

ORDINANCE NO. _____

AN ORDINANCE APPROVING FINAL PLAT OF SUBDIVISION, REZONING, AND SPECIAL USE PERMIT FOR A CONTRACTOR-BASED BUSINESS KNOWN AS REASONABLE TREE EXPERTS, AND REQUESTED VARIATION FROM THE CREST HILL ZONING ORDINANCE WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 1618-1626 N. BROADWAY STREET IN CREST HILL, ILLINOIS (APPLICATION OF KURT FIFE - EXTREME 2017 LLC)

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 Plat of Subdivision, Rezoning, 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 Plats of Subdivision in Chapter 15.32 Subdivision Regulations of the Crest Hill Code of Ordinances; and

WHEREAS, Kurt Fife - Extreme 2017 LLC (the “Applicant”) is the owner of the real property located at 1618-1626 N Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000, which is legally described in Exhibit A-1 attached hereto (the “Property”); and

WHEREAS, the Applicant has filed an application requesting approval of Preliminary and Final Plat of Subdivision, Rezoning of the Property from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and a Parking Setback Variation 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 September 10, 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 on September 10, 2026 recommended conditional approval of the requested Preliminary and Final Plat of Subdivision, Rezoning, Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and requested Parking Setback Variation outlined in Exhibit A-2, and as follows:

- A. The Preliminary and Final Plat of Subdivision, Rezoning, Special Use Permit, and requested Variation 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 Preliminary and Final Plat of Subdivision, Rezoning, Special Use Permit, and requested Variation, 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 Preliminary and Final Plat of Subdivision, Rezoning the Property from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and requested Parking Setback Variation, as listed in Exhibit A-2 was made subject to the project being implemented in substantial conformance with the nine (9) conditions for approval and the application documents referenced in the September 10, 2026, Community Development Department Staff Report attached hereto as Exhibit A-3 (the "Staff Report"); and

WHEREAS, the City Council has examined the September 10, 2026, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the Applicant at 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 nine (9) 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 Preliminary and Final Plat of Subdivision, Rezoning the Property from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and a Parking Setback Variation request listed in Exhibit A-2 are hereby granted and approved subject to the project being implemented in substantial conformance with the following nine (9) conditions for approval and application documents referenced in the September 10, 2026, Community Development Staff Report for the petitions Preliminary and Final Plat of Subdivision, Case #RZ-26-2-9-1, Case #SU-26-8-9-1, and Case #V-26-7-9-1:

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 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 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 discontinue and seal the existing septic(s) and water well(s) on the property and connect to the City's sewer and water 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. 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.

5. The applicant shall apply for a building permit for the proposed exterior improvements within ninety (90) days following the approval of the Special Use permit. This requirement may be extended up to an additional ninety (90) days with approval of the Community Development Director for weather, technical, or other delays not caused by the property owner.
6. All required final engineering plans showing a full topographic survey, proposed geometry and grading, and related supporting project information shall be submitted for final engineering review and approval in conjunction with the formal building permit application submitted with this project.
7. All required final engineering and building plans showing location/relocation of the proposed fuel tank, landscaping details along the Broadway Street frontage and the east property line, final location of outdoor storage enclosure and dumpster enclosure, and related supporting project information shall be submitted for final review and approval in conjunction with the formal building permit application submitted with this project.
8. Proposed outdoor storage enclosure and dumpster enclosure shall maintain a minimum 10 ft setback from the rear and side property lines.
9. The proposed fuel tank location shall be in compliance with the IFC, NFPA, and other adopted regulations or requirements as directed by the Building Official, Lockport Township Fire Protection District, and State Fire Marshal.

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 Rezoning and 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 5TH DAY OF OCTOBER, 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 5TH DAY OF OCTOBER, 2026.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

FINDINGS AND DECISION OF THE PLAN COMMISSION AS TO PETITIONS PRELIMINARY AND FINAL PLAT OF SUBDIVISION, CASE NO. RZ-26-2-9-1, CASE NO. SU-26-8-9-1, AND CASE NO. V-26-7-9-1 APPLICATION OF KURT FIFE - EXTREME 2017 LLC FOR PRELIMINARY AND FINAL PLAT OF SUBDIVISION, REZONING, SPECIAL USE PERMIT FOR A CONTRACTOR- BASED BUSINESS KNOWN AS REASONABLE TREE EXPERTS, AND A PARKING SETBACK VARIATION FROM THE CREST HILL ZONING ORDINANCE ON PROPERTY LOCATED AT 1616-1626 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 September 10, 2026, being fully advised on the premises, THE COMMISSION HEREBY MAKES THE FOLLOWING FINDINGS:

A. That the applicant, Kurt Fife - Extreme 2017 LLC is the owner of the real property located at 1618-1626 N. Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000;

B. That the Application seeks approval of Preliminary and Final Plat of Subdivision, Rezoning 1618-1620 N Broadway St. from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and a Parking Setback Variation from the Crest Hill Zoning Ordinance for the property described in the application, commonly known as 1618-1626 N. Broadway Street in Crest Hill, Illinois (the "Property"), with PINs 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000, which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Application seeks approval of a Variation from Section 11.5 Parking Setbacks of the Crest Hill Zoning Ordinance to decrease the required front yard setback for a drive aisle adjacent to an existing building;

D. That the Property is zoned B-2 and B-3;

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 September 10, 2026, and the applicant presented evidence and arguments in support of its application on September 10, 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 Preliminary and Final Plat of Subdivision, Rezoning, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and Parking Setback Variation 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 PRELIMINARY AND FINAL PLAT OF SUBDIVISION, REZONING, SPECIAL USE PERMIT, AND VARIATION AS FOLLOWS:

1. That the approval of the application of Kurt Fife - Extreme 2017 LLC for Preliminary and Final Plat of Subdivision, Rezoning 1618-1620 N Broadway St. from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and a Parking Setback Variation as listed in the attached Exhibit A-2 for the Property located at 1618-1626 N Broadway Street in Crest Hill, Illinois with PINs 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000 is supported by the evidence adduced;

2. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for Preliminary and Final Plat of Subdivision, Rezoning, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and requested Parking Setback Variation be granted subject to the project being implemented in substantial conformance with the following nine (9) conditions for approval and application documents referenced in the September 10, 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 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 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 discontinue and seal the existing septic(s) and water well(s) on the property and connect to the City's sewer and water 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. 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.

5. The applicant shall apply for a building permit for the proposed exterior improvements within ninety (90) days following the approval of the Special Use permit. This requirement may be extended up to an additional ninety (90) days with approval of the Community Development Director for weather, technical, or other delays not caused by the property owner.
6. All required final engineering plans showing a full topographic survey, proposed geometry and grading, and related supporting project information shall be submitted for final engineering review and approval in conjunction with the formal building permit application submitted with this project.
7. All required final engineering and building plans showing location/relocation of the proposed fuel tank, landscaping details along the Broadway Street frontage and the east property line, final location of outdoor storage enclosure and dumpster enclosure, and related supporting project information shall be submitted for final review and approval in conjunction with the formal building permit application submitted with this project.
8. Proposed outdoor storage enclosure and dumpster enclosure shall maintain a minimum 10 ft setback from the rear and side property lines.
9. The proposed fuel tank location shall be in compliance with the IFC, NFPA, and other adopted regulations or requirements as directed by the Building Official, Lockport Township Fire Protection District, and State Fire Marshal.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 10th Day of September, 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 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>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: 1618-1626 N BROADWAY STREET, CREST HILL, IL, 60403

PERMANENT INDEX NOs: 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000

LEGAL DESCRIPTION:

REASONABLE TREE SUBDIVISION, THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

EXHIBIT A-2

1618-1626 N BROADWAY ST – LIST OF REQUESTED VARIATION

Crest Hill Zoning Ordinance, Section 11.5 Parking Setbacks:

- (i) Minimum required front yard setback for parking and drive aisle is 10 feet in B-3 Zoning District. *Proposed front yard setback for a drive aisle is 5 feet.*

EXHIBIT A-3

September 10, 2026 Community Development Department Staff Report

EXHIBIT A-4

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, KURT FIFE - EXTREME 2017 LLC is the owner of the real property located at 1618-1626 N. Broadway Street in the City of Crest Hill, Illinois, bearing PINs 11-04-33-412-034-0000; 11-04-33-412-033-0000; 11-04-33-412-032-0000; 11-04-33-412-045-0000; and 11-04-33-412-029-0000 (the "Subject Property") and has applied for and been granted Preliminary and Final Plat of Subdivision, Rezoning 1618-1620 N Broadway Street from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and requested Parking Setback Variation from the City of Crest Hill Zoning Ordinance; and

WHEREAS, Ordinance No. _____, approved and passed by the Crest Hill City Council on October 5, 2026, ("the **Ordinance**"), approved Preliminary and Final Plat of Subdivision, Rezoning 1618-1620 N Broadway Street from B-2 to B-3, a Special Use Permit for a Contractor-Based Business known as Reasonable Tree Experts, and requested Parking Setback Variation from the City of Crest Hill Zoning Ordinance, subject to nine (9) 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 KURT FIFE - EXTREME 2017 LLC 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, KURT FIFE - EXTREME 2017 LLC hereby agrees, warrants, and covenants as follows:

1. That KURT FIFE - EXTREME 2017 LLC is the legal owner of the Subject Property and that KURT FIFE has the authority to execute this Unconditional Agreement and Consent on behalf of EXTREME 2017 LLC.
2. That the Owner hereby unconditionally agrees to, accepts, consents to, and will abide by all terms, conditions, limitations, restrictions, and provisions of the Ordinance.
3. That the Owner 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 it 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 the Owner 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 Preliminary and Final Plat of Subdivision, Rezoning, Special Use Permit, and Variation, or its passage of the

Ordinance, and that the City's approvals do not, and will not, in any way be deemed to insure it against damage or injury of any kind at any time.

5. That the Owner 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 Preliminary and Final Plat of Subdivision, Rezoning, Special Use Permit, and Parking Setback Variation, and 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.

6. The undersigned is an authorized representative of the Owner duly authorized and empowered to execute this Unconditional Agreement and Consent on behalf of the Owner.

[Signature page to follow]

OWNER: KURT FIFE - EXTREME 2017 LLC

By: _____

Its: _____

SUBSCRIBED and **SWORN** to before me

this _____ day of _____, 2026.

Notary Public