

## ST. CHARLES ZONING BOARD OF APPEALS

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**VARIATION #:** V-2-2023  
**LOCATION:** 303 N. 3<sup>RD</sup> AVE.

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**Requested Action:** Zoning Variations:

1. Reduce the rear yard setback (north lot line) from 30ft. to 7.3ft
2. Allow 34.83% of building coverage (9.83% over the maximum allowed 25%) for up to an additional 573.63sf of building coverage

The applicant is proposing to demolish an existing detached garage and construct additions to the historic house on the property.

The additions to the north of the historic house are comprised of a room connecting the historic house to a garage.

**Purpose and Scope:**

With the garage attached to the house, it is considered all one structure and therefore the applicant will need a reduction to the rear yard setback and increase of allowable building coverage. However, if the connection is made by an open breezeway, neither of the variances would be required as a detached garage is a permitted encroachment up to 5ft in the rear yard and a detached garage provides a bonus of 500sf in building coverage.

**Existing Land Use:** Private Residence

**Existing Zoning:** RT-4 Traditional Single Family Residential



**Zoning Board of Appeals**  
CITY OF ST. CHARLES  
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



FOR OFFICE USE	
Received	_____
File #	_____
Fee Paid \$	_____
Receipt	_____

**APPLICATION FOR A VARIATION**

RECEIVED

APR 12 2023

City of St. Charles  
Community Development

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

**APPLICANT & OWNER:**

Name of Applicant\* MATTHEW & BERNADETTE SWEENEY  
 Phone 630-930-7880 Email Address sweeney matt074@gmail.com  
 Address/City/State/Zip 303 N. 3RD AVE, ST CHARLES CO 174  
 Applicant's interest in the property OWNER  
 Name and Phone of Owner(s) of Record\* 630-930-7880

Applicant is (check one)  Attorney  Agent  Owner  Other: \_\_\_\_\_  
 Owner acquired the property on (date): 6/15/22

**ADDRESS, USE & ZONING OF PROPERTY:**

Address of Property (attach legal description) 303 N 3RD AVE / ORIGINAL TOWN OF ST CHARLES  
 Present Use (commercial, industrial, residential, etc.) RESIDENTIAL LOT 8 BLOCK 3  
 Zoning District RT-4  
 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.*

**F. Reimbursement for Miscellaneous Expenses**

The applicant shall reimburse the City for miscellaneous costs incurred relative to any application or petition including, but not limited to:

- a. Publication of legal notices.
- b. Court reporter and transcript fees.
- c. Mailing (postage) costs.
- d. Recording fees.

**17.04.310 VARIATIONS**

**A. Purpose**

The Variation process provides a method to grant relief from conformance with the strict letter of the provisions of this Title, where conformance would cause a particular hardship or practical difficulty to a specific property and where the relief granted is consistent with the purposes and intent of this Title.

**B. Hearing and Decision**

The Board of Zoning Appeals shall hold a public hearing in accordance with Section 17.04.150 (Public Hearing), at which evidence in support of the Variation must be presented by, or on behalf of, the applicant, and any evidence presented by interested parties shall be heard. Notification of the public hearing shall be provided in accordance with Section 17.04.160. The public hearing shall be held not more than 90 days after filing of an application, and a decision shall be made not more than 30 days after the conclusion of testimony at the public hearing or the Board's next regular meeting after the conclusion of testimony, whichever is later.

**C. Approval Criteria**

The Board of Zoning Appeals may approve a Variation only when it makes written findings with respect to each requested Variation, based upon the evidence presented at the public hearing, that strict compliance with the regulations and standards of this Title would create practical difficulties or particular hardships for the subject property, and the requested Variation is consistent with the stated purposes and intent of this Title.

In making its determination of whether practical difficulties or particular hardships exist, the Board of Zoning Appeals must take into consideration the extent to which evidence has been submitted substantiating the following:

1. The particular physical surroundings, shape or topographical condition of the specific property involved would result in a practical difficulty or particular hardship to the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
2. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
3. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
4. The alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property;
5. The Variation, if granted, will not alter the essential character of the neighborhood.
6. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
7. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

**D. Authorized Variations**

The Board of Zoning Appeals may grant Variations from the regulations of this Title only in the following instances and in no others:

1. To permit a yard, setback or landscape buffer of a lesser dimension than required by the applicable regulations.
2. To allow a fence in excess of the height limitations required by the applicable regulations.
3. To permit the use of a lot for a use prohibited solely because of insufficient area or width, but the area or width of the lot shall in no event be varied to an extent that reduces the requirement to less than ninety percent (90%) of the required lot area or width.
4. To increase the permitted maximum building or lot coverage, but the maximum building or lot coverage shall in no event be varied to an extent that increases the maximum by more than twenty percent (20%).

**E. Conditions**

The Board of Zoning Appeals may require such conditions and restrictions concerning use, construction, character, location, landscaping, screening and other matters in granting a Variation, upon a finding that such conditions and restrictions are necessary to prevent or minimize adverse effects upon other property and improvements, that would reasonably be expected to occur if the Variation were granted without such conditions and restrictions. All such conditions and restrictions shall be expressly set forth in the written record of the Board's approval of the Variation. Failure to comply with such conditions and restrictions as may have been imposed shall constitute grounds for revocation of the Variation.

**F. Limitations**

1. A Variation shall automatically lapse twelve (12) months after the date it is granted, unless the construction (pursuant to a building permit) authorized by the Variation commences within that twelve (12) month period. However, the Board of Zoning Appeals may extend this period, upon written request from the applicant showing good cause.
2. A Variation is granted to a specific property and authorizes the conduct of the Variation only on the property identified in the application and is not transferable to other properties.
3. The approval of a Variation authorizes the relief from strict conformance with specific provisions of this Title, but does not authorize the establishment or extension of any use, development, construction, reconstruction, alteration or moving of any building or structure prior to obtaining all other required approvals, including building permits and occupancy permits.

**G. Variation Less than Requested**

When consistent with the notice of Public Hearing, the Board of Zoning Appeals may grant a Variation less than, or different from, that requested when the record supports the applicant's right to some relief, but not to the entire relief requested.

**REASON FOR REQUEST:**

- A. Variation requested (state specific measurements): BUILDING SETBACKS  
& LOT COVERAGE. Reduce rear yard setback from 30ft to 7.3ft.  
Allow 34.83% of building coverage (9.83% over max. allowed 25%) for additional 573.
- B. Reason for request: CONSTRUCTION OF DETACHED GARAGE - BREEZEWAY  
& ADDITION
- C. Purpose for which property will be used: PRIMARY RESIDENCE

**CRITERIA FOR VARIATION:**

The Board of Zoning Appeals may approve a Variation only when it makes written findings with respect to each requested Variation, based upon the evidence presented at the public hearing, that strict compliance with the regulations and standards of the Zoning Ordinance would create practical difficulties or particular hardships for the subject property, and the requested Variation is consistent with the stated purposes and intent of the Zoning Ordinance.

In making its determination of whether practical difficulties or particular hardships exist, the Board of Zoning Appeals must take into consideration the extent to which evidence has been submitted substantiating the criteria have been met.

**Provide a response under each item to substantiate that the requested variation meets the criteria:**

- 1. Do the particular physical surroundings, shape or topographical condition of the specific property involved result in a practical difficulty or particular hardship to the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out? (Explain)  
THE EXISTING HOUSE & DETACHED GARAGE ARE NON-CONFORMING WITH CURRENT ZONING CODE. THE ORIGINAL PLACEMENT AND ORIENTATION OF THE HOUSE & THE LOT PRECLUDE ANY IMPROVEMENT OR ADDITION TO THE STRUCTURES. THE VARIATION OF SETBACK AND LOT COVERAGE ALLOWS FOR A HISTORICALLY APPROPRIATE DETACHED GARAGE & BREEZEWAY
- 2. Are the conditions upon which the petition for a Variation is based applicable, generally, to other property within the same zoning classification? (Explain)  
NO
- 3. Is the purpose of the Variation based exclusively upon a desire to make more money out of the property? (Explain)  
NO, THIS WILL BE OUR PRIMARY RESIDENCE

4. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property? (Explain)

No

5. Will the Variation, if granted, alter the essential character of the neighborhood? (Explain)

NO, AS PROPOSED, THE DETACHED GARAGE - BREEZEWAY & ADDITION HAVE BEEN GRANTED A C.O.A. FROM THE HISTORICAL COMMISSION, THE VARIATION ALLOWS CONSTRUCTION OF A HISTORICALLY APPROPRIATE DETACHED GARAGE.

6. Will granting of the 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

7. Will the proposed Variation impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood? (Explain)

No

#### ATTACHMENTS REQUIRED:

- A. **PLAT OF SURVEY:** One (1) copy of a plat of survey (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. **MAILING LIST:** A written certified list (form attached) containing the registered owners, their mailing 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, provided 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. Registered owner information may be obtained at the St Charles Township Assessor's office, 1725 Dean St., St. Charles, (630) 584-2040. The Kane County Recorder of Deeds is located in the Kane County Government Center, 719 Batavia Ave., Geneva, and (630) 232-5935. The DuPage County Recorder of Deeds is located in the DuPage County Government Center, 421 N. County Farm Rd., Wheaton, and (630) 682-7200.
- C. **FILING FEE:** 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 OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning


Ordinance. By signing this Agreement, the applicant agrees to reimburse the City all costs incurred during review of the application, including but not limited to: the cost of the newspaper notice publication; certified mailing to surrounding property owners; Court Reporter at the public hearing(s); and City staff time spent on review and administration of the application.

The total cost of an application typically amounts to approximately \$1,000. However, the cost of each application varies depending on the following:

- Location of the property, due to the number of surrounding property owners and resulting number of certified letters that will be sent.
- Length of the newspaper notice publication which is based on the legal description of the property.
- Length and number of public hearings, which effect the cost of the Court Reporter. Note that if not all Board members are in attendance at the meeting, the applicant may request a continuation of the public hearing in the interest of having more Board members in attendance at a later meeting. If the public hearing is continued, at the request of the applicant or otherwise, the applicant is responsible for the cost of the Court Reporter at the additional public hearing(s).
- Amount of City staff time spent on review and administration of the application.

- E. **REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. For properties less than 5 acres, a deposit in the amount of **\$1,000** is needed. For larger properties, see the table in the Reimbursement of Fees Agreement. These funds will be used to reimburse the City for all costs incurred during review of the application, per the Reimbursement of Fees Agreement. The applicant may need to provide additional funds to cover costs.
- F. **LETTER OF AUTHORIZATION:** Letter of authorization from the property owner as to the request for the zoning variation must be included, if the applicant is not the property owner.
- G. **DISCLOSURE:** Disclosure of beneficiaries of a land trust must be included, if the applicant or owner is a land trust.

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.

  
Signature of Applicant or agent

MATTHEW SWEENEY  
Print name of applicant/agent

4/12/23  
Date

  
Signature of owner

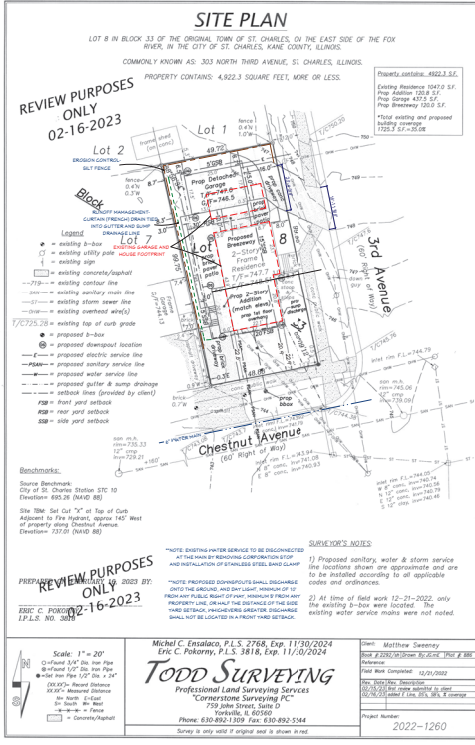
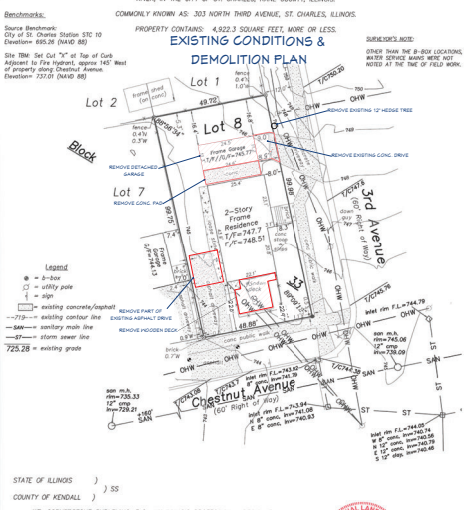
MATTHEW SWEENEY  
Print name of owner

4/12/23  
Date



BERNADETTE SWEENEY

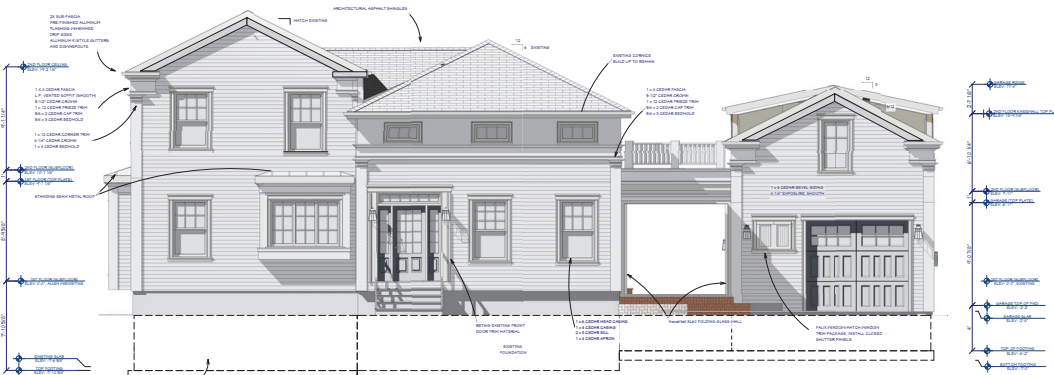
### PLAT OF SURVEY & TOPOGRAPHIC EXHIBIT



BY	LACSAD
DATE	1/10/23
BY	FORWARD
DATE	1/10/23
H. BUCKNER	
SITE PLAN	
R. ANETH	
G. OLSCHER, REEDED	
SJ OL SW5 PAL L EBOI	
HN SSI SYP SHEL SI RS	
M-PT-EC-LE-LURV/STRIC-A-UGR/REV	
L. AME/THE OVERLAP	RAJ GDI P. BW/REV
J. ACCORN SSI SY	
23N 028BSEC: P L	
382' 3"-4	
H: SSCD	
7	



Note: Option 1 has been removed after Historic Commission review

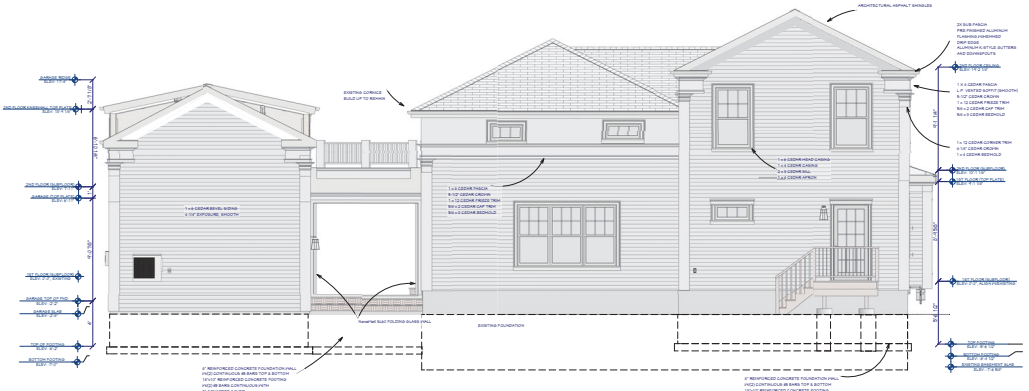
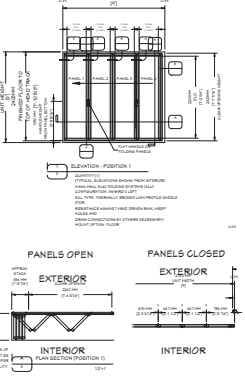


FRONT ELEVATION

SCALE: 1/4" = 1'-0"

WINDOWS & DOORS: PROVIDE MARVIN ELEVATION ALUMINUM GLAZED WINDOWS, INSULATED GLASS PANELO E COATING & ARGON GAS. UNITS TO HAVE MINIMUM U-FACTOR VALUE OF 0.27 OR LOWER. HUNTINGS TO BE TOP INSULATED DIVIDED LIGHT.

NanaWall SL60  
FOLDING GLASS WALL



REAR ELEVATION

SCALE: 1/4" = 1'-0"

NO. 5
NO. 6
NO. 7
NO. 8
NO. 9
NO. 10
NO. 11
NO. 12
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NO. 99
NO. 100

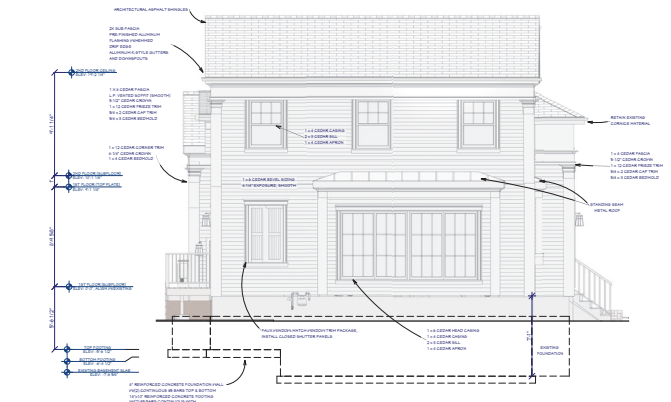
SITE PLAN

RS. L D S I N S E D D P R A  
NU S S A O R S N I P S A C S  
1-1 U Y H R D I E T S I N K C H E R S I N P H

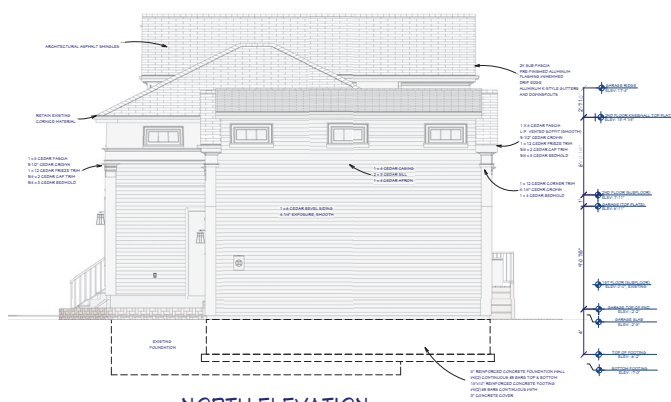
E W U S S A S O  
P M O R S E P H R O  
C E W L A H R I M P H

DE 5:  
REV 1  
NCEIS:  
M24 M-4  
NHSS:  
2

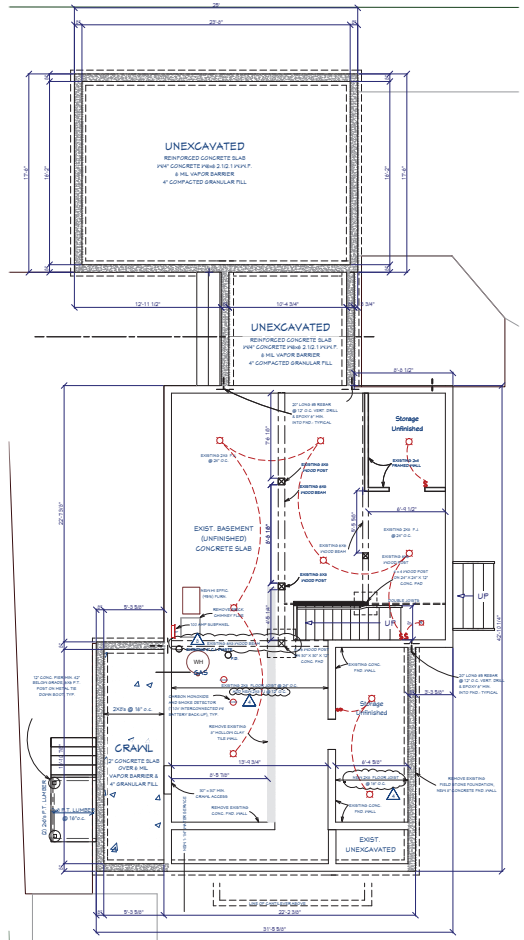
Note: Option 1 has been removed after Historic Commission review



**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



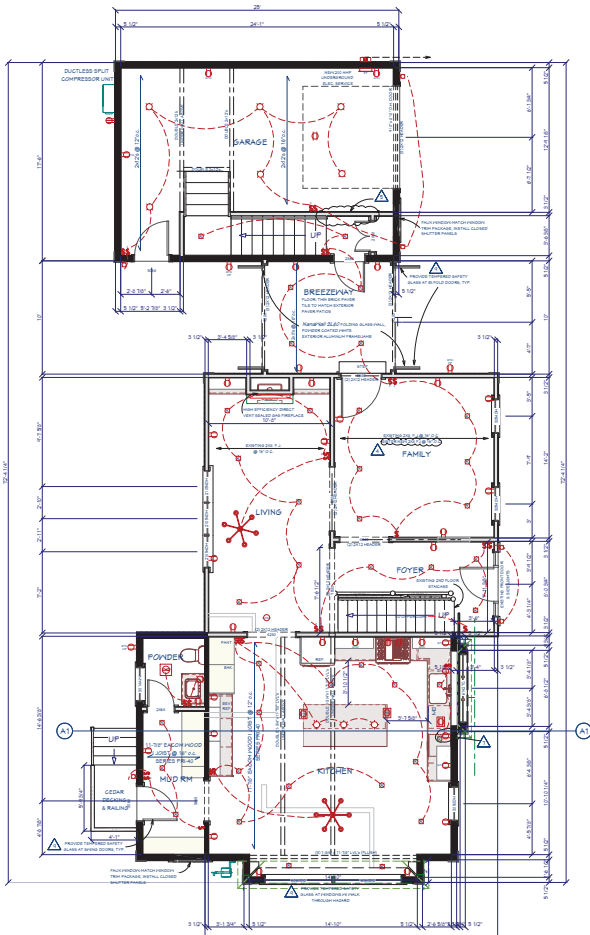
**NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



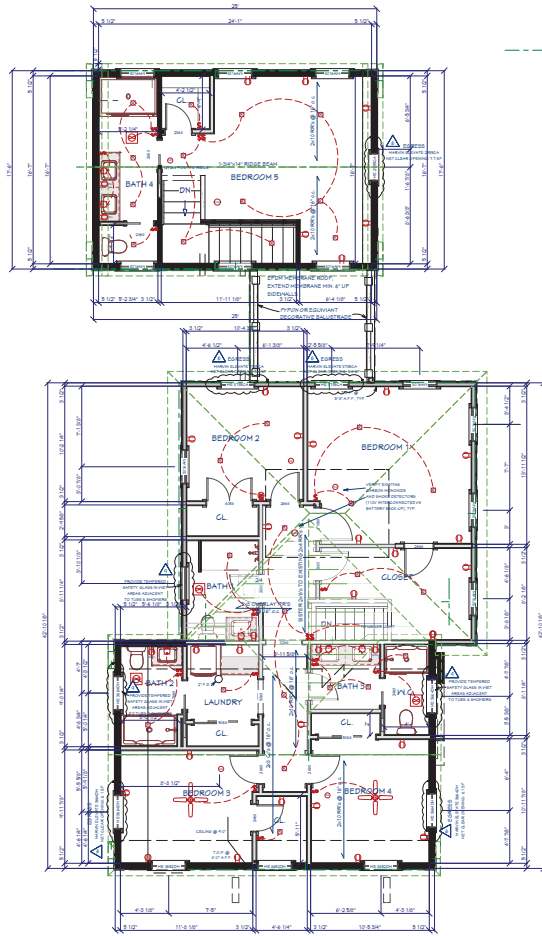
**FOUNDATION CONSTRUCTION PLAN**  
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION	BY	DATE
SHEET TITLE: <b>ELEVATION &amp; ADDITION FOUNDATION CONSTRUCTION PLAN</b>			
PROJECT DESCRIPTION: <b>REMODEL &amp; ADDITION SWEENEY RESIDENCE 303 N THIRD AVE, ST CHARLES, IL</b>			
DRAWINGS PROVIDED BY: <b>MATT SWEENEY 411867 BETH RD CAMPTON HILLS, IL</b>			
DATE: <b>3/13/23</b>			
SCALE: <b>1/4" = 1'-0"</b>			
SHEET: <b>3</b>			

Note: Option 1 has been removed after Historic Commission review



FIRST FLOOR CONSTRUCTION PLAN  
SCALE: 1/4" = 1'-0"



SECOND FLOOR CONSTRUCTION PLAN  
SCALE: 1/4" = 1'-0"

DATE	NO.	DESCRIPTION	BY
	3		MPV
REF: 2014.11.15.001.001 U: 3 F N: 847 P N N S / F O L G : : O : J A U : L S N : O D : / - / A D M I N I S T R Y : A L V A D H I U S E L A B			
NPV: 3 PVV: L G : : O : J ZEG 028A : SHAIN DP 3 RVF 0183SL 78A			
NPV: W / IE / II / LDP&: W E124' E#- 4 LH: : VW <b>4</b>			
EL V A T A O N A 8 E F U A D F O L U C D V S F O R G P O			

**ROOF CONSTRUCTION**  
 ARCHITECTURAL ASPHALT SHINGLES  
 SYNTHETIC UNDERLAYMENT  
 ICE & WATER SHIELD FROM  
 FASCIAGUTTER TO 24" BEYOND  
 EXTERIOR WALL LINE  
 1/2" POLYWOOD SHEATHING  
 2X10 RAFTERS @ 16" O.C.  
 2X6 CEILING JOISTS @ 16" O.C.  
 AIR BATTLE  
 HIGH DENSITY R-49 INSULATION MVVAPOR  
 RETARDER ON WARM SIDE OF INSULATION  
 1/2" DRYWALL TAPED & SANDED

**2ND FLOOR CEILING**  
 1/2" SUB-FASCIA  
 PRE-FINISHED ALUMINUM  
 FLASHING FINISHED  
 DRIP EDGE  
 ALUMINUM K-STYLE GUTTERS  
 AND DOWNSPOUTS

1X CEDAR FASCIA TRIM  
 L.P. VENTED SOFFIT (SMOOTH)  
 5" CEDAR BEDMOLD  
 5/8" CEDAR FREEZE TRIM  
 5/4" CEDAR HEAD TRIM

**2ND FLOOR (SUBFLOOR)**  
 ELEV. 10'-1 1/2"  
**1ST FLOOR (TOP PLATE)**  
 ELEV. 9'-1 1/2"

**WALL CONSTRUCTION**  
 5" BEVELED CEDAR SIDING  
 TYVEK WEATHER RESISTIVE BARRIER  
 1/2" OSB SHEATHING  
 2X8 STUDS @ 16" O.C.  
 HIGH DENSITY R-20 INSULATION MVVAPOR  
 RETARDER ON WARM SIDE OF INSULATION  
 1/2" DRYWALL TAPED & SANDED

**NOTE:**  
 PLANS REPRESENT IECC 2019  
 (TABLE 402.1.2, ZONE 5)  
 COMPLIANCE BY PRESCRIPTION

**1ST FLOOR (SUBFLOOR)**  
 ELEV. 0'-0", ALIGN P/EXISTING

**WALL CONSTRUCTION**  
 DRAINAGE MAT  
 ASPHALT DAMPROOFING  
 3" REINFORCED CONCRETE FOUNDATION WALL  
 6-1/2" POLY-ENCAPSULATED THERMAL  
 FIBERGLASS INSULATION OR EQUAL  
 (2) #5 BARS TOP & BOTTOM

**TOP FOOTING**  
 ELEV. -3'-6 1/2" BELOW 1ST FLOOR  
**BOTTOM FOOTING**  
 ELEV. -6'-4" 1/2"  
 EXISTING BASEMENT SLAB  
 ELEV. -7'-5 5/8" BELOW 1ST FLOOR

**FLOOR CONSTRUCTION**  
 3/4" HARDWOOD FLOORING  
 3/4" T&G OSB DECKING  
 2X12 FLOOR JOISTS @ 16" O.C.  
 PVBRIDGING @ MID-SPAN  
 1/2" DRYWALL TAPED & SANDED

HIGH DENSITY R-21 INSULATION MVVAPOR  
 RETARDER ON WARM SIDE OF INSULATION  
 2X PRESSURE TREATED SILL PLATE W/SILL SEALER  
 1/2" DIA. ANCHOR BOLT @ 48" O.C. & 12"  
 FROM ALL CORNERS AND PLATE ENDS

**FLOOR CONSTRUCTION**  
 REINFORCED CONCRETE SLAB:  
 4" CONCRETE W/ #6 @ 2, 1/2, 1" PL/PL.F.  
 6 MIL VAPOR BARRIER  
 4" COMPACTED GRANULAR FILL

18"x10" CONCRETE FOOTING  
 4" DIAMETER PERIMETER DRAIN TILE (PROVIDE  
 FABRIC SOCK OVER DRAINTILE) W/ 1/2" WASHED  
 GRAVEL BASE AND 12" WASHED GRAVEL COVER

**2ND FLOOR KNEE WALL TOP PLATE**  
 ELEV. 15'-3"

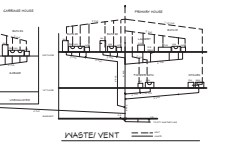
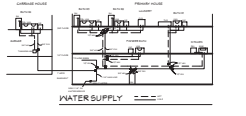
**2ND FLOOR EXISTING**  
 ELEV. 9'-8 1/2"  
**1ST FLOOR CEILING EXISTING**  
 ELEV. 9'-10"

**1ST FLOOR (SUBFLOOR)**  
 ELEV. 0'-0", EXISTING

**PLUMBING FIXTURE UNIT COUNT**

QUANTITY	FIXTURE	UNITS	TOTAL
2	BATHUB	2	0
1	BOWL	1	0
1	CLOTHES WASHER	2	2
1	DISHWASHER	1	1
2	FLOOR DRAIN	0	0
1	KITCHEN SINK	2	2
0	LAUNDRY	3	0
0	LAUNDRY TUB	2	2
0	SHOWER PAN	1	0
0	SHOWER PAN (1.5 GAL)	1	1.5
TOTAL FIXTURE UNITS			10

SUPPLY NEW 1/2" CP WATER SERVICE LINE & 1" METER  
 EXISTING WATER SERVICE LINE 3/4" PB



**BUILDING SECTION**

SCALE: 1/2" = 1'-0"

NO.	DESCRIPTION	BY	DATE

SECTION PLAN

PROJECT DESCRIPTION:  
**REMODEL & ADDITION**  
**SWEENEY RESIDENCE**  
 302 N. THIRD AVE., ST. CHARLES, IL

DRAWING PROVIDED BY:  
**MATT SWEENEY**  
 614 W. 47th BELL RD  
 CAMPTON HILLS, IL

DATE:  
 3/13/23

SCALE:  
 1/4" = 1'-0"

SHEET:  
**1**



EXISTING FRONT ELEVATION



EXISTING LEFT & REAR ELEVATIONS



NanaWall 5L60  
FOLDING GLASS WALL



EXISTING FRONT ENTRY



EXISTING ENTRY AND CORNICE DETAIL

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
SSUPPORTING MATERIAL

PROJECT DESCRIPTION:  
REMODEL & ADDITION  
SWEENEY RESIDENCE  
303 N THIRD AVE, ST CHARLES, IL

DRAWINGS PROVIDED BY:  
MATT SWEENEY  
4118/847 BETH RD  
CAMPTON HILLS, IL

DATE:  
3/13/23

SCALE:  
1/4" = 1'-0"

SHEET:  
6