

# August 12, 2015

**Rock Island Board of Zoning Appeals  
Council Chambers—Third Floor—City Hall  
1528 – 3<sup>rd</sup> Avenue  
Regular Meeting Agenda  
August 12, 2015  
7:00 PM**

1. Call to Order and Roll Call
2. Approval of the Minutes of the regular meeting of July 8, 2015
3. Approval of the written Agenda
4. Procedural Explanation
5. Public Hearing #2015-10: The applicant, Rodney Link, has filed a request for a special exception to approve a one-year temporary use for a gravel parking area in the rear yard of an R-3 (one and two family residence) district at 1715 28<sup>th</sup> Street.
6. Public Hearing #2015-11: The applicant, Rafferty Funeral Home, has filed a request for a special exception to expand a non-conforming use in an R-2 (one family residence) district at 4205 30<sup>th</sup> Street (Memorial Park Cemetery), to allow a crematory structure. **The applicant has requested a CONTINUANCE to a future meeting in order to revise the request.**
7. Public Hearing #2015-12: The applicants, Veronica Johnnie and Jim Steib, have filed a request for a variance of 10 inches of the 3½-foot maximum height for a fence in a front side yard in an R-2 (one family residence) district at 3200 38<sup>th</sup> Street.
8. Other Business
9. Adjournment

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

**Regular Meeting**

**7:00 p.m.**

**July 8, 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 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 June 10, 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 #2015-08 - Request from CHS Rock Island, LP for a variance of 1 foot of the 20 foot sum of side yard setback requirement for a two-story residence in an R-4 (one to six family residence) district at 1028 16<sup>th</sup> Street.**

Mr. Fries presented the staff report. He explained that the zoning ordinance requires a 20-foot sum of side yard combined setback for both side yards added together (Section 17.5). The applicant proposes to maintain the recently constructed two-story residence on the site.

Following completion of the house construction and a survey it was determined that the house did not meet the sum of side yard setback requirements of the ordinance. The north side yard was identified as 9.35 feet at its closest point, while the south side yard was identified as 9.75 feet. Staff is unable to administratively approve a variance, so the applicant applied for the setback variance.

Chairman Snyder called for proponents.

Steve Schmidt, 210 South Dodge Street in Galena, Illinois, was sworn in. He said he did the alta survey after the project was completed and determined there was the one-foot change in setbacks.

He said it may have happened because the proposal was originally for a one-story residence rather than the two-story residence that was eventually built. He said that if some of the trim work had not been built as it was, there would probably not be a need for a variance.

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

**Decision Case #2015-08** – Ms. Williams 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.

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

**Public Hearing #2015-09** - Request from Karen and Gary Buchanan for a variance of 2.5 feet of the 3.5 foot maximum fence height in a front yard in an R-3 (one and two family residence) district at 2406 23<sup>rd</sup> Avenue.

Mr. Fries presented the staff report. He explained that the zoning ordinance requires that fences in a front yard not exceed 3.5 feet in height (Section 8.12). The applicant proposes to maintain a 6-foot tall wire fence with wood posts and gate in the west front yard for the purpose of keeping wildlife out of their garden.

Staff received a complaint regarding the fence and informed the residents of the need to bring it into conformance, or apply for a variance. The residents applied for a variance because they indicate they need the fence during summer months due to deer and other wildlife getting into their garden and eating their fruit and vegetables. They also indicated they had a fence up last year, but it did not have the wood posts and gate and that the fence was removed during the winter. They indicated the current fence is probably more noticeable to others, but is more stable with the wood posts and gate.

Staff understands the need for the taller fence and does not believe the height has any negative impact on the character of the neighborhood.

Chairman Snyder called for proponents.

Karen Buchanan, 2406 23<sup>rd</sup> Avenue, was sworn in. She said she put up the fence not realizing she had two front yards. She said she needs the fence to keep deer out of her garden area.

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

**Decision Case #2015-09** – Mr. Wild made a motion to approve the request because:

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

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

**Election of Officers:**

Chairman Snyder opened the floor for nominations for two-year terms for Chairman and Vice-Chairman.

