

ST. CHARLES ZONING BOARD OF APPEALS

VARIATION #: V-1-2017
LOCATION: 1132 S. 4TH STREET

Requested Action: Zoning Variation to reduce the rear yard setback requirement for a detached garaged accessed from an alley from 3 ft. to 0 ft.

Purpose and Scope: The property owner is requesting the Variation in order to allow replacement of the existing detached garage with a new garage in the same location. The existing garage is built on the rear (alley) lot line. However, detached garages are required to be set back 3 ft. from the rear lot line. A Variation is required to permit the new garage to be constructed on the rear lot line, with a 0 ft. setback.

Existing Land Use: Residential

Existing Zoning: RT-2 Traditional Single Family Residential District



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



FOR OFFICE USE
Received <u>5/24/17</u>
File # <u>V-1-2017</u>
Fee Paid \$ <u>300</u>
Receipt <u>976855</u>

APPLICATION FOR A VARIATION

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

Name of Applicant* Daniel + Cynthia Jordan
Phone 847-791-1245 Email Address cindyjordan79@yahoo.com
Address/City/State/Zip 1132 S 4th St., St. Charles, IL 60174
Applicant's interest in the property owner - want to replace garage
Name and Phone of Owner(s) of Record* Daniel + Cynthia Jordan / 847-791-1245

Applicant is (check one) Attorney Agent Owner Other: _____
Owner acquired the property on (date): 5/28/13

ADDRESS, USE & ZONING OF PROPERTY:

Address of Property (attach legal description) 1132 S 4th St., St. Charles, IL 60174 (Plat of Survey attached)
Present Use (commercial, industrial, residential, etc.) residential
Zoning District RT-2
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) Never applied for permit
An Appeal was made with respect to this property? (yes or no) N/A
Appeal Application File Number N/A
Appeal approved? (yes or no) N/A
Appeal Application accompanies this request for variation? (yes or no) N/A

**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 (state specific measurements): Requesting to replace our (22w X 20d) garage with a new garage 22 X 22, in the same location with a 0ft. rear setback.

B. Reason for request: Our garage was originally built on property line. We are asking to build a new garage in the same spot as we cannot move our garage 3ft. from lot line due to a mature tree we love, fence + driveway. We have investigated mudjacking which we are not candidates for due to our foundation being in severely poor shape.

C. Purpose for which property will be used: Keep 2 cars inside, store outdoor furniture, bikes, toys, etc.

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)

Yes - it would be an extreme hardship to move our existing garage 3ft. inward as we have a mature tree that we love that sits along fence + driveway, and we have a fairly newer fence + driveway (7 yrs. ago prior to us buying property). We would be forced to cut down the tree, get a new fence + replace a driveway.

2. Are the conditions upon which the petition for a Variation is based applicable, generally, to other property within the same zoning classification? (Explain)

We believe we have a unique situation with regards to a mature tree being next to fence + driveway, along with our yard already being fenced in + our driveway which would have to be moved over. Most other garages in the neighborhood were built on lot line + many have been updated. Due to our foundation being in a terrible condition -

3. Is the purpose of the Variation based exclusively upon a desire to make more money out of the property? (Explain)

No. Our existing foundation in our garage is in extremely poor condition. We have large, deep cracks in the foundation that run completely across + depth-wise. Our foundation is also sinking in the corners. We trip over the cracks making it unsafe for our family w/ 3 young children. Water also gets into these cracks making it difficult to store anything. Our purpose is to build a new garage with a solid foundation allowing us to park our cars, store items and use the garage the way it was intended.

we are not candidates for an update. We need tear down/ reconstruction.

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

NO - when we purchased this house, the garage was in poor condition and it was our plan to eventually rebuild

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

Absolutely not. Most residents on the corner have garages on the lot line, we'd be building something that looks similar to our home incorporating similar architecture.

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, I think our neighbors would be happy to see a new garage on the corner vs. what we have right now.

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 - our garage has been in this spot since the home was built in 1951. It will look much nicer + if anything would increase property value of surrounding area.

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. Planned
per [signature]
- 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. (NOTE: After the public hearing, you will be billed for the City's fees incurred during review of the application, including the cost of the certified mailing, newspaper notice publication, and Court Reporter at the hearing. This payment is in addition to the filing fee.)

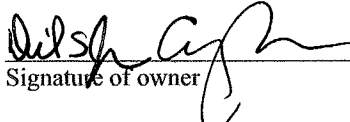
- D. LETTER OF AUTHORIZATION: Letter of authorization from the property owner as to the request for the zoning variation must be included, if the applicant is not the property owner.
- E. DISCLOSURE: Disclosure of beneficiaries of a land trust must be included, if the applicant or owner is a land trust.

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

DANIEL S JORDAN Cynthia L. Jordan 5/23/17
Print name of applicant/agent Date



Signature of owner

DANIELS JORDAN Cynthia L. Jordan 5/23/17
Print name of owner Date



Blue Sky Builders, Inc.

Experts in Garage Construction and Repair

424 Ogden Ave. Downers Grove, IL 60515

Office 630-852-8485 Fax 630-852-0350

FAST PERSONAL SERVICE & TOP QUALITY SINCE 1979

Cindy Jordan
1132 S 4th St.
St Charles, IL 60174

Hi Cindy

As we discussed on site, the existing concrete garage slab is not repairable and should be replaced. Therefore, the garage frame should not be repaired or replaced on the current concrete slab. My estimate is for removing and replacing the slab and building.

Scott Wendell
Blue Sky Builders Inc.
424 Ogden Ave
Downers Grove, IL 60515
630-852-8485



Photo taken from McKinley St. ↑



Mature tree ↑



Plywood added to wall to increase ↑ stability.



paved walking +
← landscaping





Foundation cracks ↑



Cracks go N/S ↑



Cracks go E/W ↑



Wall
being held
up by 2x4
as wall
fell off
foundation
←→



LEGEND

A = ASSUMED	NW = NORTHWEST
BL = BUILDING SETBACK LINE	P.O.B. = POINT OF BEGINNING
C = CALCULATED	P.O.C. = POINT OF COMMENCEMENT
C.E. = CITY EASEMENT	P.U.E. = PUBLIC UTILITY EASEMENT
CH = CHORD	P.U. & D. E. = PUBLIC UTILITY & DRAINAGE EASEMENT
CL = CENTERLINE	
D = DEED	R = RECORD
D.E. = DRAINAGE EASEMENT	RAD = RADIUS
E = EAST	R.O.W. = RIGHT OF WAY
F.I.P. = FOUND IRON PIPE	S = SOUTH
F.I.R. = FOUND IRON ROD	S.I.P. = SET IRON PIPE
FT. = FEET/FOOT	S.I.R. = SET IRON ROD
L = ARC LENGTH	SE = SOUTHEAST
M = MEASURED	SW = SOUTHWEST
N = NORTH	V.E. = VILLAGE EASEMENT
NE = NORTHEAST	W = WEST
	= FENCE
	= EASEMENT LINE
	= SETBACK LINE

AREA OF SURVEY:

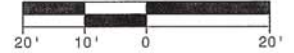
CONTAINING 7,809 SQ. FT., 0.18 ACRES MORE OR LESS

MORRIS ENGINEERING, INC.

