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**THE CITY OF BLUE ISLAND  
COOK COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 2016-032**

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**AN ORDINANCE APPROVING A VARIATION TO THE BLUE  
ISLAND ZONING ORDINANCE OF 1971 AS AMENDED FOR THE  
PROPERTY LOCATED AT 1800 VERMONT STREET,  
BLUE ISLAND, ILLINOIS.**

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**DOMINGO F. VARGAS, Mayor  
Randy Heuser, City Clerk**

**1st Ward TOM HAWLEY  
2nd Ward LETICIA VIEYRA  
3rd Ward NANCY RITA  
4th Ward CANDACE CARR  
5th Ward JANICE OSTLING  
6th Ward DEXTER JOHNSON  
7th Ward NANCY THOMPSON**

**GEORGE POULOS  
FRED BILOTTO  
KEVIN DONAHUE  
ALECIA SLATTERY  
KENNETH PITTMAN  
JAIRO FRAUSTO  
JAMES JOHANSON**

**Aldermen**

**ORDINANCE NO. 2016-032**

**AN ORDINANCE APPROVING A VARIATION TO THE BLUE ISLAND ZONING  
ORDINANCE OF 1971 AS AMENDED FOR THE PROPERTY LOCATED AT  
1800 VERMONT STREET, BLUE ISLAND, ILLINOIS**

WHEREAS, Williams Automotive filed an application with the City of Blue Island for a variation requesting establishment of a special use in the R-1 Single Family Zoning District to operate an automotive repair facility at the property located at and commonly known as 1800 Vermont Street, Blue Island, Illinois;

WHEREAS, the existing zoning classification is R-1 Single Family Residential;

WHEREAS, the Zoning Board of Appeals has held a public hearing on August 29, 2016 in accordance with Section 166.095(D) of the Blue Island Code of Ordinances;

WHEREAS, notice was given of the time and place of the hearing, not more than 30 nor less than 15 days before the hearing, by publishing a notice in the Daily Southtown, a newspaper published in the County of Cook, State of Illinois, of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 IL CS 515, on August 12, 2016;

WHEREAS, this notice was also placed on a statewide public notice website as required by 5 ILCS 512.1;

WHEREAS, proper notice of the meeting of the Zoning Board of Appeals was given and posted in accordance with the Illinois Open Meetings Act;

WHEREAS, the property is improved with a lawfully existing non-conforming building and use as a automotive repair facility pursuant to Section 166.051 of the Blue Island Code of Ordinances;

WHEREAS, the Zoning Board of Appeals is authorized by Section 166.092(D)(1)(g) of the Blue Island Code of Ordinances to provide variations in such other instances as may be provided;

WHEREAS, the Zoning Board of Appeals after due consideration has found that:

- a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
- b. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which would result if the strict letter of the regulations were carried out and which is not generally applicable to other property within the same district.
- c. The alleged hardship has not been created by any person presently having a proprietary interest in the premises.
- d. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- e. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.
- f. The proposed variation will not alter the essential character of the neighborhood.
- g. The proposed variation is in harmony with the spirit and intent of Chapter 166, Zoning Code, of the Blue Island Code of Ordinances.

WHEREAS, the Zoning Board of Appeals has recommended that a variation be granted for the operation of the business as described herein at the premises indicated. A true and correct

copy of the Findings of Fact from the Blue Island Zoning Board of Appeals and Community Development Department Staff Report are attached hereto; and

NOW BE IT ORDAINED, by the City Council of the City of Blue Island, County of Cook, and State of Illinois:

### **SECTION ONE**

The recitals and findings set forth above and in the recommendation of the Blue Island Zoning Board of Appeals regarding the request for a variation are incorporated herein by reference the same as if they were fully set forth herein verbatim and the recitals and findings are adopted as the findings of City Council.

### **SECTION TWO**

The variation to the Blue Island Code of Ordinances is hereby granted based on the proposed standards and conditions summarized in the Findings of Fact attached hereto which provide: establishment of a Special Use in the R-1 Single Family Zoning District for 1800 Vermont Street.

### **SECTION THREE**

The Mayor and City Council, after due consideration, approve the variation to allow the operation of the business as described herein and in the attached staff report subject to the following conditions and requirements:

- a) That the special use herein requested shall, except as varied by this ordinance, conform to all applicable district regulations, codes and ordinances of Blue Island.
- b) That future plans and specifications for building, construction, development or improvements of any kind or nature to the premises be approved by the building

department of the City of Blue Island and any other department with authority under applicable regulations and codes.

The City Clerk is hereby authorized to issue a special use permit to Williams Automotive for the purpose of operating an automobile repair facility located at 1800 Vermont Street, Blue Island, Illinois. The City Clerk shall also forward a copy of this ordinance to the applicant as notification of the passage and approval of this ordinance.

#### **SECTION FOUR**

That the special use permit hereby authorized may be revoked by the City Council upon application being made by the City Building Department or any interested department or party and upon a finding by the City Council that the conditions herein established have not been complied with or otherwise violated.

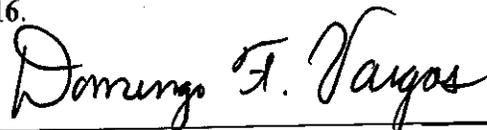
#### **SECTION FIVE**

This ordinance shall be in full force and effect upon the date of passage or as otherwise required by law and shall supersede all ordinances, or parts thereof, in conflict herewith.

ADOPTED this 27th day of September, 2016, pursuant to a roll call vote as follows:

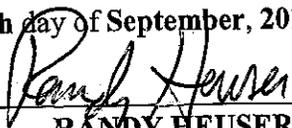
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley	X				
Alderman Poulos	X				
Alderman Vieyra	X				
Alderman Bilotto			X		
Alderman Rita			X		
Alderman Donahue	X				
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson	X				
Alderman Frausto			X		
Alderman Thompson			X		
Alderman Johanson			X		
Mayor Vargas					
TOTAL	9		5		

APPROVED by the Mayor on September 27, 2016.



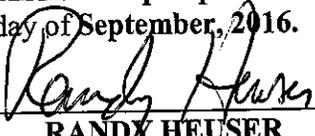
**DOMINGO F. VARGAS**  
MAYOR OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this  
27th day of September, 2016.



\_\_\_\_\_  
**RANDY HEUSER**  
CITY CLERK

PUBLISHED in pamphlet from this  
27th day of September, 2016.



\_\_\_\_\_  
**RANDY HEUSER**  
CITY CLERK

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )     ss.

CERTIFICATE

I, Randy Heuser, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

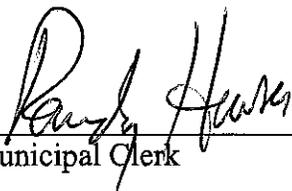
I further certify that on **September 27, 2016** the Corporate Authorities of such municipality passed and approved Ordinance No. **2016 - 032** entitled: **AN ORDINANCE RESCINDING APPROVING A VARIATION TO THE BLUE ISLAND ZONING ORDINANCE OF 1971 AS AMENDED FOR THE PROPERTY LOCATED AT 1800 VERMONT STREET, BLUE ISLAND, ILLINOIS.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2016 – 032** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **September 27, 2016** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **27th** day of **September, 2016**.

(SEAL)

  
\_\_\_\_\_  
Municipal Clerk

**CITY OF BLUE ISLAND ZONING BOARD OF APPEALS  
FINDINGS OF FACT**

**PUBLIC HEARING OF AUGUST 29, 2016**

Guillermo Baez and John Gholar, Williams Automotive, 1800 Vermont Street, Blue Island

On August 29, 2016 the Blue Island Zoning Board of Appeals voted unanimously (7-0) to adopt Findings of Fact recommending City Council approval of a variation to the R-1 Single Family use table, pursuant to Section 166.092(D)(1)(g) of the Blue Island Code of Ordinances, to allow other variations as provided by law. 1800 Vermont Street requires a variation to permit continuation of a non-conforming use in the R-1 zoning district.

**Section 166.092(1) Standards:** The City Council shall not vary the regulations relating to use, construction or alteration of buildings or structures or the use of land as authorized in this Ordinance, unless the Zoning Board of Appeals shall have made findings based upon the evidence presented to it in each specific case that the following conditions have been complied with:

a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

Finding: The Zoning Board of Appeals finds that the property was improved with structures and the use established before adoption of the current zoning regulations.

b. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which would result if the strict letter of the regulations were carried out and which is not generally applicable to other property within the same district..

Finding: The Zoning Board of Appeals finds that the existing improvements on the lot provides a demonstrable hardship.

c. The alleged hardship has not been created by any person presently having a proprietary interest in the premises.

Finding: The Zoning Board of Appeals finds that the existing improvements were built before the current owners purchased the property.

d. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Finding: The Zoning Board of Appeals finds that the proposed variation will formalize existing conditions, documenting the legal status of existing use, which has not been materially detrimental to the public or injurious to the neighborhood.

e. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

Finding: The Zoning Board of Appeals finds that the proposed variation does not request any new construction and that the existing improvements will not be altered.

f. The proposed variation will not alter the essential character of the neighborhood.

Finding: The Zoning Board of Appeals finds that the proposed variation will formalize existing conditions with no alterations to the existing buildings or character.

g. The proposed variation is in harmony with the spirit and intent of this Comprehensive Amendment [Blue Island Zoning Ordinance of 1971, as amended].

Finding: The Zoning Board of Appeals finds that the proposed variation conforms to the non-conforming building and use sections of the Blue Island Zoning Ordinance. Existing structures and use will be maintained on the lot with no expansion.



**City of Blue Island**  
13051 Greenwood Ave  
Blue Island, IL 60406  
www.blueisland.org

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**COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF RECOMMENDATION REPORT**

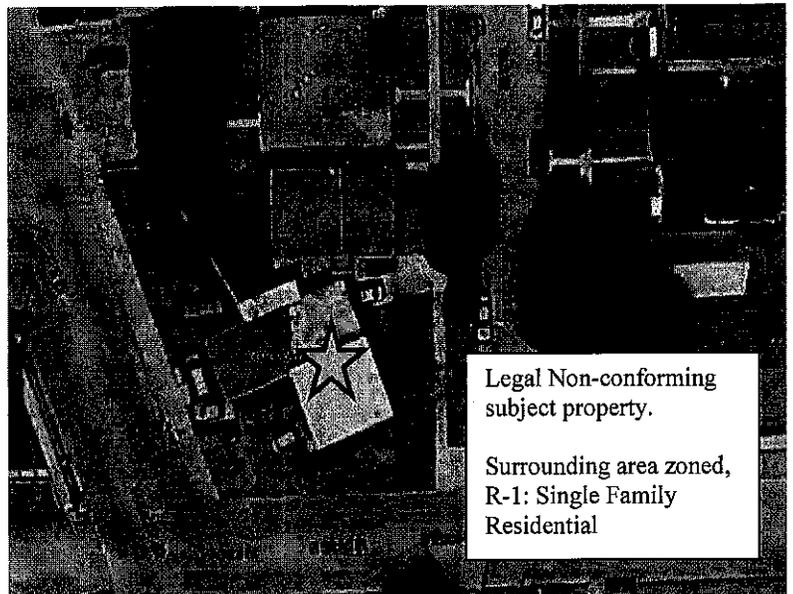
**DATE: AUGUST 26, 2016**

**PREPARED BY: SEAN TERRY, PROJECT MANAGER**

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*This report is prepared by the City of Blue Island Community Development Department to provide a summary of information as it relates to projects reviewed by the Zoning Board of Appeal on the scheduled appeal hearing date: Monday, August 29, 2016.*

**APPLICANT:** WILLIAMS AUTOMOTIVE  
**LOCATION:** 1800 VERMONT STREET  
**OWNER:** MR. GUILLERMO BAEZ,  
MR. JOHN GHOLAR  
**RE:** ZONING VARIATION  
**Zoning:** R-1: Single Family Residential  
**Current Use:** Single story public garage  
**Proposed Use:** Automobile repair shop  
**Past Use:** Automobile repair shop



**I. Project Description**

The applicant seeks a Variation to the Zoning Ordinance to formally recognize a Transfer of Ownership for a legal non-conforming commercial business located in the R-1: Single Family Residential zoning district.

Williams Automotive is a full service automotive repair center located in a business space that was previously inhabited by Frank's Auto Repair. Frank's Auto Repair was a recognized legal non-conforming commercial business that adjoined the private residence of the business' owner.

**II. Approvals Required**

The variation process begins with a public hearing before the Zoning Board of Appeals, which offers its recommendation to City Council for final determination.

**III. Standards for Variation**

Per *Section 8.7 Variations (3) Standards for Variations* of Ordinance 2151 the Zoning Board of Appeals must take the following standards into consideration when determining a variation to and building, structure or use.

- A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
- B. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which would result if the strict letter of the regulations were carried out and which is not generally applicable to other property within the same district.
- C. The alleged hardship has not been created by any person presently having a proprietary interest in the premises.
- D. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- E. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.
- F. The proposed variation will not alter the essential character of the neighborhood.
- G. The proposed variation is in harmony with the spirit and intent of this Comprehensive Amendment.

The Zoning Board of Appeals may recommend the imposition of such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Article, paragraph 8.7(3) above, to reduce or minimize the effect of such variation upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance.

**IV. Authorized Variations**

Per *Section 8.7 Variations (4) Authorized Variations* – Variations from the regulation of the City of Blue Island Zoning Ordinance shall be granted by the City Council only in accordance with the standards established above.

Williams automotive seeks a Variation pursuant to Section 8.7(4)G: In such other instances as may be provided by law.

**V. Additional Staff Recommendations**

Based on the current use (public garage), the property cannot be used in a manner that would alternatively support a permitted use within areas zoned R-1: Single Family Residential zoning district. At present, the current owners are under an unusual hardship as use of the property, as presently configured, is limited to automobile repair and other related automotive businesses.

By authorizing the Variation, the current use of the property will not lose its original character and continues to benefit the City of Blue Island by preserving a business and neighborhood staple that has provided service to the community at this location for over 40 years.

Despite the use of the adjoining properties which are principally residential, the proposed variation is not considered materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood, as the use of this location has not been altered.

Additionally, the neighboring property (1805 York Street) immediately west of the subject property remains occupied by the former business owner [Frank], who has been retained as a non-binding financial interest mentor by the current business owners.

Under its current ownership, the business will continue to provide low volume, boutique automotive repair at a scale suitable to the site's space limitations.

#### **VI. Attachments**

- City of Blue Island Zoning Relief Application
- City of Blue Island Business License Application
- Plat of Survey
- Sanborn Map



City of Blue Island
Zoning Relief Application

Building & Zoning Department
13051 Greenwood Ave
Blue Island, IL 60406
P (708) 597-8606 • F (708) 396-2686
bulding@cityofblueisland.org
www.blueisland.org

- Variation (checked)
Text Amendment
Other:
Special Use
Map Amendment

Williams Automotive
Applicant Name

Guillermo Baez
Owner Name (if different than applicant)

1800 Vermont Street
Applicant Address

3827 S. Damen
Owner Address CHICAGO, IL. 60609

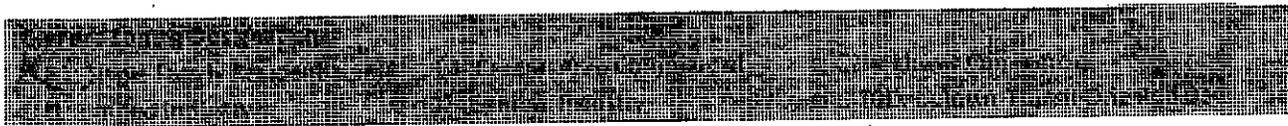
708-385-6229
Applicant Phone

773-782-7199
Owner Phone

willsauto2015@gmail.com
Applicant Email

gbaez1130@gmail.com
Owner Email

Property address: 1800 Vermont Street



Property Identification Number (Use additional sheets if necessary)

- 1 [Redacted]
2 [Redacted]
3 [Redacted]
4 [Redacted]

Nature of Applicant's Interest: VARIATION TO ZONING ORDINANCE TO RECOGNIZE TRANSFER OF OWNERSHIP FOR A LEGAL NON-CONFORMING COMMERCIAL BUSINESS IN

Print Name R-7 RESIDENTIAL Date

Signature

OFFICE USE ONLY

8-31-2015
Date of Application

Date of Publication(s)

8-29-2016
Date of Hearing

Date of Hearing

Date of Hearing

Date of Hearing

Recommendation(s)

\$
Application Fee

RECEIVED

AUG 31 2015



City of Blue Island
Business License Application

Blue Island City Hall
13051 Greenwood Ave
Blue Island, IL 60406
708.597.8606 • F: 708.396.2686
www.blueisland.org

- New Business
Relocate Business
Change Ownership of Existing Business
State-licensed Business Registration
Home Business
Submit copy of State License with application

Business Information

William's Automotive

Business Name: 1800 Vermont St Blue Island IL 60406
Corporate Name (if applicable)
Business Address: 708-385-6229
Corporate Address
Business Phone
Corporate Phone
Business Email Address: willsaudio2015@gmail.com
Corporate Email Address
Square footage of Business: 1845
Do you own or rent building: Own
Property Identification Number: 25-31-215-093-0000

Aldermanic Ward: 4th Ward

If renting space, list the owner's name & address
Owners Name
Owners Address
Days of Operation: Mon, Tue, Wed, Thurs, Fri, Sat

Current Zoning Designation: R1: Single Family Residential
Hours of Operation: M-F 8-6pm SAT 8-3pm SUN closed

