

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 26-06

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE
LOCATION OF A SWIMMING POOL AND FENCE WITHIN THE CORNER SIDE
YARD OF 397 S. DIPAOLO IN THE VILLAGE OF COAL CITY**

DAVID SPESIA, President
KAYLA MELVIN, Village Clerk

ROSS BRADLEY
DAN GREGGAIN
CJ LAUTERBUR
BILL MINCEY
PAMELA M. NOFFSINGER
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on March 25, 2026

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AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE LOCATION OF A SWIMMING POOL AND FENCE WITHIN THE CORNER SIDE YARD OF 397 S. DIPAOLO IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variance from Section 156.171 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Jennifer Lee (“applicant”) on February 12, 2026 for the placement of a swimming pool and a 6-foot high fence; and

WHEREAS, Section 156.171(a)(2) states, “Fences shall be permitted in the rear or interior side yard...”; and

WHEREAS, Table 14 lists Permitted Obstructions and does not allow swimming pools within the corner side yard; and

WHEREAS, a public hearing was noticed and duly held on March 16, 2026; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on March 16, 2026, 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 397 S. DiPaolo:

- A. **Special Circumstances Not Found Elsewhere.** The petitioner’s yard is located within a fully developed neighborhood with minimal rear yard that does not possess the necessary space to accommodate a residential pool.
- B. **Unnecessary Hardship.** There are many pools within the immediate neighborhood, but the construction of this duplex unit cannot accommodate a swimming pool in any other year aside from its planned construction within the corner side yard.

- C. **Consistent with the Rights Conferred by the District.** The capability to receive this variance shall allow the petitioner to utilize their property in the manner as provided by other residents who can utilize the entirety of their rear yard inclusive of interior side yards.
- D. **Necessary for Use of the Property.** Failure to pass the variance shall deprive the applicant the use of the property in a manner equivalent to the use permitted by other owners of property in the immediate area.
- E. **Minimum Variance Recommended.** The requested variance is the minimum footage required and shall not impede the vision triangle that exists along the southerly boundary of this residence.

Section 3. Description of the Property. The property is located at 397 S. DiPaolo in the Village of Coal City within an RM-1 District.

Section 4. Public Hearing. A public hearing was advertised on February 18, 2026 in the Coal City Courant and held by the Planning and Zoning Board on March 16, 2026, at which time a majority of the Planning and Zoning Board members recommended passage of the Variance to the Board of Trustees.

Section 5. Variances. The variations requested in the February 12, 2026 Variance Application to the Zoning Code is granted to allow the construction of an aboveground pool and maximum 6-foot high fence within the corner side yard according to the conditions provided below.

Section 6. Conditions. The variance granted herein is contingent and subject to the following conditions its construction being consistent with the presentation to the Planning & Zoning Board and the Board of Trustees.

- A. The location of the fence within the corner side yard shall be along the easterly boundary of the residence to that point at which it shall have a 90-degree turn inside the southerly boundary to possess no less than a 3' setback from the edge of sidewalk along the north side of Elizabeth. This side of the fence may continue towards the westerly boundary, but must be returned towards the primary residence prior to the front of the home.
- B. An above ground pool shall be allowed within the corner side yard, but must maintain a setback of 3' from the interior of the fence along Elizabeth, maintain at least 3'6" of distance between the residence and the north side of the swimming pool as well as at least 5' of setback from the fence constructed on the rear yard boundary as well as the fence running north and south from the north side of Elizabeth. The aforementioned fence must be installed prior to the pool being filled.

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 25 day of March, 2026, at Coal City, Grundy & Will Counties, Illinois.

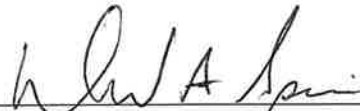
AYES: 6

NAYS: 0

ABSENT: 0


ABSTAIN: 0

VILLAGE OF COAL CITY



David A. Spesia, President

Attest:



Kayla Melvin, Clerk

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Jennifer Lee
Address: 397 S. Di Paolo Dr Phone number: 779 279 0379

Owner represented by: Self Attorney

Contract purchaser Acosta Fence Other agent _____

Agents name _____ Phone number: _____

Address: _____

Existing zoning: RM-1 Use of surrounding properties: North RM-1 South RM-1

East RM-1 West RM-1

What zoning change or variance: (specify) To install a 6' fence on
the corner lot, also to block view into yard,
for privacy while in yard and pool.

To allow what use Fence & pool, pool to go into
side yard. To allow for privacy in yard and
safety for pool.

Tax number of subject property: 09-03-176-012

Common address of property: 397 S. Di Paolo Dr Coal City, IL
60416

Parcel dimensions: 80 x 70 Lot area (sq. ft.) _____

Street frontage 80 ft of Elizabeth, 70 ft of Di Paolo

Legal description _____
Marleen Sub. 3rd Add 568.04' Lt 6
Sec 3-288

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.

Jennifer Lee, 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.



Notary Public (Seal)

Subscribed and sworn before me on this 11th day of February, 2026.

[Signature]

Signature of Owner Nishay

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

Please note the number of pages attached. _____

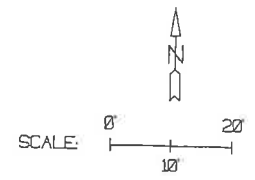
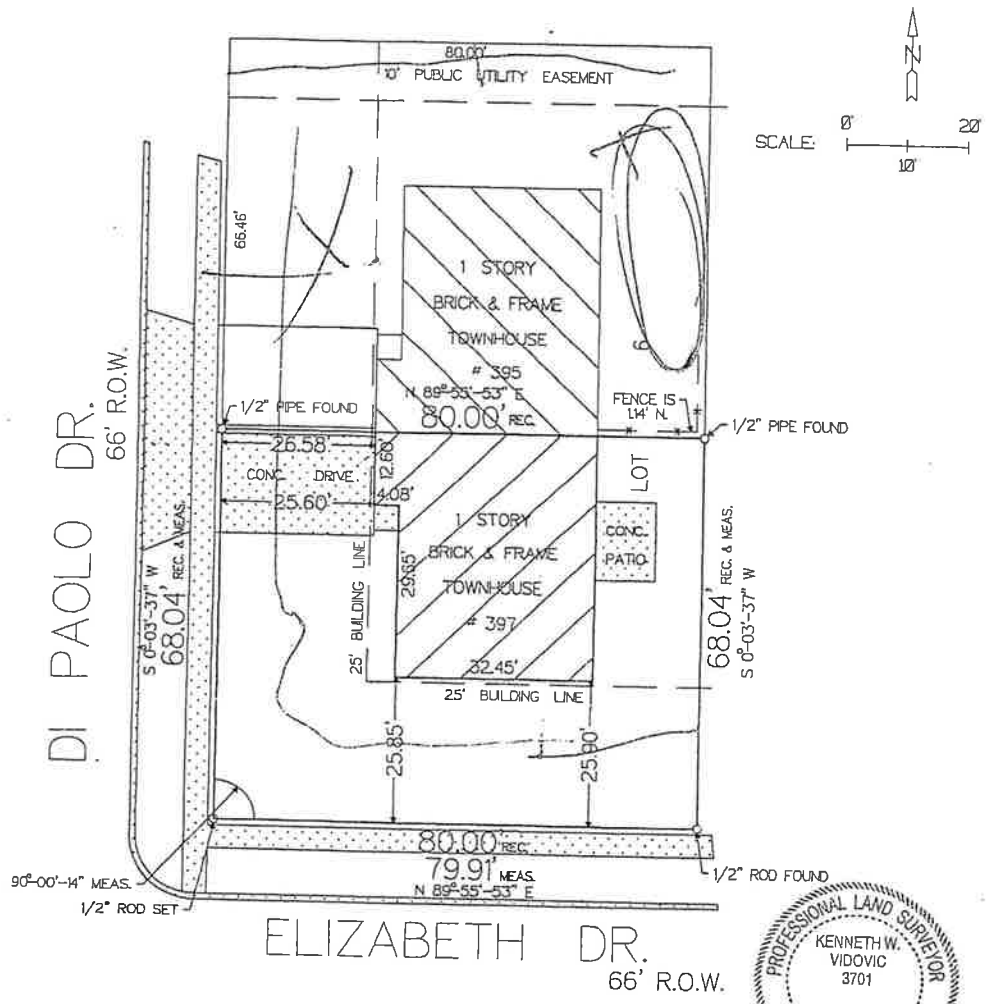
FOR OFFICE USE ONLY

Case number	<u>2A 26-0003</u>	Location of hearing	
Filing date	<u>2-12-26</u>	Village Hall	
Hearing date	<u>3-16-26</u>	515 South Broadway	
Filing fee	<u>\$ 100-</u>	Coal City, Illinois	
Hearing time	<u>7pm</u>		

PLAT OF SURVEY

THE SOUTH 68.04 FEET OF LOT 6 IN MAR-LEEN SUBDIVISION THIRD ADDITION, BEING A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 32 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF COAL CITY, COUNTY OF GRUNDY, AND STATE OF ILLINOIS.

397 S. DI PAOLO DRIVE
COAL CITY, IL



COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax
EMAIL: kvcommunitysurvey@att.net
DESIGN FIRM NO. 184-002899

CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.

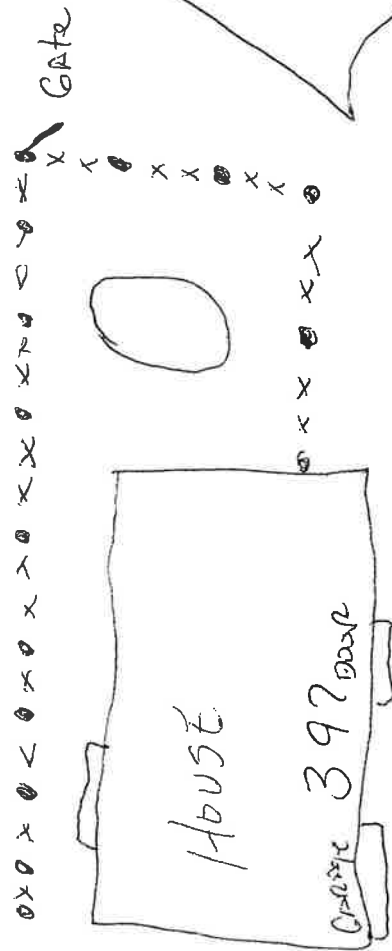
WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR FISHER BERARDI LAW UNDER MY HAND AND SEAL THIS 18TH DAY OF MAY 2020. FIELD WORK 05/15/2020.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEY NUMBER 20-26694

Kenneth W. Vidovic
ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2020

Pool Plan



H O U S E

All of the
New York
City

