

STAFF REPORT

DATE: October 7, 2024
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2024-52
Applicant: Umid Alimov
Status of Applicant: Business owner
Owner: A & D Properties LLC
Location: 251 Republic Avenue
Request: A Special Use Permit to allow a used truck dealership

Purpose

The applicant is requesting a special use permit to allow a used truck dealership at 251 Republic Avenue. Per the City of Joliet Zoning Ordinance, the sales and associated repair of trucks may be allowed as a special use 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 approximately 1.5 acres and contains a 16,000-square-foot industrial building surrounded by an asphalt parking area. The property is zoned I-1 (light industrial) and was most recently occupied by a truck repair facility for JND Truck Repair. In 2013, the Zoning Board approved a special use permit to allow an indoor truck repair facility at the site, with an amendment approved in 2016 to allow customer truck repair parking in front of the business. Prior to that, a special use permit to allow an auto repair and towing business was approved in 2010 but the business never occupied the site. Other previous uses within the last 20 years include a furniture dealer, contractor businesses, and medical equipment suppliers.

The building contains six repair bays, with five loading doors on the north side of the building and one on the east side. There are striped spaces for truck parking along the north side of the site and in the center of the parking area east of the building. There are six car parking spaces adjacent to the east side of the building. The site has a wrought iron fence and some landscaping along the front property line next to Republic Avenue that were installed as part of the 2016 special use approval.

Surrounding Zoning, Land Use and Character

The subject property is located on the west side of Republic Avenue, between Jefferson Street and Glenwood Avenue. This corridor has a mix of commercial and industrial uses and a majority of the properties have I-1 zoning. The zoning and land use for the adjacent properties are as follows:

- North: I-1 (Light Industrial), truck repair facility
- South: I-1 (Light Industrial), auto body shop
- East: I-1 (Light Industrial), medical offices
- West: I-1 (Light Industrial), construction equipment sales

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 for a used truck dealership for Longhorn Truck Sales LLC at 251 Republic Avenue. The petitioner owns a trucking business at a different location and would like to repair and sell some of their used semi-tractors at this site. The petitioner plans to have five to seven tractors on display for sale and estimates they will sell around two to three per week. Prices will range from \$15,000 to \$25,000.

The site contains a metal warehouse building with six repair bays. Longhorn Truck Sales will be the only occupant of the building at this time. They currently lease the space but plan to purchase the site in the future. The petitioner will sell spare trucks that are part of their existing fleet and will only be repairing those trucks to be sold at this site; they already own a repair shop for their company trucks at 2404 Reeves Road. Repair services will not be open to the public. Proposed hours of operation are Monday through Saturday 8 AM to 6 PM. The business will have five employees.

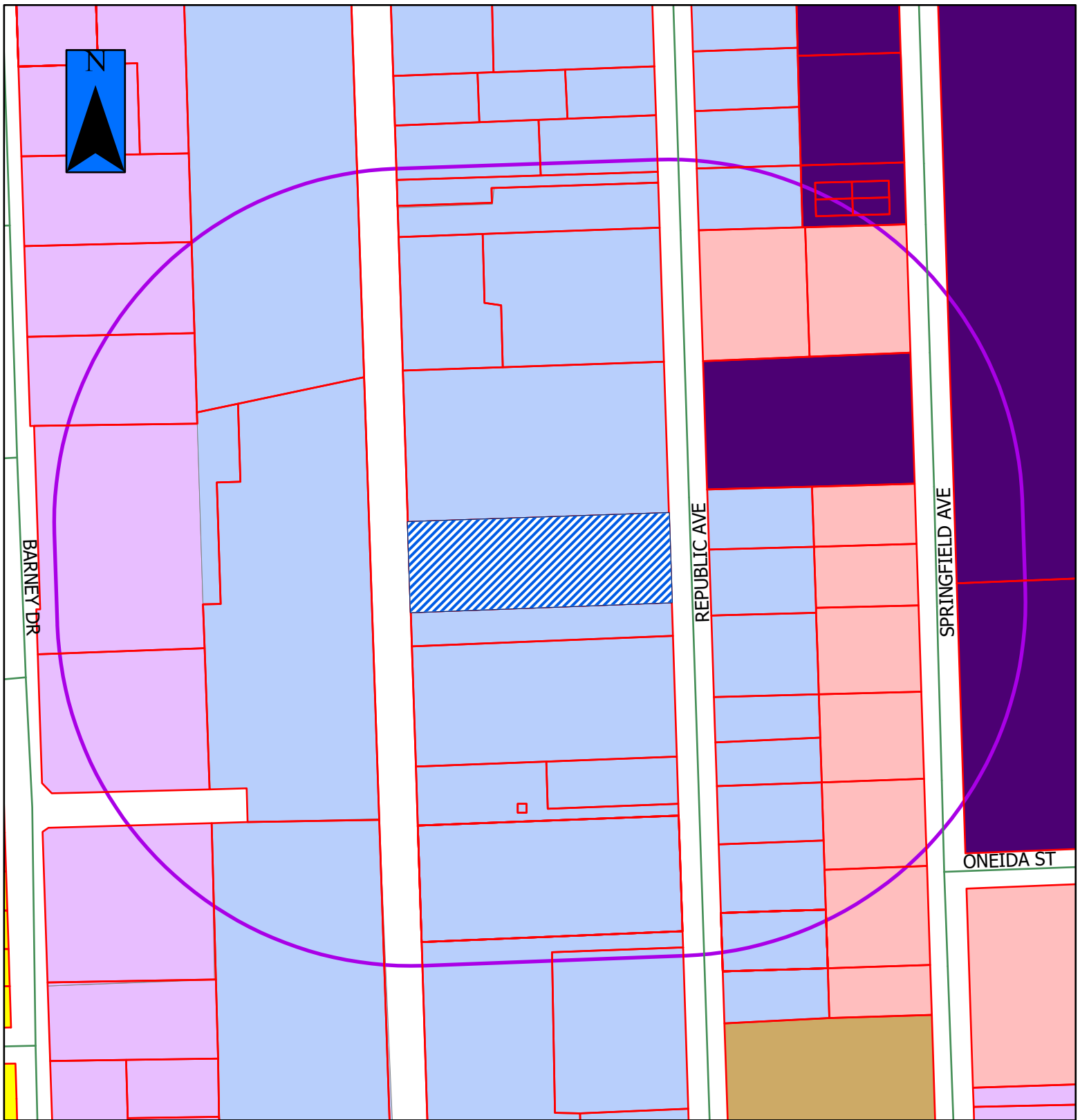
The trucks for sale will be displayed at the front of the site adjacent to Republic Avenue. Vehicles awaiting repair will be parked on the north side and center of the site. The business does not sell semi-trailers and will rarely have trailers on site. Car parking is located along the east side of the building. A site plan and business license application are attached.

Economic Development staff have reviewed this request and believe that the proposed use is appropriate given the history of the site.

Conditions



If the Zoning Board desires to approve the Special Use Permit to allow a used truck dealership, located at 251 Republic Avenue, the following conditions would be included:

1. That all service and repairs shall be performed within the building;
2. That inoperable vehicles shall not be stored outdoors for longer than 7 days;
3. That adequate off-street parking for customers and employees shall be provided and remain into the future;
4. That a City business license shall be obtained;
5. 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; and
6. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.

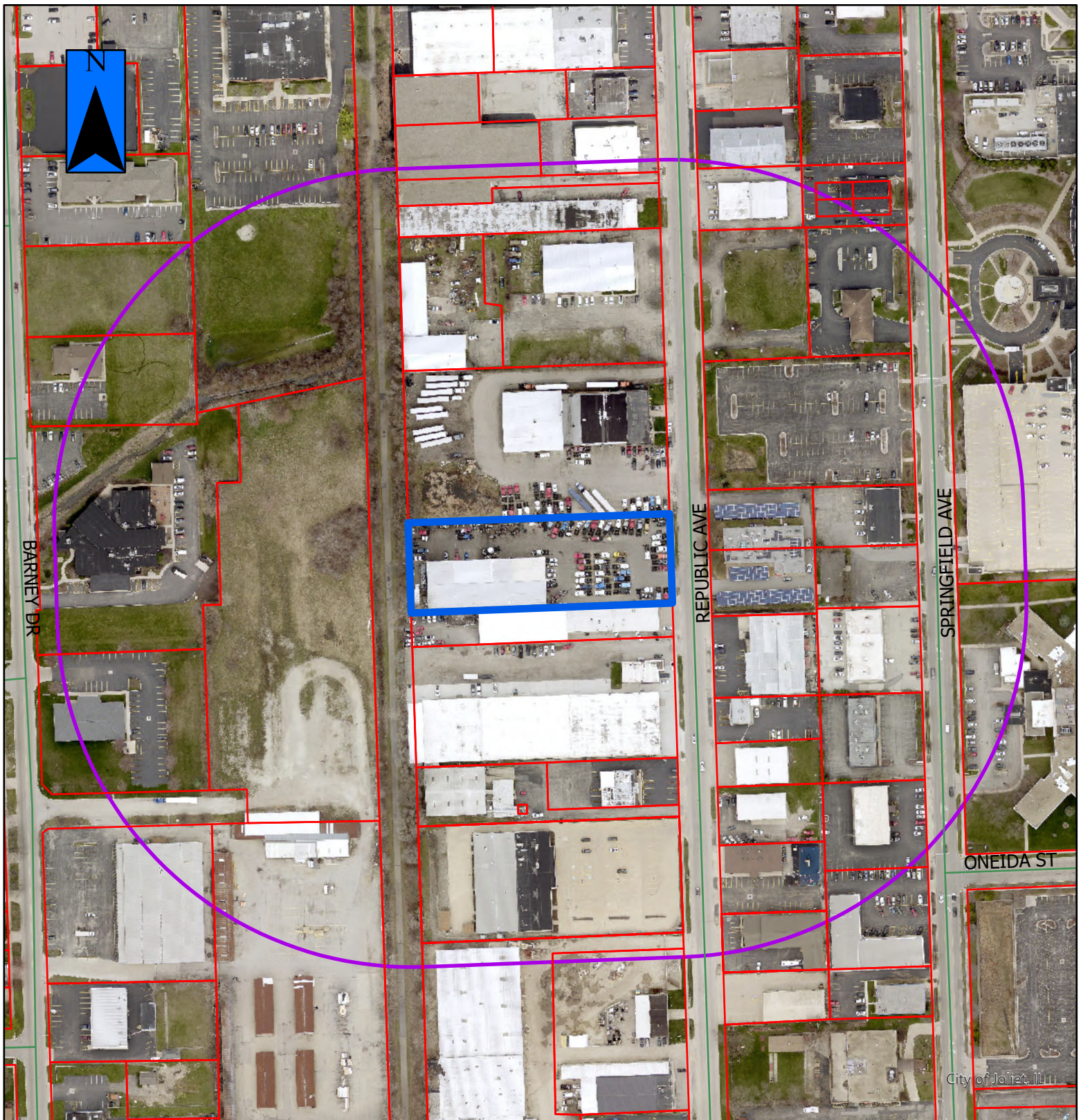


2024-52



 = 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



2024-52a





-  = Property in Question / Propiedad en cuestión
-  = 600' Public Notification Boundary / Límite de notificación pública de 600 ft (180 m)

Figure 1: 251 Republic Avenue (2024)



Figure 2: 251 Republic Avenue, view west from Republic Avenue (October 2024)



Figure 3: 251 Republic Avenue, view west from Republic Avenue – sales display spaces on the right, building in background (October 2024)





Joliet Jet Trail

Joliet Jet Trail

Trail

TRUCK ENTRANCE

TRUCK ENTRANCE

TRUCK ENTRANCE

TRUCK ENTRANCE

TRUCK ENTRANCE

CAR SPACE 1
CAR SPACE 2
CAR SPACE 3
CAR SPACE 4
CAR SPACE 5
CAR SPACE 6

TRUCK ENTRANCE

PARKING LOT 1
PARKING LOT 2
PARKING LOT 3
PARKING LOT 4
PARKING LOT 5
PARKING LOT 6
PARKING LOT 7

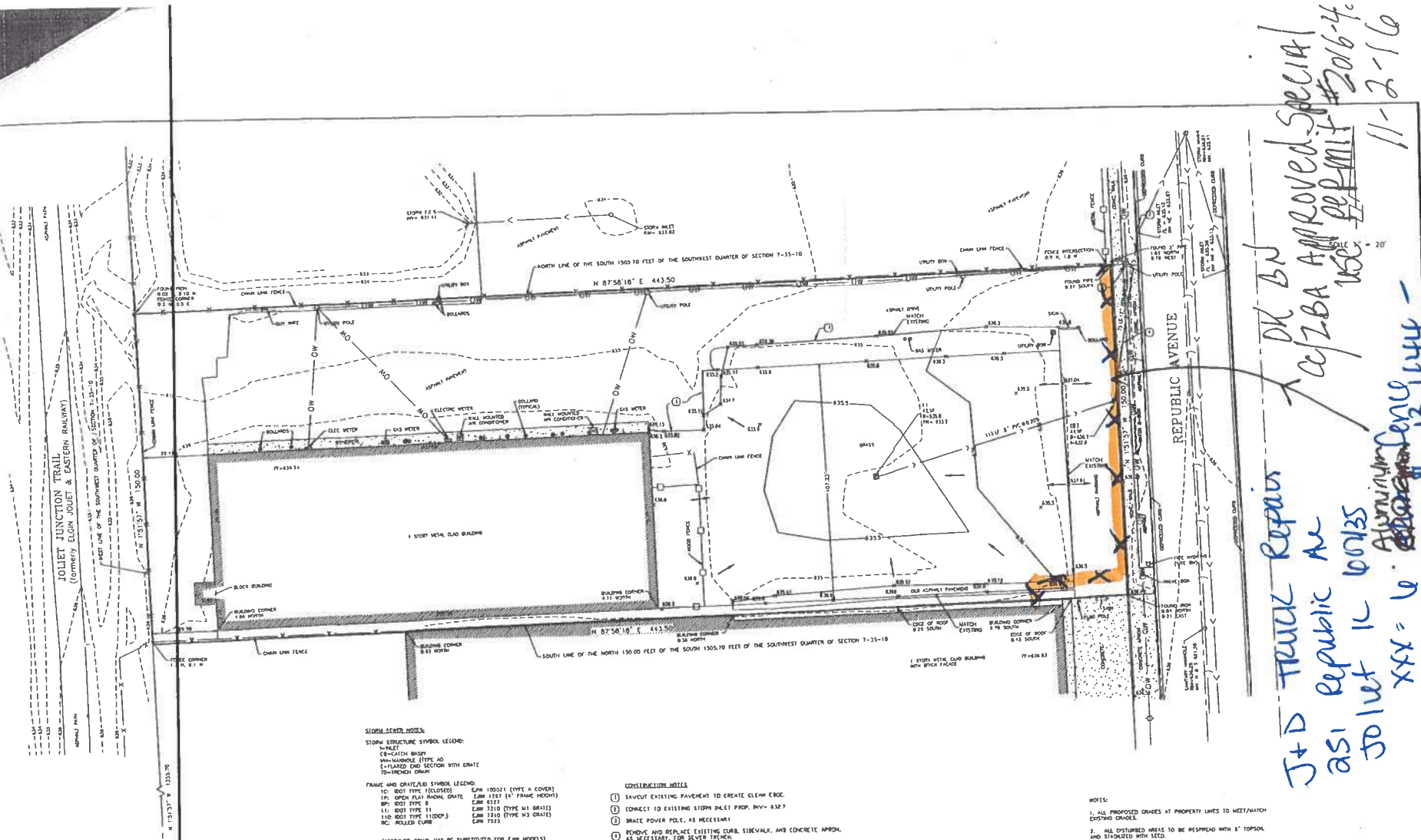
Bentech PDR, Inc.
Paintless Dent Removal

Rendle West
Auto Body Shop

Complete Player Training

Republic Ave

Republic Ave



DK BN
 cc ZBA Approved Special Use Permit #2016-4
 11-2-16
 J+D TRUCK REPAIR
 ASI Republic Ave
 Joliet IL 60435
 xxx = 6' Aluminum Fence
 13' Iron

- STORM SEWER NOTES:**
- STORM STRUCTURE SYMBOL LEGEND:
- SURLET
 - CB-CATCH BASIN
 - MAN-HOLE, TYPE AO
 - EX-TRENCH END SECTION WITH CRATE
 - EX-TRENCH CRATE
- FRAME AND GRATE/SLD SYMBOL LEGEND:
- 10: 800T TYPE (E) GRADE
 - 11: 800T TYPE (E) GRADE
 - 12: 800T TYPE (E) GRADE
 - 13: 800T TYPE (E) GRADE
 - 14: 800T TYPE (E) GRADE
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 - 100: 800T TYPE (E) GRADE

- CONSTRUCTION NOTES:**
1. LAYOUT EXISTING PAVEMENT TO CREATE CLEW EDGE.
 2. CONNECT TO EXISTING STORM INLET PROP. INV. 432.7
 3. BRACE POWER POLE, AS NECESSARY.
 4. REMOVE AND REPLACE EXISTING CURB, SIDEWALK, AND CONCRETE APRON, AS NECESSARY, FOR SEWER TRENCH.

PAVEMENT LEGEND:

[Symbol]	STANDARD DUTY PAVEMENT:
[Symbol]	1.5" HMA SURFACE COURSE, MIX C, H30
[Symbol]	3.25" HMA BINDER COURSE H30
[Symbol]	8" AGGREGATE BASE, TYPE A, CA-8 (SEE NOTE 4)

- NOTES:**
1. ALL PROPOSED GRADES AT PROPERTY LINES TO MEET/MATCH EXISTING GRADES.
 2. ALL DISTURBED AREAS TO BE RESEED WITH 8" TOPSOIL AND STABILIZED WITH TEO.
 3. SOIL EROSION CONTROL TO BE PROVIDED IN ACCORDANCE WITH THE URBAN SOIL EROSION CONTROL AND STANDARDS IN RELATION TO THE LATEST EDITION.
 4. EXISTING GRADE AREA TO BE REGRADED TO APPROPRIATE DEPTH BASED ON PROPOSED GRADES AND PAVEMENT SECTIONS. UNSATURABLE AREAS TO BE UNDERCUT AND REPAIRED WITH TROK AS NECESSARY.

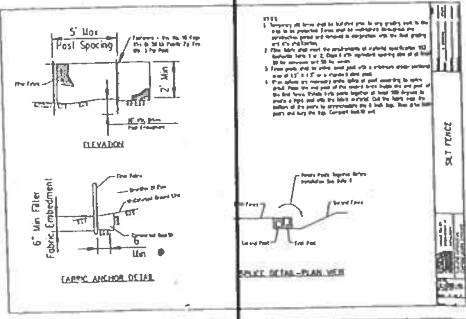
DRAINAGE & ENGINEER CERTIFICATE

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THESE IMPROVEMENTS OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DISCHARGE OF SURFACE WATERS INTO PUBLIC OR PRIVATE AREAS AND/OR DRAINAGE WHICH THE DEVELOPER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE IMPROVEMENTS.

FURTHERMORE, I, THOMAS CARROLL, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY AFFIRM THAT THESE DOCUMENTS HAVE BEEN PREPARED BY OR UNDER MY DIRECT SUPERVISION AND CONTROL AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THESE DOCUMENTS HAVE BEEN PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING STANDARDS AND PRACTICES AND COMPLY WITH APPLICABLE LAWS, CODES AND ORDINANCES.

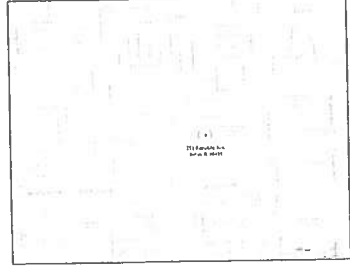
DATE THIS _____ DAY OF _____ 20____

ILLINOIS P.E. 0067-052783
LICENSE EXPIRES 11-30-2017



WARNING

CALL BEFORE YOU DIG



4/1/2016 ADJ. STORM SEWER
DATE: REVISION:

SITE PLAN
DRAWN BY: MC
JOB: 19457
DATE: 1/27/16
CHECKED BY: TC

251 REPUBLIC
JOLIET, ILLINOIS

GEOTECH INC.
CONSULTING ENGINEERS - LAND SURVEYORS
1307 CEDARWOOD DRIVE
CREST HILL, ILLINOIS 62003
615/730-1010

19457
1

FOR OFFICE USE ONLY

Verified by Planner (please initial): _____

Payment received from:

Robertson Trucks LLC
2404 Reeves Rd
Joliet, IL 60436

Petition #: 2024-52
Common Address: 251 Republic Ave.
Date filed: 9/10/24
Meeting date requested: 10/17/24

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: 251 Republic Ave, Joliet IL 60435

PETITIONER'S NAME: Umid Olimov

HOME ADDRESS: 501 S. Weber Rd. Romeoville, IL ZIP CODE: 60446

BUSINESS ADDRESS: 251 Republic Ave, Joliet IL ZIP CODE: 60436

PHONE: (Primary) 707-900-6707 (Secondary) 331-421-1341

EMAIL ADDRESS: info@longhorn-truckrepairllc.com FAX: na

PROPERTY INTEREST OF PETITIONER: for dealer license purpose

OWNER OF PROPERTY: A & D Properties LLC / Terry T. Styrezula

HOME ADDRESS: 24665 W. Manor Dr. Shorewood, IL ZIP CODE: 60409

BUSINESS ADDRESS: 24665 W. Manor Dr., Shorewood, IL ZIP CODE: 60409

EMAIL ADDRESS: na FAX: na

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):

2404 Partners LLC / landlords

OTHER PROJECTS AND/OR DEVELOPMENTS:

BJT Enterprises Holding : 2404 Reeves Rd. Joliet IL 60436

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 30-07-07-300-007-0000 ;

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):

repair facility for vehicles

LOT SIZE: WIDTH: _____ DEPTH: _____ AREA: 1.53 ac

PRESENT USE(S) OF PROPERTY: Industrial

PRESENT ZONING OF PROPERTY: I-1

SPECIAL USE REQUESTED: for dealer licence purpose to be able to sell used vehicles.

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?

The new establishment / operation of the special use permit will not affect the public health, safety, comfort or general welfare, as our location is surrounded by other repair facilities.

2. How will the special use impact properties in the immediate area? _____

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

Absolutely not. The nearest neighbors (both sides) are repair facilities and transportation etelies, which also have parked vehicles and semies.

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

Yes.

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

No traffic congestion is expected at the location since a min. number of vehicles is planned to be stored at the facil. and a parking lot.

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?

No.

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)?

No.

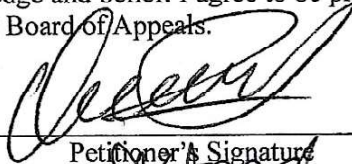
REQUIRED SUPPORTING ATTACHMENTS

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

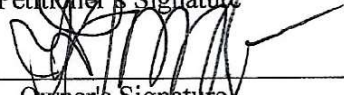
NOTARIZATION OF PETITION

STATE OF ILLINOIS) ss
COUNTY OF WILL)

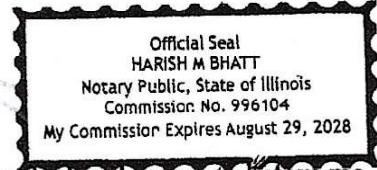
I, Vaid Oliver, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

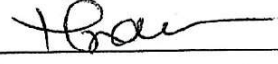


Petitioner's Signature



Owner's Signature
(If other than petitioner)



Subscribed and sworn to before me
this 9th day of September, 2024


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:

_____ 251 Republic Ave, Joliet IL 60435 _____
 PIN(s): _____ 30-07-07-300-007-000 _____

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

_____ Jerry T. Styrezuda / A & D Properties LLC _____
 _____ 24865 W. Manor Dr. Shorewood, IL 60404 _____
 _____ 630-501-7923 _____

E-MAIL: _____ ma _____ FAX: _____ ma _____

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:

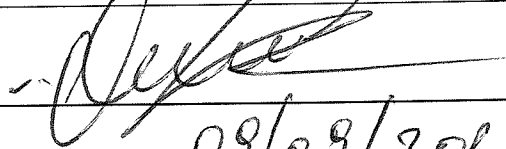
Select the type of business owner associated with this application and fill in the contact information below:

- 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

Umid Olimov
501 S. Weber Rd., Romeoville IL 60446
707-900-0707

E-MAIL: info@longhorn-truck-repairs.com FAX: _____
alex.olimov@gmail.com

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: 09/09/2024

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:
Umid Olimov / President / 707-900-0707

PRINT



2024 ANTIQUE DEALERS, PAWN BROKERS AND SECOND HAND DEALERS 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:

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.

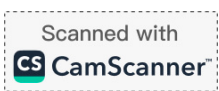
Proposed Opening Date: Date Opened:

LOCAL BUSINESS INFORMATION

Business Name (DBA): Longhorn Truck Sales LLC Store Number:
Business Address: 257 Republic Ave.
City: Joliet State: IL Zip Code: 60435
Business Phone Number: 707-900-0707/331-431-1341 Fax Number: n/a
Location Manager/Supervisor Name: Vladimir Olimov
Cell Phone Number: E-mail Address:

CORPORATE/ BUSINESS OWNERSHIP INFORMATION

Corporate Name: Longhorn Truck Sales LLC
Contact Name: Vladimir Olimov
Corporate Address: 257 Republic Ave.
City: Joliet State: IL Zip Code: 60435
Phone Number: 707-900-0707/331-431-1341 Fax Number: n/a
E-mail Address: info@longhorntruckrepair.com Website: n/a
Federal Employee Identification Number (FEIN Submit IRS Dept. of Treasury Authorization): 92-3170496
State of Illinois Business Tax Number (IBT - Submit IDOR Certificate of Registration): 4484-1604
Mailing address for all correspondence: Local Business: X 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: Umid Olimov Title: President
Home Address: 501 S. Weber Rd.
City: Romeoville State: IL Zip Code: 60446
Cell #: 707-900-0707 Email: info@longhorntruckrepairllc.com % of Ownership: 100%

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

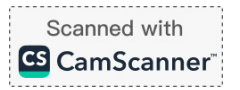
Name: _____ Title: _____
Home Address: _____
City: _____ State: _____ Zip Code: _____
Cell #: _____ Email: _____ % of Ownership: _____

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.

Umid Olimov
Name of applicant (print)
President
Title of applicant

[Signature]
Signature of applicant
9/26/24
Date



BUSINESS OPERATION INFORMATION

BARTER, PAWNED, PURCHASE, SALE OR TRADE OF SECONDHAND ITEMS

Select the category or categories which best explain the general description/purpose of business:

- | | | |
|---|--|--|
| <input type="checkbox"/> Antique dealer | <input type="checkbox"/> A/V equipment, gaming devices | <input type="checkbox"/> Consignment store |
| <input type="checkbox"/> Coin dealer | <input checked="" type="checkbox"/> Automobile and/or parts resale | <input type="checkbox"/> Pawn broker/shop |
| <input type="checkbox"/> Junk/Salvage yard | <input type="checkbox"/> Charity store (donated goods for resale) | <input type="checkbox"/> Weapons |
| <input type="checkbox"/> Jewelry/Gold store | <input type="checkbox"/> Furniture/Household items | <input type="checkbox"/> Cell Phones |

Other, explain: _____

The approximate percentage of business associated with the buying and selling of used merchandise: % 100%

Gross Square Footage of Tenant Space at Location: n/a

Total Number of Employees at Location (include family members): 5

Days of Week and Hours of Operation at Location: 6 days ; 8am - 6 pm

Do you want the local business information listed on the City of Joliet's website? 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: _____

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 food and/or beverage vending machines or gaming/amusement machines or market pantries on the property? Yes No

If yes, the "Coin Operated Vending, Amusement and Gaming Devices Business License Application" must be completed and all machines must have individual annual stickers – List vending information below:

Vending Company: _____ Office Phone#: _____

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.		