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

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**ORDINANCE  
NUMBER 2019-005**

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**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIAL  
USE TO ALLOW FOR A "USED CAR DEALERS" USE IN A  
GENERAL INDUSTRY (I2) ZONING DISTRICT IN BLUE ISLAND,  
ILLINOIS**

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

**DEXTER JOHNSON  
LETICIA VIEYRA  
NANCY RITA  
TOM HAWLEY  
BILL FAHRENWALD  
CANDACE CARR  
KENNETH PITTMAN**

**GEORGE POULOS  
FRED BILOTTO  
KEVIN DONAHUE  
ALECIA SLATTERY  
JAN OSTLING  
JAIRO FRAUSTO  
NANCY THOMPSON**

**Aldermen**

**ORDINANCE NO. 2019-005**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIAL  
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GENERAL INDUSTRY (I2) ZONING DISTRICT IN BLUE ISLAND,  
ILLINOIS**

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**WHEREAS**, the Zoning Board of Appeals heard a case for a special use for a “used car dealers” made by Steve Barnas (*Chicagoland Diesel & Auto Service*), of 11641 S. Ridgeland Avenue, Suite 5, Alsip, Illinois, 60803. The applicant requested the Zoning Board of Appeals to permit a special use on the premises located at 13830 Harrison Street to allow for the applicant to repair and sell commercial and municipal vehicles at the property; and

**WHEREAS**, the legal description of the property is set forth in Exhibit “A” (the “*Property*”).

**WHEREAS**, the existing zoning classification of the property is a General Industry (I2) zone; and

**WHEREAS**, the Zoning Board of Appeals (the “*Zoning Board*”) caused the appropriate notice of hearing on the application to be published in accordance with § 166.095(D) of the Blue Island Code of Ordinances; and

**WHEREAS**, on January 7, 2019, the Zoning Board held a public hearing to hear testimony and consider the petition, along with all other requested and supporting documents submitted by the Applicant; and

**WHEREAS**, the Zoning Board of Appeals after due consideration has found that:

- (a) The establishment, maintenance, or operation of this special use will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare;

- (b) The special use herein requested 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) 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;
- (d) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) 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) 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; and

**WHEREAS**, a true and correct copy of the Findings of Fact and Recommendation of the Zoning Board of Appeals is attached hereto as Exhibit "B."

**WHEREAS**, the Zoning Board of Appeals has recommended that a special use to permit a "used car dealers," which is 13830 Harrison Street; and

**WHEREAS**, the Mayor and City Council of the City of Blue Island, after due consideration, have determined that a special use be allowed for a "used car dealers" for the property located a 13830 Harrison Street, Blue Island, Illinois, subject to the following conditions:

1. That the special use herein requested shall, except as varied by this

ordinance, conform to all applicable district regulations, codes and ordinances of the City of Blue Island.

2. That future plans and specifications for building, construction or development and with respect to all improvements of any kind or nature to the premises be approved by the Building Department of the City of Blue Island and, when required, by any other department of the city.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Blue Island, County of Cook and State of Illinois, as follows:

**Section One**

That the recitals and findings set forth above are incorporated herein by reference, the same as if they were fully set forth herein verbatim, and they are adopted as the findings of the City Council.

**Section Two**

The written findings of fact and recommendation of the Zoning Board relative to the petition requesting a special use to permit a “used car dealers” is hereby accepted, incorporated herein by reference in their entirety, and are adopted as the findings of the City Council. All documents and exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance.

### **Section Three**

That the City Clerk of the City of Blue Island is hereby authorized to issue a special use to allow for a “used car dealers,” which is located at 13830 Harrison Street, Blue Island, Illinois, subject to the following conditions:

1. That the special use herein requested shall, except as varied by this ordinance, conform to all applicable district regulations, codes and ordinances of the City of Blue Island.
2. That future plans and specifications for building, construction or development and with respect to all improvements of any kind or nature to the premises be approved by the Building Department of the City of Blue Island and, when required, by any other department of the city.

### **Section Four**

That the special use permit hereby authorized may be revoked by the City Council of the City of Blue Island upon application being made to the City Council by the Blue Island Building Department, or any interested party and upon a finding by the City Council that the conditions herein established have not been complied with.

### **Section Five**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

### **Section Six**

This ordinance shall be in full force and effect from and after its passage and approval as required by law.

**Section Seven**

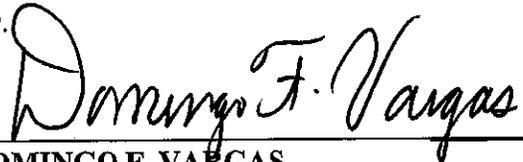
That the City Clerk is further directed to forward a copy of this ordinance to the applicant as notification of the passage and approval of this ordinance.

*(Intentionally Left Blank)*

**ADOPTED** this 22nd day of January, 2019, pursuant to a roll call vote as follows:

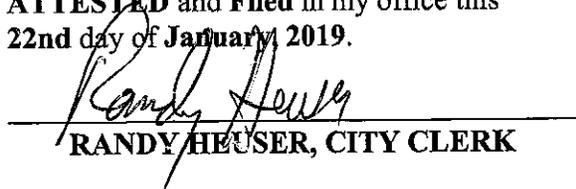
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley	X				
Alderman Poulos	X				
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita	X				
Alderman Donahue	X				
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson	X				
Alderman Frausto			X		
Alderman Thompson			X		
Alderman Fahrenwald	X				
Mayor Vargas					
<b>TOTAL</b>	12		2		

**APPROVED** by the Mayor on January 22, 2019.



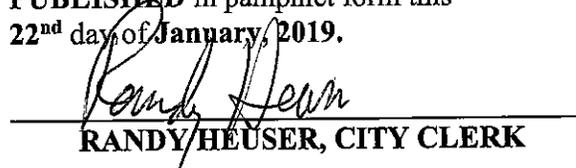
**DOMINGO F. VARGAS**  
**MAYOR OF THE CITY OF BLUE ISLAND,**  
**COUNTY OF COOK AND STATE OF ILLINOIS**

**ATTESTED** and Filed in my office this  
 22nd day of January, 2019.



**RANDY HEUSER, CITY CLERK**

**PUBLISHED** in pamphlet form this  
 22nd day of January, 2019.



**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.

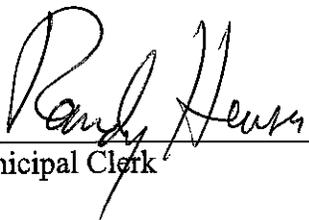
I further certify that on **January 22, 2019** the Corporate Authorities of such municipality passed and approved Ordinance No. **2019 - 005** entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIAL USE TO ALLOW FOR A "USED CAR DEALERS" USE IN A GENERAL INDUSTRY (12) ZONING DISTRICT IN BLUE ISLAND, ILLINOIS.**

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

The pamphlet form of Ordinance No. **2019 - 005** including the Ordinance and a cover sheet thereof, was as prepared, and a copy of such Ordinance posted in the municipal building commencing **January 22, 2019** 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 **22nd** day of **January, 2019**.

(SEAL)

  
\_\_\_\_\_  
Municipal Clerk

**EXHIBIT A**  
*Legal Description*

**PIN: 28-01-204-024-0000**

THE NORTH 100.00 FEET OF THE SOUTH 300.00 FEET OF THE WEST 137 FEET OF LOT 1  
IN OWNER'S SUBDIVISION ON LOT 4 OF PETER ENGLAND'S SUBDIVISION OF THE  
WEST ½ OF THE NORTHEAST ¼ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 13, EAST  
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Common Address:** 13830 Harrison Street, Blue Island, Illinois 60406.

**EXHIBIT "B"**

**RECOMMENDATION OF THE  
BLUE ISLAND ZONING BOARD OF APPEALS**

TO: Mayor and City Council

FROM: Blue Island Zoning Board of Appeals (ZBA)

RE: Special Use application for Steve Barnas who is requesting a "used car dealers" use in a General Industry (I2) zone at 13830 Harrison Street, Blue Island, Illinois, 60406. He intends to sell commercial and municipal vehicles onsite.

A hearing by the Blue Island Zoning Board of Appeals was convened on January 7, 2019, at 7:00 p.m., to consider an application for a special use for a "used car dealers" made by Steve Barnas (*Chicagoland Diesel & Auto Service*), of 11641 S. Ridgeland Avenue, Suite 5, Alsip, Illinois, 60803. The applicant requested the Zoning Board of Appeals to allow for a special use on the premises located at 13830 Harrison Street. This special use would allow for the applicant to repair and sell commercial and municipal vehicles at his property. The premises is located in a General Industry (I2) zoning district. The legal description of the property is as follows:

PIN: 28-01-204-024-0000

THE NORTH 100.00 FEET OF THE SOUTH 300.00 FEET OF THE WEST 137 FEET OF LOT 1 IN OWNER'S SUBDIVISION ON LOT 4 OF PETER ENGLAND'S SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Steve Barnas, the applicant, testified and presented his special use case to the Zoning Board of Appeals. He is interested in purchasing an existing "auto repair shop" property, which he intends to keep, and sell vehicles that are repaired in his shop. Steve Barnas mainly repairs commercial and municipal vehicles that weigh between one (1) to four (4) tons in weight. All of his vehicles will be repaired and sold onsite.

The applicant intends to employ three (3) to five (5) people at his automobile repair facility. Steve Barnas repairs commercial cars, trucks, and sanitation trucks (1.5 tons or lower).

He typically repairs between one (1) to three (3) vehicles per session, and he will park these repaired vehicles behind the privacy fence that already exists onsite. Mr. Barnas' vehicles are specialized, and they are not very common; hence, the low volume expected in selling these vehicles on his property.

Several Zoning Board members asked pertinent questions in regards to this special use application. In particular:

\* Mr. Eric Frausto asked the applicant to go into more details about his unique business. Mr. Steve Barnas replied that he intends to purchase commercial and municipal vehicles, repair them, and then sell them online. He intends to store and sell his vehicles inside of his building or behind the enclosed, privacy fenced-in area.

\* Mr. James Johanson asked the applicant how many vehicles he repaired last year (2018). Mr. Steve Barnas responded that he worked on two dozen (24) vehicles last year. Staff mentioned that Mr. Barnas has to also comply with state requirements in repairing and selling his commercial vehicles.

\* Mr. Howard M. Coppari (staff) asked the applicant if he intends to keep both businesses open (Alsip and Blue Island). Mr. Steve Barnas confirmed that he would like to keep the Alsip business open, as long as possible, until he can open and establish his business successfully in his Blue Island before he closes his Alsip's repair shop for good. Mr. Steve Barnas likes the location of the Blue Island property. He said that this property was off the beaten path, very quiet, and quite secluded.

\* Mr. Clifford Griffin asked the applicant how would he secure his auto repair property, especially after hours at night. Mr. Steve Barnas answered by installing security cameras and an alarm system.

After hearing the testimony of the applicant, the Zoning Board of Appeals reviewed the permitted and special uses allowed in a I2 zoning district, reviewed the standards for the issuance of a special use as set forth in Article VIII, Section 8.10 (6) (a) through (f), inclusive, and finds as follows:

- (a) The establishment, maintenance, or operation of this special use will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare;
- (b) The special use herein requested 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) 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;
- (d) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) 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.

The Zoning Board therefore finds that issuance of a special use would be in accordance with the standards and requirements of Ordinance No. XXXX.

On a motion by Commissioner Johanson and seconded by Commissioner Fausto, the Zoning Board of Appeals voted to approve the special use for a "used car dealers" for the property located at 13830 Harrison Street in Blue Island. Vote on the motion as followed:

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

The motion carried, to recommend the issuance of a special use, provided the applicant first submits plans to the Building Department and Fire Department detailing the proposed use for a "used car dealers" within his property.

Accordingly, we recommend that the special use requested by the applicant be granted provided he complies with the conditions set forth herein.

Respectfully submitted,

ZONING BOARD OF APPEALS

Clifford Griffin, Chairman

Joseph Martin

Jeff Atwell

Eric Frausto

Vonda Hardy

James Johanson

Brandon Richardella