

ORDINANCE NO. _____

AN ORDINANCE APPROVING REZONING, PLAT OF EASEMENT, AND SPECIAL USE PERMIT FOR A CONTRACTOR-BASED BUSINESS KNOWN AS CONCRETE RAISING & WATERPROOFING INC., AND REQUESTED VARIATIONS FROM THE CREST HILL ZONING ORDINANCE WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 1818-1820 N. BROADWAY STREET IN CREST HILL, ILLINOIS (APPLICATION OF JAVIER SALAZAR)

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-5 (the “Code”) authorizes the corporate authorities to vary the application of its local zoning requirements “in harmony with their general purpose and intent and in accordance with general or specific rules therein contained in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any of those regulations relating to the use, construction, or alteration of buildings or structures or the use of land;” and

WHEREAS, the Code states that Rezoning, Plat of Easement, Special Use, and Variation requests shall be permitted only upon making certain findings pursuant to requirements listed in the Code; and

WHEREAS, the City of Crest Hill (“City”) has enacted procedures, requirements, and standards for Zoning Map Amendment (Rezoning) in Section 12.8-5 of the Crest Hill Zoning Ordinance; and

WHEREAS, the City has enacted procedures, requirements, and standards for Special Use in Section 12.7-6 of the Crest Hill Zoning Ordinance; and

WHEREAS, the City of Crest Hill (“City”) has enacted procedures, requirements, and standards for Variations from its zoning requirements in Section 12.6-2 of the Crest Hill Zoning Ordinance; and

WHEREAS, the City has enacted procedures, requirements, and standards for dedication of easement in Section 15.32 Subdivision Regulations of the Crest Hill Code of Ordinances; and

WHEREAS, Javier Salazar (the “Applicant”) is the owner of the real property located at 1818-1820 N Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-005-0000 and 11-04-33-412-006-0000, which is legally described in Exhibit A-1 attached hereto (the “Property”); and

WHEREAS, the Applicant has filed an application requesting Rezoning of the Subject Property from B-2 to B-3, approval of a Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations from the Crest Hill Zoning Ordinance (the “Application”); and

WHEREAS, the Crest Hill Plan Commission, after proper notice thereof given, conducted a public hearing on the Application on May 21, 2026; and

WHEREAS, based on the evidence presented at the public hearing and upon making the following findings, which are more fully detailed in the Findings and Decision attached hereto as Exhibit A, the Plan Commission recommended conditional approval of the requested Rezoning, Plat of Easement, Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations outlined in Exhibit A at its May 21, 2026, meeting:

- A. The Rezoning, Plat of Easement, Special Use Permit, and requested Variations are in harmony with the general purpose and intent of the Zoning Ordinance; and
- B. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, or general welfare, and 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
- C. The plight of the Applicant is due to unique circumstances and thus strict enforcement of the Crest Hill Zoning Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and
- D. The Property cannot yield a reasonable return for the proposed commercial uses if permitted to be used only under the conditions allowed by the Zoning Ordinance; and
- E. The Rezoning, Plat of Easement, Special Use Permit, and requested Variations, if granted, will not alter the essential character of the locality and will not be a substantial detriment to adjacent properties; and

WHEREAS, the Plan Commission's recommendation to approve the Rezoning of the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations, as listed in Exhibit A-2 was made subject to the project being implemented in substantial conformance with the six (6) conditions for approval and the application documents referenced in the May 21, 2026, Community Development Department Staff Report attached hereto as Exhibit A-3 (the "Staff Report"); and

WHEREAS, the City Council has examined the May 21, 2026, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the Applicant in a regularly scheduled open meeting; and

WHEREAS, the City Council finds that it is in the best interests of the City that the recommendation of the Plan Commission be adopted and that the Application be granted subject to the project being implemented in substantial conformance with the six (6) conditions for approval and application documents referenced in the Staff Report; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Will County, Illinois, as follows:

SECTION 1: The Preambles of this Ordinance are incorporated herein by reference.

SECTION 2: That the City Council hereby adopts and ratifies the Findings and Decision of the Plan Commission, attached hereto and incorporated by reference herein as Exhibit A, as the findings and decision of the City Council in relation to the Application.

SECTION 3: The Rezoning of the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and Variations listed in Exhibit A-2 are hereby granted and approved subject to the project being implemented in substantial conformance with the following six (6) conditions for approval and application documents referenced in the May 21, 2026, Community Development Staff Report for the Plan Commission Case #RZ-26-1-5-1, Case #SU-26-5-5-1, and Case #V-26-5-5-1:

1. A 10-foot-wide public sidewalk and utility easement shall be dedicated along the entire west property line facing Broadway Street, and contiguous parcels under the same ownership shall be consolidated. A Plat of Easement and Plat of Consolidation (or a combined Plat of Subdivision) shall be prepared by a licensed surveyor. The signed and stamped Plat(s) shall be submitted by the property owner in the required form within 60 days following approval of the Special Use permit and recorded prior to any exterior storage occurring on-site.
2. Curbed turf area, landscaping, and trees shall be provided along Broadway Street frontage as part of the proposed site development per the approved plans. This shall encompass the parkway, subject to IDOT approval, and a minimum of 10 feet inside of the lot frontage.
3. A 5-foot-wide sidewalk shall be installed along Broadway Street frontage. The property owner shall work with the City to coordinate the sidewalk and landscaping improvements with the City's Water Main Installation. An IDOT permit shall be obtained for any work within the public right-of-way. Please refer to the IDOT website for more information regarding the IDOT permit requirements.
4. The property owner shall connect to the City's water main within 6 months following completion of the City's water main installation on the property. This requirement may be extended up to an additional 6 months with approval of the Director of Engineering for weather, technical, or other delays not caused by the property owner.
5. The property owner shall discontinue and seal the existing septic and water wells on the property and connect to the City's sewer main within 6 months following approval of the Special Use permit and prior to any exterior storage occurring on-site. A permit shall be obtained from the Will County Public Health Department, in addition to the City of Crest Hill, to discontinue and seal the existing septic and water wells.

6. No parking shall occur in the front yard, unless solely accessed from the private lot. Pavement shall be minimized in the front yard to only what is necessary to access the building and site per the proposed site plan.

SECTION 4: This Ordinance shall become effective only upon the Applicant executing and submitting to the City the Unconditional Agreement and Consent attached hereto as Exhibit A-4, within 60 days of the passage of this Ordinance. If the Unconditional Agreement and Consent is not executed within 60 days, this Ordinance shall have no force and effect and shall be subject to repeal by the City Council without further notice or hearing due to the Applicant.

SECTION 5: The City Clerk is hereby authorized and directed to record a copy of this Ordinance against the Subject Property, and further to annotate the Special Use Permit granted hereby on the Crest Hill Official Zoning Map.

SECTION 6: This Ordinance shall take effect upon its passage according to law.

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PASSED THIS 15TH DAY OF JUNE, 2026

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	_____	_____	_____	_____
Alderman Angelo Deserio	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 15TH DAY OF JUNE, 2026.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

FINDINGS AND DECISION OF THE PLAN COMMISSION AS TO CASE NO. RZ-26-1-5-1, CASE NO. SU-26-5-5-1, AND CASE NO. V-26-5-5-1 APPLICATION OF JAVIER SALAZAR FOR REZONING, PLAT OF EASEMENT, SPECIAL USE PERMIT FOR A CONTRACTOR-BASED BUSINESS KNOWN AS CONCRETE RAISING & WATERPROOFING INC., AND VARIATIONS FROM THE CREST HILL ZONING ORDINANCE ON PROPERTY LOCATED AT 1818-1820 N. BROADWAY STREET IN THE CITY OF CREST HILL, ILLINOIS.

THIS APPLICATION, coming before the Plan Commission for hearing and decision, and the Plan Commission having heard the evidence in support and opposition to the application at a regularly scheduled meeting held on May 21, 2026, being fully advised on the premises, THE COMMISSION HEREBY MAKES THE FOLLOWING FINDINGS:

A. That the applicant, Javier Salazar is the owner of the real property located at 1818-1820 N. Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-005-0000 and 11-04-33-412-006-0000;

B. That the Application seeks approval of Rezoning the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and certain Variations from the Crest Hill Zoning Ordinance for the property described in the application, commonly known as 1818-1820 N. Broadway Street in Crest Hill, Illinois (the "Property"), with PINs 11-04-33-412-005-0000 and 11-04-33-412-006-0000, which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Application seeks approval of Variations from Table 2 Zoning District Standards for Nonresidential Districts and Section 8.2-18 Outdoor Storage of the Crest Hill Zoning Ordinance to decrease the minimum required lot size; increase the maximum permitted lot coverage; and decrease the minimum required front yard, side yard, and rear yard setbacks for the existing building and the proposed outdoor storage;

D. That the Property is zoned B-2;

E. That the Application was properly submitted and notice of the Application and the public hearing were properly made;

F. That no interested parties filed their written appearance herein;

G. That the public hearing was opened and called to order on May 21, 2026, and the applicant presented evidence and arguments in support of its application on May 21, 2026;

H. That the rules adopted by the Plan Commission for the conduct of public hearings by the Plan Commission were duly followed and observed;

I. That the proposed Rezoning, Plat of Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and Variations requested, as considered under Sections 12.8-5, 12.7-6, and 12.6-2 of the Zoning Ordinance meet the thirteen (13) standards for Rezoning, the six (6) standards for Special Use, and the three (3) standards for the granting of a Variation as well as the supplemental considerations set forth in subsections 12.6-2(1)-(8) of the Zoning Ordinance;

THEREFORE, IT IS THE DECISION OF THE PLAN COMMISSION OF THE CITY OF CREST HILL, ILLINOIS, BASED UPON THE EVIDENCE HEARD BY SAME AND ARGUMENTS AND SUGGESTIONS HEARD AT THE PUBLIC HEARING, AND HAVING DULY CONSIDERED THE MANDATES AND STANDARDS AS SET FORTH IN THE CITY OF CREST HILL, ILLINOIS ZONING ORDINANCE FOR THE GRANTING OF REZONING, PLAT OF EASEMENT, SPECIAL USE PERMIT, AND VARIATIONS AS FOLLOWS:

1. That the approval of the application of Javier Salazar for Rezoning the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and Variations as listed in the attached Exhibit A-2 for the Property located at 1818-1820 N Broadway Street in Crest Hill, Illinois with PINs 11-04-33-412-005-0000 and 11-04-33-412-006-0000 is supported by the evidence adduced;

2. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the Rezoning, Plat of Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations be granted subject to the project being implemented in substantial conformance with the following six (6) conditions for approval and application documents referenced in the May 21, 2026, Community Development Staff Report for this request, as follows:

1. A 10-foot-wide public sidewalk and utility easement shall be dedicated along the entire west property line facing Broadway Street, and contiguous parcels under the same ownership shall be consolidated. A Plat of Easement and Plat of Consolidation (or a combined Plat of Subdivision) shall be prepared by a licensed surveyor. The signed and stamped Plat(s) shall be submitted by the property owner in the required form within 60 days following approval of the Special Use permit and recorded prior to any exterior storage occurring on-site.
2. Curbed turf area, landscaping, and trees shall be provided along Broadway Street frontage as part of the proposed site development per the approved plans. This shall encompass the parkway, subject to IDOT approval, and a minimum of 10 feet inside of the lot frontage.
3. A 5-foot-wide sidewalk shall be installed along Broadway Street frontage. The property owner shall work with the City to coordinate the sidewalk and landscaping improvements with the City's Water Main Installation. An IDOT permit shall be obtained for any work within the public right-of-way. Please refer to the IDOT website for more information regarding the IDOT permit requirements.
4. The property owner shall connect to the City's water main within 6 months following completion of the City's water main installation on the property. This requirement may be extended up to an additional 6 months with approval of the Director of Engineering for weather, technical, or other delays not caused by the property owner.
5. The property owner shall discontinue and seal the existing septic and water wells on the property and connect to the City's sewer main within 6 months following approval of the

Special Use permit and prior to any exterior storage occurring on-site. A permit shall be obtained from the Will County Public Health Department, in addition to the City of Crest Hill, to discontinue and seal the existing septic and water wells.

6. No parking shall occur in the front yard, unless solely accessed from the private lot. Pavement shall be minimized in the front yard to only what is necessary to access the building and site per the proposed site plan.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 21st Day of May, 2026 upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Bill Thomas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Ken Carroll	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Cheryl Slabozeski	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Commissioner Gordon Butler	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Marty Flynn	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Jeff Peterson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner John Stanton	<u> </u>	<u> X </u>	<u> </u>	<u> </u>

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

EXHIBIT A-1

LEGAL DESCRIPTION

PROPERTY ADDRESS: 1818-1820 N BROADWAY STREET, CREST HILL, IL, 60403

PERMANENT INDEX NOs: 11-04-33-412-005-0000 & 11-04-33-412-006-0000

LEGAL DESCRIPTION:

LOTS 3 AND 4, IN MCFADDENS'S SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 27, 1921, AS DOCUMENT NUMBER 337010, IN PLAT BOOK 17, PAGE 23, IN WILL COUNTY, ILLINOIS.

EXHIBIT A-2

1818-1820 N BROADWAY ST – LIST OF REQUESTED VARIATIONS

Crest Hill Zoning Ordinance, Table 2 Zoning District Standards for Nonresidential Districts, B-3 Business Service District:

- (i) Minimum required lot size is 1 acre. *Existing lot size 0.32 acre*
- (ii) Maximum permitted lot coverage is 85%. *Proposed lot coverage is 86.5%*
- (iii) Minimum required front yard setback is 30 feet. *Existing front yard setback is 20 feet*
- (iv) Minimum required side yard setback is 10 feet. *Existing side yard setback is 9 feet*

Crest Hill Zoning Ordinance, Section 8.2-18 Outdoor Storage:

h. All goods, material, merchandise or raw materials must maintain a minimum setback of 10' from the rear and side yards. No goods, material, merchandise or raw materials may be stored in the front yard. *Proposed outdoor storage of material will be located 6 feet from the rear lot line, and 0 foot from the side lot line.*

EXHIBIT A-3

May 21, 2026 Community Development Department Staff Report

EXHIBIT A-4

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The City of Crest Hill, Illinois ("**City**");

WHEREAS, JAVIER SALAZAR is the owner of the real property located at 1818-1820 N. Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-005-0000 and 11-04-33-412-006-0000 (the "Subject Property") and has applied for and been granted Rezoning the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations from the City of Crest Hill Zoning Ordinance; and

WHEREAS, Ordinance No. _____, approved and passed by the Crest Hill City Council on June 15, 2026, ("the **Ordinance**"), approved Rezoning of the Subject Property from B-2 to B-3, Plat of Utility and Sidewalk Easement, a Special Use Permit for a Contractor-Based Business known as Concrete Raising & Waterproofing Inc., and requested Variations from the City of Crest Hill Zoning Ordinance, subject to six (6) conditions; and

WHEREAS, Section 4 of the Ordinance provides, among other things, that the Ordinance shall not take effect, and subject to repeal unless and until JAVIER SALAZAR has executed, within 60 days following the passage of the Ordinance, this Unconditional Agreement and Consent to accept and abide by all the terms, conditions, and limitations set forth in the Ordinance.

NOW, THEREFORE, JAVIER SALAZAR hereby agrees, warrants, and covenants as follows:

1. That he is the legal owner of the Subject Property.
2. That he hereby unconditionally agrees to, accepts, consents to, and will abide by all terms, conditions, limitations, restrictions, and provisions of the Ordinance.
3. That he acknowledges that all required public notices and hearings have been properly given and held with respect to the application process and passage of the Ordinance, understands and has considered the possibility of revocation or repeal of the Ordinance as a result of violation of its terms or failure to abide by the conditions set forth in the Ordinance, and agrees, covenants and warrants that he will not challenge any such revocation on the basis of any procedural infirmity or a denial of any procedural right, provided that the City will provide the Owner with written notice of the City's intent to Repeal or Revoke the Ordinance.
4. That he acknowledges and agrees that the City shall not be in any way liable for any damages or injuries that may be sustained as a result of the City's granting of the Rezoning, Plat of Easement, Special Use Permit and Variations or its passage of the Ordinance, and that the City's approvals do not, and will not, in any way be deemed to insure him against damage or injury of any kind at any time.

5. That he hereby agrees to release, defend, indemnify, and hold harmless the City of Crest Hill, its corporate authorities, elected and appointed officials, officers, employees, agents, representatives, and attorneys from any and all claims that may, at any time, be asserted against them in connection with (a) the City's review and approval of the Special Use Permit, any plans and issuance of any other permits, (b) the City's passage of the Ordinance, and (c) the maintenance and use of the Property as authorized by the Ordinance.

[Signature page to follow]

OWNER: JAVIER SALAZAR

By: _____

SUBSCRIBED and **SWORN** to before me

this _____ day of _____, 2026.

Notary Public