



To: Plan Commission

From: Patrick Ainsworth, AICP, Community and Economic Development Director
Ronald Mentzer, Community and Economic Development Consultant

Date: June 12, 2025

Re: 1813 N. Broadway City Code and Zoning Ordinance Variation Requests –
Plan Commission Case # V-25-1-6-1

Project Details

Project:	A&J Rehab Properties Apartment Building Renovation and Reconstruction
Requests:	Miscellaneous Zoning Ordinance and City Code Variations
Location:	1813 N. Broadway Street

Site Details

Lot Size:	Approximately 13,400 square feet (.3 acres)
Existing Zoning:	R-3 Multi-family Residential District

Surrounding Zoning and Land Use Summary

	Land Use	Comp Plan	Zoning
Subject Parcel	Vacant apt. bldg.	Commercial	R-3
North	Single-family home	Commercial	R-1
South	Single-family home	Commercial	R-1
East	Vacant	Industrial	B2
West	Single-family homes	Multifamily or Commercial	B2

Attachments

Application Documents Submitted by Applicant Include:

- 4/28/2025 Application for Development/Variations (Exhibit B)

- 5/22/2025 Detailed Zoning Ordinance and City Code Required Variations for Non-Conformities (Exhibit C)
- Undated Applicant response letter to Zoning Ordinance Standards for Variations (Exhibit D)
- Plat of Survey dated 10/8/2020 marked up with building remodeling and demolition locations (E)
- Undated Proposed Site Plan (Exhibit F)
- 11/1/2024 Apt. Unit Floor Plans (Exhibits G1-G4)
- Undated Proposed Elevation Plan For Variance/Special Approvals (Exhibit H)
- Undated Landscape Plan (Exhibit I)

Application Background and Project Summary

A&J Rehab Properties (the “Applicant”) purchased 1813 N. Broadway (the “Subject Property”) in October of 2024. Prior to the Applicant’s acquisition of the Subject Property, the City had posted “Not Approved for Occupancy” placards on the 4-unit apartment building located on it due to extensive property maintenance and life safety code violations. As documented in Exhibit D, the Applicant purchased the property with the specific purpose of completing an extensive renovation of the existing 4-unit apartment building so it could be reoccupied and rented out. The Applicant has a successful history of renovating and upgrading other dilapidated properties in the City of Crest Hill and surrounding municipalities.

The existing site and building improvements on the Subject Property date back to the mid-1920s. Over time, the building improvements on the Subject Property evolved into the four small apartment unit configuration that existed when the Applicant acquired it. Many of the existing building and site improvements on the Subject Property do not conform with current City of Crest Hill Zoning Ordinance and City Code requirements. More information regarding the scope and status of non-conforming conditions on the Subject Property is provided in subsequent sections of this report.

In November of 2024, the Applicant applied for a building permit to completely renovate the existing structure on the property. The City issued a building permit for this work in January of 2025. In April of 2025, the Applicant demolished the center apartment unit due to its extremely poor structural condition. Once the City became aware of this, the City informed the Applicant and new owner of the Subject Property that non-conforming zoning related conditions on the property would need to be brought into conformance with applicable Zoning and City Code requirements per the following requirements of Section 5.5 of the Zoning Ordinance:

SALE OF A NON-CONFORMING USE

No non-conforming use or structure shall be sold, transferred or conveyed unless the same is made to conform to the use regulations of the district in which it is located.”

Non-conforming conditions can be eliminated through physical modification or by the City’s approval of variations to specific code requirements. The Applicant is proposing to achieve conformance through a combination of both of these actions.

Non-Conforming Conditions and Summary of Requested Variations

The Applicant has committed to physically modify the site to eliminate the following existing non-conforming conditions on the Subject Property:

1. Lot Coverage - Reduce Lot Coverage from 51% to 47%.
2. Parking and Driveway Pavement - Pave all parking and driveway areas with asphalt.
3. Landscaping - Plant enough new landscape materials to satisfy the minimum planting requirements for a multi-family property.
4. Refuse Screening Enclosures - Construct required refuse container screening enclosures.
5. Parking Lot Lighting – Install new light fixtures to illuminate parking spaces on the property.

The Applicant is also requesting City approval of the various Zoning Ordinance and City Code variations outlined in attached Exhibit C. If approved, these variations would allow the existing building to be completely remodeled in its current location and allow the 4-unit configuration that existed when the Applicant purchased the Subject Property to remain. In general, these variation requests involve existing non-conforming site conditions that would be extremely difficult or physically impossible to eliminate without completely redeveloping the Subject Property.

Staff Analysis

Overall, staff believes the Applicant's proposed building, parking, and landscape improvement plans and commitments for the Subject Property are significant, extremely desirable, and will dramatically improve the aesthetics, function, and public safety on the Subject Property. While the Applicant is still requesting approval of numerous variations, staff is of the opinion that these variation requests are reasonable and acceptable given the underlying zoning of the property, history of the site improvements, character and nature of the adjacent Broadway Street corridor, the fact that the site conditions associated with the variations have already established their impact on the surrounding area and that impact appears to be relatively minor, and the significant amount of improvements and upgrades the Applicant is committed to implement on the Subject Property.

Staff feedback on specific variation requests includes:

Reduced Parking Requirements: The proposed project involves three one-bedroom apartment units and one two-bedroom unit. Staff believes the requested variation to reduce the parking requirements for this property from 3.5 parking spaces per unit (16 required parking spaces) to one parking space per bedroom plus three guest parking spaces (8 proposed parking spaces) is reasonable and consistent with modern-day parking demand for small one and two-bedroom apartment units.

Building Façade Requirements: The Applicant is proposing to clad the entire building with Hardi-board siding and desirable trim and accent siding details. As proposed, these exterior façade improvements would have a significant positive impact on the appearance of the building. Given the location of the existing building and the number of mature trees on the site, staff does not feel requiring the installation of additional masonry façade

materials would materially improve the aesthetic impact the building has on the surrounding neighborhood or the Broadway Street corridor.

Minimum Unit Size Requirements: Staff believes the existing and smaller unit sizes will meet the needs of a growing segment of the population - single individuals with no children - and therefore are desirable and appropriate at this location.

Parking access drives: The existing driveway dimensions, configuration, and curb cuts onto Broadway Street function well for this relatively small site. Expanding or dramatically modifying the dimensions and location of these improvements seems unnecessary from a staff perspective.

Variation Approval Standards and Findings

Section 12.6-2 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with (staff findings are identified in bold italic font):

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone. ***The property would need to be completely redeveloped in order to comply with all applicable Zoning Requirements. Staff believes requiring a complete redevelopment of the property would prevent it from yielding a reasonable return.***
2. That the plight of the owner is due to unique circumstances. ***The plight of the owner is due in large part to the age and history of the property and the fact that it was originally developed prior to the existence of the City of Crest Hill and the current Crest Hill Zoning Ordinance. Staff believes these are unique circumstances.***
3. That the variation, if granted, will not alter the essential character of the locality. ***Provided the applicant complies with the improvement commitments and conditions reflected and recommended in this staff report, staff does not believe the approval of the requested variations would negatively alter the essential character of the area. Instead, staff believes the proposed and recommended improvements to the property would, once completed, have a positive impact on the essential character of the area.***

Section 12.6-2 of the Zoning Ordinance further suggests the Plan Commission supplement the above standards by taking into consideration the extent to which the facts

listed on Exhibit A have been established by the evidence presented during the public hearing process and further support the approval of the Applicant's requests.

Staff Recommendation

Based on the findings reflected in this staff report, Staff recommends:

The Plan Commission recommends City Council approval of variations for the property located at 1813 Broadway Street as outlined in the June 12, Community Development Department Staff Report for Plan Commission Case #V-25-1-6-1) and subject to the Applicant's compliance with the following conditions:

- 1. Remove existing private concrete stairs that connect to the public sidewalk along the west side of Broadway St. and restore disturbed area with grass.**
- 2. Obtain a building permit and construct new refuse container enclosures in the locations reflected on Proposed Site Plan Exhibit F. The design of these enclosures shall comply with applicable City design requirements.**
- 3. Reside and trim all four sides of the 4-unit building with LP Smart Siding composite trim, and shake shingle accent details in substantial conformance with the Proposed Elevation Plan (Exhibit H)**
- 4. Obtain a building permit and pave the proposed driveway/parking improvements on the property in substantial conformance with the location and dimensions reflected on Proposed Site Plan Exhibit F. The design and striping of these improvements shall comply with applicable City design requirements.**
- 5. Install new "One-Way Entrance" and One-Way Exit" Directional signs on the Subject Property at each private driveway connection to Broadway Street.**
- 6. Restore Disturbed areas on the site that will not be covered with structures or pavement with topsoil and grass or mulch.**
- 7. Install and maintain the landscaping reflected on the proposed Landscape Plan (Exhibit I)**
- 8. Amend existing building permit for the building renovation project to accommodate the installation of building mounted light fixtures that would illuminate the proposed parking spaces in front of the building. Cut sheets and mounting details for said fixtures shall be provided in the building permit amendment submittal. Said light fixtures shall be flat glass fixtures mounted so the lens of the fixture is oriented parallel to the ground surface below. "Flood lights" designed and mounted to project light perpendicular to the ground surface are prohibited.**

Please contact Community and Economic Development Consultant Ron Mentzer at 815-741-5106, ext. 240 or rmentzer@cityofcresthill.com with any questions regarding the information or recommendations contained in this report.

Exhibit A

Supplemental Variation Approval Facts to Consider Per Zoning Ordinance Section 12.6-2

1. *That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
2. *The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.*
3. *That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*
4. *That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*
5. *That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as “similar and compatible uses.”*
6. *That the variation granted is the minimum adjustment necessary for the reasonable use of the land.*
7. *That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City.*
8. *That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land..*

Exhibit B

City of Crest Hill Development Handbook

Appendix C



Application for Development

For Office Use Only: Case Number:

Project Name: CREST HILL APARTMENT REMODEL
Owner: A&J Rehab Properties Correspondence To: Juana Cruz
Street address: [REDACTED] Street address: [REDACTED]
City, St., Zip: Romeoville, IL 60446 City, St., Zip: Romeoville, IL 60446
Phone: [REDACTED] Phone: [REDACTED]
Email: [REDACTED] Email: [REDACTED]

Property Address: 1813 N BROADWAY Property Information: 97.0
Street address: 1813 N BROADWAY Lot Width: 97.0
City, St., Zip: CREST HILL, IL Lot Depth: 138.16
PIN: 11-04-33-405-019-0000 Total Area: 13,400 SF

*Submit an electronic version of the legal description only in a Word document to:
buildingdepartment@cityofcresthill.com

Existing Zoning: R3 Existing Land Use: RESIDENTIAL - MULTI-FAM
Requested Zoning: R3 Proposed Land Use: RESIDENTIAL - MULTI-FAM

Adjoining Properties Zoning and Uses:

North of Property: R-1
South of Property: R-1
East of Property: N/A
West of Property: R-1

Purpose Statement (intended use and approval sought): EXISTING MULTI-FAMILY USE. SEEKING VARIANCE FOR ADDITIONAL WORK DONE TO PERMIT # 25-01-0013

Development Request: Please check all that apply and describe:

☐ Rezoning: _____

☐ Special Use: _____

☒ Variance: SEE ATTACHED RESPONSE FOR SPECIAL APPEALS

☐ Planned Unit Development: _____

☐ Annexation: _____

☐ Plat: _____

☐ Other: _____

Contact Information – If not yet known, please indicate as TBD. Check those parties in which copies of all correspondences should be forwarded.

☐ Civil Engineer: _____ Phone: _____

Company: _____ Email: _____

☒ Contractor: Alfonso / Ivana Cruz Phone: _____

Company: AK Rehab Properties Email: _____

☒ Architect: Brian Gould Phone: _____

Company: BA DESIGN Email: _____

☒ Builder: Alfonso / Ivana Cruz Phone: _____

Company: AK Rehab Properties Email: _____

I agree to be present (in person or by counsel) when the Plan Commission and City Council hear this development.

Signature: _____

Date: 4/28/25

If you (the applicant) are not the owner of record, please provide the owner's signature.

Signature of the Owner _____

Date _____

Exhibit C

1813 N. BROADWAY

Zoning Ordinance and City Code Required Variations for Non-Conformities (last revised 5/22/2025)

1.) Zoning Ordinance (ZO) Setbacks and Bulk Requirements: Table 1 R-3 Residential District Zoning District Standards:

- 5,000 sq. ft. of lot area required per dwelling unit/3,343 sq. ft. per unit provided
- 10' side yard building setback required. 3.10' proposed/provided on south side.
- 40' rear yard building setback required. 0.1' proposed/provided.
- 800 sq. ft. minimum 1-bedroom unit size required. UNIT A provided/proposed = 437SF, UNIT C provided/proposed = 605 SF, UNIT D provided/proposed = 324 SF
- 900 sq. ft. minimum 2-bedroom unit size required. UNIT B provided/proposed = 565 SF.

2.) Building Façade Requirements: ZO Section 8.7-2.2 requires the following improvements on multi-family building facades:

- A minimum of 20% of the total exterior building wall façade area excluding window and door areas required to be constructed with masonry materials. No masonry provided/proposed.
- A minimum 80% of the area of one exterior building wall, excluding window and door area, required to be constructed with masonry materials. No masonry provided/proposed.
- A minimum of 10% of the exterior building wall, excluding window and door area, facing Broadway Street required to be constructed with masonry materials. No masonry provided/proposed.

3.) Parking Requirements: ZO Section 11.8-1.c. requires 3.5 parking spaces per dwelling unit. Eight parking spaces proposed for three 1-bedroom units and one 2-bedroom unit.

4.) Parking Access:

- ZO Section 11.4-1 requires one-way access drives to be a minimum of 14 feet in width. 12 foot access drive width proposed/provided.
- ZO Section 11.4-2 and City Code Section 15.04.040.(l)(8) Requires curb cuts for access drives to be no less than 20' in width and must not be closer than 75' from another curb cut on the same street. Existing driveways do not satisfy this requirement.

5.) Parking and Access Drive Setbacks:

- No parking allowed in front yard per ZO section 11.5-1. All eight proposed parking spaces would be located in the required front yard.
- Parking access drives required to be setback 10' from side property lines adjacent to single family residentially zoned/used properties per ZO Section 11.5-3. Existing access drives encroach into this setback.

6.) Parking Area Screening: ZO Section 11.6-2 and City Code Section 15.04.040, requires multi-family parking areas containing more than 4 parking spaces must be screened along the side property lines along any adjacent residentially zoned properties by landscaping, berms, and/or fencing that will "achieve no less than a minimum 75% visual screen at a minimum mature height of six feet." Applicants propose to use existing on-site trees and landscaping to satisfy this requirement.

Exhibit D

1813 Broadway St

Request for Variance

Dear Members of the Board,

I am writing to you and ask for your approval for a variance request at the subject property above. My name is Alfonso Cruz, and I am not only an owner of the property above, but a general contractor in business for over 20 years. I have a local business here in Crest hill, at 1819 Broadway Street, only a couple doors down from this property. I have helped beautify this community by completing projects such as the one at 2138 Root Street. Which was an empty house that had been vacant for some time. It just sold this March.

