

**June 10, 2015**

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
June 10, 2015  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the written agenda.
3. Approval of the minutes of the regular meeting of May 13, 2015
4. Procedural Explanation
5. Public Hearing #2015-06: The applicants, Mark and Pamela Ernat, have filed a request for a variance of 25 feet of the 30-foot rear yard setback requirement in an R-2 (one family residence) district at 1520 22<sup>nd</sup> Avenue.
6. Public Hearing #2015-07: The applicant, Dan Bonowski, has filed a request for a variance of six parking spaces of the six parking space requirement for three new apartments in a B-3 (community business) district at 309, 311 and 313 20<sup>th</sup> Street.
7. Other Business
8. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**May 13, 2015**

ATTENDANCE:	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
	<input type="checkbox"/> Kevin Day	<input checked="" type="checkbox"/> Karen Williams
	<input checked="" type="checkbox"/> Dave McAdam	<input checked="" type="checkbox"/> Larry Tschappat
	<input checked="" type="checkbox"/> Gary Snyder	<input checked="" type="checkbox"/> Robert Wild
	<input checked="" type="checkbox"/> 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. Wild made a motion to approve the Minutes of the April 8, 2015 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 #2015-05 - Request from Luis and Tammy Gallegos for a special exception to change a non-conforming six-foot tall chain-link fence located in a south front yard to a six-foot tall chain-link fence with vinyl privacy slats in the same front yard location in an R-3 (one and two family residence) district at 1323 25<sup>th</sup> Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires Board authorization to alter a non-conforming use (Section 5.12) and that fences not exceed 3.5 feet in height in a front yard setback on a residentially zoned property (Section 8.12). The applicant proposes to place vinyl slats in the existing six-foot tall chain-link fence in the south front yard.

The existing fence extends approximately five feet into the south front yard from the south façade of the residence. This fence had been located on the property prior to the change in the Zoning Ordinance that no longer allowed six-foot tall fences to be located in a front yard. The applicants have a back yard swimming pool and a dog and desire to have more privacy from people walking down 14<sup>th</sup> Avenue. They indicate that children have teased their dog while it is out in the dog run.

The City Engineer has looked at the request and determined that locating privacy slats in the existing fence will not result in a visibility problem to traffic or pedestrians.

Chairman Snyder called for proponents.

Tammy Gallegos, 1323 25<sup>th</sup> Street, was sworn in. She said she agrees with the staff report and that they have two dogs and one is older and not in good health. She said that if someone teases

their dogs and they get bitten, she and her husband would be held responsible, so they need the privacy slats in the fence to reduce the opportunity for children putting their fingers through the fence. She added that the privacy slats will also help improve the appearance of the neighborhood.

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

**Decision Case #2015-05** – Mr. Wild made a motion to approve the request because:

1. The proposed variance will improve the return on the property.
2. The property is a corner lot with two front yards.
3. The proposed variance will not alter the character of the neighborhood.

Mr. McAdam seconded the motion, and it passed unanimously.

**Other Business:**

Chairman Snyder said there was some discussion at the last meeting about the amount of discussion allowed by the Board before a motion is made by a member. He said that in his experience a motion and second was done first, but after discussing the rules of order with Mr. Griffith, he has come to the understanding that there are other ways it can be done. He suggested that discussion could be conducted prior to a motion, but only to clarify points made at the hearing and ask questions of staff.

Mr. Griffith said that after the Chairman closes the public hearing the Board could ask questions and discuss what information was presented at the hearing prior to a motion.

Ms. Williams asked if having such discussion first would look to people in the audience that the Board is trying to come up with how they were going to vote.

Mr. Tschappat said that Board members should not discuss how they were going to vote during this discussion time.

Mr. Griffith agreed and said that the discussion prior to a motion needs to have a narrow focus regarding clarification on information presented to the Board and questions to staff. He added that the Board should also be consistent in how it defines and utilizes this discussion time.

Ms. Williams said that the discussion time could be identified as a point of information or point of clarification.

Chairman Snyder agreed and said that after he closes the public hearing that he, or any Board member could state they have such a point to be made and could call it either point of information or point of clarification.

There was consensus agreement among Board members to allow this discussion time in the manner presented.

Mr. Griffith informed the Board that there will be two cases on the agenda for the June 10<sup>th</sup> regular 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 7:45 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Ben Griffith". The signature is written in a cursive style with a large, stylized "B" and "G".

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: May 29, 2015

SUBJECT: Case #2015-06- Request for a variance from the rear yard setback requirement for an attached garage addition in an R-2 (one family residence) district.

Applicants:

Mark and Pamela Ernat

Location:

1520 22<sup>nd</sup> Avenue

Request:

To allow a variance of 25 feet of the 30 foot rear yard setback requirement in an R-2 (one family residence) district.

Size of Property:

The property measures 126' x 91' (11,466 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 neighborhood, zoned R-2.

Topography:

The site slopes up approximately one foot from street level.

Affected Requirements:

The zoning ordinance requires a 30-foot rear yard setback requirement in an R-2 zoning district (Section 15.5). The applicant proposes to construct an attached two-car garage addition (24' x 28') in the south rear yard.

Conditions to Authorize Special Exception:

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:

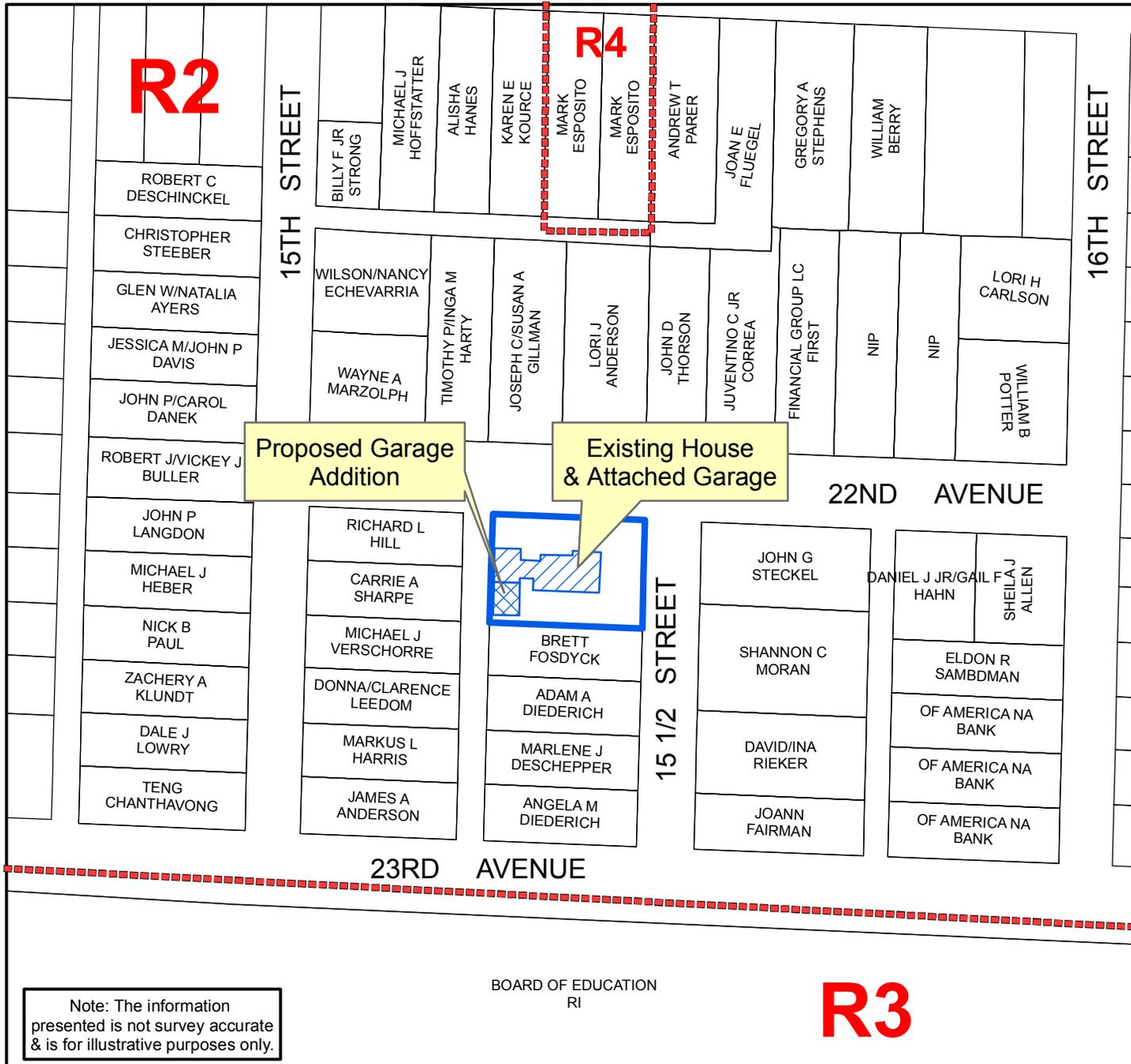
The applicants have a two-car attached garage with driveway access off of 22<sup>nd</sup> Avenue. Currently, they have a boat trailer parked in the north front yard of the existing driveway because with two vehicles they have no room for the boat-trailer inside the existing two-car garage.

