



**City of Blue Island
Building & Zoning Department**

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MINUTES

ZONING BOARD OF APPEALS

**CITY COUNCIL EAST ANNEX BUILDING
2434 VERMONT STREET
BLUE ISLAND, IL 60406**

Commissioner Chairman Clifford Griffin called the meeting to order at 7:10 PM.

I. Roll Call

Present

Brandon Richardella
Eric Frausto

Staff

Howard M. Coppari, Community Development Manager
Francisca Pineda-Rodriguez, Francisco Rodriguez's Wife

Jeffrey Atwell
Joseph Watkins
Clifford Griffin
Michael Sinda

Absent

Vonda Hardy

II. Approval of Minutes

Vote on the motion as follows: approval of Zoning Minutes for August 5, 2019.

AYES	<u>6</u>	Richardella, Frausto, Atwell, Watkins, Griffin, and Sinda
NAYS	<u>0</u>	
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Hardy

III. Public Comment

None

IV. Old Business

None

V. New Business

Francisco Rodriguez zoning appeal for a semi-completed, detached garage built within the corner, front yard set back area. The property is located at 2122 Grove Street in Blue Island.

Minutes for the Zoning Board of Appeals (Continue)

Board Chair Clifford Griffin called to the order of the Zoning Board of Appeals hearing. Mr. Griffin asked for Board Jeffrey Atwell to conduct a roll call of the Board Members present for the meeting. Mr. Griffin asked for everyone to stand up and pledge alliance to the flag.

Board Eric Frausto recused himself from the zoning appeal hearing because he is related to Francisco Rodriguez, and he would also speak on his behalf. Since Mr. Rodriguez was not present, but attending to a health emergency in regards to his mother in Houston, Texas; Mr. Frausto will speak more in his absence.

Chair Griffin introduced Ms. Rodriguez to the podium. Chair Griffin allowed for Ms. Francisca Pineda-Rodriguez to speak about the zoning appeal. However, it became very evident because of the language barrier that Mr. Frausto had to take over the responsibility to speak on behalf of Mr. Rodriguez.

Mr. Frausto explained the zoning appeal in great details. Basically, Mr. Rodriguez built a detached garage within three (3) feet from the front property line instead of the mandatory fifteen (15) feet required by zoning. Mr. Frausto said that Mr. Rodriguez applied for a building permit and went through the process to the best of his abilities, but unfortunately because of the language barrier, he built the detached garage within the fifteen (15) feet of the front yard setback.

Community Development Manager Howard M. Coppari explained what happened on behalf of the city.

First, Mr. Coppari said that Brian Pohlis, the former Building Official, who no longer works for the city anymore, and he was summoned to speak on behalf of the city.

Mr. Coppari summarized that Mr. Rodriguez did apply for a building permit, but he spoke to a lot of people who longer works for the city. This includes Liz Flores, a former Building Clerk, and Maria Zavala, a former Building Clerk. Both women assisted Mr. Rodriguez during the application submittal process.

Second, Mr. Coppari said that he was involved in this process because the detached garage was being built in the Uptown Transit Oriented Development District (UTOD), which had a minimum front yard setback of fifteen (15) feet to twenty-five (25) feet, which complicated the building permit process.

Mr. Coppari explained that he drew the dimensions on the survey plan because Mr. Rodriguez was unsure if wanted to build an attached garage to his single-family house or a detached garage that was awfully close to his single-family house. Mr. Rodriguez kept wavering on the intent of the garage project. Hence the reason, that Mr. Coppari pencil marks were numerous on the survey plan.

Third, Mr. Coppari said that once the building permit was issued; Marc Shulga, the Building Inspector, was the person who supervised the foundation forms inspection. Mr. Shulga was not present at the hearing because he is out on knee surgery.

Mr. Coppari commented that Mr. Shulga went to the site to inspect the foundation forms, and not the setbacks associated with the detached garage. In other words, an important opportunity was missed during this process.

Mr. Pohlis should have been more involved in this precise inspection, and the overall building permit process, but he was very busy during the summer months.

Minutes for the Zoning Board of Appeals (Continue)

Mr. Coppari summarized that the Building Department experiences the most business, in regards to building permits and code enforcement complaints, during the summer months. Mr. Pohlis was deeply behind on many issues in regards to the Building Department. Hence the reason, that Mr. Pohlis chose to seek employment elsewhere. Mr. Pohlis was not interested in maintaining his status as the Building Official in Blue Island.

Basically, Mr. Coppari mentioned that Mr. Pohlis was simply overwhelmed with his duties as the Building Official. Please keep in mind that Mr. Pohlis served the city as the Building Official in that capacity for only seven (7) months. During this period, Mr. Rodriguez was applying for his building permit.

Fourth, Mr. Coppari said that the city missed the opportunity to rectify the mistake, but it was too late because when Mr. Shulga re-inspected the property, he witnessed the detached garage entirely built. By then, Mr. Pohlis had no other opportunity, to stop and rescind the building permit in violation of a semi-completed, detached garage erected within the corner, front yard setback.

Mr. Coppari explained that at this point, the city had no other recourse, but issue a stop work order until the situation is improved upon. This meant that Mr. Rodriguez had thirty (30) days to appeal the Building Official decision or be compelled to comply with the building and zoning codes to either tear down the detached garage or simply move the garage over another twelve (12) feet away from the front yard setback area.

Mr. Rodriguez allowed for thirty (30) days to elapse. In reality, forty-five (45) days passed before Mr. Frausto visited the Building Department, and he spoke with Mr. Pohlis and Mr. Coppari about the zoning issue. Mr. Coppari mentioned that Mr. Rodriguez missed his opportunity to appeal the Building Official's decision in front of the Zoning Board of Appeals (ZBA), but Mr. Coppari encouraged Mr. Rodriguez and Mr. Frausto apply for a time waiver in front of the Community Development Committee to see if this advisory committee, which is composed of aldermen, can approve a recommendation to allow the Zoning Board of Appeals (ZBA) to hear the zoning appeal after thirty (30) days to legally appeal it. The Community Development Committee unanimously approved the opportunity for Mr. Rodriguez and Mr. Frausto to have their zoning appeal case heard at the Zoning Board of Appeals (ZBA).

Mr. Coppari said that the city and the applicant were both at fault in this situation. The city for not being more rigorous in their inspection and verification process, while the applicant for not following through with Building Department's approval for his detached garage to be erected fifteen (15) feet behind the front yard setback area.

Again, Mr. Coppari illustrated to the Zoning Board of Appeals (ZBA) that every document contained his pencil drawn remarks, which clearly showed a fifteen (15) foot line on the survey plan. This should have been followed by Mr. Rodriguez. Board Members Brandon Richardella, Michael Sinde, and Joseph Watkins asked questions about the review process and how things were done; it became very evident that the Building Department was not at "the top of their game" during the review process.

This demonstrated a "lesson learned" opportunity that the Building Department will need to toughen its stance in reviewing building permits, inspecting properties, and approving building permits in a more detailed and methodical manner. The new Building Official will need to be more vigilant in this manner; no more mistakes, like this one, can happen again.

Minutes for the Zoning Board of Appeals (Continue)

Chair Griffin asked for someone to propose a vote to uphold Francisco Rodriguez's zoning appeal against Brian Pohlis' decision to stop and rescind the building permit, and Mr. Griffin asked for a roll call. Board Richardella made a motion, which was seconded by Board Sinde, to uphold Mr. Rodriguez zoning appeal.

Vote on the motion on the zoning appeal as follows:

AYES	5	Richardella, Atwell, Watkins, Griffin, and Sinde
NAYS	0	
ABSTAIN	1	Frausto (who recused himself from the hearing and is related to Mr. Rodriguez)
ABSENT	1	Hardy

VI. Commissioners Comments

Mr. Coppari spoke about the upcoming Special Meeting between the Planning Commission and the Zoning Board of Appeals (ZBA) for Thursday, December 12, 2019 at 7:30 PM at the East Annex Building in regards for the review and approval for a brand new text amendment to approve adult use cannabis within the municipality.

Mr. Coppari explained the entire text amendment process in great details, and he said that both entities, if they are not comfortable with the quick timeframe, can ask for extension to hear the text amendment in January of 2020. He said that they have to make the right decision.

VII. Adjournment

On a motion by Chair Griffin seconded by Board Atwell, the Board Members agreed to adjourn the meeting.

Vote on the motion to adjourn for the evening as follows:

AYES	<u>6</u>	Richardella, Frausto, Atwell, Watkins, Griffin, and Sinde
NAYS	<u>0</u>	
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Hardy

The meeting adjourned at 7:53 PM.

These minutes are not a verbatim record of the meeting, but a summary of the proceedings.

Jan 06, 2020
Date


Clifford Griffin, Chairman