

Rock Island Board of Zoning Appeals Agenda

Council Chambers (3rd Floor), City Hall

1528 3rd Avenue

March 8, 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 March 8, 2023
Recommended Motion: Move to approve the written agenda for March 8, 2023
 - B. Approval of the January 11, 2023 Meeting Minutes
Recommended Motion: Move to approve the meeting minutes for January 11, 2023.
4. Old Business
 - None*
5. New Business
 - A. 2023-02 Public Hearing: Richard Nunez of Radicle Venture, LLC for 1340 31st Street – Variance of 100 feet of the 100 foot separation requirement between the buildings and outdoor storage of a micro-brewery use and residentially zoned private property.
Recommended Motion: Move to approve the variance
 - B. 2023-03 Public Hearing: The City of Rock Island’s Parks & Recreation Department for Longview Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary and permanent signs to a fence.
Recommended Motion: Move to approve the variances with a stipulation.
 - C. 2023-04 Public Hearing: The City of Rock Island’s Parks & Recreation Department for Douglas Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.
Recommended Motion: Move to approve the variances with a stipulation.
 - D. 2023-05 Public Hearing: The City of Rock Island’s Parks & Recreation Department for Schwiebert Riverfront Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.
Recommended Motion: Move to approve the variances with a stipulation.
 - E. 2023-06 Public Hearing: The City of Rock Island’s Parks & Recreation Department for Hasselroth Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.
Recommended Motion: Move to approve the variances with a stipulation.
6. Other Business
7. Adjournment
 - Recommended Motion: Move to adjourn.*

Rock Island Board of Zoning Appeals Minutes

Council Chambers (3rd Floor), City Hall

1528 3rd Avenue

January 11, 2023

5:30 PM



Voting Members Present

Gary Snyder

Nicole Parker

Kevin Day

Bill Sowards

Tanja Whitten

Pandora Lawrence

Voting Members Absent

Donald Mewes

Staff Present

Tanner Osing

Guests

Call to Order and Roll Call

Chair Snyder called the meeting to order at 5:30 PM and read the roll call.

Public Comment

There was no one present to make any general public comments. The meeting continued.

Approval of the Agenda

Mr. Sowards moved to approve the written agenda for January 11, 2023. Vice Chair Day seconded the motion. The motion carried unanimously on a vote of 6 to 0.

Approval of the Previous Meeting Minutes

Vice Chair Day moved to approve the minutes for December 14, 2022. Ms. Whitten seconded the motion. The motion carried unanimously on a vote of 6 to 0.

Old Business

None

New Business

Chair Snyder explained the procedure to be followed for public hearings.

Public Hearing 2022-15: John Pieritz for 612 34th 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.

Mr. Osing presented the staff report. He stated 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 6th Avenue.

Mr. Osing also noted the residential block currently does not have an Unrelated Group Family Use located there, but there are three nearby similar uses north of 7th 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.

Chair Snyder called for the applicant.

John Pieritz, 2721 18th Street in Moline, was sworn in. He said there is plenty of off-street parking for the property. He also noted that the property meets all other requirements.

Vice Chair Day asked how many bedrooms were in the property. Mr. Pieritz said the property has five (5) bedrooms that will be used.

Ms. Whitten asked if all tenants will be offered a parking space. Mr. Pieritz confirmed that the parking is part of the lease agreement.

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

Decision Case 2022-15 - Mr. Sowards made a motion to approve the request for the 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.

Ms. Parker seconded the motion, and it passed unanimously on a vote of 6 to 0 (Sowards, Parker, Whitten, Day, Lawrence, and Snyder).

Public Hearing 2023-01- Linnsey Leithner for 2437 28th Street- Variance of 4.5 feet of the 6 foot side yard setback requirement in an R-1 (one unit residence) district.

Mr. Osing presented the staff report. He stated 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.

He also noted the proposed carport 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.

Chair Snyder called for the applicant.

Linnsey Leithner, 2437 28th Street in Rock Island, was sworn in. Ms. Leithner explained the dimensions and location of the proposed carport. She also noted that she talked to the adjacent property owners and they are in favor of the request.

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

Decision Case 2023-01- Ms. Whitten made a motion to approve the request for the 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.

Vice Chair Day seconded the motion, and it passed unanimously on a vote of 6 to 0 (Sowards, Parker, Whitten, Lawrence, Day, and Snyder).

Other Business

Mr. Osing asked a clarifying about the motion for the agenda approval. He also noted that there are no current cases for the February meeting and will notify the members as soon as possible.

Adjournment

Chair Snyder asked for a motion to adjourn. A motion was made to adjourn by Vice Chair Day, seconded by Ms. Parker, and passed unanimously at 5:45 PM.

Minutes submitted by Tanner Osing.

Memorandum

Community and Economic Development Department

To: Rock Island Board of Zoning Appeals

Subject: Case #2023-02: Variance Request

Date: March 2, 2023



Applicant:

Richard Nunez of Radicle Venture, LLC

Location:

1340 31st Street

Request:

The request is for a variance of 100 feet of the 100 foot separation requirement between the building and outdoor storage of a micro-brewery use and residentially zoned private property. The applicant proposes to continue the use of an existing micro-brewery in a B-1 (neighborhood business) district within 100 feet of residentially zoned private property.

Size of Property:

The property measures 50' x 140' (7,000 square feet).

Zoning History:

None. However, the applicant is also going through the Special Use Permit process for the property since the Zoning Ordinance does not allow a micro-brewery without a restaurant element as a permitted use in a B-1 district.

Existing Land Use and Zoning:

The site is occupied by a 1-story commercial building and is used as a micro-brewery called Radicle Effect Brewwerks. The site is zoned B-1 (neighborhood business) district. To the north and east of the property are residential dwellings zoned R-2. To the south and west of the property are restaurants, an office, and retail shops zoned B-1.

Topography:

The site is flat and slightly above street level.

Affected Requirements:

The zoning ordinance requires that there be a 100-foot separation standard between the buildings and outdoor storage of a micro-brewery use and residentially zoned private property (Chapter 18, Section 2-D). The applicant plans to continue operating the current business. Radicle Effect Brewwerks serves a variety of craft beer and other beverages. Beer is brewed on-site and served at the establishment.

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 applicant/business owner has been operating a micro-brewery at the location for over 10 years. Staff was originally approached by Mr. Nunez regarding other property improvements,

and subsequently discovered that the business did not have a variance for the separation requirement on file. The same zoning requirements were in effect regarding micro-brewery uses at the time the business was established. Since Mr. Nunez went through other processes for a liquor license, building permits, and economic development assistance, staff reason to believe that the lack of other approval for the use was possibly an oversight. Staff and Mr. Nunez agreed to move forward with a variance request to ensure the business has proper zoning approval. Staff view this request as a formality to confirm an existing use, and an opportunity to have a clean record on file. The use will not alter the character of the neighborhood as it has been its current use for over 10 years and a commercial space for many years prior to that.

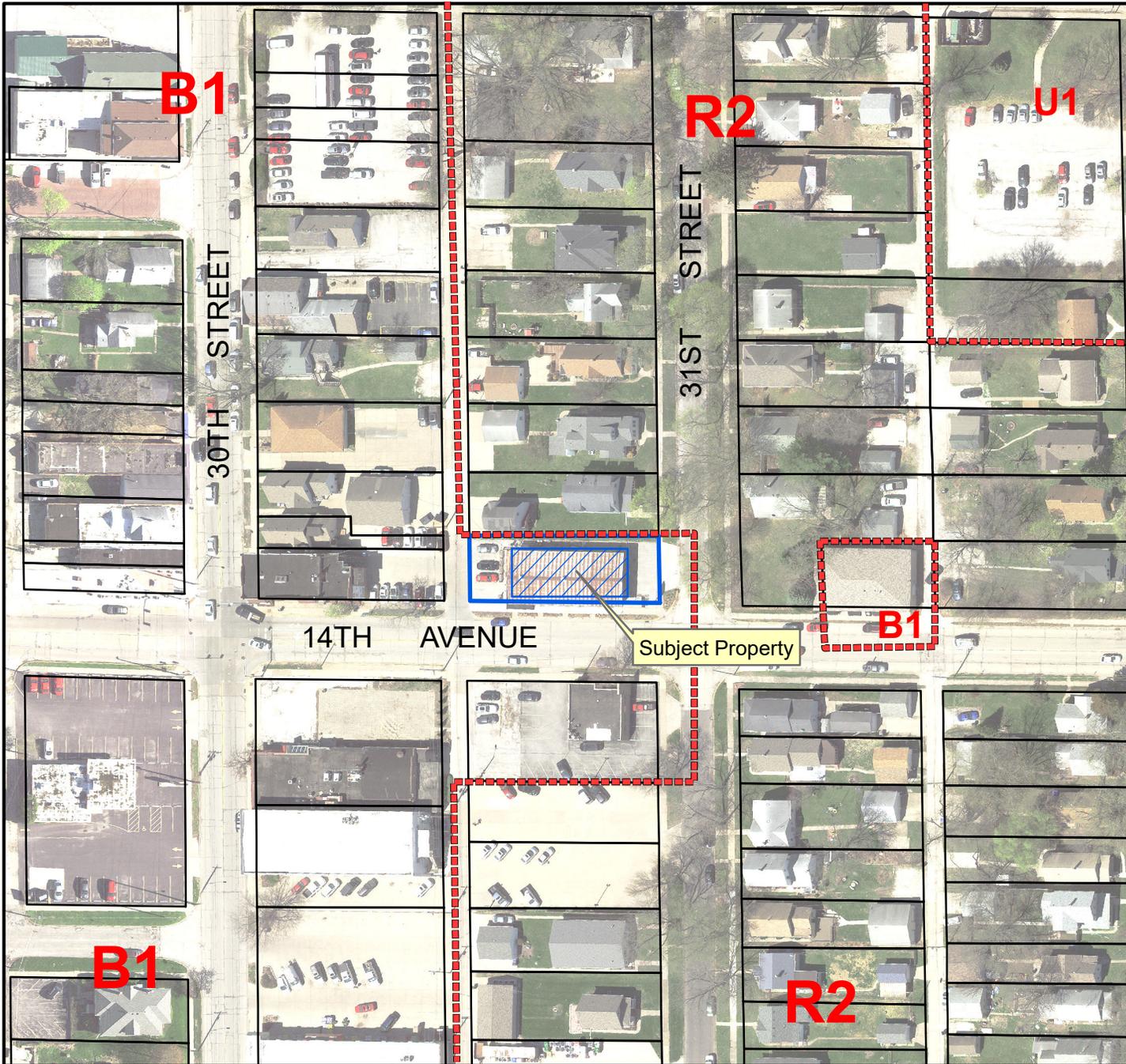
The applicant is also going through the Special Use Permit process for the property since micro-breweries are not a permitted use in a B-1 (neighborhood business) district. At their March 1st meeting, the Planning Commission unanimously recommended the approval of the Special Use Permit.

Recommendation:

Staff recommend that the Board approve the variance because it will improve the return on the property and not alter the character of the neighborhood.

Submitted by: Tanner Osing, Planning & Zoning Manager

LOCATION MAP



BOARD OF ZONING APPEALS

2023-2 Aerial

-  Subject Property
-  Parcels
-  Zoning District Line



0 25 50 100 150 Feet



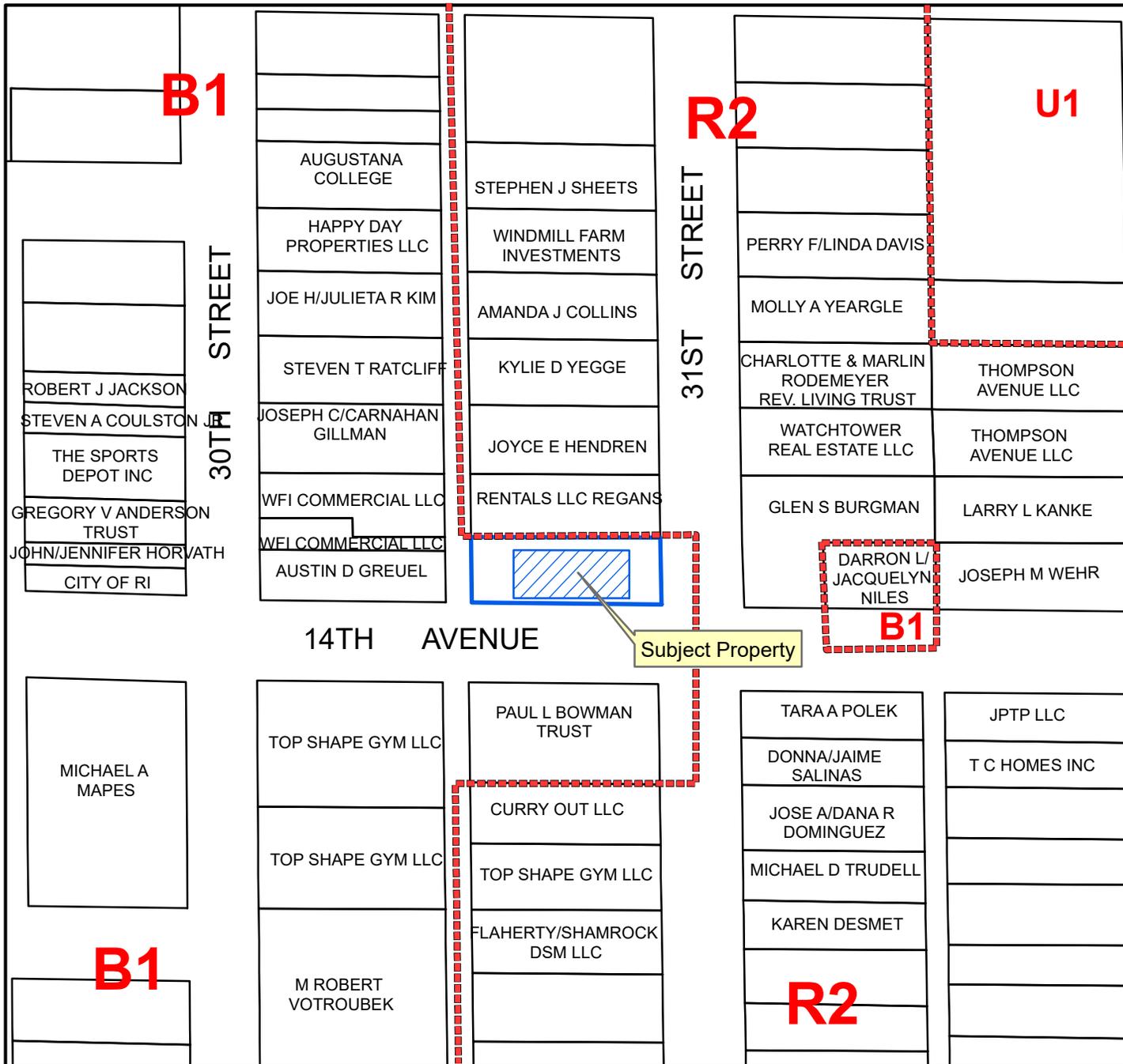
A horizontal scale bar with markings at 0, 25, 50, 100, and 150 feet.

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LOCATION MAP



BOARD OF ZONING APPEALS

2023-2

- Subject Property
- Parcels
- Zoning District Line



0 25 50 100 150 Feet



City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Memorandum

Community and Economic Development Department

To: Rock Island Board of Zoning Appeals
Subject: Case #2023-03: Sign Variance Request
Date: March 2, 2023



Applicant:

City of Rock Island's Parks & Recreation Department

Location:

1619 18th Avenue commonly known as Longview Park

Request:

The request is for a variance to allow temporary banner signs to be in place for more than 30 continuous days and a variance to attach temporary and permanent signs to a fence. The applicant proposes to locate 4 temporary banner signs (approximately 4' x 6') and maintain a permanent sign (approximately 4' x 6') on a fence in the east yard of Longview Park.

Size of Property:

The park is approximately 35 acres.

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a City park called Longview Park. The site is zoned C-2 (park conservation) district. To the north and west of the property are residences zoned R-2. To the south of the property are residences zoned R-3 and R-4 and one commercial property zoned B-1. To the east of the property are residences zoned R-2 and a church zoned O-1.

Topography:

The site slopes uphill from north to south by approximately 140 feet. The fence along the east yard where the signs are proposed to be located is approximately 10 feet above street level.

Affected Requirements:

The sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

Conditions to Authorize Variances:

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

Comments:

The Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship

program. The proposed & existing signs will be located on the fence used for Whitewater Junction in the east yard of the park that is adjacent to 17th Street. The existing permanent sign (4' x 6') attached to the fence identifies Whitewater Junction. A maximum of four (4) temporary sponsorship banners measuring 4' x 6' are proposed.

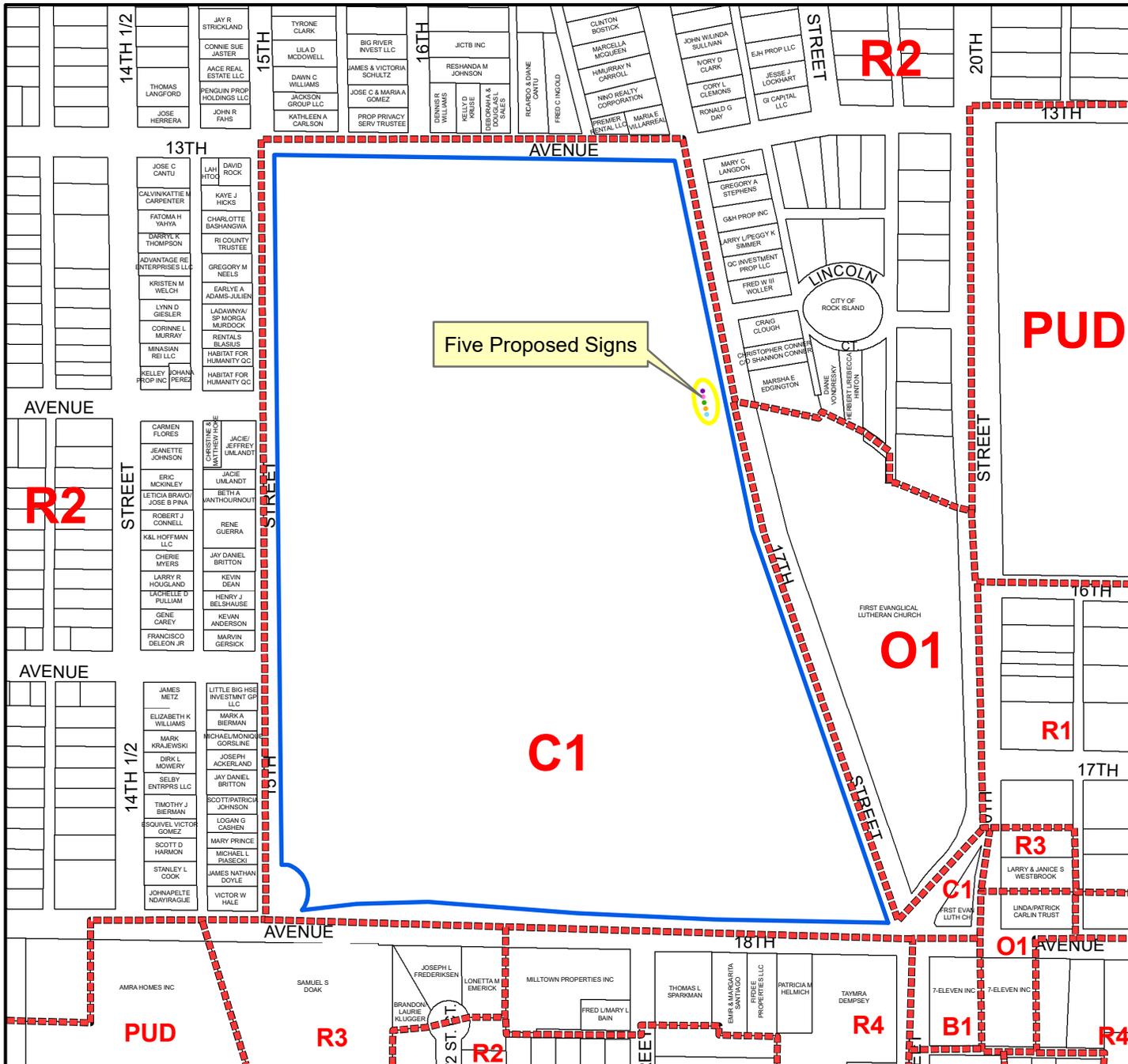
Recommendation:

Staff recommend that the Board approve the variances with the following stipulation because it will improve the return on the park and its activities to park users and it will not alter the character of the neighborhood:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damaged.

Submitted by: Tanner Osing, Planning & Zoning Manager

LOCATION MAP



BOARD OF ZONING APPEALS 2023-3

Legend

-  Subject Property
-  Parcels
- R1** Zoning District



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Figure 1: Signs at Longview Park. Looking west on 17th Street.

Memorandum

Community and Economic Development Department

To: Rock Island Board of Zoning Appeals
Subject: Case #2023-04: Sign Variance Request
Date: March 2, 2023



Applicant:

City of Rock Island's Parks & Recreation Department

Location:

Douglas Park, PIN 1602100002

Request:

The request is for a variance to allow temporary banner signs to be in place for more than 30 continuous days and a variance to attach temporary banner signs to a fence. The applicant proposes to locate a maximum of 6 temporary banner signs (approximately 4' x 6' for 5 signs and 5' x 12' for 1 sign) on a fence used for the baseball diamond outfield in the south yard of Douglas Park.

Size of Property:

The park is approximately 10.3 acres in size.

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a City park called Douglas Park. The site is zoned C-1 (park conservation) district. The park is surrounded by residences zoned R-2 to the north, south, east, and west. Two commercial properties, including one restaurant, zoned B-1 are adjacent to the park at the southwest corner (9th Street & 18th Avenue).

Topography:

The site is relatively flat and sits slightly above street level.

Affected Requirements:

The sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

Conditions to Authorize Variances:

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

Comments:

The Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship

program. The proposed will be located on the fence used for baseball diamond in the south yard of the park that is adjacent to 18th Avenue. A maximum of six (6) temporary sponsorship banners measuring 4' x 6' with one (1) of the banners measuring 5' x 12' are proposed.

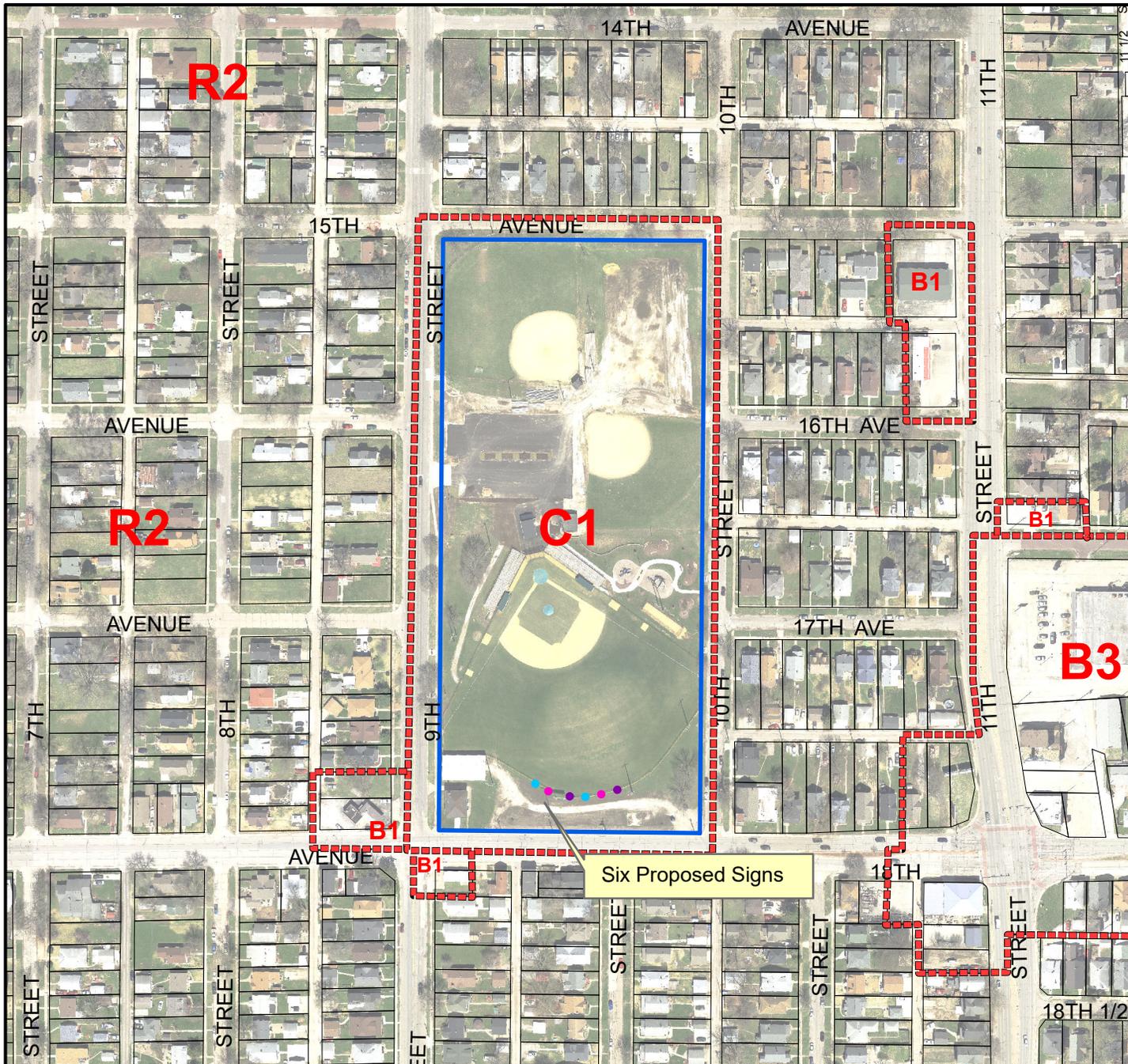
Recommendation:

