
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 24-14

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE
MINIMUM SQUARE FOOTAGE REQUIREMENTS OF THE ZONING CODE AT 871 -
903 COVEY STREET (SPRINGHILL SUBDIVISION – LOTS 46 -48) IN THE VILLAGE
OF COAL CITY**

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AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR THE MINIMUM SQUARE FOOTAGE REQUIREMENTS OF THE ZONING CODE AT 871 - 903 COVEY STREET (SPRINGHILL SUBDIVISION – LOTS 46 -48) IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variances for portions of the code including 156.77, Chapter 155 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Kenneth, Kenneth Jr., and Rebecca Krier (“applicant”) on May 20, 2024 to vary from the dwelling unit square footage minimum to allow for the construction of 3 duplexes on 3 lots within the Springhill Subdivision; and

WHEREAS, the standards within Table 4 possess a minimum square footage per dwelling unit standard of 10,080 square feet; and

WHEREAS, a public hearing was noticed and duly held on June 17, 2024; and

WHEREAS, the Village of Coal City Planning and Zoning Board met June 17, 2024, and considered passage of the variance request to the Board of Trustees at which time a unanimous positive recommendation to grant the petitioners’ request was granted; 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. Findings of Fact. The Board of Trustees find as follows concerning the Variances for 871 - 903 Covey Street:

- A. **Special Circumstances Not Found Elsewhere.** The variance is sought to the required minimum square footage due to the existing surrounding duplex homes within the same zoning class possessing a similar square footage within these recorded lots within the same zoning class.

- B. **Unnecessary Hardship.** This variance shall allow the homeowners to overcome the maximum number of dwelling units allowed which vary due to a change within the minimum square footage requirement adopted after the subdivision of the Springhill residential subdivision.
- C. **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.
- D. **Necessary for Use of the Property.** The variances shall alleviate the prohibition of a reasonable return upon utilizing the property in a manner equivalent to the use permitted by other owners in the immediate area.
- E. **Minimum Variance Recommended.** The petitioner shall construct the three duplex units on the three lots in the manner required by construction and design standards without the requirements of any additional variances.

Section 3. Description of the Property. The property under consideration is identified as Lots 46, 47, and 48 within the Springhill Subdivision zoned RM-1 bearing parcel identification number (PINs#) 09-03-354-012, 09-03-354-013, 09-03-354-014.

Section 4. Public Hearing. A public hearing was advertised on May 29, 2024 in the Coal City Courant and held by the Planning and Zoning Board on June 17, 2024 at which time a majority of the Planning and Zoning Board members recommended granting the petitioner's Variance(s) Request.

Section 5. Variances. The variances requested in the May 20, 2024 Variance Application to the Zoning Code are granted to allow the construction of 3 duplexes (6 total dwelling units) on Lots 46, 47, and 48 of Springhill Subdivision; each lot shall have possess square footage of 12,200 square feet resulting in the square footage per dwelling unit to be 6,100 square feet (a variance of 3,980 square feet per dwelling unit).

Section 6. Conditions. The variance is granted herein contingent and subject to the units to be constructed in the manner proposed within the public hearing of June 17, 2024.

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 26 day of June, 2024, at Coal City, Grundy & Will Counties, Illinois.

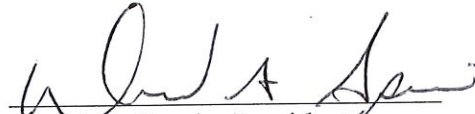
AYES: 6

NAYS: 0

ABSENT: 0

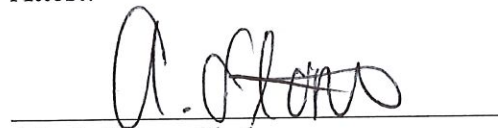
ABSTAIN: 0

VILLAGE OF COAL CITY



David A. Spesia, President

Attest:



Alexis Stone, Clerk