

COAL CITY PLANNING AND ZONING BOARD MEETING

MONDAY
May 6, 2024 @7:00 P.M.

AGENDA

1. Call Meeting to Order
2. Approval of Minutes March 18, 2024
3. Public Comment
4. ZONING BOARD OF APPEALS
Public Hearing
Joe Mentlewicz for (Channale Avery) – 795 E. 3rd Street
 - 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: May 6, 2024
RE: **MAY 6TH MEETING AGENDA ITEMS**

Variance for the Expansion of an Existing Non-Conforming Detached Garage within the Corner Side Yard at 795 E. Third Street

At the southwest corner of Third Street & 2nd Ave., Joe Mentlewisch is representing property owner Channale Avery who would like to place a 176 square ft. addition onto the detached garage expanding its total square footage from 440 sq. ft. upwards to 616 sq. ft. The 8' addition along the entire length of the garage will still maintain a 10' setback from the adjacent residence and shall not cause any problem regarding total lot coverage at this property. The existing detached garage is located within the corner side yard without meeting the setback requirements of the village code. Due its current location, the village does not allow the expansion of a non-conformity; this matter must be allowed via a variance in order to be constructed. The petitioner completed the variance consideration criteria, which has been included.

The public hearing extension shall take place Monday evening.

Pertinent Code Section(s)
Section 156.292

Remaining Work Items

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

Joe M

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Channale Avery

Address: 795 E 3rd St Phone number: _____

Owner represented by: Self (Joe) Attorney _____

Contract purchaser _____ Other agent _____

Agents name _____ Phone number: _____

Address: _____

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

East RM-1 West RS-3

What zoning change or variance: (specify) A Variance to allow the expansion of an existing non-conformity within the corner side yard

To allow what use Storage

Tax number of subject property: 06-35-451-007

Common address of property: 795 E 3rd

Parcel dimensions: 110 x 90 Lot area (sq. ft.) 9900

Street frontage 110 ft of E 3rd, 90 ft of N 2nd

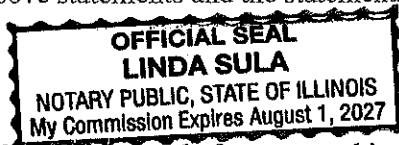
Legal description Village of Eileen Eastern 110 feet of lots 22 thru 24, Block 4, Section 35-33-8

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.

Joseph T. Mentelera, 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 11th day of April, 2024.

Linda Sula

Joseph T. Mentelera

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. 1

FOR OFFICE USE ONLY

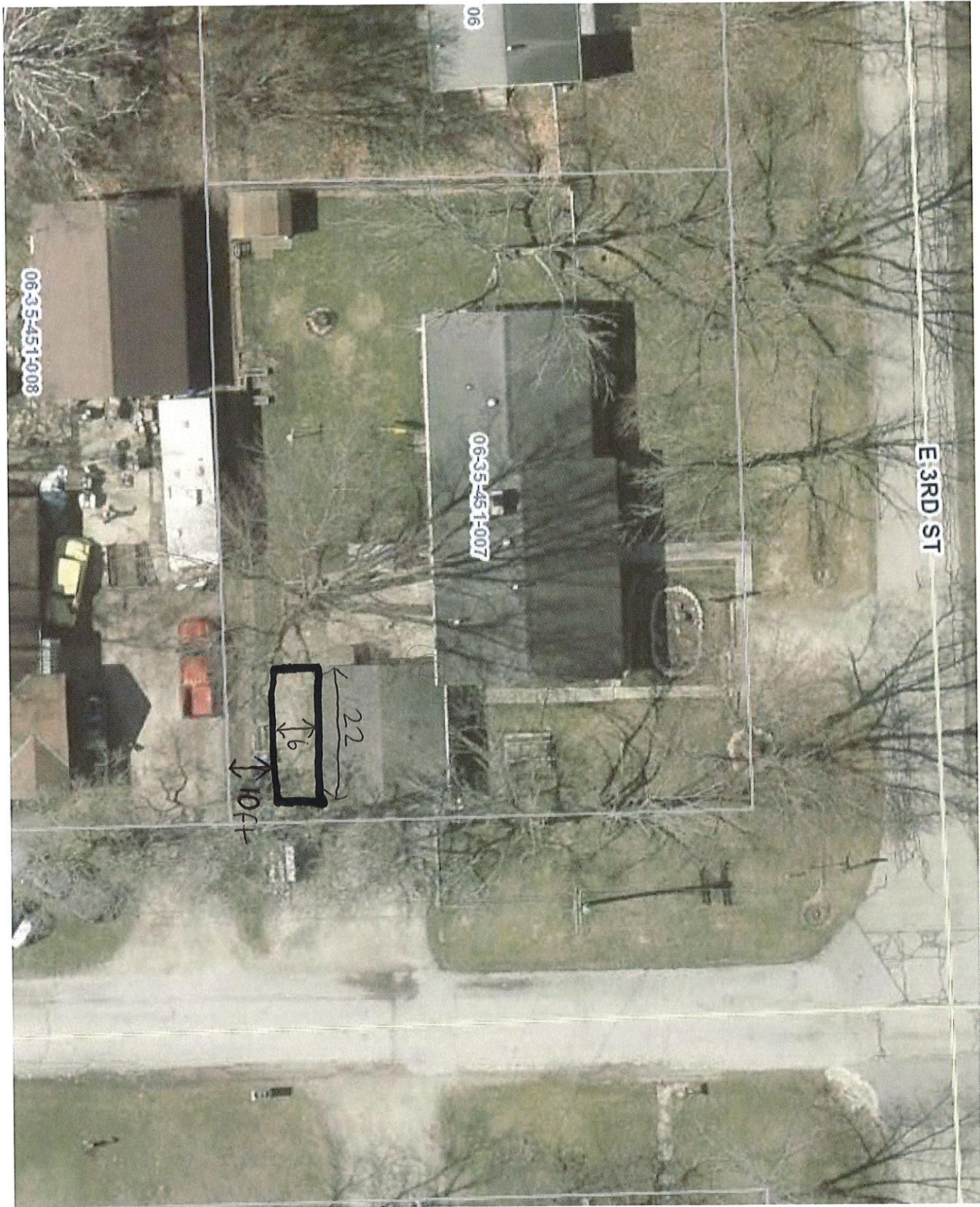
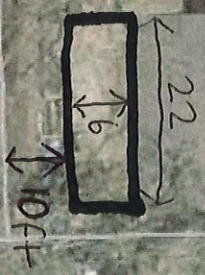
Case number	<u>2A-379</u>	Location of hearing	
Filing date	<u>4-11-24</u>	Village Hall	
Hearing date	<u>5-6-24</u>	515 South Broadway	
Filing fee	<u>\$ 100</u>	Coal City, Illinois	
Hearing time	<u>7pm</u>		

