
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 15-36

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE OPERATION OF A
MOTOR VEHICLE REPAIR SHOP & NECESSARY VARIANCES WITHIN A
COMMERCIAL ZONED PROPERTY AT 155 E. DIVISION IN THE VILLAGE OF
COAL CITY**

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on October 26, 2015

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WHEREAS, an application for variance and a conditional use relating to Section 156.093 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Nick Bulanda (“applicant”) on September 25, 2015 for the operation of a motor vehicle repair facility within a C-4 zoned property; and

WHEREAS, a public hearing regarding the conditional use consideration was held on October 19, 2015; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on October 19, 2015 to consider passage of the conditional use and variance requests to the Board of Trustees; and

WHEREAS, Section 156.230 permits the Village Board to approve certain uses on a conditional basis 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 conditional uses.

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 the following concerning the granting of a conditional use:

- A. **Traffic**. The traffic related to the operation of this motor vehicles sales and repair center shall not have an adverse impact on the surrounding properties within this C-4 zoned area.
- B. **Environmental Nuisance**. There shall not be any environmental nuisances that emanate from the conditional use. The utilization of the property for the proposed use shall not cause glare, noise, or odor that affects the neighboring properties.
- C. **Neighborhood Character**. The utilization of the property as a motor vehicle repair shop will not result in undue deleterious effect upon the neighborhood. The use of the property in this way is harmonious to its adjacent neighbors.

- D. **Public Services and Facilities.** The property shall not require any additional installation or greater utilization of public services to serve the proposed conditional use.
- E. **Public Safety and Health.** Granting this condition will not be detrimental to the occupants who utilize the facility or the surrounding public.
- F. **Other Factors.** The property was previously utilized as a motor vehicle repair shop without affecting the neighborhood in a manner opposed by neighboring property owners.

Section 4. Description of the Property. The property is located at 155 East Division in the Village of Coal City within a C-4 District.

Section 5. Public Hearings. A public hearing concerning the consideration of a conditional use was advertised on September 30, 2015 in the Coal City Courant and held by the Planning and Zoning Board on October 19, 2015 at which time a majority of the Planning and Zoning Board members recommended passage of the Conditional Use and Variances to the Board of Trustees.

Section 6. Conditional Use. The conditional use requested in the September 25, 2015 Conditional Use Application is granted as follows:

- A. A conditional use in conjunction with Section 156.093 is hereby granted to allow the operation of a motor vehicle repair shop within a C-4 commercially-zoned district.

Section 7. Variances. The variances necessary for the operation of this retail location is granted as follows:

- A. A variance regarding the total number of parking spaces shall be granted. Despite the standards set forth in Section 156.093 requiring 13 offstreet parking locations, the facility shall be allowed to operate with 10 offstreet parking spots to be provided.
- B. The exterior shall be allowed to utilize black accents upon the exterior despite the requirements of Section 156-57 of the Village Code requiring earth tones for the exterior of commercial properties located within the Coal City Core Area.

Section 8. Conditions. The conditional use granted herein is contingent and subject to the following conditions:

- A. The motor vehicle sales and repair shop shall be operated in a manner that shall not block the alley south of the facility. The aforementioned alley, nor the east side of the building shall be utilized for outside storage. This condition shall allow cars to be parked along the east side of the building.

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- B. The motor vehicle sales and repair center shall be improved and operated in a manner consistent with the presentation to the Planning & Zoning Board and the Board of Trustees and comply with all other Village code requirements.

Section 9. 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 10. 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.

Section 11. 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 26 day of October, 2015, at Coal City, Grundy & Will Counties, Illinois.

AYES: 4
NAYS: 0
ABSENT: 0
ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk