

# January 15

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
January 15, 2014  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the minutes of the regular meeting of December 11, 2013
3. Approval of the written Agenda
4. Procedural Explanation
5. Public Hearing #2014-01: The applicant, Krishna Lamsar (Subway Restaurant), has filed a request for a variance to allow three unlighted, freestanding portable “flag” signs (2’ x 8’ and approximately 11’ in total height from grade to top of each sign) in the north front yard in a B-4 (highway business) district at 4110 Blackhawk Road
6. Other Business
7. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**November 13, 2013**

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

Staff Present: Alan Fries and Ben Griffith

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

**Approval of Minutes** – Mr. Tschappat made the motion to approve the Minutes of the November 13, 2013 meeting. Mr. Day seconded the motion, and it passed unanimously.

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

**Public Hearing #2013-31 - Request from Jerome Shelton for a variance of 90 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 3111 8<sup>th</sup> Avenue.**

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 establish an Unrelated Group Family Use within 210 feet from another proposed Unrelated Group Family Use at 3216 8<sup>th</sup> Avenue.

The applicant has recently purchased the house and intends to lease it to four unrelated individuals. The identified existing Unrelated Group Family Use located at 3216 8<sup>th</sup> Avenue is owned by another private landlord (the case map identifies two additional Unrelated Group Family Uses within the 300 foot distance from the subject property). The subject property meets the off-street parking requirement because there two improved spaces and one unimproved space (gravel) located in the north rear yard. The Zoning Ordinance only requires two off street parking spaces for any Unrelated Group Family Use.

Mr. Fries stated that one Interested Party form had been received from Jeff Hinrichsen, 3241 10<sup>th</sup> Avenue and owner of 3113, 3203 and 3206 8<sup>th</sup> Avenue and 3129 7 ½ Avenue. A second caller (Richard Brown, owner of 3131 7 ½ Avenue) indicated that he would be attending the meeting.

Chairman Snyder called for proponents.

Jerome Shelton, 1805 Rose Court in Wheaton, Illinois, was sworn in. He said that he has been talking to Bruce Crowe, City Housing Inspector, regarding Housing Code requirements and that he had informed him of the Unrelated Group use requirements in the Zoning Ordinance. He said he has been making improvements to the structure and has recently had Mr. Crowe come and inspect footings for one of the required improvements.

Chairman Snyder called for Interested Party questions, but there was no one in the audience to come and ask questions.

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

**Decision Case #2013-31** – 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, and it passed unanimously.

**Other Business:**

Mr. Griffith indicated that one case had already been submitted for the January 15, 2014 regular meeting agenda. He indicated that there was still some time remaining to submit other applications before the deadline.

Mr. McAdam indicated that he would not be able to attend the February 11, 2014 regular meeting due to a schedule conflict.

Chairman Snyder adjourned the meeting at 7:20 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: December 18, 2013

SUBJECT: Case #2014-01 - Request for a variance to allow three portable freestanding signs in a B-4 (highway business) district.

Applicant:  
Krishna Lamsar (Subway Restaurant)

Location:  
4110 Blackhawk Road

Request:  
A variance to allow three portable freestanding signs in a B-4 (highway business) district.

Size of Property:  
395' x 66' x 293' x 123' x 20' x 20' (approximately 43,996 square feet or 1.01 acres).

Zoning History:  
Planning Commission #2012-4- Request for Riverfront Corridor Overlay District Site Plan approval for a permanent freestanding sign (12' x 12' and 25 feet in total height) was approved for the north front yard.

Existing Land Use and Zoning:  
The site is occupied by the Subway restaurant and a medical office use (there is one vacant commercial space remaining in the structure). To the north is undeveloped property, zoned R-1. To the east, south and west are commercial uses, zoned B-4.

Topography:  
The site slopes down approximately one to two feet from Blackhawk Road.

Affected Requirements:  
The zoning ordinance prohibits portable signs (Section 11 A 5). The applicant proposes to erect three unlighted freestanding portable "flag" signs (2' x 8' and approximately eleven feet in height from grade to top of sign) in the north front yard.

Conditions to Authorize Variance for Portable Signs:

1. Reasonable Return: The property can yield a reasonable return without the variance.
2. Unique Circumstance: None.
3. Character Alteration: The portable signs alter the character of the neighborhood.

Comments:

The business owner decided to apply for the variance because of other portable signs along the corridor that have been approved for variances. He indicates that for him to compete with other area restaurants he needs the portable signs to identify his business and advertise specials to travelers along Blackhawk Road. The flags attract attention primarily due to their height and motion by waving in the wind.

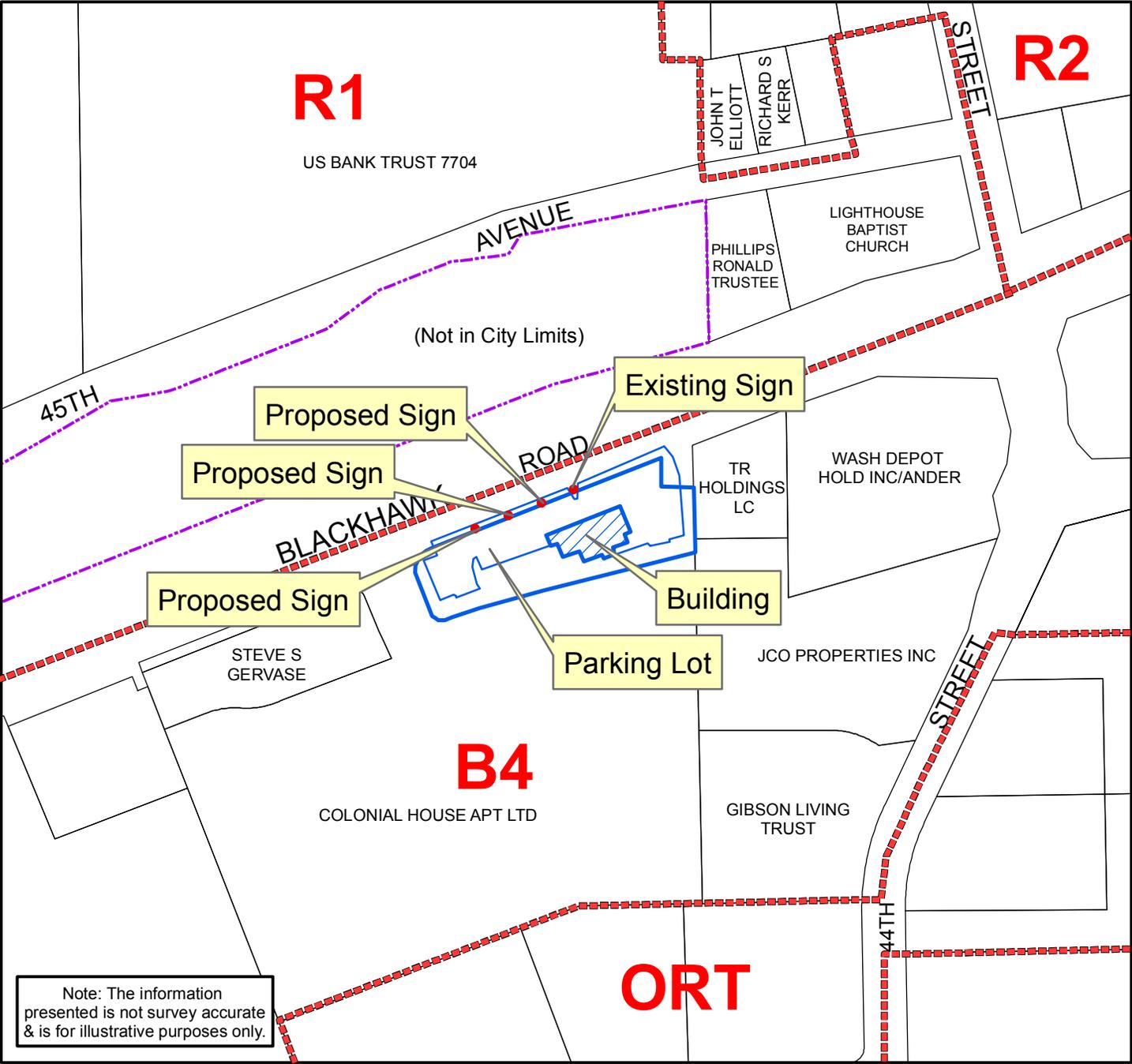
Portable signs are defined in the Sign Ordinance as “any sign designed...to be self-supporting, self-contained, portable, and not permanently attached to the ground or other permanent structure...” They are popular with businesses because of their low cost and high visibility. Many sign ordinances regulate these types of signs because they can be easily damaged by weather conditions and can blow into other properties or public-right-of-way. The proliferation of portable signs also can add to the visual clutter of commercial properties and corridors as businesses tend to add more and more portable signs to compete with other businesses.

The property is located in the Riverfront Corridor Overlay District. This area is identified to “establish a physically attractive pattern of development for the general welfare of the City” according to the Zoning Ordinance. Ordinance regulations allow only one permanent freestanding sign per parcel to help provide an attractive site design for this important gateway area of the City. Staff believes that the proposed portable signs do not add to the physical attractiveness of this commercial area and that allowing variances will alter the design and character of this commercial corridor.

Recommendation:

That the variance be denied because the property can yield a reasonable return without the variance, there is no unique circumstance and it will alter the character of the neighborhood.

# BOARD OF ZONING APPEALS



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

**BOARD OF ZONING APPEALS  
2014-1**

**Legend**

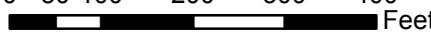
- Parcels
- Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    



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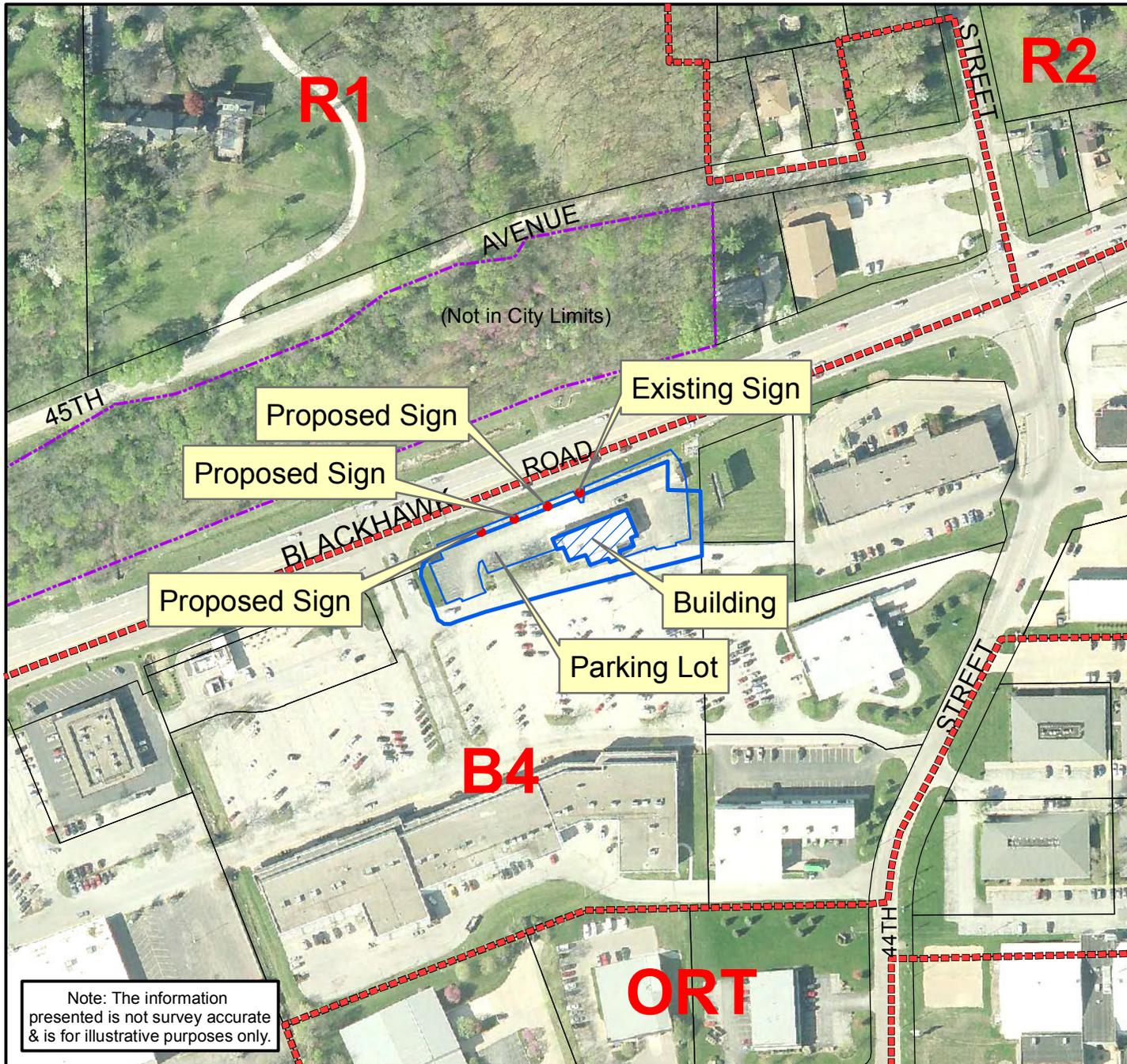


**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

  
**ROCK ISLAND**  
ILLINOIS

# BOARD OF ZONING APPEALS



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## BOARD OF ZONING APPEALS 2014-1 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





**SUBWAY**  
**PAIN**  
Interventions

A Christmas Tradition

**SUBWAY**