

VILLAGE OF BRADLEY

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ORDINANCE NO. O-2-20-3

AN ORDINANCE GRANTING ZONING VARIANCES FOR CERTAIN PROPERTY WITHIN  
THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS  
(335 N. Wabash Avenue)

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 24<sup>th</sup> DAY OF February, 2020

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,  
Kankakee County, Illinois this 24<sup>th</sup> day of Feb, 2020

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CERTIFICATE:

  
Julie Tambling, Village Clerk

*Prepared by and Return to:*  
Michael A. Santschi  
Spesia & Taylor  
1415 Black Road  
Joliet, Illinois 60435  
(815) 726-4311

**ORDINANCE NO. O-2-20-3**

**AN ORDINANCE GRANTING ZONING VARIANCES FOR CERTAIN PROPERTY  
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS  
(335 N. Wabash Avenue)**

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**WHEREAS**, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the health, safety, and welfare of its citizens; and

**WHEREAS**, the land described in Section 2 of this Ordinance and depicted on Exhibit A, which is attached hereto and fully incorporated herein (the "Subject Property"), *infra*, is located within the corporate boundaries of the Village; and

**WHEREAS**, the Subject Property is presently zoned R-3 (Single-Family Residence District); and

**WHEREAS**, the Subject Property is presently owned by Timothy McGrath (the "Owner"); and

**WHEREAS**, the Owner has submitted an application to the Village requesting that the Village grant the Owner the following zoning variances for the Subject Property:

1. Lot size variance permitting the use of the Subject Property with a total lot size of 3624.75 square feet; and
2. Lot width variance permitting the use of the Subject Property with a total lot width of twenty-five (25) feet; and
3. Front yard setback variance permitting the use of the Subject Property with a total front yard setback of twelve (12) feet; and
4. North side yard setback variance permitting the use of the Subject Property with a north side yard setback of three and 8/10 (3.8) feet; and
5. South side yard setback variance permitting the use of the Subject Property with a south side yard setback of six and 1/10 (6.1) feet; and
6. Combined side yard setback variance permitting the use of the Subject Property with combined side yard setbacks of nine and 9/10 (9.9) feet; and
7. Minimum side yard setback variance permitting the use of the Subject Property despite the fact that no one side yard is at least seven (7) feet.

Hereinafter, the foregoing requested variances shall be referred to collectively as "the Variances" where appropriate; and

**WHEREAS**, the Variances are authorized variances pursuant to Section 60-396 of the Village of Bradley Code of Ordinances (the “Village Code”); and

**WHEREAS**, the Owner’s application, along with all necessary documentation and supporting data (collectively the “Application”), has been submitted to the President and Board of Trustees of the Village by the Village of Bradley Planning and Zoning Commission (the “Plan Commission”); and

**WHEREAS**, the Plan Commission held a public hearing to consider the Application on Tuesday, February 4, 2020, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village Code; and

**WHEREAS**, the Plan Commission has recommended that the President and Board of Trustees approve the Application and pass this Ordinance granting the Owner’s request; and

**WHEREAS**, the Plan Commission has supported its recommendation by setting forth its findings of fact in accordance with the requirements of the Village Code; and

**WHEREAS**, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission’s findings of fact; and

**WHEREAS**, the President and Board of Trustees of the Village have determined that granting the Owner the Variances for the Subject Property are in the best interests of the Village and its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1.** The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2.** That the President and Board of Trustees of the Village hereby accept the recommendations of the Plan Commission and vary the provisions of the Bradley Zoning Ordinance as set forth in Section 3 of this Ordinance, *infra*, as they apply to the land legally described in this Section and depicted on Exhibit A, attached hereto and fully incorporated herein (hereinafter the “Subject Property”). The Subject Property is zoned R-3 (Single-Family Residence District) and is legally described as follows:

THE NORTH HALF OF LOT 11 IN BLOCK 15, NORTH KANKAKEE, NOW KNOWN AS THE VILLAGE OF BRADLEY, IN KANKAKEE COUNTY, ILLINOIS.

