
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 18-05

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE REGARDING
INDUSTRIAL DESIGN GUIDELINES AT 727 EAST DIVISION**

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on March 14, 2018

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AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE REGARDING INDUSTRIAL DESIGN GUIDELINES AT 727 EAST DIVISION

WHEREAS, an application for variances from Section 156-53 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by property owner George McCoy (“applicant”) on January 22, 2018 for a variance to allow the placement of an ice distribution kiosk within the side yard; and

WHEREAS, Section 156-53 requires new Industrial Zone uses to adhere to certain design guidelines; and

WHEREAS, a public hearing was noticed and duly held on March 5, 2018; 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 concerning the Variance for 727 E. Division:

- A. **Special Circumstances Not Found Elsewhere.** The property is an underutilized industrial property that has available land for an additional use.
- B. **Unnecessary Hardship.** This variance shall allow the installation of an Ice Kiosk, which is a permitted use within the district. However, this improvement may be made without the improvement of an additional structure due to the pre-loaded trailer mounted kiosks of Twice the Ice, which can provide this good to the Village’s residents.
- C. **Preserves Rights Conferred by the District.** Although this use requires a variance due to its aesthetic design elements, selling of ice may occur and is permitted within this industrial property.

- D. **Necessary for Use of the Property.** In order to host the Ice Kiosk at this property, the variance has been requested to accommodate this new vendor and an agreed upon lease.
- E. **Minimum Variance Recommended.** The petitioner has requested a variance to allow the utilization of this pre-ordered trailer rather than be required sell from the existing structure.

Section 3. Description of the Property. The property is located at 727 E. Division in the Village of Coal City within an I-1 District and legally described as follows:

Beginning at a point where the south line of Division St. is intersected by the North and South center line of Section 2, Township 32 North, Range 8 East of the 3rd Principal Meridian, run thence South along the North and South center line of said section 2, a distance of 150 feet, run thence with a right angle to the left East a distance of 197 feet, to a point on the Northwesterly right of way line of the Gulf Mobile & Ohio Railroad Company, being parallel to and 100' distance northwesterly from a line drawn midway between the north and south main tracks of said railroad, thence in a northeasterly direction along said right-of-way a distance of 190' to a point in the south line of Division St., to the point of beginning in Grundy County, Illinois.

Section 4. Public Hearing. A public hearing was advertised on March 5, 2018 in the Coal City Courant and held by the Zoning Board of Appeals on March 5, 2018, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 5. Variances. The variations requested in the January 22, 2018 Variance Application to Section 156-53 of the Zoning Code is outlined herein as follows:

- A. A variance from the requirements of Section 156-53 was reviewed by a Design Review Committee compliant with the industrial design guidelines requirement contained within Section 156.53.
- B. The Design Review Committee found the Guidelines of the Village Code to apply. However, due to the petitioner's request, the variance stated below shall be provided.
 - a. Most of the Guidelines provided within Section 1: Site Planning do not apply to this use because it shall be provided onsite as an additional use at this industrial property and shall not have a footprint that exceeds 12,00 square feet.
 - i. The petitioner shall receive a variance from the requirements regarding refuse areas stated in section 1(D) of the Industrial Guidelines. Refuse service shall be required at the property through the utilization of a waste barrel without any additional screening; the petitioner shall be relied upon to regularly service the unit so as not to cause a nuisance.
 - b. Inasmuch as Section 2: Vehicular Circulation & Parking requires improvements from its current state, the petitioner is granted a variance from these standards without additional improvement.

- c. It has been determined the petitioner complies with the standards set forth within Section 3: Architectural Design due to the design of the Ice Kiosk provided within the application except for Section 3.5(C).
 - i. The petitioner shall receive a variance from the requirements regarding the installation of a band of durable materials (set forth in Section 3.5(e)); the petitioner shall be relied upon to install bollards surrounding the kiosk to ensure the unit is safe from vehicular collision.
 - d. Inasmuch as Section 4: Landscape Design requires improvements from its current state, the petitioner is granted a variance from these standards without additional improvement.
 - e. Those standards set forth within Section 5: Fences & Walls were reviewed and do not apply to the land use plan submitted within this petition.
- C. The development shall be compliant with those standards set forth within Sections 6: Sign Design & 7: Exterior Site Lighting.

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

- A. Certain improvements, which had been included within the proposal, which were 1.) the Ice distribution kiosk shall be surrounded by bollards; 2.) the electrical connection to receive necessary power shall be run underground; and 3.) proper connection of any stormwater runoff shall be completed.
- B. The newly constructed ice kiosk shall follow as presented within the material submitted and according to the presentation to the Planning & Zoning Board Meeting of March 5, 2018.

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.

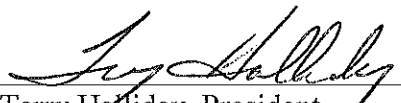
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Section 9. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

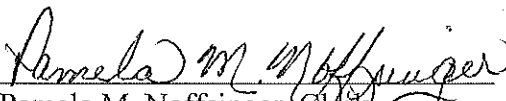
SO ORDAINED this 14 day of March, 2018, at Coal City,
Grundy and Will Counties, Illinois.

AYES: 4
NAYS: 2
ABSENT: 1
ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk