]				ATION COMMISSION CCUTIVE SUMMARY		
	Agenda Item Title/Address:	Varianc	e Rec	comr	nendation: 303 N 3 rd Ave		
	Significance:	Contribu	ting				
S R K	Petitioner:	Matthew	v & Bernadette Sweeney				
CITY OF	Project Type:	Resident	ial				
ST. CHARLESILLINOIS • 1834PUBLIC HEARING		ARING			MEETING 4/19/23	X	
Agenda Item Ca	itegory:						
Preliminary R	Review			Gra	nt		
Certificate of Appropriateness (COA)			Other Commission Business				
Landmark/District Designation		Х	Commission Business				
Attached Docum	Attached Documents:			litio	nal Requested Documents:		
Variance Applicatio Designs, Architectur		Building					
	•						

Project Description:

Matthew & Bernadette Sweeney, the applicants, are requesting to add a garage and addition to the property.

Construction of the proposed additions will require a variation to two requirements:

- 1. Reduce the rear yard setback from 30ft. to 7.3ft
- 2. Allow 34.44% of building coverage (9.44% over the maximum allowed 25%) for an additional 472sf

The formal Zoning Variation application has been forwarded for the Commission to make a recommendation to the Zoning Board of Appeals.

Per the Zoning Ordinance, the Commission's recommendation is to address the potential impact of the variation on the historic resources of the City, particularly with regard to designated landmarks and historic districts directly affected. Drainage and safety comments are outside of the scope of review for the Historic Commission.

Preliminary floor plans and elevations have been provided. The Historic Commission has already worked with the applicant on the design.

Staff Comments:

Note: Applicants intend to present two options for the connection to the garage. One is a breezeway with doors and the other is more of an enclosed structure.

The Commission's recommendation should provide specific examples of how the project does or does not affect the surrounding structures in terms of architectural design.

Recommendation / Suggested Action:

• Provide comments and a recommendation to the Zoning Board of Appeals regarding the variation.

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

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

Name of Applicant* <u>MATTHEW & BEENADETTE SWEENEY</u> Phone <u>630-930-7880</u> Address/City/State/Zip <u>303 N. 3^{ED} AVR</u> , <u>ST ENARLES</u> <u>CO174</u> Applicant's interest in the property <u>OWNER</u> Name and Phone of Owner(s) of Record* <u>630-930-7880</u>
Applicant is (check one) Attorney Agent \checkmark Owner Other: Owner acquired the property on (date): $6/15/2.2$ \bigcirc Owner \bigcirc Other:
ADDRESS, USE & ZONING OF PROPERTY:
Address of Property (attach legal description) $3 \circ 3 \ N \ 3^{20} \ A \cup E \ OUGINAL TOWN OF ST CHARLES Present Use (commercial, industrial, residential, etc.) 2 \varepsilon_{SIOENTIAL} LOTE BLOCK 3Zoning District PT-4$
To your knowledge, have any previous applications for variations been filed in connection with this property? \underline{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): <u>Builoing Setbacks</u> <u>z</u> LOT COVERAGE
B.	Reason for request: <u>CONSTRUCTION</u> OF DETACHED GARAGE - BREEZEWAY
C.	Purpose for which property will be used: PRIMARY ZESISENCE

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 & DETMENED GARAGE ARE NON-CONFORMING WITH ENDRERS ZONING CODE. THE ONGINAL PLACEMENT AND ONE ONFORMING WITH ENDRERS THE LOT PRECLIDE ANY IMPROVEMENT OF ADDITION TO THE STRUCTURES TH UNDERTION OF SETBACE AND LOT CONFLACE ALLOWS FOR A HISTORICANCY AREOPRIATE BETACHED GARAGE & BLEEZEWAY
- 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 PAIMARY RESIDENCE

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

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 COMMISION, THE VALIATION ALLOWS CONSTRUCTION	CF
6.	A HISTORICALLY APPROPRIATE DETACHED GARAGE. 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)

Na		

ATTACHMENTS REQUIRED:

- A. <u>PLAT OF SURVEY:</u> 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. <u>MAILING LIST:</u> 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. <u>FILING FEE:</u> 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. <u>REIMBURSEMENT OF FEES AGREEMENT:</u> 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:

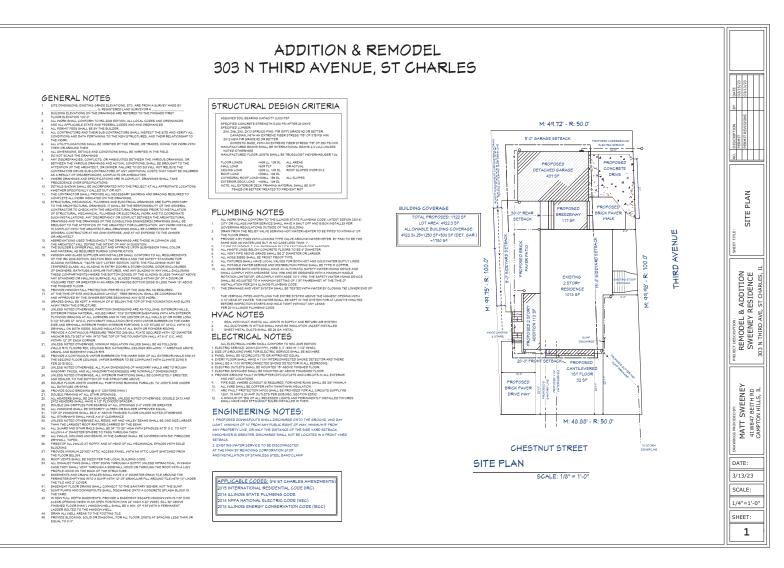
- Location of the property, due to the number of surrounding property owners and resulting number of certified letters that will be sent.
- Length of the newspaper notice publication which is based on the legal description of the property.
- Length and number of public hearings, which effect the cost 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 DEPOST: 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.

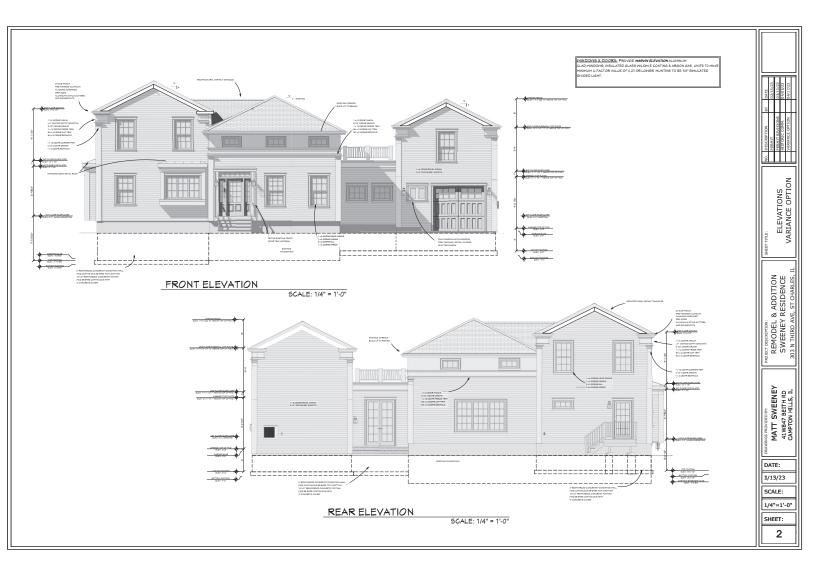
I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