Will your business be serving liquor? No
If yes, are you an elected official or police officer? No
Will your business be serving food? No
Form of Business: Corporation

Federal Tax Identification Number: 47-4878205
If yes, Food Certification #

Illinois Retail Occupation Tax Number

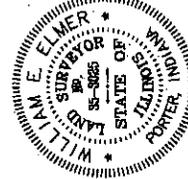
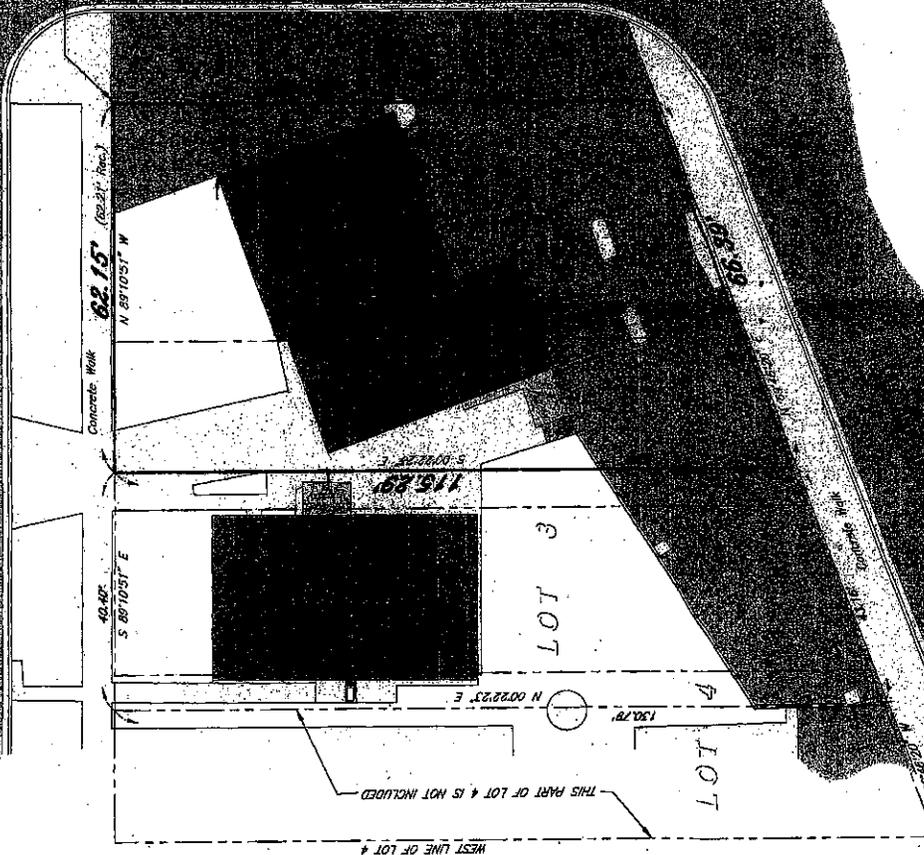
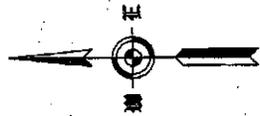
# Plat of Survey

Scale: 1" = 20'

Date: October 29, 2003

Order #081280-2

Rev. Lot Size 7/2



If you have any questions regarding this plat, please do not hesitate to call us. Dimensions shown are in feet and decimal parts thereof

# William Elmer & Associates

Professional Land Surveyors  
1211 Swanset Lane  
Porter, In. 46384  
(219) 928-1682



## Legal Description

Lot 1 and the Lot 2 except the West 6.28 feet of said Lot 2 in Block 5 in Rehm's Addition to Blue Island in the North, East 1/4 of Section 31, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

To: Therese L. O'Brien

J. William E. Elmer, an Illinois Registered Land Surveyor, do hereby certify to the above named party that on the data shown a survey of the described property was made and to the best of my knowledge and belief this plat represents the facts found at said time. This professional service conforms to the current Illinois minimum standards for a boundary survey. This plat was prepared for the above named party only and is only valid if the surveyors embossed seal is present.

*[Signature]*  
William E. Elmer  
Illinois Professional Land Surveyor #35-3025

NOTE: The legal description shown on this plat was provided by the client and must be compared with the deed and/or title policy.

For building restrictions and/or assessments refer to your deed, contract, title policy and local zoning restrictions.



The Sanborn Library, LLC

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Sanborn Fire Insurance Maps  
1887-1946

