

## Rock Island Board of Zoning Appeals Agenda

City Hall, City Council Chamber  
1528 3<sup>rd</sup> Avenue, Rock Island, IL  
January 11, 2023  
5:30 PM



### 1. Call to Order and Roll Call

Gary Snyder  
Nicole Parker  
Kevin Day  
Donald Mewes  
Bill Sowards  
Tanja Whitten  
Pandora Lawrence

### 2. Public Comment

### 3. Opening Items

- a. Approval of the Written Agenda for January 11, 2023 Meeting.  
*Recommended Motion: Move to approve the written agenda for January 11, 2023.*
- b. Approval of the December 14, 2022 Special Meeting Minutes.  
*Recommended Motion: Move to approve the meeting minutes for December 14, 2022.*

### 4. Old Business

*None.*

### 5. New Business

Public Hearing 2022-15- John Pieritz for 612 34<sup>th</sup> Street- Variance of 210 feet of the 300 foot separation requirement between Unrelated Group Family Uses in a R-2 (one to two unit residence) district. *Recommended Motion: Move to approve variance.*  
Public Hearing 2023-01- Linnsey Leithner for 2437 28<sup>th</sup> Street- Variance of 4.5 feet of the 6 foot side yard setback requirement in an R-1 (one unit residence) district.  
*Recommended Motion: Move to approve variance.*

### 6. Other Business

*None*

### 7. Adjournment

*Recommended Motion: Move to adjourn.*

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

**Regular Meeting**

**5:30 p.m.**

**December 14, 2022**

ATTENDANCE:	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
(x) Kevin Day		(x) Pandora Lawrence
(x) Donald Mewes		<input type="checkbox"/> Nicole Parker
<input type="checkbox"/> Gary Snyder		(x) Bill Sowards
(x) Tanja Whitten		

Staff Present: Alan Fries, Tanner Osing.

Vice Chair Day called the meeting to order at 5:30 p.m.

**General Public Comments** – There was no one present to make any general public comments. The meeting continued.

**New Business:**

Mr. Fries said that there was a typo in the Notice of Public Hearing sent and published in the newspaper for Case #2022-15 (John Pieritz for a variance at 612 34<sup>th</sup> Street), so Staff is asking that the Board to move to remove the case from tonight’s meeting and place it on the January 11, 2023 meeting agenda.

**Approval of Revised Written Agenda** – Mr. Mewes made a motion to approve the revised written agenda for the meeting moving Case #2022-15 to the January 11, 2023 meeting agenda. Mr. Sowards seconded the motion, and it passed unanimously.

**Approval of Minutes** – Ms. Lawrence made a motion to approve the minutes of the October 12, 2022 regular meeting. Ms. Whitten seconded the motion, and it passed unanimously.

**Procedural Explanation** –Vice Chair Day explained the procedure to be followed for the public hearings.

**Public Hearing #2022-14:** The applicant, John Pieritz, for 3415 7<sup>th</sup> Avenue, for a variance of 280 feet of the 300 foot separation requirement between Unrelated Group Family Uses in a R-2 (one and two unit residence) district.

Mr. Fries presented the staff report. He said the zoning ordinance requires that there be a 300-foot separation standard between Unrelated Group Family Uses (Chapter 11, Section 25). The applicant proposes to establish an Unrelated Group Family Use for up to five (5) unrelated residents within 20 feet from an existing Unrelated Group Family Use at 3414 6<sup>th</sup> Avenue.

The residential block has several properties that are occupied by Augustana College students as there are six existing adjacent Unrelated Group Family uses identified on the case map. The subject property meets the Zoning Ordinance off-street parking requirement of a minimum of two parking spaces because there is a detached two-car garage and space to park three additional

vehicles on an improved parking area off the rear alley.

Vice Chair Day called for the applicant.

John Pieritz, 2721 18<sup>th</sup> Street in Moline, was sworn in. He said he has a lease for students to live at the property and wants to do everything right. He added that he owns the adjacent lot to the west and that it could be used for additional parking.

Mr. Mewes asked if he charges his tenants for parking on the property as the Board dealt with a previous case that had that type of arrangement and there were objections raised at a previous Board meeting about that.

Mr. Piertz replied that he does not charge extra for parking on the site and that he has the adjacent property that could also be used for parking by tenants and their guests.