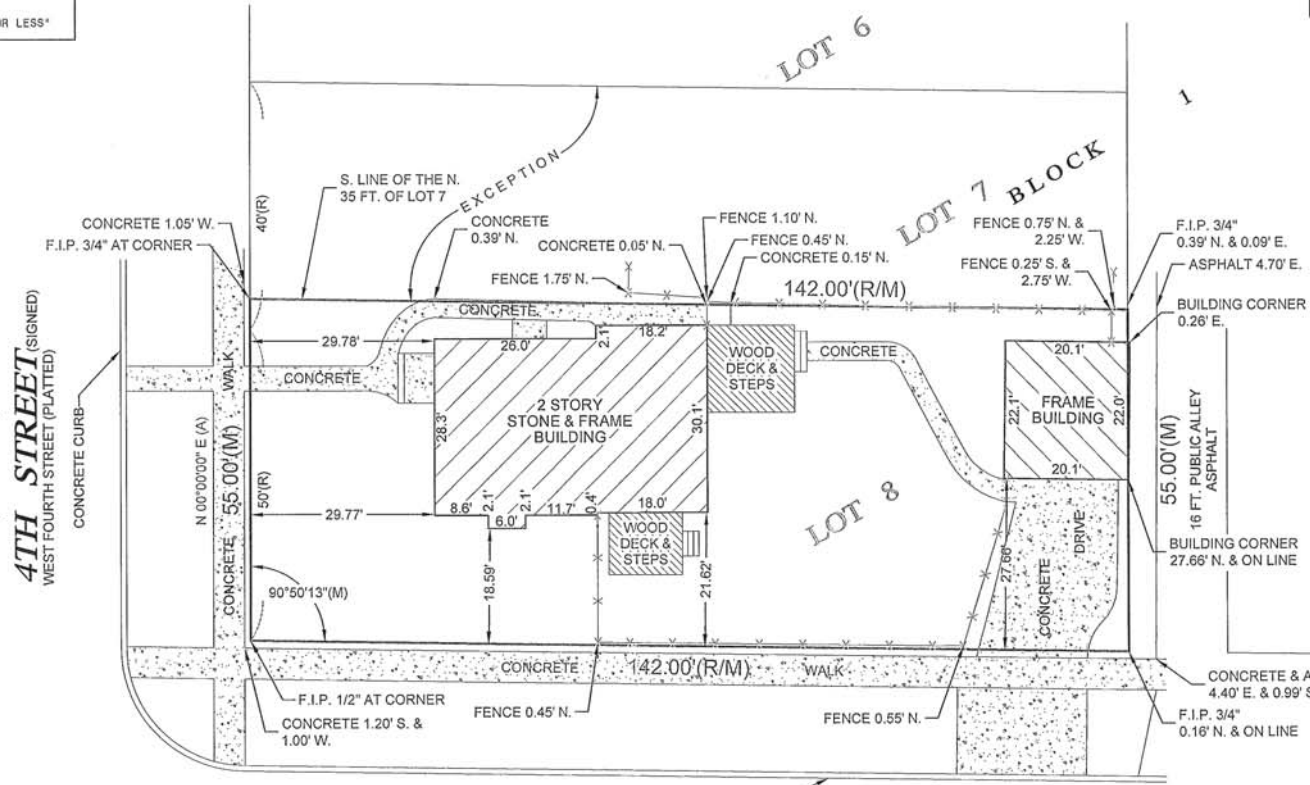
5100 S. LINCOLN LISLE, ILLINOIS 60532
 MAIN PHONE: (630)271-0770 SURVEY DEPT. PHONE (630)271-0599
 EMAIL: SURVEY@ECIVIL.COM WEBSITE: ECIVIL.COM

PLAT OF SURVEY

LOT 7 (EXCEPT THE NORTH 35 FEET) AND ALL OF LOT 8 IN BLOCK 1 OF B. CIMAGLIOS RESUBDIVISION OF PART OF FAIRFIELD ADDITION AND PART OF LOT "D" IN COUNTY CLERK'S ASSESSMENT DIVISION, ALL IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 24, 1926 IN BOOK 25 OF PLATS, PAGE 33 AS DOCUMENT 279313, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.



BASIS OF BEARING:
 EAST LINE OF 4TH STREET AS FOUND
 MONUMENTED AND OCCUPIED PER RECORD
 SUBDIVISION PLAT.
 N 00°00'00" E (A)



STATE OF ILLINOIS
 COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 30TH DAY OF MAY, A.D., 2013, AT LISLE, ILLINOIS.

Robert J. Slender

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2181
 LICENSE EXPIRATION DATE NOVEMBER 30, 2014
 ILLINOIS BUSINESS REGISTRATION NO. 184-001245

McKINLEY STREET (60 FT. R.O.W.)

- NOTE:
- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
 - ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.

ADDRESS COMMONLY KNOWN AS 1132 S. 4TH STREET
 ST. CHARLES, ILLINOIS

CLIENT LAW OFFICES OF ELSIE DORTA-DEAN, P.C.
 JOB NO. 13-05-012B
 FIELDWORK DATE./CREW CHIEF 05-30-13 (CS/TS)
 DRAWN BY: JB REVISED: