
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 23-28

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR
MINIMUM FRONT YARD SETBACK REQUIREMENTS AT 550 N. THIRD AVE.**

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Village Trustees

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on October 25, 2023

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**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR
MINIMUM FRONT YARD SETBACK REQUIREMENTS AT 550 N. THIRD AVE.**

WHEREAS, an application for a variance from Section 156.073 of the Village of Coal City Zoning Code ("Zoning Code") was filed by property owner Terry Halliday ("applicant") on September 21, 2023 to allow a residence to be constructed upon the lot with a front yard setback less than the current requirement; and

WHEREAS, Section 156.073 requires a minimum front yard depth of 25 feet, the applicant is seeking a variation from these requirements to have a minimum front yard setback of approximately 7 feet (a reduction of 18 feet); and

WHEREAS, a public hearing was noticed and duly held on October 21, 2023; subsequent to the public hearing, the Zoning Board of Appeals positively recommended to the Board of Trustees the petition; 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. **Unnecessary Hardship**. This lot was previously approved as buildable lot by Board action on November 27, 1995; the 25' front yard setback would leave the property undevelopable due to the rear and side yard setbacks to be required as well.
- B. **Preserves Rights Conferred by the District**. The requested variance shall set the front of the home along the same line that is consistent with the minimal corner side yard that exists at the residence immediately adjacent to the south of the petitioner's property.
- C. **Necessary for Use of the Property**. This variance shall allow the lot to be developed as was provided in 1995 and for which easements have been granted to gain access to public improvements to the lot in the past as well.

D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. Allowing a single family detached home to be constructed with the minimal front yard is consistent with other houses located within the local area.

E. **Minimum Variance Recommended.** Despite the imposition of setbacks from the rear yard and the interior side yards, the only requested variance is the front yard to allow a smaller setback so a home can be constructed in the future.

Section 3. Description of the Property. The property is located on an undeveloped parcel with parcel identification number 06-35-402-017 to receive a common street address of 550 N. Third Ave. in the Village of Coal City within an RS-3 District.

Section 4. Public Hearing. A public hearing was advertised on October 4, 2023 in the Coal City Courant and held by the Zoning Board of Appeals on October 23, 2023, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 5. Variance. The variation requested in the September 21, 2023 Variance Application to Section 156.073 of the Zoning Code is outlined herein as follows:

A. A variance from the requirements of Section 156.073 to reduce the front yard setback from 25 feet to 7 feet.

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

A. The new house to be constructed upon the lot shall be placed within the building envelopes presented within the material submitted and according to the presentations to the Planning & Zoning Board Meeting of October 23, 2023.

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.

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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 25 day of October, 2023, at Coal City,
Grundy and Will Counties, Illinois.


AYES: 5

NAYS: 0

ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY



David A. Spesia, President

Attest:



Alexis Stone, Village Clerk