

ORDINANCE NO. _____

AN ORDINANCE GRANTING A VARIATION OF USE
(429 Buell Avenue and 426 Division Street)

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, PURSUANT TO ITS HOME RULE AND STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1: A variation of use from the Zoning Ordinance of the City of Joliet, Ordinance No. 5285, as amended and ratified, is hereby granted to allow the specific use identified in Exhibit A on the real property described in Exhibit A and subject to the conditions set forth in Exhibit A. The variation of use is granted subject to the terms and conditions of all applicable federal, state, and local laws, ordinances, and regulations. The zoning classification of the subject property for which this variation of use is granted remains the same and is not changed in any way by the passage of this Ordinance. This Ordinance shall be strictly construed to prohibit any use not specifically granted herein or otherwise allowed by the Zoning Ordinance of the City of Joliet. Noncompliance with the mandatory conditions set forth in this Ordinance shall subject the variation of use to repeal.

SECTION 2: The findings of fact and recommendation of the Zoning Board of Appeals on the granting of this variation of use are hereby adopted and made a part of this Ordinance (unless the Zoning Board of Appeals has recommended against the approval of the variation of use, in which case this Ordinance has been passed by a favorable vote of at least two-thirds of the members of the City Council then holding Office).

SECTION 3: This Ordinance shall be considered severable, and the invalidity of any section, clause, paragraph, sentence, or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 4: This Ordinance shall be in effect upon its passage.

PASSED this _____ day of _____, 2021.

MAYOR

CITY CLERK

VOTING

YES: _____

VOTING NO: _____

NOT VOTING: _____

PIN: 30-07-09-303-001-0000

ADDRESS: 429 Buell Avenue and 426 Division Street

ZBA APPROVED: Yes

PETITION #: 2021-43

PREPARED BY: Corporation Counsel, City of Joliet

MAIL TO: City Clerk, City of Joliet, 150 West Jefferson Street, Joliet, IL 60432

EXHIBIT A

VARIATION OF USE FOR: 429 Buell Avenue and 426 Division Street

1. LEGAL DESCRIPTION OF SUBJECT PROPERTY:

THAT PRT OF LOT 2 LYG W OF A LN DRAWN N & S THRU SD LOT 2 COMM AT A PT 170 FT W OF NE COR OF SD LOT 2 & EXT S TO S LN OF SD LOT 2, IN BLK 3, IN GLENWOOD, BEING A SUB OF BLKS 29, 30, 31, & 32 OF CANAL TRUSTEE'S SUB, OF THE E1/2 SW1/4 SEC 9, T35N-R10E.

PIN: 30-07-09-303-001-0000

2. SPECIFIC USE TO BE ALLOWED ON SUBJECT PROPERTY:

A Variation of Use to allow the continuation of an existing rental unit in a garage (an R-3 use) in a R-2 (Single-Family Residential) zoning district.

3. MANDATORY CONDITIONS IMPOSED UPON USE OF SUBJECT PROPERTY:

1. That a minimum of two off-street parking spaces shall remain in the future;
2. That use of the property shall not be expanded in the future;
3. That the property shall meet the City's water meter and valve requirements, which may require a separate water service external shut-off valve and meter for each unit;
4. That the owner of record must reside in the principal house at 429 Buell Avenue for a minimum of six months of each calendar year in order for the accessory apartment unit to remain and be rented out. Should the owner of record not reside in the principal house at 429 Buell Avenue for a minimum of six months of each calendar year, the Variation of Use for the apartment unit at 426 Division Street shall be automatically revoked;
5. Should the property be declared a public nuisance by the City Council, the Variation of Use shall be automatically revoked.