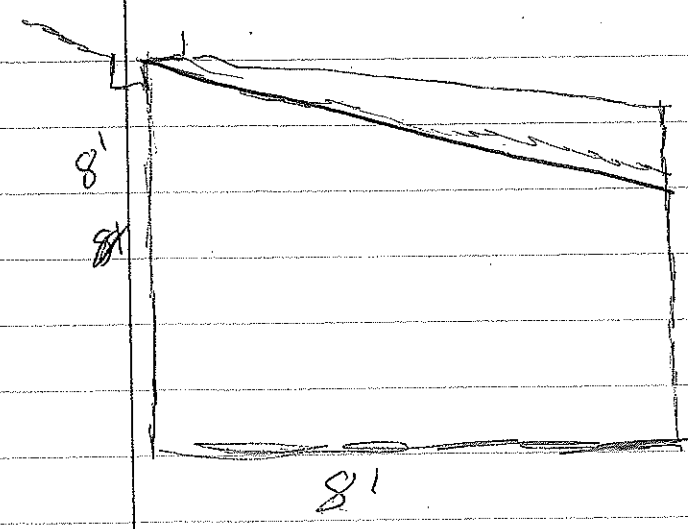
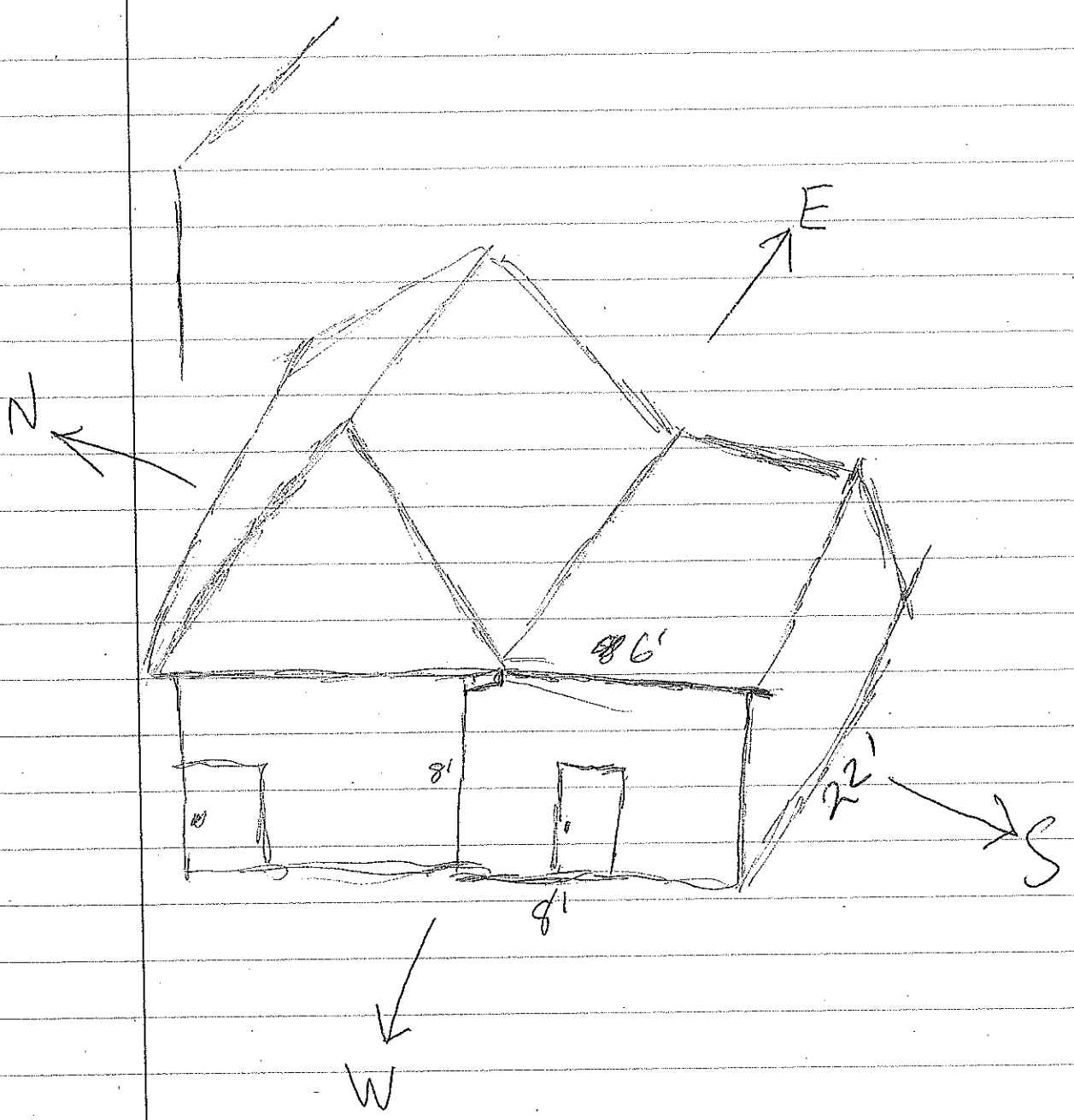
E 3RD ST

06

06-35-451-007

06-35-451-008





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.

The lot dimensions and placement of buildings by the original owner has made utilizing the property in a consistent manner of the neighbors difficult while following regulations

(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 if 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.

This project does not require any specific variances however, it will be expanding on an existing non-conformity