Staff recommend that the Board approve the variances with the following stipulation because it will improve the return on the park and its activities to park users and it will not alter the character of the neighborhood:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damaged.

Submitted by: Tanner Osing, Planning & Zoning Manager

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2023-4 Aerial

Legend

-  Subject Property
-  Parcels
- R2** Zoning District



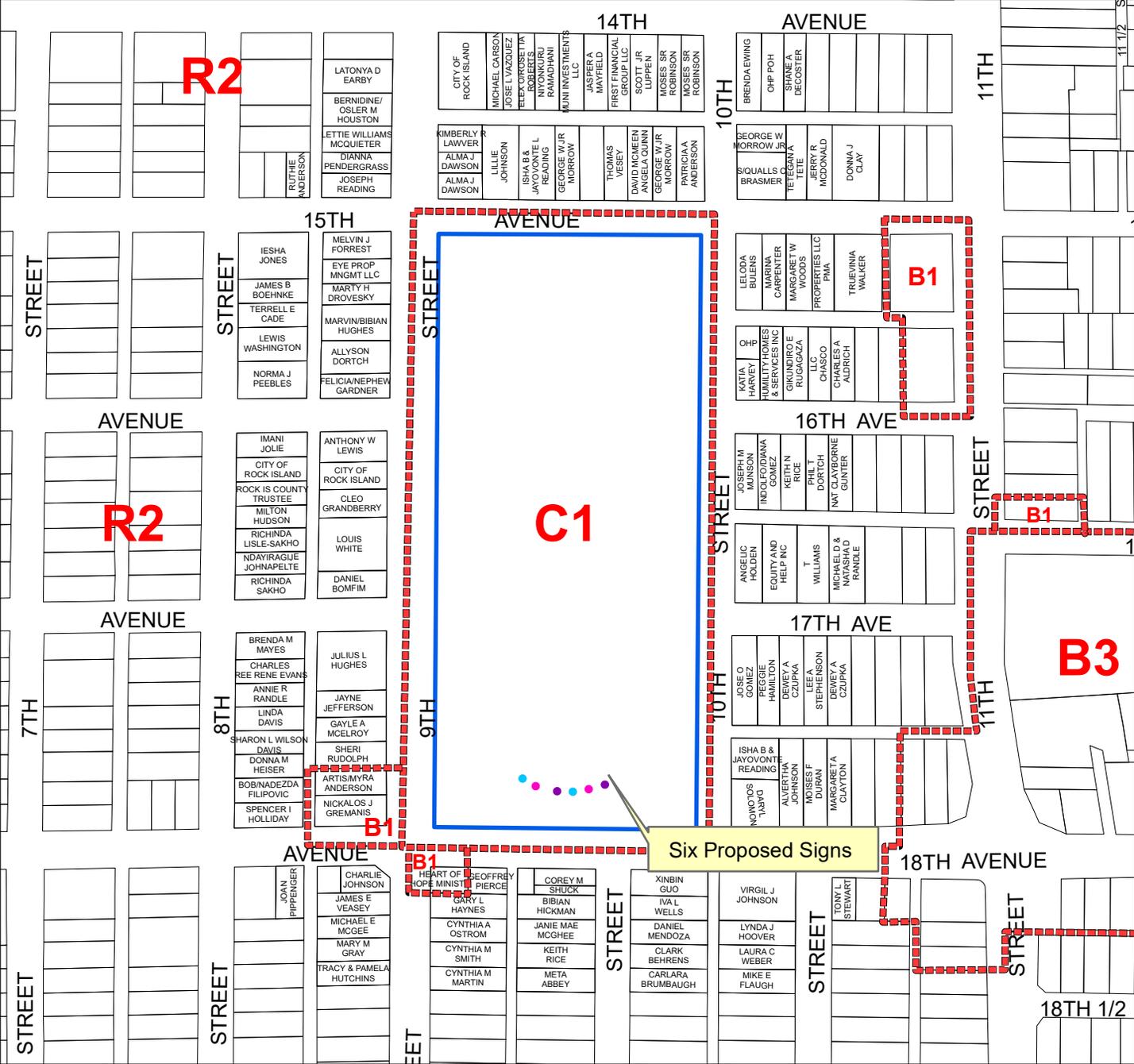
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BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2023-4

Legend

- Subject Property
- Parcels
- R2 Zoning District

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DEVELOPMENT DEPARTMENT
Planning and Redevelopment

ROCK ISLAND
ILLINOIS



Figure 1: View of south yard fence where signs are proposed to be located.

Memorandum

Community and Economic Development Department

To: Rock Island Board of Zoning Appeals
Subject: Case #2023-05: Sign Variance Request
Date: March 2, 2023



Applicant:

City of Rock Island's Parks & Recreation Department

Location:

18th Street & Mississippi River and 1801 1st Avenue, and commonly known as Schwiebert Riverfront Park

Request:

The request is for a variance to allow temporary banner signs to be in place for more than 30 continuous days and a variance to attach temporary and permanent signs to a fence. The applicant proposes to locate 6 temporary banner signs (approximately 4' x 6') and 1 temporary banner sign (approximately 5' x 12') on the fence at 18th Street & 1st Avenue. The applicant also proposes to locate 1 temporary banner sign (approximately 4' x 6') on the fence at 17th Street & 1st Avenue.

Size of Property:

The park is approximately 3 acres.

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a City park called Schwiebert Riverfront Park. The site is zoned C-1 (park conservation) district. To the north of site is the Mississippi River and to the south are parking lots, a restaurant, and downtown residences that all zoned B-2. To the east of the site is City-owned property zoned C-1 and to the west is an office use zoned B-2.

Topography:

The site is level with the exception of the levee at the northeast corner, and sits at street level.

Affected Requirements:

The sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

Conditions to Authorize Variances:

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

Comments:

The Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The

sponsorship banners are made of a vinyl mesh material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed signs include 6 temporary banner signs measuring 4' x 6' and 1 temporary banner sign measuring 5' x 12' on the fence at 18th Street & 1st Avenue. The applicant also proposes to locate 1 temporary banner sign measuring 4' x 6' on the fence at 17th Street & 1st Avenue.

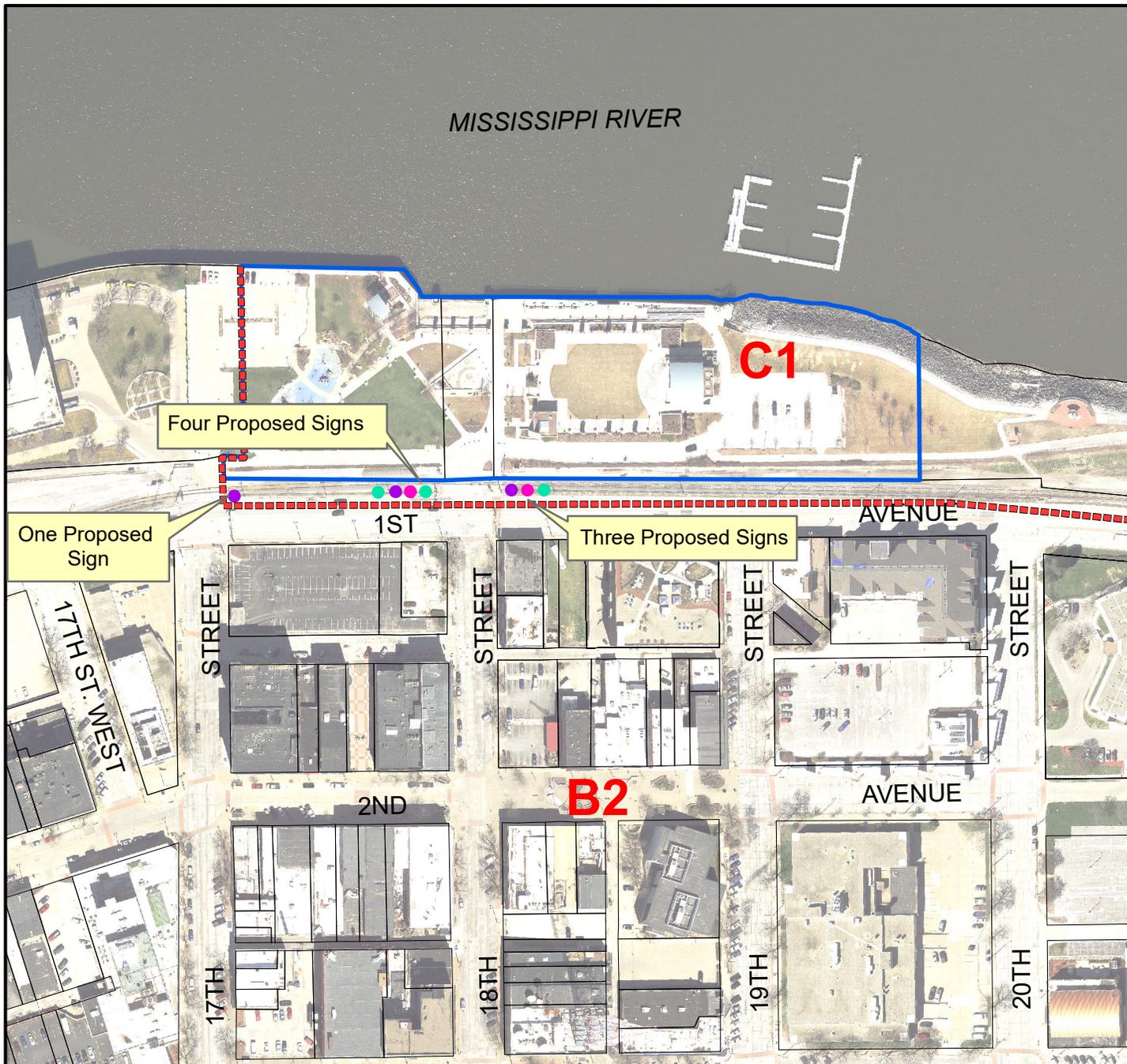
Recommendation:

Staff recommend that the Board approve the variances with the following stipulation because it will improve the return on the park and its activities to park users and it will not alter the character of the neighborhood:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damaged.

Submitted by: Tanner Osing, Planning & Zoning Manager

LOCATION MAP



BOARD OF ZONING APPEALS 2023-5 Aerial

Legend

-  Subject Property
-  Parcels
- B2** Zoning District



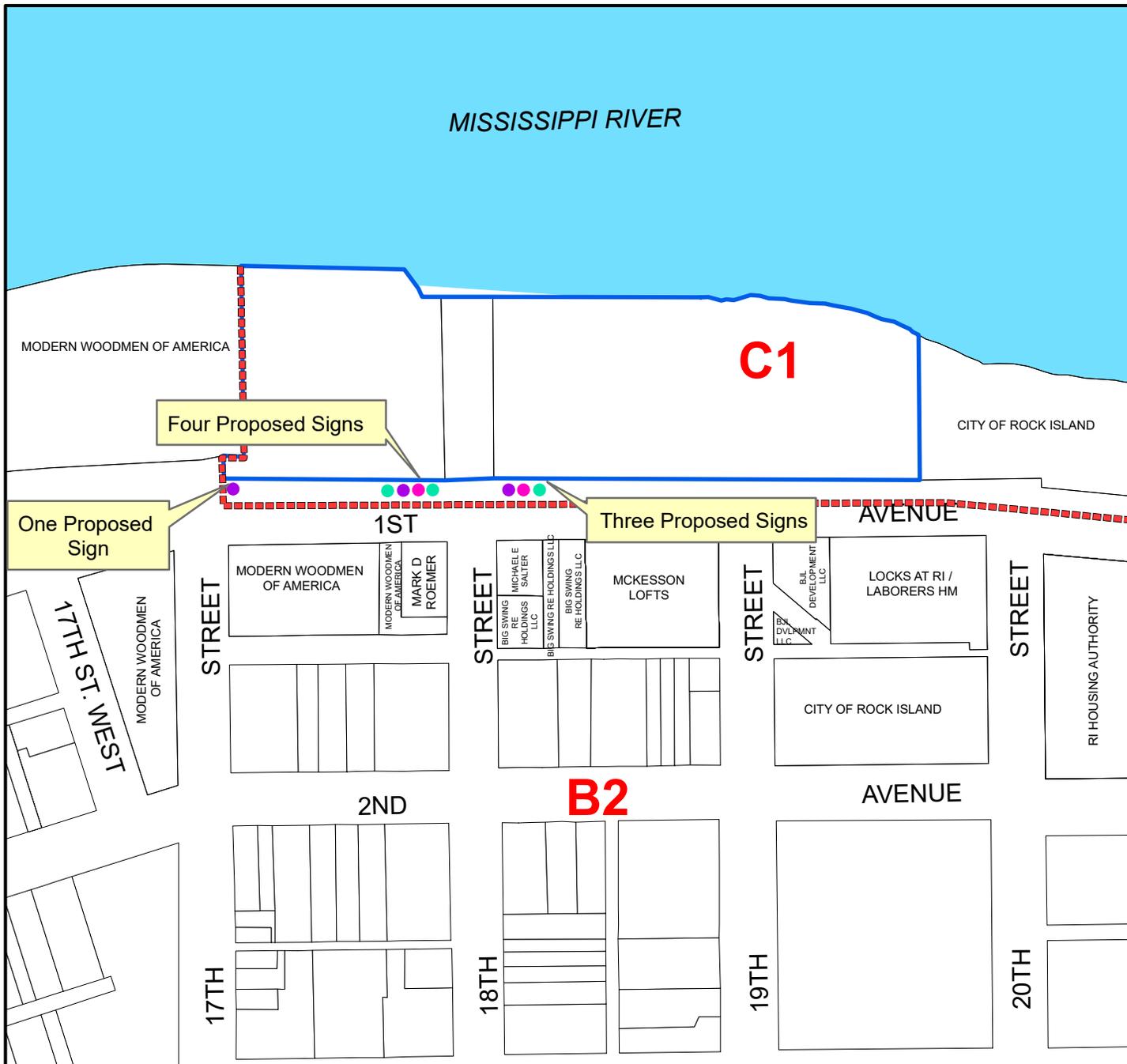
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LOCATION MAP



BOARD OF ZONING APPEALS 2023-5

Legend

- Subject Property
- Parcels
- B2 Zoning District



City of Rock Island

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Planning and Redevelopment





Figure 1: Temporary banners signs at Schwiebert Riverfront Park.

Memorandum

Community and Economic Development Department

To: Rock Island Board of Zoning Appeals
Subject: Case #2023-06: Sign Variance Request
Date: March 2, 2023



Applicant:

City of Rock Island's Parks & Recreation Department

Location:

Hasselroth Park, PIN 1627100001

Request:

The request is for a variance to allow temporary banner signs to be in place for more than 30 continuous days and a variance to attach temporary banner signs to a fence. The applicant proposes to locate 5 temporary banner signs (approximately 4' x 6') on a fence used for the Eleanor Wallace Dog Park in the north yard of Hasselroth Park.

Size of Property:

The park is approximately 5 acres.

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a City park called Hasselroth Park. The site is zoned C-1 (park conservation) district. To the north of the property is a campground zoned C-1 and to the south is the continuation of the City park also zoned C-1. To the east of the property are residences zoned R-5 and to the west are industrial uses zoned I-2.

Topography:

The site is flat and sits slightly below street level.

Affected Requirements:

The sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

Conditions to Authorize Variances:

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

Comments:

The Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed & existing signs will be located on the fence used for Eleanor Wallace

Dog Park in the north yard of the park that is adjacent to 78th Ave West. A maximum of four (5) temporary sponsorship banners measuring 4' x 6' are proposed.

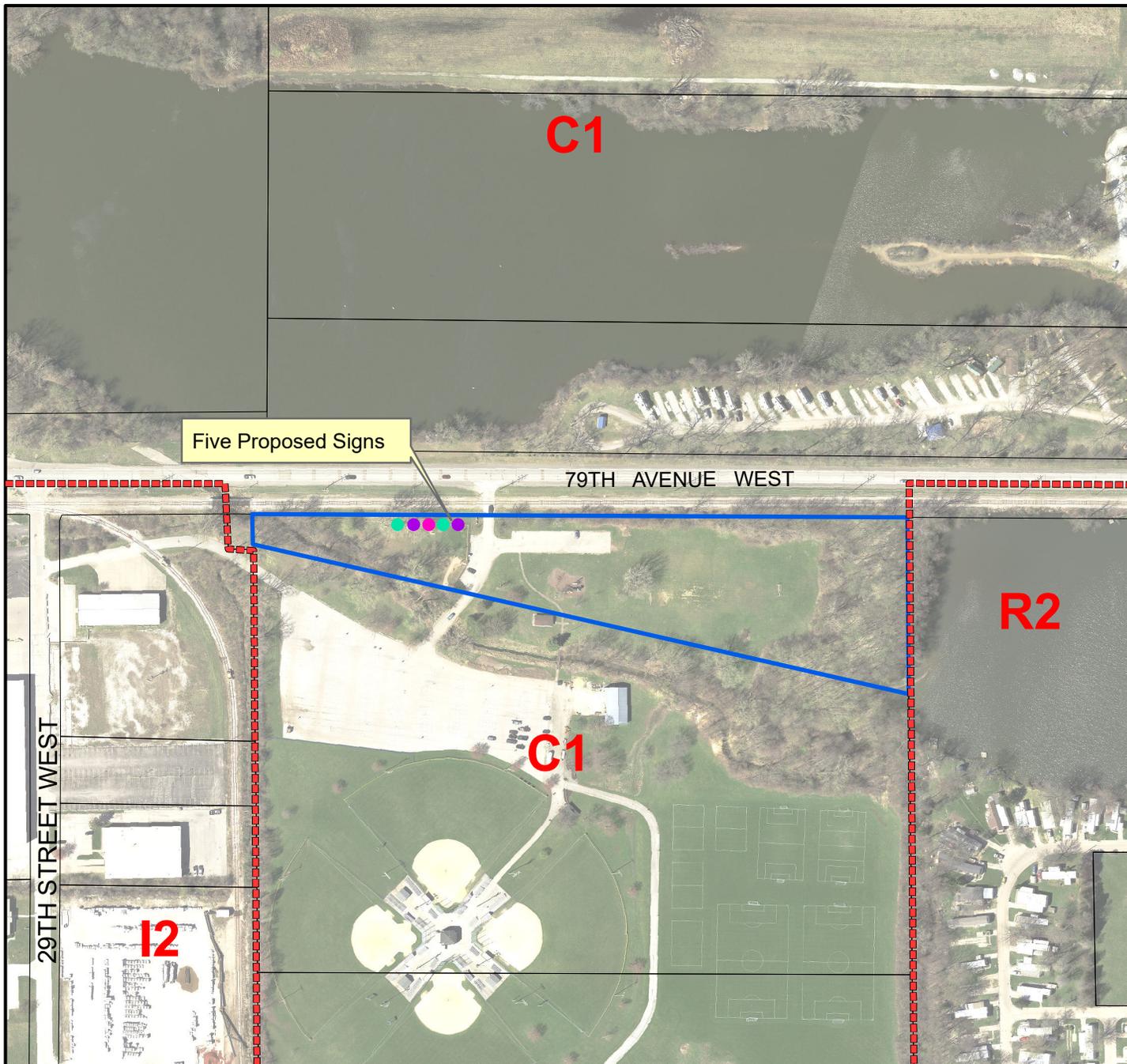
Recommendation:

