

**Memorandum
Community & Economic Development Department**



To: Thomas Thomas, City Manager
Subject: Special Use Permit Public Hearing for 801 – 44th Street
Date: July 9, 2014

Attorney Delores Tapia has filed an application for a Special Use Permit to operate her law practice from her home at 801 – 44th Street, zoned R-3 (one and two family residence) district. The R-3 zoning does not permit such uses by right.

Legal Description:

The north fifty (50) feet of Block “D” in “Edgewood Park”, an addition to the City of Rock Island, in Rock Island County, Illinois. PIN Number 0831332001 of Rock Island Township, also known as 801 – 44th Street, Rock Island, Illinois.

Public Notice:

A legal advertisement was published in the Friday, June 27, 2014 edition of the Rock Island Argus newspaper and notification letters were mailed to 45 property owners of record within 250 feet of the subject property on Wednesday, July 2, 2014.

Nature of Use:

The applicant is requesting a special use permit allowing her to use the first floor of her home for her law practice. The hours of operation would be 8:00 AM to 5:30 PM, Mondays through Fridays. The applicant states in her application that she currently has two part-time, non-resident employees (a paralegal and a secretary) and that perhaps would hire a third. The applicant specializes in immigration law and according to her application letter, has seen her clientele grow since beginning her practice at her home since moving there in October 2013. As a sole practitioner, she would like to continue operating her law practice from her home.

Parking:

The City’s parking regulations requires at least two off-street parking spaces for the residence and five additional parking spaces for employees and clients, for a total of seven off-street parking spaces. The applicant has stated in her application that there is a detached, two-car garage at the rear of her property with two additional parking spaces in the driveway, for a total of four off-street parking spaces provided. The subject property is located on a corner lot with frontage on 44th Street to the west and 8th Avenue to the north. The curbing at the corner is painted yellow and there are parking signs located in the boulevard prohibiting parking at the corner.

Signage:

The applicant has requested an illuminated, freestanding sign be allowed at the subject property, approximately 8’ x 6’ or perhaps 4’ x 6’ in size, adding that she is not sure about the exact size. She had previously been using a banner-type sign affixed to the front porch railing of her home.

Staff Analysis:

Planning staff feels that while a law practice may be a suitable use in certain, specific circumstances, the proposed use may be too intense for the site due to the current and proposed number of employees, lack of adequate off-street parking for current and proposed employees as well as clients. The applicant is also requesting the use of an illuminated, freestanding sign at the site in lieu of a smaller placard-type sign affixed directly to the structure

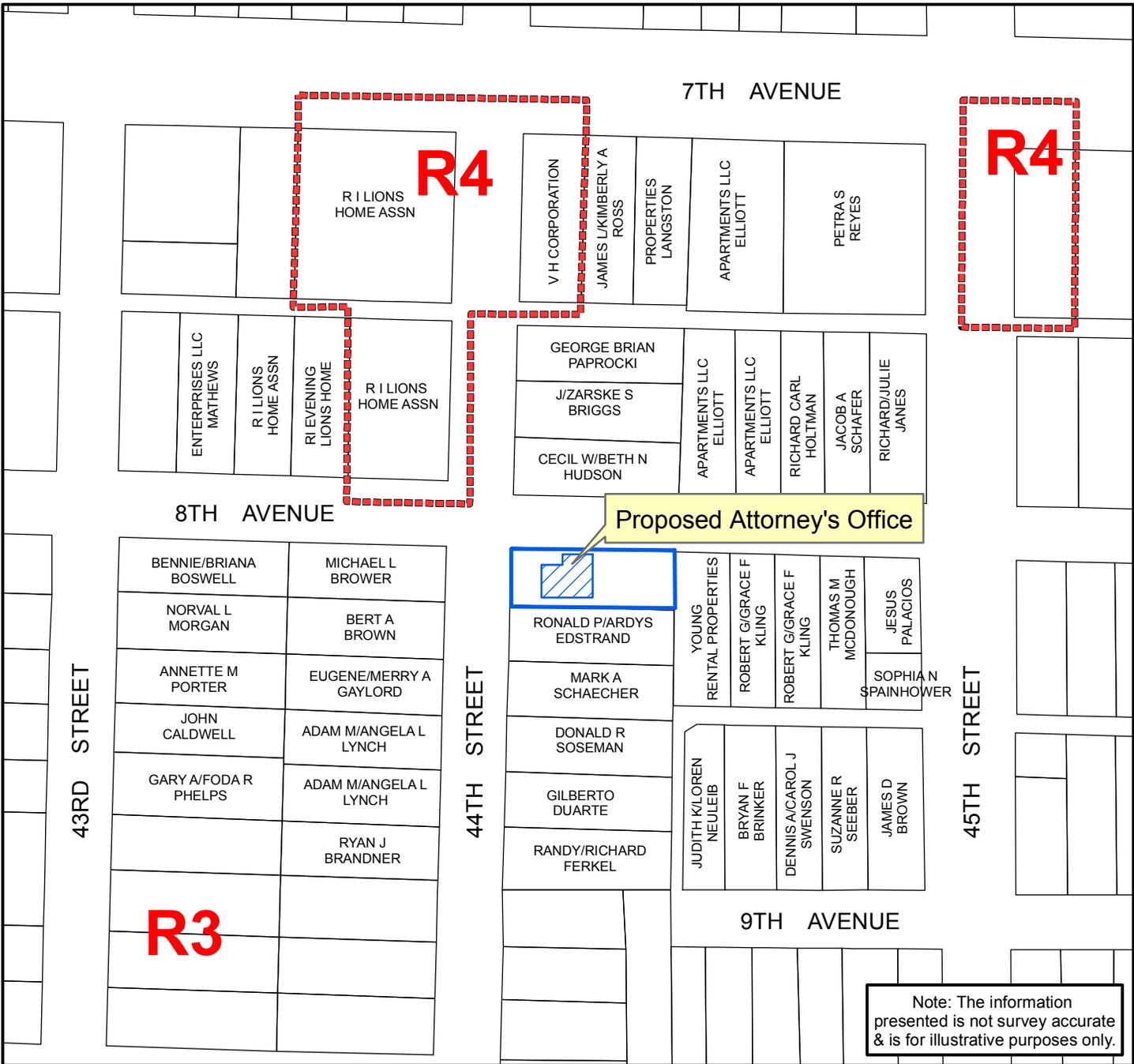
beneath the front porch near the front door, as recommended by Planning staff for similar uses in residential areas. The lack of adequate parking and proposed signage would alter the residential character of the neighborhood.

RECOMMENDATION: Planning staff recommends denial of the request because the site does not meet the seven standards identified in Article VI, Section 6.5G of the City's Zoning Ordinance for approval of a Special Use Permit because approving the use with an illuminated, freestanding sign and without adequate parking for employees and clients would alter the residential character of the neighborhood.

Submitted by: Jeffery A. Eder, Assistant City Manager / CED Director
Ben Griffith, Planning & Redevelopment Administrator

Approved by: Thomas Thomas, City Manager

SPECIAL USE PROPOSAL



SPECIAL USE PROPOSAL
2014-3

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.

APPR. BY: B.G.



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.

SPECIAL USE PROPOSAL



SPECIAL USE PROPOSAL
2014-3 Aerial

Legend

- Parcels
- Subject Property

DR. BY: K.G.D.
APPR. BY: B.G.

0 25 50 100 150 200
Feet

City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning and Redevelopment

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



801 – 44TH STREET FROM THE NORTHWEST FACING SOUTHEAST



801 – 44TH STREET FROM THE WEST FACING EAST



TWO-CAR GARAGE LOCATED AT THE FAR EAST END (REAR) OF THE SITE



REAR YARD AREA OF THE SITE FROM THE EAST FACING WEST



BANNER SIGN ON FRONT PORCH RAILING ON MONDAY, JUNE 30, 2014