Mr. Wild Made a motion to nominate Mr. Snyder to remain Chairman and Mr. McAdam to remain Vice-Chairman. Ms. Williams seconded the motion, and it passed unanimously.

**Other Business:**

Mr. Griffith said there have been three cases submitted for the August regular meeting agenda. 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 7:25 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: July 28, 2015

SUBJECT: Case #2015-10- Request for a special exception to approve a one-year temporary use for a gravel parking area in the rear yard of an R-3 (one and two family residence) district.

Applicants:  
Rodney Link

Location:  
1715 28<sup>th</sup> Street

Request:  
To allow a special exception to approve a one-year temporary use for a gravel parking area in the rear yard of an R-3 (one and two family residence) district.

Size of Property:  
The property measures 42' x 123.5' (5,187 square feet).

Zoning History:  
None.

Existing Land Use and Zoning:  
The site is occupied by a single family residence. The neighborhood is a single family residential area, zoned R-3.

Topography:  
The site is flat and slightly above street level.

Affected Requirements:  
The zoning ordinance requires Board Authorization for a temporary use, which can be up to one year in duration (Section 5.13). The applicant proposes to construct a two-vehicle gravel parking area for up to one year, to allow the ground to compact after removing a large tree from the site.

Conditions to Authorize Special Exception:

1. Reasonable Return: The proposed temporary use will improve the return on the property.
2. Unique Circumstances: The proposed temporary use will allow for the area to settle following excavation of a large tree from the location.
3. Character Alteration: The proposed temporary use will not alter the character of the neighborhood.

Comments:

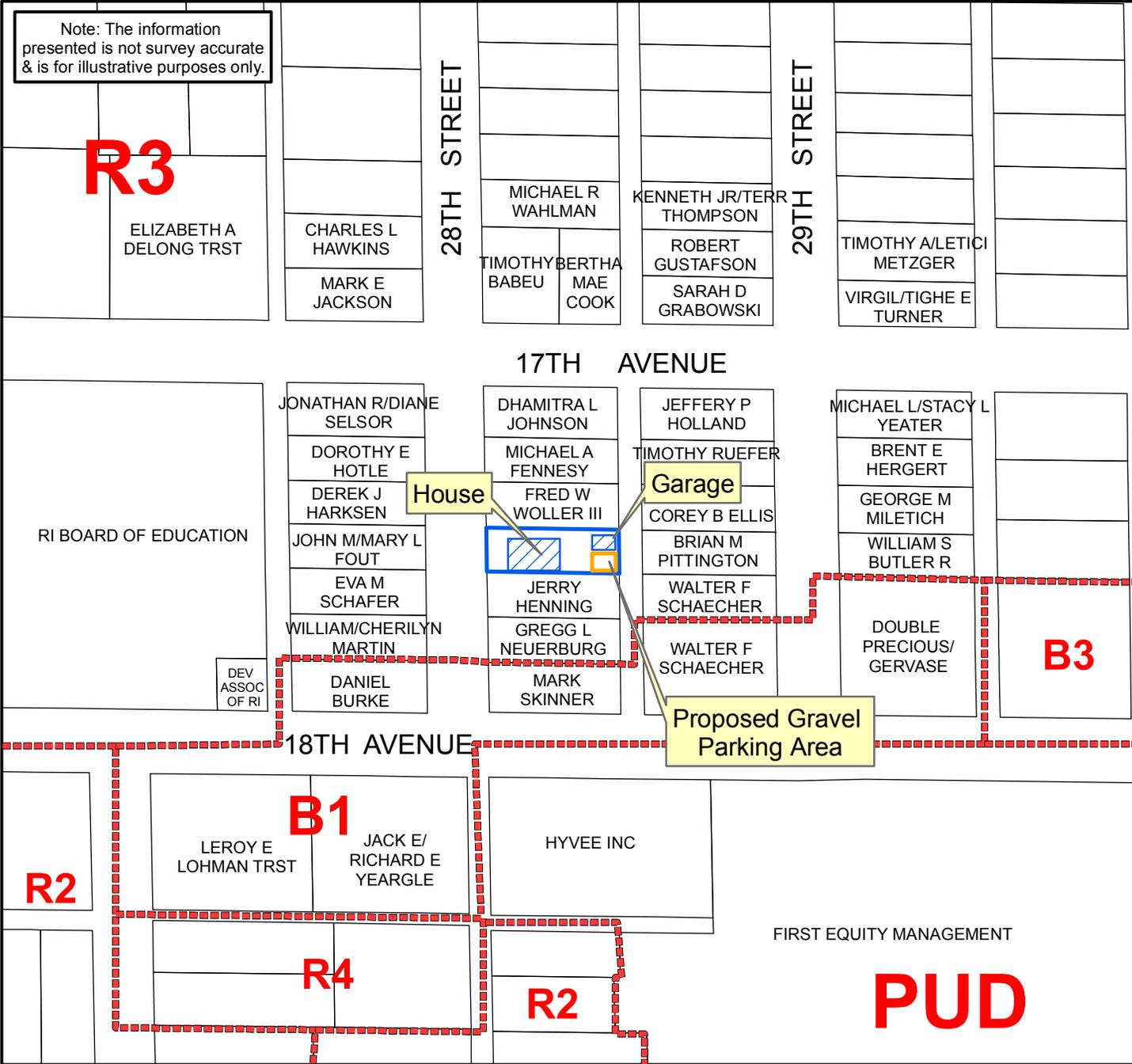
The applicant removed a large tree from this location and desires the one year time period for the area to settle before he improves the parking area with asphalt or concrete.

