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

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**ORDINANCE  
NUMBER 2020-032**

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**AN ORDINANCE GRANTING A PARKING VARIATION OF  
THE BLUE ISLAND ZONING CODE FOR THE PROPERTY  
LOCATED AT 1964 VERMONT STREET, BLUE ISLAND,  
ILLINOIS**

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

<b>ZYLMAN</b>	<b>DEXTER JOHNSON</b>	<b>ANNETTE ALEXANDER</b>
<b>STEVO</b>	<b>FRED BILOTTO</b>	<b>WILLIAM CAZARES</b>
	<b>NANCY RITA</b>	<b>KEVIN DONAHUE</b>
	<b>TOM HAWLEY</b>	<b>BILL FAHRENWALD</b>
	<b>MICHAEL MECH</b>	<b>JOHNNY RINGO HILL</b>
	<b>CANDACE CARR</b>	<b>RAEANN CANTELO-</b>
	<b>JAMES KLINKER</b>	<b>ALLAN</b>

**Aldermen**

**ORDINANCE NO. 2020-032**

**AN ORDINANCE GRANTING A PARKING VARIATION OF THE  
BLUE ISLAND ZONING CODE FOR THE PROPERTY LOCATED AT  
1964 VERMONT STREET, BLUE ISLAND, ILLINOIS**

**WHEREAS**, Victor M. Lozano filed an application for zoning relief with the City of Blue Island requesting a parking variation for the property located at and commonly known as 1964 Vermont Street, Blue Island, Illinois;

**WHEREAS**, the applicant is requesting the parking variance to reduce off-street parking to a total of eight parking spaces for this property located in a C-2 Highway Commercial Zoning District;

**WHEREAS**, the existing zoning classification is C-2 Highway Commercial;

**WHEREAS**, the legal description of the property is attached hereto as Exhibit "A";

**WHEREAS**, the property is presently improved with a restaurant which is located at 1964 Vermont Street;

**WHEREAS**, the Zoning Board of Appeals held a public hearing on August 6, 2020 in accordance with Section 166.092(B) of the Blue Island Code of Ordinances;

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

**WHEREAS**, Section 166.092(D)(1)(d) of the Blue Island Code of Ordinances authorizes a variation to reduce the applicable off-street parking or loading facilities by not more than one parking or loading space, or twenty percent (20%) of the applicable regulations, whichever number is greater;

**WHEREAS**, the Zoning Board of Appeals has recommended that zoning relief be granted at the premises indicated. A true and correct copy of the Findings of Fact and

Recommendation from the Blue Island Zoning Board of Appeals is attached hereto as Exhibit "B";

**NOW THEREFORE 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 zoning relief and a parking variation to allow for a reduction in off-street parking to a total of eight (8) parking spaces, 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 Zoning Code permitting a reduction of off-street parking spaces to a total of eight parking spaces for this property, is hereby granted based on the proposed standards and conditions summarized in the Recommendation of the Zoning Board of Appeals attached hereto.

**SECTION THREE**

That this variation allowing a reduction of off-street parking spaces from the amount required by the regulations applicable in a C-2 Highway Commercial Zoning District for the subject property is subject to a condition that the owner, Victor M. Lozano, reappear at the Zoning Board of Appeals six (6) months from the first day the restaurant opens for business to revisit the parking for on-street and valet parking to allow for additional comment by the Zoning Board of Appeals concerning the parking matter which is the subject of this variation ordinance.

#### **SECTION FOUR**

That the variation hereby granted 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 have otherwise been 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. All other provisions of the Blue Island Zoning Code (Title XV Land Usage, Chapter 166 Zoning Code) shall remain unchanged and in full force and effect.

*(Intentionally Left Blank)*

**ADOPTED** this 8th day of September, 2020, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman ALEXANDER	X				
Alderman BILOTTO	X				
Alderman CAZARES	X				
Alderman RITA		X			
Alderman DONAHUE		X			
Alderman HAWLEY	X				
Alderman FAHRENWALD	X				
Alderman MECH	X				
Alderman HILL	X				
Alderman CANTELO-ZYLMAN	X				
Alderman CARR	X				
Alderman STEVO	X				
Alderman KLINKER	X				
Mayor DOMINGO F. VARGAS					
	12	2			

**APPROVED:** this 8th day of September, 2020

*Domingo F. Vargas*

**MAYOR OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS**

**ATTESTED** and Filed in my office this  
8<sup>th</sup> day of September, 2020.

*Randy Henry*  
\_\_\_\_\_  
**CITY CLERK**

**PUBLISHED** in pamphlet form this  
8<sup>th</sup> day of September, 2020.

*Randy Henry*  
\_\_\_\_\_  
**CITY CLERK**

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

**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 8, 2020** the Corporate Authorities of such municipality passed and approved Ordinance No. **2020 - 032** Entitled:  
**AN ORDINANCE GRANTING A PARKING VARIATION OF THE BLUE ISLAND ZONING CODE FOR THE PROPERTY LOCATED AT 1964 VERMONT STREET, BLUE ISLAND, ILLINOIS.**

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

The pamphlet form of Ordinance No. **2020 - 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 8, 2020** 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 **8th** day of **September, 2020**.

