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**THE VILLAGE OF THORNTON**  
**COOK COUNTY, ILLINOIS**

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**ORDINANCE**  
**NUMBER 2026-015**

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**AN ORDINANCE OF THE VILLAGE OF THORNTON, COOK COUNTY, ILLINOIS,  
GRANTING A VARIATION FROM THE SIDE YARD SETBACK REQUIREMENTS OF  
THE VILLAGE OF THORNTON ZONING CODE  
(510 North Julian Street)**

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**MAXINE REYNOLDS, Village President**  
**NIKKI KITAKIS, Village Clerk**

**ROSEMARY CUNNINGHAM**  
**GINA GLASER**  
**ERNEST “BO” KAYE**  
**PHILLIP MIDDLEBROOKS**  
**DEBRA PISARZEWSKI**  
**MARTIN PRATSCHER**  
**Trustees**

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**WHEREAS**, the Village of Thornton, Cook County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

**WHEREAS**, the Village President and the Board of Trustees of the Village of Thornton (the “*Corporate Authorities*”) have exercised the power conferred upon them pursuant to the Illinois Municipal Code, including 65 ILCS 5/11-13-1 et seq., by adopting Chapter 11 of the Thornton Municipal Code, entitled the Thornton Zoning Code (the “*Zoning Code*”); and

**WHEREAS**, Title 11, Chapter 11-10 of the Zoning Code authorizes the granting of variations where, due to exceptional conditions of a specific property, the strict application of the Zoning Code would result in practical difficulties or particular hardship; and

**WHEREAS**, Jose Antonio Fonseca (the “*Applicant*”) has submitted an application requesting a variation from the side yard setback requirements of the Zoning Code to permit a reduction from 19.6 feet to 3.85 feet in order to construct an attached garage at the property commonly known as 510 North Julian Street, Thornton, Illinois (the “*Variation*”), as legally described in Exhibit A attached hereto (the “*Property*”); and

**WHEREAS**, the Property is located within a residential zoning district in which the proposed structure is permitted, subject to compliance with applicable bulk and setback requirements set forth in the Zoning Code; and

**WHEREAS**, the Planning and Development Commission (the “*Plan Commission*”) conducted a duly noticed public hearing on April 15, 2026, at which time all interested persons were afforded an opportunity to be heard; and

**WHEREAS**, following the public hearing, the Plan Commission voted to recommend approval of the requested Variation and transmitted its findings of fact and recommendation to the Corporate Authorities; and

**WHEREAS**, the Corporate Authorities have duly considered the Plan Commission’s recommendation and findings of fact, along with the application and all other relevant materials and have determined that approval of the Variation is consistent with the Thornton Village Code; and

**WHEREAS**, the Corporate Authorities deem it advisable and in the best interests of the health, safety, and welfare of the residents of the Village to grant the Variation subject to the conditions identified herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of Thornton, Cook County, Illinois, by and through its Home Rule Powers as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** The Corporate Authorities hereby adopt the findings of fact of the Planning and Development Commission dated April 15, 2026, as the findings of the Village President and Board of Trustees. All documents, plans, and exhibits submitted as part of the public hearing record are incorporated herein by reference.

**Section 3.** In addition to the findings set forth in Section 2 above, the Corporate Authorities further find, based upon the evidence presented in the record, that:

- A. By reason of the particular physical surroundings, shape, or conditions of the Property, the strict application of the Zoning Code would result in practical difficulties or particular hardship upon the Property;
- B. The requested Variation is necessary to alleviate such hardship and is not sought solely to serve as a convenience to the Applicant;
- C. The granting of the requested Variation will not impair an adequate supply of light and air to adjacent properties, will not unreasonably increase congestion in public streets, will not increase the danger of fire or otherwise endanger the public safety, and will not unreasonably diminish or impair established property values within the surrounding area;
- D. The granting of the requested Variation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Village;
- E. The conditions upon which the request for the Variation is based are unique to the Property and are not generally applicable to other similarly situated properties; and
- F. The requested Variation is in harmony with the general purpose and intent of the Thornton Zoning Code.

**Section 4.** Subject to the terms and conditions set forth herein, the Variation from the side yard setback requirements of the Thornton Zoning Code is hereby granted for the Property to permit a reduction of the required side yard setback from 19.6 feet to 3.85 feet.

**Section 5.** The Variation granted herein is expressly subject to the following conditions:

- A. The height of the garage shall not exceed the height of the principal residential structure.
- B. The east wall of the garage shall be constructed as a minimum one (1) hour fire-rated wall and shall contain no openings.
- C. The west wall of the garage shall be constructed as a minimum one (1) hour fire-rated wall.
- D. Any access between the residence and the garage shall be through a one (1) hour fire-rated door equipped with a self-closing mechanism.

- E. All utility penetrations shall be properly sealed with approved fire-rated caulking materials.
- F. The residence and garage shall be equipped with a 110-volt hardwired smoke detector system installed in accordance with applicable codes.
- G. The Applicant shall comply with all applicable building, fire, and Village Code requirements.
- H. A certificate of occupancy for the garage shall not be issued until all required inspections have been completed and approved, and all disturbed yard areas have been fully restored and landscaped to the satisfaction of the Village.
- I. Pursuant to §11-10-5(E) of the Thornton Village Code, the Variation granted herein shall automatically become null and void unless construction is completed within one (1) year of Village Board approval, absent an extension granted by the Village President and Board of Trustees.
- J. The Applicant shall sign the Ordinance approving the Variation to signify acknowledgement of the terms and conditions thereof.

**Section 6.** The Applicant shall at all times comply with the terms and conditions of this Ordinance. Failure to comply shall constitute grounds for revocation of the Variation in accordance with applicable law.

**Section 7.** Nothing in this Ordinance shall be construed to alter the zoning classification of the Property or to permit any use not otherwise allowed except as expressly approved herein.

**Section 8.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 9.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 10.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

*(Intentionally Left Blank)*

**ADOPTED** by the Village President and Board of Trustees of the Village of Thornton,  
Cook County, Illinois this 20<sup>th</sup> day of April 2026, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
CUNNINGHAM				
GLASER				
KAYE				
MIDDLEBROOKS				
PISARZEWSKI				
PRATSCHER				
VILLAGE PRESIDENT REYNOLDS				
<b>TOTAL</b>				

**APPROVED** by the Village President of the Village of Thornton, Cook County, Illinois  
on this 20<sup>th</sup> day of April 2026.

\_\_\_\_\_  
MAXINE REYNOLDS  
VILLAGE PRESIDENT

ATTEST:

\_\_\_\_\_  
NIKKI KITAKIS  
VILLAGE CLERK

Exhibit A

*Legal Description*

LOT 1 IN DONKERSLOOT SUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST 4 ACRES OF THAT PART OF THE SOUTH ½ OF THE NORTH ½ OF THE SOUTH ½ OF THE SOUTHWEST OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND EASTERN ILLINOIS RAILROAD COMPANY, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 26, 1977 AS DOCUMENT 2933859.

PIN: 29-27-311-063-0000

Address: 510 North Julian Street, Thornton, Illinois 60476

**ACKNOWLEDGMENT BY APPLICANT: THE UNDERSIGNED AUTHORIZED REPRESENTATIVES ACKNOWLEDGE THE CONDITIONS OF THIS ORDINANCE:**

APPLICANT:

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_