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**THE VILLAGE OF COAL CITY**  
GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 24-11

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**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR AN  
ADDITION TO THE DETACHED GARAGE LOCATED WITHIN THE CORNER SIDE  
YARD AT 795 E. THIRD STREET IN THE VILLAGE OF COAL CITY**

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on may 22, 2024

ORDINANCE NO. 24-11

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR AN ADDITION TO THE DETACHED GARAGE LOCATED WITHIN THE CORNER SIDE YARD AT 795 E. THIRD STREET IN THE VILLAGE OF COAL CITY**

**WHEREAS**, an application for variance from Sections 156.292 and 156.141 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Channale Avery (“applicant”) on April 11, 2024 to construct an addition the existing detached garage located within the corner side yard; and

**WHEREAS**, Section 156.141 requires the location of offstreet parking spaces and storage to be allowed in all but corner side yards within residential districts; and

**WHEREAS**, Section 156.292 does not allow for the expansion of an non-conformities and the existing detached garage exists within the corner side yard; and

**WHEREAS**, a public hearing was noticed and duly held on May 6, 2024; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on May 6, 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 795 E. Third 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 eth property in a manner equivalent to the use permitted by other owners of property in the immediate area.
- E. **Minimum Variance Recommended.** The petitioner does not require any variances regarding the setbacks or square footage of the newly improved structure, just the consideration regarding expanding on an existing non-conformity.

**Section 3.** Description of the Property. The property is located at 795 E. Third Street in the Village of Coal City and is currently zoned RS-3.

**Section 4.** Public Hearing. A public hearing was advertised on April 17, 2024 in the Coal City Courant and held by the Planning and Zoning Board on May 6, 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 April 11, 2024 Variance Application to the Zoning Code are granted as follows:

A variance in conjunction with Section 156.292 is hereby granted to allow an addition to the existing detached garage within the corner side yard to be expanded southward, but maintain the 10% setback required from the adjacent neighbor to the south.

**Section 6.** Conditions. The variance 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.

**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 22 day of may, 2024, at Coal City, Grundy & Will Counties, Illinois.

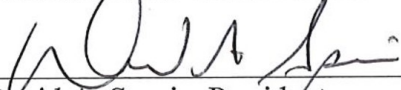
AYES: 4

NAYS: 0

ABSENT: 2

ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
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David A. Spesia, President

Attest:

  
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Alexis Stone, Clerk