CORPORATE SEAL

  
\_\_\_\_\_  
CITY CLERK

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

THAT PART OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4, THENCE NORTH 157.1 FEET, THENCE NORTH 69 DEGREES EAST 85.65 FEET, THENCE SOUTH 157.1 FEET, THENCE SOUTH 69 DEGREES WEST 85.65 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART OF SAID PREMISES TAKEN FOR DIVISION AND VERMONT STREETS), IN COOK COUNTY, ILLINOIS.

PIN: 25-31-215-033-0000

Property Address: 1964 Vermont Street, Blue Island, Illinois 60406

**EXHIBIT "B"**

**FINDINGS OF FACT AND RECOMMENDATION  
OF THE BLUE ISLAND ZONING BOARD OF APPEALS  
INCLUDING DEPICTION OF PARKING PLAN**



**City of Blue Island**  
**Building & Zoning Department**  
13051 Greenwood Avenue  
Blue Island, IL 60406  
Office (708) 597-8606  
Fax (708) 396-2686  
building@cityofblueisland.org

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**FINDINGS OF FACT**

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**CITY OF BLUE ISLAND ZONING BOARD OF APPEALS (ZBA)**  
**PUBLIC HEARINGS OF JULY 2, 2020 & AUGUST 6, 2020**

Victor M. Lozano (Property Owner/Parking Applicant), 1964 Vermont Street, Blue Island, IL 60406

On August 6, 2020, the Zoning Board of Appeals voted (6-0) to adopt the Findings of Fact recommending City Council approval of a parking variance of the Blue Island Zoning Ordinance of 1971, as amended.

In the approval of the parking variance, the Zoning Board of Appeals requested a condition to be added to the parking variance, which requires for Victor M. Lozano to reappear at the Zoning Board of Appeals in six (6) month from the first day of the restaurant opening to revisit the parking situation for on-street and valet parking. This will allow for the Zoning Board of Appeals to provide additional comment or advice on the parking matter.

**Section 8.7(4)(d) [Section 166.092(D)(1)(d)]:** Variations from the regulations of this chapter shall be granted by the City Council only in accordance with the standards established in this section and only in the following instances:

*"To reduce the applicable off-street parking or loading facilities required by not more than one parking space or loading space, or twenty percent (20%) of the applicable regulations, whichever number is greater."*

Victor M. Lozano is requesting for a parking variance of eight (8) parking spaces from the Highway Commercial (C-2) District.

**Section 8.7(3) [Section 166.092(B)(1)]:** The Blue Island City Council shall not vary the regulations relating to use, construction or alternation 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.

**Applicant Finding: No.** If the restaurant is restricted to only the seating that corresponds with the parking available in the back lot, the business will be limited to a degree that it will be very difficult to be profitable under the current plan to create a full-service, dining-room style restaurant.

**ZBA Finding:** The Board finds the restaurant applicant is trying his very best to mitigate the parking ratio between the numbers of indoor seating to outdoor parking spaces required. The restaurant

applicant has reduced his indoor seating capacity by twenty-five percent (25%) to mitigate his parking variance request. The Board finds this approach to be acceptable.

- 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.

**Applicant Finding:** Yes, the variation will alleviate a demonstrable hardship. Without the variation, the owners will have to completely depart from the current layout and operational structure of the restaurant, if they wish for it to continue to be a restaurant. Right now, the owners have, and continue to, renovate and update the restaurant, but essentially continue the category of restaurant as previously existed, as goes a typical business purchase. Having to completely change the concept of their food service, or consider moving out of food service all together, would be a significant hardship for the owners, who bought this property intending to operate it as a restaurant similar to—although improved from—what existed there previously.

**ZBA Finding:** The Board finds the restaurant applicant understands the limitation associated with his rear parking lot, and the applicant is trying to remedy this problem by reducing his indoor seating to better facilitate and lessen the burden of vehicles to be parked on the surrounding streets.

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

**Applicant Finding:** No. It is unclear why this zoning restriction did not come up in the past, but the current owners have not been previously involved with this property or business.

