

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

Regular Meeting

7:00 p.m.

October 12, 2016

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

Staff Present: Ryan Berger and Alan Fries.

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

Approval of Minutes – Mr. McAdam made a motion to approve the Minutes of the August 10, 2016 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 #2016-18 - Request from John Curtis for a variance of 300 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 3224 8th Avenue.

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 directly to the west at 3220 8th Avenue, which is also owned by the applicant. There is also another Unrelated Group Family Use located across the street and several more to the east and west of the site as identified on the case map. The Zoning Ordinance requires two off street parking spaces for any Unrelated Group Family Use. The site has three parking spaces off the alley for residents.

Mr. Tschappat asked why there was only a dirt area for parking in the rear of the property. Mr. Fries replied that the parking area was an existing gravel parking area.

Chairman Snyder called for proponents.

John Curtis, 4008 Glendale Blvd. in Davenport, was sworn in. He said he owns 18 houses in

Rock Island and four of them are located nearby on 8th Avenue. He said there was a gravel parking area in the rear of the subject site and a concrete parking area for his property to the west.

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

Decision Case #2016-18 – Mr. McAdam made a motion to approve the request because:

1. The proposed use and variance will improve the return on the property.
2. The proposed use and variance will not alter the character of the neighborhood.

Mr. Day seconded the motion, and it passed with Mr. McAdam, Ms. Williams, Mr. Day, Ms. Jalloh and Chairman Snyder voting aye and Mr. Tschappat voting nay.

Public Hearing #2016-19 - Request from the Rock Island County Public Building Commission has filed a request for a variance of 3 feet of the 25 foot maximum height for a freestanding light pole within 500 feet of a residential property, a variance of five feet of the five foot wide parking lot landscaped area required for a side yard or rear property line and a variance of 18 total canopy trees from the 24 canopy tree requirement for a 122 space accessory parking lot in a B-3 (community business) district at 1308, 1310, 1312, 1314, 1316, 1316 ½, 1318, 1320 ½, 1322, 1324, 1326 and 1328 3rd Avenue and 306, 308, 310 and 312 14th Street.

Mr. Fries presented the staff report. He explained the Zoning Ordinance requires the following:

1. The Zoning Ordinance requires the maximum height of freestanding light poles for a site within 500 feet of a residential area to be 25 feet (Section 35.3 (A) (2)).
2. The Zoning Ordinance requires a five foot wide landscaped area in a side or rear yard for a parking lot (Section 36.5 (C) (2)).
3. The Zoning Ordinance requires one canopy tree for every five spaces for a parking lot (Section 36.5 (C) (1)).

The applicant proposes to construct a lighted 122 space employee parking lot with no landscaped area along the south (rear yard) property line on the site.

The County intends to remove approximately 170 parking spaces currently located in a parking lot north of the County Jail and Justice Center in order to construct a future addition the Justice Center. The addition will accommodate moving all the courtrooms from the existing County Courthouse to the newer facility. Construction of this addition is expected to begin in the coming months. Due to this loss of available parking for employees and visitors the County intends to use the subject site and the site directly to the east to provide replacement parking lots for the removed spaces.

The photometric plan identifies three lamp posts each with three luminaries in the center of the parking lot. The applicant proposes to have three foot tall supports with 25 foot tall poles for a

total height of 28 feet. The variance would allow for a height to provide adequate lighting throughout the parking lot.

The south rear yard landscape area variance is being requested to provide adequate room for 21 spaces that would be located along the alley. If the five foot landscaped area is required there would not be room enough depth to provide these spaces. The County is seeking optimum use of the site to provide as much parking as possible and contends that there is not rear yard landscaping provided along the alley for its existing parking lots to the south of the site. The County parking lots south of the alley were authorized by the Board in 1999 prior to current ordinance landscaping requirements.

The County is also requesting a variance of the total number of canopy trees required by the ordinance. The attached landscape plan identifies five foot wide landscaped areas along the north and east with a larger landscaped area at the northeast corner of the site (existing landscaping on the adjacent west side of entire parking lot site will remain). Six Linden Greenspire canopy trees will be located along the east side of the subject parking lot. No canopy trees are proposed along the north or south of the site because of concerns they would block security cameras located at the County Jail and Justice Center that are directed to the south to provide views of the employee parking lot.

Chairman Snyder called for proponents.

Jim Hass, 26 Chippianock Place, was sworn in. He said he was part of the construction team for the project and that the variances were necessary because parking near the existing Courthouse will eventually be eliminated due to a proposed courthouse addition to the Justice Center and County Jail. He said the landscape and lighting variances were needed to allow for the maximum number of parking spaces and maximize clear visibility for security cameras directed towards the parking lot from the Justice center across the street.

Sheriff Jerry Bustos, 4036 River Drive, was sworn in. He said the subject parking lot would be for employee parking on a 24-hour basis and that it is important to allow for clear views without any obstructions from trees for the video cameras pointing towards the parking lot.

Mr. Hass concluded by saying that the applicant is not trying to cheapen the improvements on the subject property, but to maximize the number of available parking spaces and provide security for employees. He added that they will be adding additional landscaping at the northeast corner of the subject lot and the exempt parking lot on the site to the east of the site.

Mr. Tschappat asked if the adjacent parking lot will be developed at the same time as the subject parking lot. Mr. Hass replied that it would and they have already begun some improvements to the sidewalks adjacent to the adjacent parking lot. He added that the residential structure located at the southeast corner of the subject lot will removed next week.

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

Decision Case #2016-19 – Mr. Tschappat made a motion to approve the request because:

1. The proposed variances will provide the maximum number parking spaces on the site so as to accommodate the loss of existing parking that will be removed for a proposed future addition to the adjacent to the Justice Center.
2. The site is a corner lot with two front yards and is adjacent to other County parking lots to the west and across the alley to the south.
3. The proposed variances will not alter the character of the neighborhood.

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

Public Hearing #2016-20 - Request from Jim Ward variance of 3 feet of the 6 foot side yard setback requirement for an accessory structure in a side yard in an R-2 (one family residence) district at 3223 31st Avenue.

Mr. Fries presented the staff report. He explained the Zoning Ordinance requires that there be a 6 foot side yard setback for an accessory structure located in a side yard (Section 8.5A). The applicant proposes to construct a detached garage (22' x 28') in the east side yard.

The applicant has a smaller size two car attached garage (20' x 20') located on the eastern side of the residence. He proposes to construct a detached garage to allow for the ability to park a third larger vehicle larger vehicle on the property and have additional storage space for lawn mowers, snow blowers and other garden equipment. There will be a ten foot setback from the residence in order to maintain a patio area and a three foot setback from the east property line. The existing tree will be removed, but landscape shrubs and evergreens will remain. The applicant also has a privacy fence along the east property line.

Chairman Snyder called for proponents.

Jim Ward, 3223 31st Avenue, was sworn in. He said he needs the extra garage space because he has an elderly mother-in-law living with them and she has a vehicle. He added it is the best location for the additional garage because of the existing driveway and landscaping along the east property line.

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

Decision Case #2016-20 – Ms. Williams made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The rear yard slopes down into a ravine.
3. The proposed variance will not alter the character of the neighborhood.

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

Public Hearing #2016-21 - Request from the Martin Luther Jr. King Center for a variance to allow a fourth sign from the requirement to only allow one sign on the property and a variance of 7 square feet of additional sign area from the maximum total of 30 square feet of sign area for a community center in an R-3 (one and two family residence) district at 630 9th Street.

Mr. Fries presented the staff report. He explained that the Sign Ordinance requires only one sign for a community center use in a residential zoning district with a maximum total sign area of 30 square feet for all signs combined (Section 6 [a] [6]). The applicant proposes to locate an unlit freestanding sign (3' x 4' and 12 square feet in area and 4 feet in height from grade to top of sign) in the south front yard.

Currently, there are two unlit attached signs located on the east side of the structure (1' x 8' each for a total of 16 square feet of sign area). There is also one unlit attached sign on the west side of the structure approximately 1.5' x 6' (9 square feet of sign area). The proposed freestanding sign will be 12 square feet in total sign area. The total area for existing attached and proposed freestanding sign is 37 square feet.

The proposed freestanding sign will be located 10 feet from the south property line between the two trees identified on the site photo. Staff recommends that the Board stipulate low level landscaping be located around the base of the proposed sign if the Board approves the variances.

Chairman Snyder called for proponents.

Jerry Jones, Executive Director of the Martin Luther King Jr. Community Center, was sworn in. He said he is excited about the partnership with the Two River YMCA leasing space in the building and they want to make the community aware of the new service provider in the neighborhood.

Decision Case #2016-21 – Ms. Jalloh made a motion to approve the request because:

1. The proposed variances will better identify services located at the King Center.
2. The property has frontage on four public streets.
3. The proposed variances will not alter the character of the neighborhood.

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

Other Business:

Mr. Fries informed the Board there were five cases on the agenda for the November 9, 2016 regular meeting.

Mr. Berger introduced himself at the Interim Planning and Redevelopment Administrator and provided summary background information to the Board.

Adjournment:

Chairman Snyder adjourned the meeting at 7:50 p.m.

Respectfully submitted,
Ryan Berger
Interim Planning and Redevelopment Administrator