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

**ORDINANCE
NUMBER 2023- 027**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, GRANTING A SPECIAL USE
PERMITTING TOP TRUCK SALES, LLC TO OPERATE
WITHIN THE I-1 LIMITED INDUSTRIAL DISTRICT
(2922 WIRETON ROAD)**

**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

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GRANTING A SPECIAL USE PERMITTING TOP TRUCK SALES, LLC TO OPERATE
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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, the Mayor and the Aldermen of the City of Blue Island have heretofore exercised the power conferred on them pursuant to Chapter 11-31-1, *et seq.* of the Illinois Municipal Code by adopting Chapter 166 of the Code of Ordinances of the City (the “*Zoning Code*”), as amended from time to time; and

WHEREAS, a special use application has been submitted to the City by Filip Trajkov of Top Truck Sales, LLC (the “*Applicant*”), with permission of the property owner, to allow within the I-1 Limited Industrial District a “used car dealer” use (the “*Proposed Special Use*”) at 2922 Wireton Road, 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 May 4, 2023 (the “*Public Hearing*”) as to whether the Proposed Special Use 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 recommendations that the Proposed Special Use be granted, and the Mayor and Aldermen of the City have duly considered said findings of fact and recommendations, 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 Proposed Special Use 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 Proposed Special Use as follows:

1. That the Proposed Special Use, subject to the conditions set forth herein, is in fact, a special use listed and authorized in the zoning district within which the property is located;
2. That the Proposed Special Use, subject to the conditions set forth herein, is consistent with the objectives of the City's comprehensive plan and the City's Zoning Ordinance;
3. That the Proposed Special Use, subject to the conditions set forth herein, will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
4. That the Proposed Special Use, subject to the conditions set forth herein, 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.

5. That the Proposed Special Use, subject to the conditions set forth herein, will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided for the Proposed Special Use, subject to the conditions set forth herein;
7. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets surrounding the Proposed Special Use, subject to the conditions set forth herein; and
8. That the Proposed Special Use, subject to the conditions set forth herein, complies with all additional regulations in the City's Zoning Ordinance specific to the I-1 Limited Industrial District.

Section 4. A special use, subject to the conditions set forth below, is hereby granted and issued to Top Truck Sales, LLC for a "used car dealer" use in the I-1 Limited Industrial District located at 2922 Wireton Road, Blue Island, Illinois, and as legally described on Exhibit A.

This special use permit is subject to the following conditions:

1. That this special use shall be limited to the Applicant and shall not be transferable except upon reapplication, hearing and approval in the manner provided in the Zoning Code;
2. That this special use approval authorizes the conduct of the special use only on the Property and is not transferable to other properties;
3. That any modification or intensification of a special use that alters the essential character or operation of the use in a way not intended at the time the special use was granted, as evidenced by the record or text of the ordinance, shall require a new special use approval;
4. That the approval of a special use authorizes the Property to be used in the manner proposed, but does not alone authorize the establishment or extension of any use, nor development, construction, reconstruction, alteration, or moving of any building, structure, or parking lot without first obtaining any other required permit, including a zoning certificate, building permit and certificate of occupancy;
5. That the special use, subject to the conditions set forth herein, complies with all other

codes and ordinances of the City of Blue Island, the County of Cook, the State of Illinois, and the federal government;

6. That the special use, subject to the conditions set forth herein, does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and
7. That the special use, subject to the conditions set forth herein, provides vehicular access to the property designed so as not to create interference with traffic on surrounding public thoroughfare;
8. That the special use, subject to the conditions set forth herein, shall not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance;
9. This Ordinance shall be signed by the Applicant and property owner to signify acknowledgement of the terms hereof.

Section 5. The Applicant hereunder shall at all times comply with the terms and conditions of the special use and, in the event of non-compliance, said permit 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 23RD day of May, 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 May 23, 2023.

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

ATTESTED and Filed in my office this
 23RD day of MAY, 2023.

RAEANN CANELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
 23RD day of MAY, 2023.

RAEANN CANELO-ZYLMAN, 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 **May 23, 2023**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2023-027**.

Entitled:

ORDINANCE: AN ORDINANCE OF THE CITY OF BUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE PERMITTING TOP TRUCK SALES, LLC TO OPERATE WITHIN THE I-1 LIMITED INDUSTRIAL DISTRICT (2922 WIRETON ROAD).

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

The pamphlet form of Ordinance No. **2023 - 027** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **May 23, 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 **23RD** day of **May, 2023**.

CORPORATE SEAL


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 **2023 - 027** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE PERMITTING TOP TRUCK SALES, LLC TO OPERATE WITHIN THE I-1 LIMITED INDUSTRIAL DISTRICT (2922 WIRETON ROAD).**

ORDINANCE NO. 2023-027 which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **23RD day of May, 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 **23rd day of May, 2023**.

CORPORATE SEAL



City Clerk

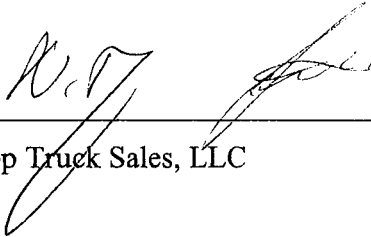
Exhibit A

Legal Description


ADDRESS: 2922 Wireton Road, Blue Island, Illinois
PIN: 24-36-116-031-0000

LOT 6 (EXCEPT THE NORTHWESTERLY 4.00 FEET THEREOF) IN SIMBORG BLUE ISLAND INDUSTRIAL SUBDIVISION, BEING A RESUBDIVISION OF THAT PART OF LOT "A" OF LOT 1 (ACCORDING TO THE MAP RECORDED MARCH 4, 1872 AS DOCUMENT 16392, IN BOOK 1 OF PLATS, PAGE 36) AND THAT PART OF LOT 2 IN COOLEY'S SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST MOST CORNER OF SAID LOT 2; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 2, A DISTANCE OF 788.0 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY AND PERPENDICULAR TO SAID SOUTHWESTERLY LINE OF SAID LOT 2 TO THE NORTHEASTERLY LINE OF AFORESAID LOT A OF LOT 1, ALL IN COOK COUNTY, ILLINOIS.

ACKNOWLEDGMENT BY APPLICANT AND OWNER: THE UNDERSIGNED AUTHORIZED REPRESENTATIVES ACKNOWLEDGE THE CONDITIONS OF THIS ORDINANCE:



Top Truck Sales, LLC



Nifi Holding LLC

By: Filip Trajkov / NEMANJA DJOJIC

By: Filip Trajkov / NEMANJA DJOJIC

Its: MEMBERS / Member

Its: MEMBER / MEMBER

Dated: 6-2-2023

Dated: 6-2-2023