
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 15-13

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR
MAXIMUM ACCESSORY STRUCTURE SQUARE FOOTAGE REQUIREMENTS
AT 175 CHURCH STREET**

NEAL E. NELSON, President
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Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on April 27, 2015

ORDINANCE NO. 15-13**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR
MAXIMUM ACCESSORY STRUCTURE SQUARE FOOTAGE REQUIREMENTS
AT 175 CHURCH STREET**

WHEREAS, an application for variances from Section 156-162 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by property owner Terry Bitner (“applicant”) on March 13, 2015 for a variance to allow the construction of a 1,500 square foot garage with proper setbacks within the rear yard; and

WHEREAS, Section 156-162 utilizes Table 15 to set forth the maximum allowable square footage for garages at 900 square feet and the applicant is seeking a variation from this requirement to construct a garage of approximately 1,500 square feet (an increase of 600 square feet); and

WHEREAS, a public hearing was noticed and duly held on April 20, 2015; 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.** The petitioner removed a dilapidated structure within the yard; due to the yard’s total square footage, the total size of this accessory structure shall not impede the setback requirements or exceed the allowable lot coverage.
- B. **Preserves Rights Conferred by the District.** This improvement will be constructed of residential quality and shall be an improvement within this RS-3 District, which is surrounded by many other industrial uses. This structure shall allow the petitioner to enjoy his property in a manner that shall be harmonious with the neighbors.
- C. **Necessary for the Use of the Property.** This property does not currently possess a garage that may be utilized to store automobiles and/or personal property. This improvement is necessary for residential utilization of the property.

- D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. Allowing the garage to be constructed within the requisite setbacks is consistent with other houses located within the local area.

Section 3. Description of the Property. The property is located at 175 Church Street in the Village of Coal City within an RS-3 District. The legal description for the property is as follows:

Assessor's subdivision of pt. N ½, N/W ¼ Section 2-32-8, E 90 Blk 10

Section 4. Public Hearing. A public hearing was advertised on March 25, 2015 in the Coal City Courant and held by the Zoning Board of Appeals on April 20, 2015, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 5. Variations. The variations requested in the March 13, 2015 Variance Application to Section 156-162 of the Zoning Code is outlined herein as follows:

- A. A variance from the requirements of Section 156-162 to exceed the maximum allowable square footage of 900 square feet by 600 square feet to allow the construction of a new garage.

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

- A. The newly constructed garage shall follow as presented within the material submitted and according to the presentations to the Planning & Zoning Board Meetings of April 6 & April 20, 2015.

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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STRUCTURE SQUARE FOOTAGE REQUIREMENTS
AT 175 CHURCH STREET**

SO ORDAINED this 27 day of April, 2015, at Coal City,
Grundy and Will Counties, Illinois.

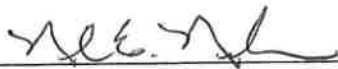
AYES: 6

NAYS: 0

ABSENT: 0


ABSTAIN: 0

VILLAGE OF COAL CITY



Neal E. Nelson, President

Attest:



Pamela M. Noffsinger, Clerk