

VILLAGE OF THORNTON, COUNTY OF COOK  
MINUTES OF THE PUBLIC HEARING HELD BEFORE  
THE PLANNING & DEVELOPMENT COMMISSION REGARDING  
A VARIANCE AT 587-589 NORTH WILLIAMS STREET  
MAY 13, 2015

CALL TO ORDER

Chairman Swetlik called the meeting to order at 7:30 p.m.

ROLL CALL

In Attendance at Roll Call: Chairman Swetlik; Commissioners Carlson, Consorti, Hanson, Loitz, Lorenzo, Walker.

Also Present: Building Commissioner Habecker; Attorney Dillner.

PRESENTATION

Chairman Swetlik reported this variance is being requested by Anthony Boston for the property located at 587-589 North Williams Street. Mr. Boston stated he will be truthful in all matters before the Commission this evening.

Mr. Boston stated there are two things he will be doing in his unit of the building. He is hoping to sell vehicles at the premises, and to provide insurance and financing for the automobiles. The main use of the building is for the storage of the vehicles. There will be no repairing of vehicles. Mr. Boston is the district manager for an insurance company so he has some access to vehicles that are totaled or were in a bad accident. So he will be selling salvaged and rebuilt vehicles at the premises, but no repairs, painting, etc. When the vehicles are ready to be sold, that's where they will go.

PUBLIC COMMENT

Chairman Swetlik asked for any public comment pertaining to the variance request. There was no comment.

COMMISSION DISCUSSION AND VOTE

Commissioner Lorenzo questioned the hours of operation. Mr. Boston stated posted will be 12:00 noon to 4:00 p.m.; but it's going to be appointment only. This will be more of a showroom rather than a used car lot. Mr. Boston stated he will have 15-20 vehicles parked inside that are for sale. He had a similar business in Calumet Park; but it was a shared space and there wasn't a lot of room. Commissioner Lorenzo asked what type of signage Mr. Boston anticipates, and how will he be drawing business to the premises. Mr. Boston has a sign that simply states the name of the company, their website and phone number. It's a PVC 4x6 sign. His business uses a web-based social media. He purchases the vehicles and places them on social media. He has a web site. Word of mouth – he has a lot of connections. It's not just off the street business.

Chairman Swetlik asked about how many employees there will be. Mr. Boston responded there will only be two to three employees present at any given time. He hopes to be able to build another office in 587 sometime in the future. Commissioner Hanson clarified these are vehicles that are not yet sold and people are invited to come onto the premises to look at them.

Mr. Boston stated, once the vehicle has been reconditioned, he will take pictures of it, post it on line, blast it on social media and wait for the clients to call. He then handles the financing and whatever paperwork is necessary.

Commissioner Carlson confirmed there won't be any vehicles stored on the outside of the building, just the inside. Mr. Boston agreed. Commissioner Carlson asked what occurs if a potential customer wants to test drive a car. Mr. Boston stated he has driver plates for them. There may be a time during the day where Mr. Boston would bring five or six cars outside for the public to see, but they will be brought back inside at the end of the day. His insurance does not cover cars left outside.

Commissioner Carlson asked if Mr. Boston has had an opportunity to review the suggestions from the Fire Department. Mr. Boston has not seen this list. Commissioner Carlson reviewed the list including fire extinguishers, exit signs, emergency lighting, and egress. Also, the amount of fuel in a vehicle shouldn't be any more than a quarter tank of gas. No storage of parts or tires inside or outside. No welding or repairs. Storage of gasoline or other flammable liquids is not permitted. After being asked, Mr. Boston commented a fire alarm has already been installed. Lastly, Commissioner Carlson stated there has to be at least 36 inches between the cars so as to be able to walk between them. Mr. Boston stated a lot of items that Commissioner Carlson listed are already on the premises from the previous tenant, who had passed Village inspection.

Commissioner Lorenzo asked about a "clean title." Does this mean at any point in time all the cars in the showroom will be titled? Mr. Boston responded yes, all cars have to be titled. Chairman Swetlik commented the fueling of vehicles cannot be done inside the building. Also, no flush mount bolts for the doors or service mount bolts for the doors. Mr. Boston responded there are none.

Chairman Swetlik read a memo from the Police Department which states unlicensed vehicles need to be stored inside and not outside in the parking lot. Additionally, the unit will be brought up to code for use; specifically, plumbing and electrical. No outside storage of vehicles or vehicle parts. No engine maintenance or bonding work permitted inside or outside. Compliance with all Village codes and ordinances is required. Storage and sale of vehicles must have clean and rebuilt titles. Financing and insurance for clients that buy cars. So your office will be handling the financing and insurance for clients as part of the purchase. Mr. Boston stated, although all the rebuild work will be done at other facilities, he needs the same certifications as the places that do the work to sell the vehicle.

Attorney Dillner asked, for the purposes of the Secretary of State and Department of Revenue, will the office be located in Thornton? Mr. Boston responded yes. So the sales tax for the vehicles will go to the Village of Thornton. Attorney Dillner continued that Mr. Boston is going to basically purchase the cars and have them rebuilt somewhere else. Attorney Dillner explained this is an amended request by Mr. Boston. The first request was to rebuild the cars on site; and because this Board has granted some other variances for rebuilders and because of the area there, everything is close together there and parking is an issue. Mr. Boston then filed this amended variance for car sales only.

Attorney Dillner commented, for the Board's purposes, the special use isn't required for the insurance or finance office. That is an allowed use. Basically, the special use being requested is for the actual sale of the vehicles. The sale of vehicles is not a permitted use in the industrial zone but it's allowed via a special use.

Mr. Boston appreciates the Commission taking the time to hear his special use request. Upon Commissioner Consorti's question, Mr. Boston stated he already has ADT set up with cameras. Chairman Swetlik asked about parking outside. Mr. Boston stated the office is small so he believes there will be three parking spaces in use by employees, and the client would make four.

As far as putting cars out for show, Mr. Boston explained there may be a time when an auction would run a blow-out sale, and he may grab four or five vehicles at a time. If he places any vehicles outside, they would be parked there during the day and put back in when the business closes. There would only be about four or five vehicles total. Chairman Swetlik reminded Mr. Boston that the Police Department is asking no unlicensed vehicles be parked outside. Any unlicensed vehicle parked outside could be ticketed and/or towed. After discussion, the Commission agreed to allow four parking spaces for employees/clients. There are to be no balloons and such because this is not a used car lot.

Motion by Commissioner Consorti, seconded by Commissioner Carlson, to accept the variance request, to include all staff reports be met in order to be able to get a business license, and four outside parking spaces.

Chairman Swetlik will get Mr. Boston a copy of the report with the comments of the Fire and Police Departments. Fire Chief Habecker stated the items included are straight out of the fire code.

Ayes – Commissioners Consorti, Carlson, Hanson, Loitz, Walker, Lorenzo, Chairman Swetlik.

Nays – None.

All in favor.

Motion carried.

#### FINDING OF FACTS

Chairman Swetlik stated the Finding of Facts as determined by a majority vote is that granting this variance will have no negative effect to homeowners or businesses in the town of Thornton and will have no negative effect on public safety. This being said, this recommendation will be forwarded to the Village Board for their approval or denial.

All in favor.

None opposed.

#### ADJOURNMENT

Motion by Commissioner Carlson, seconded by Commissioner Walker, to adjourn the Public Variance Hearing for 587-589 North Williams Street.

All in favor.

Motion carried.

Chairman Swetlik adjourned the Hearing at 7:58 p.m.

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Jonathan Swetlik, Chairman

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Debra L. Pisarzewski, Village Clerk