

August 14

**Rock Island Board of Zoning Appeals
Council Chambers—Third Floor—City Hall
1528 – 3rd Avenue
Regular Meeting Agenda
August 14, 2013
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the minutes of the regular meeting of July 10, 2013
3. Approval of the written Agenda
4. Procedural Explanation
5. Public Hearing #2013-25: The applicant, Dave Parochetti, has refiled a request because he has revised elements of his previous request and site plan in order to be considered by the Board prior to the required six-month waiting time period. The request is for a variance of 13' 6" of the 30-foot north rear yard building setback requirement for a commercial use adjacent to a residential zoning district, a variance of 8' 6" if the 15-foot wide landscape area requirement adjacent to a parking area along the south front yard in a B-3 (community business) district. The applicant proposes to locate a three-unit commercial structure (approximately 4,056 square feet in total area) with a restaurant drive-thru on the north side of the site at 3825 – 18th Avenue. The variance for drive-thru stacking spaces has been removed and one access point has been removed. Additional landscaping has also been provided.
6. Public Hearing #2013-26: The applicants, John and Chris Herbert, request a variance of four feet of the six-foot setback requirement from an alley property line for an accessory structure in an R-3 (one and two family residence) district. The applicants propose to construct a new detached garage (22' x 26') in the west rear yard.
7. Public Hearing #2013-27: The applicant, QC General for Denkman Elementary School, requests a variance to substitute a lighted, freestanding LED message board sign for an existing interior lighted freestanding message board sign in an R-2 (one family residence) district. The applicant proposes to erect a new LED message board sign (4' x 7.5') to replace the existing sign.
8. Other Business.
9. Adjournment.

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

Regular Meeting

7:00 PM

July 10, 2013

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

Staff Present: Alan Fries and Ben Griffith

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

Approval of Minutes – Mr. Tschappat made the motion to approve the Minutes of the June 12, 2013 meeting. Mr. McAdam seconded the motion, and it passed unanimously.

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

Approval of written Agenda: - Chairman Snyder said that the applicant for Case #2013-25, a request from Dave Parochetti for 3825 18th Avenue has requested that the case be deferred until the August regular meeting. He asked for a motion from the Board to change the agenda.

Ms. Williams made a motion to change the agenda to defer Case #2013-25 until the August regular meeting. Mr. Tschappat seconded the motion, and it passed unanimously.

Public Hearing #2013-24 - Request from Thomas Unley and James Ballard for a variance of 10 feet of the 15 foot side yard setback requirements for each of the north and south side yards, a variance of 15 feet of the 20 foot east rear yard setback requirement and a variance to allow two principal structures on one parcel in an I-1 (light industrial) district at 1843 and 1915 1st Street.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that there be only one principal structure on a lot (Section 8.17) and that there be a 15 foot side yard on each side yard and a 20 foot rear yard setback in an I-1 district (Section 30.5). The applicant proposes to construct an all steel inside boat storage structure (80' x 175' and 30 feet in height) in the east rear yard of the site and maintain an existing former single family residence in the western segment of the site to be used as a second business on the new consolidated property.

The applicant proposes to maintain the residential structure to be used for a separate custom boat cover business and then construct the inside boat storage building in the rear of the site. The all steel structure will have a sprinkler system and have 20 foot tall walls and a 30 foot wide sliding door on the western side of the structure (see building drawing). Total height of the structure will be 30 feet.

The applicants have contacted the Fire Marshall and he and the Chief Building Official have given preliminary approval for the setback variances based on their understanding of the structure and that a sprinkler system will be provided (there is a fire hydrant also located on the western edge of the site along 1st Street right-of-way).

Chairman Snyder called for proponents.

James Ballard, 9710 85th Avenue Street Court West in Taylor Ridge, Illinois, was sworn in. He said that he and his partner have cleaned up the lot and desire to construct the building to provide more indoor storage space for boats. He said no work will be done inside the building and that it will just be used for storage. He added that the house on the lot is being renovated for another business.

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

Decision Case #2013-24 – Mr. Tschappat made a motion to approve the request because:

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

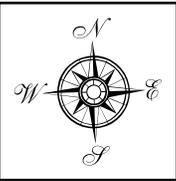
Mr. Day seconded the motion, and it was approved unanimously.

Chairman Snyder adjourned the meeting at 7:20 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Ben Griffith". The signature is written in a cursive, flowing style.

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



Location Map for BZA2013-25 Thru BZA2013-27



Prepared By: City of Rock Island,
Community and Economic Development Dept.,
Planning and Redevelopment Division
August 2013

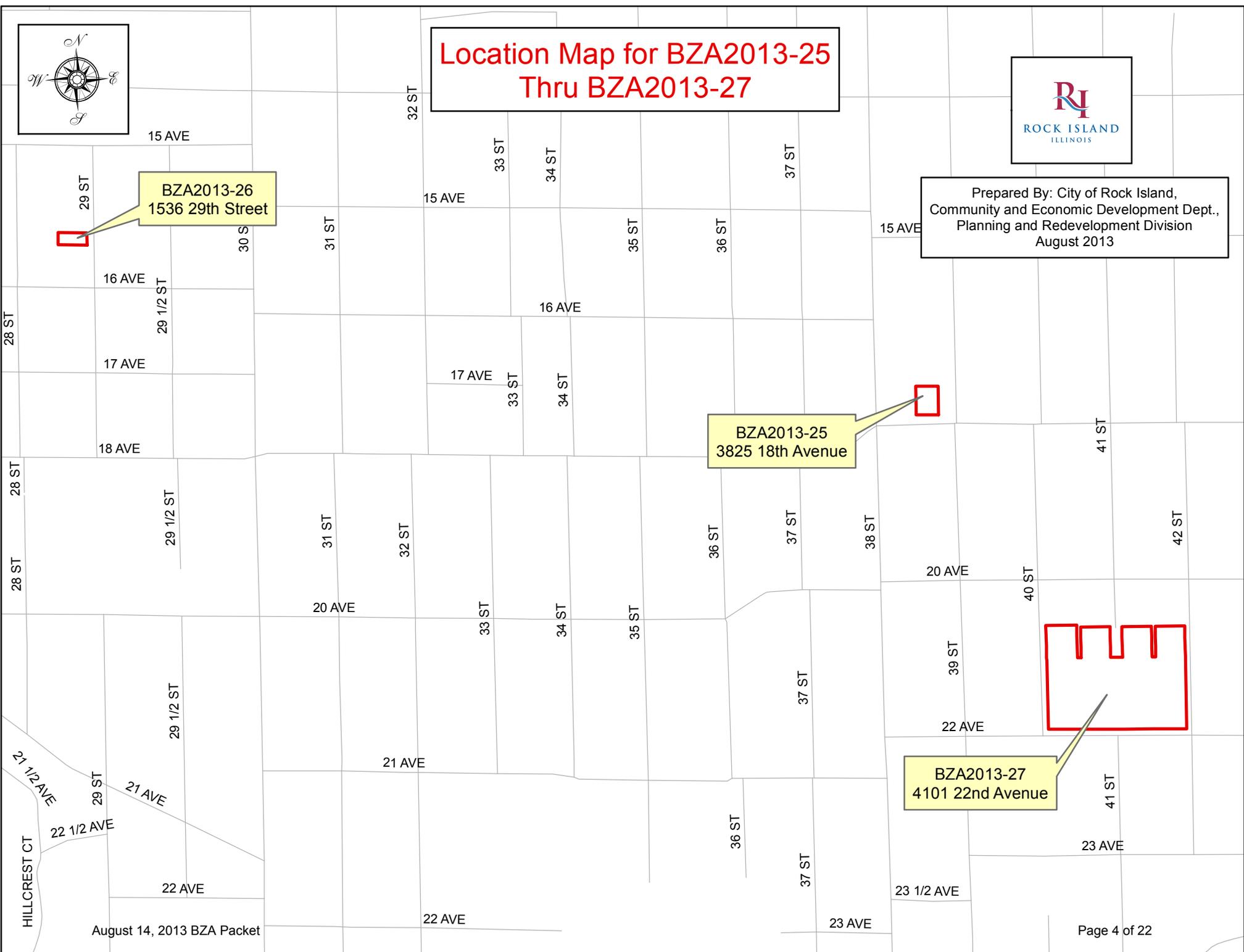
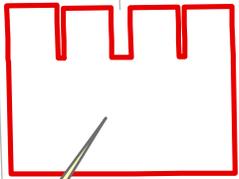
BZA2013-26
1536 29th Street



BZA2013-25
3825 18th Avenue



BZA2013-27
4101 22nd Avenue



REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: June 27, 2013

SUBJECT: Case #2013-25- Request for variances from the north building setback and minimum landscaped bufferyard requirement and south parking lot landscape requirement for a proposed commercial development in a B-3 (community business) district.

Applicant:
Dave Parochetti

Location:
3825 18th Avenue

Request:
To allow a variance of 13' 6" of the 30-foot north rear yard building setback requirement for a commercial use adjacent to a residential zoning district, a variance of 8' 6" of the 15-foot wide landscape area requirement along the north property line and a variance of five feet of the ten-foot wide landscape area requirement adjacent to a parking area along the south front yard in a B-3 (community business) district.

Size of Property:
The property measures 150' x 140' (18,588 square feet).

Zoning History:

Board of Zoning Appeals Case #2009-30 - Request for a variance from a rear yard setback requirement was withdrawn.

BZA Case #2011-20- Request for north landscape bufferyard requirement was approved. Structure was not constructed due to access issues.

Board of Zoning Appeals Case #2013-19- Request for variances from the north building setback and minimum landscaped bufferyard requirement, south parking lot landscape requirement and number of stacking spaces for a drive-thru for a proposed commercial development was denied.

Existing Land Use and Zoning:

The site is undeveloped. To the west and south are business uses, zoned B-3. To the east is a duplex, zoned R-3. To the north is Wakelands Fire Equipment Company and an upstairs apartment, zoned R-3. This business is a non-conforming use in the R-3 zoning district.

Topography:

The site slopes up one to two feet from street level.

Affected Requirements:

The zoning ordinance requires that B-3 zoned commercial uses adjacent to R-3 zoning have a 15 foot wide bufferyard and a 30 foot setback requirement (Sections 27.6 and 36.6), and a ten foot wide landscape area for a parking area adjacent to a public street (Section 36.5). The applicant proposes to locate a three-unit commercial structure (approximately 4,056 square feet in total area) with a restaurant drive thru on the north side of the site.

Conditions to Authorize Variance:

1. Reasonable Return: The proposed variances will improve the return on the property.
2. Unique Circumstances: The lot is a corner lot with two front yards and smaller rear yard.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The applicant has resubmitted a request because he has revised elements of his previous request and site plan in order to be considered by the Board prior to the required six-month waiting time period. The proposed one-story structure would have up to three separate commercial uses (one will be a Jimmy John's with the other two unknown at this time). Jimmy John's will utilize the drive-through lane on the north side of the property (see attached site plan). The Jimmy John's is proposed to not have "late-night" hours (the Zoning Ordinance does not regulate business hours).

The applicant's revised request and site plan has changed the orientation of the drive-thru lane by eliminating the northerly access point off of 39th Street and widened the southerly 39th Street access point to have vehicles utilizing the drive-thru to enter there. The stacking space variance has been eliminated since there is now space to stack park seven vehicles (ordinance requirement is to provide six stacking spaces).

The applicant has also moved the screened-in refuse area to the south and changed the door orientation to face towards 18th Avenue rather than residential uses to the east. Additional landscaping has been added along the east property line (row of arborvitae trees) to help buffer this area from residential uses to the east.

Finally, two canopy trees have been added to the proposed 6.5 foot wide north bufferyard area (along with maintaining a proposed row of arborvitae trees). The ordinance allows for a reduction of a bufferyard width down to six feet with 90% of the required plantings and a continuous fence. With the addition of the canopy trees the ninety per cent landscaping requirement is met, but the existing six-foot tall continuous fence is located on the neighbor's property. The Board could stipulate that if the neighbor ever removes the existing fence that the

applicant would be required to locate a continuous six foot tall fence along the north property line).

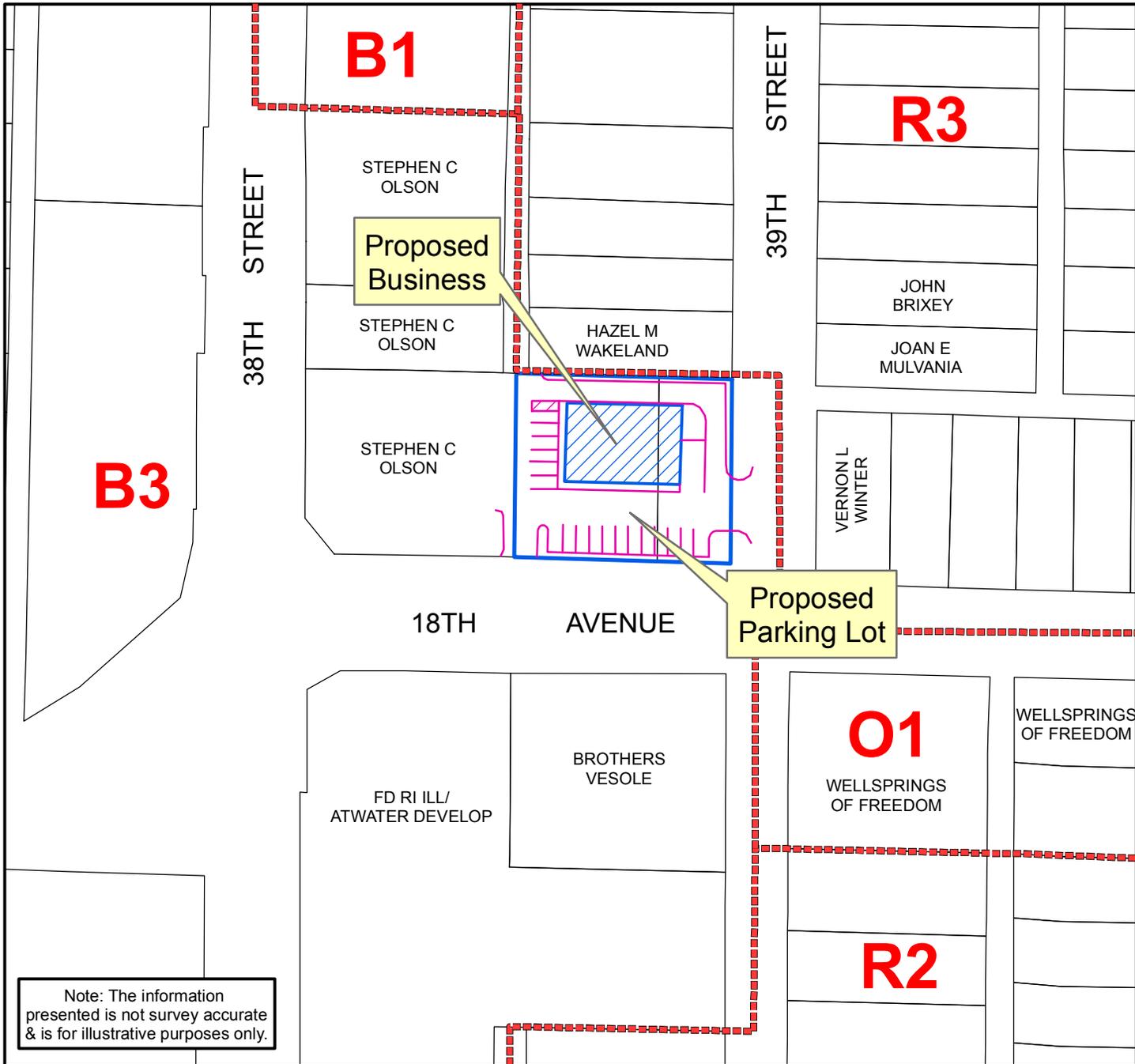
A total of 17 parking spaces will be provided on the site. The only known use at this time is the Jimmy John's, which will primarily be a drive-thru and delivery restaurant service (small eat-in public area will be used to figure parking requirements). Once more information is known about future tenants (retail, office, restaurant or service uses) an additional parking variance may be necessary. The applicant also has a cross easement parking agreement with the owners of the property where the auto parts store is located (west of the site). This agreement will also allow customers and/or employees to park in the adjacent 42 space lot parking lot.

Recommendation:

That the variances be approved because it will improve the return on the property, the lot is a corner lot with two front yards and a smaller rear yard and it will not alter the character of the neighborhood.

Staff recommends two stipulations. The first is that when details of tenant uses are known that the applicant contact staff in order to determine if a parking variance will be required. The second stipulation is that if the six foot tall privacy fence is removed from the property to the north that a six foot tall continuous privacy fence meeting code requirements be required to be located along the north property line.

BOARD OF ZONING APPEALS



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

**BOARD OF ZONING APPEALS
2013-25**

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: B.G./A.F.



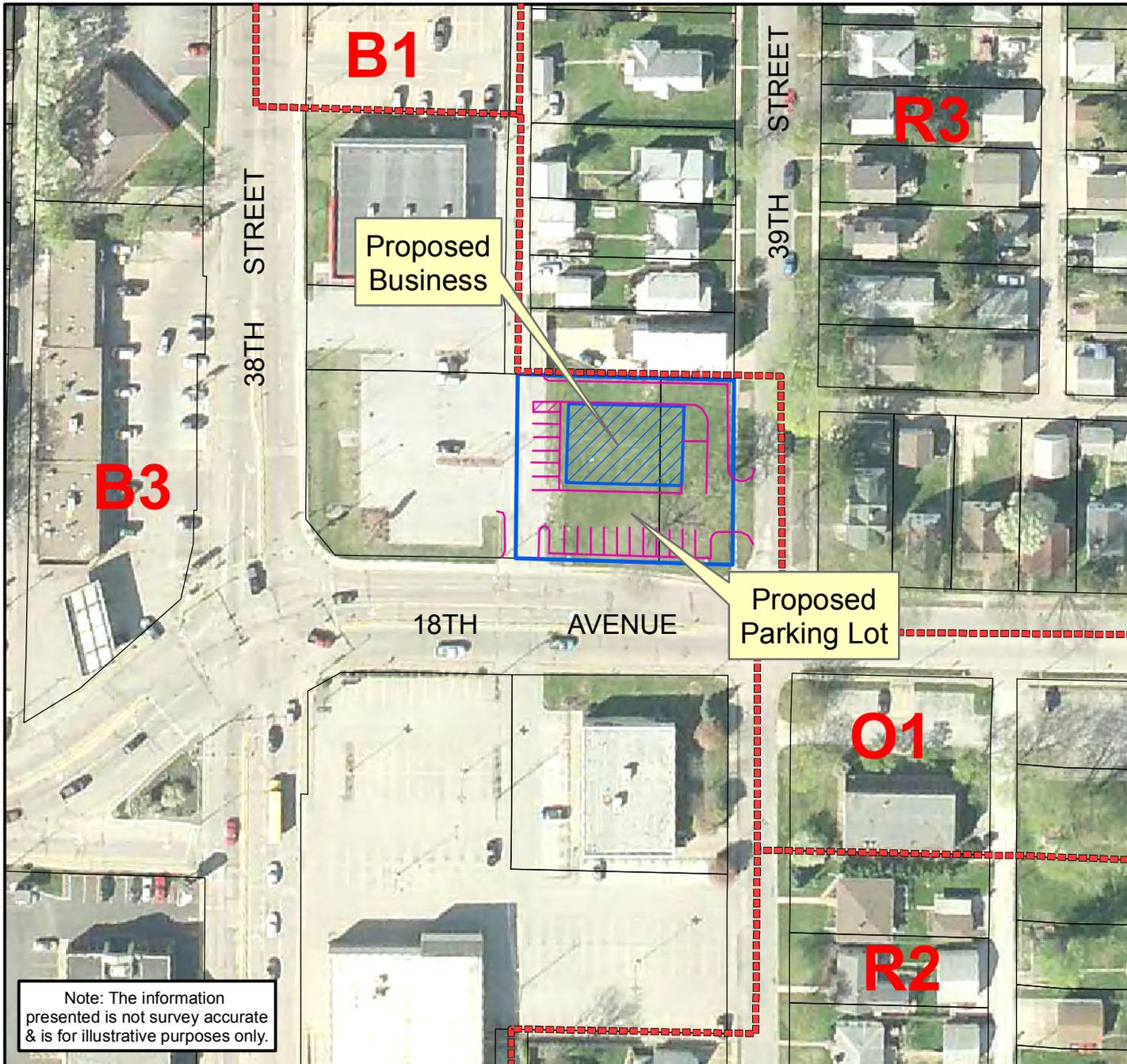
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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment


ROCK ISLAND
ILLINOIS

BOARD OF ZONING APPEALS



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

BOARD OF ZONING APPEALS 2013-25 Aerial

Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.
APPR. BY: B.G./A.F.

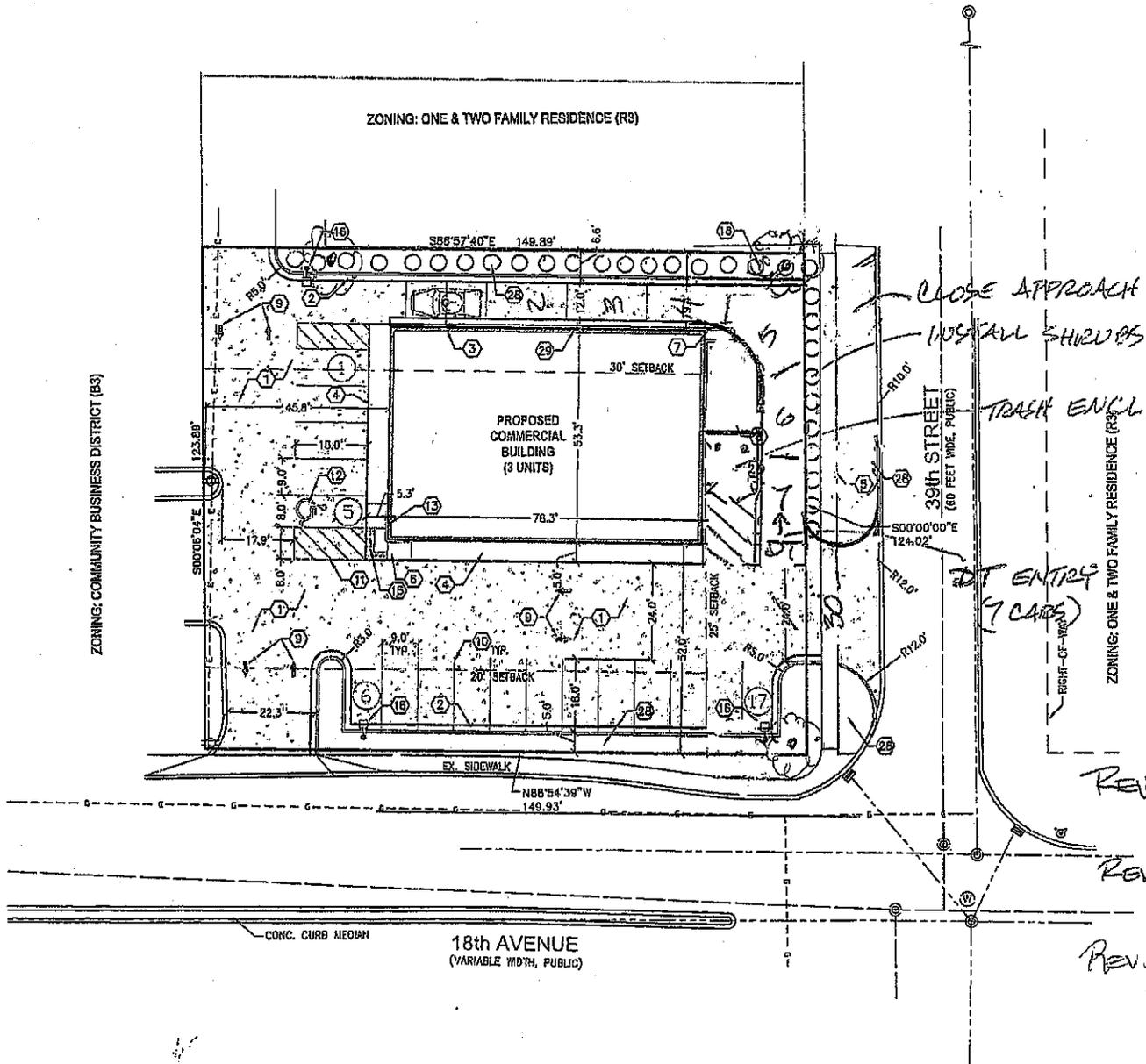


City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment







16	400 WATT, 208 VOLT YARD LIGHT W/FULL CUT-OFF LENSES. STANDARD HEIGHT = 27'-0". SEE DETAIL 11/C3.2 AND 12/
17	INSTALL 44.15" HP 4" DIA. 48" LONG SANITARY SEWER CAP W/ 100' SIG. AND AT CHANGES IN DIRECTION. SEE UTILITY PLAN
18	INSTALL 1400-SMALL DRAINAGE INTERCEPTOR PER DETAIL 11/C3.2 AND 12/ PLAN FOR LOCATIONS OF SEWER LATERALS AND CLEANOUTS
19	CONCRETE HOUSING FOR 6" DIA. SEWER. SEE DRAWING 11/C3.2
20	CONNECT TO EXISTING SANITARY SEWER. SEE UTILITY PLAN
21	INSTALL 6" DIA. 10' LONG 4-PORTER ARREST W/SEWER TO EXISTING BOX PER DETAIL 11/C3.2 AND 12/ SEE ELECTRICAL PLAN
22	ELECTRICAL MAIN SWITCHBOARD. SEE ELECTRICAL DRAWINGS.
23	GAS METER
24	COORDINATE ALL UTILITY WORK WITH UTILITY COMPANIES.
25	CONSTRUCT STORM DRAINAGE PER DETAIL 11/C3.2 AND 12/ PLACE FILTER FABRIC OVER INLET AND LINE WITH STONE
26	CONSTRUCT STORM DRAINAGE PER DETAIL 11/C3.2 AND 12/ PLACE FILTER FABRIC OVER INLET AND LINE WITH STONE
27	CONSTRUCT STORM DRAINAGE PER DETAIL 11/C3.2 AND 12/
28	LANDSCAPE AREA. REFER TO LANDSCAPE DRAWINGS.
29	JIMMY JOHN'S MENU BOARD / ORDER STATION.

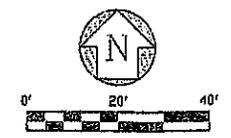
NOTES SHOWN IN GRAY ARE NOT INCLUDED ON THIS PLAN. THESE DETAILS RELATED TO ALL KEYED NOTES WILL BE SHOWN ON SUBSEQUENT SUBMITTALS (SUBJECT TO APPROVAL OF VARIANCES)

LEGEND

EXISTING TOPOGRAPHIC FEATURES

OVER HEAD ELECTRIC	= - - - - -
WATER VALVE	= (V)
FIRE HYDRANT	= (H)
MANHOLE	= (M)
STORM INLET	= (S)
POWER POLE	= (P)
FENCE LINE	= X X X X X
WATER LINE	= (W)
GAS LINE	= (G)
SEWER LINE	= (S)

REVISED 6/14/13
 BB.
 Rev 2 - 6/10/13
 BB.
 Rev. 3 - 6/20/13
 BB.



REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: July 30, 2013

SUBJECT: Case #2013-26- Request for variance from the setback of an accessory structure from a property line adjacent to an alley in an R-3 (one and two family residence) district.

Applicant:
John and Chris Herbert

Location:
1536 29th Street

Request:
The request is for a variance of four feet of the six foot setback requirement from an alley property line for an accessory structure in an R-3 (one and two family residence) district.

Size of Property:
The property measures 55' x 123.5' (6,792.5 square feet).

Zoning History:
None.

Existing Land Use and Zoning:
The site is occupied by a single family residence. The neighborhood is primarily a single family residential area, zoned R-3.

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

Affected Requirements:
The Zoning Ordinance requires a six foot setback from a property line adjacent to an alley (Section 8.5A). The applicant proposes to construct a new detached garage (22' x 26') in the west rear yard.

Conditions to Authorize Variance:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Unique Circumstances: The applicant desires to locate the new garage close to the alley

property line in order to save a large oak tree in the rear yard.

3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The applicant will remove the existing one-car detached garage on the property in order to accommodate a two-car detached garage. The proposed garage will be located at the same distance from the alley as the existing garage, but since it will be wider, it will extend closer to the tree. The applicant hopes to receive the variance because he believes moving it in further than proposed will damage the root system of the tree. There is a detached garage located at 1542 29th Street that is also located approximately two feet from the alley property line.

Recommendation:

That the variance be approved because it will improve the return on the property, the applicant desires to locate the new garage close to the alley property line in order to save a large oak tree in the rear yard and it will not alter the character of the neighborhood.

BOARD OF ZONING APPEALS

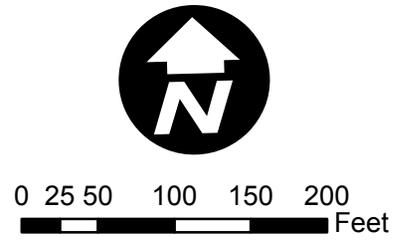


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BOARD OF ZONING APPEALS 2013-26 Aerial Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.
APPR. BY: B.G./A.F.



City of Rock Island
COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: July 30, 2013

SUBJECT: Case #2013-27- Request for variance to allow changes for lighted sign for school in an R-2 (one family residence) district.

Applicant:
QC General for Denkman Elementary School

Location:
4101 22nd Avenue

Request:
The request is for a variance to substitute a lighted LED freestanding message board sign for an existing interior lighted freestanding message board sign in an R-2 (one family residence) district.

Size of Property:
The property measures 448.5' x 300' (approximately 134,550 square feet or 3.08 acres).

Zoning History:
BZA Case 96-12- Request for existing lighted freestanding sign was approved.

Existing Land Use and Zoning:
The site is occupied by a public elementary school. To the north, east and west are single family residences. To the south are single family residences and a gift shop, zoned R-2.

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

Affected Requirements:
The Sign Ordinance requires that signs for institutional uses in residential zoning districts not be lighted (Section 6[a] [8]). The applicant proposes to erect a new LED message board sign (4' x 7.5') to replace the existing lighted message board sign.

Conditions to Authorize Variance:
1. Reasonable Return: The proposed variance will improve the ability and ease for the school to change messages on the sign.

2. Unique Circumstances: None.

3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The sign face for the proposed sign is attached. The sign area will be identical in size to the existing sign (4' x 7.5'). The total height will also not change. The LED message board function can be changed from inside without removing the sign cabinet cover and physically changing the lettering on the sign. This will make it easier for school staff and also allow for the ability to have several different messages on the sign. The applicant has been made aware of the ordinance's five-second requirement in changing sign messages.

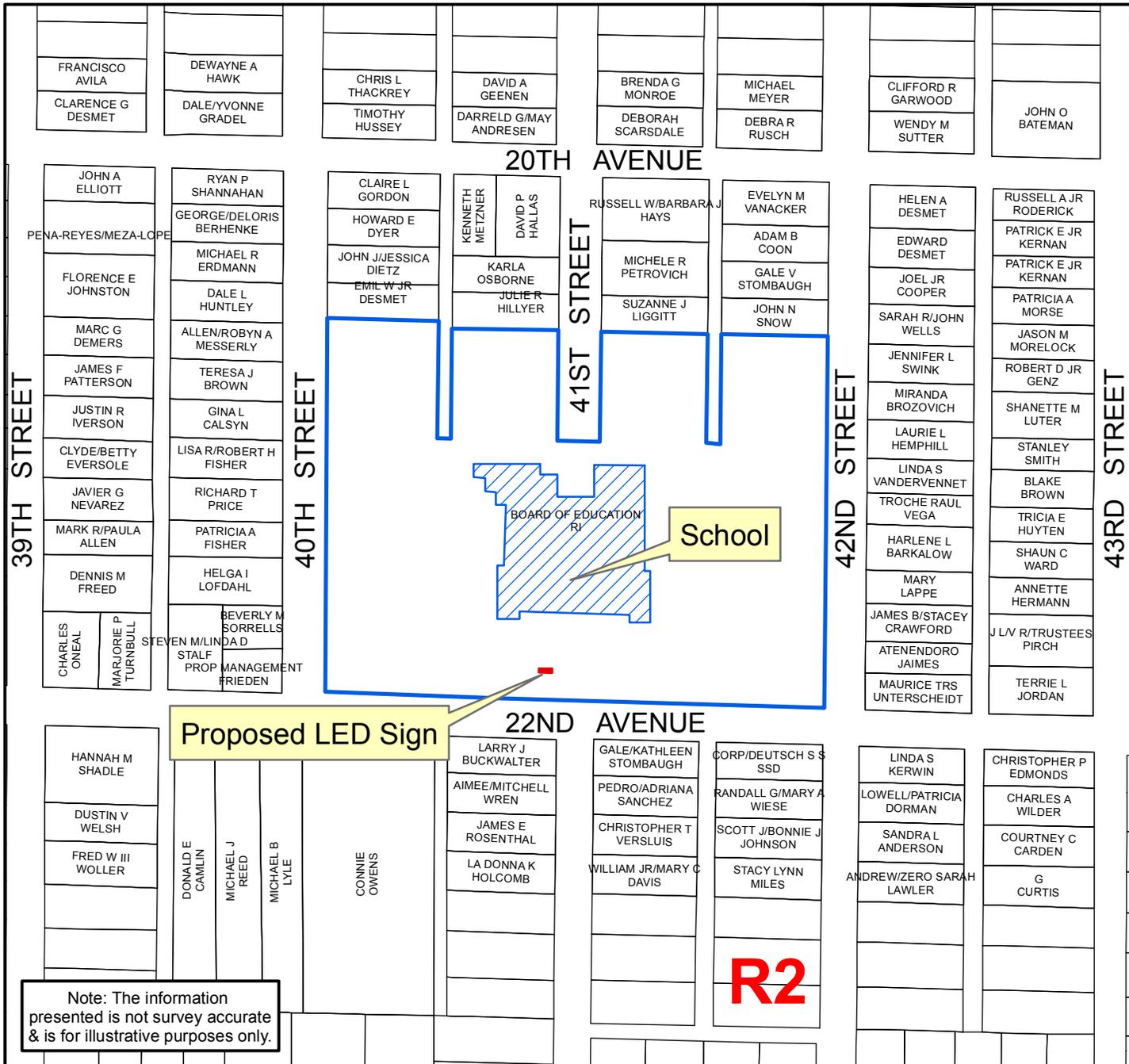
The applicant has also indicated that they will abide by the 1996 Board stipulation to have the lighting for the sign be set on a timer to turn off at 7:30 p.m.

Recommendation:

That the variance be approved because it will improve the return on the property, will not alter the character of the neighborhood, and will serve a public need.

Staff also recommends that the Board maintain the stipulation to have the lights for the sign (LED included) be set on a timer to turn off at 7:30 p.m.

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS

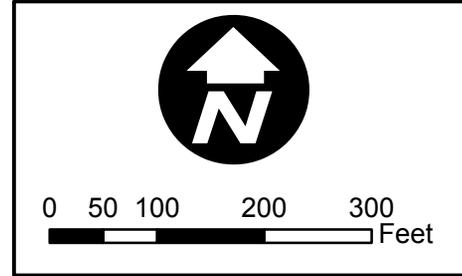
2013-27

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: B.G./A.F.

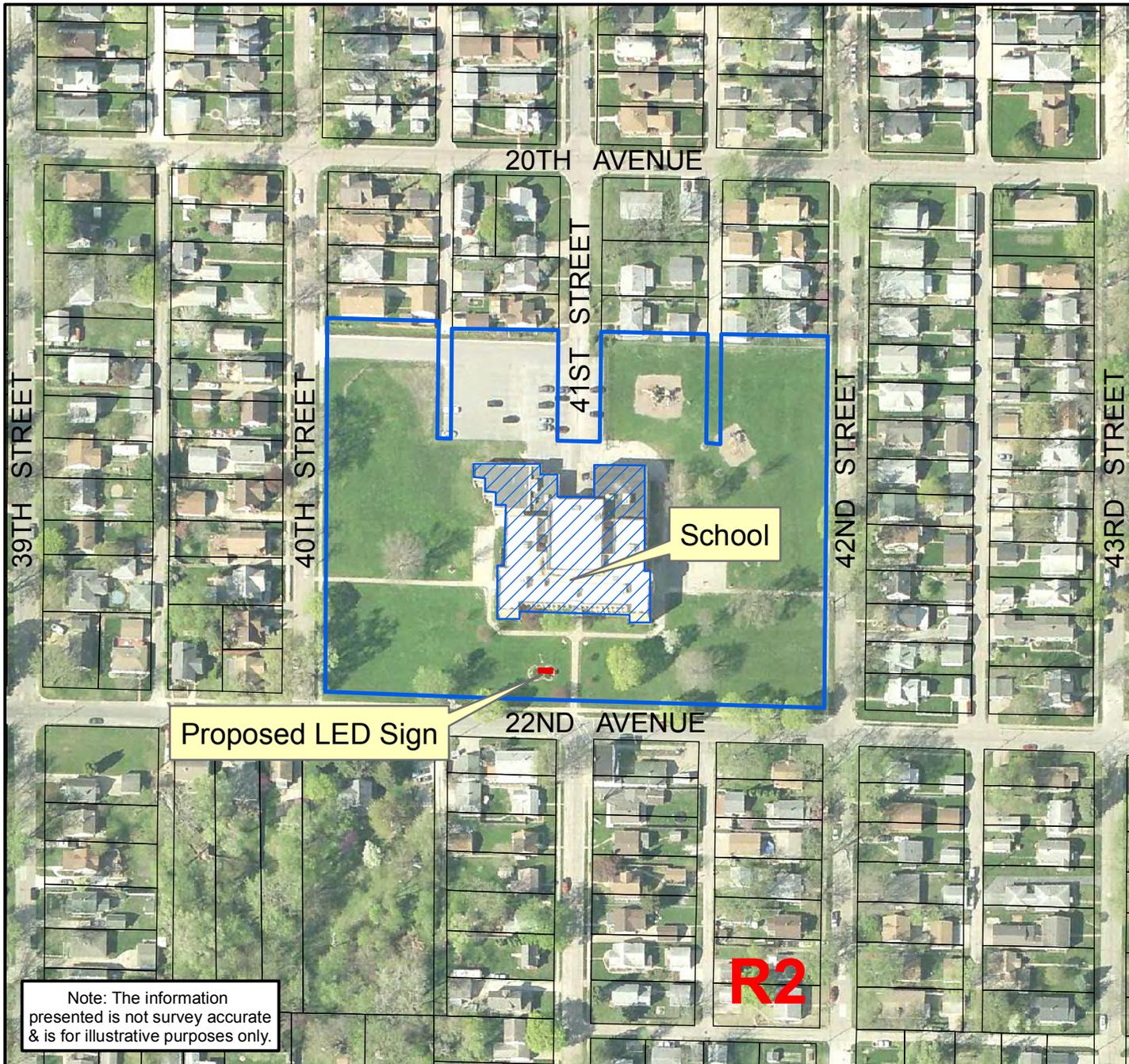


City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
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BOARD OF ZONING APPEALS



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BOARD OF ZONING APPEALS 2013-27 Aerial

- Legend**
-  Parcels
 -  Subject Property

DR. BY: K.G.D.

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City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Denkman Elementary School

LED Portion



Denkmann
ELEMENTARY SCHOOL
REGISTRATION
THURSDAY 7:25 AM - 3PM
FRIDAY 7:25 AM - 3PM