
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 17-06

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR FRONT
YARD SETBACK REQUIREMENTS AT 655 E. FOURTH STREET**

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Village Trustees

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on March 21, 2017

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WHEREAS, an application for variances from Section 156-73 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Grundy – Three Rivers Habitat for Humanity, Inc. (“applicant”) on January 13, 2017 for changes to the front yard setback due to the placement of the new structure on the available lot; 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 21 feet (reduction of 4 feet); and

WHEREAS, a public hearing was noticed and duly held on March 20, 2017, subsequent to the public hearing, the Zoning Board of Appeals positively recommended to the Board of Trustees the petition to include a variance from the requisite front yard setback within the RS-3 zoning district; and

WHEREAS, Section 156-250 permits the Village Board to approve variations from the Zoning Code and section 156-230 provides for Conditional Uses; 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 the following regarding the petitioner’s request for a front yard variance:

- A. **Not Resulting From Applicant Action**. This portion of residential property is eth remaining lot available for development within this residential neighborhood; its resulting dimensions could not fit the program’s affordable single family detached residence design.
- B. **Unnecessary Hardship**. The core mission of the applicant is to make home ownership affordable, which is attained by utilizing the sponsoring non-profit agency’s design paired with land contributions. Altering the home design would cause unnecessary hardship when compared with the adjacent single family detached residence.

- C. **Preserves Rights Conferred by the District.** Within this residential district there is a wide variety of smaller and larger home with a variety of setbacks; most of the homes within the district appear to have been built prior to any consistent zoning implementation.
- D. **Necessary for the Use of the Property.** This newly developed property is to be developed by Habitat for Humanity and it is necessary to receive the variance to use the property for the construction of a single family detached residence.
- E. **Consistency with the Local Are and Comprehensive Plan.** The home to be built is consistent with the variety of housing stock within the local area and complies with the development called for within the Comprehensive Plan.
- F. **Minimum Variance Recommended.** The structure shall comply with all other code and setback requirements; the front yard setback variance of 4', which is 16% of the total front yard is the minimum variance to be required.

Section 3. Description of the Property. The property is located at 655 East Fourth Street in the Village of Coal City within an RS-3 District. The legal descriptions for the properties are as follows:

West 70 feet of the following described parcel: Lot 1, 4, and all of the north half of lot 5 in Block 1, all in the village of Suffern, section 35, township 33 north, range 8 east of the principal meridian, Grundy County, Illinois.

Section 4. Public Hearing. A public hearing was advertised on _____, 2017 in the Coal City Courant and held by the Zoning Board of Appeals on March 20, 2017, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 5. Variance. The variation requested in the January 13, 2017 Variance Application to Section 156-73 of the Zoning Code shall reduce the front yard setback from 25 feet to 21 feet.

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

- A. The construction of the new improvement shall be consistent with the information previously submitted and according to the presentations to the Planning & Zoning Board Meeting of March 20, 2017.

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.

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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.

SO ORDAINED this 21st day of March, 2017, at Coal City, Grundy and Will Counties, Illinois.

AYES: 4

NAYS: 0

ABSENT: 2

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk