

ORDINANCE NO. 2016-19

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY COMMONLY
KNOWN AS 4433 SOUTH HARLEM AVENUE, STICKNEY, ILLINOIS**

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by the authority of the President
and the Board of Trustees of the
Village of Stickney**

Date of Publication: August 3, 2016

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY COMMONLY KNOWN AS 4433 SOUTH HARLEM AVENUE, STICKNEY, ILLINOIS

WHEREAS, the property located at 4433 South Harlem Avenue, Stickney, Illinois (the "Property") is located in the Business zoning district in the Village of Stickney (the "Village"); and

WHEREAS, Ramiro Espinoza (the "Applicant") desires to operate a car wash and tire repair shop (the "Proposed Use") at the Property; and

WHEREAS, pursuant to the Village of Stickney Zoning Ordinance-1980, as amended (the "Zoning Ordinance"), before the Proposed Use can be operated in the Business zoning district, the Village's Board of Trustees (the "Village Board") must first grant a special use permit; and

WHEREAS, accordingly, the Applicant submitted a request to the Village for a special use permit (the "SUP") to allow for the establishment of the Proposed Use at the Property; and

WHEREAS, the Village's Zoning Board of Appeals (the "ZBA") held a public hearing, pursuant to proper notice, on the Applicant's request for the SUP; and

WHEREAS, based on the Applicant's petition and on the testimony given at said public hearing, the ZBA made certain findings of fact and conclusions with respect to the requested SUP and made a recommendation to the Village Board that the SUP be granted (collectively, the "Findings and Recommendation"); and

WHEREAS, a copy of the Findings and Recommendation is attached hereto as Exhibit A and is incorporated herein by reference as if set forth in full; and

WHEREAS, the Village Board has determined that granting the SUP is in the best interests of the Village and is in furtherance of the public health, safety and welfare; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Stickney, County of Cook, State of Illinois, in the exercise of its home rule powers as follows:

Section 1. Recitals. The foregoing recitals are herein incorporated and made a part of this Ordinance as if fully set forth herein.

Section 2. Grant of Special Use Permit; Term; Condition. The Village Board concurs with and adopts the Findings and Recommendation and, in accordance with the findings and conclusions stated therein, hereby grants the requested SUP to allow for the operation of the Proposed Use at the Property, subject to the conditions specified by the ZBA and set forth in the Findings and Recommendation. The term of the SUP shall be until the Applicant transfers, leases or otherwise assigns its interest in the Property, and upon the occurrence of any of those transactions, the SUP granted hereunder shall terminate.

Section 3. Savings Clause. This Ordinance shall not affect suits pending or rights existing at the time this Ordinance takes effect. Such suits and rights shall continue in full force to the same extent and with like effect as if this Ordinance be taken, construed or held to avoid or impair any cause of action now existing under any ordinance of the Village, or any amendment thereto, but as to any consideration of action now existing, such ordinance and amendment thereto, shall be continued in full force and effect.

Section 4. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed this 2nd day of August, 2016.

Deborah Morelli, President

ATTEST:

Audrey McAdams, Village Clerk

Date of Passage: August 2, 2016

Date of Publication: August 3, 2016

EXHIBIT A

FINDINGS AND RECOMMENDATION