

# KANE COUNTY DEVELOPMENT DEPARTMENT

Subdivision and Zoning Division, Kane County Government Center

719 Batavia Avenue

Geneva, Illinois 60134

Office (630) 232-3492

Fax: (630) 232-3411

Received Date

## APPLICATION FOR A VARIATION

### Instructions:

To request a variation for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s):
	09-10-454-001-0000 09-10-454-012-0000
	Street Address (or common location if no address is assigned):
	6N189 OAKWOOD DR., ST. CHARLES, IL 60174

2. Applicant Information:	Name	Phone
	JON STEVENS	630-918-9923
	Address	Fax
	6N189 OAKWOOD DR.	X
	St. CHARLES, IL 60174	Email
		JDDS68@SBCGLOBAL.NET

3. Record Owner Info:	Name	Phone
	JON STEVENS	630-918-9923
	Address	Fax
	6N189 OAKWOOD DR.	X
	St. CHARLES, IL 60174	Email
		JDDS68@SBCGLOBAL.NET

Zoning and Use Information:

Current zoning of the property: F

Current use of the property: RESIDENTIAL

Reason for Request:

Variation requested (state specific measurements): 25 FEET

Reason for request: PLEASE SEE ATTACHED LETTER ~~(X)~~

Action by Applicant on Property: ~~(X)~~ ALSO PLEASE SEE ATTACHED LETTER ~~(X)~~

What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance?

ELECTRICAL POLE AND WIRING

SEPTIC TANK AND SEPTIC FIELD

Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)

NOTHING TO DO WITH MONEY. EXISTING GARAGE IS FALLING

DOWN AND WE NEED TO REBUILD REPLACEMENT IN SAME LOCATION.

Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain)

NO. WE HAVE A SIX PERSON FAMILY. THE EXISTING GARAGE IS TOO

SMALL AND ALMOST UN-USEABLE IN ITS CURRENT STATE.

The Kane County Zoning Ordinance requires that the Zoning Board of Appeals find that there is a practical difficulty or some particular hardship if existing regulations are applied. The Board must also consider certain factors related to the granting of a variance. As the Applicant, you should "make your case" by explaining how your request will not:

1. Impair an adequate supply of light and air to adjacent property.

2. Increase the hazard from fire and other dangers to adjacent property.

ADJACENT PROPERTIES ARE OVER 100 FEET AWAY IN ALL DIRECTIONS. NO INCREASE OF ANY HAZARDS OR DANGER.

3. Diminish the value of adjacent land and buildings.

THE NEW GARAGE CONSTRUCTION WOULD IMPROVE THE VALUE OF ADJACENT LAND AND BUILDINGS.

4. Increase congestion or create traffic hazards.

REPLACEMENT GARAGE IN SAME LOCATION AS EXISTING GARAGE. AREA IS MORE RURAL AND OUR STREET IS A DEAD-END NOT A THRU STREET. NO EFFECT ON CONGESTION OR TRAFFIC OR ANY HAZARDS.

5. Impair the public health, safety, comfort, morals and general welfare.

IT WILL BE AN IMPROVEMENT TO OUR STREET AND PUBLIC WELFARE.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Certification of Notification of adjacent property owners
- Aerial (air photo) with property clearly highlighted contact: The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000
- Trust Disclosure (If applicable)
- Application fee (make check payable to Kane County Development Department)
- Site Plan drawn to scale showing house, well and septic.

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.


6/14/18  
 \_\_\_\_\_  
 Record Owner Date


6/14/18  
 \_\_\_\_\_  
 Applicant or Authorized Agent Date

Kane County Development Department  
Subdivision and Zoning Division, Kane County Government Center  
719 Batavia Ave., Geneva, IL 60134

June 14, 2018

To Whom It May Concern:

In addition to completing the Application for a Variation, my family and I wanted to write a letter to explain the circumstances behind our request.

We moved to St. Charles in November of 2013. It was a miracle for us to afford our home and we are so happy here. Our children are ages 16, 14, 12 and 7. Our family is active in our community, schools and church. Our home was a foreclosure and needed a lot of work! We have made many improvements to our property over the last few years and plan to continue to do so.

Our current garage is detached and heavily deteriorated. It is home to many rodents and bugs! There is a small, block built building with entry door, that is rotten and broken and there are 3 large openings where windows seem to never have been installed. So it is open to the elements. At some point, someone must have built the 1 car, frame garage and attached it to it. The overhead door is also rotten and broken, smashed up in its current open position just so we can get the garbage cans in and out. Most of the floor is dirt, the garage framing is rotting and dilapidated, the garage is small and needs to be torn down! It is not repairable and it is very difficult for us not having a secure place for our lawnmower, tools, bicycles, etc.