**ZBA Findings:** The Board finds the existing property is limited in parking capacity to allow for a sit-down restaurant to properly function. The Board understands that this restaurant applicant was not involved in the former restaurant indifference to community's concerns when it came to on-street parking. This restaurant applicant is trying to build a better rapport with the community.

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

**Applicant Finding:** No. The owner is aware of the serious issues caused by the previous operators of the restaurant and the detriment they created for residents and other businesses. The new owner is absolutely committed to preventing a recurrence of these issues. Furthermore, if any new issue does arise as the restaurant becomes operational, the owners pledge to be available and immediately responsive to residents, other property owners, or representatives of the city.

**ZBA Finding:** The Board finds the restaurant applicant to be amendable to working with the community, and the applicant is trying to resolve the parking issue as best as possible. This parking variance will not be detrimental to the public welfare or injurious to other property owners because the restaurant applicant will provide for valet service to park as many vehicles on the Fulton Street Parking lot from Friday through Sunday, while on the weekdays, Monday through Thursday, the applicant will park eleven (11) vehicles on his rear parking lot and park seven (7) vehicles either on Division and Vermont Street. In this situation, the applicant will rearrange his

rear parking lot to accommodate for one (1) vehicle, which will reduce the amount of vehicles to be parked on city streets from eight (8) to seven (7) vehicles.

- 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.

**Applicant Finding:** No. This standard relates to variations for signage and is not applicable here. *[Mr. Marsik means the 'existing' restaurant building will not impact the immediate neighborhood in a negative manner.]*

**ZBA Finding:** The Board finds this new restaurant will create less congestion in the public streets because the restaurant owner will reduce his indoor seating capacity. The existing building, before the granting of a new restaurant occupancy permit, will be inspected for building safety and any noted deficiency will be corrected by the Building Department. The Health Inspector will do the same for health and sanitation.

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

**Applicant Finding:** No. On the contrary, a new restaurant operating at this property will fit in with and enhance the character of the neighborhood. This is a commercial area with other small businesses in the immediate vicinity. A sit-down restaurant should be a welcome addition. Moreover, the building at the property has been non-operational for some time now, which is economically and aesthetically detrimental to the area. Reversing that should be in the best interests of the neighborhood, generally.

**ZBA Finding:** The Board finds the proposed sit-down restaurant to be an asset to the community because it provides for a place where people can meet, mingle, and enjoy their meals in company with other people. This intersection, where the proposed restaurant will be opened, contains two (2) smaller food markets on either sides of the street where people can shop and eat in the same vicinity.

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

**Applicant Finding:** Yes, the spirit of the subject regulation is to ensure that a business has an appropriate amount of available parking, so as to not burden other businesses and residents in the area. The owners are cognizant of this and making every effort to create a parking scheme with their restaurant that is good for customers and not burdensome to the neighborhood. Under these circumstances, the granting a variation will not lead to the situation that the regulations seek to avoid.

**ZBA Finding:** The Board finds the proposed parking variation to conform, as best as possible, to the intent of the Zoning Ordinance. The Board agrees that all of the parking should be kept onsite, but this restaurant property contains limited parking for a building that can hold a much larger occupant load. The applicant has voluntarily reduced his indoor seating capacity to request for a smaller parking variance. Finally, the applicant will incorporate valet parking to help remedy the parking problem as well.



**City of Blue Island**  
**Building & Zoning Department**  
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Fax (708) 396-2686  
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**RECOMMENDATION LETTER**

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**PARKING VARIANCE**

Date: 08-07-2020

Victor M. Lozano (Property Owner/Restaurant Applicant), 1964 Vermont Street, Blue Island, IL 60406

**I. Introduction and Purpose**

The City of Blue Island received an application to grant a parking variance from Victor M. Lozano for the property located at 1964 Vermont Street in the Highway Commercial (C-2) District.

**II. Discussion and Highlights**

The restaurant applicant requested a parking variance for eight (8) parking spaces in an area of the city that is very conducive for business. The restaurant owner will provide for valet parking. Vehicles will be parked either on city streets or on a shared public parking lot.

In the approval of the parking variance, the Zoning Board of Appeals requested a condition to be added to the parking variance, which requires for Victor M. Lozano to reappear at the Zoning Board of Appeals in six (6) month from the first day of the restaurant opening to revisit the parking situation for on-street and valet parking. This will allow for the Zoning Board of Appeals to provide additional comment or advice on the parking matter.

On August 6, 2020, the Zoning Board of Appeals (ZBA) voted in favor (6-0) to grant the parking variation.

**III. Conclusion and Recommendation**

Recommendation to grant the parking variation.

Staff Contact: Howard M. Coppari, LEED AP, Community Development Manager  
Email: hcoppari@cityofblueisland.org