

# **COAL CITY PLANNING AND ZONING BOARD MEETING**

**TUESDAY  
JANUARY 2, 2024  
7:00 P.M.**

## **AGENDA**

1. Call Meeting to Order
2. Approval of Minutes                      December 4, 2023
3. Public Comment
4. ZONING BOARD OF APPEALS  
Public Hearing I  
Fence Variance  
910 E. Jesse Court – Chris Collier
  - i. Swear in testimonials
  - ii. Presentation by Petitioner
  - iii. Public Comment
  - iv. Board Consideration
  - v. Action on Request

**Public Hearing 2**

**Map Amendment and Variances**

**833/835/837/839 E. First St. – Craig Van Duyne**

- i. Swear in testimonials
- ii. Presentation by Petitioner
- iii. Public Comment
- iv. Board Consideration
- v. Action on Request

**5. Adjourn**

**MEMO**

**TO:** Planning & Zoning Board Members

**FROM:** Matthew T. Fritz  
Village Administrator

**MEETING DATE:** January 2, 2024

**RE:** **JANUARY 2<sup>ND</sup> MEETING AGENDA ITEMS**

*Variance to the front yard setback for a fence, 910 E. Jesse Court*

Chris Collier, the owner of a residence on the north side of the cul de sac at Jesse Court in Meadow Estates that is a through lot, would like a newly installed fence along Richards to possess a setback of 12'6" from the rear boundary of the property as opposed to the 25' setback requirement. A detached garage was properly constructed within the required setback previously, but the homeowner would like to fence in more of his rear yard by placing the fence closer to Richards and fencing the detached garage within the fenced in yard as well. Attachment 31 – Diagrams (within Chapter 156) shows this type of lot as a “double frontage” lot.

This matter is set for a public hearing Tuesday evening.

*Pertinent Code Section(s)*  
**Section 156.73**

*Map Amendment with variances and lot consolidation at residential property to be known as 833-839 E. First Street*

Craig Van Duyne, is acquiring a portion of commercial property that was formerly a portion of the land consolidated to accommodate the O'Reilly's retail location by 6S Development. Previous to the retail development that occurred with O'Reilly's, Van Duyne owned an odd triangle portion of a former railroad spur at the west end of E. First Street. The accumulated property for O'Reilly's included a portion of land located southerly adjacent of Van Duyne's portion of land and north of an existing east/west alley that exists behind the O'Reilly's building. Van Duyne negotiated the sale of this portion of land in hopes of assembling the new portion along with his existing portion to develop a multi-family residential unit facing the existing 3-unit residential unit across the right of way from this new consolidation of property.

The O'Reilly's survey, acquisition and redevelopment agreement terms with the village has established a 20' easement on the west side of the existing right of way between the two multi-family buildings (one existing and the other proposed) and would be provided a 16.5' easement along the south end of the newly acquired property through which the means of ingress/egress

**Remaining Work Items**

Downtown Remodeling Permits  
Carbon Hill Rd/113 Annexation  
Metal Siding  
Anti-Monotony Provisions

would be provided to allow continued commercial growth to the south on Division with a means of accessing the alley for deliveries.

Since the presentation of this concept at the meeting in December, the petitioner has been working to lessen the total density by looking to develop a 3-unit concept that would include a 1-car garage for each of the units. In the interim, staff was requested to work with each of the adjacent property owners adjacent to the rear yard and they have continued to maintain their desire to retain their property to the west of Van Duyne's potential assemblage. As far as the front yard, the petitioner has agreed to set aside funds to pay for asphalt within the parkway/driveway access area along the west side of the village right of way that is being retained as a necessary utility easement due to the location of water main for this block of property. Currently, updated prints for the 3-unit design have not been provided, so an extension of the public hearing may be the most likely action to be taken after conducting the public hearing on Tuesday evening.

This type of development is dense when considered within the village's residential development standards, but is complementary to the existing development of this neighborhood. First, the new addition of property needs to be rezoned RM-1 to allow for this permitted use. Secondly, there are a number of variances required to allow the multi-family unit to be constructed. They include – 1.) rear yard setback; 2.) total lot coverage; 3.) minimum square footage of property per residential unit; 4.) adherence to the residential design guideline requirements of concrete driveways; and 5.) adherence to public improvement submission and construction requirements for newly established subdivisions.

This matter is set for a public hearing Tuesday evening.

*Pertinent Code Section(s)*

**Section 156.77, Chapter 155**

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Chris Collier

Address: 910 E Jesse CT Phone number: 815-931-4560

Owner represented by: Self  Attorney

Contract purchaser \_\_\_\_\_ Other agent \_\_\_\_\_

Agents name \_\_\_\_\_ Phone number: \_\_\_\_\_

Address: \_\_\_\_\_

Existing zoning: RS-3 Use of surrounding properties: North RS-2 South RS-3

East RS-3 West RS-3 NW RM-2

What zoning change or variance: (specify) a Variance of 12%<sup>ii</sup> for the rear front yard setback of a through lot

To allow what use a Fence

Tax number of subject property: 09-02-255-013

Common address of property: 910 E Jesse

Parcel dimensions: odd shape through lot Lot area (sq. ft.) roughly 16500

Street frontage 167ft of Richards, 70ft

Legal description Meadow Estates Subdivision Phase 6 lot 26  
Per 605403 Section 2-32-8

In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

\*\*\*\*\*

I, (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Chris Collier, being first duly sworn, on oath deposes and says,  
Applicant's Name

that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn before me on this 20 day of November, 2023.

C. McKeefery  
Notary Public (Seal)



Signature of Owner  
Chris Collier

\*\*\*\*\*

You may attach additional pages, if needed, to support the documentation of application.

Please note the number of pages attached. 1

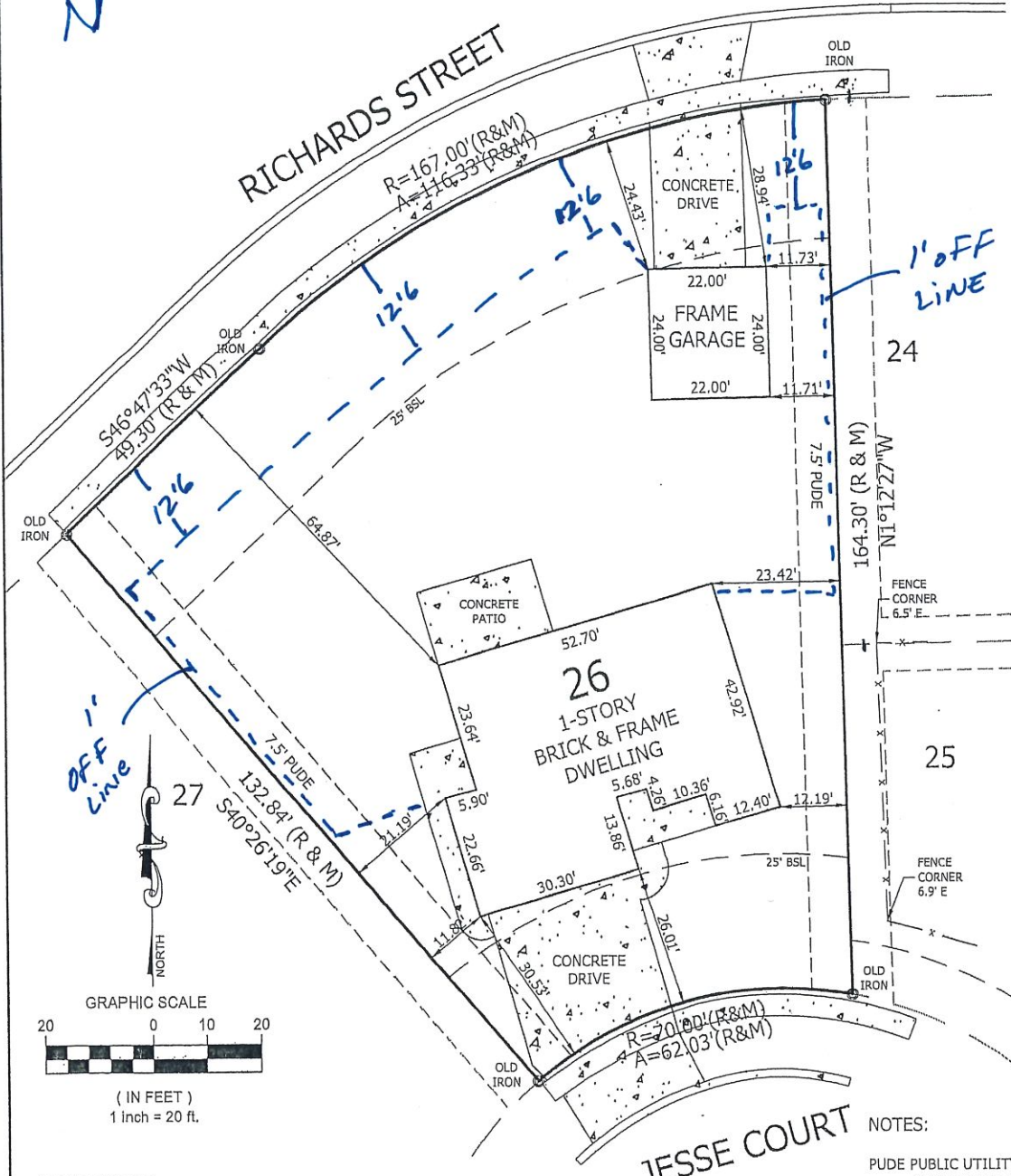
**FOR OFFICE USE ONLY**

Case number	<u>2A-375</u>	Location of hearing	
Filing date	<u>11-20-23</u>	Village Hall	
Hearing date	<u>1-2-24</u>	515 South Broadway	
Filing fee	<u>\$ 100.00</u>	Coal City, Illinois	
Hearing time	<u>7pm</u>		

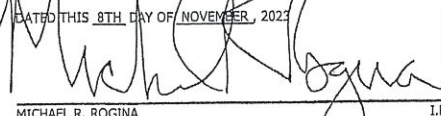
# FINAL PLAT OF SURVEY

LOT 26, IN MEADOW ESTATES SUBDIVISION PHASE 6, A RESUBDIVISION OF LOT 404 IN MEADOW ESTATES SUBDIVISION PHASE 5 OF PART OF SECTION 2, TOWNSHIP 32 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 13, 2021 IN PLAT CABINET I, SLIDE 86, AS DOCUMENT NO. 605403, IN GRUNDY COUNTY, ILLINOIS.

*— = Proposed Fence*



STATE OF ILLINOIS )  
 COUNTY OF WILL )  
 I, MICHAEL R. ROGINA, ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT THIS FINAL PLAT OF SURVEY IS A CORRECT REPRESENTATION THEREOF

DATED THIS 8TH DAY OF NOVEMBER, 2023  
  
 MICHAEL R. ROGINA  
 I.P.L.S. 3518  
 LICENSE EXPIRES 11/30/2024



COMMONLY KNOWN AS:  
 910 E. JESSE COURT  
 COAL CITY, ILLINOIS 60416

- NOTES:
- PUDE PUBLIC UTILITY
  - DRAINAGE EASEMENT
  - BSL BUILDING SETBACK
  - LINE
  - (M) MEASURED
  - (R) RECORD

LOT 26, IN MEADOW ESTATES PHASE 6 SUBDIVISION

SCALE: 1" = 20'    FIELDWORK DATE: 1-5-2021    REVISED FIELDWORK DATE:    DRAWN BY: CRR

**ROGINA**  
 ENGINEERS & SURVEYORS, L.L.C.  
 1225 Channahon Road Joliet, Illinois 815/729-0777 FAX 815/729-0782  
 Professional Design Firm License No. 184-006843 - Exp. 4/30/2025

SCAGGS CONSTRUCTION CO.    FILE NO: R428.16

C:\Users\mrogina\Documents\Downloads\1428-15\_SCAGGS\_FINAL LOT 26 ME WIP.dwg    PhotoDate: 11/09/2023 11:53 AM, Layer: oce.11x7-SURVEY

Directions: Please review the criteria below to review the variance to be requested. The Zoning Board of Appeals may only grant a variance when the following criteria provide sufficient evidence to find certain facts surrounding the variance request by which the Board may recommend the adoption of the variance to the Village Board of Trustees.

**(1) Special Circumstances Not Found Elsewhere**

Please circle any of the following statements that apply:

- A. Special or unique circumstances exist that are peculiar to the property.
- B. The variance is sought for a standard that does not apply generally to other properties in the same zoning district.
- C. The property and its utilization possesses the following special circumstances; the physical character of the subject property's
  - i. land or building(s);
  - ii. dimensions,
  - iii. topography or soil conditions.

**(2) Unnecessary Hardship**

Please explain how the proposed variance will alleviate a peculiar, exceptional, or undue hardship; please note – *a hardship is suffering or a difficulty by a property owner regarding the utilization of one's property especially when compared to landowners of similar property within the same zoning district.* Please do not utilize an inconvenience, which is defined as undesired extra work, trouble or effort by a property owner in order to utilize one's property in a manner consistent with similar properties within the same zoning district. A hardship cannot be established based upon an undesired monetary hardship required to follow the Village Code.

*desire To have more BACK YARD Fenced  
IN FOR FUTURE POOL.*

*Would Like To be considered FOR VARIANCE  
LIKE OTHER FENCES IN AREA.*

**(3) Consistent with the Rights Conferred by the District**

This variance is necessary for the applicant to preserve and enjoy a substantial property right possessed by other properties within the same zoning district; this variance shall allow the property to remain consistent with the comprehensive plan, and shall not confer a special privilege ordinarily denied to other properties within the district.

Please circle true is this applies –

True or False



**(4) Necessary for Use of the Property**

Please circle any of the following statements that apply:

- A. Failure to pass the variance will deprive the applicant the use of the property in a manner equivalent to the use permitted by other owners of property in a manner equivalent to the use permitted by other owners of property in the immediate area.
- B. Failure to pass the variance will prohibit a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.

**(5) Minimum Variance Recommended**

Please explain how the variance for which the applicant has applied is the minimum variance that will make possible the reasonable use of the property, building, or structure.

BACKYARD SET BACK FROM SIDE WALKWAYS  
FOR 25'. WE ARE ASKING FOR 12'6".

\* OTHER FENCE VARIANCES IN AREA IS MUCH MORE.

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Craig Van Dugre

Address: 955 S. SANDSTONE, DIAMOND Phone number: 630-542-8564

Owner represented by: Self  Attorney

Contract purchaser \_\_\_\_\_ Other agent \_\_\_\_\_

Agents name \_\_\_\_\_ Phone number: \_\_\_\_\_

Address: \_\_\_\_\_

Existing zoning: RM-1 & C3 Use of surrounding properties: North RM-1 South C3

East RS2 West C3

What zoning change or variance: (specify) Portion of lot acquired from

65 only to change from C3 to RM-1 w/ variances regarding  
rear yard setback, lot coverage, & minimum square footage  
per residential dwelling unit

To allow what use Multi-family dwellings, 4-unit

Tax number of subject property: 06-35-~~483-002~~<sup>461 016</sup>, portion of 06-35-483-002

Common address of property: 833/835/837/839 E. First Str.

Parcel dimensions: Irregular Lot area (sq. ft.) 13,290 sq. ft

Street frontage 160'

Legal description PIN# 06-35-~~483-002~~<sup>461 016</sup> below, #06-35-483-002 attached

Coal Branch Corner Sub, Outlot A, Section 35-33-8

In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

\*\*\*\*\*

I, (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Craig Van Dyne, being first duly sworn, on oath deposes and says,  
Applicant's Name

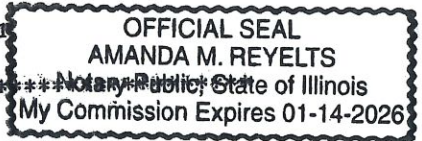
that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn before me on this 19<sup>th</sup> day of August, 2023.

Amanda M. Reyelts

Notary Public (Seal)

Signature of Owner



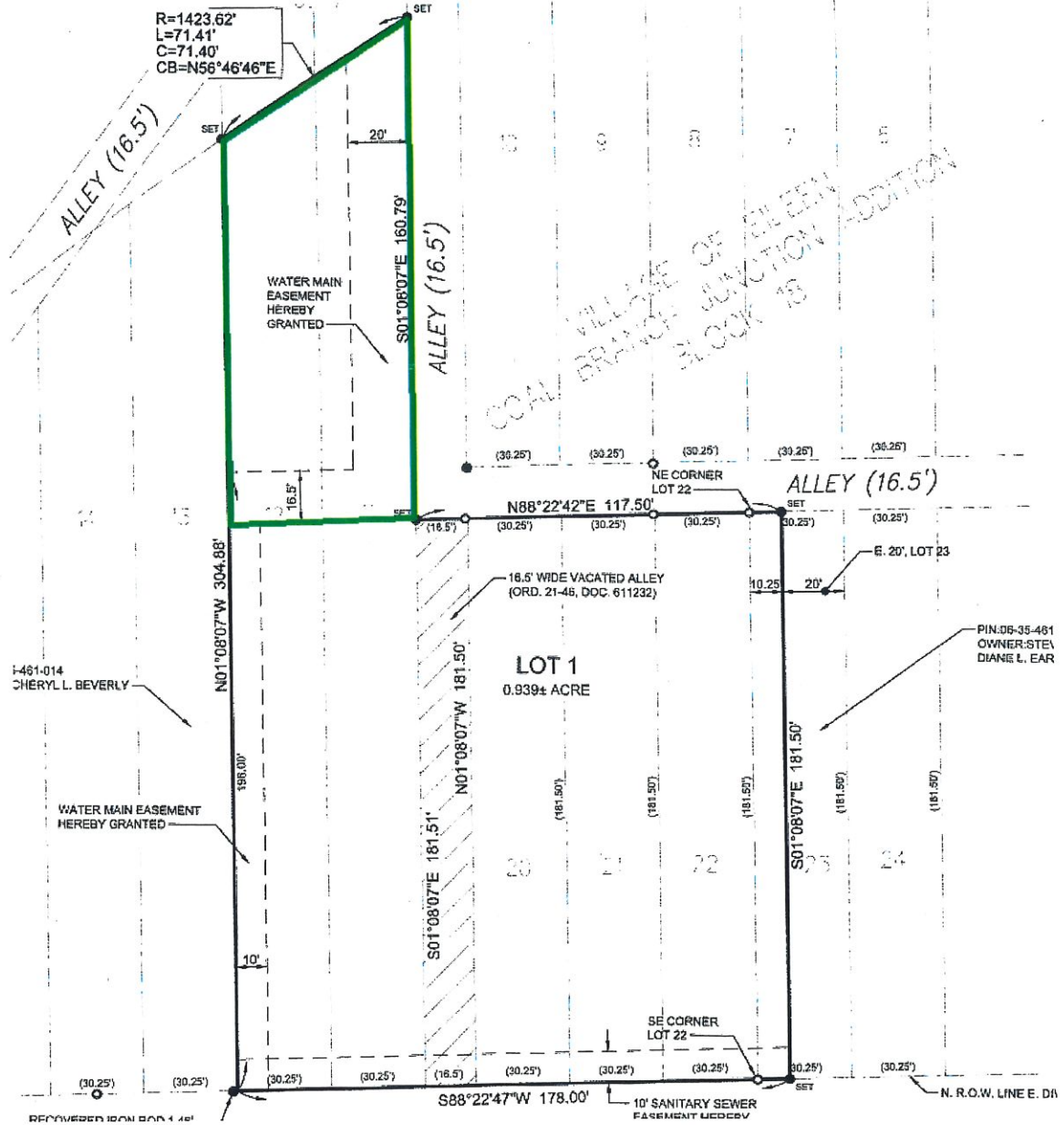
You may attach additional pages, if needed, to support the documentation of application.

Please note the number of pages attached. 2

**FOR OFFICE USE ONLY**

Description		
Case number	<u>2A-376</u>	Location of hearing
Filing date	<u>11-28-23</u>	Village Hall
Hearing date	<u>1-2-24</u>	515 South Broadway
Filing fee	<u>\$ 200</u>	Coal City, Illinois
Hearing time	<u>7pm</u>	

EXHIBIT A  
LEGAL DESCRIPTION



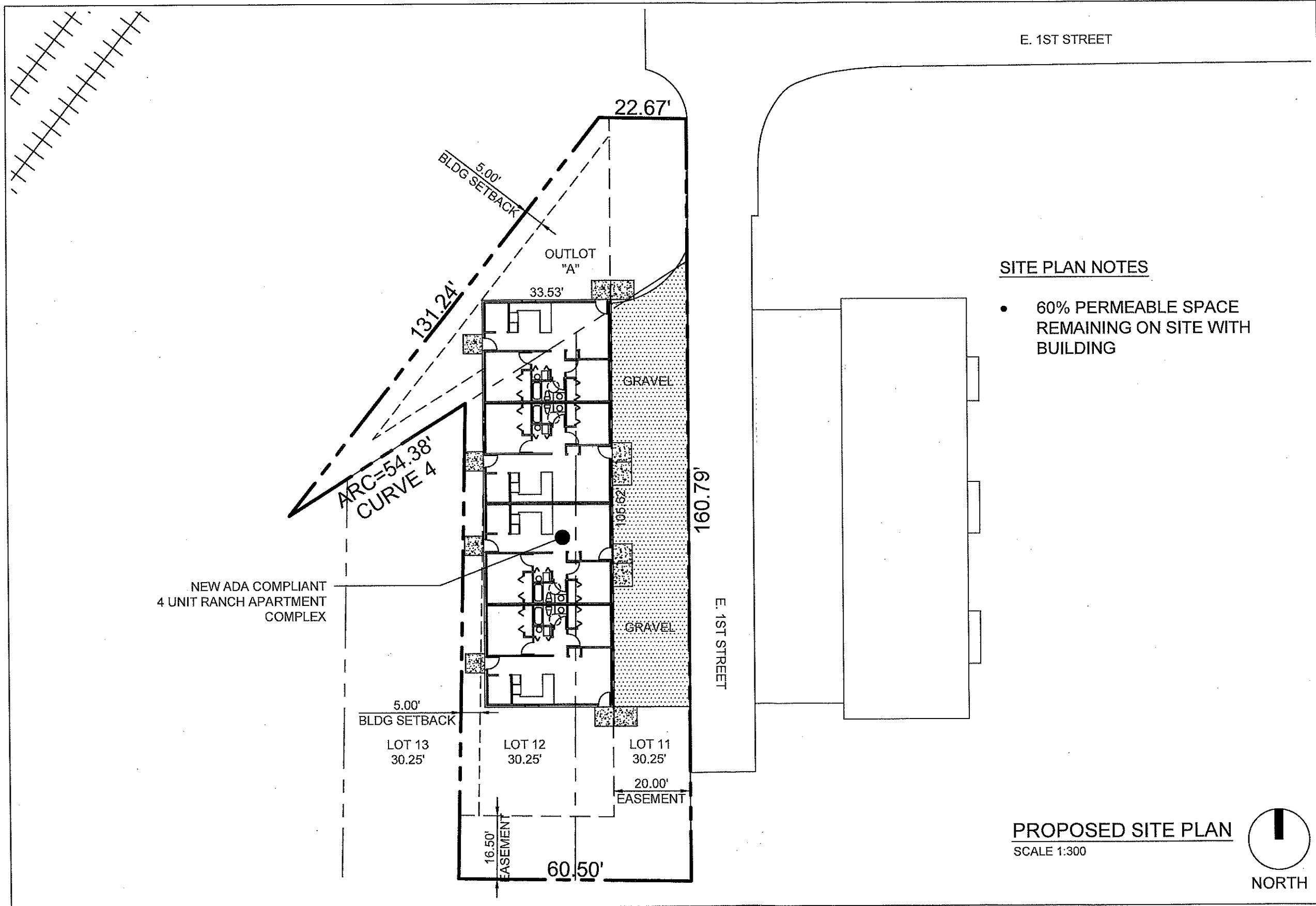
 Property

To be made final by survey and re-plat.

11/02/2023

LEGAL DESCRIPTION FOR VAN DUYN PARCEL – PT. OF PIN 06-35-483-002

THAT PART OF LOT 1 OF ORLY ROUTE 113 RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 20, 2022 AS DOCUMENT NUMBER 613880 DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT 1; THENCE SOUTHWESTERLY 71.41 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1423.62 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 56 DEGREES 46 MINUTES 46 SECONDS WEST 71.40 FEET, ALONG THE NORTHERLY LINE OF SAID LOT 1 TO THE WESTERLY LINE OF SAID LOT 1; THENCE SOUTH 01 DEGREE 08 MINUTES 07 SECONDS EAST 123.38 FEET, ALONG SAID WESTERLY LINE OF LOT 1; THENCE NORTH 88 DEGREES 22 MINUTES 42 SECONDS EAST 60.50 FEET, TO THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 01 DEGREE 08 MINUTES 07 SECONDS WEST 160.79 FEET, ALONG SAID NORTHEASTERLY LINE OF LOT 1, TO THE POINT OF BEGINNING, ALL IN GRUNDY COUNTY, ILLINOIS AND CONTAINING 0.197 ACRES MORE OR LESS.



E. 1ST STREET

**SITE PLAN NOTES**

- 60% PERMEABLE SPACE REMAINING ON SITE WITH BUILDING

**PROPOSED SITE PLAN**  
SCALE 1:300



<b>Issue</b>		
No.	Desc.	Date
5	ISSUED FOR REVIEW	2023-11-05
5	ISSUED FOR REVIEW	2023-11-13
Project No.		
Drawn by <b>MMR</b>		
Checked by <b>CVD</b>		
Date <b>2023-11-13</b>		
<b>E. 1ST STREET COAL CITY, IL</b>		
<b>A-1</b>		