Ms. Lawrence asked if he make it known to all of his tenants where they can park. Mr. Piertz replied that the current students that live at the property know where to park and he would let any new tenants know where they can park.

As there were no other questions and one else wished to speak, the public hearing was closed.

**Decision Case #2022-14** – Mr. Mewes made a motion to approve the request for variance because:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

He added the stipulations that the student residents be made aware of where they can park their vehicles and that there be no cost for parking added to their lease payments.

Ms. Lawrence seconded the motion, and it passed unanimously (Mewes, Lawrence, Whitten, Sowards and Day).

**Public Hearing #2022-16:** The applicant, Roberto Montoya, for 614 25<sup>th</sup> Street- Variance of 24 feet of the 30 foot rear yard setback requirement for a one story attached garage addition in the west rear yard in. an R-3 (one to six unit residence) district.

Mr. Fries presented the staff report. He said the zoning ordinance requires a 30 foot rear yard building setback in an R-3 zoning district (Chapter 15, Section 6 of Zoning Ordinance.

The applicant proposes to renovate the dwelling and construct an attached one story, two car garage addition (19 x 22') in the west rear yard. There had been an attached garage in the past, but it was removed many years ago. The proposed garage will provide needed off street parking for Mr. Montoya and his family. He said there is one Interested Party form that has been submitted by Mr. Joseph Westmorland, 512 11<sup>th</sup> Avenue West in Milan and owner of 2416 6<sup>th</sup>

Avenue. He said the statement on the Interested Party form indicates that he is concerned about the applicant's sewer service line that extends through his property line from Mr. Montoya's dwelling towards 6<sup>th</sup> Avenue.

Mr. Fries stated that the staff position is this is a private matter between two adjacent property owners and that it is not relevant to the variance request for the proposed attached garage.

Chair Day called for the applicant.

Mr. Roberto Montoya 634 45<sup>th</sup> Street, was sworn in. He said he wants to renovate the residential one unit structure and add an attached two car garage that would improve the property.

Chair Day asked Mr. Westmorland if he had any questions for Mr. Montoya.

Joseph Westmorland, 512 11<sup>th</sup> Avenue West in Milan, was sworn in. He asked Mr. Montoya if he will move the sewer service line off of his property.

Mr. Montoya said he could install a new line to 25<sup>th</sup> Street.

Chair Day called for opponents.

Mr. Westmoreland, who had already been sworn in, said he is not opposed to the improvements to the house, but just wants a new service line put in that is not on his property.

Chair Day said it is a private issue for Mr. Westmorland to work with the applicant and not something to be considered by the Board.

As there were no more questions and no one else wished to speak, the public hearing was closed.

**Decision Case #2022-14** – Ms. Whitten made a motion to approve the request for variance because:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Mr. Mewes seconded the motion and said the two landowners need to work with each other to resolve the sewer line situation. The motion to approve the variance request passed unanimously (Mewes, Lawrence, Whitten, Sowards and Day).

**Other Business-**

None.

**Adjournment:**

Vice Chair Day adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Alan Fries  
Acting Secretary, Rock Island Board of Zoning Appeals

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Zoning Division

DATE: December 1, 2022

SUBJECT: Case #2022-15- Request for a variance for proposed Unrelated Group Family Use in an R-2 (one and two unit residence) district.

Applicant:  
John Pieritz.

Location:  
612 34<sup>th</sup> Street

Request:  
The request is for a variance of 210 feet of the 300 foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Use in an R-2 (one and two unit residence) district. The applicant proposes to establish an Unrelated Group Family Use for up to five (5) unrelated residents.

Size of Property:  
The property measures 50' x 110 (5,500 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is occupied by a single unit residence. The neighborhood is close to the Augustana College campus and there are three existing Unrelated Group Family Uses nearby as identified on the case map. The closest Unrelated Group Family Use to the subject property is 3406 6<sup>th</sup> Avenue, which is located to the east of the site and is also zoned R-2.

Topography:  
The site slopes up approximately 10 feet above street level.

Affected Requirements:  
The zoning ordinance requires that there be a 300-foot separation standard between Unrelated Group Family Uses (Chapter 11, Section 25). The applicant proposes to establish an Unrelated Group Family Use for up to five (5) unrelated residents within 80 feet from an existing Unrelated Group Family Use located at 3406 6<sup>th</sup> Avenue.

Conditions to Authorize Variances:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The residential block currently does not have an Unrelated Group Family Use located there, but there are three nearby similar uses north of 7<sup>th</sup> Avenue. The subject property meets the Zoning Ordinance off-street parking requirement of a minimum of two parking spaces because there is an improved rear yard parking area with space to park four vehicles.

Recommendation:

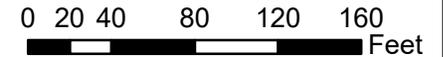
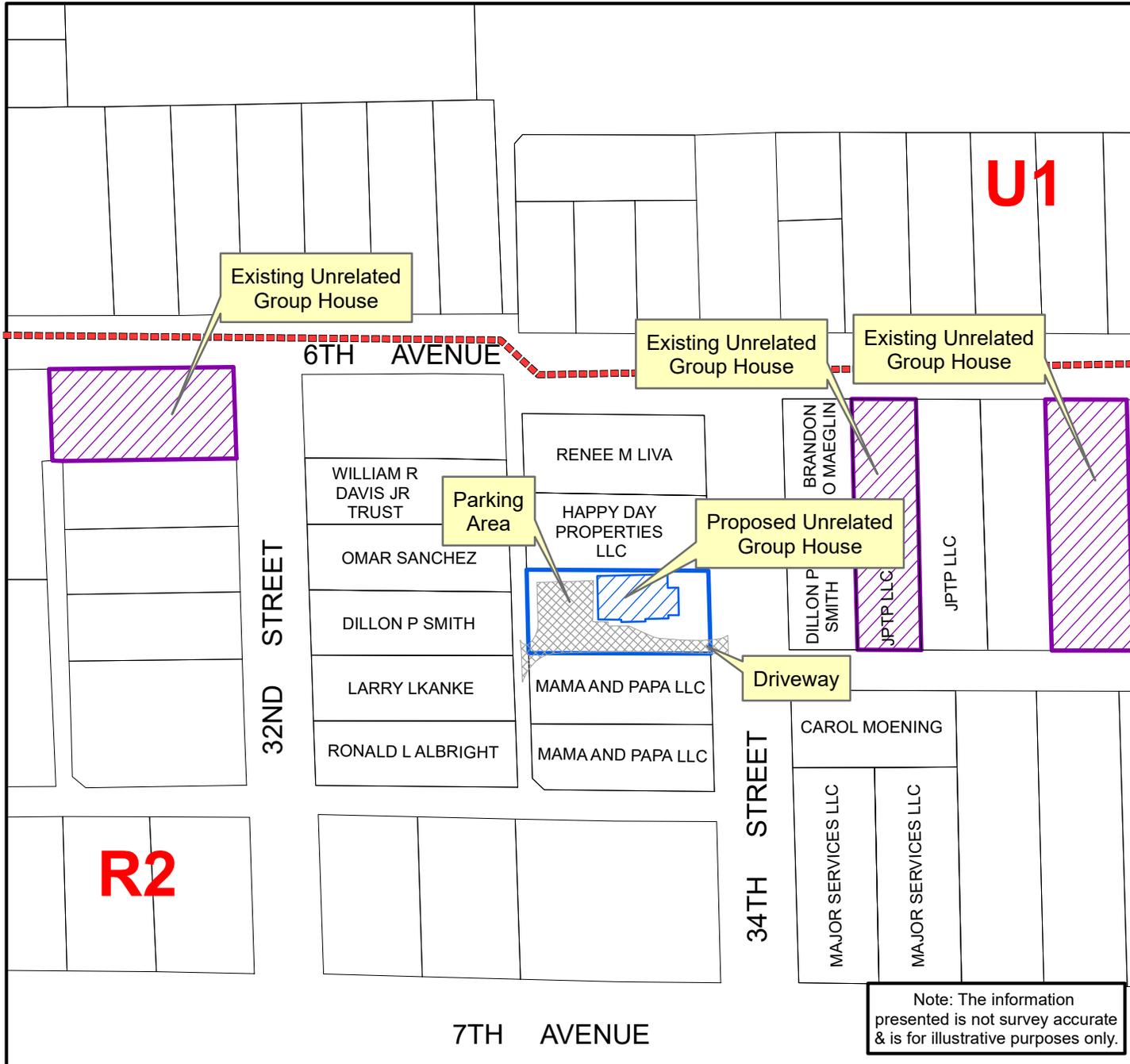
That the variance be approved because it will improve the return on the property and not alter the character of the neighborhood.