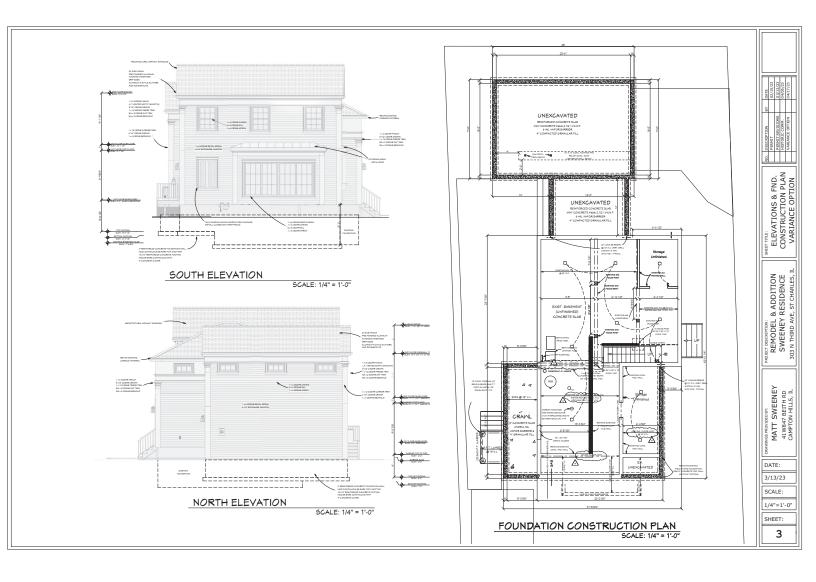
signature of Applicant or agent

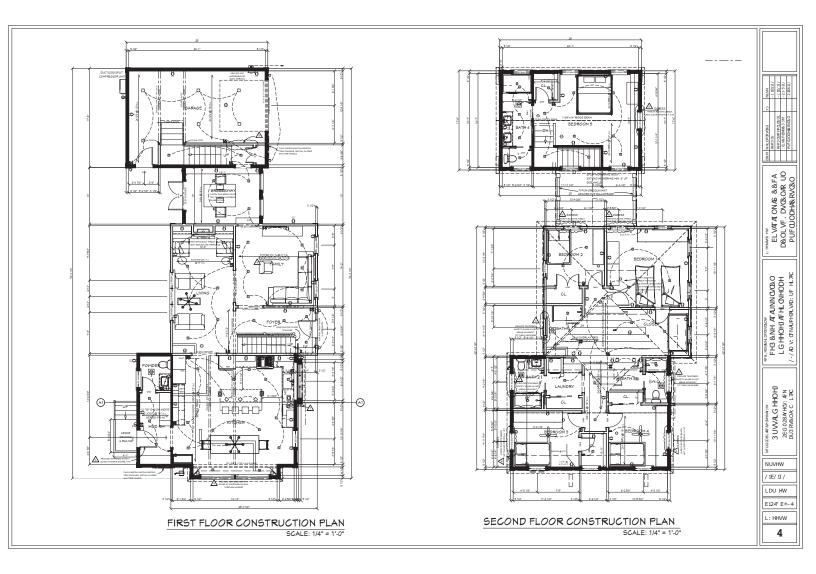
ure of owner Bernadette

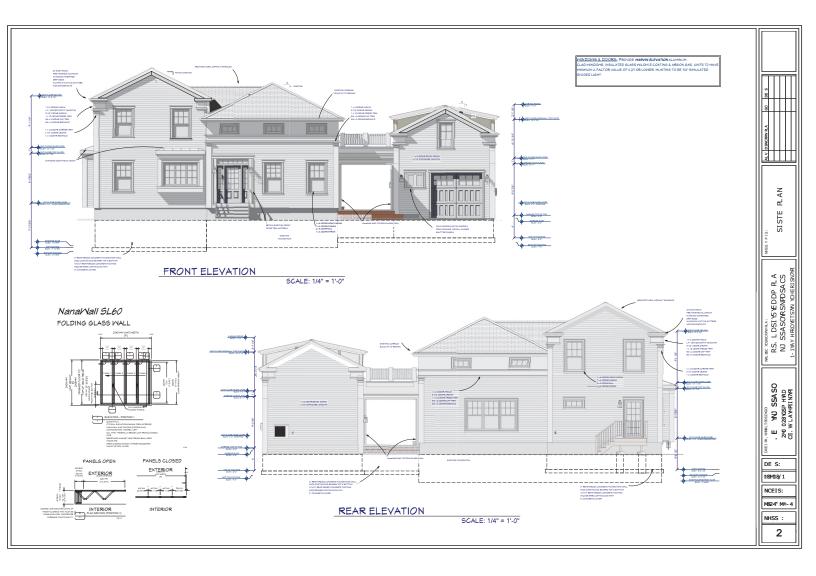
MATTHEW SWEENEY Print name of owner = BERNAPETTE SWEENEY = BERNAPETTE SWEENEY

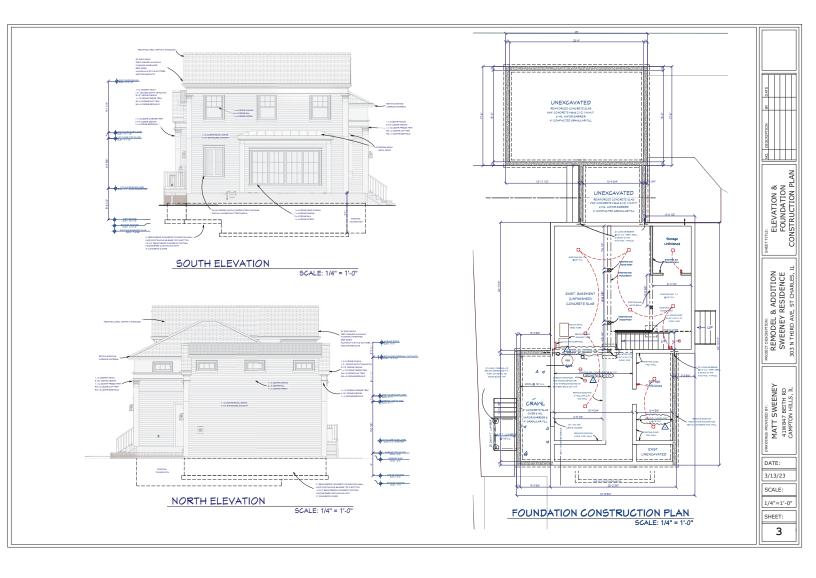




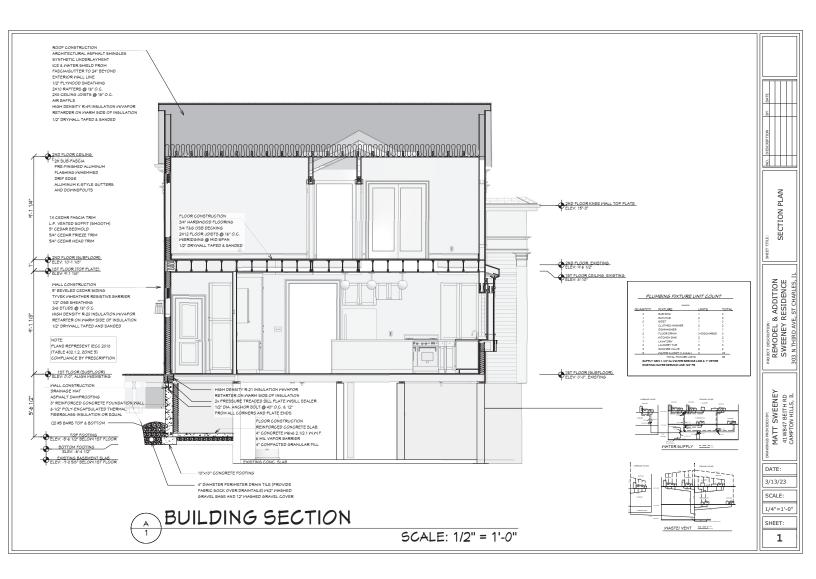


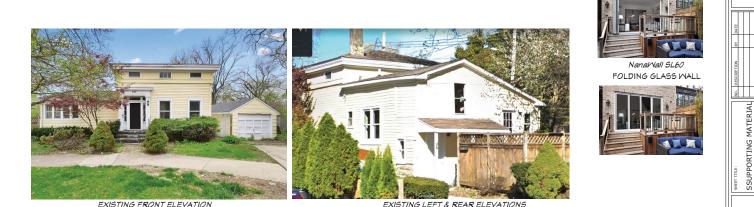












EXISTING FRONT ELEVATION

EXISTING LEFT & REAR ELEVATIONS



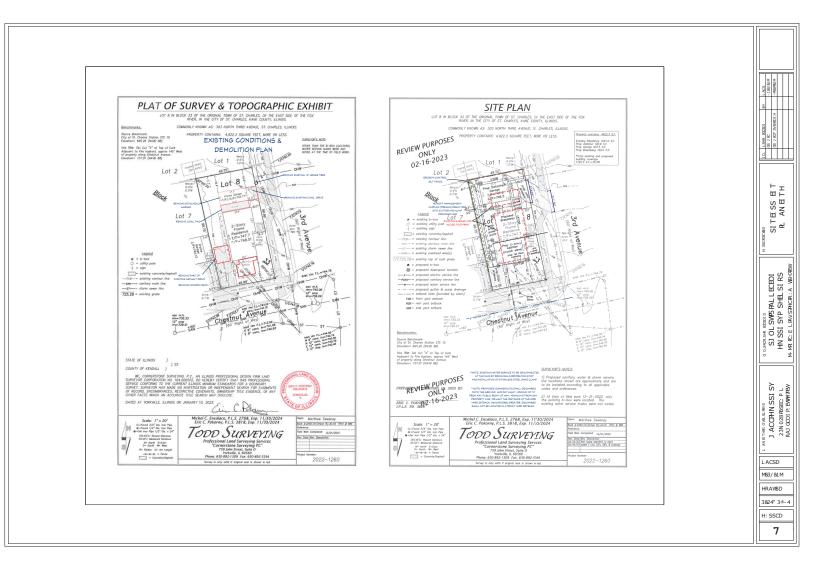
EXISTING FRONT ENTRY



EXISTING ENTRY AND CORNICE DETAIL

DESCRIPTION					
NO.					
SHEET TITLE:		COLIDDOTING MATERIAL			
PROJECT DESCRIPTION:	DEMODEL 0. ADDITION		SWEENEY RESIDENCE		303 N THIRD AVE, ST CHARLES, IL
DRAWINGS PROVIDED BY:	MATT CMEENEV		41W847 BEITH RD	CAMPTON HTLLS T	CONTRACTOR INTEGA IN
D	AT	E			
3,	/1:	3/:	23		
s	CA	LE	:		
1,	/4'	_	_	0'	'
s	HE	E	г:		

6





ARCHITECTURAL SURVEY ST. CHARLES CENTRAL DISTRICT ST. CHARLES, ILLINOIS

ST. CHARLES HISTORIC PRESERVATION COMMISSION

DIXON ASSOCIATES / ARCHITECTS

ARCHITECTURAL I	NTE	GRI	TY	BUILDING	CONDITION
	1	2	3	🖂 Excellent: 🕅	Well-maintained
□ Unaltered				Good: Min	or maintenance needed
Minor Alteration	\boxtimes	\boxtimes	\boxtimes	☐ Fair: Major	r repairs needed
☐ Major Alteration				Poor: Deter	-
 ☑ Additions Sensitive to original Insensitive to original first floor; 2: upper floors ARCHITECTURAL SIGN Significant Contributing Non-Contributing 	l 🖂 s; 3: roo			Style: Greek Revival Date of Construction: 1 Source: A Field Guide to Features: Low pitched hip roof. Fri	American Houses eze-band windows. Classical ansom lights at front door.
	the	H			Address:
					303 North 3rd Avenue Representation in Existing Surveys: Federal State County Local Block No. 24 Building No. 5



ARCHITECTURAL SURVEY ST. CHARLES CENTRAL DISTRICT ST. CHARLES, ILLINOIS

ST. CHARLES HISTORIC PRESERVATION COMMISSION

DIXON ASSOCIATES / ARCHITECTS

CONTINUATION SHEET NO: 1

		Address: 303 North 3rd Avenue Remarks: South Elevation.
ROLL NO. 4	NEGATIVE NO. 25	Block No. 24 Building No.5
		Address: Remarks: Block No.