Recommendation:

That the special exception be approved because it will improve the return on the property, the temporary use will allow for the area to settle following excavation of a large tree from the location and 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.



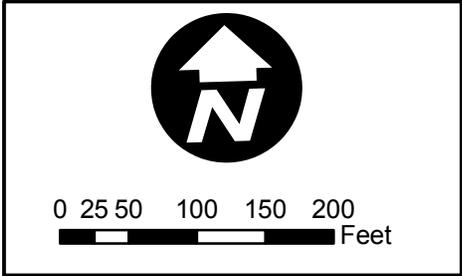
## BOARD OF ZONING APPEALS 2015-10

**Legend**

- Parcels
- Subject Property

DR. BY:     K.G.D.    

APPR. BY:     B.G./A.F.    

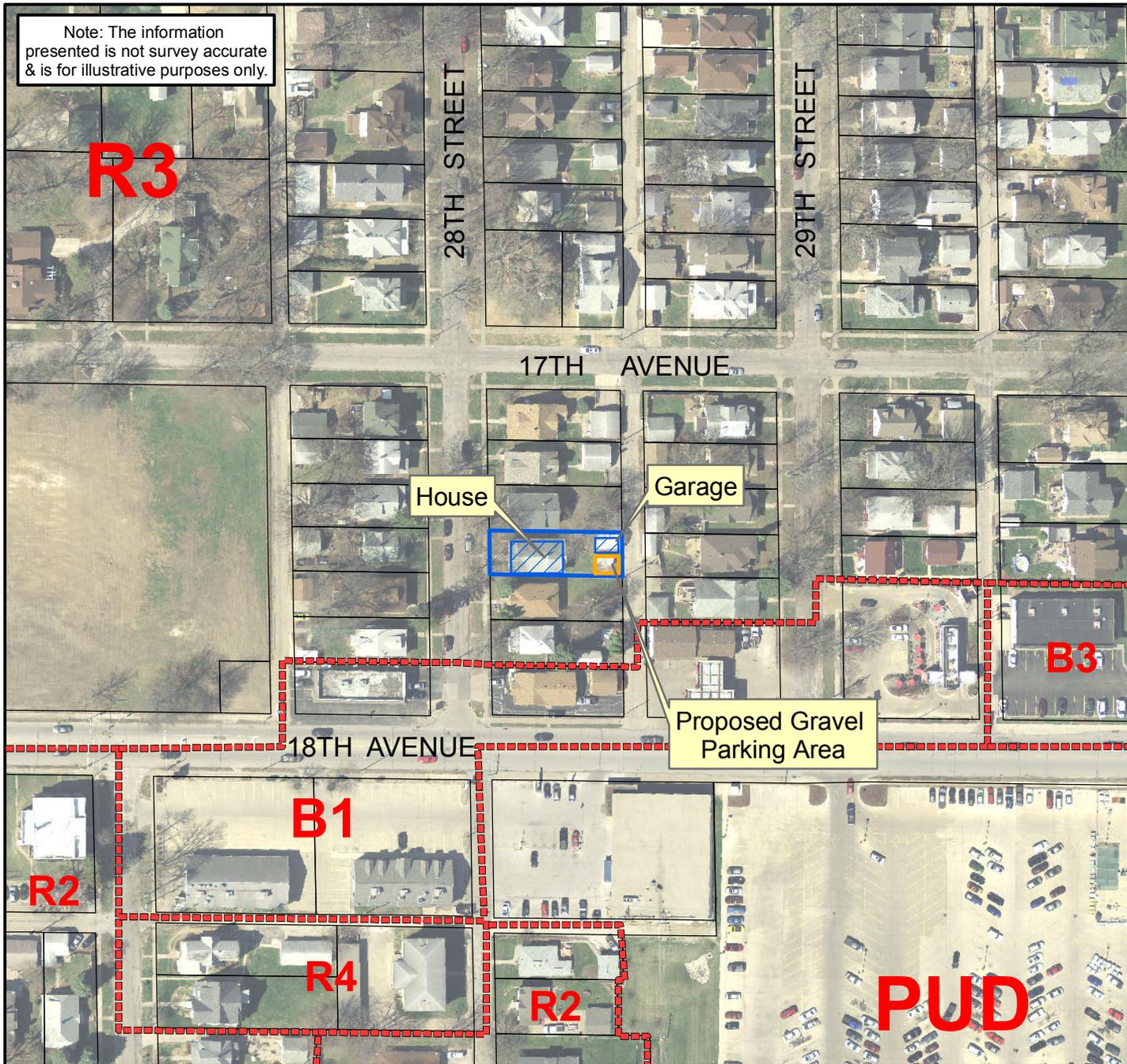


## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

# BOARD OF ZONING APPEALS

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



## BOARD OF ZONING APPEALS 2015-10 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





## REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department  
Planning and Redevelopment Division

DATE: July 28, 2015

SUBJECT: Case #2015-12- Request for a variance from the maximum fence height in a front yard in an R-2 (one family residence) district.

Applicants:

Veronica Johnnie and Jim Steib

Location:

3200 38<sup>th</sup> Street

Request:

To allow a variance of 10 inches of the 3½-foot maximum fence height for a fence in a front yard in an R-2 (one family residence) district.

Size of Property:

The property measures 100' x 195' (19,500 square feet).

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a single family residence. To the north, west and south are single family residences zoned R-2. To the east is Saukie Golf Course, zoned R-1.

Topography:

The site is flat and slightly above street level.

Affected Requirements:

The zoning ordinance requires that fences in a front yard of a residential zoned area not exceed 3½ feet in height (Section 8.12). The applicants propose to maintain a 4'4" tall vinyl privacy fence in the east front yard.

Conditions to Authorize Special Exception:

1. Reasonable Return: The proposed variance use will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed variance use will not alter the character of the neighborhood.

Comments:

