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THE VILLAGE OF COAL CITY  
GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 18-10

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AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE  
LOCATION OF A GARAGE WITHIN THE INTERIOR SIDE YARD OF 465 N. FIRST  
AVENUE IN THE VILLAGE OF COAL CITY

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City  
on June 18, 2018

ORDINANCE NO. 18-10

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE LOCATION OF A GARAGE WITHIN THE INTERIOR SIDE YARD OF 465 N. FIRST AVENUE IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Sections 156.73 and 156.162 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Ken Seplak (“applicant”) on April 25, 2018 for the placement of a 1,200 square foot detached garage; and

**WHEREAS**, Section 156.162 requires adherence to the standards for accessory structures located within Table 15; and

**WHEREAS**, a public hearing was noticed and duly held on May 21, 2018; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on May 21, 2018, 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. **Special Circumstances Not Found Elsewhere.** The property is located within a neighborhood containing a great deal of open space to allow for the location of additional accessory uses along the property boundaries due to the abundance of remaining open space.
- B. **Unnecessary Hardship.** The petition is accommodating the off season parking of a recreational vehicle on the residential property and would like to do so within the interior side and rear yards; constructing a garage with the requested variances shall allow this vehicle to be parked in a manner compliant with the Village Code behind a privacy fence for additional screening.
- C. **Preserves Rights Conferred by the District.** This neighborhood is an older portion of town that possesses existing non-conforming accessory structures within the

immediate area. This variance shall allow the home owner to utilize their property in a similar manner as enjoyed by others.

D. **Consistency with the Local Area and Comprehensive Plan.** Although a variance has been requested for the installation of an accessory structure exceeding the required maximum square footage, the ability to maintain a garage for residential use in close proximity to the alley is consistent with other structures built within the neighborhood.

E. **Minimum Variance Recommended.** The petitioner has reduced the overall requested variance so as not to infringe upon future similar request from adjacent neighbors.

**Section 3. Description of the Property.** The property is located at 465 N. First Ave. in the Village of Coal City within an RS-3 District.

**Section 4. Public Hearing.** A public hearing was advertised on May 2, 2018 in the Coal City Courant and held by the Planning and Zoning Board on May 21, 2018, at which time a majority of the Planning and Zoning Board members recommended passage of the Variance to the Board of Trustees.

**Section 5. Variances.** The variations requested in the April 25, 2018 Variance Application to the Zoning Code are granted as follows:

- A. A variance in conjunction with Section 156.73 is hereby granted to allow the detached garage to be constructed with a setback of 3 feet as described by the applicant, to the alley on the east side.
- B. A variance in conjunction with Section 156.162 is hereby granted to allow the constructions of a detached garage as described by the applicant, to be installed within the interior side yard with the following variances from those standards conveyed within Table 15:
  - a. The width of the structure to be constructed shall exceed the maximum dimension length of 36 feet by an additional 4 feet measuring 40 feet in one dimension for the newly constructed accessory structure; and
  - b. The cumulative square footage for all accessory structures shall be exceeded due to the construction of an additional structure, which exceeds the maximum cumulative square footage of 1,100 square feet; and
  - c. The total number of accessory structures shall be three, which exceeds the maximum allowable total of two accessory structures within a residential yard.

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

A. The detached garage shall be constructed in a manner consistent with the presentation to the Planning & Zoning Board and the Board of Trustees.

**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.

SO ORDAINED this 18 day of June, 2018, at Coal City, Grundy & Will Counties, Illinois.

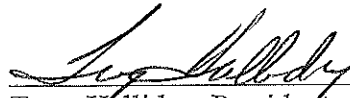
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NAYS: 0

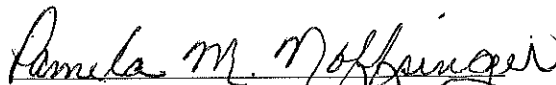
ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY

  
Terry Halliday, President

Attest:

  
Pamela M. Noffsinger, Clerk