I would like to provide you with some evidence set forth in the comments below per section 12.6-2 Standards For Variations

The plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone. We originally purchased this property which is in zoning R-3 and was setup as 4 apartments (apartment A and B are in a 2 story section of the building, apartment C is a center small section, and Apartment D is far east side) This property is from the early 40s if I was to guess, and was originally a 2 story home (apartment A and B), a breezeway (apartment C), and a garage possibly (apartment D). But it had been functional and allowed per village zoning. I happened to buy this as a property under duress, with multiple violations as you can see in the inspection reports given to you today.

Soon after my purchase, we applied for a permit to remodel this property and when I uncovered rotted walls and structural elements located on 2 exterior walls, I made an unfortunate decision on my own, without thinking, to take down those 2 walls and the wood framed roof above (apartment C). This is a very small portion which was at one time a breezeway of the home property. In doing so, this triggered me to have to go through this variance process as it has gone above an interior remodel. The property would not be able to yield a reasonable return if I was to (a) leave this portion removed as it would now create 2 separated occupancies and 2 principal structures on the property which cannot occur. (b) I cannot take down the north remaining building (apartment D) as I would be left with only the 2 story building (apartment A and B) and that is not enough income to justify my original purchase and investment.

2. That the plight of the owner is due to unique circumstances. I admit fully that this error in judgement to take down part of the outside walls has caused me a lot of grief and a lot of expense which I did not

believe in my wildest dreams would occur. I felt that I would be able to talk to the inspector and let him know what I found and adjust my plans. I have now hired an architect which has been brought up to speed on how I have gotten to this point, and we have met with Patrick Ainsworth, Don Seeman, and Ron Mentzer to make sure I provide your staff with the proper revised plans moving forward.

3. That the variation, if granted, will not alter the essential character of the locality. If granted the approval, it would allow me to just put the 2 walls back as they were, on the same location, as well as put the roof rafters back, in the same location, and height.

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent of which the following facts, favorable to the applicant, have been established by the evidence:

1. That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out. In this particular instance, we have a great hardship in that if you were to not allow me to put the walls back up, this property in which I have invested so much money into, would be lost. I would have to take down everything that is there, and leave an empty lot or leave as it is and sell to another buyer with not only the original violations I was set to fix, but additional issues with non-conformance and demolition requirements. The building value and the potential would be lost in making this a great rental property.

2. The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification. This is a very unique variance request in that it is not asking for "more square footage, or a reduction of sideyard setbacks for a NEW development. This building has been here for decades, operating, and only due to my own decisions has it been taken to this variation request. Other properties within the same zoning classification AND with the age of property as mine, would most likely have their principal structures set as non-conforming .

3. That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property. That is correct. I am the owner and just looking to put up the elements I took down to bring back to its original location

4. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood. The variation request is to only put up the 2 walls and roof structure in the exact same spot it was before. There is an alley to the west of me and I am not changing the location of any parts of the home as they were before.

5. That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council as "similar and compatible uses". The use will remain the same- Rental property multifamily under R-3 zoning.

6. That the variation granted is the minimum adjustment necessary for the reasonable use of the land. This is correct. I am asking that the variation to be granted so I can continue forward with my initial goal of fixing many of the outstanding violations on this property and continue with my existing remodel permit on file. This would provide the minimum adjustment necessary. Anything beyond this would cause me to have to entirely demolish all structures, and rebuild new on the piece of property that is there. This is not feasible.

7. That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for the development of the City. Granting of this variation will allow me to continue forward. I apologize for my mistake, and did not expect that it would of come to this. I will have plans done by my architect showing the new walls and roof rafters to be installed, as well as any other items necessary per code.

I appreciate your time and understanding. I hope to hear an approval to move forward so I can finalize this project.

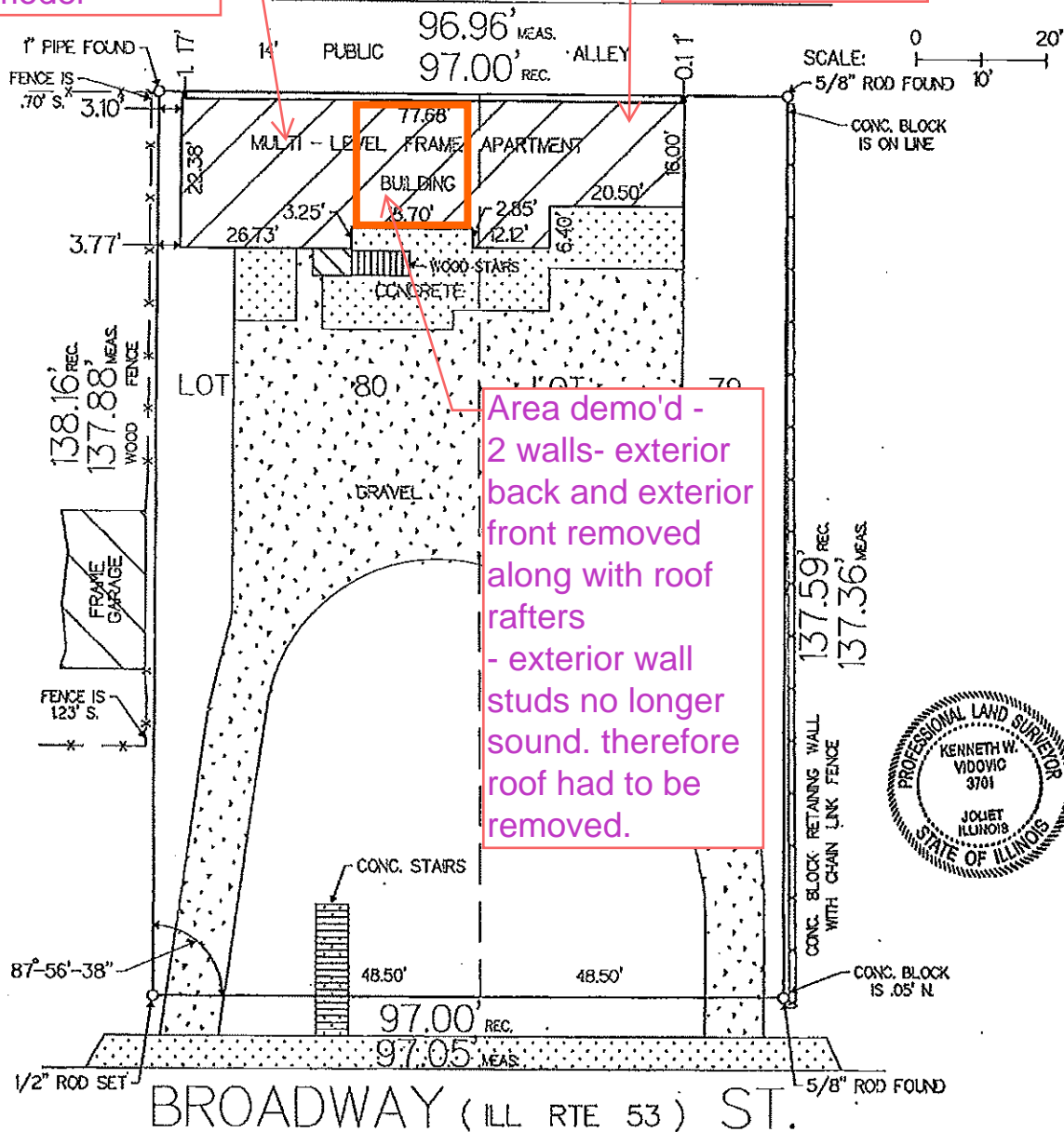
Sincerely,

Alfonso Cruz

LOTS 79 AND 80, IN STEIN PARK, A SUBDIVISION IN SECTION 33, IN TOWNSHIP 36 NORTH, AND IN RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1916, IN PLAT BOOK 17, PAGE 12, AS DOCUMENT NO. 269218, IN WILL COUNTY, ILLINOIS.

existing to
remain-interior
remodel

- existing to remain-interior remodel



ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2020

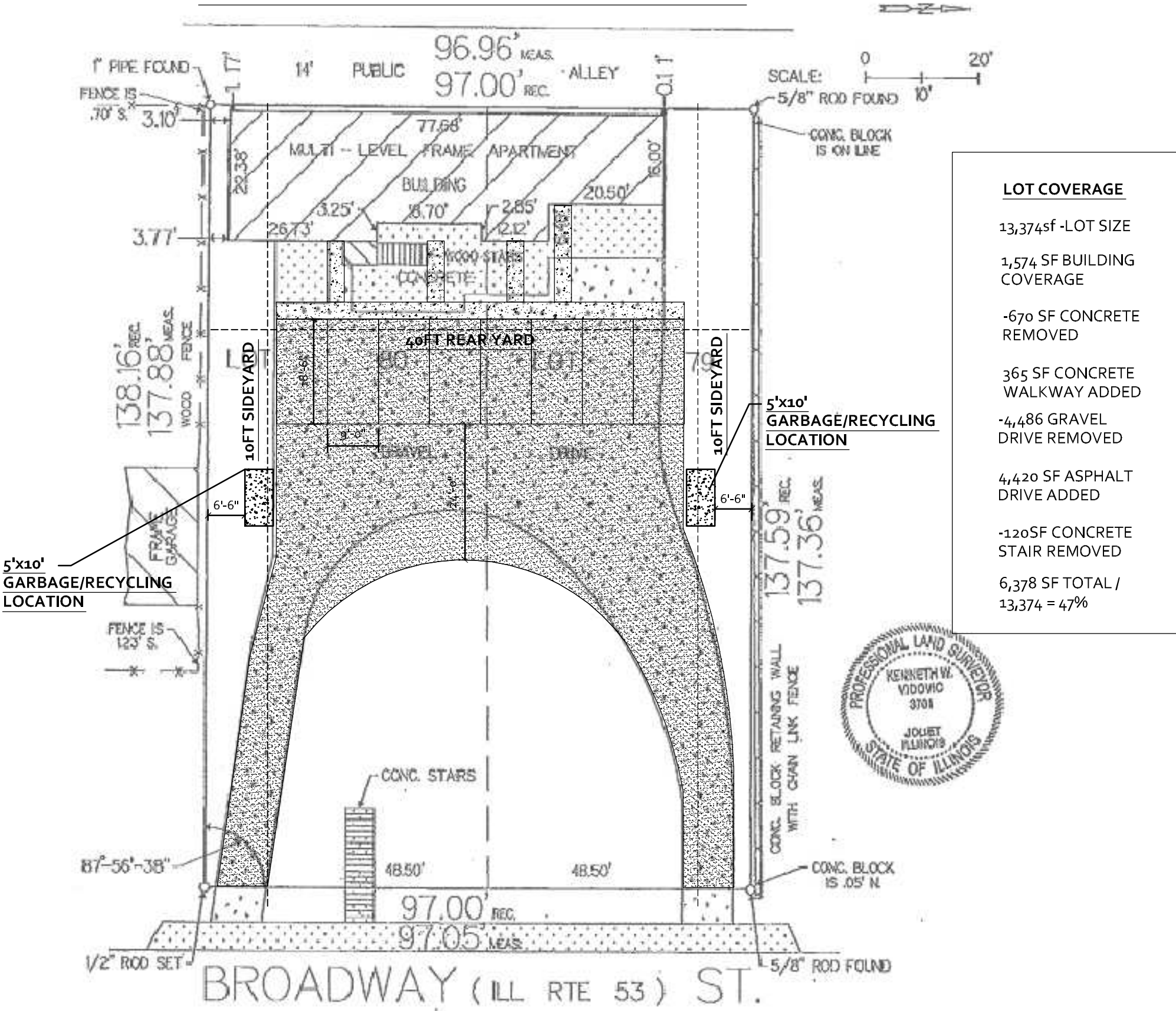
Kent W. K.
 ENGINEER AND SURVEYOR NO. 3301

PLAT OF SURVEY

LOTS 79 AND 10, IN STREET PARK, A SUBDIVISION IN SECTION 33, IN TOWNSHIP 36 NORTH, AND IN RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1916, IN PLAT BOOK 13, PAGE 12, AS DOCUMENT NO. 359214, IN WILL COUNTY, ILLINOIS.

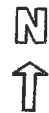
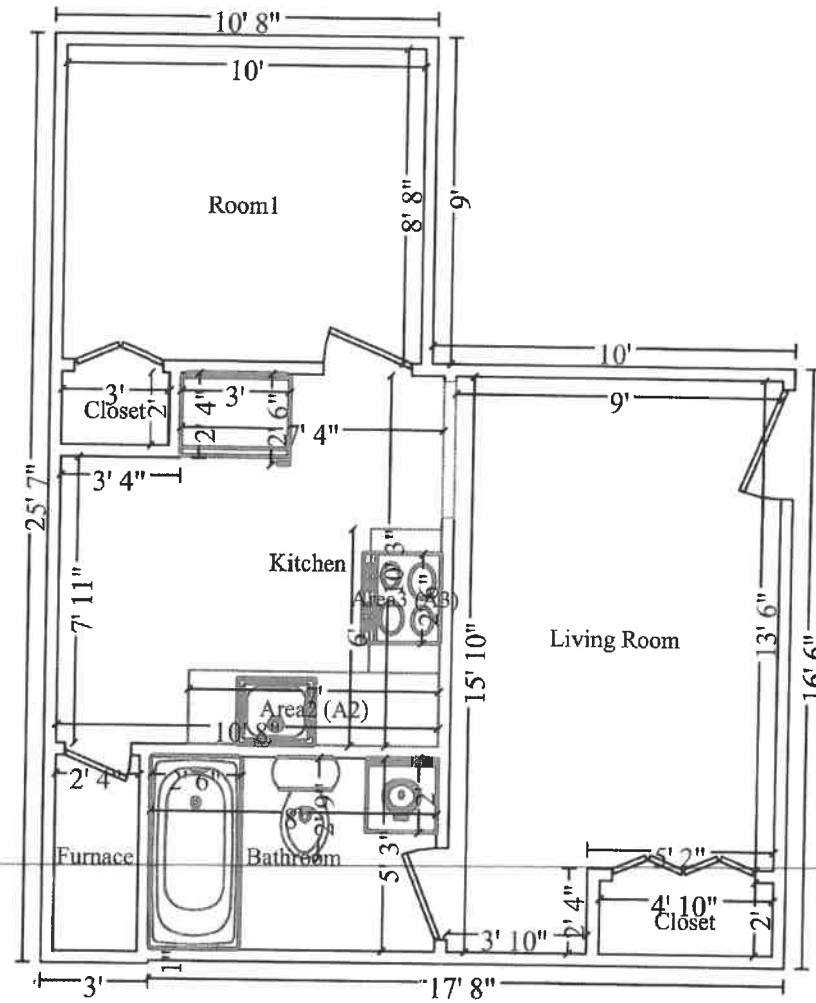
1813 BROADWAY STREET
CREST HILL, IL

PROPOSED SITEPLAN

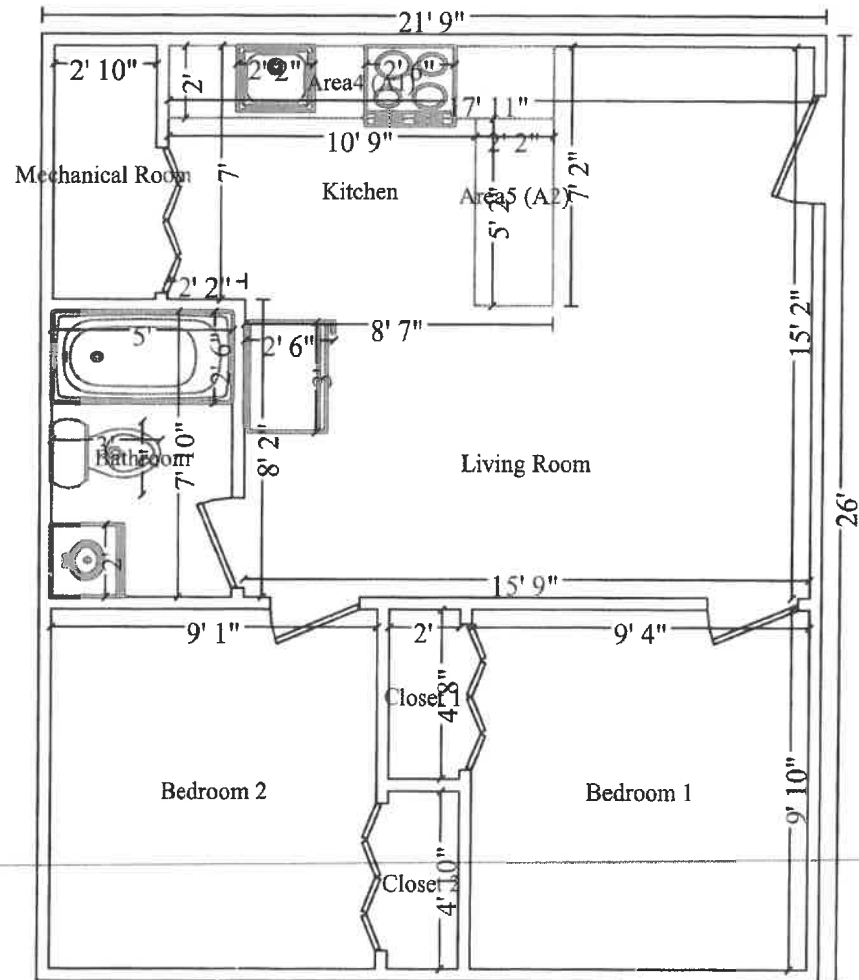


<p>COMMUNITY SURVEY INC. 81 N. CHICAGO STREET, SUITE 207 JOLIET, IL 60432</p> <p>(815) 722-9005 (815) 722-9019 - fax EMAIL: kwsurvey@att.net</p> <p>DESIGN FIRM NO. 164-003499</p> <p>CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOW SHOWN ON PLAT OF SURVEY. COMPARISONS BEFORE BUILDING.</p>	<p>WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR PATRICK MIESZAROS UNDER MY HAND AND SEAL ON THIS FIFTH DAY OF OCTOBER 2023. FIELD WORK 10/1/2023</p> <p>THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS KENTUM STANDARDS FOR A BOUNDARY SURVEY.</p> <p>SURVEY NUMBER 20-27221</p> <p><i>Kenneth W. Vidovic</i> ILLINOIS LAND SURVEYOR NO. 1381 EXPIRES 11/01/2029</p>
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Exhibit G
Sketch

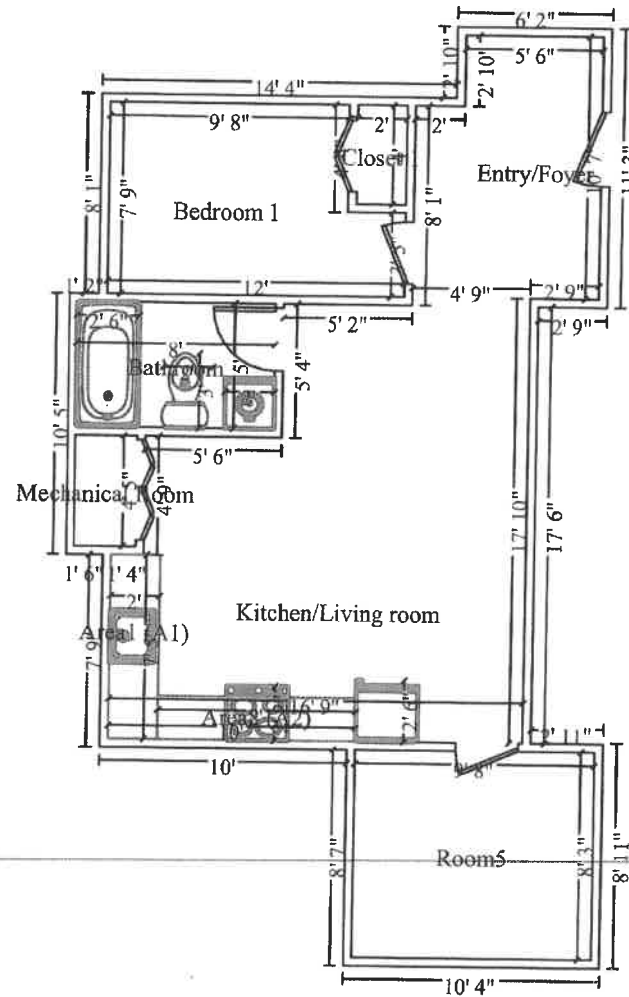


Sketch



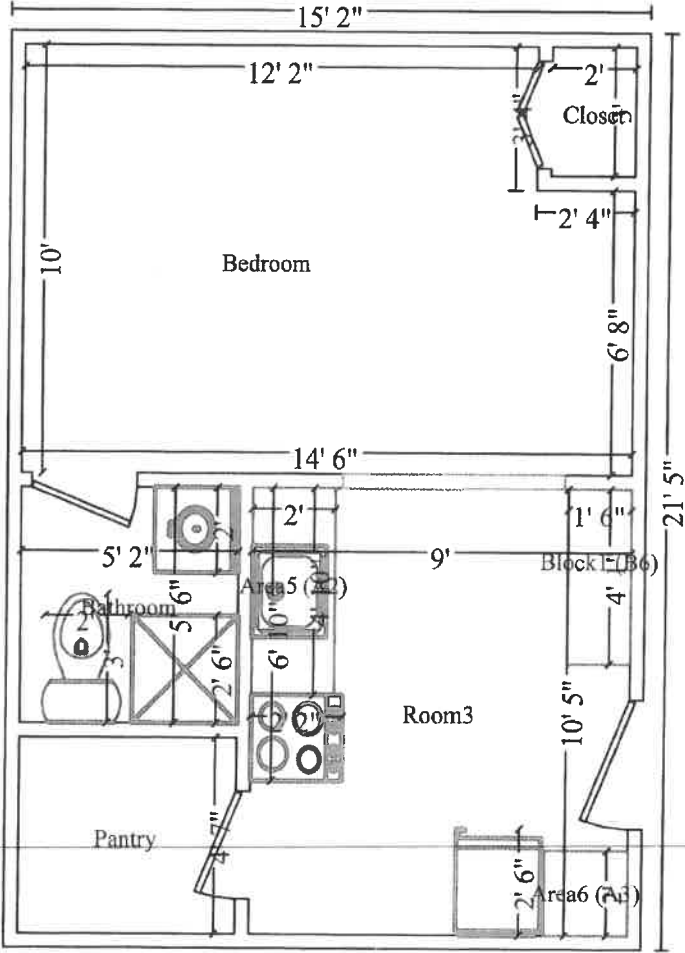
Unit B

Sketch



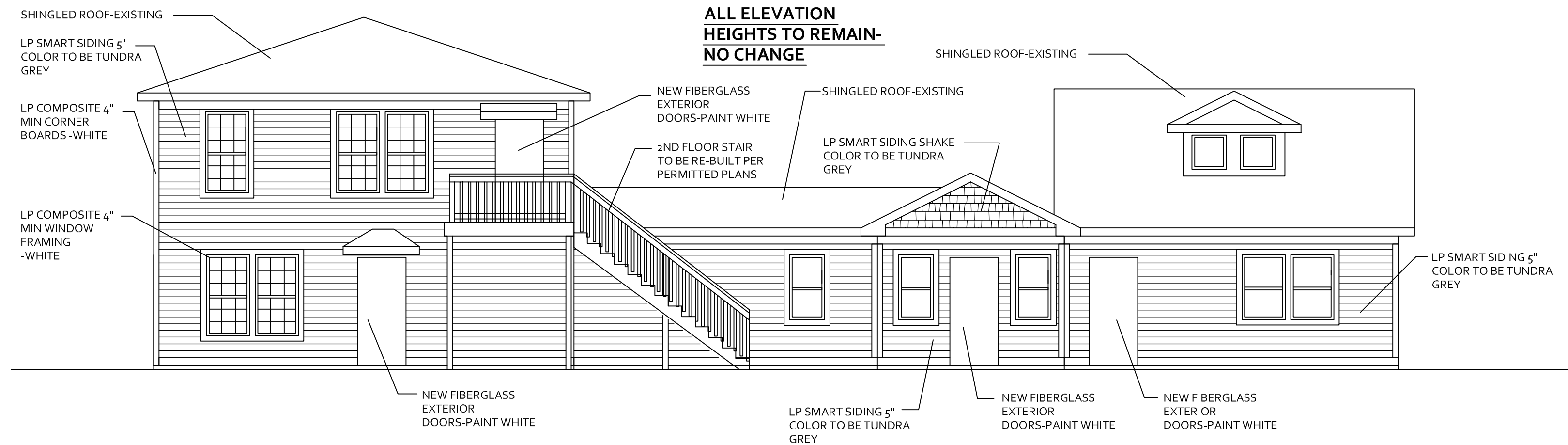
Unit C

Sketch



Unit D

Exhibit H



1813 BROADWAY ST
CREST HILL, IL

PROPOSED ELEVATIONS FOR VARIANCE/SPECIAL APPROVALS

LANDSCAPE PLAN

SCALE 1"=10'-0"