The proposed attached garage will have access off the north/south alley to the west of the site. The existing privacy fence along the alley will be removed except for an access gate to the yard from the alley. The proposed one-story attached two-car garage will be in line with the west side of the existing attached garage and also will be located approximately five feet from the south property line.

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



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

BOARD OF EDUCATION  
RI

## R3

## BOARD OF ZONING APPEALS 2015-6

**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



ROCK ISLAND  
ILLINOIS

# BOARD OF ZONING APPEALS



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

## BOARD OF ZONING APPEALS 2015-6 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

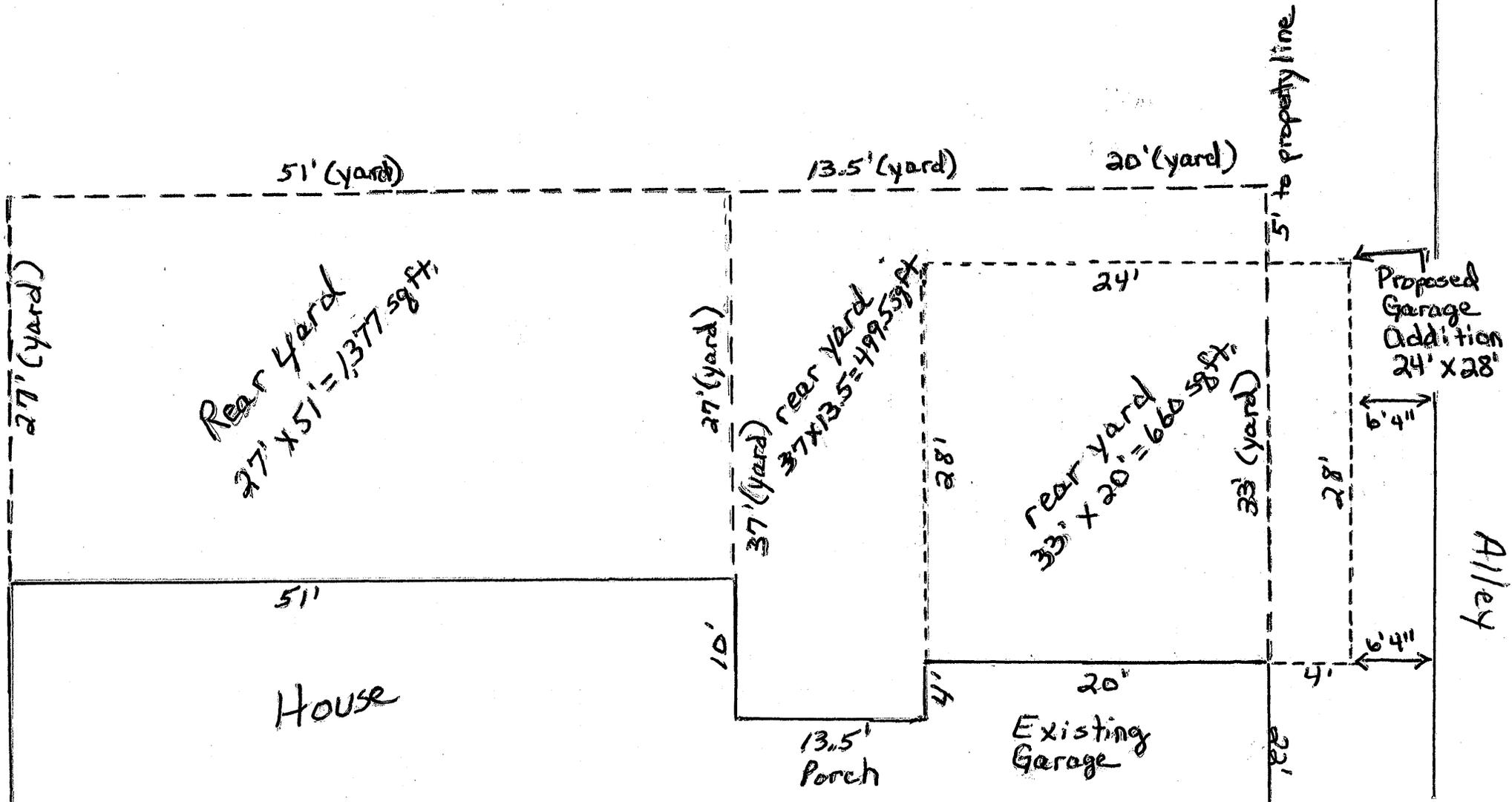


Rear Yard Total sq. ft.  
 1337 sq ft behind house  
 499.5 sq ft behind porch  
 660 sq ft behind existing garage  
 2496.5 sq ft.  
 X.3333  
 832 sq ft. is 1/3 of existing rear yard

Each Square is 2'x2'

— Existing structure  
 - - - property line for rear yard  
 - - - - proposed garage addition

Proposed Attached Garage Addition:  $24' \times 28' = 672$  sq ft.







R58 7080

RI  
ROCK ISLAND  
ILLINOIS

R2011326

## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: May 29, 2015

SUBJECT: Case #2015-07- Request for a variance from the off-street parking requirement for three new upstairs residential apartments in a B-3 (community business) district.

Applicant:  
Dan Bonowski/Jaded Gypsy Tattoo

Location:  
309/311/313 20<sup>th</sup> Street

Request:  
To allow a variance of six parking spaces of the six space off-street parking requirements for three new upstairs residential apartments in a B-3 (community business) district.

Size of Property:  
The property measures 67.5' x 80' (5,400 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is currently vacant, but has been occupied in the past by three businesses and four upstairs apartments. The site is located across the street from B-2 (central business district) zoning to the west, which has a combination of residential (Fort Armstrong senior housing), office and institutional uses. To the north and south are business uses, zoned B-3. To the east is DuMarche condominiums, zoned B-3.

Topography:  
The site is located at street level.

Affected Requirements:  
The zoning ordinance requires two off-street parking spaces for each dwelling unit (Section 8.14). The applicant proposes to renovate the three downstairs commercial spaces into two commercial spaces and add three new upstairs apartments to the four existing upstairs apartments for a total of seven residential dwelling units at the site.

Conditions to Authorize Variance:

1. Reasonable Return: The proposed variance allowing for the renovation of the vacant structures will improve the return on the property.
2. Unique Circumstances: There is no space on the existing site for any reasonable off-street parking. There are public parking lots located nearby.
3. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Comments:

The applicant will reside in one of the seven apartments proposed for the site. The building housing his former business and residence was destroyed by fire during the past year and he has been searching for a new location to restart his business and locate a new residence. The City is providing some financial assistance with the conveying the northerly structures, and the applicant is utilizing the City's economic development programs for the renovation of these vacant buildings.

Attached is a floor plan for the proposed commercial and residential spaces in the combined three buildings. Six of the residential units will be located on the second floor of the combined structures, while one unit will be located on the third floor of the southerly building (313 20<sup>th</sup> Street). Primary access will be from 20<sup>th</sup> Street, but there will be secondary access to the unimproved public alley to the east.

The subject site is located across the street from B-2 zoning to the west, which does not have any off-street parking requirements for commercial and/or residential development within that zoning district. The reasoning is that there is adequate public parking facilities within the downtown area to provide for adequate parking for businesses and commercial uses.

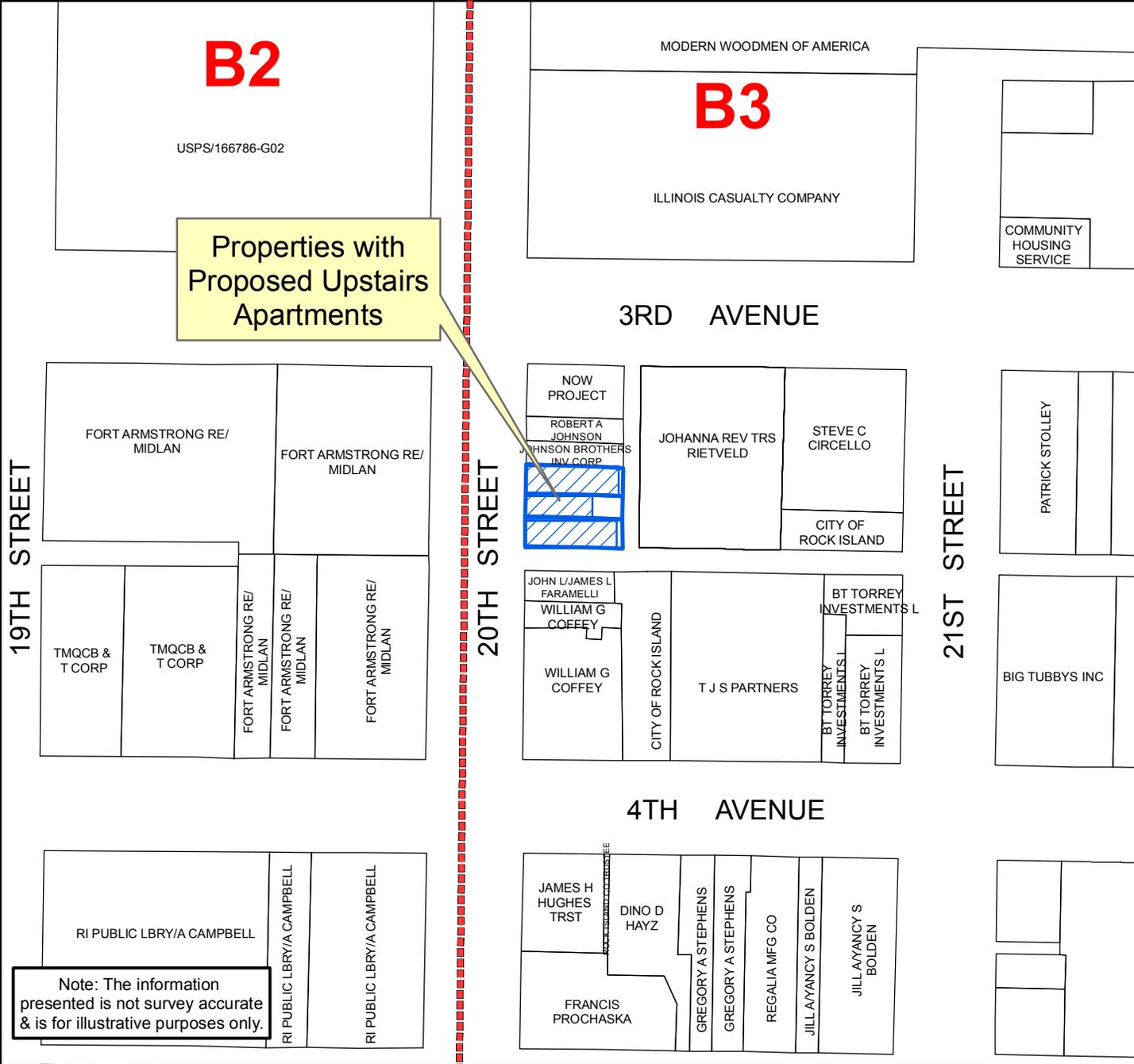
There are two public lots located to the north of the site. City "Lot D" is located north of the Illinois Casualty Company office (225 20<sup>th</sup> Street). City "Lot C" is located adjacent to the Metrolink facility at the northwest corner of 20<sup>th</sup> Street and 2<sup>nd</sup> Avenue. Both of these lots are within walking distance of the site. Public on-street parking is also available on both sides of 20<sup>th</sup> Street and 3<sup>rd</sup> Avenue. Finally, there are several private parking lots that the applicant may be able to secure space from the owners. Illinois Casualty Company has a private lot to the east of its building and there is a lot adjacent to the Fort Armstrong senior facility across the street from the subject site.

The proposed residential development on the eastern edge of downtown is consistent with the recently approved Downtown Revitalization Plan (2015), Downtown Strategic Plan (2007), RiverVision Plan (2004), the City of Rock Island Comprehensive Plan, and the Illinois Comprehensive Housing Plan.

Recommendation:

That the variance be approved because it will improve the return on the property, there is no space on the site for any off-street parking, but there are public and private lots nearby 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 2015-7

### Legend

Parcels

Subject Properties

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



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

## BOARD OF ZONING APPEALS 2015-7 Aerial Legend

-  Parcels
-  Subject Properties

DR. BY: K.G.D.

