
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 23-32

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR A
DETACHED GARAGE WITHIN THE REAR YARD OF
225 W. THIRD STREET IN THE VILLAGE OF COAL CITY**

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**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR A
DETACHED GARAGE WITHIN THE REAR YARD OF
225 W. THIRD STREET IN THE VILLAGE OF COAL CITY**

WHEREAS, an application for variance from Sections 156.161 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Nathan Shain (“applicant”) on October 10, 2023 to construct a detached garage; and

WHEREAS, Section 156.161 requires adherence to the standards provided within Table 15 including a maximum total square footage of the structure at 1,500 square feet, a maximum height of 15 feet and no dimension of the structure to exceed 36 linear feet; and

WHEREAS, a public hearing was noticed and duly held on November 6, 2023; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on November 6, 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 concerning the Variance for 225 W. Third Street:

- A. **Special Circumstances Not Found Elsewhere.** The design of the detached garage shall include covered porch area adjacent to the backyard, which drives the total square footage in excess to the allowable maximum, but shall allow residential utilization of this improvement.
- B. **Consistent with the Rights Conferred by the District.** The requested variances shall allow the property to remain consistent to the comprehensive plan and allow the petitioner to enjoy a substantial right possessed by other properties within the adjacent neighborhood.

- C. **Necessary for Use of the Property.** This ordinance shall allow the construction of a detached garage permitting utilization of the property in a manner equivalent to other property owners within the adjacent neighborhood.
- D. **Minimum Variance Recommended.** The petitioner shall utilize a lower roof pitch to lessen the overall height of the structure lessening the overall variance required for the total height of this newly constructed detached garage.

Section 3. Description of the Property. The property is located at 225 W. Third Street in the Village of Coal City and is currently zoned RS-2.

Section 4. Public Hearing. A public hearing was advertised on October 18, 2023 in the Coal City Courant and held by the Planning and Zoning Board on November 6, 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 variations from Section 156.161 requested in the October 10, 2023 Variance Application to the Zoning Code are granted as follows:

- A. A variance regarding the overall square footage shall be granted to allow an additional 100 square feet in excess of the maximum required totaling 1,600 square feet under roof within the newly constructed detached garage.
- B. A variance regarding the total height of the structure shall be provided to allow a total height not to exceed 16 feet, which is one foot in excess of the code required 15-foot maximum height.
- C. A variance regarding the maximum dimension length of 36 linear feet shall be exceeded by 4 feet to allow the construction of the detached garage with a length of 40 feet along with a width of 40 feet.

Section 6. Conditions. The variations granted herein is contingent and subject to be constructed in a manner consistent with the presentation to the Planning & Zoning Board and the Board of Trustees. This shall include the elimination of the existing shed and the utilization of a 4-12 roof pitch to ensure the total height shall not exceed 16 feet.

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.

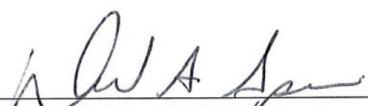
Section 8. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date 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 20 day of November, 2023, at Coal City, Grundy & Will Counties, Illinois.

AYES: 6
NAYS: 0
ABSENT: 0
ABSTAIN: 0

VILLAGE OF COAL CITY



David A. Spesia, President

Attest:
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Alexis Stone, Clerk