
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 24-21

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR AN
ADDITION TO THE DETACHED GARAGE LOCATED WITHIN THE REAR YARD
AT 120 W. WALNUT STREET IN THE VILLAGE OF COAL CITY**

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on September 11, 2024

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AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR AN ADDITION TO THE DETACHED GARAGE LOCATED WITHIN THE REAR YARD AT 120 W. WALNUT STREET IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variance from Sections 156.292 and Table 15 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Matthew Larson (“applicant”) on August 6, 2024 to construct an addition the existing detached garage located within the rear yard; and

WHEREAS, Section 156.292 does not allow for the expansion of an non-conformities and the existing detached garage does not meet the full setback requirements within the rear yard; and

WHEREAS, Table 15 states the rear setback for a detached garage is 10 feet; and

WHEREAS, a public hearing was noticed and duly held on September 3, 2024; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on September 3, 2024, 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 for 120 W. Walnut Street:

- A. **Special Circumstances Not Found Elsewhere.** This residence possesses existing accessory buildings on the property that cannot be found within the village.
- B. **Unnecessary Hardship.** The lot dimensions and the placement of the existing detached garage requires a variance from the standards in order to prevent an undue hardship to occur for expanding the existing detached garage.

- 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.** Failure to pass this variance will deprive the applicant the use of the property in a manner equivalent to the use permitted by other owners of property in the immediate area.
- E. **Minimum Variance Recommended.** The petitioner limited the total square footage in order to limit the overall expansion upon the existing non-conformity.

Section 3. Description of the Property. The property is located at 120 W. Walnut Street in the Village of Coal City and is currently zoned RS-3.

Section 4. Public Hearing. A public hearing was advertised on August 14, 2024 in the Coal City Courant and held by the Planning and Zoning Board on September 3, 2024, 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 variation requested in the August 6, 2024 Variance Application to the Zoning Code are granted as follows:

- A.) An addition of 400 square feet shall be constructed on the east side of the existing detached garage increasing an existing non-conformity.
- B.) The setback of this addition shall be 0' from the rear boundary, which is a variance of 10' from the required setback.

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

- A.) The roofline shall be constructed to extend the current ridgeline that exists on the detached garage;
- B.) The dog run located along the west side of the existing detached garage shall be eliminated; and
- C.) The addition shall be constructed 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.

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 11 day of September, 2024, at Coal City, Grundy & Will Counties, Illinois.

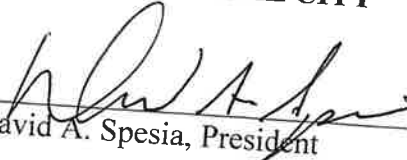
AYES: 6

NAYS: 0

ABSENT: 0

ABSTAIN: 0

VILLAGE OF COAL CITY


David A. Spesia, President

Attest:

Alexis Stone, Clerk