

# November 13

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
November 13, 2013  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the minutes of the regular meeting of October 9, 2013
3. Approval of the written Agenda
4. Procedural Explanation
5. Public Hearing #2013-30: The applicant, Roni Bern, has filed a request for a variance of 2.5 feet of the 3.5 foot maximum height for a fence in a front yard in an R-3 (one and two family residence district at 1501 24 ½ Street.
6. 2014 Meeting Schedule
7. Other Business
8. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**October 9, 2013**

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

Staff Present: Alan Fries and Ben Griffith

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

**Approval of Minutes** – Ms. Williams made the motion to approve the Minutes of the August 14, 2013 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 #2013-28 - Request from Robert Bisland for a variance of 100 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 1548 30<sup>th</sup> Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that there be a 300-foot separation standard between Unrelated Group Family Uses (Section 4.6). The applicant proposes to maintain an existing, yet unapproved, Unrelated Group Family Use within 200 feet from another proposed Unrelated Group Family Use at 1524 30<sup>th</sup> Street.

Staff became aware of the four residents residing on the property from Inspection Division staff. The applicant has a lease to have four unrelated individuals and desires to maintain the property as an Unrelated Group Family Use. The identified existing Unrelated Group Family Use located at 1524 30<sup>th</sup> Street is also owned by the applicant. The subject property meets the off-street parking requirement because there is a detached two-car garage and space to park two additional vehicles on the driveway (zoning ordinance only requires two off street parking spaces).

Chairman Snyder called for proponents.

Robert Bisland, 14509 85<sup>th</sup> Avenue Court West in Taylor Ridge, Illinois, was sworn in. He said the house is a large two-story, four-bedroom home and that he needs to rent to four individuals in order to make a return on his financial investment in the home. He said he has an excellent relationship with the neighbors and the tenants are good students and there have been no problems on the property. He said if the variance is not approved he will likely have to sell the house.

Mr. Day asked how long has he owned the property. Mr. Bisland replied approximately ten years and that it was once a duplex.

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

**Decision Case #2013-28** – Mr. McAdam 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.

Mr. McAdam said that the Board has considered many of these types of requests in the past ten years and there has been an evolution in the staff recommendations and Board's decisions due to the landlords taking better control and care of their properties and the lack of problems and concerns cited by neighbors.

Ms. Williams agreed, and said that in the past there were many objectors when these cases came before the Board. She noted there were no objections cited for this request.

Chairman Snyder called for a vote on the motion to approve the request and it passed unanimously.

**Public Hearing #2013-29 - Request from Rock Island Housing Authority for a variance of 11 feet of the 30-foot rear yard setback requirement in an R-4 (one to six family residence) district at 1014 15<sup>th</sup> Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires a 30-foot rear yard setback requirement in an R-4 zoning district (Section 17.5). The applicant proposes to construct a one-story single family residence with an attached two-car garage off the rear alley on the site.

The one-story ranch style house will meet the front and side yard setbacks for the R-4 district, but due to the attached garage off the rear, will only maintain a 19-foot rear yard towards the west. The attached two car garage will also have improved parking for two additional vehicles on a driveway extending from the proposed garage to the alley.

Ms. Jalloh said she will not participate in the public hearing due to a conflict of interest (she is an adjacent property owner).

Chairman Snyder called for proponents.

Gail Brooks, 2499 Forest Place in LeClaire, Iowa and representing the Rock Island Housing Authority, was sworn in. She said the proposed home was a new infill residence to be located on a parcel that is smaller in total area than other lots in the neighborhood. She said if a detached garage were proposed, that it would not work out due to the 6-foot separation requirement in the Zoning Ordinance and also the front yard would need to be reduced. She added that with a detached garage there would not be room for added driveway parking in the rear of the site.

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

**Decision Case #2013-29** – Ms. Williams made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The lot is only 101 feet in depth, which is not as deep as other lots in the neighborhood.
3. The proposed variance will not alter the character of the neighborhood.

Mr. McAdam seconded the motion.

Chairman Snyder opened up the public hearing again to allow an answer to a question from Mr. Dayabout gravel on the site plan.

Ms. Brooks said that most of the gravel is on the lot to the south and their intent was to remove the gravel, pour concrete and install landscaping.

Chairman Snyder closed the public hearing and called for a vote on the motion to approve the request, and the motion passed unanimously (with Ms. Jalloh abstaining).

**Other Business:**

Mr. Griffith indicated that the regularly scheduled December Board meeting of December 11<sup>th</sup> would need to be rescheduled and asked if either December 4<sup>th</sup> or 10<sup>th</sup> were workable for Board members. He said staff would prefer Tuesday, December 10<sup>th</sup> due to advertising and notification concerns. There was a consensus among Board members present that December 10<sup>th</sup> would work out. Mr. Griffith said he would contact other Board members not present tonight to see if it also worked for them.

Chairman Snyder adjourned the meeting at 7:40 p.m.

Respectfully submitted,



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

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: November 4, 2013

SUBJECT: Case #2013-30- Request for variance from the maximum height for a fence in a front yard in an R-3 (one and two family residence) district.

Applicant:  
Roni Bern

Location:  
1501 24 ½ Street

Request:  
To allow a variance of 2.5 feet of the 3.5 foot maximum height for a fence in a front in an R-3 (one and two family residence) district.

Size of Property:  
The property measures 45' x 121.5' (Approximately 5,467.5 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is occupied by a single family residence. To the northwest is an open field that is part of Hauberg Estates maintained by the Rock Island Parks and Recreation Department. 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 that fences located in a front yard have a maximum height of 3.5 feet (Section 8.12). The applicant proposes to construct a six-foot privacy fence in the north front yard to be located up to the north property line.

Conditions to Authorize Variances:

1. Reasonable Return: The property can yield a reasonable return without the variance for a taller fence.

2. Unique Circumstances: The property is a corner lot with two front yards.
3. Character Alteration: The proposed variance will alter the character of the neighborhood.

Comments:

Currently there is a six-foot privacy fence located in the east rear yard and a four-foot tall chain-link fence located in the north front yard. The applicant will remove both and construct a new six-foot tall privacy fence up to the north property line extending from the detached garage to the mid-point of the north building line. The applicant desires the taller fence to enlarge the area her dogs can be in and not be visible from pedestrians walking down the sidewalk. The applicant also indicates that deer have jumped over the chain-link fence and have come into her yard.

There are no other six-foot tall fences in front yards of corner lots in the neighborhood. Staff believes that the proposed fence will alter the character of the neighborhood.

Recommendation:

That the variance be denied because the property can yield a reasonable return without the variance and it will alter the character of the neighborhood.

# BOARD OF ZONING APPEALS

R3

HAUBERG ESTATE

JULIE CAVLOVIC/  
DHCU

CHARLES  
SHEPARD

LUIS  
GALLEGOS

MELISSA B  
SPICER

14TH AVENUE

JOSH/TARRA  
STEPHENITCH

JOHN H  
BERENGER

MARK K HARRIS | SEAN T  
VENOVICH

JUAN/MAURA L  
VASQUEZ

THOMAS P  
ROBERTS

ROBERT E JR/  
BARBARA L LEE

DM INVESTING LLC

RICHARD C  
DARLAND

THOM B  
ELLIOTT

NANCY L  
HENSHAW

WILLIAM R  
CHRISTMAN

RICHARD  
QUINTANA

ALYSSA  
BENNETT

TIMOTHY M  
MURGA

MICHAEL  
FREBURG

15TH AVENUE

CHRISTOPHER  
BAKER

SUSAN K  
COLLINS

THOMAS M  
MCGREEVEY

JOSEPH P III/  
DONNA KELLY

DAVID D  
DARR

BRAD E  
LOVELESS

MARIA L  
STEINBAUGH

GRANT G  
GORDON

JOAN  
PIPPENGER

HAROLD/SIRI L  
MARKUSON

TERRY J  
PUTMAN

ARTHUR B/ROSA  
STEINBAUGH

ROBERT D/  
MAVIS M DARE

CURTIS WYATT

LAURA GIRT/  
WILLIAM NOLAN

MARGARET A  
BOLDT

JAMES  
WASHBURN

WILLIAM P/  
SVETLAN LARSON

QC RENTAL  
PROPS LLC

SHERI D  
VIDMAR

ARTHUR  
ASHPAUGH

BRAD R  
HADLEY

JACQUELINE M  
MURPHY

TIMOTHY  
DYER

LARRY A/  
BEVERLY  
MYERS

BRAD R  
HADLEY

JAMES H  
COOK

JOAN L MASTON/  
J ANDERSON

ARTHUR  
ASHPAUGH

LAURA B/WILLIAM  
STANLEY

CULLEY J/AMY L  
MARSHALL

DONALD J  
RENCH

MICHAEL G  
CROW

JOAN L MASTON/  
J ANDERSON

LARRY A/  
BEVERLY  
MYERS

CURTIS  
INVESTMENT FIRM LP

GLEN G  
DAVIS

BRET  
BENSON

Proposed  
Fence

House

Garage

## BOARD OF ZONING APPEALS 2013-30

### Legend

Parcels

Subject Property

DR. BY:           K.G.D.          

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



0 25 50 100 150 200  
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.

24TH STREET

24 1/2 STREET

25TH STREET

# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2013-30 Aerial

### Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.

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



0 25 50 100 150 200  
Feet

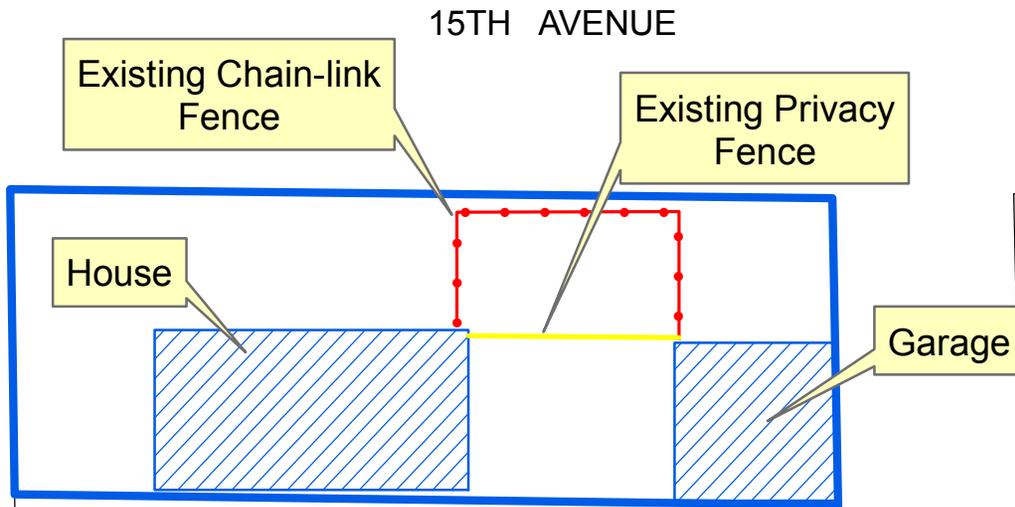
## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



# BOARD OF ZONING APPEALS

**R3**



## BOARD OF ZONING APPEALS 2013-30 Accessory Map Legend

-  Parcels
-  Subject Property

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



0 5 10 20 30 40 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



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## City of Rock Island Board of Zoning Appeals 2014 Public Meeting Schedule

<b>Submittal Deadline</b>	<b>Meeting Date</b>
November 20	December 10
December 10	January 15
January 14	February 12
February 11	March 12
March 11	April 9
April 8	May 14
May 13	June 11
June 10	July 9
July 8	August 13
August 12	September 10
September 9	October 8
October 7	November 12
November 11	December 10
December 9	January 14

Meetings are generally the second Wednesday of the month, beginning at 7:00 PM and are held in the Council Chambers (Third Floor) at City Hall, 1528 – 3<sup>rd</sup> Avenue