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Building & Code Enforcement
St. Charles, IL

CITY OF ST. CHARLES

ZONING BOARD OF APPEALS
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984

FOR OFFICE USE
Received 3/28/2013
File # V-1-2013
Fee Paid \$ 300.00
Receipt 411332

APPLICATION FOR A VARIATION

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

Name of Applicant* JOHN HUNECKE Phone 630-878-5934
Address/City/State/Zip 439 BENNETT DRIVE, NORTH AURORA, IL 60542
Applicant's interest in the property PURCHASER - FROM FAMILY MEMBER
Name and Phone of Owner(s) of Record* MARY E. DANIELSEN, 630-584-3835

Applicant is (check one) Attorney Agent Owner Other: GRANDSON
Owner acquired the property on (date): 1945

ADDRESS, USE & ZONING OF PROPERTY:

Address of Property (attach legal description) 404 N. 5TH AVE, ST. CHARLES
Present Use (commercial, industrial, residential, etc.) RESIDENTIAL
Zoning District RT-3
To your knowledge, have any previous applications for variations been filed in connection with this property? NO
If YES, provide relevant information _____

ACTION BY APPLICANT ON PROPERTY:

Permit applied for and denied? (yes or no) _____
An Appeal was made with respect to this property? (yes or no) _____
Appeal Application File Number _____
Appeal approved? (yes or no) _____
Appeal Application accompanies this request for variation? (yes or no) _____

*In the event that the applicant or owner is a trustee of a land trust or beneficiary of a land trust, a statement identifying each beneficiary by name and address of such land trust and defining his/her interest therein must be attached hereto. Such statement shall be verified by the trustee of such trust.

Reason for request:

- A. Variation requested:** A variation is requested to allow relief from the RT-3 zoning requirement for a (30') rear yard setback. The variation being requested is to allow an addition to be constructed reducing the rear yard setback to (6'-0") measured to the primary house addition foundation, and (2'-6") to the support piers for a proposed enclosed elevated deck. The requested variation would be limited to a region (80'-0") in width east of the existing house. *See attached -*
- B. Reason for request:** This property is somewhat unique in that the lot lines and street access point were modified as result of the raising of IL-25. The house was constructed in the 1870's, the re-construction of IL-25 combined with the elongated shape of the property create significant difficulties improving the property by adding an addition. When Rt-25 was elevated for the rail road crossing bridge, the driveway access point was relocated to the far North property line from its original South side entry. One goal with the proposed addition is to incorporate an attached garage, without a variation the only potential location for an attached garage would significantly diminish the historical character of the house.
- C. Explanation of purpose for which property will be used:** The property will be used as a single family residence. This house has been my Grandparent's home for more than 65 years, my family and I desire to make this our home, preserving its place in our family.

Action by Applicant on Property:

- A. There are multiple physical characteristics that would prevent the property from being used in conformity with the minimum requirements of the zoning ordinance. The house dates back to the 1870's, with the exception of necessary remodeling due to the elevation of IL-25 the configuration and primary physical elements are original. Our goal is to preserve and restore the original structure and feel that is more beneficial to make an appropriate addition rather than making dramatic alterations. Secondly, also due to the elevation of IL-25, the street access is limited to the North lot line. Construction of an addition on the North side would hinder vehicle access due to the slope of the driveway and would require significant alteration to the original house. Due to the home's location within the Historical Preservation District, construction on the North side would likely be denied. Finally, the retaining wall, slope and drainage pattern resulting from the elevation of IL-25 inhibit or prevent potential additions within the buildable area of the lot.
- B. I am not aware of similar conditions on other properties within the zoning district, this property is unique because it is bordered by public properties on all sides; Park District property on the North and East sides and a former rail line to the South. There are no structures or buildable properties adjacent to this property, therefore there would be no neighbors directly affected by the variation.

Attachment

Request a 22-foot rear yard setback variation in a RT-3 Traditional Single Family Zoning District commencing 88-feet from the northeast lot corner heading in a southerly direction for 23-feet, at that point heading in an easterly direction for a distance of 5-feet then heading in a southerly direction for a distance of 26-feet to allow a 27-foot rear yard setback variation, at this point gradually decreasing the variation for a distance of 10-feet to allow the construction of an attached garage and living space to a single family dwelling.

- C. The purpose of the variation is based on more than a desire to make money on the property. This property was conveyed to my Grandparents more than 60 years ago by the Norris family, it has been a goal of mine since childhood to own and live in this house. Our purpose for the variation is to build a home we can be comfortable living in.
- D. The alleged difficulty was not created by any person having an interest in the property.
- E. Although I do not feel it would be honest to state that 'ALL' reasonable use would be lost if the property were to be used only under the conditions allowed by regulations in the zoning district, the owner would be deprived of any practical and reasonable possibility of increasing the size of the home and bringing it to an appropriate standard commiserate with the quality of the property.

Harmony with General Purpose and Intent

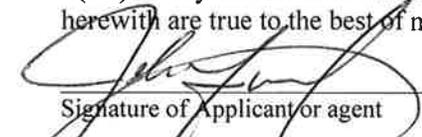
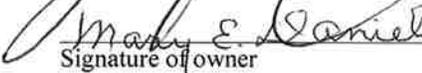
- A. The proposed variation is being requested to preserve the essential character of the property, and is not intended to alter it. Due to the age and near original condition of the house, there are no other practical options for any additions or alterations that would be compliant.

- B. Will the proposed variation be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located? (explain)
NO, THERE ARE NO ADJACENT RESIDENTIAL PROPERTIES. THE ADJACENT PUBLIC PARK WILL NOT BE ADVERSELY AFFECTED
- C. Will the proposed variation(s) impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood? (explain) NO, THE ADJACENT PARK PROPERTY IS FORESTED AND WILL NOT BE AFFECTED BY THE PROPOSED VARIATION

ATTACHMENTS REQUIRED:

- A. One (1) copy of a plat of survey or plot plan (to scale) of the property showing dimensions of all lot lines, existing and proposed structures and distances from lot lines, easements and adjoining streets or uses.
- B. A written certified list containing the registered owners, their mailing addresses and tax parcel numbers as recorded in the Office of the Recorder of Deeds in the county in which the property is located and as appears from the authentic tax records of such county, of all property within 250 feet in each direction of the location for which the variation is requested, proved all the number of feet occupied by all public roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement. The Kane County Recorder of Deeds is located in the Kane County Government Center, 719 Batavia Avenue, Geneva.
- C. Filing fee in the amount of **\$300.00** must be rendered at the time the application is submitted. If payment is made by check, it should be made payable to the City of St. Charles.
- D. Reimbursement to the City of miscellaneous fees is as follows: **Review hours by Building and Code Enforcement Division Manager, Publication of legal notice; court reporter and transcript fees; mailing (postage) costs.** The reimbursement of these miscellaneous fees **must be paid prior to issuance of any permit** in connection with the requested action.
- E. Letter of authorization from the property owner as to the request for the zoning variation must be included, if such authorization is applicable.
- F. Disclosure of beneficiaries of a land trust must be included, if applicable.
- G. A variation shall lapse after twelve months from the date of grant thereof unless construction authorized is commenced on a building permit for the use specified by the variation within twelve months, or the use in commenced within such period.

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

	<u>JOHN HUNECKE</u>	<u>3-28-2013</u>
Signature of Applicant or agent	Print name of applicant/agent	Date
	<u>MARY E. DANIELSEN</u>	<u>3-28-2013</u>
Signature of owner	Print name of owner	Date

Mailing List

Note: Applicant must complete this form (please print) and include it with the application

Following are the names and addresses of surrounding property owners from the property in question for a distance of 250 feet in all directions. The number of feet occupied by all public roads, streets, alleys, and public ways has been excluded in computing the 250-foot requirement. Said names are recorded in the Office County Recorder of Deeds as appears on the authentic tax records of the county or counties (See page 1, item 1.b for Kane, DuPage and St. Charles Township information.)

Tax Permanent Parcel No.	Name of Registered Owner	Mailing Address
		378 PARK
		372 PARK #E
09-21-334-001	LAWRENCE FOLEY	505 INDIANA ST ST. CHARLES
09-21-338-006	FRANK & THERESA PAVLEK	318 CHESTNUT ST. CHARLES
09-21-402-004	DIANE MACMILLAN	402 PARK AVE. ST. CHARLES
09-21-403-002	CURTIS & JANICE BERG	407 PARK AVE. ST. CHARLES
09-21-403-001	CURTIS & JANICE BERG	407 PARK AVE. ST. CHARLES
09-21-402-005	JOHN & HEATHER COLOCORAN	444 PARK AVE. ST. CHARLES
09-21-403-003	EVAH TRUST, WILLIAM NEIL BERG	20414 N. 94 TH WAY SCOTTSDALE AZ 85255-6617
09-21-402-001	HARRIS TRUST & SAVINGS BANK % JONATHAN GAVIN	HARRIS TRUST & SAVINGS BANK % JONATHAN GAVIN 900 OGDEN AVE #204 DOWNERS GROVE IL 60515
09-21-402-002	GUNTER & GRETA STEVES	407 FULTON AVE. ST. CHARLES
09-21-452-003	SUSAN LLOYD, DECLINE TRUST	410 STATE AVE, ST. CHARLES
09-21-402-003	JAMES & MARY ENCK	517 N. 5 TH AVE, ST. CHARLES
09-21-401-001	RICHARD & WENDY BALOG	717 N 5 TH AVE. ST. CHARLES
09-21-451-004	PAUL & NANCY LETANG	49 MCKINLEY ST. ST. CHARLES
09-21-452-002	DANIEL T. ASHLAND	255 HAWTHORNE AVE.
	THOMAS & MARY BARBARA	WEST CHICAGO IL 60185
09-21-452-008	THOMAS & MARY BARBARA ROCKAFELLO	218 4 TH ST. CHARLES
09-21-452-004	DIANE M. JAKOBSEN	404 STATE AVE. ST. CHARLES
09-21-452-005	BRYAN KAVANAUGH	408 STATE AVE. ST. CHARLES

Tax Permanent Parcel No.

Name of Registered Owner

Mailing Address

09-27-452-006	SUSAN LLOYD DCLRN, TRUSTEE	410 STATE AVE. ST. CHARLES
09-27-453-003	JOSE QUINTERO	508 STATE AVE ST. CHARLES
09-27-453-007	CLINTON ANDERSON, CTA PROPERTIES	333 N RANDALL ROAD ST. CHARLES
09-27-453-005	DAWN KRAMER	608 STATE STREET AVE. ST CHARLES
09-27-453-005	DAWN KRAMER	610 STATE AVE ST. CHARLES

Additional Mailing

Parcel No.	Name	Address
09-27-404-016	STC Park District	101 South 2 nd Street
09-27-404-020	“ “	“ “
09-27-205-024	CNW Transportation Co	165 N Canal Street, Chicago IL 60606
09-27-403-003	Zana Trust	415 Park Avenue
09-27-403-003	City of St. Charles	2 Main Street
09-27-403-004	“ “	“ “
09-27-404-005	“ “	“ “
09-27-404-006	“ “	“ “
09-27-404-007	“ “	“ “
09-27-334-012	Kaknes, Jean C Trust, Trustee	311 Park Avenue
09-27-403-009	City of St. Charles	2 E Main Street
09-27-502-024	CNW Transportation Co	165 N Canal Street, Chicago IL 60606
09-27-403-018	Lloyd, Susan M Trustee	215 N 5 th Avenue
09-27-452-003	“ “	“ “
09-27-415-002	Wittry, Timothy S&Arnold, Lisa K	313-315 Chestnut Avenue
09-27-451-001	Jarosz, Stanley M& Sonnenberg, Nancy	218 N 3 rd Avenue
09-27-451-001	Mc Mahon, Paul J&Brenda H	304 Chestnut Avenue
09-27-338-002	Dean, Matthew T & Kristin E	312 Chestnut Avenue
09-27-502-020	CNW Transportation Co	165 N Canal Street, Chicago IL 60606
09-27-332-006	Bollaert, John E	316 Park Avenue
09-27-332-003	White, Elizabeth A	317 Fulton Avenue
09-27-332-005	Mayberry, Kathryn N	310 Park Avenue
09-27-332-002	Hughes, Robert & Maureen A Mary E Danielsen John Hunecke	311 Fulton Avenue 404 N 5 th Avenue 439 Bennett Drive North Aurora 6 60542

March 26, 2013

City of St. Charles Zoning Board of Appeals

Two East Main Street

St. Charles, IL 60174

RE: Variation request for the property at 404 N. 5th Ave., St. Charles

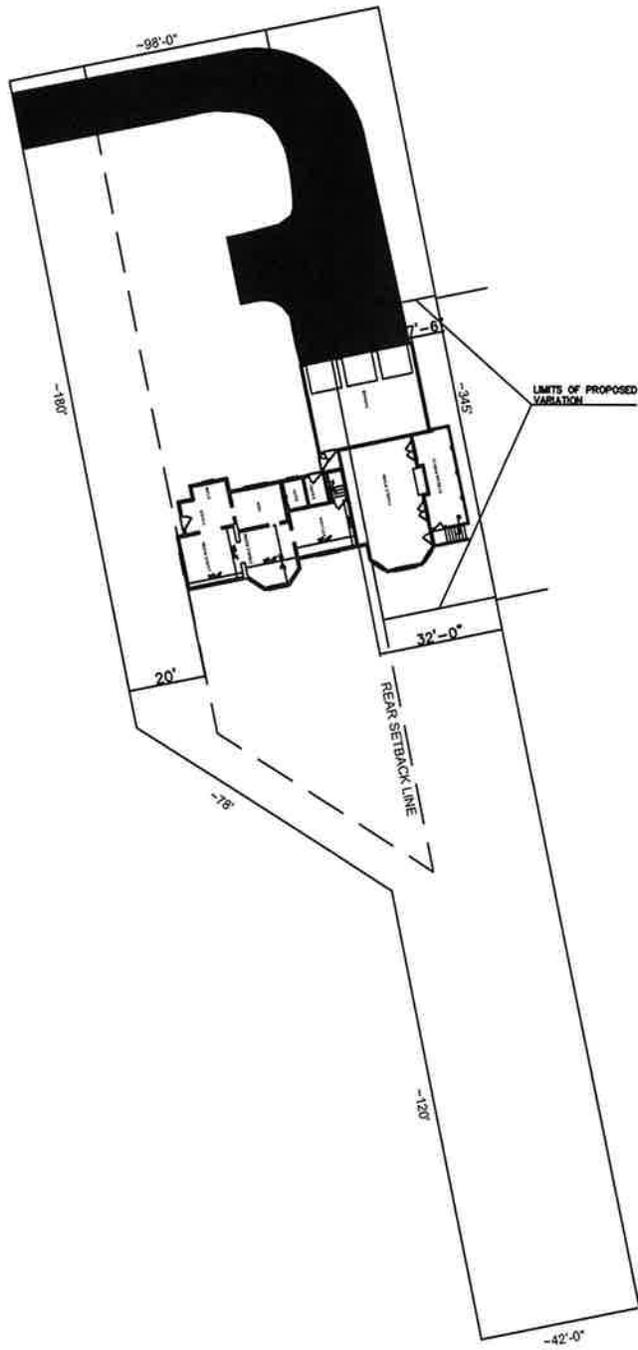
To Whom it may concern,

I, Mary E. Danielsen, am the current owner of the property located at 404 N 5th Ave., St. Charles. I authorize John Hunecke to submit this request for variation to reduce the rear yard building setback restriction from 30' to 2'-6", and to act on my behalf in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Danielsen".

Mary E. Danielsen



PRESENTATION SITE PLAN
 PROPOSED SITE PLAN WITH ADDITION
 SCALE 1/16"= 1'-0", VERIFY SURVEY DATA