

**JOURNAL OF THE PROCEEDINGS OF THE
PLANNING AND ZONING BOARD OF APPEALS
April 7, 2022**

CALL TO ORDER

A meeting of the Planning and Zoning Board of Appeals of the City of Blue Island was called to order by Chairman David Johnson at 7:03 p.m. on April 7, 2022.

ROLL CALL

Roll call indicates the following:

Present:	5	Annette Alexander, David Johnson, Samuel Jones, Michael Sinde, Jason Berry (@ 7:06)
Absent	2	David Brown, A.J. Weir
Present Also:		Howard Coppari, Community Development Mgr. Ryan Morton, City Attorney Applicants and other members of the public

PUBLIC COMMENT

None.

OLD BUSINESS

1. Minutes of March 3, 2022 PZBA Meeting.

Motion by Alexander, second by Johnson, to approve the minutes of the March 3, 2022 meeting of the Planning and Zoning Board of Appeals.

Ayes:	4	Alexander, Johnson, Jones, Sinde
Nays:	0	

There being four affirmative votes, the Chairman declared the motion carried.

NEW BUSINESS

1. Large Sign and sign variances at 12952 S. Western Ave. in the UTOD District. [Lyric Venture, LLC]

Chairman Johnson opened the public hearing at 7:06 p.m. All potential witnesses were sworn in.

Alderman Bill Fahrenwald (4th Ward) testified in support of the application, saying that this is an extraordinary development that is planned. Amanda Melvin of Lyric Venture thanked Coppari for helping her through this process. The goal is to install a large marquee sign on the front of the Lyric Theater, reminiscent of its old sign. The variances would allow internal illumination and changeable copy in the sign. The Board asked about the historical evolution of the sign. Johnson commented that these variances go hand-in-hand with theater signs.

Coppari detailed the specifications of the sign. Morton clarified that the Board's decision on whether to allow the large sign is a final decision per the UTOD Ordinance, while the variances will be a recommendation to the City Council. Melvin hopes the sign will be done in June.

There were no other public comments. Johnson closed the public hearing at 7:18 p.m.

After discussion, **motion by Berry, seconded by Sinde, to approve the Large Sign application, as presented.**

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinde

Nays: 0

There being five affirmative votes, the Chairman declared the motion carried.

Motion by Berry, seconded by Sinde, to approve the Findings of Fact and recommend approval of both variances, as presented.

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinde

Nays: 0

There being five affirmative votes, the Chairman declared the motion carried. The Board's recommendation and Findings of Fact will be sent to the City Council.

2. Special use for a "food store" and a parking variance at 12824 Mozart Street in the R-1 (Single-Family Residential) District. [Dofia's Finer Foods, Inc.]

Chairman Johnson opened the public hearing at 7:22 p.m. All potential witnesses were sworn in.

The Applicant, Noemy Leal, told the Board that she purchased the building, which was already being used a convenience store, and then learned she would need to apply for a new special use. Morton explained how special use permits only apply to the original applicant. Coppari explained that the 3-space variance is because there is no off-street parking at this location, but added that there are parks available on the street which were used by the previous owner's customers. Coppari suggested that the Board recommend four conditions on the special use:

- a) All retractable security gates ("burglar bars") must be removed from the first-floor windows and doors.
- b) All nonconforming wall signs must be removed, and the existing awning should be repaired or changed due to physical damage. The Applicant should install a permitted sign or obtain a special use for a different sign.
- c) Excess window signs must be removed so that no more than 40% of a window area is covered, and LED light strips must be removed from the windows.
- d) The screen surrounding the Property's trash dumpster must be repaired or replaced.

There were no public comments. Chairman Johnson closed the public hearing at 7:38 p.m.

After discussion, **motion by Alexander, seconded by Sinde, to approve the Findings of Fact and recommend approval of the special use, with the four conditions added and a six-month compliance window.**

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinde

Nays: 0

There being five affirmative votes, the Chairman declared the motion carried. The Board's recommendation and Findings of Fact will be sent to the City Council.

Motion by Alexander, seconded by Johnson, to approve the Findings of Fact and recommend approval of the parking variance, as presented.

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinde

Nays: 0

There being five affirmative votes, the Chairman declared the motion carried. The Board's recommendation and Findings of Fact will be sent to the City Council.

3. Special use for a "two-family dwelling" at 12849 S. Division Street in the R-1 (Single-Family Residential) District. [Jorge and Bertha Godinez]

Chairman Johnson opened the public hearing at 7:42 p.m. All potential witnesses were sworn in.

The Applicants' attorney, Miguel Fernandez, spoke on their behalf. He explained that his clients planned to purchase the home, which is currently being used as a two-unit house and was marketed as a two-unit house. Their intention is to keep using it in that way so as to allow both renters to stay on the property. Eventually, they hope to allow their niece to move into the premises. Coppari informed the Board that his records indicate the house has been used that way since possibly 1973. If the special use is not approved, the house will need to be converted back into its original single-family design, because no non-single-family use is permitted in Blue Island, except as a special use. The Board shared some general thoughts on the current zoning restrictions as they pertain to multi-family homes. Morton informed the Board that the City's administration is currently discussing a policy for handling cases like this. Coppari recommended an additional condition on the special use, requiring the parking area on the property to be striped.

There were no other public comments. Chairman Johnson closed the public hearing at 7:56 p.m.

After discussion, **motion by Johnson, seconded by Alexander, to approve the Findings of Fact and recommend approval of the special use, with the parking area condition added and a six-month compliance window.**

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinde

Nays: 0

There being five affirmative votes, the Chairman declared the motion carried. The Board's recommendation and Findings of Fact will be sent to the City Council.

4. Remote Meeting Attendance Policy.

Morton explained that the statutory provision the Board has previously relied upon for virtual meeting attendance only applies during a declared health emergency, which may be ending soon in Illinois. Another provision of the Open Meetings Act allows remote participation under specific circumstances, such as business travel or sickness, and only if there is a quorum physically present. However, to use that option, the Board must previously adopt a policy on remote meeting attendance.

After discussion, **motion by Sinda, seconded by Jones, to adopt the remote attendance policy.**

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinda
Nays: 0

There being five affirmative votes, the Chairman declared the motion carried.

COMMISSIONER COMMENTS

Johnson commented that he is pro-multi-family homes, but he recognized there can be negative consequences, which would need to be weighed in any policy decision. Berry mentioned that the City could rely on the building codes to determine whether a multi-family is appropriate.

ADJOURN

Motion by Sinda, second by Johnson, to adjourn the meeting.

Ayes: 5 Alexander, Berry, Johnson, Jones, Sinda
Nays: 0

There being five affirmative votes, the Chairman declared the motion carried. The meeting adjourned at 8:20 p.m.

The next regular meeting of the Planning and Zoning Board of Appeals is scheduled for May 5, 2022 at 7:00 p.m.



Ryan R. Morton, City Attorney

APPROVED BY ME THIS
5 DAY OF May, 2022



David Johnson, Chairman