

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

Regular Meeting

7:00 p.m.

March 9, 2016

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

Staff Present: Brandy Howe 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 January 13, 2016 meeting. Mr. Tschappat seconded the motion, and it passed unanimously.

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

Public Hearing #2016-02 - Request from Andrew Parer and Andrea Bonner for a special exception to expand a non-conforming use in an I-1 (light industrial) district at 302 35th Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires Board authorization to expand a non-conforming use (Section 5.12). The applicant proposes to construct a 1,450 square-foot second floor addition to the existing single-family residence.

The subject residence and adjacent residence to the south have been located in the area for over 35 years. The expansion for the subject property will not increase the building footprint, but will only add a second story to part of the structure. The floor plan indicates that the second floor expansion will include more bedroom space along with a two additional restrooms and a laundry room.

Chairman Snyder called for proponents.

Andrea Parer (Bonner), 302 35th Avenue, was sworn in. She said they want to expand their house to allow for more bedrooms to make the house more functional or a family. She said they want to improve the house so they can continue to live in Rock Island.

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

Decision Case #2016-02 – Ms. Williams made a motion to approve the request because:

1. The proposed special exception will improve the return on the property.

2. The proposed special exception will not alter the character of the neighborhood.

Ms. Jalloh seconded the motion, and it passed unanimously.

Public Hearing #2016-03 - Request from Peggy Crawford for a variance to allow three portable freestanding signs in a PUD (planned unit development) district at 2411 4th Avenue.

Mr. Fries presented the staff report. He explained that the sign ordinance prohibits portable signs (Section 11 a 5). The applicant proposes to erect three unlighted freestanding portable “flag” signs (2’ x 12’ and approximately 16 feet in height from grade to top of sign) in the south front yard of Jackson Square Apartments.

The apartment development has 30 total units and there are approximately four units vacant and available for lease. The applicant desires the three portable “flag” type signs to advertise they are “now leasing” apartments (see drawing of proposed flag signs). The applicant is asking to locate the three signs along the south landscaped area adjacent to 4th Avenue (see site map and site drawing supplied by applicant). The applicant has not given a time-frame to have the portable signs displayed, but obviously hopes to lease the apartments as quickly as possible.

Portable signs are defined in the Sign Ordinance as “any sign designed...to be self-supporting, self-contained, portable, and not permanently attached to the ground or other permanent structure...” They are popular with businesses and other uses because of their low cost and high visibility. Many sign ordinances regulate these types of signs because they can be easily damaged by weather conditions and can blow into other properties or public-right-of-way. The proliferation of portable signs also can add to the visual clutter of commercial properties and corridors as businesses tend to add more and more portable signs to compete with other businesses.

The property is located in the Riverfront Corridor Overlay District. This area is identified to “establish a physically attractive pattern of development for the general welfare of the City” according to the Zoning Ordinance. Ordinance regulations allow only one permanent freestanding sign per parcel to help provide an attractive site design for this important gateway area of the City near the Government Bridge (there is a monument type freestanding sign on the property adjacent to the parking lot). Staff recommends denial of the request because portable signs do not add to the physical attractiveness of this mixed use area and that allowing variances will alter the design and character of this gateway and corridor.

Chairman Snyder called for proponents.

Peggy Crawford, 219 21st Street and representing the owner of Jackson Square Apartments, was sworn in. She agreed that the portable signs were not very attractive, but that the owner of the property wants to lease the units and the signs are effective in helping do that. She said they now have six units for rent rather than four and they will take down the signs as soon as all units are leased.

Mr. McAdam asked Ms. Crawford if she had an issue with a 60 day limit for the signs. Ms. Crawford replied that the property owner, but hopefully they will lease the units in that time period.

Ms. Williams asked if a smaller sign, perhaps attached to the existing freestanding sign, would be practical for the site. Ms. Crawford replied that she is not sure the owner would want that, but they might be able to put signs in the windows if the request was denied. It was noted that window signs would be significantly less visible than the requested freestanding flag signs.

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

Decision Case #2016-03 – Mr. Tschappat made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The property is unique and is located on a visible main street corridor.
3. The proposed variance will not alter the character of the neighborhood.

He stipulated that a 60 day time period be placed for the signs.

Ms. Williams said she will be voting against the approval motion because the building has architectural dignity and the signs will make the site look like a car dealership. She said the site would be better served with a “now renting” sign affixed to the existing freestanding sign.

Mr. McAdam said he is in favor of things being a success, so he will be supporting the motion. He said he also does not like the appearance of the signs, but they help to lease the property.

Mr. Day said he will be supporting the motion because the site is in a business district, not a residential area.

Chairman Snyder called for a vote on the motion to approve the request, and it passed with Mr. Day, Mr. McAdam, Ms. Jalloh, Mr. Tschappat and Chairman Snyder voting aye and Ms. Williams voting nay.

Public Hearing #2016-04 - Request from John Curtis for a variance of 280 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 721 29th Street.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that there be a 300-foot separation between Unrelated Group Family Uses (Section 4.6). The applicant proposes to establish an Unrelated Group Family Use for up to four residents at the site.

The closest identified existing Unrelated Group Family Use is located across the alley approximately 20 feet to the east. Three other similar uses are also identified on the case map and are located southwest of the subject site. The Zoning Ordinance requires two off street parking spaces for any Unrelated Group Family Use. The site has a two car detached garage and space to

park three to four additional vehicles on the driveway.

Chairman Snyder called for proponents.

John Curtis, 4008 Glendale Blvd. in Davenport, was sworn in. He said he has owned the property for 10 to 12 years and has rented to Augustana students in the past, but not more than three unrelated individuals at any one time. He said if neighbors have complaints about any of his properties they can call him. He said he has only had one complaint regarding his property in all the years he has owned it.

Mr. McAdam asked how many other properties he owns. Mr. Curtis replied 20 to 25 properties, of which 12 to 15 are college student residences.

Chairman Snyder called for opponents.

Pam Schaer, 813 29th Street, was sworn in. She said she does not want any more houses in her neighborhood with more than three Augustana students in them. She said she would provide a list to the City of houses in her neighborhood that had Augustana students living in them.

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

Decision Case #2016-04 – Mr. McAdam 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.

Other Business:

Mr. Fries said there is one case for the April meeting agenda. He reminded Board members to be mindful of any *ex parte* communications and to contact the Planning Office with any questions.

Adjournment:

Chairman Snyder adjourned the meeting at 7:45 p.m.

Respectfully submitted,



Alan Fries, Acting Secretary
Rock Island Board of Zoning Appeals