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



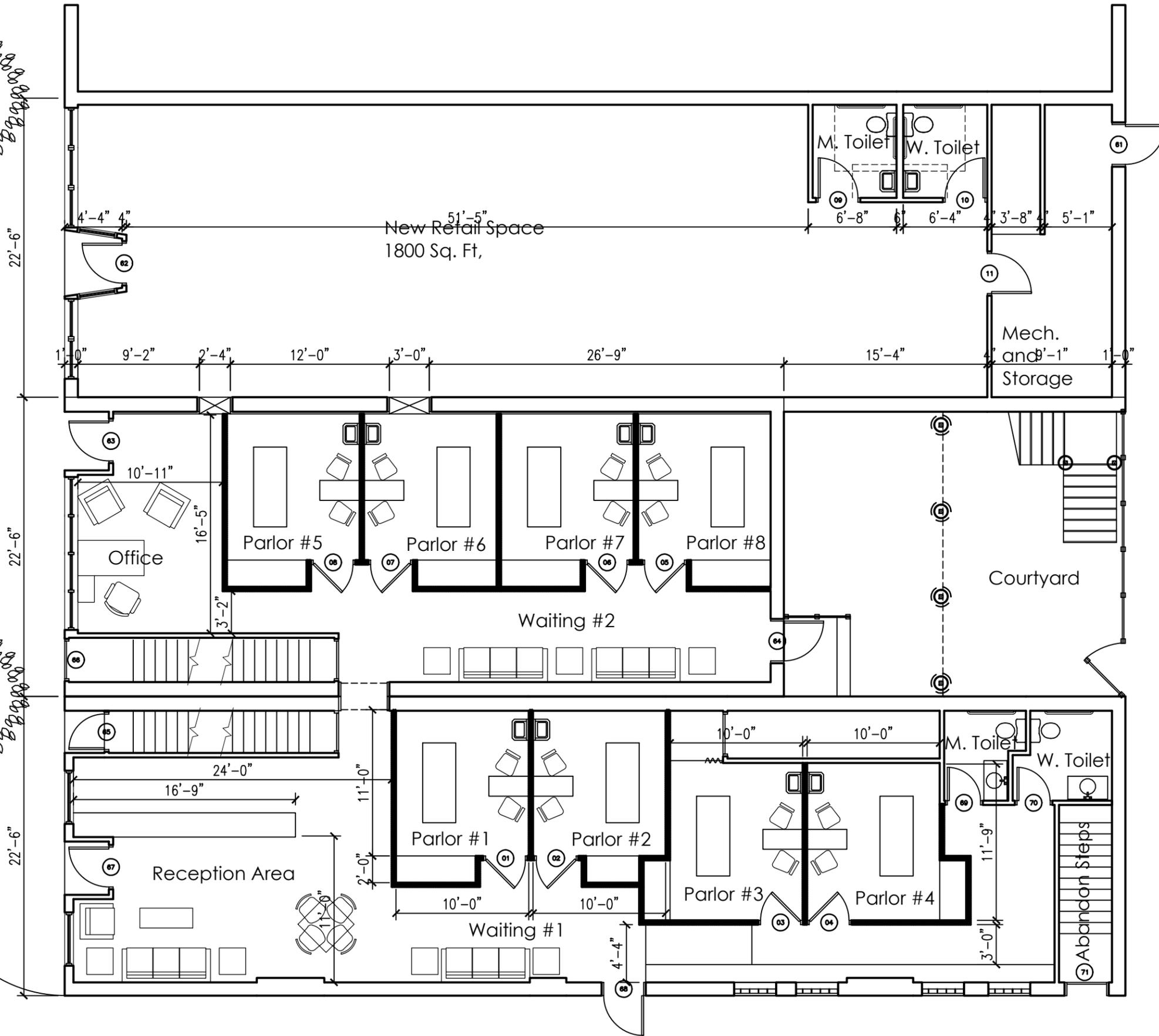
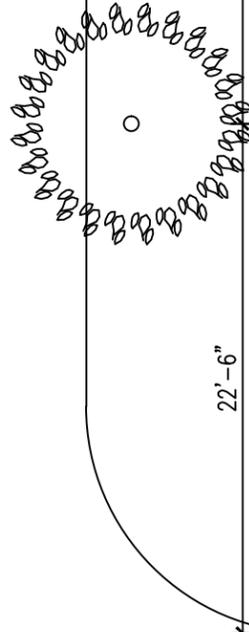
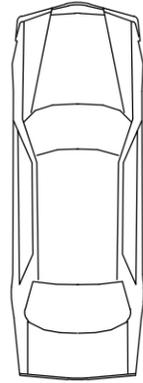
0 25 50 100 150 200 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



20th St.



New Retail Space  
1800 Sq. Ft.

