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

**ORDINANCE
NUMBER 2017-007**

**AN ORDINANCE AMENDING A SPECIAL USE PERMIT TO
BEST BUY AUTO AT THE PROPERTY LOCATED AT
12960 ASHLAND AVENUE, BLUE ISLAND, ILLINOIS**

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

1st Ward	TOM HAWLEY	GEORGE POULOS
2nd Ward	LETICIA VIEYRA	FRED BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	CANDACE CARR	ALECIA SLATTERY
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2017-007

**AN ORDINANCE AMENDING A SPECIAL USE PERMIT TO BEST BUY AUTO
AT THE PROPERTY LOCATED AT 12960 ASHLAND AVENUE,
BLUE ISLAND, ILLINOIS**

WHEREAS, Best Buy Auto filed an application with the City of Blue Island to amend a special use permit for used car dealership located at and commonly known as 12960 Ashland Avenue, Blue Island, Illinois;

WHEREAS, the existing zoning classification is I-1 Limited Industry;

WHEREAS, the Zoning Board of Appeals held a public hearing on February 27, 2017 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 February 12, 2017;

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; and

WHEREAS, the Zoning Board of Appeals has recommended that a special use permit be amended 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;

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 special use 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 Mayor and City Council, after due consideration, approve the issuance of a special use permit 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 Best Buy Auto for the purpose of operating a used car dealership located at 12960 Ashland Avenue, 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 THREE

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 FOUR

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.

ADOPTED this 14th day of March, 2017, pursuant to a roll call vote as follows:

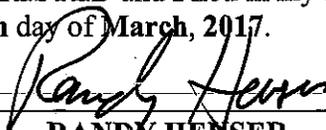
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley	X				
Alderman Poulos			X		
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita	X				
Alderman Donahue			X		
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson			X		
Alderman Frausto			X		
Alderman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

APPROVED by the Mayor on March 14, 2017.



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

ATTESTED and Filed in my office this
 14th day of March, 2017.



RANDY HEUSER
CITY CLERK

PUBLISHED in pamphlet form this
 14th day of March, 2017.



RANDY HEUSER
CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATE

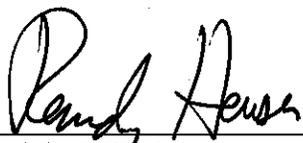
I, Randy Heuser, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **March 14, 2017** the Corporate Authorities of such municipality passed and approved Ordinance No. **2017 - 007** entitled: **AN ORDINANCE AMENDING A SPECIAL USE PERMIT TO BEST BUY AUTO AT THE PROPERTY LOCATED AT 12960 ASHLAND AVENUE, BLUE ISLAND, ILLINOIS.** Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2017 – 007** including the Ordinance and a cover sheet thereof, was as prepared, and a copy of such Ordinance posted in the municipal building commencing **March 14, 2017** 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 **14th** day of **March, 2017.**

(SEAL)



Municipal Clerk

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

PUBLIC HEARING OF FEBRUARY 27, 2017

Best Buy Auto, 12960 Ashland Avenue, Blue Island

On February 27, 2017, the Blue Island Zoning Board of Appeals voted unanimously (4-0) to adopt Findings of Fact recommending City Council approval of an amended special use permit for a used car dealership in the I-1 Limited Industry District.

Section 166.095(F) Standards: No special use shall be recommended by the Zoning Board of Appeals unless such Board shall find:

1) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

Finding: The Zoning Board of Appeals finds that the amended use will not be detrimental or endanger the public. The use is has been established and the expansion of the special use will not be detrimental or dangerous.

2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Finding: The Zoning Board of Appeals finds that the amended use will not limit the use of other property on Ashland Avenue. The use is established and the expansion of the special use will not impair properties in the vicinity.

3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Finding: The Zoning Board of Appeals finds that the amended use at this site will not impede improvements at Ashland Avenue. The expansion of the special use is consistent with development trends.

4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Finding: The Zoning Board of Appeals finds that the location has adequate facilities for expansion.

5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.

Finding: The Zoning Board of Appeals finds that the expanded special use maintains access to off-street public parking, minimizing traffic congestion on Ashland Avenue.

6) That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals.

Finding: The Zoning Board of Appeals finds that the proposed use is in conformance with the regulations of the I-1 zoning district.



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

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF RECOMMENDATION REPORT

DATE: MARCH 6, 2017

PREPARED BY: SEAN TERRY, PROJECT MANAGER

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, February 27, 2017.

APPLICANT: BEST BUY AUTO

LOCATION: 12960 S. ASHLAND AVENUE

OWNER: MR. KHALID KHALIL

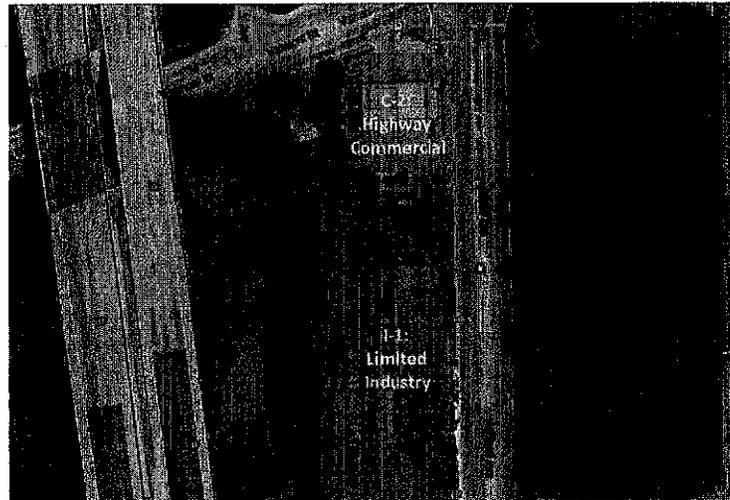
RE: SPECIAL USE PERMIT

Zoning: I-1: Limited Industry

Current Use: Automotive Sales & Repair

Proposed: Amendment to existing special use permit

Past Use: Special Use reviewed by Zoning Board of Appeals (September 16, 2013); Special Use Permit approval granted November 2013



I. Project Description

The applicant seeks an amendment to the existing Special Use Permit to continue operation of a used car sale establishment at 12960 S. Ashland Avenue. Per the previously approved Special Use Permit and adjoining site plan, authorization allowed the operator to sell a maximum of (13) vehicles and maintain (3) dedicated customer parking spaces.

According to the special use permit provisions, any exterior changes made to the vehicle parking and display lot should be completed in such a manner that maintains the approved site conditions.

Article VIII: Administration and Enforcement – 8.10 Special Uses

(7) CONDITIONS AND GUARANTEES. Prior to the granting of any special use, the Zoning Board of Appeals may recommend, and the City Council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed

necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which special uses are granted, the City Council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

On August 1, 2016 the City of Blue Island completed an inspection at Best Buy Car Sales to verify the business' conformance to the Special Use Permit authorized in November 2013 and related exterior property maintenance conditions.

At that time it was determined that the exterior conditions at Best Buy Car Sales did not conform with the Site Plan submitted with the Special Use application (attached) and the business was deemed in violation of conditional use terms with the City of Blue Island. During subsequent Building Court appearances in response to the violation notice by the business, City staff was informed that Best Buy Auto had acquired additional lot coverage and garage bay space immediately north of the business.

To ensure eligibility of the Special Use is maintained, Best Buy Auto Sales was advised to bring the current lot conditions into conformance with the previously approved site plan, and request additional zoning relief for extension of the Special Use Permit to include the expanded area recently leased.

II. Approvals Required

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

III. Standards for Special Use

Per Blue Island Zoning Ordinance *Section 8.10 Special Uses (6) Standards for Special Uses* – No special use shall be recommended by the Zoning Board of Appeals unless such Board shall find:

- A. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and
- D. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets, and
- F. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals.

IV. Conditions and Guarantees

Per *Section 8.10 Special Uses (7) Conditions and Guarantees* – Prior to the granting of any special use, the Zoning Board of Appeals may recommend, and the City Council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which special uses are granted, the City Council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

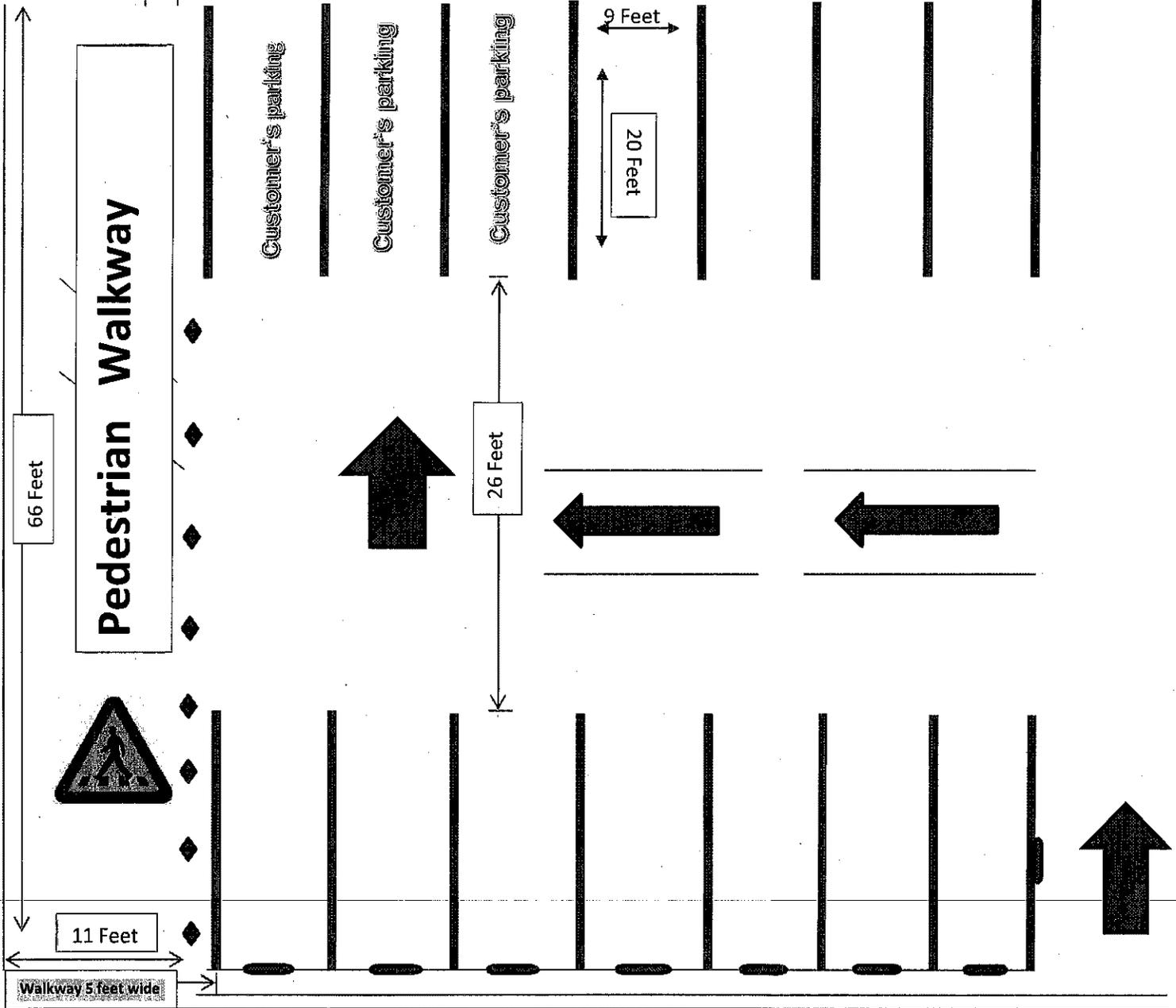
V. Attachments

- Original Zoning Relief Application (November 4, 2013)
- Original Site Plan (November 4, 2013)
- Notice of Violation
- Code Enforcement Photos
- Zoning Relief Application (January 27, 2017)
- Plat of Survey
- 2016 Tax Return
- Revised Building Lease
- Revised Site Plan

BUILDING

Office

Garage Door



South

Ashland Avenue

North

◆ = Small brown pole

● = Small black pole



**Special Use Permit: Best Buy Auto
12960 Ashland Avenue
3/8/2017**

I. Introduction and Purpose

City of Blue Island received an application to amend an existing special use permit for Best Buy Auto, located at 12960 Ashland Avenue in the I-1 Limited Industry zoning district.

II. Discussion/Highlights

Best Buy Auto was approved for a Special Use Permit in 2013 for a used car dealership. The approved site plan permitted the outdoor display of 13 vehicles for sale.

The applicant has submitted a revised site plan that would allow for the outdoor display of 21 vehicles. Additionally, 2 parking stalls are provided for customers.

On February 27, 2017 the Zoning Board of Appeals (ZBA) voted unanimously in favor (4-0) to amend the special use permit.

III. Conclusion and Recommendation

Recommendation to amend the special use permit.

Staff contact: Jason Berry, ACIP, Deputy Director of Community Development

Email: jberry@cityofblueisland.org
