

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 26-14

**AN ORDINANCE GRANTING A VARIANCE TO THE ZONING CODE FOR THE
LOCATION OF A FENCE WITHIN THE CORNER SIDE YARD OF 85 W WILLOW
STREET IN THE VILLAGE OF COAL CITY**

DAVID SPESIA, President
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DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on May 27, 2026

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Matthew Dimonte

Address: 85 W. Willow Phone number: _____

Owner represented by: Self Attorney _____

Contract purchaser _____ Other agent _____

Agents name _____ Phone number: _____

Address: _____

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

East RB West RS-3

What zoning change or variance: (specify) A Variance to Village Ordinance 156-171 (1)

To allow what use To allow a 6ft fence within the front yard

Tax number of subject property: 09-03-281-001

Common address of property: 85 W Willow

Parcel dimensions: 50 x 151 Lot area (sq. ft.) 7550

Street frontage 50 ft of S Mazeh + 151 ft of W Willow

Legal description _____

Orig. TN Coal City, Lt 2, BK 30

SIC 3-32-8

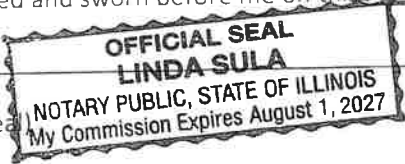
In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

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.

Jessica Belmonte 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 20th day of April, 2020.

Notary Public (Seal) 

Linda Sula
Signature of Owner

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

Please note the number of pages attached. 0

FOR OFFICE USE ONLY

Case number	<u>2A-26-0008</u>	Location of hearing
Filing date	<u>4-20-26</u>	Village Hall
Hearing date	<u>5-18-26</u>	515 South Broadway
Filing fee	<u>\$ 100</u>	Coal City, Illinois
Hearing time	<u>7pm</u>	

W WILLOW ST

09-03-281-001

6ft Fence

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WHEREAS, an application for variance from Section 156.171 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Matthew Dimonte (“applicant”) on April 20, 2026 for the placement of 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, a public hearing was noticed and duly held on May 18, 2026; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on May 18, 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 85 W. Willow:

- A. **Special Circumstances Not Found Elsewhere.** The petitioner’s home is located in a manner by which much of its usable yard space is located within a corner side yard.
- B. **Unnecessary Hardship.** Although the current decorative fence is allow, the petitioner’s wish to replace it with a 6’ high fence to increase the safety of passers by and ensure their dogs do not injure anyone walking alongside the south side of Willow or the adjacent alley.
- 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 within the corner side yard of this residence.

Section 3. Description of the Property. The property is located at 85 W. Willow Street in the Village of Coal City within an RS-3 District.

Section 4. Public Hearing. A public hearing was advertised on April 29, 2026 in the Coal City Courant and held by the Planning and Zoning Board on May 18, 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. Variations. The variations requested in the April 20, 2026 Variance Application to the Zoning Code is granted to allow the construction of a 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. In addition, its construction shall:

- A. Replace the existing decorative fencing located on the east side of the driveway eastward to the alley and extending southward to the southeast corner of the residential property prior to returning along the southerly boundary within the rear yard of the home; and
- B. A Stop Sign shall be placed at the end of the adjacent alley for northbound traffic.

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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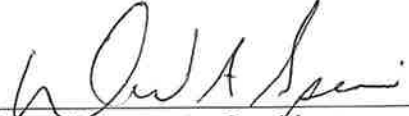
Section 8. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date 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 27 day of May, 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