# BOARD OF ZONING APPEALS

## BOARD OF ZONING APPEALS 2022-15

### Legend

-  Subject Property
-  Unrelated Group Housing
-  Parcels



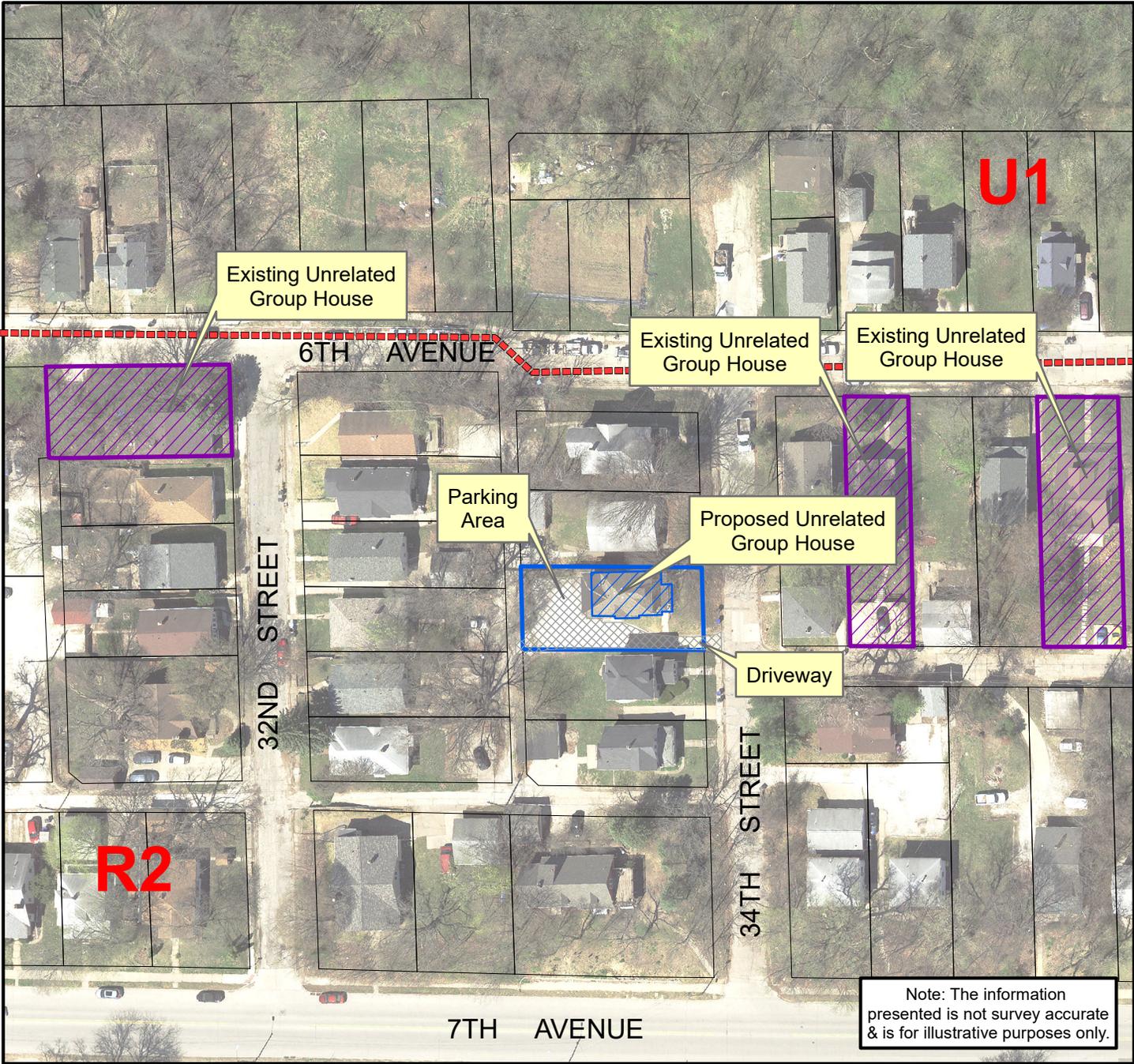
Note: The information presented is not survey accurate & is for illustrative purposes only.

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS

### 2022-15 Aerial

**Legend**

-  Subject Property
-  Unrelated Group Housing
-  Parcels



0 20 40 80 120 160 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



Note: The information presented is not survey accurate & is for illustrative purposes only.

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: December 29, 2022

SUBJECT: Case #2023-01- Request for a variance of 4.5 feet of the 6 foot side yard setback in an R-1 (one unit residence) district.

Applicants:  
Linnsey Leithner

Location:  
2437 28<sup>th</sup> Street

Request:  
To allow a variance of 4.5 feet of the 6 foot side yard setback requirement in an R-1 (one unit residence) district.

Size of Property:  
The property measure 50' x 118.5' (5,925 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is occupied by a one unit residence. The neighborhood is primarily a one unit residential area, zoned R-1.

Topography:  
The site is flat and slightly above street level.

Affected Requirements:  
The zoning ordinance requires a six foot side yard setback in an R-1 zoning district (Chapter 13, Section 6). The applicant proposes to construct an attached carport (28' x 14.5') in the south side yard.

Conditions to Authorize Variances:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

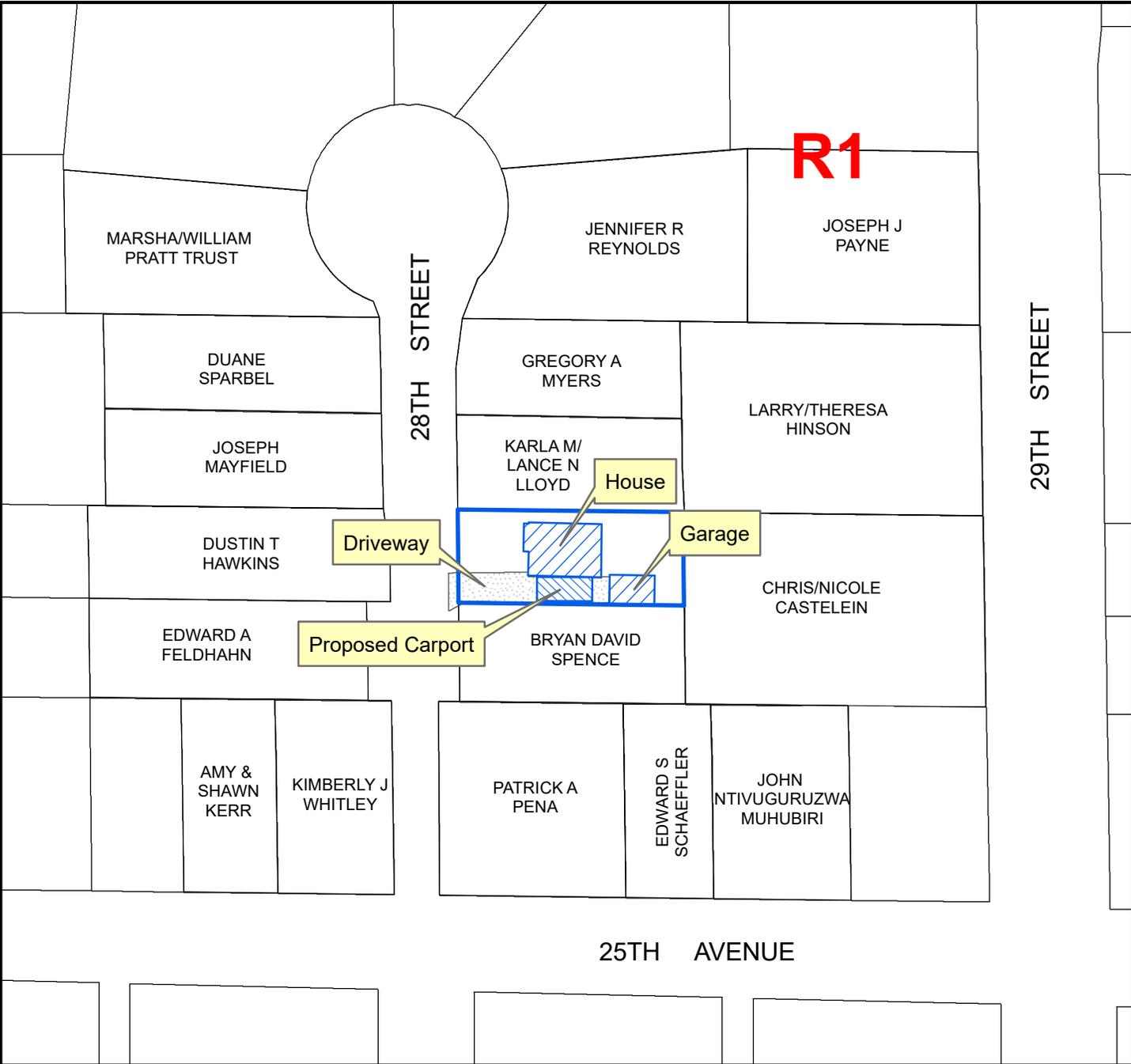
Comments:

The proposed carport (see attached drawings) will be 28 feet in length and 1.5 feet in width. The support posts of the carport will be located 1.5 feet from the south property line. It will provide a covered area to load and unload vehicles. The property directly to the south has a similar carport in its south side yard. A variance was approved for that carport in 1985. The property directly to the north also has a similar carport situation in its south side yard, but Staff was unable to find any record of a variance. This adjacent carport could have been constructed when the dwelling was first constructed, which may have preceded zoning regulations.

Recommendation:

That the variance be approved because it will improve the return on the property and it will not alter the character of the neighborhood.

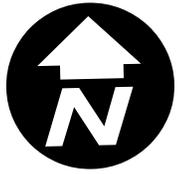
# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2023-1

**Legend**

-  Subject Property
-  Parcels
- R1** Zoning District



0 20 40 80 120 160 Ft

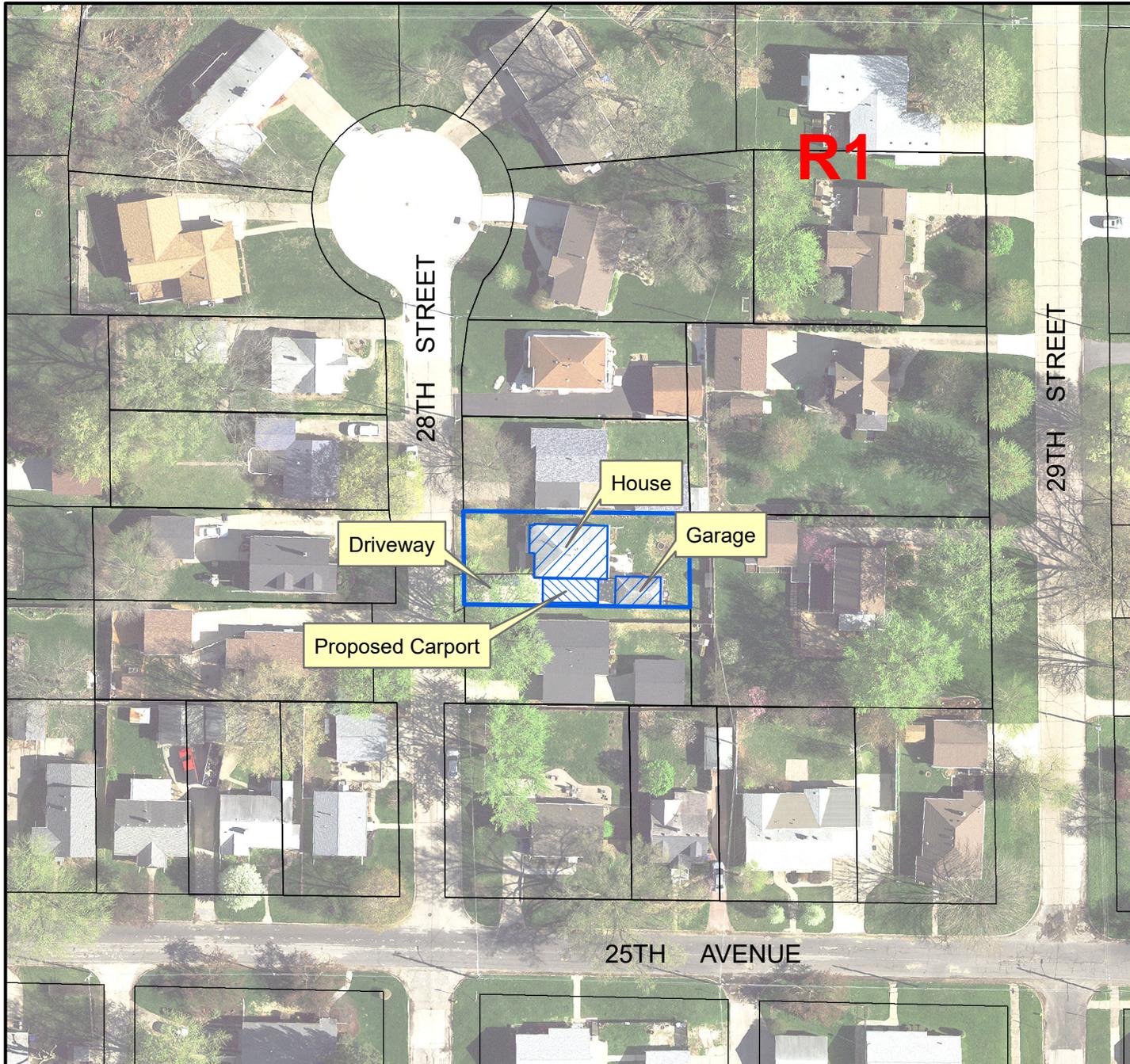
## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



ROCK ISLAND  
ILLINOIS

# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2023-1 Aerial

### Legend

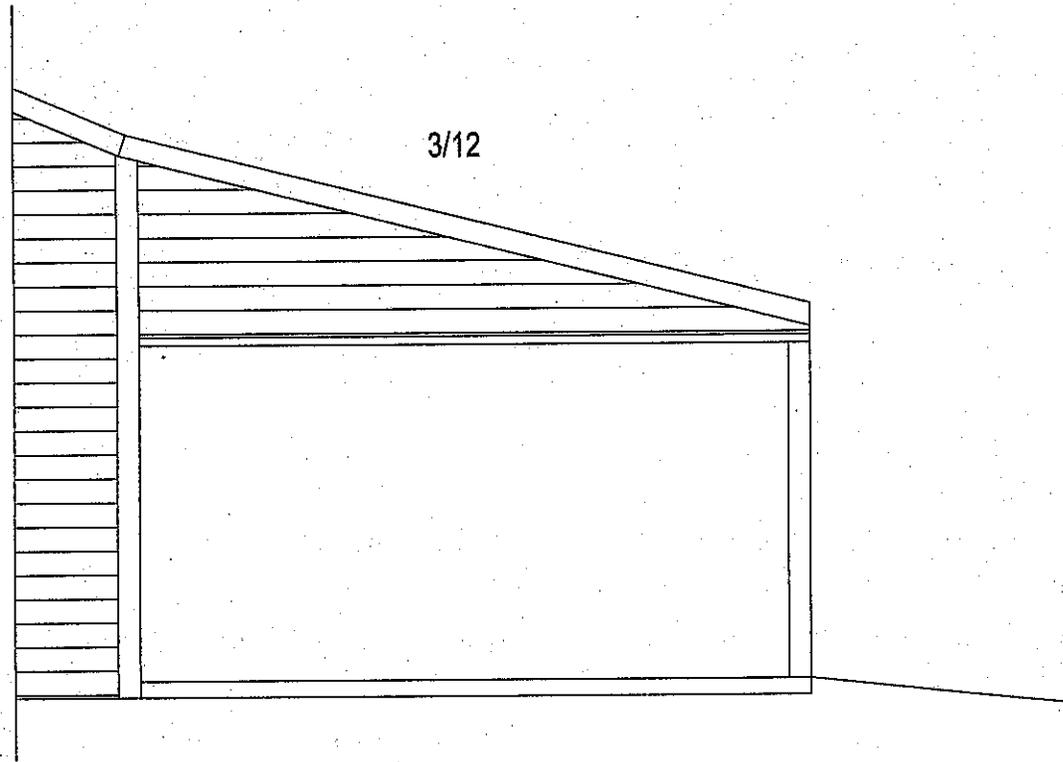
-  Subject Property
-  Parcels
- R1** Zoning District



## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment





ELEVATIC

SCALE: 1/4"=1'

EXISTING ROOFING

3/12

7'

REVISIONS

PROJECT NAME

14x28 Car Port

ADDRESS

ILLINOIS