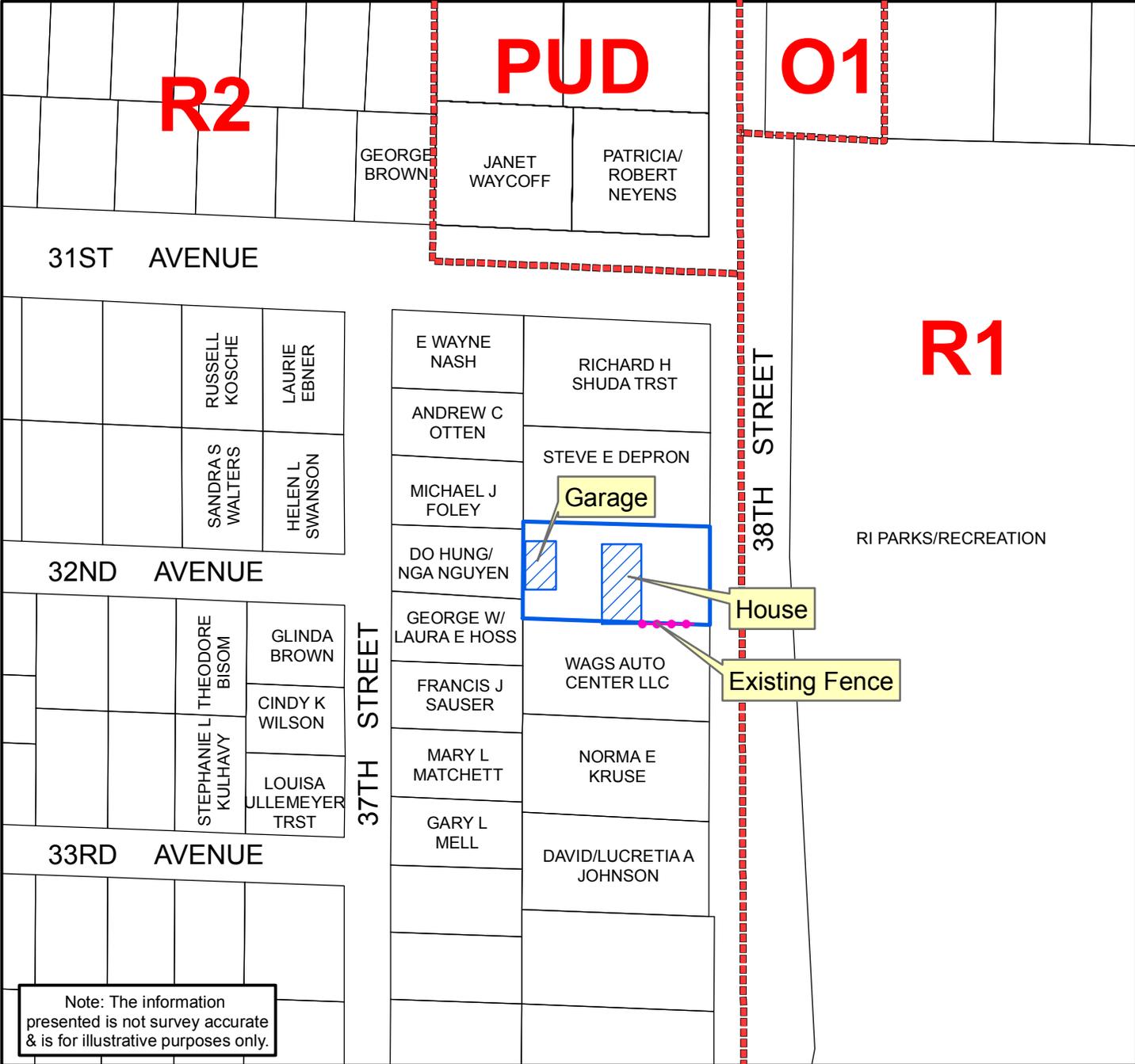
Staff received a complaint regarding the fence height in the front yard and informed the applicants that they would either need to bring it into conformance with codes, or apply for a variance. The applicants have chosen to apply for a variance because they believe it reduces garbage from blowing onto their property from the south.

Staff believes that the fence is an attractive addition to the neighborhood and improves the return on the property.

Recommendation:

That the variance be approved because it will improve the return on the property and 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  
2015-12**

**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

# BOARD OF ZONING APPEALS

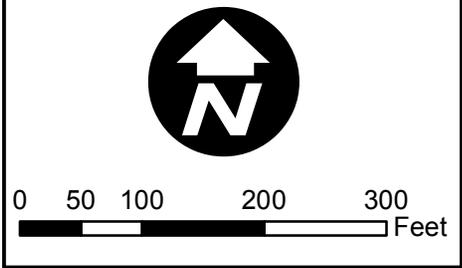


Note: The information presented is not survey accurate & is for illustrative purposes only.

## BOARD OF ZONING APPEALS 2015-12 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



