
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 17-30

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR SIDE
YARD SETBACK REQUIREMENTS AT 655 S. MARGUERITE STREET**

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Village Trustees

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on August 23, 2017

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AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR SIDE YARD SETBACK REQUIREMENTS AT 655 S. MARGUERITE STREET

WHEREAS, an application for variances from Section 156-112 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Steve & Katherine Hester (“applicant”) on July 19, 2017 for changes to the side yard setback due to the placement of a new storage structure within the existing side yard; and

WHEREAS, Section 156-112 requires a minimum interior side yard depth of 10 feet, the applicant is seeking a variation from these requirements to have a minimum interior side setback of 2 feet (reduction of 8 feet); and

WHEREAS, a public hearing was noticed and duly held on August 21, 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 interior side yard setback within the I-1 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. **Special Circumstances Not Found Elsewhere.** This business allows for temporary storage of items and does possess a neighbor adjacent on its south side. Due to the remediation necessary to utilize the neighboring property it is foreseeable there shall never be a neighbor adjacent to this side yard.
- B. **Preserves Rights Conferred by the District.** The utilization of this portion of space shall allow the owners to rent additional temporary storage, which is currently in demand for this location.

- C. **Necessary for the Use of the Property.** Allowing this portion of interior side yard results in the industrial space being underutilized versus building another storage facility within the available space. Being able to build a unit within the interior side yard is necessary to accommodate the current demand for temporary storage.
- D. **Consistency with the Local Area and Comprehensive Plan.** This request is consistent with the current use and continued use of this portion of property called forth within the Comprehensive Plan.
- E. **Minimum Variance Recommended.** Building additional storage within this area shall allow users to access the structure from at least the north side, which is the minimum means of accessing this type of storage unit/space.

Section 3. Description of the Property. The property is located at 655 S. Marguerite Street in the Village of Coal City within an I-1 District. The legal description of the property is as follows:

PT NW SE BEG 651.23, W300.3 INTER E. LN NW SE & S LN Maple Street, E 350.93, S496.43, N496.86, SEC 3-32-8, Grundy County, Illinois.

Section 4. Public Hearing. A public hearing was advertised on July 26, 2017 in the Coal City Courant and held by the Zoning Board of Appeals on August 21, 2017, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 5. Variance. The variation requested in the July 19, 2017 Variance Application to Section 156-112 of the Zoning Code shall reduce the interior side yard setback from 10 feet to 2 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 August 21, 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 23 day of August, 2017, at Coal City, Grundy and Will Counties, Illinois.


AYES: 4

NAYS: 0

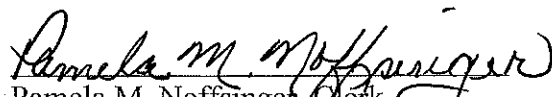
ABSENT: 0

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk