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**THE VILLAGE OF HOMER GLEN  
WILL COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 24-008**

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**AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT FOR  
AUTOMOBILE REPAIR AND SERVICE FOR CERTAIN REAL PROPERTY  
LOCATED IN THE C-3 GENERAL BUSINESS DISTRICT AT 15751 ANNICO DRIVE,  
UNIT 2 & 3, HOMER GLEN, ILLINOIS [CASE NO. HG-2402-SP].**

**CHRISTINA NEITZKE-TROIKE, Village President  
CANDICE BIELSKI, Village Clerk**

**Village Trustees  
JENNIFER CONSOLINO  
DAN FIALKO  
CURT MASON  
CJ MCNAUGHTON  
ROSE REYNDERS  
SUSANNA E. STEILEN**

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AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT FOR  
AUTOMOBILE REPAIR AND SERVICE FOR CERTAIN REAL PROPERTY LOCATED IN  
THE C-3 GENERAL BUSINESS DISTRICT AT 15751 ANNICO DRIVE, UNIT 2 & 3,  
HOMER GLEN, ILLINOIS [CASE NO. HG-2402-SP].

**WHEREAS**, the Village of Homer Glen, Will County, Illinois (the “Village”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and,

**WHEREAS**, an application has been filed by Ahmad Ibraheem seeking an Amendment to a Special Use Permit for Automobile Repair and Service for certain real property located in the C-3 General Business District at 15751 Annico Drive, Unit 2 & 3, Homer Glen, Illinois and,

**WHEREAS**, the property that is the subject of the aforesaid application and of this Ordinance (“Subject Property”) is legally described in “Exhibit A”; and,

**WHEREAS**, pursuant to a public notice published in a newspaper of general circulation within the Village as required by the Code of the Village of Homer Glen, the Plan Commission held a public hearing with regard to said application on February 1, 2024, and rendered its findings of fact and recommendations to the Board of Trustees; and,

**WHEREAS**, the Plan Commission after due consideration of the issues, exhibits and testimony, made findings of fact and a recommendation to the Board of Trustees which are incorporated into the record of its proceedings attached hereto as “Exhibit B” and which include the specific findings as required by §220-1209D of the Code of the Village of Homer Glen; and,

**WHEREAS**, the Village President and Board of Trustees carefully considered public commentary and the recommendations of the Plan Commission which are incorporated into the record of its proceedings; and,

**WHEREAS**, the Village President and Board of Trustees, after due consideration have determined that granting an Amendment to a Special Use Permit for Automobile Repair and Service for certain real property located in the C-3 General Business District at 15751 Annico Drive, Unit 2 & 3, Homer Glen, Illinois is in conformance with the Village’s Comprehensive Plan and in the best interests of the public health, safety and welfare of the Village’s residents; and

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

**Section 1. Incorporation of Recitals.** That the recitals and findings set forth above and in the recommendation of the Plan Commission, attached hereto as “Exhibit B” 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 Board of Trustees of the Village of Homer Glen.

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**Section 2. Special Use Permit.** The Village hereby grants an Amendment to a Special Use Permit for Automobile Repair and Service for certain real property located in the C-3 General Business District at 15751 Annico Drive, Unit 2 & 3, Homer Glen, Illinois, subject to the following conditions that will replace the conditions of the Special Use Permit granted through OR22-015:

1. Restrict the auto-repair and service hours of operation to 8am to 8pm, Monday through Friday.
2. No autobody work is allowed.

**Section 3. Severability.** The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

**Section 4. Repealer.** All Ordinances or portions of Ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval.

**Section 6. Notice to Applicant.** That the Village Clerk is further directed to forward a copy of this Ordinance to the applicant as notification of the passage and approval of this Ordinance.

Adopted this 15<sup>th</sup> day of February, 2024 pursuant to a roll call vote as follows:

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>PRESENT</u>
Consolino	X			
Fialko	X			
Mason	X			
McNaughton	X			
Reynders	X			
Steilen	X			
Neitzke-Troiike (Village President)				
TOTAL	6			

**APPROVED** by the Village President on February 15, 2024

  
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Christina Neitzke-Troiike  
Village President

ATTEST:  
  
\_\_\_\_\_  
Candice Bielski  
Village Clerk

**Legal Description – “Exhibit A”**

LEGAL DESCRIPTION

LOT 8, IN ANNICO PROFESSIONAL COMPLEX, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

15751 ANNICO DRIVE, UNIT 2 & 3

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**Findings of Fact – “Exhibit B”**  
**Standards for Special Use Permit**

Chapter 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a special use (and any amendments thereto). The following are the categories with staff’s suggested findings (*in italics*):

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.

*The maintenance and operation of the proposed automobile repair will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare. The existing Annico Complex already houses similar uses, there is a landscaping berm located north of the Annico Complex that provides a buffer, and the proposed use is entirely indoors.*

2. The proposed use at the proposed location will not have an undue or substantial adverse effect, above and beyond that inherently associated with such use, irrespective of the location in the particular zoning district, upon adjacent property, the character of the neighborhood, or other matters affecting the public health, safety and welfare of the community.

*The maintenance and operation of the proposed automobile repair shop will not have an undue or substantial adverse effect, as it is located within the Annico Business Park, where there are similar commercial and industrial uses. The applicant wants to provide automobile repair services in a safe and clean manner and intends to adhere to all applicable ordinances and regulations in the Village. The use will be contained entirely indoors.*

3. 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.

*The maintenance and operation of the proposed automobile repair will not be injurious to the use and enjoyment of other properties in the area. As stated above, the Annico Complex has many existing similar commercial and industrial uses in the area and the Peterson Properties have an existing landscape berm abutting the residential subdivision to the north. The use will be contained entirely indoors.*

4. The proposed use at the particular location is desirable to provide a service or facility in the interest of public convenience and the gain to the public and all or a part of the community exceeds the hardship imposed upon the property owner.

*The applicant is proposing a Toyota and Lexus specialist repair in the Annico Complex which is desirable to provide a service or facility in the interest of public convenience and the gain to the public and all or a part of the community exceeds the hardship imposed upon the property owner.*

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5. The proposed use is generally suitable for the particular zoning district and will not adversely affect development of adjacent properties in accord with the applicable district regulations.

*The proposed automobile repair shop is generally suitable for the C-3 zoning district and will not adversely affect development of adjacent properties. The Annico Complex, where the subject property is located, contains many automobile-catered uses and is already fully developed.*

6. 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.

*The proposed automobile repair will not impede the normal and orderly development and improvement of the surrounding property, as it is located within the Annico Business Park, where there are existing similar commercial and industrial uses. The applicant wants to provide automobile repair services in a safe and clean manner and intends to adhere to all applicable ordinances and regulations in the Village. The use will be contained entirely indoors.*

7. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

*The applicant is not proposing any exterior architectural modifications to the existing building.*

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

*The location for the proposed automobile repair already has access to adequate utilities, access roads, drainage and/or necessary facilities.*

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

*The applicant is not proposing any changes to the existing ingress and egress to Annico Drive to the Peterson Properties.*

10. The proposed use has been considered in relation to the location, goals and objectives of the Village's Comprehensive Plan and is in general accord with the guidelines of the plan.

*The proposed automobile repair and service shop is in concert with the goals, and objectives of the Village's Comprehensive Plan. The subject property is currently zoned C-3 General Business and the 2005 Comprehensive Plan, as well as the draft 2020 Comprehensive Plan, and is designated as Business Park.*

**Plan Commission Recommendation:**

Chairman Hand asked for a motion. Commissioner Stanly made a motion to recommend approval for an Amendment to a Special Use Permit for Automobile Repair and Service for certain real property located in the C-3 General Business District at 15751 Annico Drive, Unit 2 & 3, Homer Glen, Illinois [Case No. HG-2402-SP]? Subject to the following conditions that will replace the conditions of the Special Use Permit granted through OR22-015:

1. Restrict the auto-repair and service hours of operation to 8am to 8pm, Monday through Friday.
2. No autobody work is allowed.

The motion was seconded by Vice-Chair McGary. A roll call vote was taken with Commissioners Bradarich, Foley, Stanly, Vice-Chair McGary and Chairman Hand voting in favor **five (5) to zero (0)**. The motion passed and will go before the Village Board tentatively on February 14, 2024.

Chairman Hand asked for a motion. Commissioner Stanly made a motion to adopt staff's findings as the findings of the Plan Commission. The motion was seconded by Vice-Chair McGary. A roll call vote was taken with Commissioners Stanly, Foley, Bradarich, Vice-Chair McGary and Chairman Hand voting in favor **five (5) to zero (0)**. The motion passed and will go before the Village Board tentatively on February 14, 2024.