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**THE VILLAGE OF COAL CITY**  
**GRUNDY & WILL COUNTIES, ILLINOIS**

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ORDINANCE  
NUMBER 14-09

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR  
MINIMUM FRONT YARD SETBACK REQUIREMENTS AT 335 W. OAK STREET**

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Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City

on May 12, 2014

ORDINANCE NO. 14-09

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR  
MINIMUM FRONT YARD SETBACK REQUIREMENTS AT 335 W. OAK STREET**

**WHEREAS**, an application for variances from Section 156-73 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by property owner Francis Ryan (“applicant”) on April 2, 2014 for changes to the front yard setback due to the construction of a front porch onto the existing primary structure; and

**WHEREAS**, Section 156-73 requires a minimum front yard depth of 25 feet, the applicant is seeking a variation from these requirements to have a minimum front yard setback of approximately 16 feet (a reduction of 9 feet); and

**WHEREAS**, a public hearing was noticed and duly held on May 5, 2013; subsequent to the public hearing, the Zoning Board of Appeals positively recommended to the Board of Trustees the petition; and

**WHEREAS**, Section 156-250 permits the Village Board to approve variations from the Zoning Code; and

**WHEREAS**, the Village Board of Trustees and the President of the Village of Coal City believe it is in the best interests of the Village to grant the requested variances.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Coal City, Grundy and Will Counties, Illinois, as follows:

**Section 1.** Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**Section 2.** *Findings of Fact*. The Board of Trustees find as follows:

- A. **Special Circumstances Not Found Elsewhere.** Many of the adjacent properties have similar nonconformities which allows for the granting of the variance at this property; this is a special circumstance unlike other properties throughout the remainder of Coal City.
- B. **Unnecessary Hardship.** The construction of a front porch onto this residential property shall allow the owners to utilize the property in a compliant manner. Without the variance consideration the owner would have an unnecessary hardship wherein the property would not be utilized in a manner consistent with the Village Code.
- C. **Preserves Rights Conferred by District.** Many nonconformities exist within the adjacent properties and the district. Granting this variance shall allow the petitioner to preserve the residential utility of the property, which has been conferred upon many of the other houses surrounding the property.

- D. **Consistent with Chapter and Comprehensive Plan.** This portion of the Village is to be maintained in its current manner. This variance is consistent with allowing the property to be utilized as a residential unit resembling its adjacent units.
- E. **Minimum Variance Recommended.** The 9 foot variance will allow for proper ingress/egress to the house. This request will allow the property to be safely accessed utilizing a door adjacent to the front yard on the north side of the structure.

**Section 3.** Description of the Property. The property is located at 335 West Oak Street in the Village of Coal City within an RS-3 District. The legal description for the property is as follows:

Buchanan's Addition, Coal City W100' of E235' Lot 1, Block 9, Section 3-32-8

**Section 4.** Public Hearing. A public hearing was advertised on April 9, 2014 in the Coal City Courant and held by the Zoning Board of Appeals on May 5, 2014, at which time the Board recommended the petition for approval by the Board of Trustees.

**Section 5.** Variations. The variations requested in the April 2, 2014 Variance Application to Section 156-73 of the Zoning Code is outlined herein as follows:

- A. A variance from the requirements of Section 156-73 to reduce the front yard setback from 25 feet to 16 feet.

**Section 6.** Conditions. The variances granted herein are contingent and subject to the following conditions:

- A. The front porch addition shall follow as presented within the material submitted and according to the presentations to the Planning & Zoning Board Meeting of May 5, 2014.

**Section 7.** Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 8.** Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

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**Section 9.** Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 12 day of May, 2014, at Coal City,  
Grundy and Will Counties, Illinois.

AYES: 5  
NAYS: 0  
ABSENT: 1  
ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
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Neal E. Nelson, President

Attest:

  
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Pamela M. Noffsinger, Clerk