

---

**THE VILLAGE OF COAL CITY**  
GRUNDY & WILL COUNTIES, ILLINOIS

---

ORDINANCE  
NUMBER 21-11

---

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE  
LOCATION OF A DETACHED GARAGE WITHIN THE CORNER SIDE YARD OF  
325 N. FIFTH AVENUE IN THE VILLAGE OF COAL CITY**

---

TERRY HALLIDAY, President  
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH  
ROSS BRADLEY  
TIM BRADLEY  
DAN GREGGAIN  
DAVID SPESIA  
DAVID TOGLIATTI  
Village Trustees

---

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City  
on April 14, 2021

ORDINANCE NO. 21-11

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE LOCATION OF A DETACHED GARAGE WITHIN THE CORNER SIDE YARD OF 325 N. FIFTH AVENUE IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Sections 156.73 and 156.161 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Sky Rys (“applicant”) on February 1, 2021 to replace the existing non-conforming detached garage with a pole barn structure; and

**WHEREAS**, Section 156.161 requires adherence to the standards provided within Table 15 including a maximum height of 15 feet, maximum length in one dimension not to exceed 36 feet, maximum square footage of the accessory structure not to exceed 1,500 square feet along with the cumulative maximum square footage for all accessory uses not to exceed 1,600 square feet; and

**WHEREAS**, a public hearing was noticed and duly held on April 5, 2021; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on April 5, 2021, 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. Findings of Fact. The Board of Trustees finds as follows concerning the Variance for 325 N. Fifth Avenue:

- A. **Special Circumstances Not Found Elsewhere.** This property already possesses a nonconforming structure located within the corner side yard on the north side of Thid Street..
- B. **Preserves Rights Conferred by the District.** This residential property shall have an accessory structure to be accessed from the alley like many of the other neighbors within the neighborhood and similar RS-3 district.

- C. **Necessary for Use of the Property.** The existing garage does not provide the necessary storage for the upkeep and maintenance of the property; this structure shall provide the necessary space that is needed.
- D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. The garage shall be finished with residential materials and fit in with the character of the neighborhood.
- E. **Minimum Variance Recommended.** The petitioner has modified the original request to allow the structure to meet the 10' of separation required between structures and fit within the yard to provide setback to the rear boundary as prescribed.

**Section 3.** Description of the Property. The property is located at 325 N. Fifth Avenue in the Village of Coal City within an RS-3 District.

**Section 4.** Public Hearing. A public hearing was advertised on March 17, 2021 in the Coal City Courant and held by the Planning and Zoning Board on April 5, 2021, 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 February 1, 2021 Variance Application to the Zoning Code are granted as follows:

Variances in conjunction with Section 156.161 are hereby granted to allow the replacement of the existing detached garage with a pole barn that shall:

- a. Exceed the maximum height of the building by 6.5' for a total height of 21'6". The roof of this detached structure shall consist of a metal roof.
- b. Exceed the total allowable square footage of a garage by 750 square feet totaling 2,250 square feet.
- c. Exceed the maximum allowable square footage for all accessory uses by 950 square feet totaling 1,950 square feet.
- d. The setback of the corner side yard shall be maintained, which provides a 15' setback instead of the required 25' setback.

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

- A. This structure shall be clad in vinyl siding to match the primary residence and the fit within the surrounding residential neighborhood.
- B. 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.

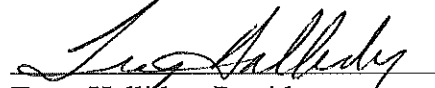
**Section 8.** Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective 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.

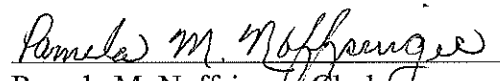
SO ORDAINED this 14 day of April, 2021, at Coal City, Grundy & Will Counties, Illinois.

AYES: 5  
NAYS: 0  
ABSENT: 1  
ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
Terry Halliday, President

Attest:

  
Pamela M. Noffsinger, Clerk