
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 22-17

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE
LOCATION OF A SECONDARY STRUCTURE WITHIN THE SIDE YARD OF
1105 EILEEN STREET IN THE VILLAGE OF COAL CITY**

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on July 27th, 2022

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AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE LOCATION OF A SECONDARY STRUCTURE WITHIN THE SIDE YARD OF 1105 EILEEN STREET IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variance from Sections 156.161 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Craig Tokarski (“applicant”) on June 24, 2022 to allow a shed to be placed alongside the existing attached garage; and

WHEREAS, Section 156.161 requires adherence to the standards provided within Table 14, which excludes sheds from being placed within the side yard; and

WHEREAS, Section 156.161 requires adherence to the standards provided within Table 15 including a minimum separation from the principle structure of ten feet; and

WHEREAS, a public hearing was noticed and duly held on September 17, 2018; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on July 18, 2022, 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 concerning the Variance for 1105 Eileen Road:

- A. **Special Circumstances Not Found Elsewhere.** This property is located adjacent to a significantly vegetated drainage ditch and banks eliminating the utilization of all side of the residential property.
- B. **Preserves Rights Conferred by the District.** This residential property is located within RM-1 zoning in which this type of accessory structure is allowed, but the variance allows such preserved use within a limited area of the property.

- C. **Necessary for Use of the Property.** This duplex residential unit does not include much storage for the care and maintenance of the outside of the residential building.
- D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. The new shed shall be finished with residential materials and maintain the fire safety rating that comes along with the traditional 10 feet of separation between structures.
- E. **Minimum Variance Recommended.** Due to the square footage to be utilized for storage, the spacing of the accessory structure directly against the residence provides minimal impact upon lot coverage but the approved location will require a post concrete pouring of the base versus the traditional concrete slab for this type of structure.

Section 3. Description of the Property. The property is located at 1105 Eileen Street in the Village of Coal City within an RM-1 District.

Section 4. Public Hearing. A public hearing was advertised on June 29, 2022 in the Coal City Courant and held by the Planning and Zoning Board on July 18, 2022, at which time a majority of the Planning and Zoning Board members recommended passage of the Variance to the Board of Trustees.

Section 5. Variations. The variations requested in the June 24, 2022 Variance Application to the Zoning Code are granted as follows:

- A. Variations in conjunction with Section 156.161 are hereby granted to allow the replacement of a shed with a detached garage so as to:
 - a. Possess a 0' setback and be adjacent to existing attached garage, which is a variance of 10 feet.
 - b. The shed may be located within side yard west side yard of the duplex.
 - c. Construction standard may be altered to allow only the posts to be poured with proper concrete footing exceed 42" in depth rather than traditional concrete slab pouring.

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

- A. The east wall of the newly constructed shed shall utilize a fire wall.
- 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 27th day of July, 2022, at Coal City, Grundy & Will Counties, Illinois.

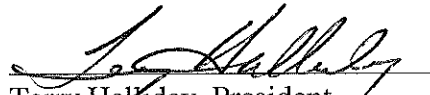
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NAYS: 2

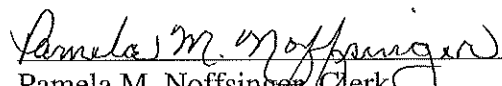
ABSENT: 0

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk