

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION TO THE CREST HILL ZONING ORDINANCE
WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 2386 JORIE COURT IN
THE CITY OF CREST HILL
(APPLICATION OF REZA’S AUTO REPAIR (JADDI ENTERPRISES))**

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-5 (the “Code”) authorizes the corporate authorities to “vary their application 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 said requirements in Section 12.6-2 of the Crest Hill Zoning Ordinance; and

WHEREAS, Jaddi Enterprises (“Owner”) has filed an application requesting approval of a variation from Section 8.3-6 of the Crest Hill Zoning Ordinance, specifically a reduction of the required side yard setback from 35’ to +/-24’ for the installation of a flagpole (“Application”) on certain property within the City Limits of the City of Crest Hill, Will County, Illinois, PIN 06-03-36-209-058-0000, the common address of which property is: 2386 Jorie Court, Crest Hill, Illinois (the “Property”), with proper notice thereof given; and

WHEREAS, said property is legally described in “Exhibit A”, which is attached hereto and incorporated herein; and

WHEREAS, the Crest Hill Plan Commission, by a formal vote taken on September 14, 2023, recommended approval of the Application upon making the following findings, and after holding a public hearing, with proper notice thereof given, as more fully detailed in the attached Findings and Decision “Exhibit B,” based upon the evidence presented:

- A. The variation is 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 City Council has examined the September 14, 2023, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the applicant in a regularly scheduled open meeting held on October 2, 2023; 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 approved.

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 as “Exhibit B” and incorporated by reference herein, as the Findings and Decision of the City Council in relation to the Application requesting a variance from Section 8.3-6 of the Crest Hill Zoning Ordinance, specifically a reduction of the required side yard setback from 35’ to +/-24’ for the installation of a flagpole on the property located at 2386 Jorie Court, Crest Hill, Illinois with PIN 06-03-36-209-058-0000, withing the City of Crest Hill, as legally described as follows:

Territory Described. See the legal description attached as “Exhibit A.”

SECTION 3: A variation is hereby granted to Section 8.3-6 of the Crest Hill Zoning Ordinance to authorize the reduction of the required side yard setback from 35’ to +/-24’ for the installation of a flagpole on the property located at 2386 Jorie Court, Crest Hill, Illinois with PIN 06-03-36-209-058-0000,

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

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PASSED THIS 2ND DAY OF OCTOBER, 2023

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
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 2ND DAY OF OCTOBER, 2023.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

“Exhibit A”

PERMANENT INDEX NO: 06-03-36-209-058-0000

LOT 5 IN CATON CREST BUSINESS PARK, A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 26, 1997, AS DOCUMENT NO. R97-104885, IN WILL COUNTY, ILLINOIS.

“Exhibit B”

BEFORE THE PLAN COMMISSION
OF THE CITY OF CREST HILL, ILLINOIS

IN RE:)	
)	
The application of Reza’s Auto Repair)	No. V-23-3-9-1
(Jaddi Enterprises))	
)	
For a variation.)	

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. V-23-3-9-1
THE APPLICATION REZA’S AUTO REPAIR (JADDI ENTERPRISES)
FOR A SETBACK VARIATION AT 2386 JORIE COURT**

THIS APPLICATION, coming before the Crest Hill Plan Commission for decision, and the Plan Commission having heard the evidence in support and opposition to the Application at a regularly scheduled meeting held on September 14, 2023, and being fully advised in the premises, THE PLAN COMMISSION HEREBY MAKES THE FOLLOWING FINDINGS:

- A. That the applicant, Jaddi Enterprises, is the owner of the real estate described in the Application;
- B. That the application seeks a side yard setback variation for the property described in the Application, commonly known as 2386 Jorie Court, Crest Hill, Illinois (the “Property”);
- C. That the Property is zoned B-3;
- D. That the Application seeks approval of a variation from Section 8.3-6 of the Crest Hill Zoning Ordinance to permit the reduction of the required side yard setback from 35’ to +/-24’ for the installation of a flagpole on the property located at 2386 Jorie Court, Crest Hill, Illinois with PIN 06-03-36-209-058-0000,
- E. That the proposed use is not allowed on the property as currently zoned;
- F. That the Application for the variation was properly submitted and Notice of Public Hearing on the Application was properly made and published;
- G. That no interested parties filed their appearances herein;
- H. That the Public Hearing was called into order, and the applicant was allowed to present evidence and arguments in support of the Application, and the Public was allowed to comment and examine the Applicant’s witnesses;

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 standards for the granting of a variation under Section 12.6-2 as the proposed use meets all the criteria 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 Application of Reza's Auto Repair (Jaddi Enterprises) for a variance reducing the required side yard setback from 35' to +/-24' for the installation of a flagpole on the property located at 2386 Jorie Court, Crest Hill, Illinois with PIN 06-03-36-209-058-0000, is recommended for approval and 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 variation be granted.

Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 14th Day of September 2023 upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Bill Thomas	_____	_____	_____	_____
Commissioner Ken Carroll	_____	_____	_____	_____
Commissioner Cheryl Slabozeski	_____	_____	_____	_____
Commissioner Angelo Deserio	_____	_____	_____	_____
Commissioner Jan Plettau	_____	_____	_____	_____
Commissioner Jeff Peterson	_____	_____	_____	_____
Commissioner John Stanton	_____	_____	_____	_____

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk