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

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ORDINANCE  
NUMBER 15-31

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE CONCERNING  
DWELLING UNITS WITHIN C-4 DISTRICTS AT 760 SOUTH BROADWAY IN THE  
VILLAGE OF COAL CITY**

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PAMELA M. NOFFSINGER, Village Clerk

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JUSTIN WREN  
Village Trustees

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on Sept. 28, 2015

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE CONCERNING DWELLING UNITS WITHIN C-4 DISTRICTS AT 760 SOUTH BROADWAY IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Section 156.93 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Jerry Meece (“applicant”) on July 24, 2015 for relief regarding dwelling unit standards, which would allow the property to accommodate two one-bedroom residential units alongside the professional office suite; and

**WHEREAS**, a public hearing was noticed and duly held on August 17, 2015 and continued until September 21, 2015; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on September 21, 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. **Not Resulting from Applicant Action.** The petitioner has agreed upon a lease with the owner for a use that is in accordance with former uses of the property. The petitioner plans to improve the current property and has not attributed to its current condition.
- B. **Unnecessary Hardship.** Implementing the required parking space standard will disallow the petitioner from gathering the resources necessary to improve the property; furthermore, the improvement cannot be constructed at this time due to inclement weather.
- C. **Preserves Rights Conferred by the District.** Granting this variance will allow the tenant to inhabit the building space in the same manner it has formerly been utilized. The restaurant utilization is in line with the commercial zoning of the property.
- D. **Necessary for Use of the Property.** Half of the tenant space within the building has been improved for a restaurant tenant; the presented improvement of the petitioner will allow this more conveniently host this type of use.

E. **Consistency with Local Area and Comprehensive Plan.** The Comprehensive Plan envisions this property to have the allowable commercial uses compatible with C-3 zoning.

F. **Minimum Variance Recommended.** The petitioner is improving the property with additional spaces in order to minimize the total necessary variance from the offstreet parking space requirement.

**Section 3.** Description of the Property. The property is located at 760 South Broadway in the Village of Coal City within a C-4 District.

Lots 16 and 17, Block 19, Original Town of Coal City.

**Section 4.** Public Hearing. A public hearing was advertised on July 29, 2015 in the Coal City Courant and held by the Planning and Zoning Board on August 17, 2015 and continued until September 21, 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.** Variations. The variations requested in the July 24, 2015 Variance Application to the Zoning Code are granted as follows:

A variance in conjunction with Section 156.93, Table 7: Permitted and Conditional Uses in Commercial Districts, Group Q: Additional Permitted Uses in C-4 Commercial Districts, (23) Dwelling units above ground floor is hereby granted to allow two one-bedroom units to be constructed at street level alongside the professional office suite.

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

A. The two residential dwelling units shall be constructed 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 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 28 day of September, 2015, at Coal City, Grundy & Will Counties, Illinois.

AYES: 4  
NAYS: 0  
ABSENT: 2  
ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
Terry Halliday, President

Attest:

  
Pamela M. Noffsinger, Clerk