My understanding from the St. Charles Township Highway Commissioner is that the right of way setback requirement from the center of the street is 25 feet. In addition, from conversation with Keith Berkhout, I understand the Zoning set back requirement is 35 feet. The front elevation porch wall of my home is approximately 27 feet from the center of Catalpa Avenue. The existing garage is approximately 23 feet from the center of the street. The depth of my property is 100 feet. Tearing down the existing garage is an improvement also to the property as currently it is built over the property line and is encroaching by approximately 3 feet. The new garage will be set back a further 10 feet so this would also cure the currently existing encroachment, which was due to previous owner(s) and no fault of our own.

Directly behind the existing garage, within approximately 4 feet, is a large electrical pole with electrical service to my home and neighbors. Also directly behind the existing garage (and home) is our septic tank and septic field. In addition, there are trees directly behind the existing garage. As a result, we are not able to dig or build anything in our back yard.

We have diligently saved and spent thousands already in preparation for this next, new miracle - an attached garage! We have completed architectural drawings and completed all requirements in the permitting process in order to receive a Building Permit. Everything has been approved - except Zoning. We have lived for years here with the broken down garage, having our personal items effected. We would absolutely love to have a useable garage, it is our dream, to be able to store our things in an organized fashion and protect our belongings.

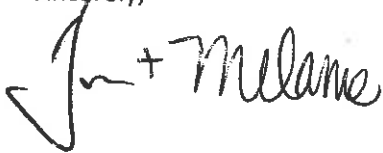
One of my son's (Talon - age 12) loves to work with wood and craft things. Currently, sadly, it is difficult for him to have an area to work on this creativity, due to the limitations and poor condition of the existing garage. A new replacement garage would allow us the opportunity to make this space for him!

We also wanted to note, our neighborhood is like a camp ground of sorts! It is a mix of different people and homes. Some really large homes and some very small homes. Some new, some under construction and others older. Directly across the street from our home (across Catalpa Ave.) is my neighbors house. He has a garage that is 28 feet from the center of the street. Our other neighbor (directly across Oakwood Dr.) has a garage that is only 18 feet from the center of the street. These garages appear to have been built within the last 30 years. As I have driven down our street (which is not a thru street, it is a dead end) and driven through the neighborhood, there are many houses and garages that are quite close to the street. In fact, there are many buildings that are even closer than what we are hoping to build. We would like to build our garage 35 feet from the center of the street.

In order to proceed with the building of our garage we are requesting with great humility and desperation - to please allow a zoning variance. We would like to match the front of our house with the garage front wall elevation which would mean we are requesting a zoning variance of 25 feet. (We would also now be within the requirement of the right of way of the street and cure encroachment.)

We have no other options available to us with the way our home and property lot is situated, the electrical pole and septic tank / field and trees. Please would you kindly consider our situation and allow the variance so we can have a garage. Thank you so much for your time and understanding.

Sincerely,



Jon & Melanie Stevens  
Simon, Bennett, Talon & Seraphina

Simon, Bennett,  
Talon  
Seraphina

# CHICAGOLAND SURVEY COMPANY INC.

PROFESSIONAL SURVEY LICENSE NO. 124-028163 EXPIRES 04/30/2015  
 5501 W. 64TH STREET, CHICAGO, ILLINOIS 60638 (773) 271-8447  
 CHICAGOLANDSURVEY@GLOBEONLINE.NET

## PLAT OF SURVEY

OF  
 LOTS 52, 53, 54 AND 55 IN FOX RIVER ESTATES FIRST ADDITION TO SAINT CHARLES, IN TOWNSHIP OF SAINT CHARLES,  
 IN SECTION 10, TOWNSHIP 40 NORTH, RANGE 6, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PROPERTY KNOWN AS: 6N189 OAKWOOD DRIVE, SAINT CHARLES, ILLINOIS

P.L.N. 09-10-454-001-0000 & 09-10-484-012-0000

CATALPA AVENUE

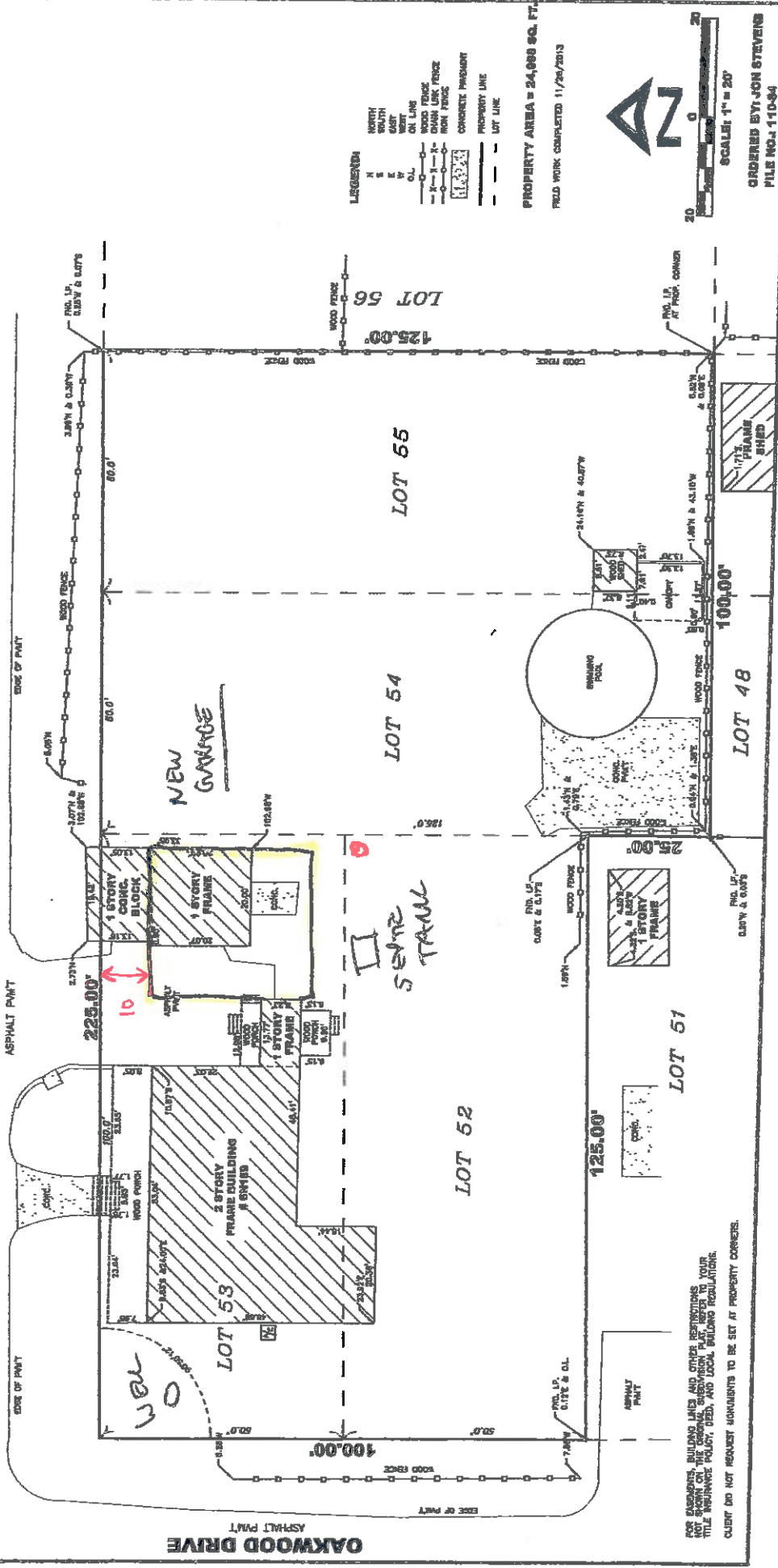


ROBERT P. JACOB  
 SURVEYOR  
 STATE OF ILLINOIS  
 LICENSE EXPIRES  
 11/30/2014

BY: *Robert P. Jacob*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 5384

STATE OF ILLINOIS } S.S.  
 COUNTY OF COOK }

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED  
 WERE MADE BY ME, OR BY PERSONS UNDER MY DIRECT SUPERVISION, AND  
 CONTROL. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS  
 MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
 DATED THIS 28 TH DAY OF NOVEMBER 2013.



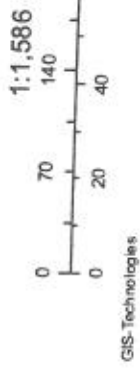
FOR EXAMINERS, BUILDING LINES AND OTHER DEFINITIONS  
 NOT SHOWN ON THE ORIGINAL SURVEY. YOUR  
 TITLE INSURANCE POLICY, DEED, AND LOCAL BUILDING REGULATIONS.  
 CLIENT DID NOT REQUEST ADJUSTMENTS TO BE SET AT PROPERTY CORNERS.

ORDERED BY: JON STEVENS  
 FILE NO. 110-94

Map Title

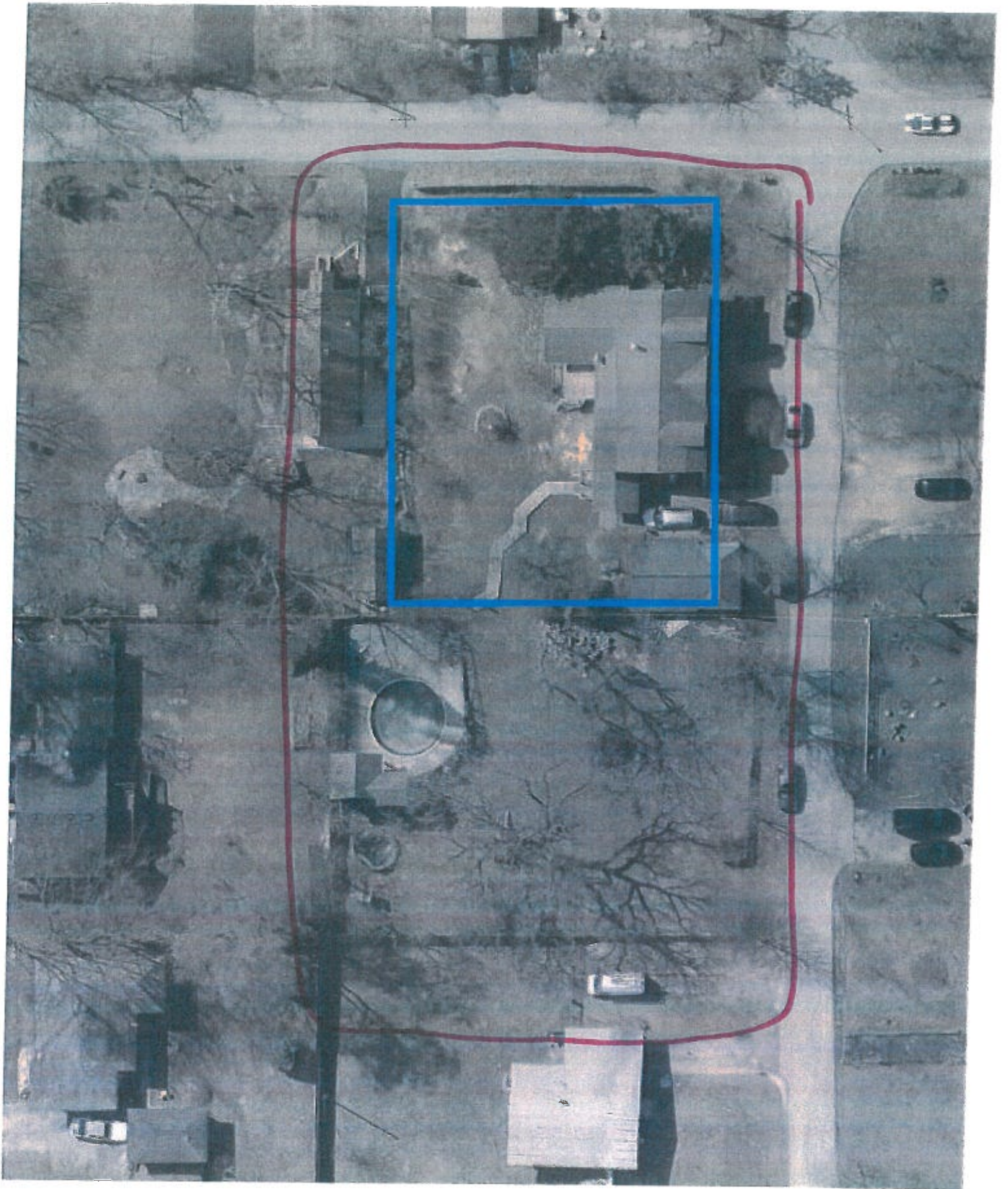


September 4, 2018



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ST. CHARLES twp.  
T.40 N - R.8 E

map 9

