

STAFF REPORT

DATE: September 9, 2024
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2024-42
Applicant: Andrei Mereuta
Status of Applicant: Business owner
Owner: Joliet Naturescape LLC
Location: 121 Airport Drive, Unit A
Request: A Special Use Permit to allow an automotive dent removal business

Purpose

The applicant is requesting a special use permit to allow an automotive dent removal business at 121 Airport Drive, Unit A. Per the City of Joliet Zoning Ordinance, automotive repair facilities may be allowed as special uses in the I-1 (light industrial) district by the Mayor and City Council, with the advice of the Zoning Board of Appeals in accordance with Section 47-5.2.

Site Specific Information

The subject property is located in the Joliet Airport Industrial Park subdivision, which was recorded in 2003 and 2004 and contains industrial condominium buildings. The subject request is for the westernmost unit of the 8-unit building at 121 Airport Drive. Parking is located adjacent to the building within the same lot as parking for 131 Airport Drive to the south. The overall site for both buildings and their parking area is 3.8 acres. The properties are zoned I-1 (light industrial).

Unit A is approximately 6,000 square feet and has an overhead door facing the parking area and a rear overhead door to access the backyard storage area. The interior of the unit contains an 800-square-foot office area in addition to the open workspace. The six parking spaces in front of the unit are allocated to Unit A. Other tenants in the building include a land surveyor and various contractor businesses.

Surrounding Zoning, Land Use and Character

The subject property is located within a light industrial subdivision that runs along the west side of Airport Drive across from the Joliet Regional Airport. The zoning and land use for the adjacent properties are as follows:

- North: I-1 (Light Industrial), industrial condos
- South: I-1 (Light Industrial), industrial condos
- East: B-3 (General Business), Joliet Regional Airport
- West: R-B (Restricted Business), Lightways Hospice Care

Applicable Regulations

- Section 47-14.3 (D) B-3 Uses within the I-1 District
- Section 47-13.2A (G) Special Uses – B-3 (General Business) District
- Section 47-5.2 (C) Criteria for issuance of a Special Use Permit
(refer to attachment)

Discussion

The petitioner is requesting approval of a special use permit to allow a paintless automotive dent removal business, Dent Wolf Inc., in one of the industrial condos at 121 Airport Drive. Dent Wolf Inc. performs paintless dent removal only and does not perform other general auto maintenance or repairs. The business will operate as a public garage and have four employees. Proposed hours of operation are Monday through Friday 8 AM to 5 PM.

The interior of the unit can fit approximately 4 cars at one time. The outdoor storage area directly behind the unit can be used for additional parking if needed. The petitioner has operated a similar business for around 8 years and is currently located in Aurora, IL. A site plan, floor plan, and business license application are attached.

Economic Development staff have reviewed this request and are not opposed to it.

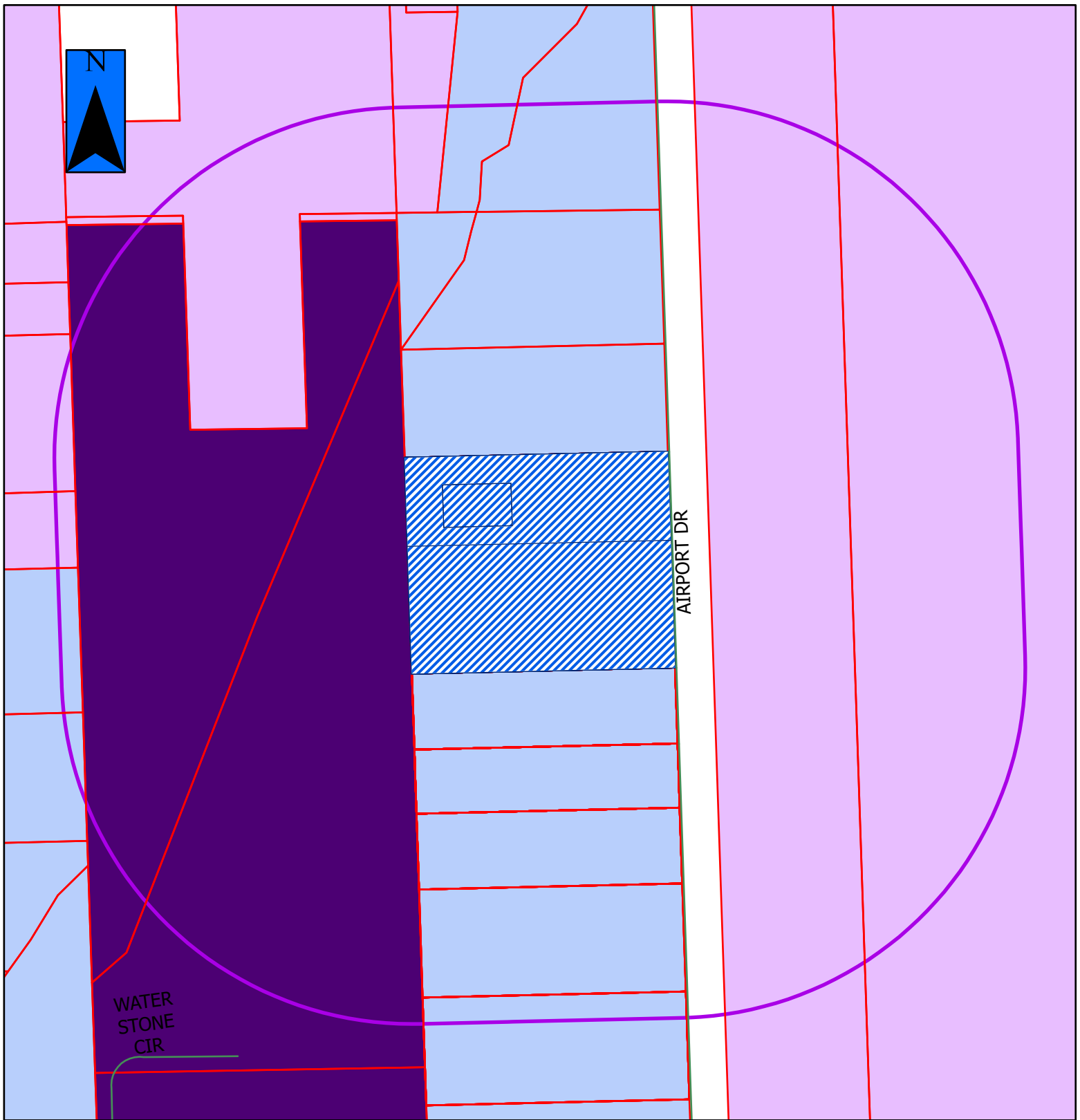
Conditions

If the Zoning Board desires to approve the Special Use Permit to allow an automotive dent removal business, located at 121 Airport Drive Unit A, the following conditions would be included:

1. That a City business license shall be obtained.
2. That the Special Use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period. The Board may grant an extension of this period, valid for no more than one hundred and eighty (180) additional days, upon written application and good cause shown without notice or hearing. Whether or not there is an intention to abandon the Special Use, if any special use is discontinued for a continuous period of one year, or if an intent to abandon the Special Use is evident in a shorter period of time, the Special Use for such use

shall become void, and such use shall not thereafter be reestablished unless a new Special Use Permit is obtained.

3. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.



2024-42



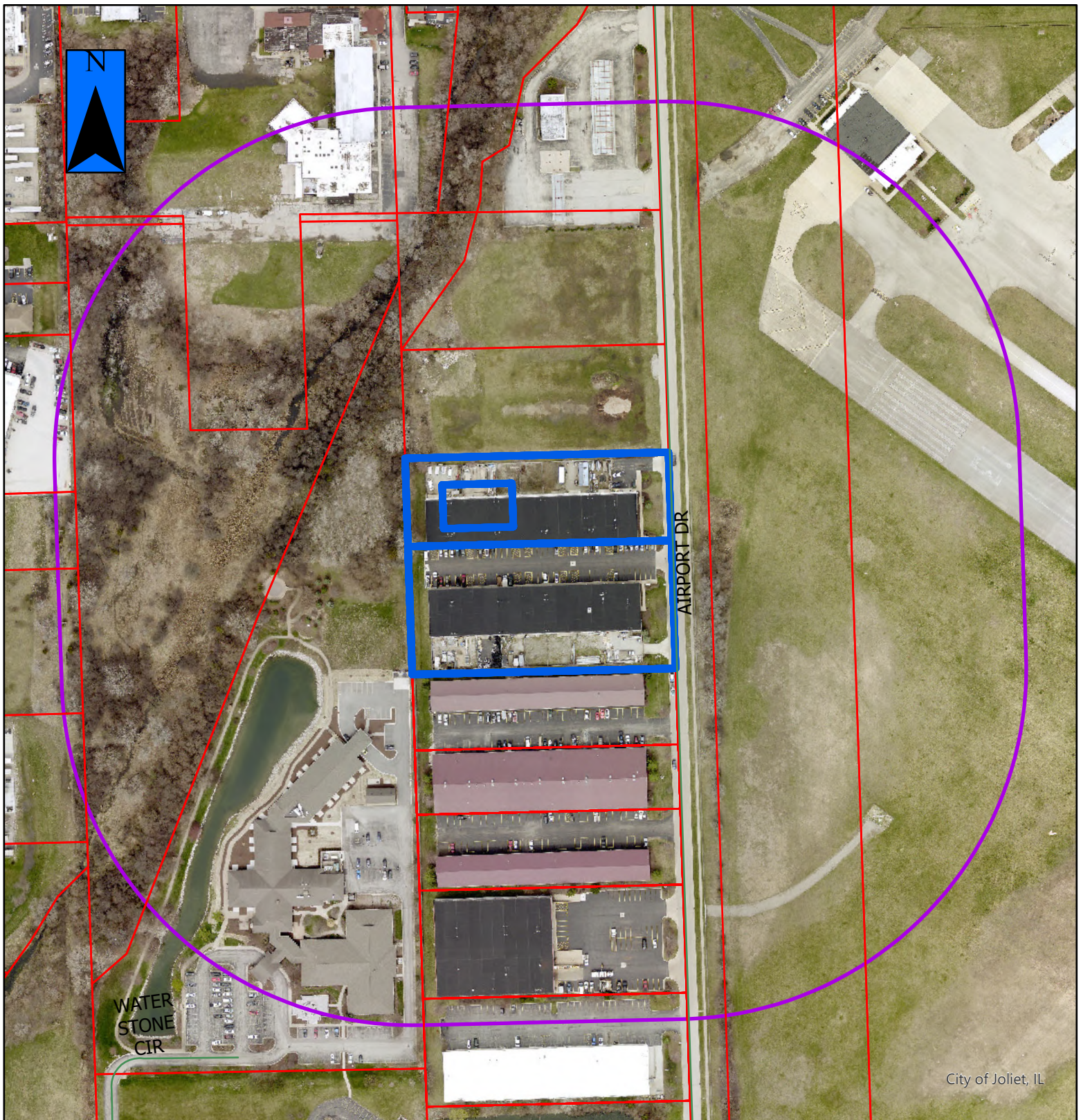
= Property in Question



= 600' Public Notification Boundary

Legend

	B-1		I-TA		R-2
	B-2		I-TB		R-2A
	B-3		I-TC		R-3
	I-1		R-1		R-4
	I-2		R-1A		R-5
	I-T		R-1B		R-B



2024-42a



= Property in Question / Propiedad en cuestión



= 600' Public Notification Boundary /
Límite de notificación pública de 600 ft (180 m)

Figure 1: 121 Airport Drive, Unit A within Joliet Airport Industrial Park subdivision (2024)



±6,000 SF
**INDUSTRIAL
CONDO
FOR SALE**

Open
Warehouse w/
Drive-Through
Capability

Floor Drains
in Warehouse

Mezzanine
Office Area



TRANSWESTERN

REAL ESTATE
SERVICES

121-A AIRPORT DRIVE

Joliet, IL 60431

[Property Website](#)

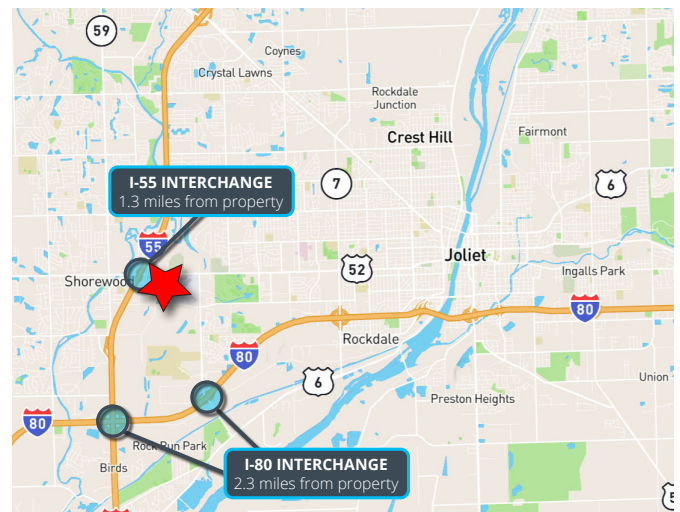


Specifications

- Condo Size: ±6,000 SF
- Land Area: ±0.25 AC
- Office Size: ±800 SF
- Ceiling Height: 24' Clear
- Loading: 2 Oversized DIDs
- Power: 200A
- Parking: ±6 Cars
- Heating: Gas
- Year Built: 2004
- Construction: Precast
- Zoning: I-1 (Light Industrial)
- **Sale Price: Subject to Offer**

Highlights

- High-image industrial condo unit
- Open warehouse with drive-through capability
- Floor drains in warehouse
- High ceiling height
- Well-maintained
- Mezzanine office area
- Preferred corner unit
- Close proximity to both I-55 and I-80



Ross Lehrman
Vice President
847.588.5671
ross.lehrman@transwestern.com

Terri Alexander, SIOR
Executive Vice President
847.588.5641
terri.alexander@transwestern.com

The information provided herein was obtained from sources believed reliable; however, Transwestern makes no guarantees, warranties, or representations as to the completeness or accuracy thereof. The presentation of this information is submitted subject to errors, omissions, change of price or conditions, prior sale or lease, or withdrawal without notice. Copyright © 2024 Transwestern.

±6,000 SF
**INDUSTRIAL
CONDO
FOR SALE**

Open
Warehouse w/
Drive-Through
Capability

Floor Drains
in Warehouse

Mezzanine
Office Area


TRANSWESTERN
REAL ESTATE
SERVICES

121-A AIRPORT DRIVE

Joliet, IL 60431

[Property Website](#)

PROPERTY PHOTOS



Drive-in Door



Drive-through Capability



Warehouse Area



Office Area

Ross Lehrman
Vice President
847.588.5671
ross.lehrman@transwestern.com

Terri Alexander, SIOR
Executive Vice President
847.588.5641
terri.alexander@transwestern.com

The information provided herein was obtained from sources believed reliable; however, Transwestern makes no guarantees, warranties, or representations as to the completeness or accuracy thereof. The presentation of this information is submitted subject to errors, omissions, change of price or conditions, prior sale or lease, or withdrawal without notice. Copyright © 2024 Transwestern.

±6,000 SF
**INDUSTRIAL
CONDO
FOR SALE**

Open
Warehouse w/
Drive-Through
Capability

Floor Drains
in Warehouse

Mezzanine
Office Area



TRANSWESTERN

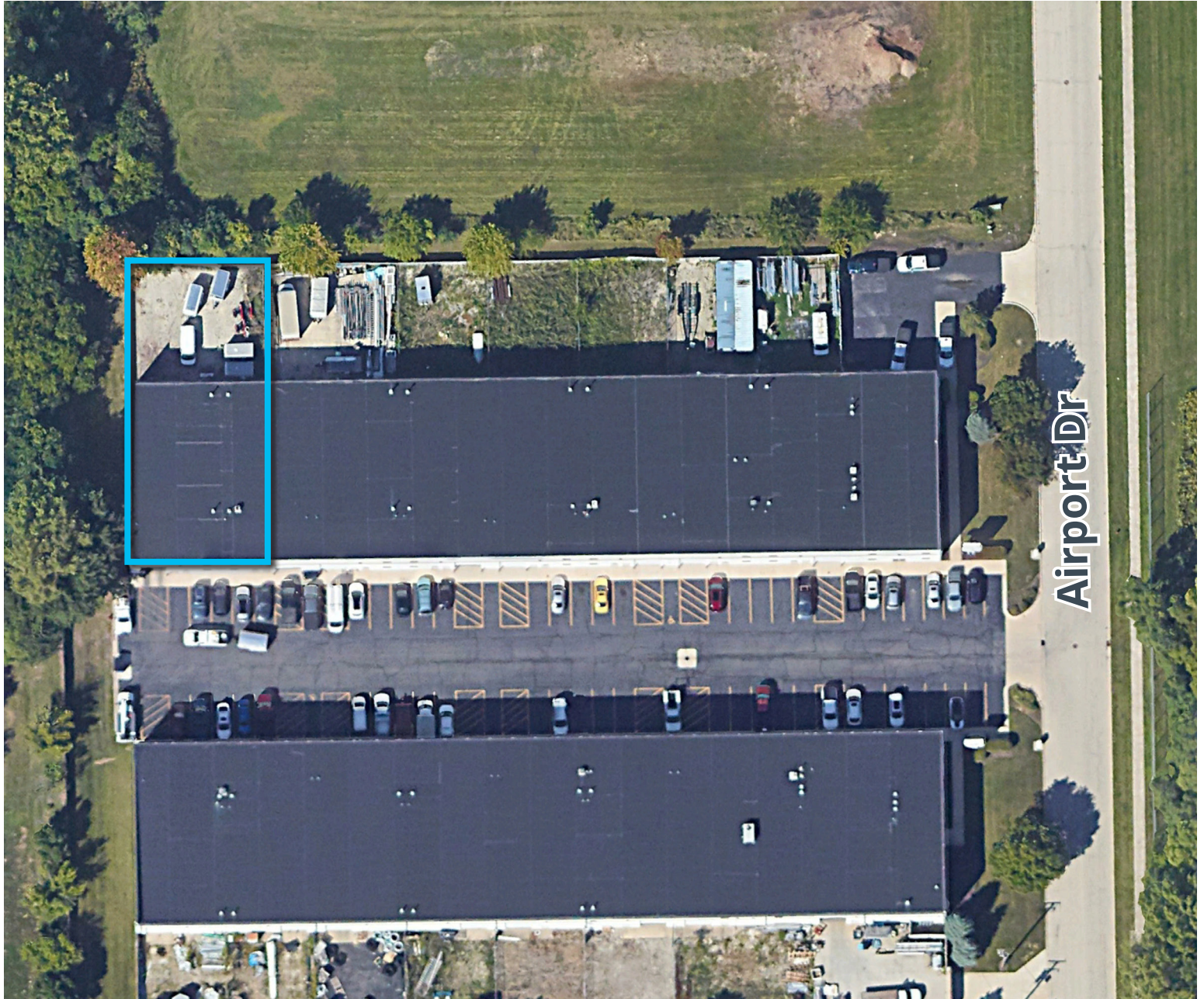
REAL ESTATE
SERVICES

121-A AIRPORT DRIVE

Joliet, IL 60431

[Property Website](#)

AERIAL VIEW



Ross Lehrman
Vice President
847.588.5671
ross.lehrman@transwestern.com

Terri Alexander, SIOR
Executive Vice President
847.588.5641
terri.alexander@transwestern.com

The information provided herein was obtained from sources believed reliable; however, Transwestern makes no guarantees, warranties, or representations as to the completeness or accuracy thereof. The presentation of this information is submitted subject to errors, omissions, change of price or conditions, prior sale or lease, or withdrawal without notice. Copyright © 2024 Transwestern.

FOR OFFICE USE ONLY

***Verified by Planner (please initial): _____ ***

Payment received from:

Petition #: _____

Common Address: _____

Date filed: _____

Meeting date requested: _____

ZONING BOARD OF APPEALS
JOLIET, ILLINOIS

PETITION FOR SPECIAL USE PERMIT

City of Joliet Planning Division, 150 W. Jefferson St., First Floor, South Wing, Joliet, IL 60432
Phone (815)724-4050 Fax (815)724-4056

