snyder to remain Chairman and Mr. McAdam to remain Vice-Chairman. Ms. Williams seconded the motion, and it passed unanimously.

Other Business:

Mr. Griffith said there have been three cases submitted for the August regular meeting agenda. 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 7:25 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