Staff recommend that the Board approve the variances with the following stipulation because it will improve the return on the park and its activities to park users and it will not alter the character of the neighborhood:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damaged.

Submitted by: Tanner Osing, Planning & Zoning Manager

LOCATION MAP



BOARD OF ZONING APPEALS 2023-6 Aerial

Legend

-  Subject Property
-  Parcels
- C1** Zoning District

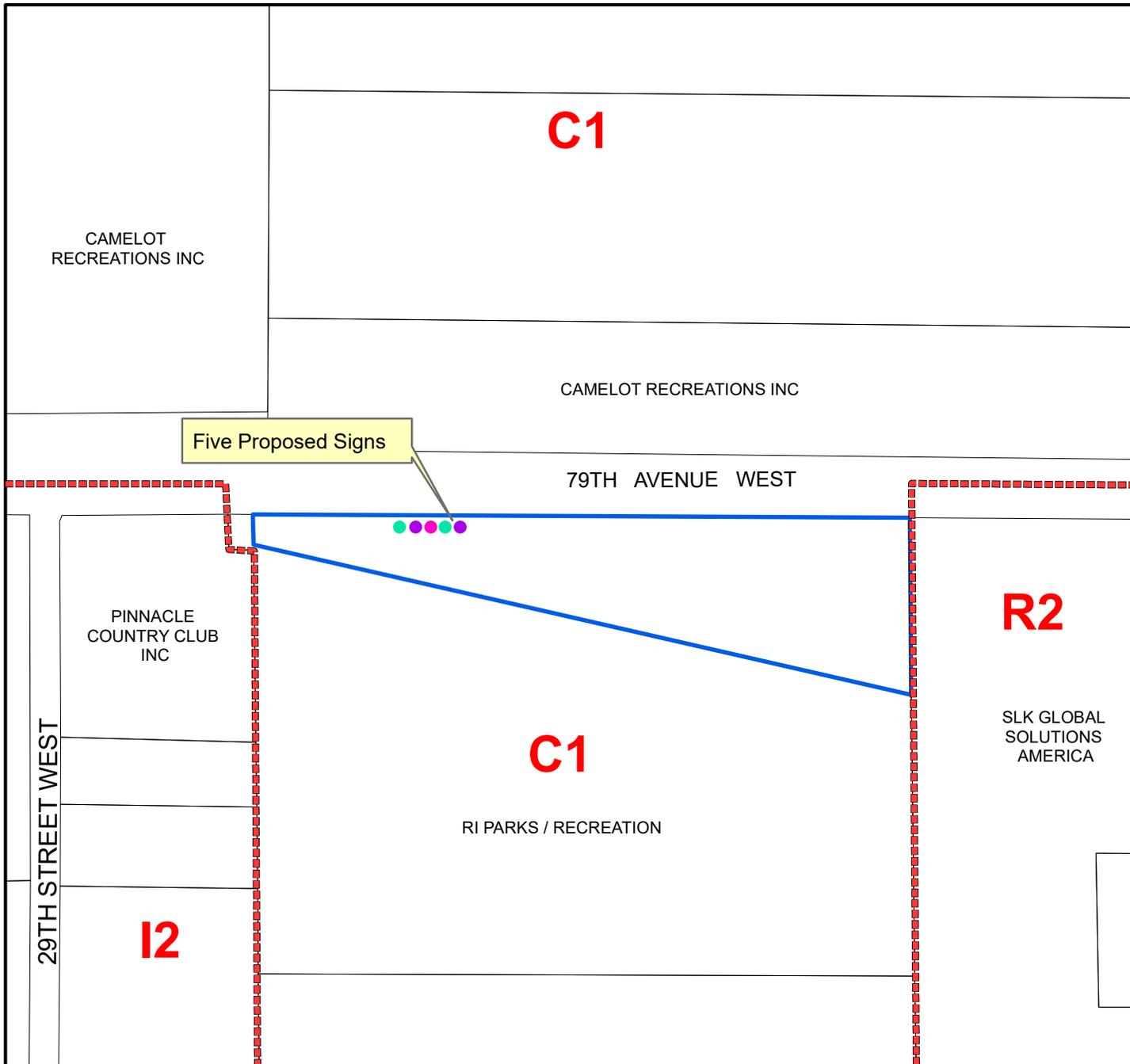


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LOCATION MAP



BOARD OF ZONING APPEALS 2023-6

Legend

-  Subject Property
-  Parcels
- C1** Zoning District



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Planning and Redevelopment





Figure 1: View of temporary banner signs at Hasselroth Park.