

December 13, 2017

**Rock Island Board of Zoning Appeals
Council Chambers—Third Floor—City Hall
1528 – 3rd Avenue
Regular Meeting Agenda
December 13, 2017
7:00 PM**

1. Call to Order and Roll Call
2. Procedural Explanation
3. Approval of the Minutes of the regular meeting of October 11, 2017.
4. Public Hearing #2017-23: The applicant, Raymond Howie, has filed a request for a variance of 6 feet of the 9 foot side yard setback requirement in an R-2 (one family residence) district at 4311 25th Avenue.
5. Public Hearing #2017-24: The applicants, J. L. and Blake Henrichson, have filed a request for a variance of 300 feet of the 300 foot separation requirement between a proposed Unrelated Group Family Use from an existing Unrelated Group Family Use in an U-1 (university and college) district at 749 34th Street.
6. Public Hearing #2017- 25: The applicant, David Griffin, has filed a request for a special exception to expand a residential nonconforming use in a B-4 (intensive/highway business) district at 3604 46th Avenue.
7. Other Business
8. Adjournment

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

Regular Meeting

7:00 p.m.

October 11, 2017

ATTENDANCE:	(x) Present	() Absent
() Kevin Day		(x) Karen Williams
(x) Dave McAdam		(x) Larry Tschappat
(x) Gary Snyder		() Robert Wild
() Faye Jalloh		

Staff Present: Alan Fries.

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

Approval of Minutes – Mr. McAdam made a motion to approve the Minutes of the September 13, 2017 meeting. Mr. Tschappat seconded the motion, and it passed unanimously.

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

Public Hearing #2017-21: The applicant, Tom Unley, has filed a request for a variance to allow an extension to the existing gravel vehicle and boat parking and storage area in an I-1 (light industrial) district at 1825, 1833 and 1835 1st Street.

Mr. Fries presented the staff report. He explained the Zoning Ordinance requires that all vehicle and boat parking/storage areas be improved with either asphalt or concrete (Section 8.14E). The applicant proposes to expand the gravel vehicle and boat storage area to the east property line for each site.

The applicant desires to expand the existing gravel parking/storage areas to the east due to increased business in storing boats on this site. As with the recently approved variance for gravel parking area expansion at 1931 1st Street (Case 2017-11 in June) at vehicle the City has some old records that appear to identify that there was some gravel in the subject easterly segment in the historical past, but has been overgrown with grass for many years. Staff believes this is a unique circumstance and that is reasonable to approve the variance for the balance of the property based on the historical use of the site.

Chairman Snyder called for proponents.

Tom Unley, 2912 14th Avenue, was sworn in. He said that he wants to expand his business and also improve the condition of his properties in the area.

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

Decision Case #2017-21 – Ms. Williams made a motion to approve the request because:

1. The proposed parking expansion will improve the return on the property.

2. The site has an existing gravel vehicle storage area on the western segment of the site. Historical land use maps indicate that previous owners had gravel vehicle storage parking in segments of the area proposed for expansion...
3. The proposed variance will not alter the character of the neighborhood.

Mr. Tschappat seconded the motion and it passed unanimously.

Public Hearing #2017-22 – The applicant, Bruce Downing, has filed a request for a variance to locate an accessory structure in a front yard and a variance of 6 feet of the 25 foot front yard setback requirement in an R-2 (one family residence) district at 4320 42nd Avenue Court.

Mr. Fries presented the staff report. He explained the Zoning Ordinance requires that accessory structures be located in a side or rear yard (Section 8.5A) and that there be a 25 foot minimum front yard setback in an R-2 district (Section 15.5). The applicant proposes to locate an in ground swimming pool (18' x 36') in the east front yard.

The property has frontage on three public streets due to the curve of the Court. The south yard is considered a side yard and is not wide enough for accessory structures including the proposed swimming pool. The east yard is the most private yard as it has considerable landscaping adjacent to 44th Street. The in ground pool will line up with the north exterior wall of the residence and extend six feet into the 25 foot east front yard. The applicant will locate a 3.5 foot fence in the north yard for better privacy for the pool. The proposed fence does not require a variance.

Chairman Snyder called for proponents.

Bruce Downing, 4320 42nd Avenue Court, was sworn in. He said that visibly the pool will look like it is his back yard, but because he has three front yards it will require the variances. He said there are bushes located on the east side of his property, so the pool will not negatively affect his neighbors.

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

Decision Case #2017-22 – Mr. McAdam made a motion to approve the request because:

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

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

Other Business:

Mr. Fries informed the Board there are no cases for November, so the meeting on November 8th is cancelled. He also informed the Board of the Planning Commission public hearing on November 1st regarding consideration amending the Zoning Ordinance to create a new Planning and Zoning Commission instead of separate Planning Commission and Board of Zoning Appeals.

Karen Williams informed the Board that she has submitted correspondence to the Mayor resigning from

the Board due to work situation considerations.

Adjournment:

Chairman Snyder adjourned the meeting at 7:26 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan Fries". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Alan Fries, Acting Secretary of the Board of Zoning Appeals

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: December 4, 2017

SUBJECT: Case #2017-23- Request for a variance from the side yard setback requirement in a R-2 (one family residence) district.

Applicant:
Raymond Howie

Location:
4311 25th Avenue

Request:
To allow a variance of six feet of the nine foot side yard setback requirement (15 foot sum of side yards requires this setback to be nine feet) in an R-2 (one family residence) district.

Size of Property:
The property measures 65' x 140' (9,100 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-2.

Topography:
The site slopes up in the rear yard approximately 7 feet.

Affected Requirements:
The zoning ordinance requires a nine foot side yard in this yard area due to the 15 foot sum of side yard requirements (Section 15.5). The applicant proposes to construct an attached carport (13' x 20') in the west side yard.

Conditions to Authorize Variances:

1. Reasonable Return: The proposed carport will improve the return on the property.
2. Unique Circumstances: None.

3. Character Alteration: The proposed carport will not alter the character of the neighborhood.

Comments:

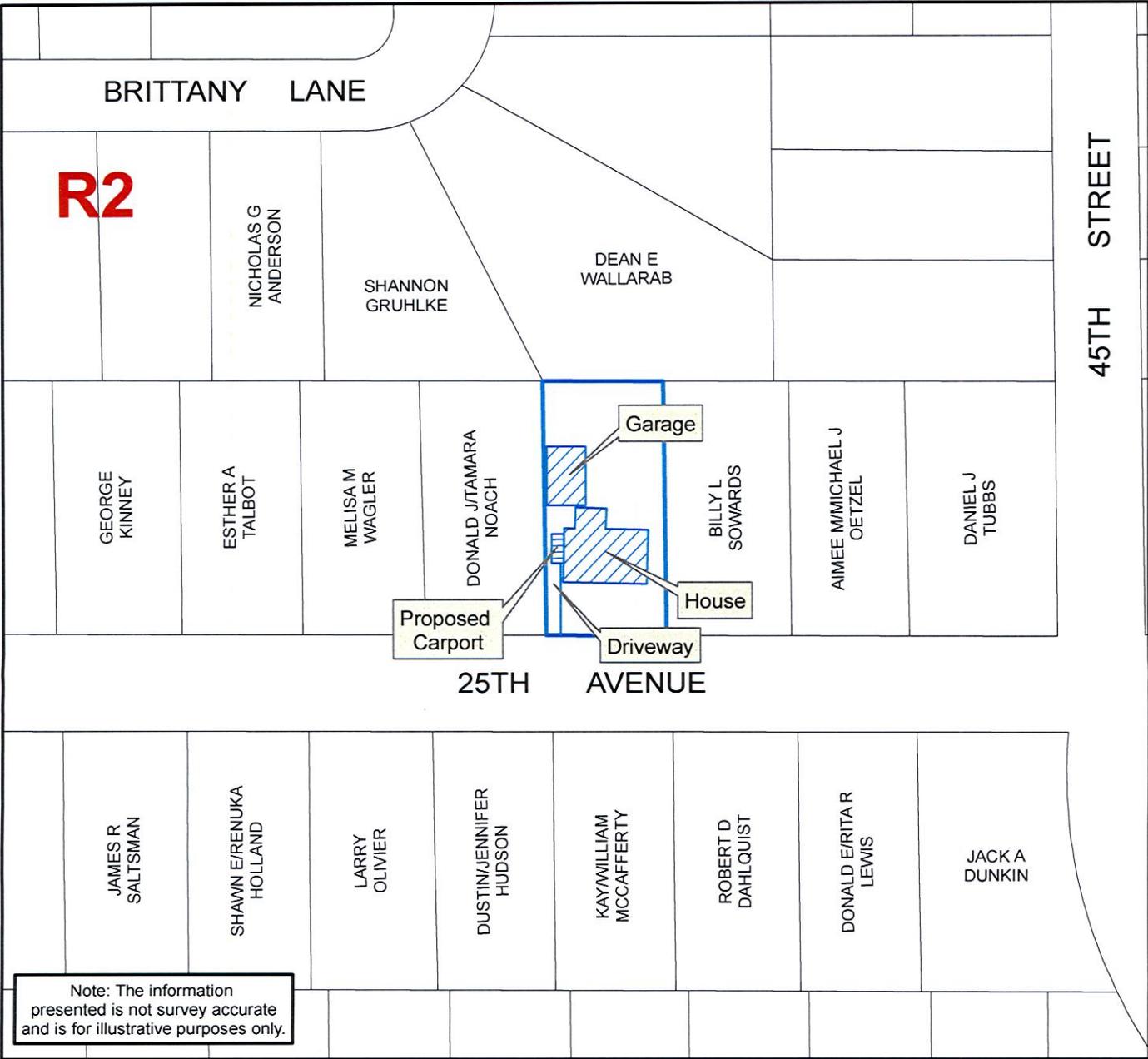
The Zoning Ordinance requires the sum of side yards for a one-story structure in an R-2 district to be 15 feet. The smaller side yard setback can be six feet, leaving the larger side yard setback to be nine feet. The applicant's residence is set closer (approximately six feet) to the east property line. The west setback must then be at least nine feet. The proposed attached open sided carport on the west side of the residence will be constructed to within three feet of the west property line.

The open sided carport will provide roofed over protection for vehicles parked on the driveway adjacent to the side entrance of the residence. The carport will be open on the north and south ends to provide through access to the detached garage. The west side of the carport will also be open, as only support posts will be located adjacent to the west property line. The neighbor to the east received a similar variance in 2005.

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



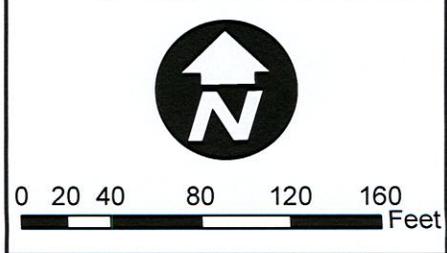
BOARD OF ZONING APPEALS
2017-23

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: AF RB



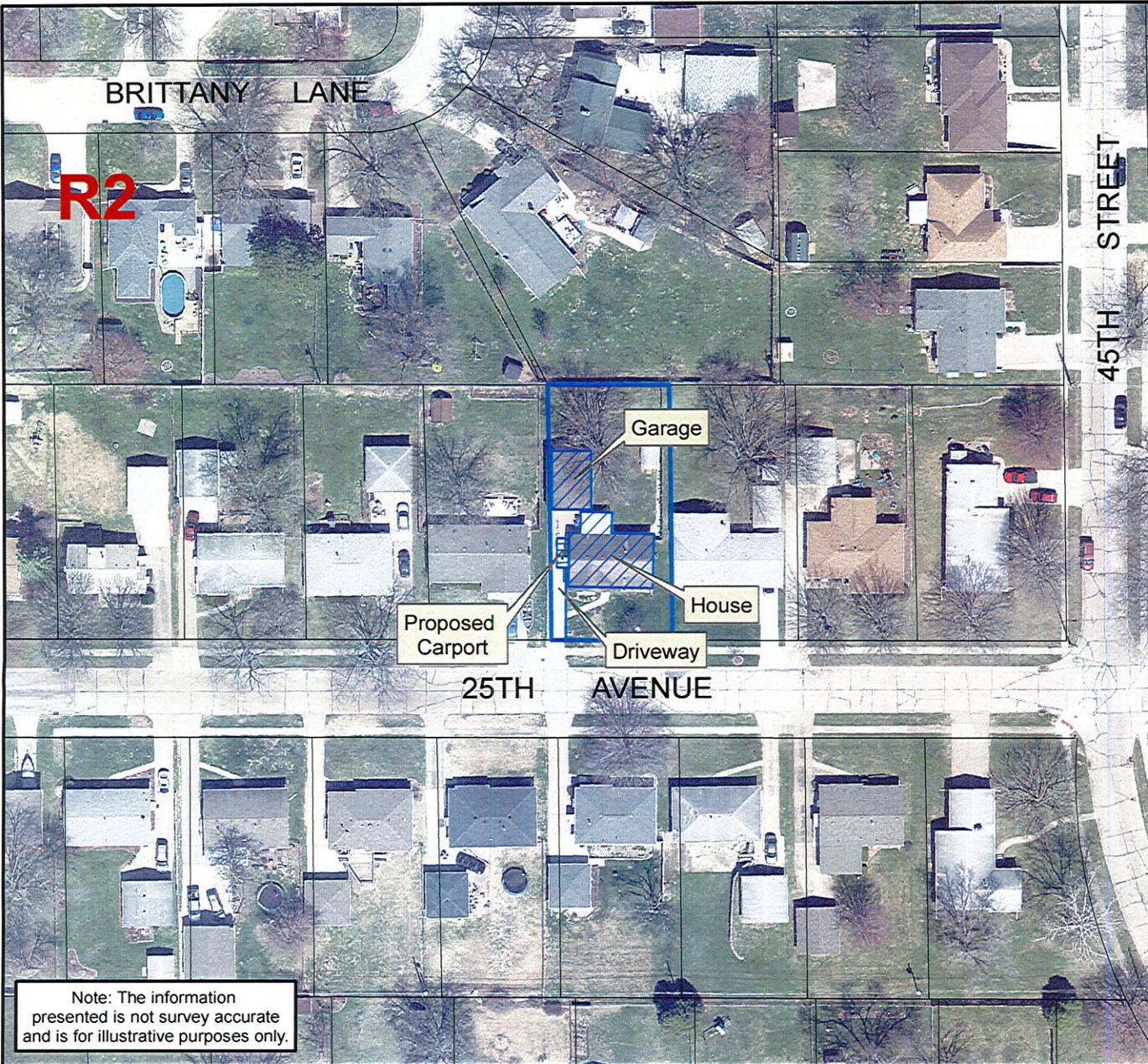
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment

RI
ROCK ISLAND
ILLINOIS

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

BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2017-23 Aerial

Legend

-  Parcels
-  Subject Property

DR. BY: K.G.D.

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



0 20 40 80 120 160 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



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4311

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: December 4, 2017

SUBJECT: Case #2017-24- Request for a variance from the separation requirements between Unrelated Group Family Uses in a U-1 (university and college) district.

Applicant:

J. L. and Blake Hinrchson

Location:

749 34th Street

Request:

To allow a variance of 300 feet of the 300 foot separation requirement between a proposed Unrelated Group Family Use and an existing Unrelated Group Family Use in a U-1 (university and college).

Size of Property:

The property measures 45' x 162.35' (approximately 7,306 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-2.

Topography:

The site slopes up 4 to 5 feet from street level.

Affected Requirements:

The zoning ordinance requires a 300 foot separation between Unrelated Group Family Uses (Section 4.6C [2]). The applicant proposes to locate an Unrelated Group Family Use for up to 4 residents in the dwelling).

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.

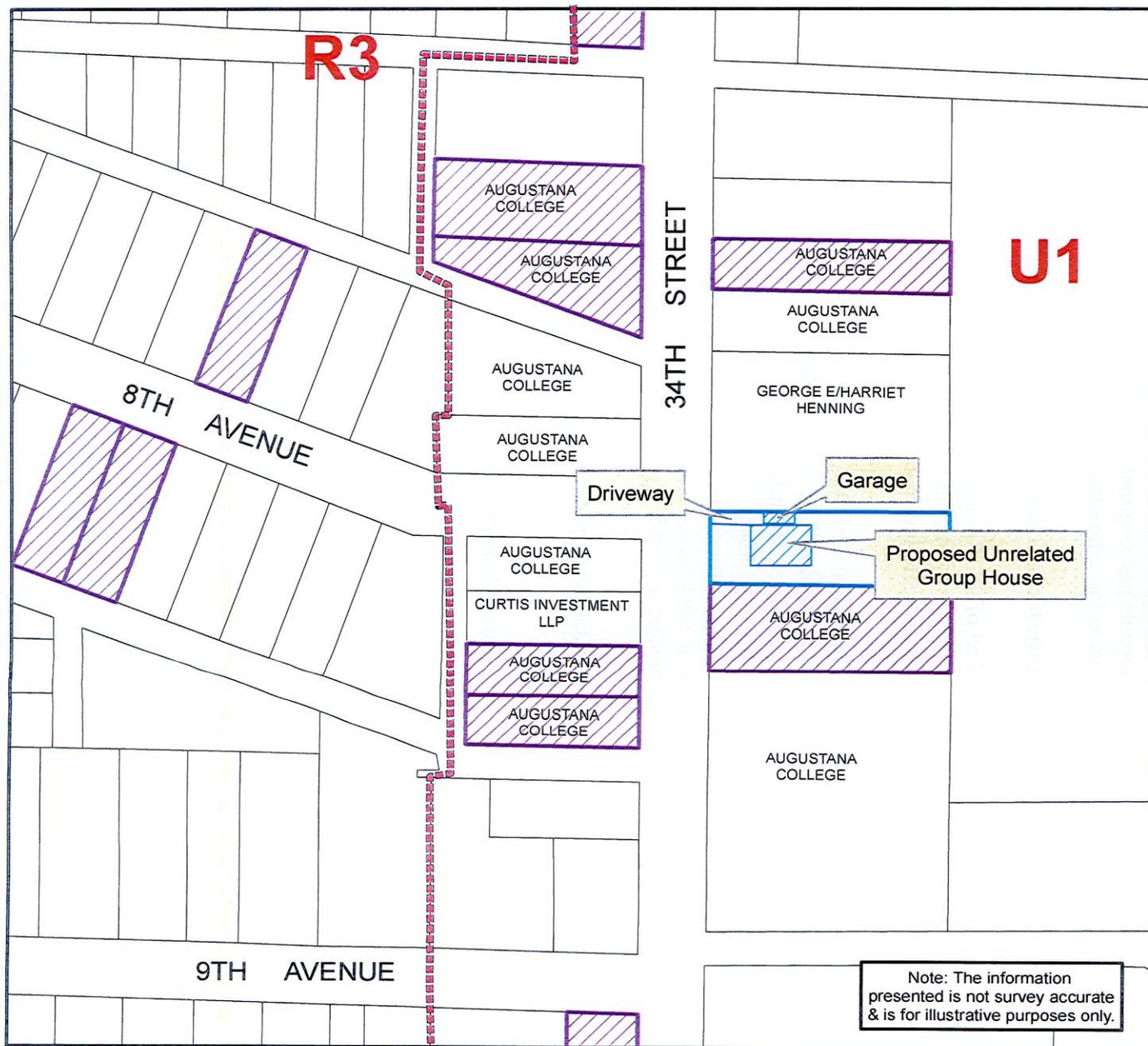
Comments:

The closest identified existing Unrelated Group Family Use is located directly to the south of the property, while two other uses are located across the street at 808 and 812 34th Street. There are several other Unrelated Group Family Uses located to the north, west and south of the subject property as this area is located close to the campus. The Zoning Ordinance requires two off street parking spaces for any Unrelated Group Family Use. The site has three parking spaces on the site (one in an attached garage and two on a driveway).

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 2017-24

Legend

-  Subject Property
-  Unrelated Group Housing
-  Parcels

DR. BY: K.G.D.
 APPR. BY: AF LB



0 25 50 100 150 200 Feet

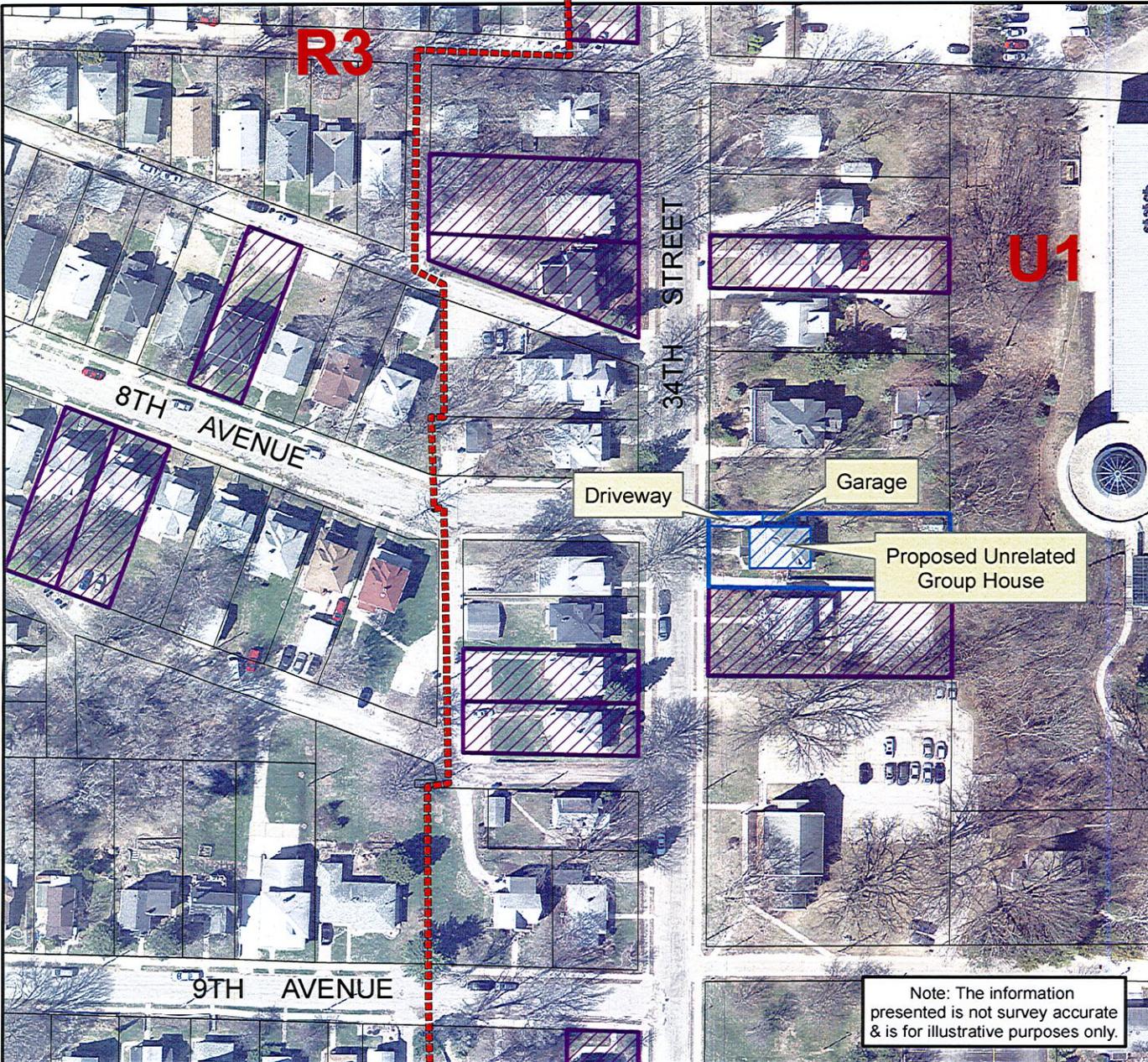
City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



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BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2017-24 Aerial

Legend

-  Subject Property
-  Unrelated Group Housing
-  Parcels

DR. BY: K.G.D.

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



0 25 50 100 150 200 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment





SUNBENT
RENTALS
209-721-4343

REPORT

TO: Board of Zoning Appeals

FROM: Community and Economic Development Department
Planning and Redevelopment Division

DATE: December 4, 2017

SUBJECT: Case #2017-25- Request for a special exception to expand a nonconforming use in a B-4 (intensive/highway business) district.

Applicant:
David Griffin

Location:
3604 46th Avenue

Request:
To allow a special exception to expand a nonconforming use in a B-4 (intensive/highway business) district.

Size of Property:
The property measures 160' X 150' (24,000 square feet).

Zoning History:
Planning Commission Case #97-11- Request to annex and rezone property from R-1 to B-4 was approved, but no development was proposed...

Existing Land Use and Zoning:
The site is occupied by a single-family residence. To the east is a steel erectors business, zoned B-4. To the west is a financial loan office, zoned B-4. To the south are single family residences, zoned B-4. To the north is the Bible Missionary Institute, zoned U-1.

Topography:
The site slopes down approximately 7 to 8 feet from street level.

Affected Requirements:
The zoning ordinance requires Board authorization to expand a nonconforming use (Section 5.16). The applicant proposes to construct an attached deck (24' x 14') and a detached above ground swimming pool with surrounding deck (30' x 55') in the west side, an attached garage (28' x 26') in the south rear yard and a detached storage building (10' x 12') in the north front yard.

Conditions to Authorize Variances:

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

Comments:

As previously indicated the residential property was annexed and rezoned to B-4 in 1997. The applicant at the time was a former adjacent business property owner (ABS Construction at 3626 46th Avenue). No commercial development was proposed at that time and the site has remained in residential use since then.

The applicant resides at the property and desires to maintain it as his residence and make the proposed improvements through the upcoming years. Currently, there is not a garage on the property and the proposed attached two car garage will be located off a nonconforming gravel driveway. The proposed deck will be off the west side of the residence, while the proposed swimming pool and surrounding deck will be an accessory structure located at the southwest corner of the site. A small storage structure will be located in the slope of the north front yard.

There are commercial uses to the east and west of the site, but residential uses are located to the south adjacent to the Rock River. Staff does encourage commercial uses along 46th Avenue (Blackhawk Road), but the long term use of this site as a residence along with the slope downward from the street makes commercial uses somewhat unlikely in the near future.

Recommendation:

That the special exception 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 2017-25

Legend

-  Subject Property
-  Municipal Boundary
-  Parcels

DR. BY: K.G.D.
APPR. BY: [Signature] RB



0 20 40 80 120 160 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



U1

BIBLE MISSIONARY CHURCH

BIBLE
MISSIONARY CHURCH

BLACKHAWK ROAD / 46TH AVENUE

Proposed
Deck

Shed

House

K&V
STEEL
ERECTORS
INC

Proposed
Garage

FREEDOM
OFFICE
SUITES LLC

Proposed
Pool with Deck

B4

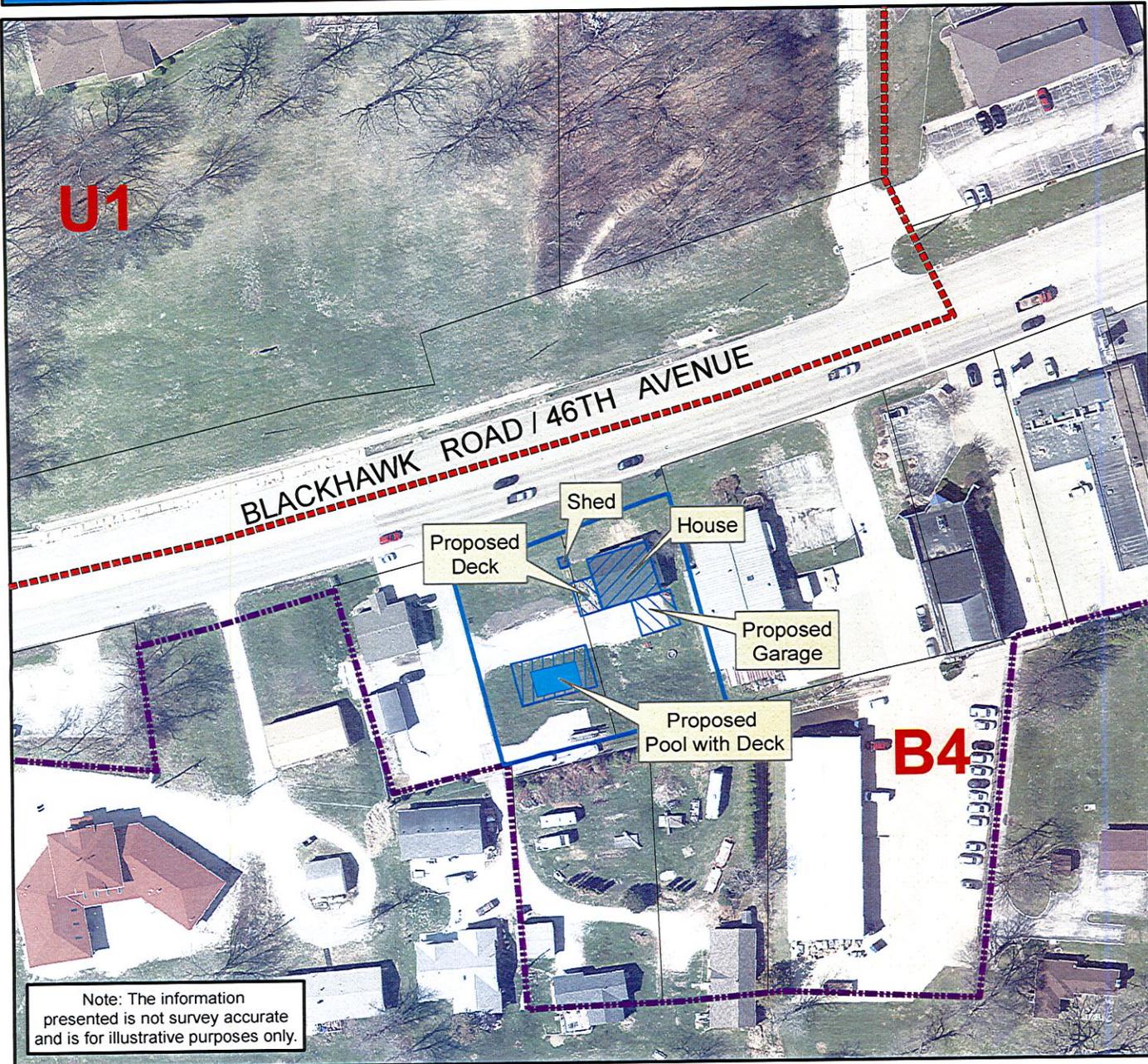
DONALD J
PASMORE TRUST

JEFFREY H/
M ROSANNE
PUCK

JEFFREY H/
M ROSANNE
PUCK

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BOARD OF ZONING APPEALS



BOARD OF ZONING APPEALS 2017-25 Aerial

Legend

-  Subject Property
-  Municipal Boundary
-  Parcels

DR. BY: K.G.D.

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



0 20 40 80 120 160 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



Blackhawk Rd

46th Ave

5

Estimated Property Line

Primary Residential Mortgage, Inc

New Flagpole
(meet Zoning ordinance of Rock Island County)

Future 8'-0" x 8'-0" Shed

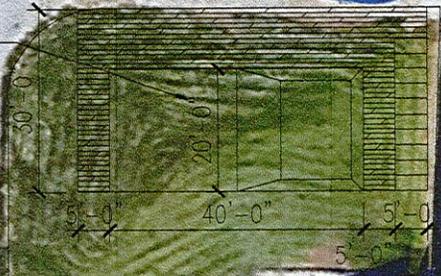
Garden Area

New 24'-0" x 14'-0" wood frame deck. (meet 2015 IBC and any ordinance of Rock Island County)

20'-0"

16'-0"

(Optional) Above ground swimming pool. To be fenced and graded to not allow access to others. (meet 2015 IBC and any ordinance of Rock Island County)



New 28'-0" x 26'-0" Wood frame garage with storage room in truss system. (meet 2015 IBC and any ordinance of Rock Island County)

26'-0"

Existing Fence (meets Rock Island County code)

Google

Site Plan
1"=30'-0"

