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## **ZBA STAFF REPORT**

**Application/Case Number:** SU-23-207

**Meeting Date:** Wednesday, July 19, 2023 @ 9:00 a.m.

**From:** Kelly Humphrey, Zoning Investigator

**Petitioner:** Terra Whitmarsh

**Owner(s):** Terra Whitmarsh

**Location:** The property is legally described as PIN 09.36.101.001, Lot 7 Vergane & Bruce Rock River Summer Est, Sheet 77, supplemental for 2019, Section 36, T18N R1E, 4<sup>th</sup> PM, Hampton Township, Rock Island County, Illinois, containing approximately 2 acres.

**Property Description:** This is a lot off 1<sup>st</sup> Avenue North with direct access to the Rock River. The lot is partially wooded and underwater a portion of the year.

**Request:** The petitioner is requesting a Special Use Permit for a Seasonal Recreational Use in an AG-1, Agricultural Preservation District as authorized in Section 3-2-10.3.N of the Rock Island County Code of Ordinances.

**Proposal Summary:** The petitioner is requesting a seasonal recreational permit to allow a camper on this riverfront property for personal use. This space will be utilized by friends and extended family. A Seasonal Recreational Use is defined as *"Camping use on land that is located along a river or body of water allowed by Special Use in some zoning districts. One structure of a seasonal, temporary, movable nature such as a tent, travel trailer, or motor home, but not a mobile home, may be permitted on vacant land. Said temporary structure shall be permitted on site from April 1st through October 31st of each year. Accessory structures are prohibited."*

### **\*\*\*\*\*PLANNING CONSIDERATIONS\*\*\*\*\***

**Surrounding Zoning & Land Use:** The surrounding land on the river side of the road is all zoned AG-1, Agricultural Preservation District. The predominant uses in the area are residential, agricultural or conservation.

**Land Use Plan:** The Rock Island County Future Land Use Map designates this area in the River Neighborhood Mixed Use setting. The River Neighborhood Mixed Use setting describes areas in the county where there are ample opportunities to enjoy significant water-related recreational uses and open space. Some land has been set aside for conservation, and other land continues to be used. The designation can be found along both the Mississippi and Rock Rivers. Historically, land use for temporary residential living began as river cabins or weekend getaways. They have since evolved into year-round residences. The request is consistent with the Plan.

**Suitability:** This request will be suitable with surrounding uses. There are comparable acre tracts ½ mile from

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the site. There are other Seasonal Recreational Uses adjoining on this side of the road.

**Environmental Impacts:** The environmental impacts will be minimal as the use of the property will not change or intensify. No new construction is planned. This lot is in the mapped floodplain and the floodway that is State regulated.

**Transportation Impacts:** Access/Egress is off 1<sup>st</sup> Avenue North, a County road. The IDOT traffic count on 1st Avenue North is 250 vehicles per day. The impact of this request should be minimal. There are no known short or long-range transportation projects scheduled in the vicinity of the parcel.

**\*\*\*\*\*STANDARDS\*\*\*\*\***

1. *That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; This request will have little impact to the surrounding area.*
2. *That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, and will be located and operated to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility; the special use will maintain the character of the surrounding properties and should have little to no effect.*
3. *That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts; this request will not impede development as it only applies to an existing structure and does not alter the use of that structure.*
4. *Those adequate utilities, access roads, drainage and/or other necessary facilities have been, or are being provided. Access is provided via 1<sup>st</sup> Avenue North and facilities are not required for this use.*
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; the access to the tract will continue to be off 1<sup>st</sup> Avenue North township road.*
6. *That the plan of operations for the Special Use is designed to minimize the danger to the surrounding area from fire or other operational accidents; The property will be in keeping with fire safety standards.*
7. *That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the County Board.*

**\*\*\*\*\*CONDITIONS\*\*\*\*\***

1. The recreational vehicle shall be permitted on site from April 1st through October 31st. It cannot be stored onsite outside of the permitted timeframe, it must be removed from the property.
2. Accessory structures are not permitted onsite.
3. Waste disposal shall meet the requirements set forth by the RICO Health Department.
4. Changes to the scope of operation of this facility or ownership shall require another hearing before this Board.
5. An annual inspection of the property will be conducted and a renewal fee shall be paid to continue the use.
6. This Special Use Permit is non-transferable and shall expire if not renewed annually.
7. If a dispute should arise concerning the interpretation herein, a hearing shall be scheduled before the Zoning Board of Appeals and they shall make the final interpretation.