



Planning & Zoning Commission Meeting Agenda
December 2, 2024 - 5:30 PM
City Council Chambers, City Hall, 3rd Floor,
1528 Third Avenue, Rock Island, IL

1. Call to Order

2. Roll Call

Michael Creger, Reshanda Johnson, Donald Mewes, Norm Moline, Samuel Odeyemi, Maureen Riggs, Bill Sowards, Tanja Whitten, Sarah Wright

3. Public Comment

4. Minutes

- a. Approval of the November 4, 2024 Meeting Minutes
Motion: Move to approve the November 4, 2024 Meeting Minutes
VV Voice vote is needed.

5. Old Business

6. Public Hearings

- a. 2024-20: Public Hearing request from Stephanie Horton to consider variances from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for property at 524 18th Avenue.
Motion: Move to table the variance requests for the January 6, 2025 meeting.
VV Voice vote is needed.
- b. 2024-21: Public hearing request from Amy McFall to consider a rezoning from I-1 (light industrial) to R-2 (one-and-two-unit residential) district for property at 3720 8th Street
RC Roll Call vote is needed.
- c. 2024-22: Public hearing request from Rock Island County to consider variances from the Rock Island Zoning Ordinance in a B-3 (community business) district for properties at 1411 & 1417 4th Avenue
RC Roll Call vote is needed.
- d. 2024-23: Public hearing request from Amir Rasheed to consider an amendment to Special Use Permit from the Rock Island Zoning Ordinance in B-3 (community business) district for property at 2425 11th Street.
Motion: Move to table the Special Use Amendment request for the January 6, 2025 meeting.
VV Voice vote is needed.
- e. 2024-24: Public hearing request to consider the revocation of a Special Use Permit from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for properties at 1000 & 1006 8th Avenue.

RC

Roll Call vote is needed.

7. Other Business/New Business

- a. Approval of the 2025 Planning & Zoning Commission Meeting Schedule
Motion: Move to approve the 2025 PZC meeting schedule
VV Voice vote is needed.
- b. Code Interpretation of front yard fence height regulation

8. Adjourn

This agenda may be obtained in accessible formats by qualified persons with a disability by making appropriate arrangements from 8:00 am to 5:00 pm, Monday through Friday, by contacting the City Clerk's Office at (309) 732-2010 or visiting in person at: 1528 Third Avenue, Rock Island, IL 61201.

Rock Island Planning & Zoning Commission Minutes

Community Room, Rock Island Police Department
1212 5th Avenue
November 4, 2024
5:30 PM



Voting Members Present	Don Mewes Maureen Riggs Mike Creger Bill Sowards Reshanda Johnson Sarah Wright Tanja Whitten
Voting Members Absent	Norm Moline Samuel Odeyemi
Staff Present	Eunice Amissah-Mensah, Urban Planner Tanner Osing, Planning & Zoning Manager Leslie Day, City Attorney

Call to Order and Roll Call

Chair Riggs called the meeting to order at 5:30 PM and read the roll call.

Public Comment

No members of the public wished to comment so the meeting continued.

Approval of the Previous Meeting Minutes

Mewes moved to approve the minutes for October 7, 2024. Sowards seconded the motion. The motion carried unanimously on a vote of 7 to 0.

Public Hearings

2024-15 Public hearing: Request from City of Rock Island to consider a rezoning from C-1 (park conservation) district to R-1 (one unit residential) district for Realtor's Park (PIN 1613200007)

Osing presented the staff report with the recommendation for approval.

John Gripp, Director of Parks and Recreation, was called to speak on the request. Mr. Gripp provided the background and reason on the park and it needs to be rezoned. He stated that the park was acquired in the 1960s and emergency vehicle access is a challenge. A 2016 study recommended selling the park due to liability concerns He

stated that the city is considering a process to allow neighbors to submit proposal to purchase the property.

Several neighbors to Realtor's Park, including Judy Elliot, Gary Nowak, Lisa Coleman, and Katie Schiefter, expressed concerns about the park's future use and potential for future development, advocating for its preservation as a natural area.

Alderman Healy expressed that he would not support any plans for a structure on the property and encouraged the neighbors to consider options to purchase the park.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2024-15

Creger made a motion to recommend approval of the rezoning request to the City Council. Whitten seconded the motion. Chair Riggs called for a vote. The motion carried on a vote of 7 to 0 (Riggs, Mewes, Johnson, Sowards, Wright, Whitten, and Creger)

2024-16 Public hearing: Request from Jared Kitterman to consider a variance from the Rock Island Zoning Ordinance in an R-1 (one-unit residential) district for property at 2443 28th Avenue.

Amissah-Mensah read the staff report with the recommendation for approval.

The applicant, Jared Kitterman, was called forward to speak on the request. Mr. Kitterman stated he concurred with staff's analysis and stated his desire to expand his home.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2024-16

Mewes made a motion to approve the variance for the 14ft by 22ft kitchen addition as there is a unique circumstance and the addition will not alter the character of the neighborhood. Wright seconded the motion. Chair Riggs called for a vote. The motion carried on a vote of 7 to 0 (Riggs, Mewes, Johnson, Sowards, Wright, Whitten, and Creger)

2024-17 Public hearing: Request from Hani Aqel of Greenleaf Tobacco to consider a variance from the Rock Island Zoning Ordinance in a B-3 (community business) district for property at 3101 11th Street.

Amissah-Mensah read the staff report with the recommendation for denial.

Aubry Caldwell, business representative of Greenleaf stepped in to speak on the request. She highlighted the business' positive community contributions and presented

petitions signed by Rock Island residents in support of the request. The applicant, Hani Aqel, spoke in favor of the request and responded to questions from the commission explaining that the focus of the business is on providing a variety of products beyond just tobacco and ensuring the business's clean and professional operations.

Alderman Hurt informed the commission of the city's moratorium on vape shops.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2024-17

Whitten made a motion to table the request until the City Council's moratorium on new vape shops is lifted. Mewes seconded the motion. The motion carried on a vote of 7 to 0 (Riggs, Mewes, Johnson, Sowards, Wright, Whitten, and Creger)

2024-18 Public hearing: Request from Demetrius T. Johnson to consider a Special Use Permit from the Rock Island Zoning Ordinance in R-2 (one-and-two unit residential) district for property at 1501 5th Street.

Amisah-Mensah read the staff report with the recommendation for denial.

The applicant, Demetrius T. Johnson, was called forward to speak on the request. Mr. Johnson stated he is setting up the business to serve the needs of the immediate community as the neighborhood is a food desert. He further explained that the business model is call-ahead and pick-up only for chicken wings and french fries. Mr. Johnson also expressed his commitment to complying with all city ordinances and maintaining a positive relationship with the community

Some Commissioners raised concerns about enforcing the call-ahead ordering system, potential noise from a generator, limited parking availability, and potential traffic congestion.

Commissioners Whitten and Johnson highlighted the need for convenient food options in the area, which is a food desert.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2024-18

Mewes made a motion to recommend approval of the Special Use Permit to the City Council with the stipulations proposed by staff including a six-foot privacy fence and a plan for gas or electric service to the trailer. Whitten seconded the motion. The motion carried on a vote of 4 to 3 (Ayes - Mewes, Johnson, Whitten and Wright, Nays – Riggs, Sowards, Creger)

2024-19 Public hearing: Request from Christina Caldwell to consider a Special Use Permit from the Rock Island Zoning Ordinance in I-1 (light industrial) district for 1600 Mill Street and 1700 1st Street.

Osing read the staff report with the recommendation for denial.

Robert Duckels, representative for DMC, presented their application. Duckels restated DMC's position, specifically calling out the letters of support from five (5) neighboring property owners. He also noted that DMC would be willing to work with the City on stipulations for the Special Use including restrictions on cutting at different times of day and at times of higher wind speeds. He added that DMC is allowed to cut at their main location, 1605 1st Street, and would continue cutting there regardless of any cutting prohibition at 1700 1st Street and 1600 Mill Street. Duckels also mentioned that DMC would ensure that anything they do cut would not have anything in it that would violate the Clean Air Act.

Three neighboring property/business owners, Tom Unley of Unley Marine, Rick Jackson of Jackson Auto Body & Custom Paint, and Pernon Tew, spoke against the request. They discussed poor air quality during times of cutting and that things have gotten worse since Del's expansion. Tom Unley noted that metal debris from DMC's torching lands on his property and his customer's boats. He presented two containers of what he said was metal collected from his parking lot that was a result of DMC's cutting. He added that cutting was not as big of an issue for his property when it only happened at DMC's main location due to the prevailing winds.

Rick Jackson stated that smoke from the cutting is a problem for his customers and employees, and also cited health concerns for him as a result. He noted that AC filters for the business are regularly clogged. He questioned whether proper precautions are taken to remove paint from metal before cutting. Pernon Tew also addressed the commission and commented on health issues that he experiences from the smoke.

Robert Hoffman, an employee of Jackson Auto Body, spoke against the request. He questioned the safety of the operations and stated that he keeps the garage doors closed during times of heavy smoke. He said he has experienced coughing and headaches as a result of the cutting. Alex Jackson, another employee with Jackson Auto Body, stated similar concerns.

Duckels responded that DMC's willingness to restrict cutting based on the wind would assist with some of the concerns. He also addressed the issues surrounding air quality, noting that their operations are heavily regulated by the IEPA and that DMC has a clean record with that agency. Christina Caldwell also addressed the commission noting that the business expansion was driven, in part, by the closure of another metal recycling facility in Rock Island. Duckels and Caldwell also examined the containers presented by Unley and questioned the validity of their contents.

Commissioners continued asking clarifying questions of staff and the applicant. Commissioners questioned the feasibility of enforcing wind-based restrictions on cutting

and expressed concerns about the potential for negative impacts based on the testimony presented. They also noted that properties owners to the north were likely less affected by the use due to the prevailing winds.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2024-19

Sowards made a motion to recommend denial of the Special Use Permit. Creger seconded the motion. The motion carried on a vote of 6-to-1. (Ayes – Riggs, Mewes, Sowards, Johnson, Wright and Whitten, Nays – Creger)

Other Business None.

Adjournment

Chair Riggs adjourned the meeting at 8:05 PM.

Minutes submitted by Eunice Amissah-Mensah.

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2024-21: Public hearing request from Amy McFall to consider a rezoning from I-1 (light industrial) to R-2 (one-and-two-unit residential) district for property at 3720 8th Street
RC Roll Call vote is needed.
Date: December 2, 2024

Introduction and Background Information:

Requested Action:

Amy McFall has filed an application to consider a rezoning from I-1 (light industrial) district to R-2 (one-and-two unit residential) district for the property at 3720 8th Street (PIN 1610411002) to be combined with property at 3720 9th Street (PIN 1610411007).

Size of Property:

The property measures approximately 31,873.2 square feet.

Previous Zoning Action:

None

Background Information:

The subject property is currently an undeveloped lot. The applicant owns the parcel at 3720 9th Street and wishes to combine the parcels. A rezoning is required because the parcels must have the same zoning before they can be combined.

Building Layout:

NA

Parking & Access:

Access will be provided from the adjacent property, 3720 9th Street.

Signage:

NA

Landscaping & Lighting:

NA

Staff Analysis:

The Comprehensive Plan identifies "Single Family Residential" for the subject property as well as immediate surrounding properties to the north, south and east. This future land use category is intended for new and existing detached single-family homes. The City's R-1, R-2, and R-3 zoning districts are most appropriate for areas mapped in this future land use category. The R-2 zoning will be consistent with the Comprehensive Plan's designation and

will allow for the property to comply with the City's intended use and purpose for the neighborhood.

Changing the property's zoning to R-2 makes it consistent with the nearby property at 3720 9th Street and the surrounding neighborhood.

Staff reason that the property is capable of handling the proposed use. The frontage of the property makes development under the I-1 zoning impractical. However, the property is well-suited for residential use.

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

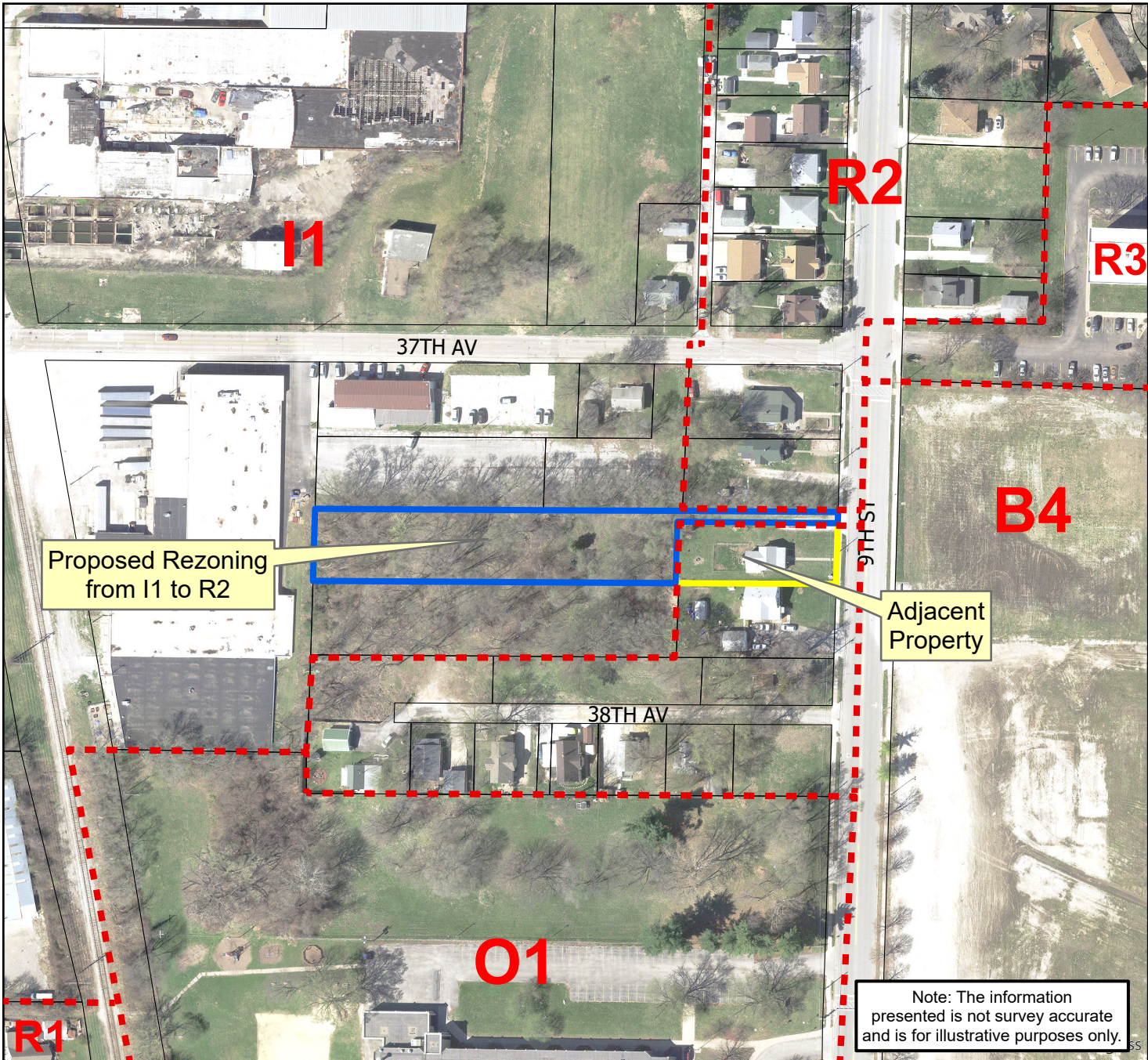
Recommendation:

The Community Development Department recommends that the Planning & Zoning Commission pass a recommendation to the City Council that the rezoning request be approved.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Rezoning Location 3720 8th Street



PZC Case 2024-21

-  Subject Property
-  Parcels
-  Zoning District



0 50 100 200 300 Feet

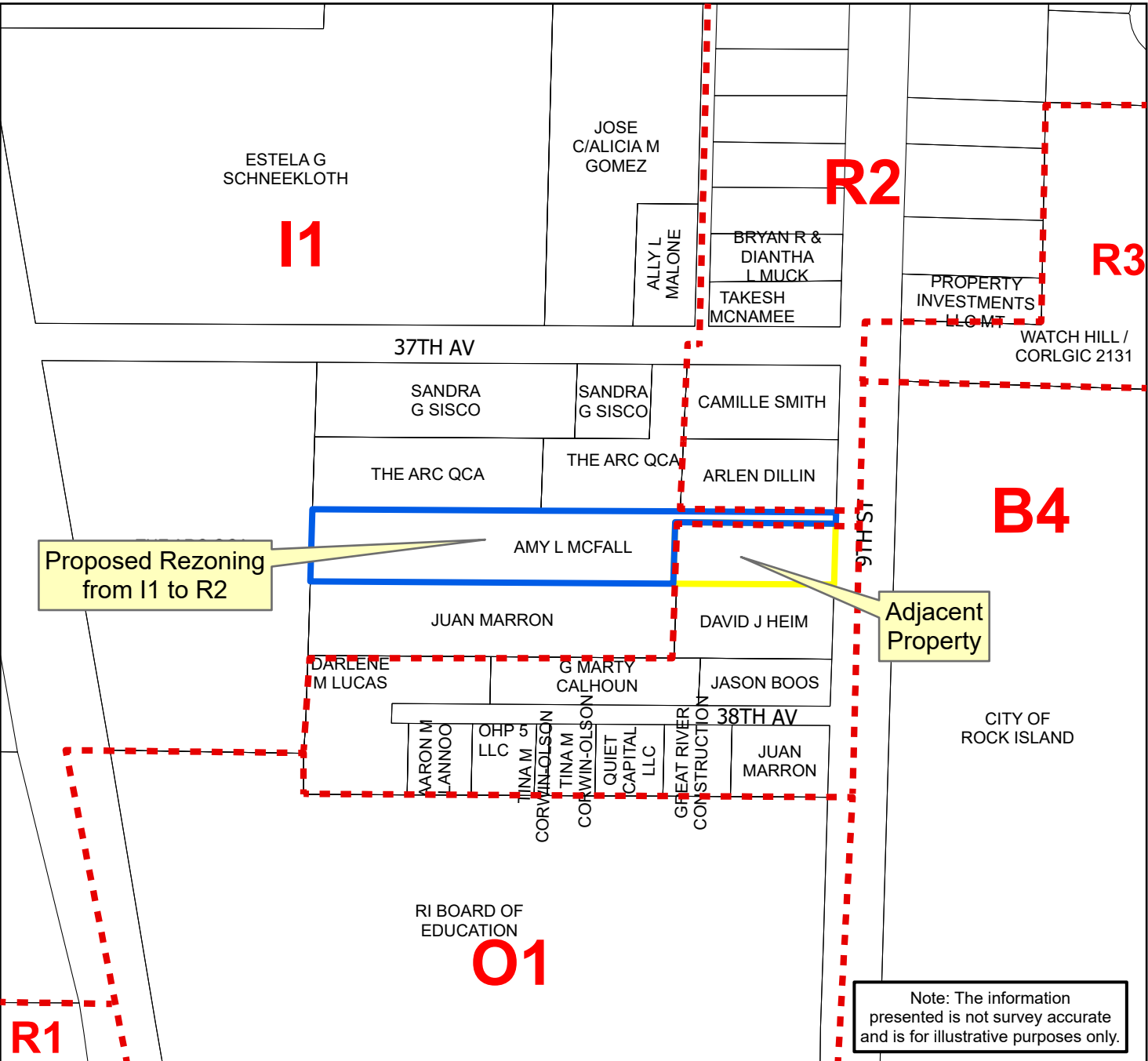
City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



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

Rezoning Location 3720 8th Street



PZC Case 2024-21

-  Subject Property
-  Parcels
-  Zoning District



City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



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Figure 1: Photo showing property at 3720 9th Street to be combined with property, 3720 8th Street in the rear



Figure 2: Photo showing property at 3720 8th Street from Qc Flex's parking lot



Figure 3: Photo showing property at 3720 8th Street from Qc Flex's parking lot

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2024-22: Public hearing request from Rock Island County to consider variances from the Rock Island Zoning Ordinance in a B-3 (community business) district for properties at 1411 & 1417 4th Avenue
RC Roll Call vote is needed.
Date: December 2, 2024

Introduction and Background Information:

Applicant:

Rock Island County

Location:

1411 & 1417 4th Avenue

Size of Property:

The properties measure approximately 6,982 square feet with about 47 feet of frontage along 4th Avenue.

Topography:

The property slopes up from north to south by approximately 2 feet and sits slightly above street level.

Zoning History:

None

Existing Land Use & Zoning:

The property is zoned B-3 (community business) district. To the north, south, east and west are properties zoned B-3 (community business) district.

Project Details:

Rock Island County proposes to install an 8ft tall fence with a barbed wire addition around the properties. Staff informed the applicant that variances will be needed for the fence height and the barbed wire addition.

Requested Action and Affected Requirements:

The request is for one (1) variance from the Zoning Ordinance to allow an 8-foot fence that is 24 feet in length along the north side yard of the property as described in Table 1.
Table 1

Variance	Requested Action	Affected Zoning Requirements
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(1)	Allow the installation of an 8ft tall fence with a barbed wire addition around the properties.	Fences shall not exceed the maximum height of six (6) feet and the use of barbed wire materials are prohibited in business zoned districts. (Chapter 11, Section 3)
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Conditions to Authorize Variances & Staff Analysis:

Variances shall only be authorized if two (2) of the three (3) conditions as provided in Chapter 8, Section 6-A of the Zoning Ordinance are found. The Commission will make the final decision regarding this request. Table 2 includes the conditions to authorize variances with the corresponding staff analysis and conclusion of if the condition is met.

Table 2

Conditions to Authorize Variance	Staff Analysis	Meets Condition (Yes/No)
The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;	Staff believe that the property can yield a reasonable return without the variance as a six (6) foot fence would still offer adequate security and enclosure. Alternative security measures such as enhanced lighting, security cameras, and alarm systems, could be explored to address any security concerns as opposed to barbed wire.	No.
The plight of the owner is due to unique circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties or classes of uses in the same zoning district; and	Staff believe that the property has no unique circumstances as the same situation could be faced by other business zoned properties and does not constitute a hardship specific to this property.	No
The variance, if granted, will not alter the essential character of the locality. Such variance is necessary for the preservation and enjoyment of a substantial property right-of-way possessed by other properties in the same zoning district and in the vicinity.	The visual impact of an 8-foot fence, particularly with barbed wire, would an unwelcoming aesthetic near a main street in the downtown and gateway into Rock Island. Therefore, staff conclude that the fence will alter the character of the	No

	neighborhood.	
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Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

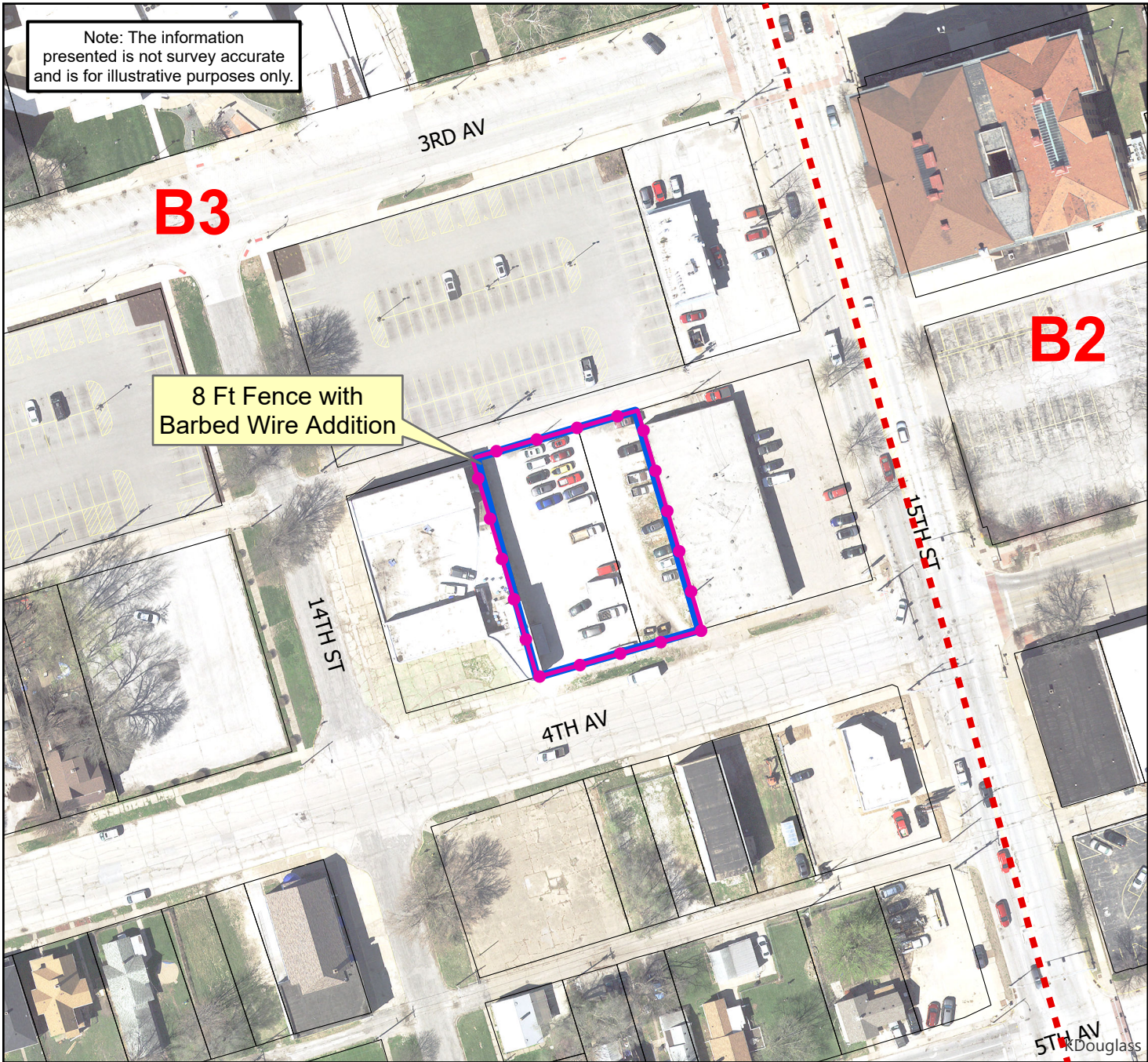
Recommendation:

The Community Development Department recommends that the Commission deny the variances as the property can yield a reasonable return without the variance, there is no unique circumstance and the fence with the barbed wire addition will alter the character of the neighborhood.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Fence Variance at 1425 4th Avenue



PZC Case 2024-22

Subject Property

Parcels

Zoning District

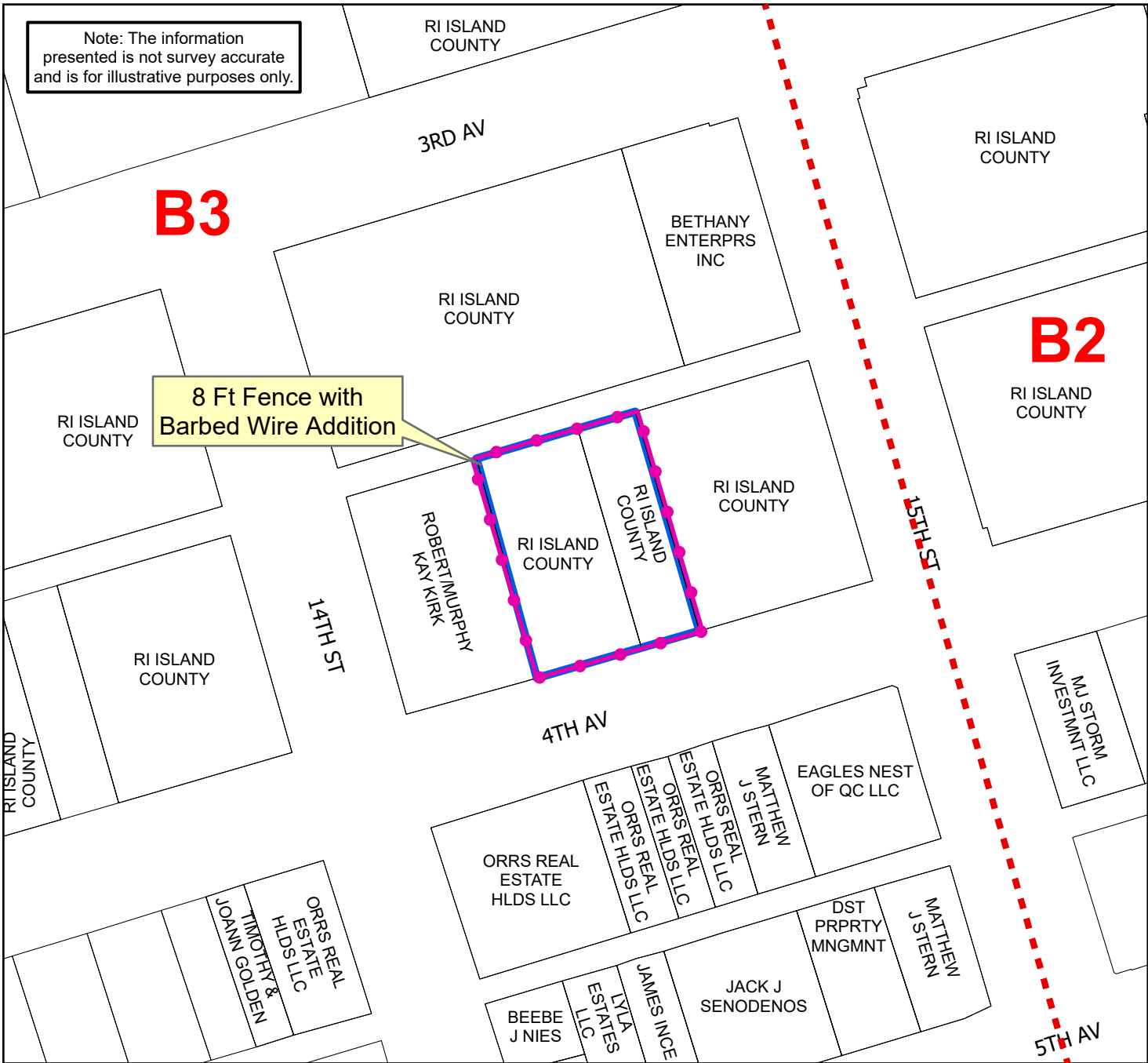
0 25 50 100 150 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT

ROCK ISLAND
ILLINOIS

Fence Variance at 1425 4th Avenue



PZC Case 2024-22

- Subject Property
- Parcels
- Zoning District

0 25 50 100 150 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT

ROCK ISLAND
ILLINOIS



Figure 1: Photo taken from across 4th Avenue



Figure 2: Photo captured from the northwest corner of the property along the alley



Figure 3: Photo captured from the southwest corner of the property from along 4th Avenue



Figure 4: Photo captured from the southeast corner of the property from along 4th Avenue



Figure 5: Photo captured from the northeast corner of the property from along alley

Memorandum



To: Rock Island Planning & Zoning Commission

From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager

Subject: 2024-24: Public hearing request to consider the revocation of a Special Use Permit from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for properties at 1000 & 1006 8th Avenue.
RC Roll Call vote is needed.

Date: December 2, 2024

Introduction and Background Information:

Requested Action:

The City of Rock Island is requesting a public hearing with the Planning & Zoning Commission for the revocation of the Special Use Permit issued to property at 1000-1006 8th Avenue due to compliance issues.

Previous Zoning Action:

- Planning Commission 81-11: Rezoning 1006 8th Avenue from R-3 to B-3 was denied by the Planning Commission and City Council
- Planning Commission 2007-02: Special Use Permit to operate a vehicle repair business at 1000/1006 8th Avenue was approved by City Council with stipulations.

Size of Property:

1000 8th Avenue: The property measures approximately 4,983 square feet.

1006 8th Avenue: The property measures approximately 5,894 square feet.

Background Information:

An inspection carried out by the City of Rock Islands Planning & Zoning Division revealed that the property was not in compliance with its Special Use Permit stipulations. Staff issued a notice letter and informed the operator of the business to come into compliance. A re-inspection revealed that the property was still not compliance. Therefore, staff is recommending that the permit be revoked. The Planning & Zoning Commission will make a recommendation to City Council regarding revocation of the permit. If the permit is revoked, the business will have to cease operations.

Reason(s) for the Revocation of the Special Use Permit:

The Special Use Permit was issued for the business to operate as a minor automobile repair shop. At the time of approval, minor vehicle repair was defined in the City's Zoning Ordinance as follows.

"Minor repairs, incidental body and fender work, touch-up painting and upholstery, replacement of minor parts and general tune-up service to passenger automobiles and

trucks not exceeding one and one-half (1-1/2) tons capacity."

However, the business appears to have expanded on this use. Staff contend that major automobile repair work, including collision service, body work, and frame repair, as well as vehicle dismantling is now happening on the property. This is evidenced by photos shown in the attachments. Additionally, the business is out of compliance with the following stipulations.

- ***Stipulation 4: That no vehicles in the process of being repaired and/or vehicle parts be parked outside.*** Vehicles in various states of repair and vehicle parts were observed being stored outside the building, which directly contradicts this stipulation and creates visual blight.
- ***Stipulation 5: That the business be limited to five customer vehicle repairs per day.*** The number of vehicles observed at the business exceeds the permitted number of daily repairs and suggests an increase in the intensity of the business operations.

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

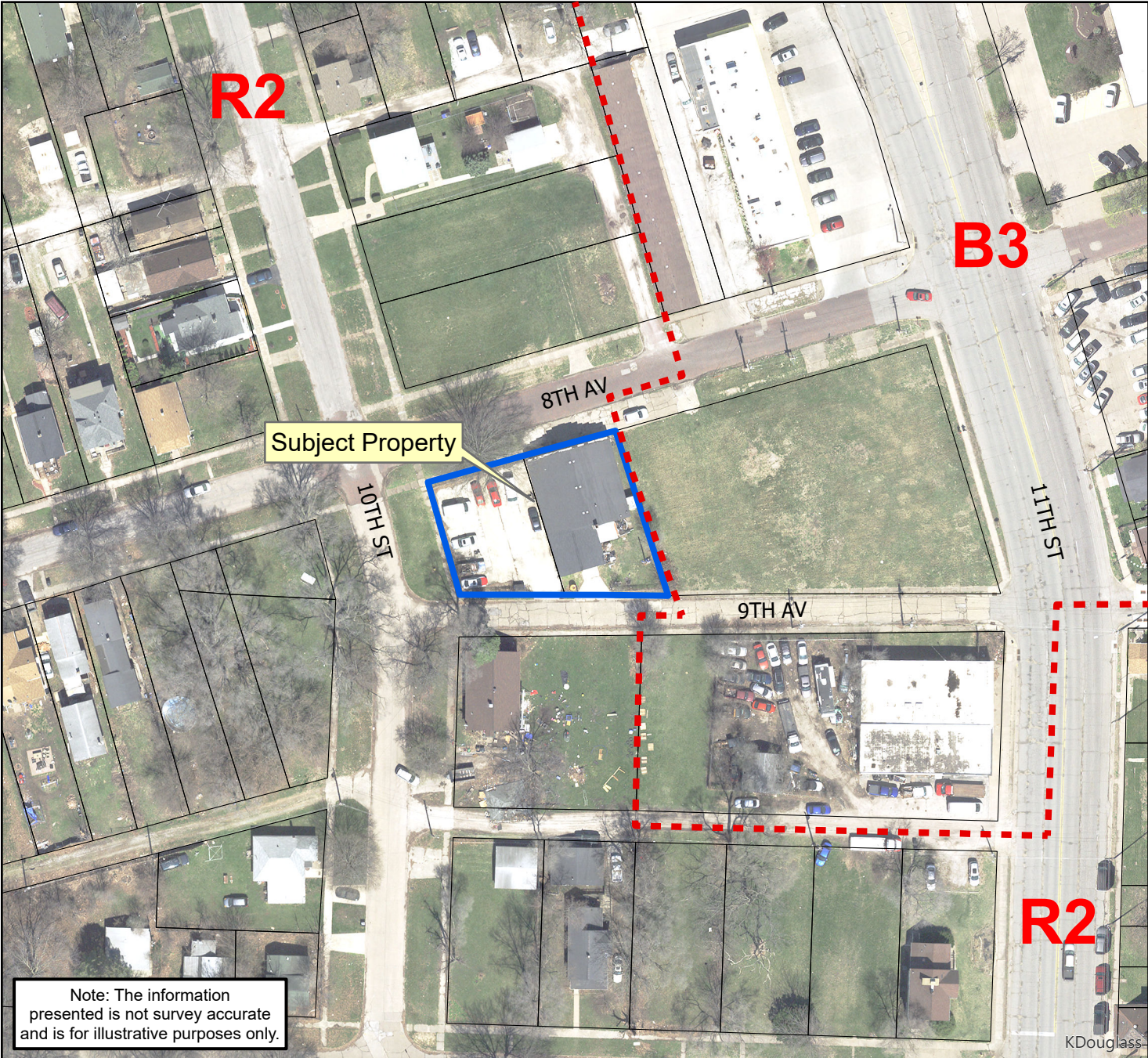
Recommendation:

Based on these findings, the Community Development Department recommends that the Planning & Zoning Commission pass a recommendation to the City Council to revoke the Special Use Permit.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Special Use Revocation at 1006 8th Avenue



PZC Case 2024-24

-  Subject Property
-  Parcels
-  Zoning District



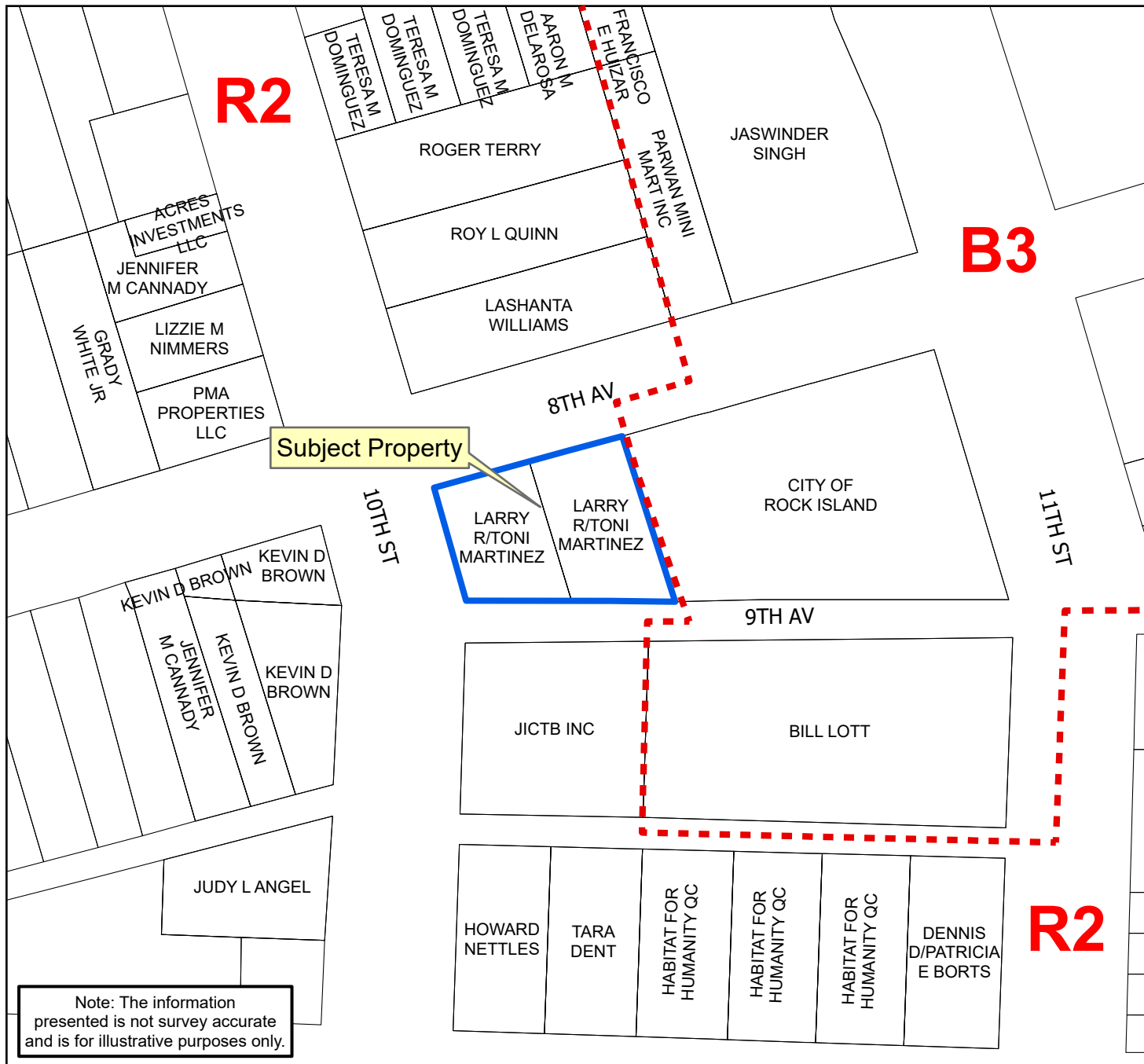
0 20 40 80 120 160 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Special Use Revocation at 1006 8th Avenue



PZC Case 2024-24

-  Subject Property
-  Parcels
-  Zoning District



0 20 40 80 120 160 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



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



Figure 1: Photo showing the business at 1006 8th avenue



Figure 2: Photo showing properties 1000-1006 8th Avenue from the corner of 10th Street and 8th Avenue



Figure 3: Photos showing vehicles awaiting repair at 1000 8th Avenue



Figure 4: Photo showing vehicle parts and inoperable vehicles at 1000 8th Avenue



Figure 5: Photo showing conditions of the vehicles at the property



Figure 6: Condition of the vehicles at the property



Figure 7: Showing the condition of some vehicles at the property



Figure 8: Vehicle parts stored on the property, 1006 8th Avenue



Figure 10: Vehicle parts stored on 1006 8th Avenue

ORDINANCE NO. 028-2007

**A SPECIAL ORDINANCE GRANTING A SPECIAL USE PERMIT
IN THE CITY OF ROCK ISLAND, ILLINOIS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND,
ILLINOIS:

Section One. A special use permit to operate a vehicle minor repair business, zoned in an R-3 (one and two family residence) district, located at 1000/1006 8th Avenue, Rock Island, Illinois, be and is hereby granted to Lorenzo Martinez, said property being legally known as:

The west one-half of Lot 3 and the east 20 feet of Lot 4 and the west 60 feet of Lot 4, Block 76 of Chicago or Lower Addition to the City of Rock Island,

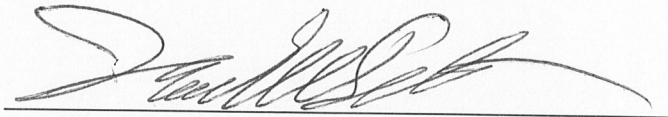
also known as 1000 and 1006 8th Avenue, Rock Island, Illinois.

Section Two. Said permit be and is hereby subject to the following stipulations:

1. The business be limited to up to four employees;
2. Hours of operation be limited to 8:00 a.m. to 5:00 p.m., Monday through Friday;
3. That a minimum of eight parking spaces be provided inside the building and eight improved outside spaces on the vacant parcel located at 1000 8th Avenue (exterior parking to be completed within 60 days from approval of ordinance);
4. That no vehicles in the process of being repaired and/or vehicle parts be parked outside;
5. That the business be limited to five customer vehicle repairs per day;
6. That an unlighted 15 square foot attached sign be allowed on the north façade of the structure;
7. The property shall meet all applicable code requirements.

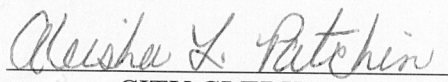
Section Three. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.


MAYOR OF THE CITY OF ROCK ISLAND

PASSED: April 16, 2007

APPROVED: April 17, 2007

ATTEST: 
CITY CLERK

AYES: Alderman Brooks
Conroy
Pauley
Rockwell
Mejia-Caraballo
Murphy
Austin

NAYS: NONE



City of Rock Island Planning & Zoning Commission 2025 Public Meeting Schedule

Advertised Submittal Deadline	Non-Advertised Submittal Deadline	Public Meeting Date
December 2	December 23	January 6
January 6	January 20	February 3
February 3	February 17	March 3
March 3	March 24	April 7
April 7	April 21	May 5
May 5	May 19	June 2
June 3	June 23	July 7
July 7	July 21	August 4
August 4	August 18	September 1
September 1	September 22	October 6
October 6	October 20	November 3
November 3	November 17	December 1

“Advertised” items include Rezoning, Special Use Permits, Variances & PUDs DO require advertisement and notification

“Non-Advertised” items such as preliminary and final subdivision plats do NOT require legal advertisement and notification

Meetings are generally held the first Monday of every month, beginning at 5:30 PM in the Council Chambers (Third Floor) at City Hall, 1528 3rd Avenue.

Memorandum

To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner
Osing, Planning & Zoning Manager
Subject: Code Interpretation of front yard fence height regulation
Date: December 2, 2024



Introduction and Background Information:

Staff is requesting a code interpretation from the commission regarding fence height in front yards. The particular situation involves instances when houses have varying front yard setbacks. In most cases, 6 foot fences are not allowed to extend past the front building line of a residential or university zoned property. However, in practice, staff allow houses that are setback farther from the street to extend a 6 foot fence in their front yard so long as it's along the side of their property and does not extend past the point where their neighbor could place a 6 foot fence. This situation is shown in the bottom red oval in the attached diagram. Staff contend that this practice satisfies the intent of the Zoning Ordinance and is the fairest way to interpret the code. However, a recent situation has drawn this practice into question. The only other option, as staff see it, is to never allow 6 foot fences to extend past the front building line without a variance. This alternative is shown by the top red oval in the attached diagram. Staff would like the commission to decide how to interpret the code. The relevant code sections are as follows.

- **Definitions of yards:**

- *Front yard: An open space extending the full width of the lot between a principal building and the street right-of-way except for an alley, unoccupied and unobstructed from the ground upward, except as hereinafter specified.;*
- *Side yard: An open space extending from the front yard to the rear yard between a building and the side lot line, unoccupied and unobstructed from the ground upward, except as hereinafter specified.*
- *Rear yard: An open space extending the full width of a lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward, except as hereinafter specified.*

- **Fence Height Requirement:**

- *11.13a Fences and walls located in a yard adjacent to a public street of residential and college and university zoned property shall be no more than four (4) feet in height and the smooth, finished, nonstructural or dressed side of a fence, if any, shall be directed toward the neighboring properties.*

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

Recommendation:

NA

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Legend

 Front yard

 Side yard

 Rear yard

 6' fence

