

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

Regular Meeting

7:00 p.m.

June 8, 2016

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

City Council Members Present: Alderman Virgil Mayberry.

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 May 11, 2016 meeting. Mr. McAdam seconded the motion, and it passed unanimously.

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

Public Hearing #2016-10 - Request from Johannes Bus Service for a variance to allow two principal structures on one parcel, a variance of 15 feet of the 15-foot building setback requirement in the south side yard and a variance to allow a gravel bus parking lot instead of improving the parking lot with either asphalt or concrete in an I-2 (general industrial) district at 7909 42nd Street West

Mr. Fries presented the staff report. He explained that the zoning ordinance requires only one principal structure on a property (Section 8.17) a minimum side yard setback of 15 feet (Section 31.6) and that parking areas be constructed of either asphalt cement concrete, Portland cement concrete or alternative equivalent materials (Section 8.14). The applicant proposes to construct a bus washing and maintenance structure (80' x 100') in the south side yard and a 52,470 square foot gravel bus parking lot in the east rear yard.

The applicant intends to purchase the subject property and relocate its business to the site. The business currently has 10 to 12 full-time employees and 70 to 85 part-time employees. The new one-story 8,000 square foot building will be located along the south property line adjacent to the drive for the second access point of the property. The applicant does not have building plans yet because they are in the process of choosing a builder, but the structure is expected to be a metal framed building with access doors on the east and west side of the building, so buses can drive

through the structure. There will be three maintenance bays and one washing bay in the structure.

The proposed gravel bus parking area will be an “L” shaped lot that will be totally fenced in with chain-link fence with gates. The applicant has not yet decided if this lot will have a separate access off of 79th Avenue West. The applicant is seeking the surface variance mainly due to the cost of improving the parking area. The Board has approved some full variances for gravel parking areas in industrial districts, but it also has set time limits on others as a temporary use. Staff believes that a two year time period to improve the bus parking area is reasonable.

He said one objection had been received from Robert Murray, owner of the business located to the south of the subject site.

Chairman Snyder called for proponents.

Jason Johannes, 1101 E. 7th Street in Coal Valley, Illinois and part owner of Johannes Bus Company, was sworn in. He said their business has been located in Rock Island since the 1960's and they want to move and own a new and bigger facility also located in Rock Island. He said asking for the building setback variance will maximize space for a larger bus maintenance building. He said that there is a lot of green space on the subject site and that improving the bus parking area at this time would be a major expense that would be difficult because of their expense of purchasing the property.

Chairman Snyder stated that staff is recommending that the Board approve a temporary use for paving the bus parking area to be completed within two years. He asked if that was workable for his business.

Mr. Johannes replied that it was better than requiring the improvements to be done now. He said that they would like to improve some of it now, but they have not put a plan together to pay for that yet.

Stephanie Tomer, 901 21st Street and part owner of Johannes Bus Company, was sworn in. She said they have been a good neighbor where they currently are located and also have a lot of plans for the subject property, but improving the parking lot now is a big expense for them. She said they are a family owned company and do not have outside resources like a larger company has.

Chairman Snyder called for opponents.

Robert Murray, 8 Bay Hill Drive in Coal Valley, Illinois, was sworn in. He said he owns the food distribution facility located directly to the south of the subject property and has concerns over dust from a gravel parking lot affecting his business. He said the FDA inspects his facility regularly and requires that it has to be dust free. He said he is concerned his business would be

negatively affected by the parking lot variance and that would be costly to his business.

Ms. Williams asked if there was something that the applicant could spray on the parking lot to keep the dust down. Mr. Murray replied that he does not know if things applied to the gravel work that well in minimizing dust on a long term basis. He said he has fans on the north side of his building that bring in outside air to reduce humidity inside his facility. He said as dust goes up it will affect the food products stored in his warehouse facility.

Mr. McAdam said that maybe asphalt grindings could be used on the bus parking lot. Mr. Murray replied that he has used it at other properties and found that it dries out as it gets crushed and then turns in to a powder that can be circulated in the air. He said he is not confident that would solve the dust problem on the subject site.

Chairman Snyder called for a rebuttal by the applicant.

Mr. Johannes said he understands the dust issue and he is willing to research other products such as tree sap to minimize the dust. He said he would also continue to apply any dust minimizing products on a regularly basis. He said that it is a cash flow issue for his business to be required to improve the bus parking area now and asked for the two year time period in order to complete it.

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

Decision Case #2016-10 – Mr. Tschappat made a motion to approve the request because:

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

Mr. Tschappat added the stipulation that the variance for the improvements for the parking lot be a temporary use for a two year time period and that it would be required to be improved to meet City requirements before the two years are up.

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

Public Hearing #2016-11 - Request from Scott Hancock for a variance of two feet of the 15 foot maximum height for an accessory structure in an R-2 (one family residence) district at 2600 31st Street Court.

Mr. Fries presented the staff report. He explained the Zoning Ordinance requires a maximum height of 15 foot for accessory structures (Section 8.5A). The applicant proposes to construct a detached garage (25' x 39') with a second floor storage space in the west rear yard.

The applicant will remove an existing one-car detached garage located in the north side yard and

utilize the existing driveway to access the proposed three-bay detached garage to be located in the northwest corner of the site. The proposed garage will have a total height of 17 feet to allow for a second floor storage space. The garage will be set back four feet from the north and west property lines.

Chairman Snyder called for proponents.

Scott Hancock, 2600 31st Street Court, was sworn in. He said he was available for questions. Mr. Tschappat asked what the garage setbacks would be from adjacent property lines. Mr. Hancock replied four feet.

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

Decision Case #2016-11 – Mr. Wild 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.

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

Other Business:

Mr. Griffith said there will be five cases for the July regular meeting. He asked if all Board members would be in attendance. Mr. Tschappat, Ms. Jalloh and Mr. Wild indicated they would not be able to attend. He then 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 7:39 p.m.

Respectfully submitted,



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