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**THE VILLAGE OF COAL CITY**

GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 15-39

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR AN  
ENCROACHMENT DUE TO SHED CONSTRUCTION WITHIN THE SIDE YARD OF  
540 EAST BARBER DRIVE IN THE VILLAGE OF COAL CITY**

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TERRY HALLIDAY, President  
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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 November 23, 2015

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR AN ENCROACHMENT DUE TO SHED CONSTRUCTION WITHIN THE SIDE YARD OF 540 EAST BARBER DRIVE IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Section 156.72 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Roberto Rodriguez (“applicant”) on October 19, 2015 for the placement of a shed within the side yard; and

**WHEREAS**, the side yard setback for sheds for this zoning district requires 7 feet between the accessory structure and the side lot line and the applicant requests relief of 7 feet from this requirement; and

**WHEREAS**, a public hearing was noticed and duly held on November 16, 2015; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on November 16, 2015, and considered passage of the variance request to the Board of Trustees; 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. **Unnecessary Hardship**. Being unable to utilize storage facilities on the property in the same manner as surrounding houses, lack of additional storage causes unnecessary hardship.
- B. **Preserves Rights Conferred by the District**. The shed permitted by the variance will allow the enclosed storage of tools, equipment; a use permitted in other properties of the district.
- C. **Necessary for Use of the Property**. The shed permitted by this variance is necessary to prevent the outside storage of tools and equipment necessary for maintaining the property.

D. **Minimum Variance Recommended.** The petitioner shall place the shed in the rear yard adjoining the common property line so as not to interfere with rear lot line public easements.

**Section 3.** Description of the Property. The property is located 540 E. Barber Drive in the Village of Coal City within an RS-2 District.

540 E. Barber Drive, Richards Crossing Subdivision, Phase 1, Lot 36 Sec 2-32-8, in the Village of Coal City, Grundy County, Illinois. PIN 09-02-381-013

**Section 4.** Public Hearing. A public hearing was advertised on October 28, 2015 in the Coal City Courant and held by the Planning and Zoning Board on November 16, 2015, at which time a majority of the Planning and Zoning Board members recommended passage of the Variance to the Board of Trustees.

**Section 5.** Variances. The variations requested in the October 19, 2015 Variance Application to the Zoning Code are granted as follows:

A. A variance in conjunction with Section 156.72 is hereby granted to allow the placement of a shed on the east side of the rear yard not to exceed 7 feet encroachment into the required side yard.

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

- A. The shed shall be placed in a location consistent with the drawings submitted to the Plan Commission.
- B. The shed shall not be placed upon existing easements.
- C. No part of the shed shall encroach on the common property line.
- D. Total height of structure shall not exceed the maximum allowable height permitted in the zoning district.

**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.

**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.

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VILLAGE OF COAL CITY

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SO ORDAINED this 23 day of November, 2015, at Coal City, Grundy  
& Will Counties, Illinois.

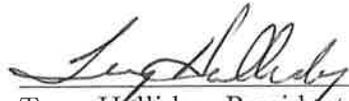
AYES: 5

NAYS: 0

ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY

  
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Terry Halliday, President

Attest:

  
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Pamela M. Noffsinger, Clerk