
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 24-13

**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR A
PERMANENT CARPORT WITHIN THE REAR YARD OF
895 PHEASANT IN THE VILLAGE OF COAL CITY**

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Village Trustees

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on June 12, 2024

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**AN ORDINANCE GRANTING VARIANCES TO THE ZONING CODE FOR A
PERMANENT CARPORT WITHIN THE REAR YARD OF
895 PHEASANT 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 Debra and Ricardo Ortiz (“applicant”) on May 9, 2024 to construct a permanent carport within their rear yard; and

WHEREAS, Section 156.161 requires adherence to the standards provided within Table 15 including a minimum interior side yard setback of 8’; and

WHEREAS, Section 156.161 requires adherence to the standards provided within Table 15 including maximum square footage for accessory structure set at 300 square feet; and

WHEREAS, a public hearing was noticed and duly held on June 3, 2024; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on June 3, 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 finds as follows concerning the Variance for 895 Pheasant:

- A. **Special Circumstances Not Found Elsewhere.** The rear yard of the applicant’s residence possesses special circumstance due to the physical character of the land.
- B. **Unnecessary Hardship.** The interior side yard is minimal in character, which does not provide much storage capacity adjacent to the rear yard.
- C. **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.

- D. **Necessary for Use of the Property.** This ordinance shall allow the construction of a permanent carport to allow for storage of a recreational vehicle within the rear yard permitting utilization of the property in a manner equivalent to other property owners within the adjacent neighborhood.
- E. **Minimum Variance Recommended.** The petitioner shall not require any variances regarding the structure, only the capability to reduce the setback from the northerly boundary of the property for the placement of this improvement.

Section 3. Description of the Property. The property is located at 895 Pheasant in the Village of Coal City and is currently zoned RS-2.

Section 4. Public Hearing. A public hearing was advertised on May 15, 2024 in the Coal City Courant and held by the Planning and Zoning Board on June 3, 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 variances from Section 156.161 requested in the May 9, 2024 Variance Application to the Zoning Code are granted to allow:

- A. A variance of 3' regarding the interior sideyard setback requirement of 10% (which would be 8') shall result in the permanent carport being located 5' from the northerly boundary of the residence.
- B. A variance of 150 square feet regarding the maximum square footage allowance for an accessory structure (which 300 square feet) shall result in the permanent carport being constructed with a total square footage of 450 square feet.

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 12 day of June, 2024, at Coal City, Grundy & Will Counties, Illinois.

AYES: 4

NAYS: 0

ABSENT: 2

ABSTAIN: 0



VILLAGE OF COAL CITY



David A. Spesia, President

Attest:



Alexis Stone, Clerk