

# February 11, 2015

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
February 11, 2015  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the minutes of the regular meeting of January 9, 2014
3. Procedural Explanation
4. Public Hearing #2015-02: The applicant, Bethel Church, has filed a request for variance of two square feet of the 30 square foot maximum sign area and a variance of two feet of the six foot sign height requirement for a church sign in an R-1 (one family residence) district at 3535 38<sup>th</sup> Avenue.
5. Other Business
6. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**January 14, 2015**

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

Staff Present: Ben Griffith and Alan Fries

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

**Approval of Minutes** – Mr. Day made a motion to approve the Minutes of the December 10, 2014 meeting. Mr. Wild seconded the motion, and it passed unanimously.

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

**Public Hearing #2015-01 - Request from Tim McGuire for a variance of 2.5 feet of the 3.5 foot maximum fence height requirement in a front yard in an R-3 (one and two family residence) district at 804 20th Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that fences not exceed 3.5 feet in height in a front yard on a residential zoned property (Section 8.12). The applicant proposes to complete construction of a 6-foot tall privacy fence in the north front yard.

Staff received an inquiry from a citizen about the fence in relation to City regulations. Staff contacted the property owner and the applicant indicated that he has recently purchased the property and was not aware of the regulations when he started to construct a 6-foot tall privacy fence in the north front yard. He indicated that his family desires a taller fence for better privacy and security because they have a little girl and a dog.

The property is located near a local landmark to the south (816 20<sup>th</sup> Street) and is also located in a National Registry historic district. The Preservation Ordinance allows for comment to the Board on any variance requests located near to local landmarks. The Preservation Commission provided a memo recommending that the Board deny the request.

Staff agreed that a 6-foot tall privacy fence would alter the character of this historic neighborhood, but understood the concerns for better privacy and security on a corner lot on a busy street. Staff's position is that a 4-foot tall privacy fence would not alter the character of the neighborhood.

Mr. Fries said the City had received one letter of support for the staff recommendation to approve a 4-foot tall fence from Diane Oestreich, 816 22<sup>nd</sup> Street.

Chairman Snyder called for proponents.

Tim McGuire, 804 20<sup>th</sup> Street, was sworn in. He said the second front yard identification is a technical definition and that the north yard acts practically more as a side yard for his residence. He said the fence is located near a rear door of the house and the design of the privacy fence would not clash with the house. He said they have legitimate privacy concerns regarding a unique security need for their family.

Chairman Snyder asked if the fence would be a picket fence. Mr. McGuire replied that it would be a privacy fence with solid slats and a dog-eared design on top.

Molly McGuire, 804 20<sup>th</sup> Street, was sworn in. She said that they are open to making the fence as historically and aesthetically pleasing as possible, but they still need a tall fence that provides adequate visual security for their family.

Chairman Snyder asked if a 4.5 tall fence would be adequate. Ms. McGuire replied that it would not be the ideal, but they would accept what the Board decided.

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

**Decision Case #2015-01** – Mr. Wild made a motion to approve the request for a 6-foot tall fence because:

1. The proposed variance will improve the return on the property.
2. The lot is a corner lot with two front yards and there is a unique security need for a taller fence for the family.
3. The proposed variance will not alter the character of the neighborhood.

Chairman Snyder called for a vote on the motion to approve a 6-foot tall privacy fence, and it passed unanimously.

**Other Business:**

Mr. Griffith informed the Board that there is one case on the agenda for the regular February meeting. He reminded the Board members to be mindful of any *ex parte* communications and to contact the Planning Office with any questions regarding any items on upcoming agendas.

**Adjournment:**

Chairman Snyder adjourned the meeting at 7:28 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: January 26, 2015

SUBJECT: Case #2015-02- Request for variances from the maximum sign area and height requirements for a new second freestanding sign on a church property in an R-1 (one family residence) district.

Applicant:  
Bethel Assembly of God Church

Location:  
3535 38th Avenue

Request:  
To allow a variance of two square feet of the 30 square foot maximum sign area and a variance of two feet of the six foot maximum height for a church sign in an R-1 (one family residence) district.

Size of Property:  
The property measures 218' x 419' x 308' x 304' x 110' x 170' (approximately 136,324 square feet, or 3.13 acres).

Zoning History:  
Board of Zoning Appeals Case #2009-12- Request to locate second attached sign on the east façade was approved.

Board of Zoning Appeals Case #98-72- Request to locate a second freestanding sign on the church property was approved.

Board of Zoning Appeals Case #93-24- Request for expansion of non-conforming use was approved. The building expansion has not been constructed.

Existing Land Use and Zoning:  
The site is occupied by a church. To the west is an accessory parking lot owned by the church, zoned R-1. The neighborhood is primarily a single family residential area, zoned R-2 and R-1.

Topography:  
The site gently slopes up approximately ten feet from 38th Street.

Affected Requirements:

The sign ordinance requires that the maximum sign area for a church sign is 30 square feet in total area and maximum is six feet (Section 5 [A] [6]). The applicant proposes to erect a new freestanding sign 32 square feet in total area and eight (8) feet in height in the south front yard.

Conditions to Authorize Variances:

1. Reasonable Return: The proposed sign will help identify the church property.
2. Unique Circumstances: The property has frontage on two public streets.
3. Character Alteration: The proposed sign will not alter the character of the neighborhood.

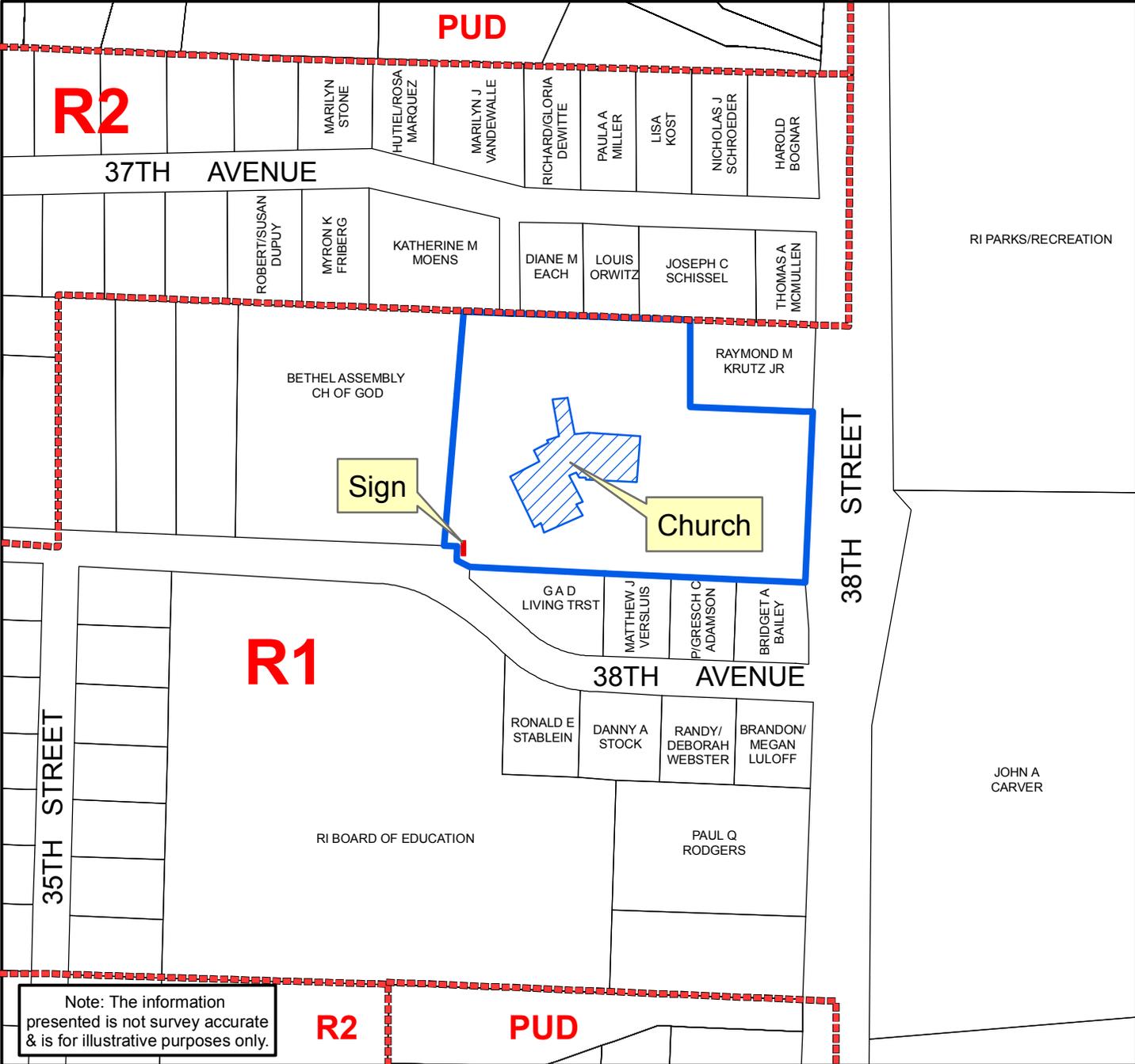
Comments:

Currently, there is a lighted freestanding sign off of 38th Street (approximately 16 square feet in area). The applicant received a variance in 1998 to locate a second lighted freestanding sign (30 square feet in area and six feet in height) to be located off of 38th Avenue. This sign has been removed after it was damaged, but the variance remains to allow a lighted church sign to replace it with a similar height and area. The church now proposes to replace the former sign with a slightly larger and taller lighted freestanding sign at the same location as the previous sign (see sign drawing).

Recommendation:

That the variances be approved because it will improve the identification of the property, the lot has frontage on two public streets and it will not 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  
2015-2**

**Legend**

- Parcels
- Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    



0 50 100 200 300  
Feet

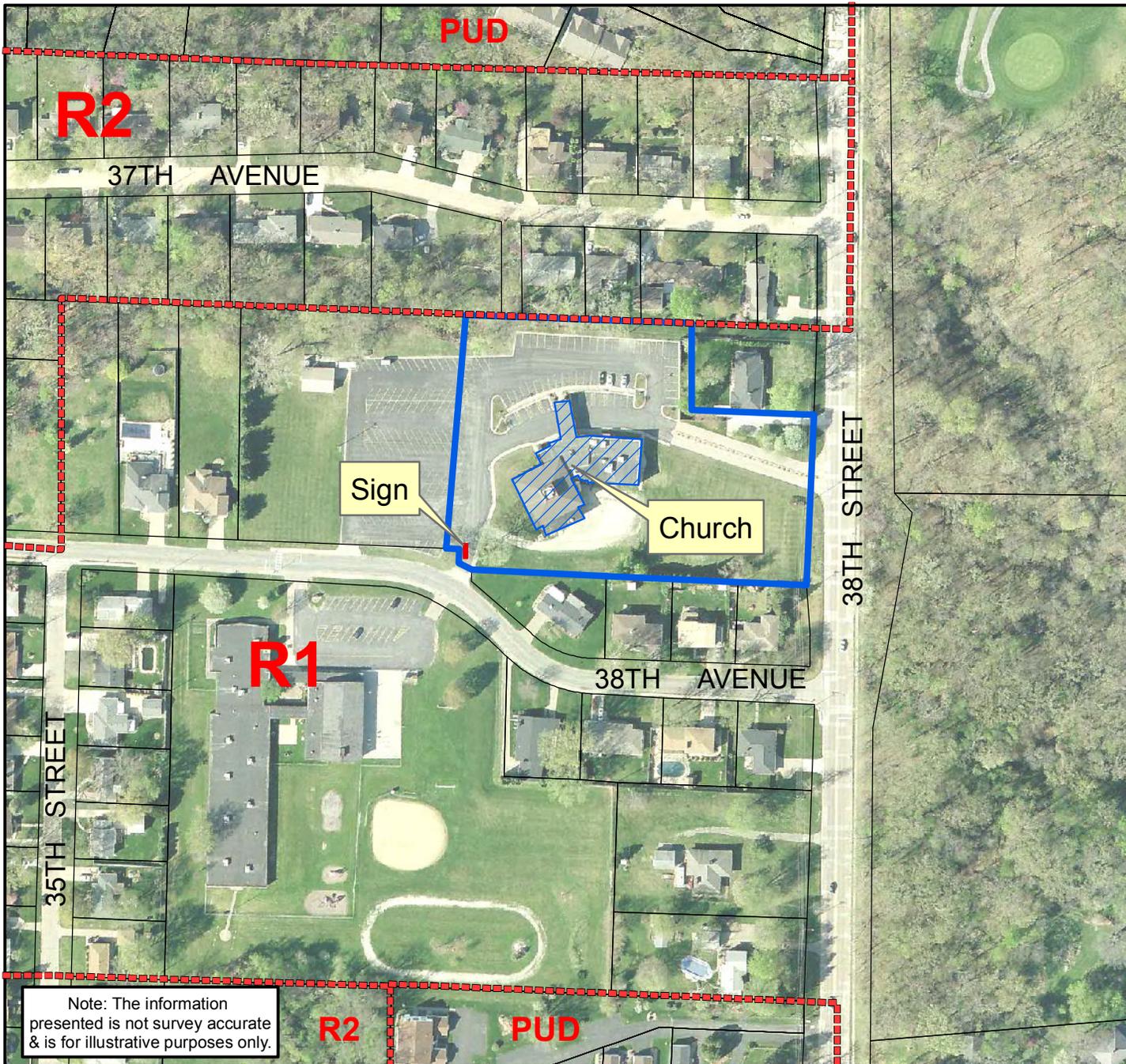
**City of Rock Island**

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

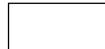


**ROCK ISLAND**  
ILLINOIS

# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2015-2 Aerial Legend

-  Parcels
-  Subject Property

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



0 50 100 200 300 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



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**BETHEL CHURCH**

*Loving God • People • Life*

**SUNDAY 10:15 AM**

**www.bethelqc.org**

**3535**

**SIGNATURE 48**  
CABINET SIZE: 4'x8'  
with 1 Line of 6" Tracking



PH. 1-800-237-3928 FAX 1-800-485-4280

5/8"=1' SK#850253-1c CUST#1067301 11-11-14 O/SMURPHY PROPOSAL

ORIGINAL DESIGN DO NOT DUPLICATE

DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK-BASED PRINTING PROCESS THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH BETWEEN INK, VINYL, PAINT, OR LED COLOR. ARTIST'S RENDITION OF BRICKWORK, MASONRY AND LANDSCAPING IS NOT INCLUDED IN THE PROPOSAL. ANY MEASUREMENTS SHOWN ARE APPROXIMATIONS. DIMENSIONS OF FINAL PRODUCT MAY VARY.

APPROVED AS SHOWN.

X \_\_\_\_\_ DATE \_\_\_\_\_ 1. \_\_\_\_\_

APPROVED WITH LISTED CHANGES \_\_\_\_\_ 2. \_\_\_\_\_

X \_\_\_\_\_ DATE \_\_\_\_\_ 3. \_\_\_\_\_

