

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 24-01

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE
LOCATION OF A FENCE WITHIN THE REAR YARD SETBACK AT 910 E. JESSE
COURT IN THE VILLAGE OF COAL CITY**

DAVID SPESIA, President
ALEXIS STONE, Village Clerk

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Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on January 10, 2024

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AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE LOCATION OF A FENCE WITHIN THE REAR YARD SETBACK AT 910 E. JESSE COURT IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variance from Section 156.73 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Chris Collier (“applicant”) on November 20, 2023 for the placement of a 6’ high cedar fence; and

WHEREAS, Section 156.73 requires adherence to the minimum rear yard setback provided within Table 4 of 25 feet; and

WHEREAS, a public hearing was noticed and duly held on January 2, 2024; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on January 2, 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 910 E. Jesse Court:

- A. **Special Circumstances Not Found Elsewhere.** The petitioner’s yard contains a through lot at 910 E. Jesse Court resulting in a portion of eth rear yard aligning with the front yards of adjacent residence along Richards Road.
- B. **Consistent with Rights Conferred by the District.** This variance is necessary to preserve a substantial property right possessed by other properties within the same zoning district.

- C. **Necessary for Use of the Property.** Failure to adopt the petitioner's variance request shall deprive the applicant the use of the property in a manner equivalent to the use permitted by other owners of property in a manner equivalent to the use permitted by other owners of property in the immediate area.
- D. **Minimum Variance Recommended.** The requested variance shall maintain a 12.5' setback from the rear boundary line rather than placing the fence in a manner that would place the entirety of the rear yard within the fence improvement.

Section 3. Description of the Property. The property is located at 910 E. Jesse Court in the Village of Coal City within an RS-3 District.

Section 4. Public Hearing. A public hearing was advertised on December 6, 2023 in the Coal City Courant and held by the Planning and Zoning Board on January 2, 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 variations requested in the November 20, 2023 Variance Application to the Zoning Code is granted to allow a 12.5' setback within the rear yard for the construction of a 6' high cedar fence to be placed within the rear yard.

Section 6. Conditions. The variance granted herein is contingent and subject to the construction being 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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THE VILLAGE OF COAL CITY**

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 10 day of January, 2024, at Coal City, Grundy & Will Counties, Illinois.

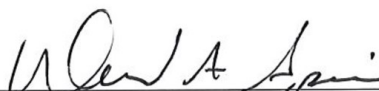
AYES: 6

NAYS: 0

ABSENT: 0


ABSTAIN: 0

VILLAGE OF COAL CITY



David A. Spesia, President

Attest:

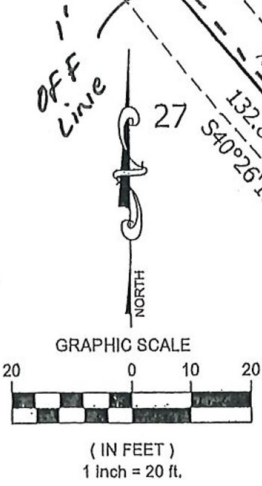
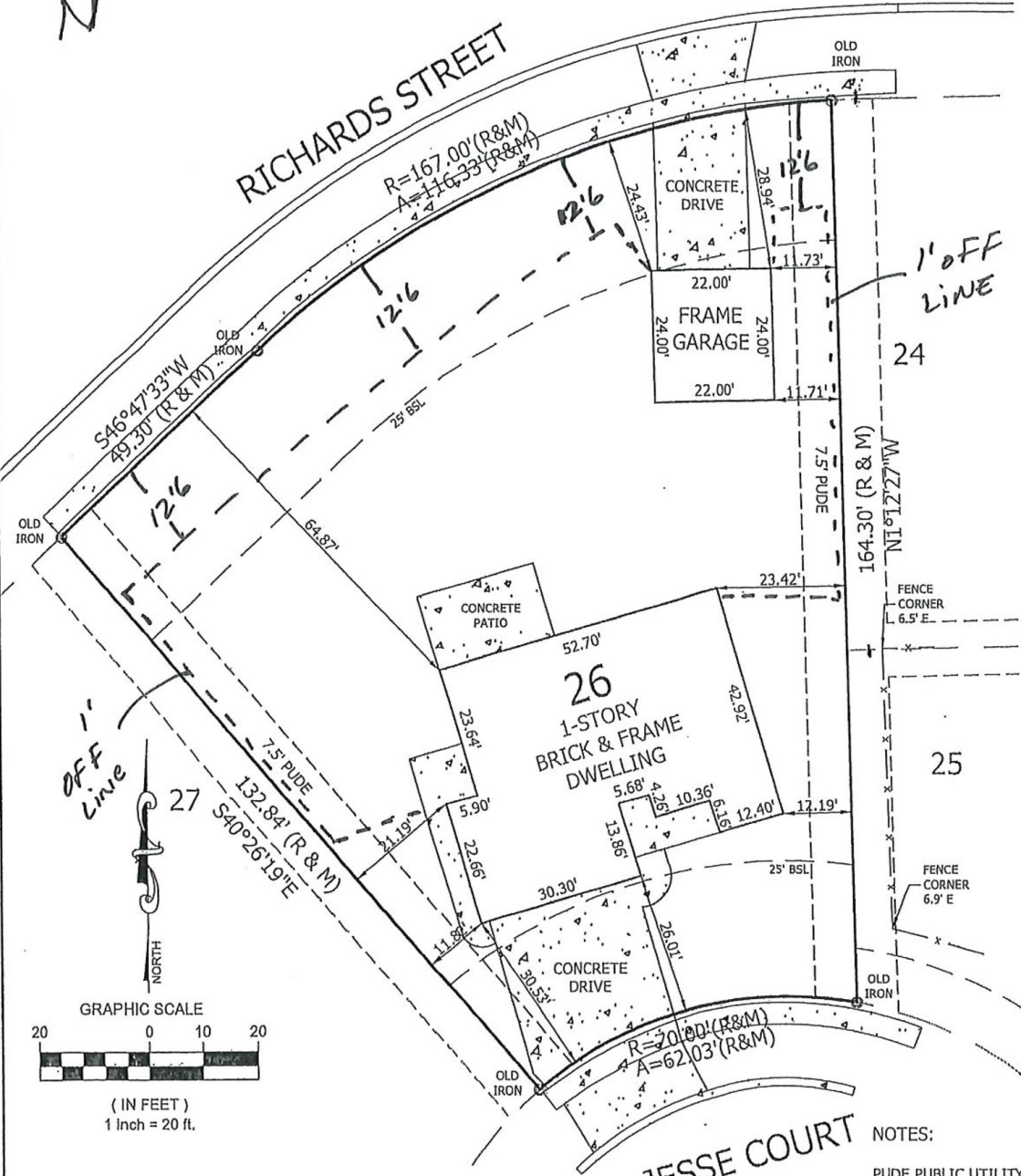


Alexis Stone, Clerk

FINAL PLAT OF SURVEY

LOT 26, IN MEADOW ESTATES SUBDIVISION PHASE 6, A RESUBDIVISION OF LOT 404 IN MEADOW ESTATES SUBDIVISION PHASE 5 OF PART OF SECTION 2, TOWNSHIP 32 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 13, 2021 IN PLAT CABINET I, SLIDE 86, AS DOCUMENT NO. 605403, IN GRUNDY COUNTY, ILLINOIS.

— = Proposed Fence



STATE OF ILLINOIS)
 COUNTY OF WILL)
 I, MICHAEL R. ROGINA, ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT THIS FINAL PLAT OF SURVEY IS A CORRECT REPRESENTATION THEREOF.
 DATED THIS 8TH DAY OF NOVEMBER, 2021

Michael R. Rogina
 MICHAEL R. ROGINA
 I.P.L.S. 3516
 LICENSE EXPIRES 11/30/2024



COMMONLY KNOWN AS:
 910 E. JESSE COURT
 COAL CITY, ILLINOIS 60416

NOTES:
 PUDE PUBLIC UTILITY
 DRAINAGE EASEMENT
 BSL BUILDING SETBACK
 LINE
 (M) MEASURED
 (R) RECORD
 PIN 09-02-255-013

LOT 26, IN MEADOW ESTATES PHASE 6 SUBDIVISION

SCALE: 1" = 20' FIELDWORK DATE: 1-5-2021 REVISED FIELDWORK DATE: DRAWN BY: CRR

ROGINA
 ENGINEERS & SURVEYORS, L.L.C.
 1225 Channahon Road Joliet, Illinois 815/729-0777 FAX 815/729-0782
 Professional Design Firm License No. 184-006843 - Exp. 4/30/2025

SCAGGS CONSTRUCTION CO. FILE NO: R428.16

C:\Users\mrogina\ROGINA\Downloads\R428-15 SCAGGS FINAL LOT 26 ME WIP.dwg PlotDate: 11/8/2023 11:33 AM Layout: oca 11x17-SURVEY

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Chris Collier

Address: 910 E Jesse CT Phone number: 815-931-4560

Owner represented by: Self Attorney

Contract purchaser _____ Other agent _____

Agents name _____ Phone number: _____

Address: _____

Existing zoning: RS-3 Use of surrounding properties: North RS-2 South RS-3

East RS-3 West RS-3 NW RM-2

What zoning change or variance: (specify) a Variance of 12 1/2" for the rear front yard setback of a through lot

To allow what use a Fence

Tax number of subject property: 09-02-255-013

Common address of property: 910 E Jesse

Parcel dimensions: odd shape through lot Lot area (sq. ft.) roughly 16500

Street frontage 167ft of Richards, 70ft

Legal description Meadow Estates Subdivision Phase 6 lot 26
Per 605403 Section 2-32-8

In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

I, (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Chris Collier, being first duly sworn, on oath deposes and says,
Applicant's Name

that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn before me on this 20 day of November, 2023.

C. McKeefery
Notary Public (Seal)



Signature of Owner
Chris Collier

You may attach additional pages, if needed, to support the documentation of application.

Please note the number of pages attached. 1

FOR OFFICE USE ONLY

Case number	<u>2A-375</u>	Location of hearing	
Filing date	<u>11-20-23</u>	Village Hall	
Hearing date	<u>1-2-24</u>	515 South Broadway	
Filing fee	<u>\$ 100.00</u>	Coal City, Illinois	
Hearing time	<u>7pm</u>		