Mech.  
and  
Storage

Courtyard

Reception Area

Office

Waiting #2

Waiting #1

Parlor #5

Parlor #6

Parlor #7

Parlor #8

Parlor #1

Parlor #2

Parlor #3

Parlor #4

M. Toilet

W. Toilet

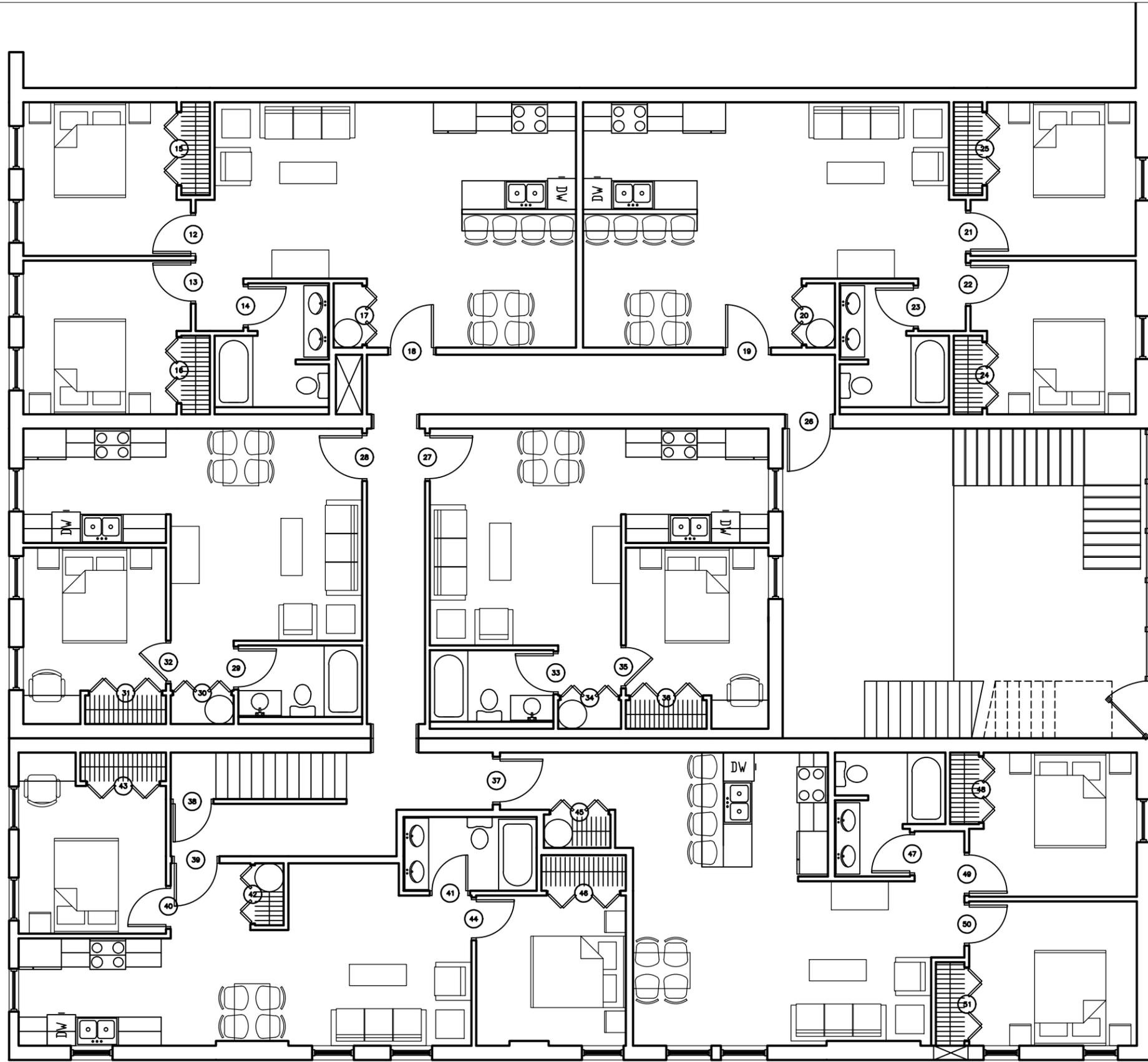
M. Toilet

W. Toilet

Abandon Steps

Alley

Alley



**SECOND FLOOR PLAN**  
 Scale: 1/8"=1'-0"

**ITALO MILANI**  
 ARCHITECT, P.C., AIA  
 2801 12TH AVE., ROCK ISLAND, IL  
 PH. (309) 788-5304 FAX (309) 788-5100

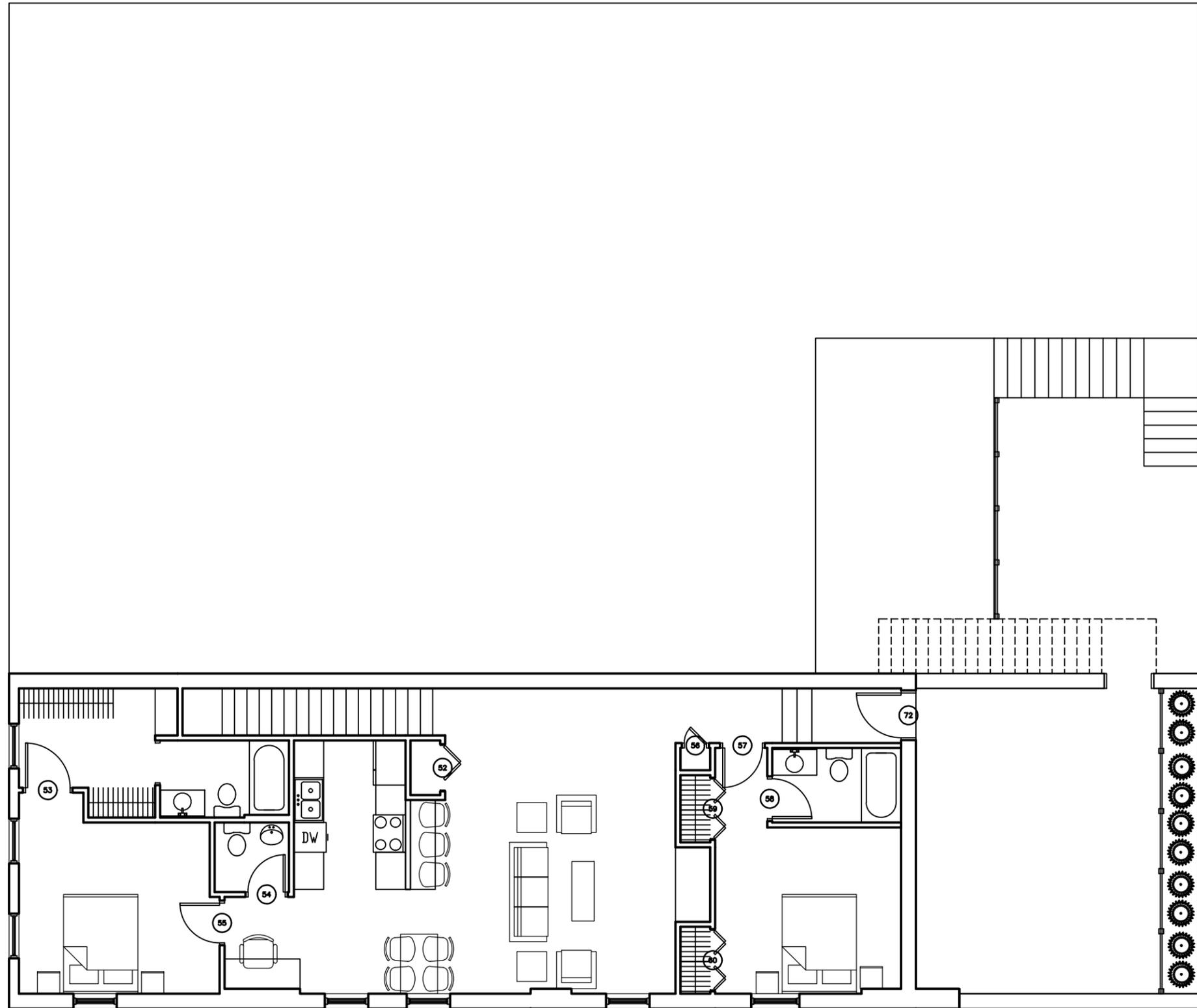
**DAN BONOWSKI**  
 313 20TH ST  
 ROCK ISLAND, IL

I HEREBY CERTIFY THAT  
 THESE PLANS WERE  
 PREPARED UNDER MY  
 SUPERVISION AND TO THE  
 BEST OF MY KNOWLEDGE  
 COMPLY TO THE CITY OF  
 ROCK ISLAND, IL BUILDING  
 CODES AND ORDINANCES.

DATE  
 5/29/15  
 REVISIONS  
 .  
 .

PROJECT  
 2014-83

NUMBER  
 SHEET  
 A-2  
 NUMBER



**THIRD FLOOR PLAN**  
 Scale: 1/8"=1'-0"

**ITALO MILANI**  
 ARCHITECT, P.C., AIA  
 2801 12TH AVE., ROCK ISLAND, IL  
 PH. (309) 788-5304 FAX (309) 788-5100

**DAN BONOWSKI**  
 313 20TH ST  
 ROCK ISLAND, IL

I HEREBY CERTIFY THAT  
 THESE PLANS WERE  
 PREPARED UNDER MY  
 SUPERVISION AND TO THE  
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 ROCK ISLAND, IL BUILDING  
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DATE  
 5/29/15  
 REVISIONS  
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PROJECT  
**2014-83**  
 NUMBER

SHEET  
**A-3**  
 NUMBER



NEW

SHOE REPAIR

SHOE REPAIR

STOP