
THE VILLAGE OF COAL CITY

GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 23-22

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE
LOCATION OF A SHED WITHIN THE CORNER SIDE YARD OF 500 E. BATISTA IN
THE VILLAGE OF COAL CITY**

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on September 13, 2023

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WHEREAS, an application for variance from Sections 156.161 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Robert and Erika Thomas (“applicant”) on July 18, 2023 for the placement of a shed within the corner side yard; and

WHEREAS, Section 156.161 states, “Accessory uses may be located in...required yards...”; and

WHEREAS, a public hearing was noticed and duly held on August 21, 2023; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on August 21, 2023, 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:

- A. **Special Circumstances Not Found Elsewhere.** The property is a corner lot and has a great deal of the open recreational area of the property contained within the corner side yard unlike a majority of the residential lots within the area.
- B. **Unnecessary Hardship.** Being unable to utilize such a large portion of the residential lot for this purpose lessens the recreational space available causing an unnecessary hardship since the shed would be contained within the yard in which a fence was previously approved.

- C. **Preserves Rights Conferred by the District.** The shed shall be built and sized within the maximum allowable square footage.
- D. **Consistency with the Local Area and Comprehensive Plan.** Granting this variance is consistent with the principles provided in the Comprehensive Plan. The use shall stay residential and vision safety within the adjacent intersection shall be maintained.
- E. **Minimum Variance Recommended.** The petitioner has requested a variance consistent with other corner side yards considered previously within the residential subdivision in which sheds and fences have been constructed.

Section 3. Description of the Property. The property is located at 500 E. Batista in the Village of Coal City within an RS-2 District.

Section 4. Public Hearing. A public hearing was advertised on August 2, 2023 in the Coal City Courant and held by the Planning and Zoning Board on August 21, 2023, 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 July 18, 2023 Variance Application to the Zoning Code is granted to allow a variance in conjunction with Section 156.161 is hereby granted to allow the placement of a shed as described by the applicant, to be installed within the corner side yard

Section 6. Conditions. The variance granted herein is contingent and subject to its construction occurring 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.

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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 13 day of September, 2023, at Coal City, Grundy & Will Counties, Illinois.

AYES: 6

NAYS: 0

ABSENT: 0

ABSTAIN: 0

VILLAGE OF COAL CITY



David Spesia, President

Attest:



Alexis Stone, Clerk