

ORDINANCE NO. 23-24

AN ORDINANCE APPROVING AN AMENDED FINAL PLAT OF SUBDIVISION WITH A VARIANCE CONCERNING THE TOTAL NUMBER OF STREET ENTRANCES, FOR THE BIG TIMBER SUBDIVISION ADDING ADDITIONAL LOTS TO BE KNOWN AS 80 & 185 E. BIG TIMBER

WHEREAS, in 2003, the Village Board of Trustees approved the Final Plat of Subdivision for the Big Timber Subdivision, which property is provided within Exhibit A to this Ordinance ("**Property**"); and

WHEREAS, an application for approval of an Amended Final Plat of Subdivision to and additional square footage to the subdivision with the incorporation of adjacent residential square footage to include the easterly 105' of the residential property within PIN #06-35-301-056 and PIN #06-35-301-032 was recently filed with the Village of Coal City ("**Amended Final Plat of Subdivision**"); and

WHEREAS, the application also requests the approval of a subdivision variance from Chapter 155 of the Coal City Zoning Ordinance regarding the total number of entrances allowed onto a roadway ending in a cul de sac; and

WHEREAS, the Plan Commission conducted a meeting and recommended that the Village Board of Trustees approve the Amended Final Plat of Subdivision for the addition of residential square footage adjacent to the residential subdivision to be identified as 80 and 185 E. Big Timber; and

WHEREAS, the Plan Commission considered the standards set forth in Chapter 155 of the Village Code requiring no more than 15 entrances onto a dead end street, which had been previously exceeded and would grow by two more entrances to become 21 total entrances; and

WHEREAS, the Plan Commission recommended in favor of the request for a variance from the total number of street entrances located along a street ending with a cul de sac; and

WHEREAS, it is in the best interests of the Village of Coal City to approve the Amended Final Plat of Subdivision adding single family detached residential lots to be known as 80 and 185 E Big Timber to the Big Timber Subdivision along with the requested variance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Grundy and Will, as follows:

1. *Recitals.* That the above recitals are hereby incorporated into the body of this Ordinance and restated as though set forth herein.
2. *Approval.* The Amended Final Plat of Subdivision of the Big Timber Subdivision is approved as presented and the President and Village Clerk are authorized to sign on behalf of the Village.

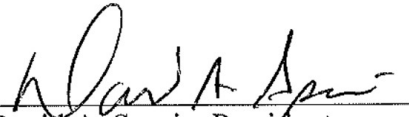
3. *Findings of Fact.* The Board of Trustees find as follows concerning the Variance for 80 & 185 E. Big Timber:
- A. **Special Circumstances Not Found Elsewhere.** The outlots to be acquired are within and next to a subdivision that has not seen development for over 10 years. Future development along this road and subdivision was envisioned to extend westward to N. Broadway, but the developer left without completing the roadway extension, and the existing residences exceeded the total allowable driveways prior to this variance request.
 - B. **Not Resulting From Applicant Action.** Although the two new single family detached lots shall provide two additional driveways onto Big Timber Drive, the total number of driveways allowed on the cul de sac was previously exceeded due to previous residences developed along the roadway and the inability to gain access to N. Broadway westward of the current road's termination.
 - C. **Unnecessary Hardship.** The remaining land has remained undeveloped since the original developer of the subdivision vacated his responsibility for public improvements; a previous land use plan had been submitted for consideration by the Village of Coal City since it is the current owner of the outlot(s) and a different utilization was not supported by the existing homeowners. Disallowing the variance request would prove to cause an unnecessary hardship for the completion of the public improvements that will assist all homeowners located along Big Timber.
 - D. **Preserves Rights Conferred by the District.** This variance shall allow the availability of two additional single family detached homes, which is the type of utilization provided in this residential district.
 - E. **Necessary for Use of Property.** Possessing a means of ingress/egress to the lot will be necessary to accommodate two additional single family detached residences.
 - F. **Consistency with the Local Area and Comprehensive Plan.** This variance shall allow for two additional residences to be constructed, which is consistent with the local area previously developed in the adjacent area, as well as the Village comprehensive plan.
 - G. **Minimum Variance Recommended.** Two additional single family residences shall allow the cul de sac improvement to be provided by the Village, with minimal increase to the total traffic volume on Big Timber Drive.
4. *Variance.* The variance from the Section 155.41(H) requiring no more than 15 entrances onto a dead end street shall be exceeded by 6 additional entrances totaling 21 along E. Big Timber located west of Garfield Street. This variance allows the existing non-conformity, by which 19 total entrances currently exist shall increase by the two entrances to be constructed for 80 & 185 E. Big Timber.

5. *Conditions.* The approvals granted within the previous section of this Ordinance are hereby conditioned upon and limited by the following conditions, the violation of any of which shall, in the reasonable discretion of the Mayor and Board of Trustees, be grounds for the repeal and revocation of the approvals granted by this Ordinance:
- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Building permits related to the review and oversight of the construction of residential lots must be obtained prior to construction on the newly created lots.
 - B. Continued Effect of the Final Plat and Other Approvals. Except as expressly modified by this Ordinance, the previously approved Final Plat and other zoning and subdivision approvals for the Property shall remain in full force and effect, and the owner shall comply with all requirements, conditions, and restrictions therein.
6. *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.
7. *Effectiveness.* After its passage the provisions outlined herein, shall be effective and commence 10 days after this Ordinance is printed in book or pamphlet form and published by the authority of the corporate authorities.

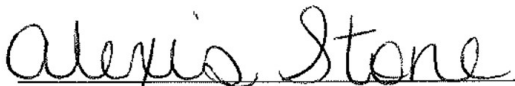
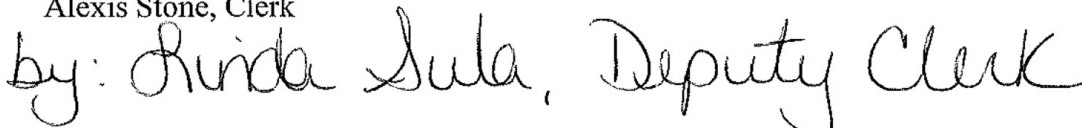
SO ORDAINED this 27th day of September, 2023, at Coal City, Grundy County, Illinois.

AYES: 5
 NAYS: 0
 ABSENT: 1
 ABSTAIN: 0

VILLAGE OF COAL CITY

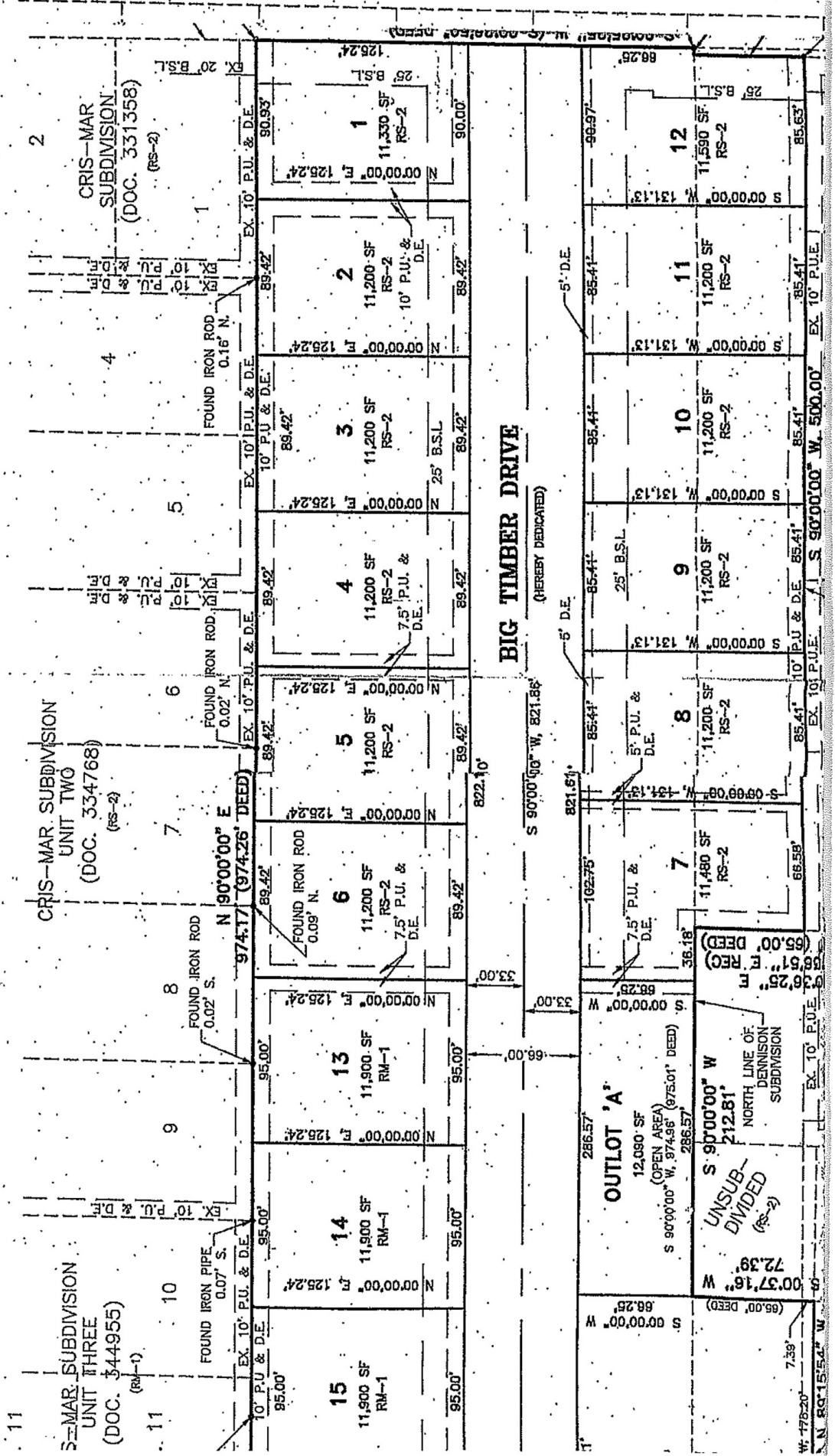

 David A. Spesia, President

Attest:


 Alexis Stone, Clerk
 by:  Deputy Clerk

BIG TIMBER ESTATES SUBDIVISION

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF COAL CITY, IN GRUNDY COUNTY, ILLINOIS.



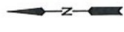
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HAMILTON PROPERTY EXHIBIT

BIG TIMBER CUL DE SAC



LEVEL	BY	DATE	DESCRIPTION

DRAWN BY: CSR
 CHECKED BY: REH
 SCALE: -