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

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ORDINANCE  
NUMBER 21-15

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**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE  
LOCATION OF A DETACHED GARAGE WITHIN THE REAR YARD OF  
555 S. VERMILLION IN THE VILLAGE OF COAL CITY**

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Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City  
on May 26, 2021

ORDINANCE NO. 21-15

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE LOCATION OF A DETACHED GARAGE WITHIN THE REAR YARD OF 555 S. VERMILLION IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Sections 156.73 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Kenneth Kappes (“applicant”) on April 14, 2021 to replace the existing detached garage with a metal-sided pole barn structure; and

**WHEREAS**, Section 156.161 requires adherence to the standards provided within Table 15 including a maximum height of 15 feet; and

**WHEREAS**, a public hearing was noticed and duly held on May 17, 2021; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on May 17, 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 555 S. Vermillion:

- A. **Unnecessary Hardship**. The petitioner purchased a residence that does not possess adjacent residential neighbors to the rear yard in which the new detached structure shall be constructed.
- B. **Preserves Rights Conferred by the District**. This improvement will be constructed of with the type of improvement within the surrounding RS-3 District. The neighbors to the north of this residence have a similar existing structure within the rear yard as well.
- C. **Necessary for the Use of the Property**. This property has an unusual depth due to its relationship with the railroad property which bisects the Village; such construction shall allow the full utilization of the property.

D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. Allowing the garage to be constructed within the requisite setbacks is consistent with other houses located within the local area.

**Section 3.** Description of the Property. The property is located at 555 S. Vermillion in the Village of Coal City within an RS-3 District.

**Section 4.** Public Hearing. A public hearing was advertised on April 21, 2021 in the Coal City Courant and held by the Planning and Zoning Board on May 17, 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 April 14, 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 3' for a total height of 18'. The roof of this detached structure shall consist of a metal roof.
- b. The structure shall be constructed as a pole barn rather than traditional wood frame construction.

**Section 6.** Conditions. The variances granted herein are contingent and subject to being 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 26 day of May, 2021, at Coal City, Grundy & Will Counties, Illinois.


AYES: 6

NAYS: 0

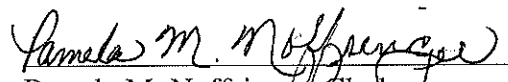
ABSENT: 0

ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
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Terry Halliday, President

Attest:

  
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Pamela M. Noffsinger, Clerk