ADDRESS FOR WHICH SPECIAL USE IS REQUESTED: 121-A Airport Dr., Joliet, IL 60453

PETITIONER'S NAME: Andrei Mereuta

HOME ADDRESS: 13411 Skyline Dr., Plainfield, IL ZIP CODE: 60585

BUSINESS ADDRESS: 13411 Skyline Dr., Plainfield, IL ZIP CODE: 60585

PHONE: (Primary) 802-777-4799 (Secondary) _____

EMAIL ADDRESS: mereuta0@yahoo.com FAX: _____

PROPERTY INTEREST OF PETITIONER: Purchase

OWNER OF PROPERTY: Joliet Naturescape LLC

HOME ADDRESS: 12601 W. Janesville Rd., Muskego, WI ZIP CODE: 53150

BUSINESS ADDRESS: _____ ZIP CODE: _____

EMAIL ADDRESS: todd@naturescapelawncare.com FAX: _____

Any use requiring a business license shall concurrently apply for a business license and submit a copy with this petition. Additionally, if this request is for operation of a business, please provide the following information:

BUSINESS REFERENCES (*name, address, phone*):

MS Imperial Inc., 13411 Skyline Dr., Plainfield, IL 60585 Ph: 802-777-4799 (Owner)

Type of business: Paintless dent removal

OTHER PROJECTS AND/OR DEVELOPMENTS:

ACG Freight. 455 E. State Pkwy., #205, Schaumburg, IL 60173 Ph: 331-333-9243 (Owner)

Dent Master Corp. 112 Marie Ave., North Sioux City, SD 57049 Ph: 208-240-4308 (Business partner)

United PDR Group. 3205 N. Wilke Rd., #122, Arlington Heights, IL 60004 Ph: 847-274-0881 (Business partner)

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 05-06-15-204-020-1010 ;
_____ ; _____ ; _____ .

Property Index Number/P.I.N. can be found on tax bill or Will County Supervisor of Assessments website

LEGAL DESCRIPTION OF PROPERTY (attached copy preferred):

+/-6,000 SF industrial condo with an open warehouse and drive-through capability. Warehouse with floor drain. High ceiling.
Mezzanine office area. Land: +/-0.25Ac. Office: +/-800 SF. Ceiling: 24'. Drive-in-doors: 2. Power: 200A. Parking: 6 cars.
Heating: gas. Year built: 2004. Construction: Precast. Zoning: I-1.

LOT SIZE: WIDTH: 65 DEPTH: 90 AREA : +/-6,000 SF

PRESENT USE(S) OF PROPERTY: Vacant

PRESENT ZONING OF PROPERTY: I-1

SPECIAL USE REQUESTED: 1. Passenger car paintless dent removal.

The Zoning Board of Appeals is authorized to grant a special use permit provided the applicant establishes by clear and convincing evidence:

- (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; and
- (2) 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; and
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and
- (4) That adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided; and
- (5) 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; and
- (6) That the special use shall in all other respects conform to the applicable land use regulations of the district in which it is located and shall not be in violation of any other applicable law, ordinance or regulation; and
- (7) At least one (1) year has elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites, unless conditions in the area have substantially changed.

Please describe how this request meets the criteria by responding to the following questions in your own words.

1. How will the establishment, maintenance, or operation of the special use affect the public health, safety, morals, comfort, or general welfare?

Our business operation and services will only be beneficial to the community and the City of Joliet, IL

2. How will the special use impact properties in the immediate area? We are bringing our excellent services and
and experience to the City of Joliet with fair market prices and outstanding customer service.

3. Will the use impede the normal/orderly development/improvement of surrounding property?

It will not.

4. Are adequate utilities, access roads, drainage, and/or other necessary facilities provided?

The condo unit has everything for us operate our business in an environmentally friendly way.

5. Have adequate measures been taken to provide ingress/egress design to minimize traffic congestion in public streets?

The condo unit is in an HOA and our business shall comply with the HOA rules and regulations as well as the City building code and zoning ordinance.

6. Does the use conform to the applicable land use regulations of the district in which it is located and does it violate any other applicable law, ordinance or regulation?

The use does conform to the the applicable land use and regulations.

7. Has at least one (1) year elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites (unless conditions in the area have changed substantially)?

N/A

REQUIRED SUPPORTING ATTACHMENTS

- Site plan / concept plan / floor plan / building elevation plan
- Joliet Ownership Disclosure form
- Business license application (if applicable)

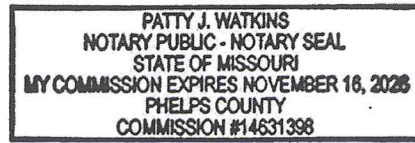
NOTARIZATION OF PETITION

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Andzei Mereanta, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

Andzei Mereanta
Petitioner's Signature

Owner's Signature
(If other than petitioner)



Subscribed and sworn to before me
this 16 day of July, 2024
Patty J. Watkins

CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- Building Permit (Complete Sections II and III)
- Business License (Complete All Sections)

II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

121-A Airport Dr., Joliet, IL 60456

PIN(s): 05-06-15-204-020-1010

III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

E-MAIL: _____ FAX: _____

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

MS Imperial, Inc. Andrei Mereuta, President/Owner

13411 Skyline Dr., Plainfield, IL 60585

Ph: 802-777-4799

100% Ownership

E-MAIL: mereuta0@yahoo.com FAX: _____

NOTE:

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED: _____

DATE: 07/16/2024

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

Andrei Mereuta, President, MS Imperial, Inc., Ph: 802-777-4799

PRINT



2024 GENERAL BUSINESS LICENSE APPLICATION

Office of the City Clerk - Business Services
150 West Jefferson Street
Joliet, Illinois 60432
Office 815-724-3905 Fax 815-724-3904
Email: businessservices@joliet.gov Website: <http://www.joliet.gov>

Office Use Only:
Date Received: _____
Date Issued: _____
Business Account ID: _____

This application pertains to the following type of businesses: Auctioneer; Billiard Hall/Pool Hall; Bowling Alley; Broker; Dry Cleaner; Food Service Establishment; Food Store; Gasoline Station; Hotel/Motel; Massage Salon; Nursing Home; Paint Sale/Paint Application; Pet Shop Operator; Public Amusement; Public Garage; Tattoo Artist; Tattoo Shop; Warehouse, Weapons Dealer; Wholesale Purveyor of Food.

Please print legibly. All information and supplemental requirements must be completed and submitted. **Incomplete forms will be returned.** Please allow a *minimum* of twenty (20) business days for process and review prior to opening.

Proposed Opening Date: _____ Date Opened: _____

LOCAL BUSINESS INFORMATION

Business Name (DBA): _____ Store Number: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Business Phone Number: _____ Fax Number: _____

Location Manager/Supervisor Name: _____

Home Address: _____

Cell Phone Number: _____ E-mail Address: _____

CORPORATE/ BUSINESS OWNERSHIP INFORMATION

Corporate Name: _____

Contact Name: _____

Corporate Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

E-mail Address: _____ Website: _____

Federal Employee Identification Number (FEIN Submit IRS Dept. of Treasury Authorization): _____

State of Illinois Business Tax Number (IBT - Submit IDOR Certificate of Registration): _____

Mailing address for all correspondence: Local Business: _____ Corporate: _____

BUSINESS OWNERSHIP INFORMATION

Provide the following information regarding how the business was created and is owned:

____ Individual ____ Partnership ____ Limited Liability Corporation (LLC) ____ Private Limited Company (LTD) ____ Corporation

List all owner(s) information below and add a second sheet if necessary:

Name: _____ Title: _____
Home Address: _____
City: _____ State _____ Zip Code: _____
Cell #: _____ Email: _____ % of Ownership: _____

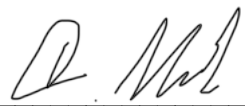
Name: _____ Title: _____
Home Address: _____
City: _____ State _____ Zip Code: _____
Cell #: _____ Email: _____ % of Ownership: _____

Name: _____ Title: _____
Home Address: _____
City: _____ State _____ Zip Code: _____
Cell #: _____ Email: _____ % of Ownership: _____

Name: _____ Title: _____
Home Address: _____
City: _____ State _____ Zip Code: _____
Cell #: _____ Email: _____ % of Ownership: _____

I hereby certify that the information provided in this application is true and correct to the best of my knowledge and that I have not provided false or misleading information. I understand that the failure to supply adequate or correct information will be subject to suspension or revocation of the City of Joliet business license.

Name of applicant (print)



Signature of applicant

Title of applicant

Date

GENERAL BUSINESS LICENSE WORKSHEET

Check all uses that apply. Any additional information must be submitted.

_____ **Auctioneer** – submit copy of Illinois license

Number of auctioneers: _____

Number of assistants: _____

_____ **Broker**

Bonds: _____ Grain: _____ Merchandise: _____

Negotiable Paper: _____ Produce: _____

Stocks: _____

_____ **Dry Cleaners**

On-site plant: Yes _____ No _____

Home delivery: Yes _____ No _____

_____ **Food Service Establishment**

(Restaurants) – must also complete Food Store Section & submit Health Department Certificate (Any place in which food or drink is prepared for sale or for service on the premises or elsewhere or any operation where food is served or provided for the public with or without a charge.)

Total seating capacity: _____

Home delivery: Yes: _____ No: _____

Number of outdoor seats: _____

_____ **Food Store** – submit Health Department

Certificate (Any place where food, including beverages, intended for human consumption off the premises, is manufactured, produced, prepared, handled, transported, sold or offered for sale).

Total number of employees: _____

Home delivery: Yes: _____ No: _____

_____ **Gasoline Station**

Number of service hoses: _____

Number of underground storage tanks: _____

Total Number of gallons stored: _____

_____ **Hotel/Motel**

Number of rooms available: _____

_____ **Massage Business**

Number of masseuses on staff: _____

_____ **Nursing Home** – submit proof of

Administrator License and Illinois License

Type of facility: _____

Number of beds: _____

_____ **Paint Sales/Application**

Containers one pint in size or less:

Yes _____ No _____

Containers one pint in size or more:

Yes _____ No _____

Is paint applied on the premises?

Yes _____ No _____

_____ **Pet Shop Operator** – Submit Pet Shop

Operator License issued by State of IL

_____ **Public Amusement** – Submit Certificate

of Insurance Naming the City of Joliet as Additional Insured

_____ **Public Garage**

Number of service bays: _____

_____ **Tattoo Artist** – submit medical papers and

Bloodborne Pathogen Training Certificate

_____ **Tattoo Shop** – submit Illinois Certificate of

Registration and Certificate of Insurance

Number of tattoo artists on premise: _____

_____ **Warehouse**

_____ **Weapons Dealer** - submit copies of

Federal Weapons Dealer's Number and State of Illinois F.O.I.D. Number

_____ **Wholesale Purveyor of Foods**

Describe commodities delivered: _____

Number of vehicles delivering: _____

Do you have a location within the city limits of the City of Joliet? Yes _____ No _____

BUSINESS OPERATION INFORMATION

General Description/Purpose of Business: _____

Gross Square Footage of Business Location: _____

Total Number of Employees at Location (include family members): _____

Days of Week and Hours of Operation at Location: _____

Do you want your business information listed on the City of Joliet's website and/or the city's tourism website at www.visitjoliet.com? Yes _____ No _____

Is the Business Located in a Stand-Alone Structure? Yes _____ No _____

If no, name of center: _____

Does the Business Own the Building? Yes _____ No _____ If no, complete the following:

Owner Name: _____

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Cell Phone Number: _____

Does or will the Business have a Joliet Liquor License? Yes _____ No _____

Does the Business buy, sell, or accept used merchandise? Yes _____ No _____

If yes, the Antique Dealers, Itinerant Merchants, Pawn Brokers and Second Hand Dealers Application must be completed

Are Hazardous Materials Stored on Site? Yes _____ No _____ If yes, provide MSD Sheets to the Joliet Fire Department

Does the Business have an Alarm System? Yes _____ No _____ If yes, must register with the Joliet Police Department

Name of Alarm System Monitoring Company: _____

Are there any food/ beverage vending machines, gaming machines, amusement machines, or a market pantry on the property? Yes _____ No _____

Provide vending/market pantry vendor information below:

Vending Company: _____ Office Number: _____

Contact Name: _____ Cell Phone Number: _____

ZONING BOARD OF APPEALS
CRITERIA FOR SPECIAL USES

Section 47-5.2 (C) of the Zoning Ordinance states:

A special use permit shall not be granted unless the applicant establishes by clear and convincing evidence:

	Does the evidence presented sustain this criteria?	Comments
(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; and		
(2) 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; and		
(3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and		
(4) That adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided; and		
(5) 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; and		
(6) That the special use shall in all other respects conform to the applicable land use regulations of the district in which it is located and shall not be in violation of any other applicable law, ordinance or regulation; and		
(7) At least one (1) year has elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites, unless conditions in the area have substantially changed.		