

ORDINANCE NO. _____

**AN ORDINANCE APPROVING MULTIPLE VARIATIONS TO THE CREST HILL
ZONING ORDINANCE WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED
AT 2400 WATERFORD DRIVE IN CREST HILL, ILLINOIS
(APPLICATION OF RUBEN AND CLARA MIRANDA)**

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 a variation shall be permitted only upon the finding of certain requirements listed in the Code; and

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

WHEREAS, Ruben and Clara Miranda (the “Applicant”) are the owner of real property located at 2400 Waterford Drive in the City of Crest Hill, Illinois, bearing PIN 06-03-36-213-002-0000, and legally described in Exhibit 1 of Exhibit A (the “Property”), has filed an application requesting approval of multiple variations from the Crest Hill Zoning Ordinance on the Property (the “Application”); and

WHEREAS; the Crest Hill Plan Commission, after proper notice thereof given, conducted a public hearing on the Application on October 9, 2025, 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 as Exhibit A, the Plan Commission recommended unanimous but conditional approval of the requested variations outlined on Exhibit 2 of Exhibit A at its October 9, 2025, meeting:

- A. The variations are in harmony with the general purpose and intent of the Zoning Ordinance; and
- B. The plight of the owner is due to unique circumstances and thus strict enforcement of the 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
- C. The Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance; and

- D. The variation, if granted, will not alter the essential character of the locality and will not be a substantial detriment to adjacent Property; and

WHEREAS, The Plan Commission's recommendation to approve the variations listed on Exhibit 2 of Exhibit A was made subject to the project being implemented in substantial conformance with the application documents referenced in the October 9, 2025, Community Development Department Staff Report Attached Exhibit B (the "Staff Report"); and

WHEREAS, the City Council has examined the October 9, 2025, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the Owner in an open meeting regularly scheduled; 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 application documents referenced in Attached Exhibit B; and

WHEREAS, The Applicant is aware that any improvements installed in, under, across, along and upon the surface of the property shown within the dotted lines on the plot and marked "Public Utility & Drainage Easement" shall be subject to the City of Crest Hill easement provisions. Also granted herewith is the right to cut, trim or remove obstructions, trees, bushes and roots as may be reasonable required incident to the rights herein given, and the right to enter upon the subdivide property for all such purposes.

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 variations listed in Exhibit 2 of Attached Exhibit A are hereby granted subject to the project being implemented in substantial conformance with the application documents referenced in Exhibit B.

SECTION 4: This Ordinance shall take effect upon its passage according to law.

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PASSED THIS 3RD DAY OF NOVEMBER, 2025

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

Christine Vershay-Hall, City Clerk

APPROVED THIS 3RD DAY OF NOVEMBER, 2025.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. V-25-3-10-1
THE APPLICATION OF RUBEN AND CLARA MIRANDA FOR MULTIPLE VARIATIONS
FROM THE CITY OF CREST HILL ZONING ORDINANCE AT PROPERTY LOCATED AS
2400 WATERFORD DRIVE IN THE CITY OF CREST HILL.**

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 October 9, 2025, being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Ruben and Clara Miranda, are the owner of the real estate described in the application.

B. That the application seeks multiple variations for the property described in the application, commonly known as 2400 Waterford Drive in Crest Hill, Illinois (the "Property"), which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Property is zoned R-1;

D. That the application seeks approval of three (3) variations to Corner Fence Requirements contained in Section 8.3-8 Permitted Obstructions in Yards of the Crest Hill Zoning Ordinance. All requested Variations are listed in the attached Exhibit A-2 and relate to the property located at 2400 Waterford Drive in Crest Hill, Illinois, with PIN 06-03-36-213-002-0000.

E. That the requested variations involve existing non-conforming conditions on the property;

F. That the application for the variation was properly submitted and notice of the application and the public hearing were properly made;

G. That no interested parties filed their appearances herein;

H. That the public hearing was opened and called to order on October 9, 2025, the applicant presented evidence and arguments in support of its application on October 9, 2025.

I. That the rules adopted by the Plan Commission for the conduct of Public Hearings by the Plan Commission were duly followed and observed;

J. That the proposed variation, as considered under section 12.6 of the Zoning Ordinance, meets the three (3) standards for the granting of a variation under section 12.6-2 as well as the supplemental considerations set forth in subsections 12.6-2(1)-(8).

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 VARIANCES, AS FOLLOWS:

1. That the approval of the application of Ruben and Clara Miranda for multiple variations as listed in attached Exhibit A-2 for property located at 2400 Waterford Drive in Crest Hill, Illinois with PIN 06-03-36-213-002-0000 is supported by the evidence adduced;

2. That the Applicant is aware that any improvements installed in, under, across, along and upon the surface of the property shown within the dotted lines on the plot and marked "Public Utility & Drainage Easement" shall be subject to the City of Crest Hill easement provisions. Also granted herewith is the right to cut, trim or remove obstructions, trees, bushes and roots as may be reasonable required incident to the rights herein given, and the right to enter upon the subdivide property for all such purposes;

3. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the variations be granted subject to the project being implemented in substantial conformance with the application documents referenced in the October 9, 2025, Community Development Staff Report for this request.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 9TH Day of October 2025 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>X</u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Gordon Butler	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Marty Flynn	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Commissioner Jeff Peterson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Commissioner John Stanton	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

EXHIBIT A-1
LEGAL DESCRIPTION

PROPERTY ADDRESS: 2400 WATERFORD DRIVE, CREST HILL, IL, 60403

PERMANENT INDEX NO: 06-03-36-213-002-0000

LEGAL DESCRIPTION: LOT 18 IN CREST ESTATES SUBDIVISION, IN THE
NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS

EXHIBIT A-2
LIST OF REQUESTED VARIATIONS

Crest Hill Zoning Ordinance (ZO) Section 8.3-8 Permitted Obstructions in Yards

- Fences, natural, open: not greater than four (4) feet in height nor closer than five (5) feet from front and corner side lot lines. Proposed fence is solid and six (6) feet in height, with no corner side yard setback.

EXHIBIT B

October 9, 2025 Community Development Department Staff Report

DRAFT