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

**ORDINANCE
NUMBER 2023- 002**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, APPROVING A VARIANCE FOR THE
PROPERTY LOCATED AT 2309 W. 123RD STREET**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL**

Aldermen

ORDINANCE NUMBER 2023-002

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
APPROVING A VARIANCE FOR THE PROPERTY LOCATED AT 2309 W. 123RD
STREET**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, an application for a variance to Chapter 165 of the Code of Ordinances of the City (the “*Zoning Code*”) has been submitted to the City by Lynda Simmons (the “*Applicant*”) to install a privacy fence within her secondary front yard (the “*Variance*”) along South Gregory Street on the corner property located at 2309 W. 123rd Street, Blue Island, Illinois and as legally described and depicted on Exhibit A (the “*Property*”); and

WHEREAS, the Planning and Zoning Board of Appeals (“*PZBA*”) held a public hearing on December 1, 2023 (the “*Public Hearing*”) as to whether the Variance should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said Public Hearing date; and

WHEREAS, the PZBA has filed its findings of fact and recommendation that the Variance be granted, and the Mayor and Aldermen of the City have duly considered said findings of fact and recommendation, and

WHEREAS, the Mayor and Aldermen of the City deem it advisable and in the best interest of the health, safety, and welfare of the residents of the City to grant the Variance subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Mayor and Aldermen of the City hereby adopt by reference the findings of fact of the Planning and Zoning Board of Appeals as findings of the Mayor and Aldermen of the City as if completely set forth herein. All documents and exhibits submitted at the aforesaid public hearings are also incorporated by reference into this Ordinance.

Section 3. In addition to the findings set forth in Section 2 hereof, the Mayor and Aldermen of the City further find in relation to the Variance as follows:

1. That the Property cannot yield a reasonable return if the Variance is not granted;
2. That the Variance will alleviate the unusual hardship that the property faces due to its location across from a baseball field and a school building;
3. That the hardship was not created by the owner of the Property;
4. That the Variance will not be materially detrimental to the public welfare because this fence will increase the Applicant's welfare and not harm anyone else's;
5. The Variance will not impair conditions surrounding the Property or endanger public safety because the fence will only be six feet high, set back 2.5 feet from the sidewalk, with a vision triangle by the driveway;
6. That the Variance will not alter the essential character of the neighborhood; and
7. That the Variance is in harmony with the spirit and intent of the Zoning Code.

Section 4. A variance is hereby granted and issued to Lynda Simmons for a privacy fence on her secondary side yard along South Gregory Street, as presented, on the property located at 2309 W. 123rd Street, Blue Island, Illinois.

Section 5. Applicant hereunder, and the installation of the privacy fence, shall at all times comply with the terms and conditions of the City Code of Ordinances, including the Zoning Code, and, in the event of non-compliance, the Applicant's variance shall be subject to revocation.

Section 6. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 7. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8. This Ordinance shall be in full force and effect following its passage, approval and publication in pamphlet form as provided by law.

[Intentionally left blank]

ADOPTED this 10th day of January, 2023, pursuant to roll call as follows:

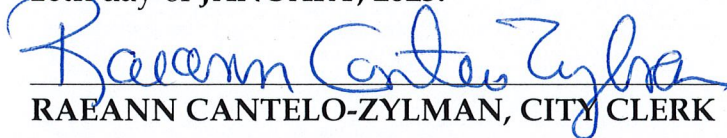
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE	X				
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	7				

APPROVED by the Mayor on January 10, 2023.



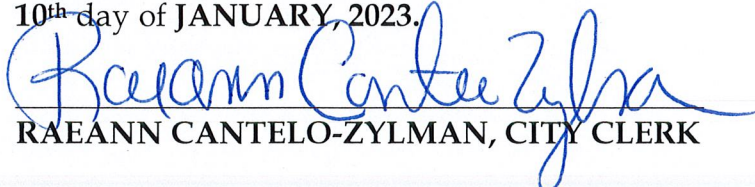
FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
10th day of JANUARY, 2023.



RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
10th day of JANUARY, 2023.



RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATION

I, RAEANN CANTELO-ZYLMAN, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the ORDINANCE and BOOKS of the records of said City.

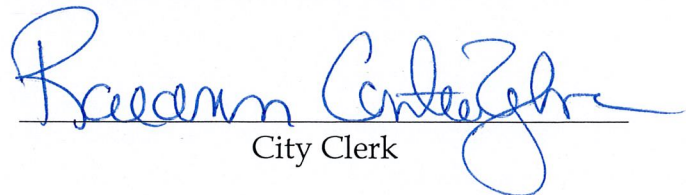
I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, APPROVING A VARIANCE FOR THE PROPERTY LOCATED AT 2309 W. 123RD STREET.**

ORDINANCE NO. 2023-002 which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **10th day of January, 2023**; that at said meeting **7** Alderman were present; that at said meeting, on motion duly made and seconded that the Ordinance did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Ordinance was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **7** Alderman voted Aye and **0** Alderman voted Nay and **0** Alderman voted Abstain and **0** Alderman Absent.

I DO FURTHER CERTIFY that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **10th** day of **January, 2023**.

CORPORATE SEAL



City Clerk



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, 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 **JANUARY 10, 2023** the Corporate Authorities of such municipality passed and approved Ordinance No. **2023 - 002** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, APPROVING A VARIANCE FOR THE PROPERTY LOCATED AT 2309 W. 123RD STREET.**

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

The pamphlet form of Ordinance No. **2023 - 002** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **January 10, 2023** 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 **10th** day of **January, 2023.**

CORPORATE SEAL

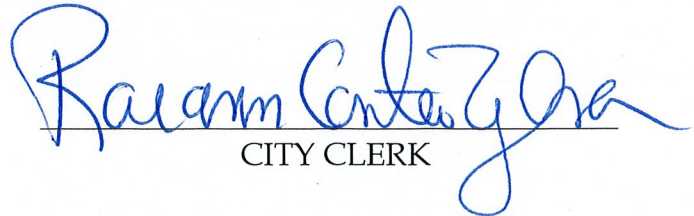

CITY CLERK

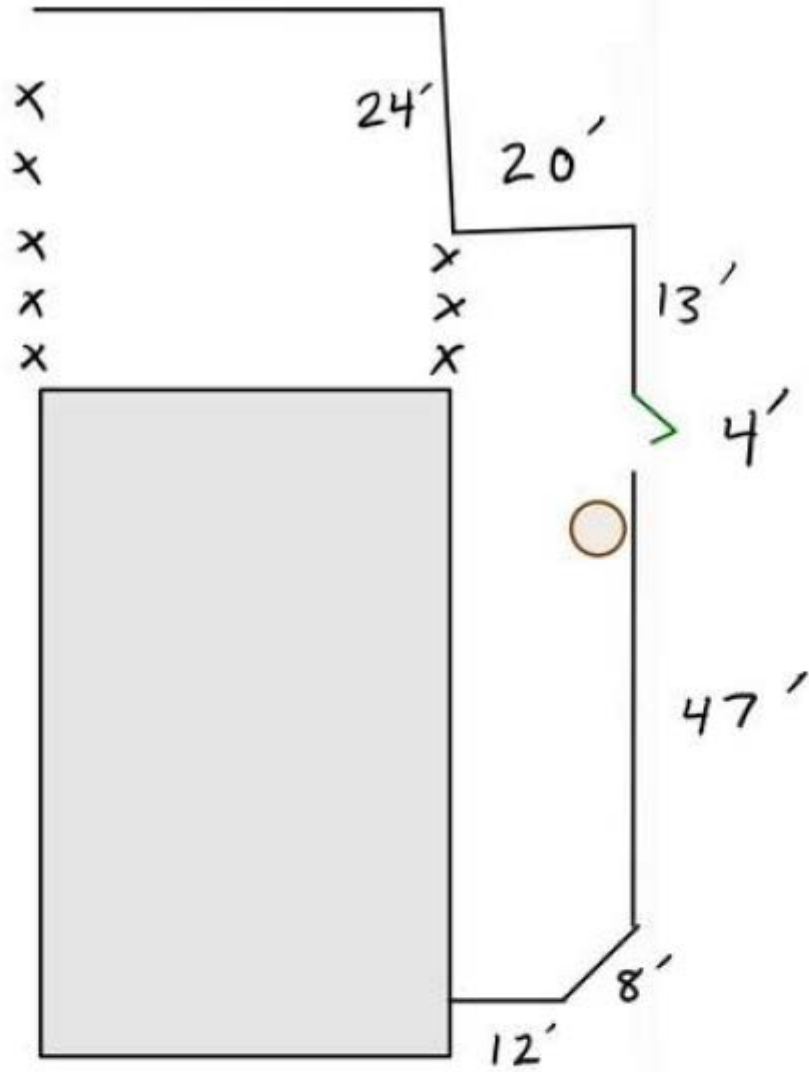


Exhibit A

Legal Description

ADDRESS: 2309 W. 123rd Street, Blue Island, Illinois
PIN: 25-30-301-002-0000

THE SOUTH 125 FEET OF THE NORTH 158 FEET OF THE EAST 50 FEET OF THE WEST 80 FEET OF BLOCK 2 IN LUDWIG KRUEGER'S SUBDIVISION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF LOTS 5 AND 6 OF THE WEST HALF OF THE SOUTH WEST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.



Customer Name:

Linda Simmons

Yard footage

155 ft

Height of fence

6 ft