**Commonly known as:** 335 N. Wabash Avenue, Bradley, Illinois 60915

**Bearing the current Property Index Number:** 17-09-29-111-014

**SECTION 3.** The zoning variances granted for the Subject Property by operation of this Ordinance are as follows:

1. Lot size variance permitting the use of the Subject Property with a total lot size of 3624.75 square feet; and
2. Lot width variance permitting the use of the Subject Property with a total lot width of twenty-five (25) feet; and
3. Front yard setback variance permitting the use of the Subject Property with a total front yard setback of twelve (12) feet; and
4. North side yard setback variance permitting the use of the Subject Property with a north side yard setback of three and 8/10 (3.8) feet; and
5. South side yard setback variance permitting the use of the Subject Property with a south side yard setback of six and 1/10 (6.1) feet; and
6. Combined side yard setback variance permitting the use of the Subject Property with combined side yard setbacks of nine and 9/10 (9.9) feet; and
7. Minimum side yard setback variance permitting the use of the Subject Property despite the fact that no one side yard is at least seven (7) feet.

**SECTION 4.** That the Variances granted by this ordinance are and shall be subject to the following conditions and restrictions pursuant to Section 60-368(c) of the Village Code:

1. In the event that the Owner or any of the Owner's successors in interest seek to (i) construct any addition(s) to the existing structure(s) on the Subject Property; (ii) construct any new accessory structures upon the Subject Property; and/or (iii) otherwise change the layout of the Subject Property, all such construction/changes shall be done in full compliance with all applicable Village codes and ordinances, as varied by this Ordinance.

**SECTION 5.** In the event that the Owner or any of the Owner's successors in interest violate any of the conditions and restrictions set forth in Section 4 of this Ordinance, *supra*, the Village shall have the ability, but not the obligation, to rescind this Ordinance and revoke all of the Variances granted hereby, provided that the Owner shall be entitled to notice and a hearing prior to any rescission and revocation pursuant to this Section. Under no circumstances shall any failure to enforce any condition or restriction of this Ordinance on any particular occasion or occasions be deemed or interpreted as constituting a waiver or forfeiture of the Village's right to so enforce in the future, nor shall any such failure to enforce preclude the Village from considering any and all prior violations as part of any rescission and revocation proceeding pursuant this Section.

**SECTION 6.** That the Village Clerk is hereby instructed to record a certified copy of this ordinance with the office of the Kankakee County Recorder of Deeds.

**SECTION 7.** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 8.** That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 9.** That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 10.** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**BRADLEY**

**PASSED** by the Board of Trustees on a roll call vote on the 24<sup>th</sup> day of Feb., 2020.

**TRUSTEES:**

ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

**ACTING VILLAGE PRESIDENT:**

MICHAEL WATSON Non-Voting -

**TOTALS:** Aye - 6 Nay - 0 Absent - 0

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

**APPROVED** this 24<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
MICHAEL WATSON, ACTING VILLAGE PRESIDENT

**ATTEST:**

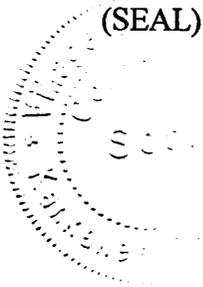
*Julie Tambling*  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS        )  
                                  )        §§  
COUNTY OF KANKAKEE    )

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number O-2-20-3, "AN ORDINANCE GRANTING ZONING VARIANCES FOR CERTAIN PROPERTY WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (335 N. Wabash Avenue)," which was adopted by the Village Corporate Authorities at a meeting held on the 24<sup>th</sup> day of Feb, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 24<sup>th</sup> day of Feb, 2020.

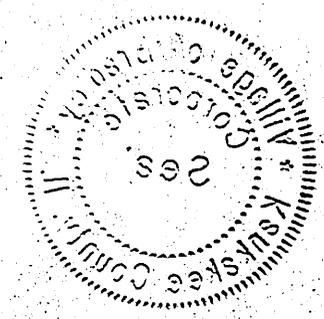
  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK



STATE OF ALABAMA  
COUNTY OF [illegible]

[Illegible text, likely a legal notice or affidavit]

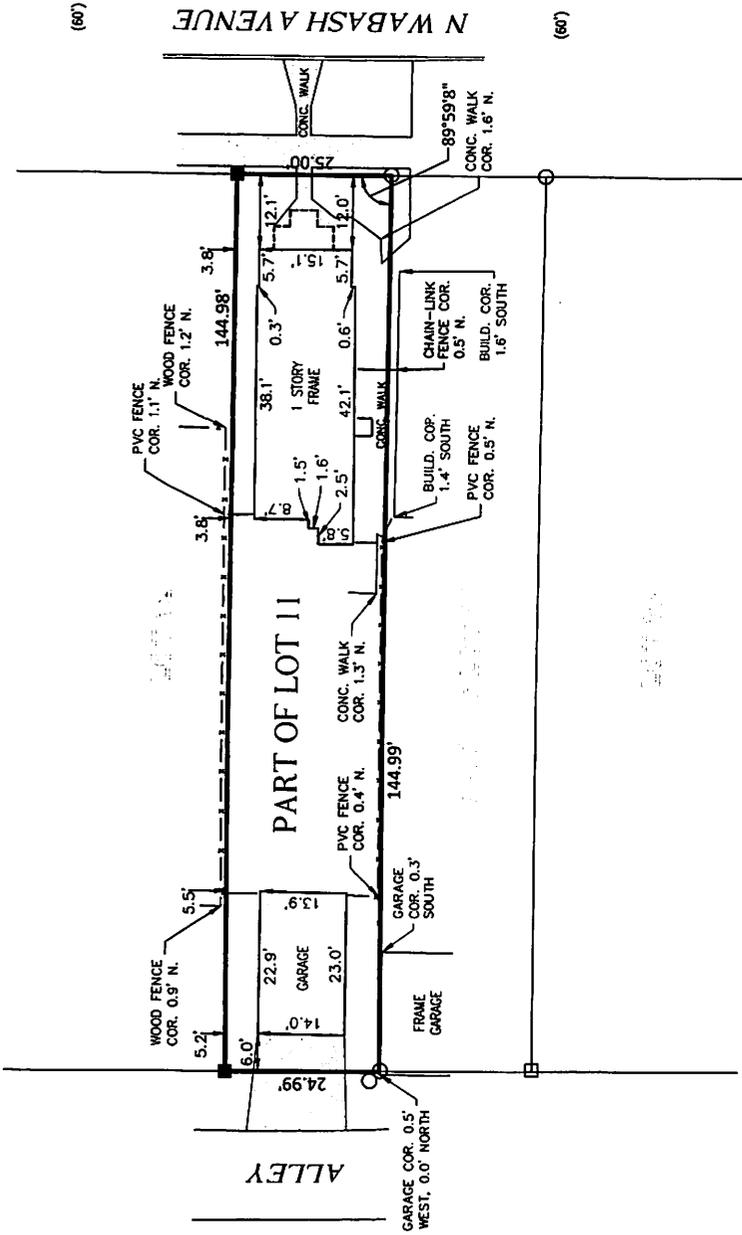
[Illegible signature or name]



# **EXHIBIT A**

# PLAT OF SURVEY

THE NORTH HALF OF LOT 11 IN BLOCK 15, NORTH KANKAKEE, NOW KNOWN AS THE VILLAGE OF BRADLEY, IN KANKAKEE COUNTY, ILLINOIS

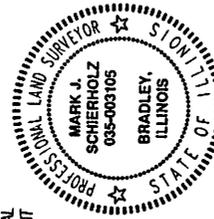


I, MARK J. SCHIERHOLZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 27th DAY OF DECEMBER, A.D. 2019.

*Mark J. Schierholz*

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003105  
LICENSE EXPIRES NOVEMBER 30, 2020



## SITE ADDRESS

335 N WABASH AVENUE,  
BRADLEY, ILLINOIS 60915

Exhibit A.



## LEGEND

- FOUND IRON PIPE
- SET IRON ROD
- 7.77 MEASURED DATA (7.77')
- B.S.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT



**M GINGERICH GEREAX & ASSOCIATES**  
Professional Design Firm License # 184.001808  
P: 815-939-4921 www.mg2a.com F: 815-939-9810  
240 N. INDUSTRIAL DRIVE | BRADLEY, IL 60915

ORDERED BY: CLAIRE CHAPLINSKI

JOB NUMBER: 19-742

DR BY: MDC

FIELD WORK COMPLETED: 12-16-2019

SB: 134 P: 153-154