
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER: 23-03

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE
LOCATION OF SOLAR PANELS ATOP THE RESIDENCE AT
1080 E. NORTH STREET 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 February 22, 2023

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WHEREAS, an application for variance from Section 156.162 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Sarah Stroner (“applicant”) on January 9, 2023 to allow the placement of solar panels on top of the roof along the street side in a manner that would not form a rectangle and would allow less than 48” of clearance on all four sides; and

WHEREAS, the standards provided within Section 156.162 regarding the placement of the panels so their aggregate shape shall form a rectangle and the minimum clearance of the panels from the edge and the ridge shall be no less than 48”; and

WHEREAS, the number of panels to be placed on the roof are arranged in a polygon that possesses more than 4 sides with minimum clearance from portions along the edge of 36”; and

WHEREAS, a public hearing was noticed and duly held on February 6, 2023; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on February 6, 2023, 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 at 1080 E. North Street:

- A. **Special Circumstances Not Found Elsewhere.** This residence is located on the north side of a street necessitating solar panel coverage on the street side of the home in order to gain the exposure to sun rays to gain the benefit of utilizing renewable energy within the petitioner’s home.

- B. **Unnecessary Hardship.** The code requires street side standards for the utilization and location of solar panels, which cause an unnecessary hardship for this residence disallowing the petitioner to take advantage of governmental policies and standards for the installation of renewable energy within Illinois homes, which does not exist for those homes that can participate without street side installations.
- C. **Necessary for Use of the Property.** The utilization of the property to allow certain variances shall allow the petitioner to gain access to renewable energy in the same manner as other properties located within the Village of Coal City.
- D. **Minimum Variance Recommended.** Despite the capability to host additional solar panels because of the existence of additional roof square footage, the petitioner is requesting the minimum area necessary to accommodate the production of enough energy to replace the calculated electrical load for this residence rather than produce additional renewable energy on the remaining area of available square footage.

Section 3. Description of the Property. The property is located at 1080 E. North Street in the Village of Coal City within a RS-3 District.

Section 4. Public Hearing. A public hearing was advertised on January 18, 2023 in the Coal City Courant and held by the Planning and Zoning Board on February 6, 2023, 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 variance requested in the January 9, 2023 Variance Application to the Zoning Code are granted as follows:

A variance in conjunction with Section 156.162 of the Zoning Code is hereby granted to allow the placement of the solar panels in the manner presented. Their placement will provide for two additional panels along the bottom row causing an irregular shape in excess to the required "rectangular" shape; portions of this installation shall have a minimum clearance of 36" from the edge and ridge.

Section 6. Conditions. The variance is granted herein contingent and subject to the following conditions:

- A. The solar panels shall be installed atop the residential roof 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.

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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 22 day of February, 2023, at Coal City, Grundy & Will Counties, Illinois.

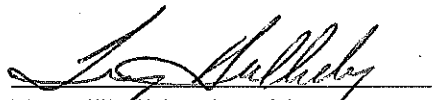
AYES: 5

NAYS: 0

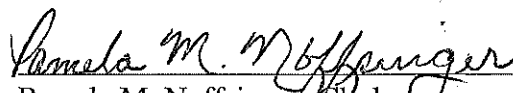
ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk