

# February 12

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
February 12, 2014  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the minutes of the regular meeting of January 14, 2014
3. Approval of the written Agenda
4. Procedural Explanation
5. Public Hearing #2014-02: The applicant, J. L. & Kerrie Hinrichsen, have filed a request for a variance of 230 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 3206 8<sup>th</sup> Avenue.
6. Public Hearing #2014-03: The applicant, J. L. & Kerrie Hinrichsen, have filed a request for a variance of 260 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 3203 8<sup>th</sup> Avenue.
7. Public Hearing #2014-04: The applicant, Y Thanh Nguyen, has filed a request for a variance of 24 feet of the 25 foot front yard setback requirement in a B-1 (neighborhood business) district at 2626 7<sup>th</sup> Avenue.
8. Other Business
9. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**January 15, 2014**

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

Staff Present: Alan Fries and Ben Griffith

Vice-Chairman McAdam called the meeting to order at 7:00 p.m.

**Approval of Minutes** – Mr. Tschappat made the motion to approve the Minutes of the December 11, 2013 meeting. Mr. Wild seconded the motion, and it passed unanimously.

**Procedural Explanation** – Vice-Chairman McAdam explained the procedure to be followed for the public hearing.

**Public Hearing #2014-01 - Request from Krishna Lamsar (Subway Restaurant) 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.**

Mr. Fries presented the staff report. He explained that the Sign 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.

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.

Vice- Chairman McAdam called for proponents.

Krishna Lamsar, 3212 Dundee Lane in Bettendorf, Iowa, and representing the Subway Restaurant, was sworn in. He said that many out-of-town travelers use Blackhawk Road and do not know his business is there. He said that he has been in business at the subject location for two years and customers have informed him they have driven past the restaurant and not noticed his existing signs. He said he needs the proposed signs to help customers identify his business from a longer distance away from the traffic light, so they will know it is located there and stop at his business. He said the flag signs will be nice looking and since the road is higher than his parking lot it will help customers identify his business. He said that if his business grows it helps the City of Rock Island.

Mr. Tschappat asked if there are similar signs in the area. Mr. Lamsar replied that other Subway restaurants have been allowed to have these signs and the result is that their business improves.

Mr. Wild asked if he needs all three of the proposed signs. Mr. Lamsar replied that he did.

Vice-Chairman McAdam asked if the Board placed a limited time period on allowing the signs would he have a problem with that. Mr. Lamsar replied that he would like a long time period, rather than two or three months.

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

**Decision Case #2014-01** – Mr. Tschappat made a motion to approve the request because:

1. The proposed variance is needed for better identification of the business and is similar to other sign variances approved in the area.
2. The proposed variance will not add visual clutter or alter the character of the neighborhood

Mr. Wild seconded the motion.

Ms. Williams said she will be voting against the motion to approve because if the Board continues to approve similar requests perhaps the Sign Ordinance should be changed.

Mr. Fries said that staff recommends that the Board consider placing stipulations to approve less than three signs and also place a limited time period to allow the portable signs.

Mr. Tschappat said he would not amend his motion to have any stipulations with it.

Vice-Chairman McAdam called for a vote on the motion to approve the request without any stipulations, and it was approved with Mr. Tschappat, Mr. Wild, Ms. Jalloh, Mr. Day and Vice-Chairman McAdam voting aye and Ms. Williams voting nay.

**Other Business:**

Mr. Griffith indicated that three cases had already been submitted for the February 12, 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 12, 2014 regular meeting due to a

schedule conflict.

Vice-Chairman McAdam adjourned the meeting at 7:22 p.m.

Respectfully submitted,

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

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

DRAFT

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: January 31, 2014

SUBJECT: Case #2014-02- Request for variance from the separation requirement between Unrelated Group Family Uses in an R-3 (one and two family residence) district.

Applicant:

J. L. and Kerrie Hinrichsen

Location:

3206 8<sup>th</sup> Avenue

Request:

To allow a variance of 230 feet of the 300-foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Uses in an R-3 (one and two family residence) district.

Size of Property:

The property measures 70.33' x 125' x 25.87' x 130.78' (Approximately 5,999 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 slopes up approximately five feet from street level.

Affected Requirements:

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 70 feet from an approved Unrelated Group Family Use at 3111 8<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.

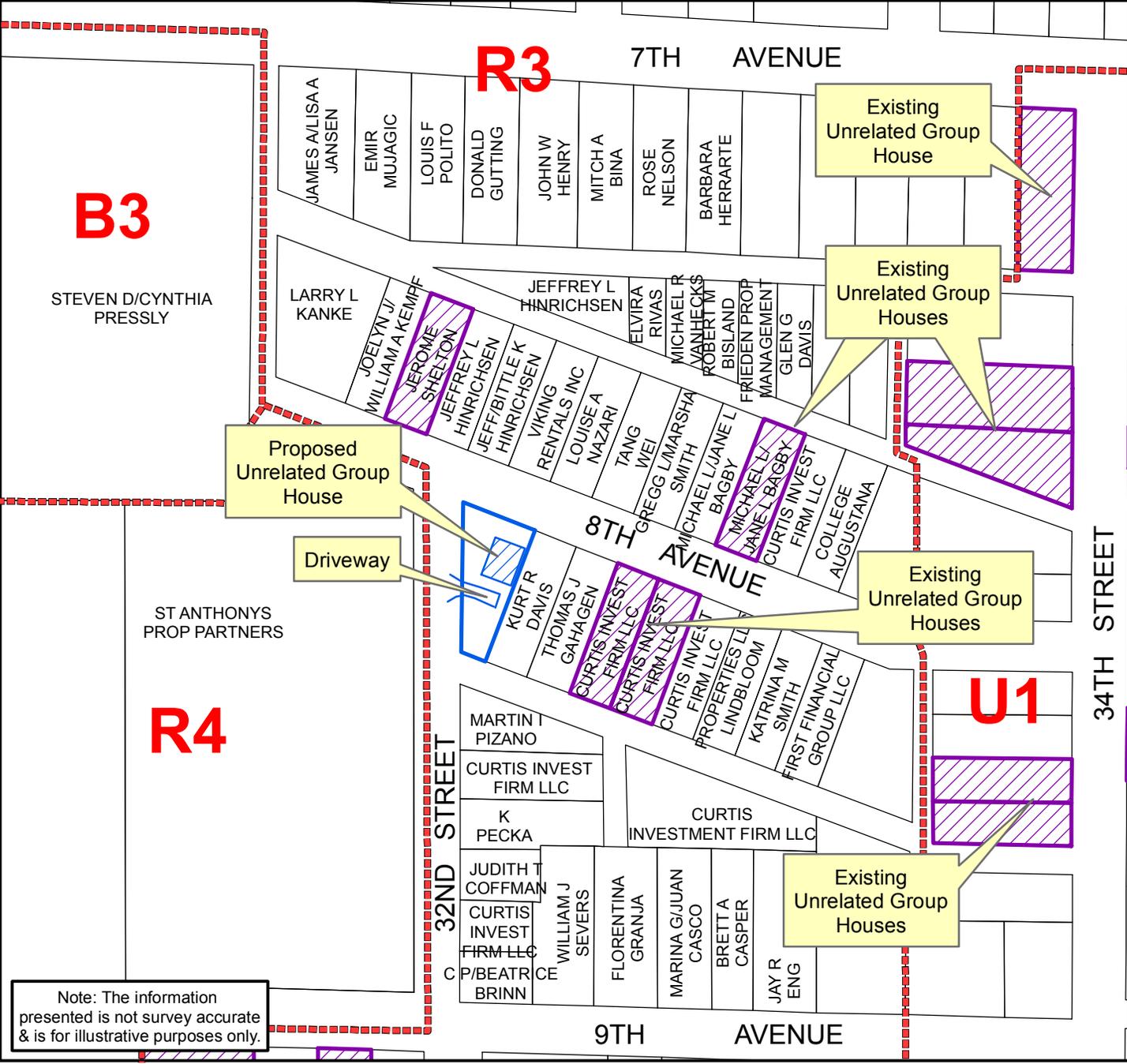
Comments:

The applicant currently has a lease to students that meets the requirements in the Zoning Ordinance (two of the existing four residents are related, so they are counted as only three unrelated individuals). The applicants intend to continue to lease to four individuals, but do not expect to always have the opportunity to have some related individuals in the house. The identified existing Unrelated Group Family Use located at 3111 8<sup>th</sup> Avenue was approved for a separation variance by the Board at its December 11, 2013 meeting (the case map also 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 are four improved driveway spaces in the south rear yard of the site. The Zoning Ordinance only requires two off street parking spaces for any Unrelated Group Family Use.

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 2014-2

**Legend**

- Unrelated Group Housing
- Parcels
- Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    

0 25 50 100 150 200 Feet

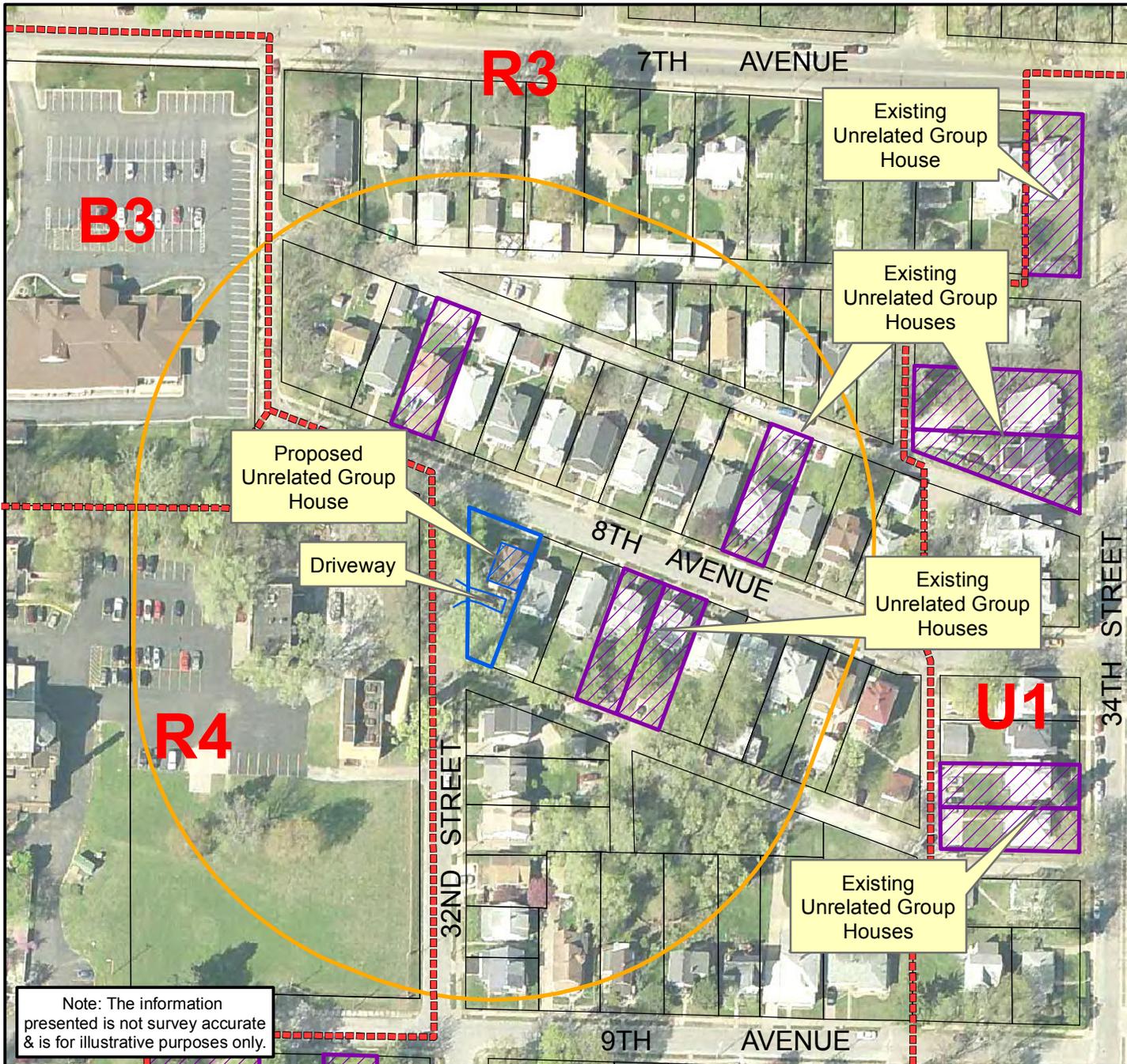
**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

ROCK ISLAND  
ILLINOIS

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

# BOARD OF ZONING APPEALS



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

## BOARD OF ZONING APPEALS 2014-2 Aerial

### Legend

-  Unrelated Group Housing
-  Parcels
-  300ft Buffer
-  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





RZ015103

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: January 31, 2014

SUBJECT: Case #2014-03- Request for variance from the separation requirement between Unrelated Group Family Uses in an R-3 (one and two family residence) district.

Applicant:

J. L. and Kerrie Hinrichsen

Location:

3203 8<sup>th</sup> Avenue

Request:

To allow a variance of 260 feet of the 300-foot separation requirement between an existing Unrelated Group Family Use and a proposed Unrelated Group Family Uses in an R-3 (one and two family residence) district.

Size of Property:

The property measures 40' x 120' (Approximately 4,800 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 slopes up approximately ten feet from street level.

Affected Requirements:

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 40 feet from an approved Unrelated Group Family Use at 3111 8<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:

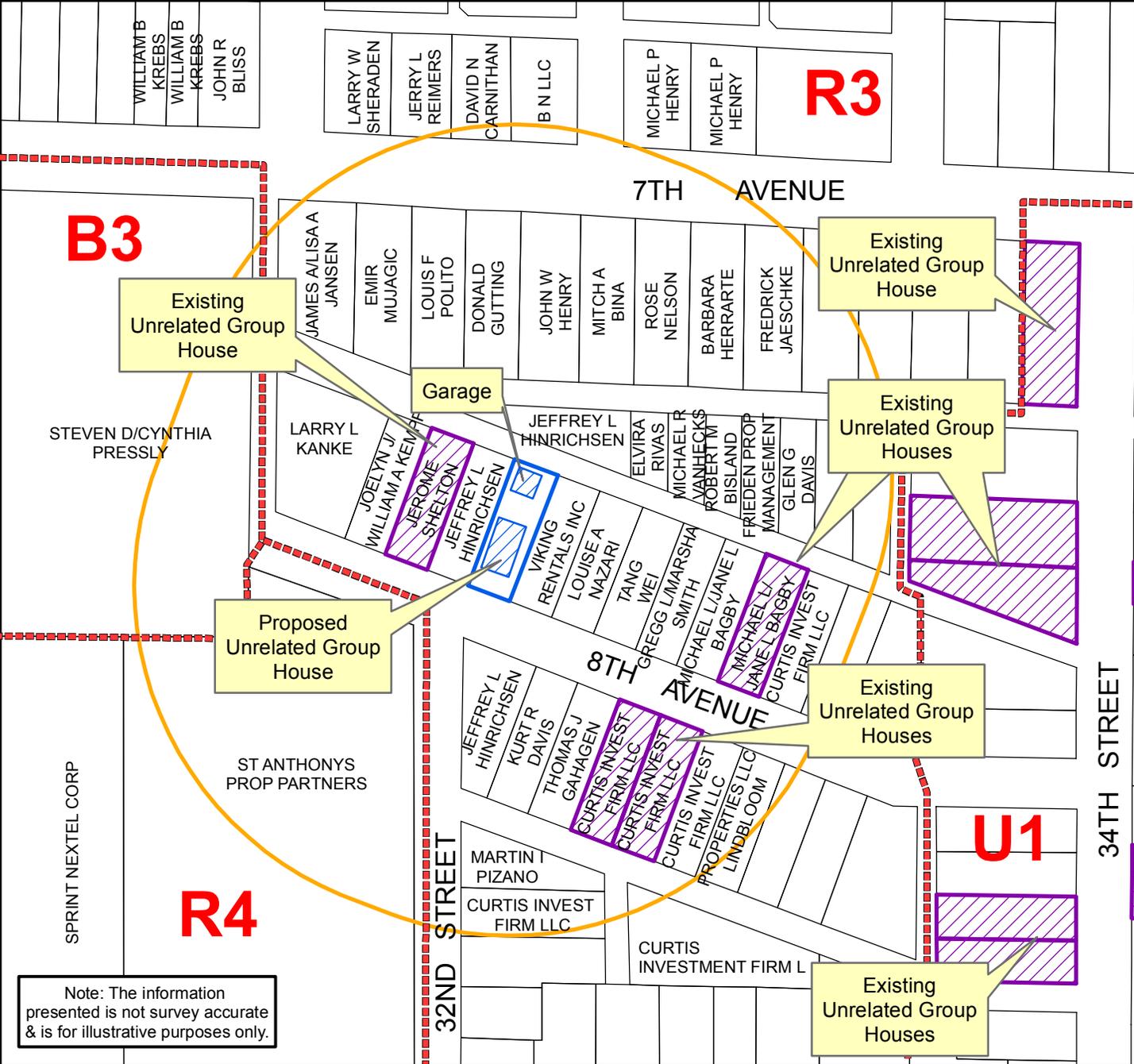
The applicant currently has a lease to students that meets the requirements in the Zoning Ordinance (two of the existing four residents are related, so they are counted as only three unrelated individuals). The applicants intend to continue to lease to four individuals, but do not expect to always have the opportunity to have some related individuals in the house. The identified existing Unrelated Group Family Use located at 3111 8<sup>th</sup> Avenue was approved for a separation variance by the Board at its December 11, 2013 meeting (the case map also 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 are two spaces within a detached garage and one additional space located adjacent to the garage on the site. There is an accessory parking area with three additional spaces on a triangular shaped lot to the north of the subject site. The Zoning Ordinance only requires two off street parking spaces for any Unrelated Group Family Use.

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



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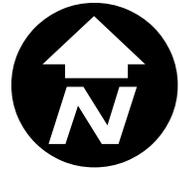
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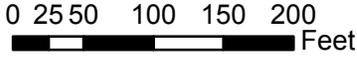
**Legend**

- Unrelated Group Housing
- Parcels
- 300ft Buffer
- Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    





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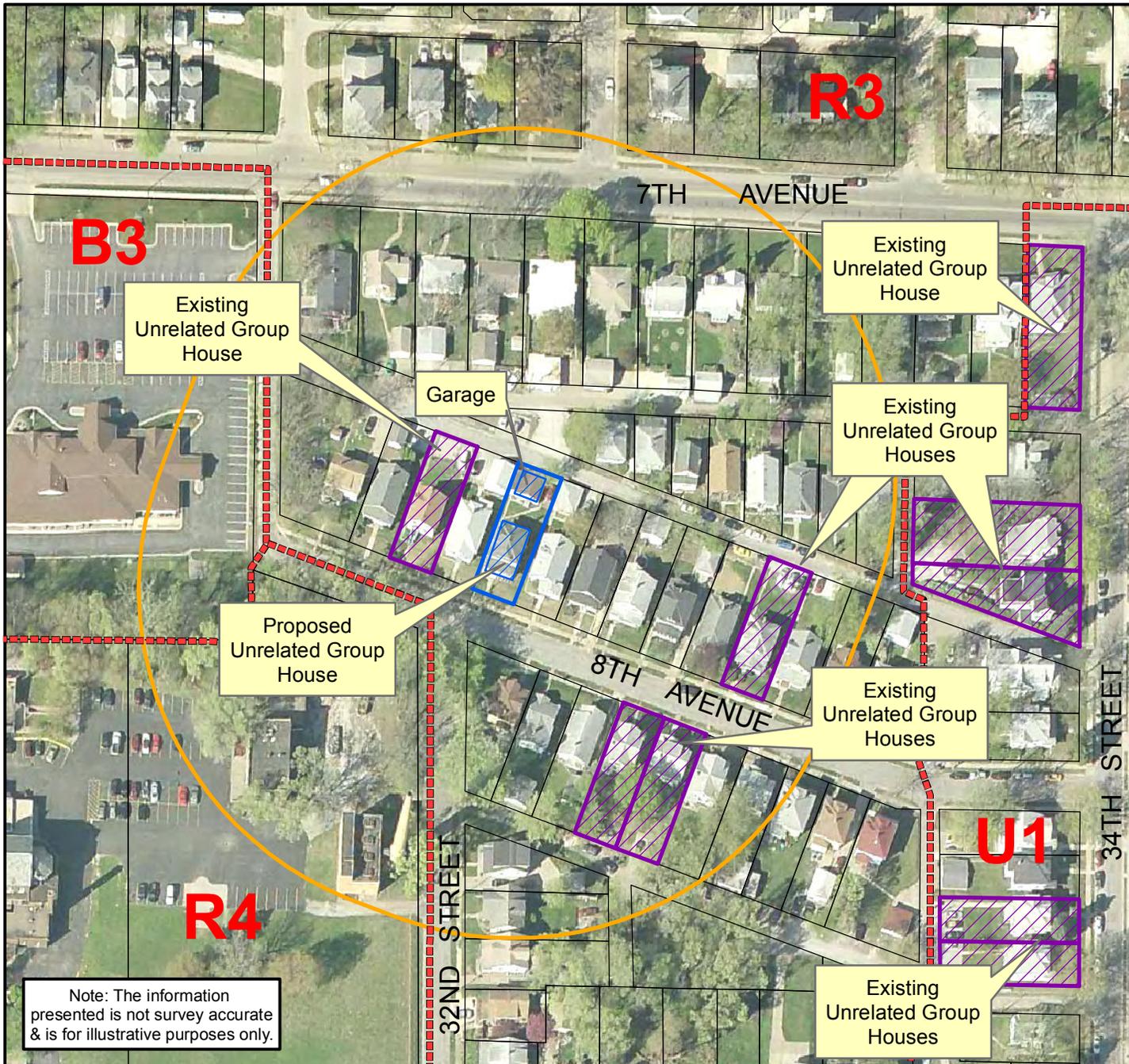
**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



**ROCK ISLAND**  
ILLINOIS

# BOARD OF ZONING APPEALS

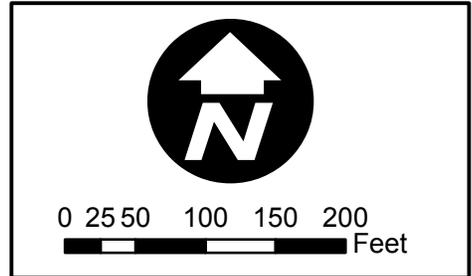


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## BOARD OF ZONING APPEALS 2014-3 Aerial

- Legend**
-  Unrelated Group Housing
  -  Parcels
  -  300ft Buffer
  -  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: January 31, 2014

SUBJECT: Case #2014-04- Request for variance from the front yard setback requirement in a B-1 (neighborhood business) district.

Applicant:  
Y Thanh Nguyen

Location:  
2626 7<sup>th</sup> Avenue

Request:  
To allow a variance of 24 feet of the 25 foot front yard setback requirement in a B-1 (neighborhood business) district.

Size of Property:  
The property measures 88' x 120' (10,560 square feet).

Zoning History:  
Special Use Permit #2004-11- Request to approve a fenced-in outdoor storage area was approved.

Special Use Permit #2002-1- Request to approve auto body shop and sales business was approved.

Special Use Permit #90-10- Request to approve a boxing club gym was approved.

Existing Land Use and Zoning:  
The site is occupied by an auto body shop. To the north and east are vacant commercial buildings, zoned B-1. To the west and south are single family residences, zoned R-3.

Topography:  
The site is flat and at street level.

Affected Requirements:  
The zoning ordinance requires a 25 foot front yard setback in a B-1 zoning district (Section 25.6). The applicant proposes to construct a one-story building addition (23' x 53') in the east front

yard.

Conditions to Authorize Variances:

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

Comments:

The applicant currently operates a body shop out of the existing commercial structure, but no longer sells vehicles on the property. The proposed one-story addition will be used for a gift shop and the east exterior wall will extend to within one foot of the east property line (this is the area where the outside storage is currently located). Since there is an opaque fence already at this location visibility will not be changed for vehicles exiting the alley.

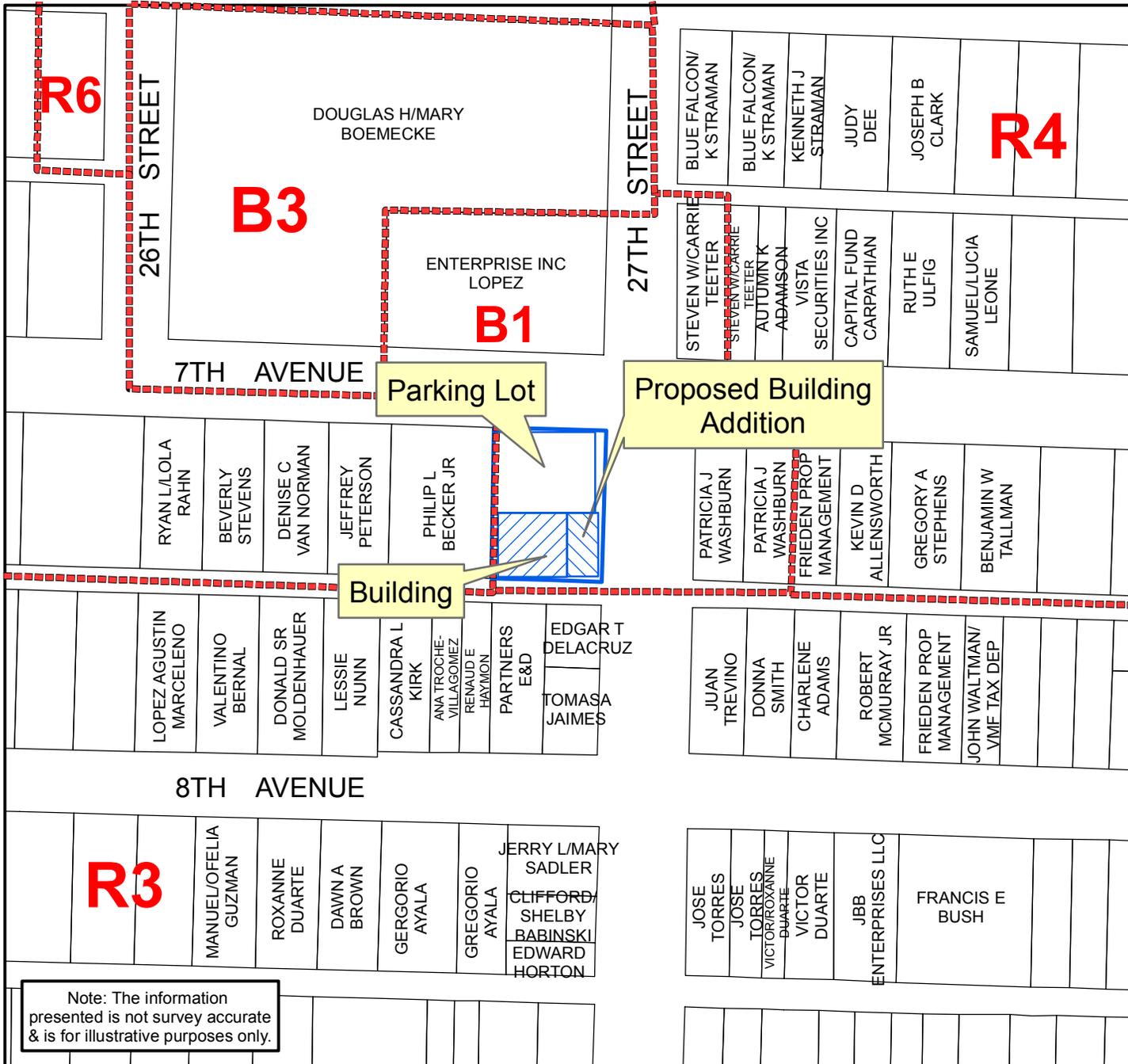
The applicant will match the brick work on the north side of the addition and will likely utilize metal siding on the east and south sides. The single family residence to the south is located approximately four feet from the east property line.

The applicant has submitted the attached petition in support for his request signed by nine neighbors.

Recommendation:

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

# BOARD OF ZONING APPEALS



**BOARD OF ZONING APPEALS**  
**2014-4**

**Legend**

- Parcels
- Subject Property

DR. BY: K.G.D.

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

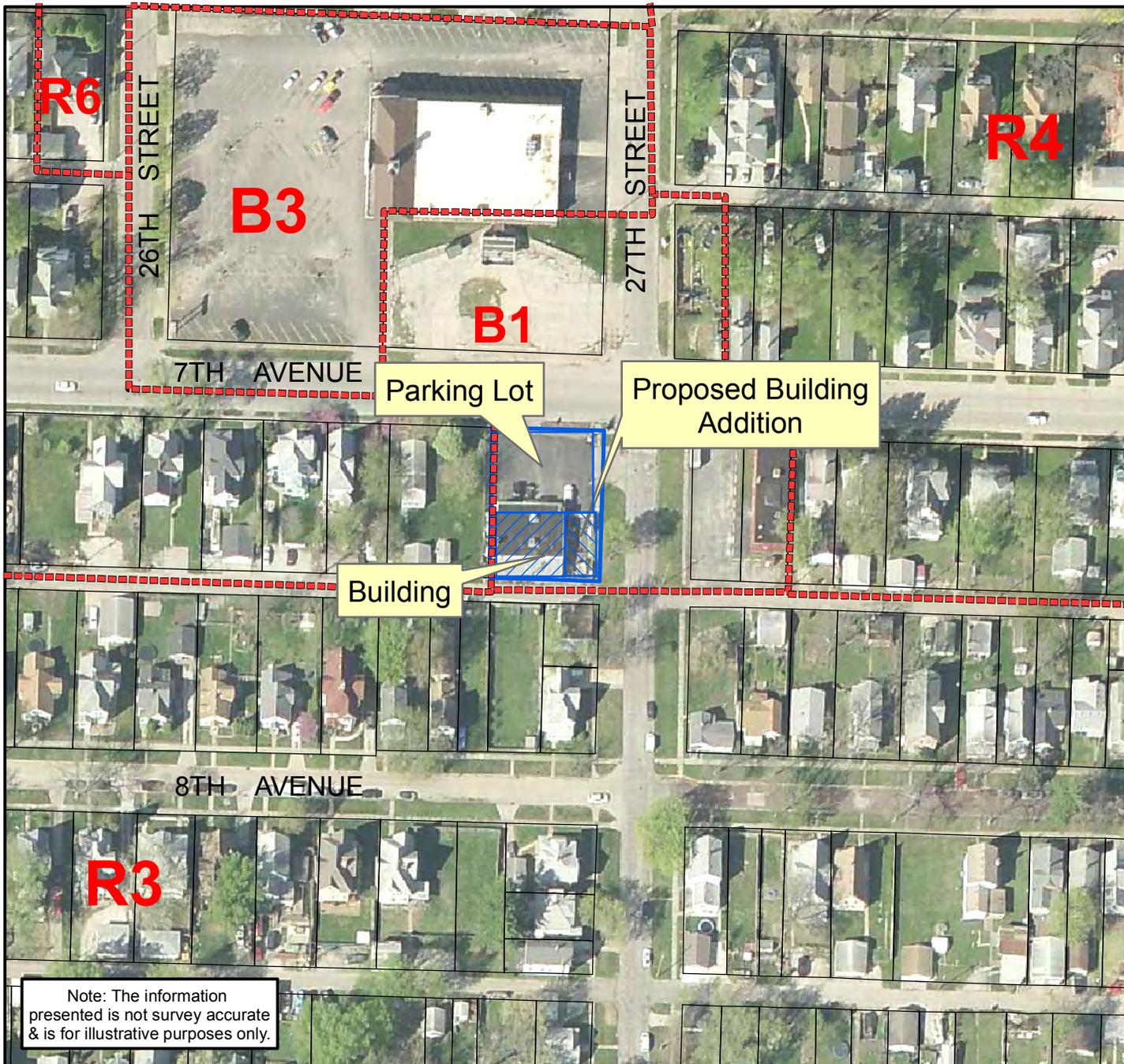
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**City of Rock Island**

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
 Planning and Redevelopment

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# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2014-4 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



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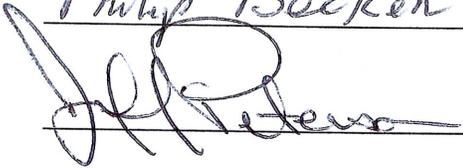
**FREE LAND**  
AUTO BODY  
PAINT & REPAIR

FREE LAND  
PAINT & REPAIR

I support Mr. Nguyen's request to expand his building on the east side (23'x60').

Located at 2626 7th Ave., Rock Island.

I encourage the Board of Zoning to agree to and approve his variance request.

NAME	MIKE MARKELL	Address	2736 6th AVE RI 786-7666
	Bob Romeo		2705-8 <sup>th</sup> Ave 558-1813
	Steven W. Tester		2707-7 <sup>th</sup> Ave
	Philip Becken		2618 7 <sup>th</sup> Ave
			2534 7 <sup>th</sup> Ave
	Charlotte Peterson		2534 7 <sup>th</sup> Ave
	Michelle McKay		2708 7 <sup>th</sup> AVE
	Janet Navarrete		2708 7 <sup>th</sup> AVE
	Marica Matias		2627 8 <sup>th</sup> Ave Rock Island

(309) 738-9504