



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title: Zoning Board of Appeals
Variation Application V-2-2012

Presenter: Robert J. Vann

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input checked="" type="checkbox"/>	City Council (03.05.2012)
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:	\$	Budgeted:	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

Executive Summary:

Mr. Alex Tiepel, with Architectural Resources LLC, 427 West State Street, Geneva, IL 60134, submitted Variation Application **V-2-2012** for subject vacant lot on South 14th Street in the City of St. Charles. The owner of the subject property is Beverly Staton, and the agent is Kevin Staton, 97 East Richard, Oswego IL, 60543. The application is a request for variation from the provisions of the Zoning Ordinance with this Board for landscape buffer setback variation for the installation of off-street parking stalls

Attachments: *(please list)*

Variation Application V-2-2012

Recommendation / Suggested Action *(briefly explain):*

Recommendation to refer Variation Application V-2-2012 for the vacant lot on South 14th Street to the St. Charles Zoning Board of Appeals for their review and decision at their March 22, 2012 meeting.

For office use only:

Agenda Item Number: IB

CITY OF ST. CHARLES

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

RECEIVED
FEB 23 2012

Building & Code Enforcement
St. Charles, IL

FOR OFFICE USE	
Received	<u>2-27-2012</u>
File #	<u>V-2-2012</u>
Fee Paid \$	<u>300.00</u>
Receipt	<u>070227</u>

APPLICATION FOR A VARIATION

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

Name of Applicant* Kevin Staton Phone 630-674-6951
 Address/City/State/Zip 97 E. Richard, Oswego, IL 60543
 Applicant's interest in the property Developer
 Name and Phone of Owner(s) of Record* Beverly Staton 630-674-6951

Applicant is (check one) Attorney Agent Owner Other: _____
 Owner acquired the property on (date): ~~unknown~~ November 30, 2011 per Mr. Tread 3/1/2012

ADDRESS, USE & ZONING OF PROPERTY:

Address of Property (attach legal description) per Mr. Triple 3/1/2012 ~~South 14th Street, St. Charles, IL~~
 Present Use (commercial, industrial, residential, etc.) vacant
 Zoning District RM-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) No
 An Appeal was made with respect to this property? (yes or no) 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 (state specific measurements) A reduction of the 30' landscape buffer between RM-3 and RT-2 districts to 12'-1" to the north & 16'-8" to the south. A reduction of 17'-10" and 13'-4" respectively See attached 3A
- B. Reason for request to provide adequate parking, per the Zoning Ordinance, for the proposed apartment development
- C. Explanation of purpose for which property will be used To provide nine apartments

ACTION BY APPLICANT ON PROPERTY:

- A. What physical characteristics would prevent the property from being used in conformity with the requirements of the zoning ordinance? The property dimensions, it is almost square, do not allow for the building and it's required parking within the setbacks, landscape buffer, prescribed by Code
- B. Are the conditions stated above applicable to other properties within the same zoning classification? (explain) Yes, all properties to the north and south that face 14th Street do not have the prescribed landscape buffer
- C. Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain) the variance is required to provide Code compliant parking for the 9 apartments.
- D. Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain) No the hardship is a result of the property dimensions which were established prior to 1920 and Zoning restrictions placed on the parcel at later dates.
- E. Based on your answers to the preceding questions, check the box that you believe most accurately states your position with regard to the property if the property is permitted to be used only under the conditions allowed by regulations in the zoning district. Explain the basis for your answer:
- Cannot yield a reasonable return _____
- Is greatly reduced in value _____
- The owner is deprived of all reasonable use of the property due to the reduced number of parking spaces he would be able to provide

HARMONY WITH GENERAL PURPOSE AND INTENT:

- A. Will the proposed variation alter the essential character of the property? (explain) No All of the properties west of the alley provide no landscape buffer to the properties east of the alley. Our proposed development would in fact, be an improvement over the existing conditions and enhance the neighborhood

Commencing at a point 12-feet 2-inches west and 6-feet south of the northeast lot corner heading in a southerly direction for a distance of 20-feet to allow a 17-foot 10-inch landscape buffer setback variation for the installation of off-street parking stalls, and commencing at a point approximately 16-feet 6-inches west and 50-feet south of the northeast lot corner heading in a southerly direction for a distance of 86-feet to allow 13-feet 4-inch landscape buffer setback variation for the installation of off-street parking stalls.

- 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. We will provide landscape buffers of 12' to the north and 16'-8" at the center and south. This is more than any other property west of the alley.
- 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 requested variance will not affect light and air supplies to adjacent properties or increase the danger of fire or otherwise endanger public safety. Nor will it diminish or impair property values in the neighborhood.

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, 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. 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.

Kevin Staton
Signature of Applicant or agent

Kevin Staton
Print name of applicant/agent

2/22/12
Date

Beverly Staton
Signature of owner

Beverly Staton
Print name of owner

2/22/12
Date

MAILING LIST

Tax Permanent Parcel No.	Name of Registered Owner	Mailing Address
09-33-126-009	United States Postal Service	c/o David Devaney Real Estate Specialist 222 S. Riverside Plaza – Suite #1200 Chicago, IL 60606-6150
09-33-126-010	St. Charles Place Properties LLC, Vijay Kumar Gupta	Vijay Kumar Gupta 03 N 982 Walt Whitman Rd St. Charles, IL 60175
09-33-126-017	VSC Property, LLC	Henry G. Funk P.O. Box 582 St. Charles, IL 60174
09-33-126-022	VSC Property, LLC	Henry G. Funk P.O. Box 582 St. Charles, IL 60174
09-33-127-010	VanDenBossche, John B & Guinevere M. TR, Trustees	11 S. Thirteenth Street St. Charles, IL 60174
09-33-127-011	Van Broeck, E J TR #0221951 & B A TR #0221952	17 S. 13 th Street St. Charles, IL 60174
09-33-127-012	Thomas Schlegel	21 S. 13 th Street St. Charles, IL 60174-2502
09-33-127-013	Charles E. Baehr	25 S. Thirteenth Street St. Charles, IL 60174
09-33-127-014	No Parcel Found	
09-33-127-015	Lee Dun LLC	708 Somonauk Street Sycamore, IL 60178
09-33-127-016	American National Bank c/o Richard E. Hrdlicka	360 Denton Ln South Elgin, IL 60177
09-33-128-001	Castle Bank NA	141 W. Lincoln Hwy DeKalb, IL 60115-3609
09-33-128-009	Bernard J. Zahuranec	101 S. Thirteenth Street St. Charles, IL 60174
09-33-128-010	Eric Evanson	103 S. Thirteenth Street St. Charles, IL 60174
09-33-128-011	Terry R. & Heidi J. Jensen	115 South Thirteenth Street St. Charles, IL 60174
09-33-128-012	Richard W. & Elizabeth A. Opperman	117 South 13 th Street St. Charles, IL 60174

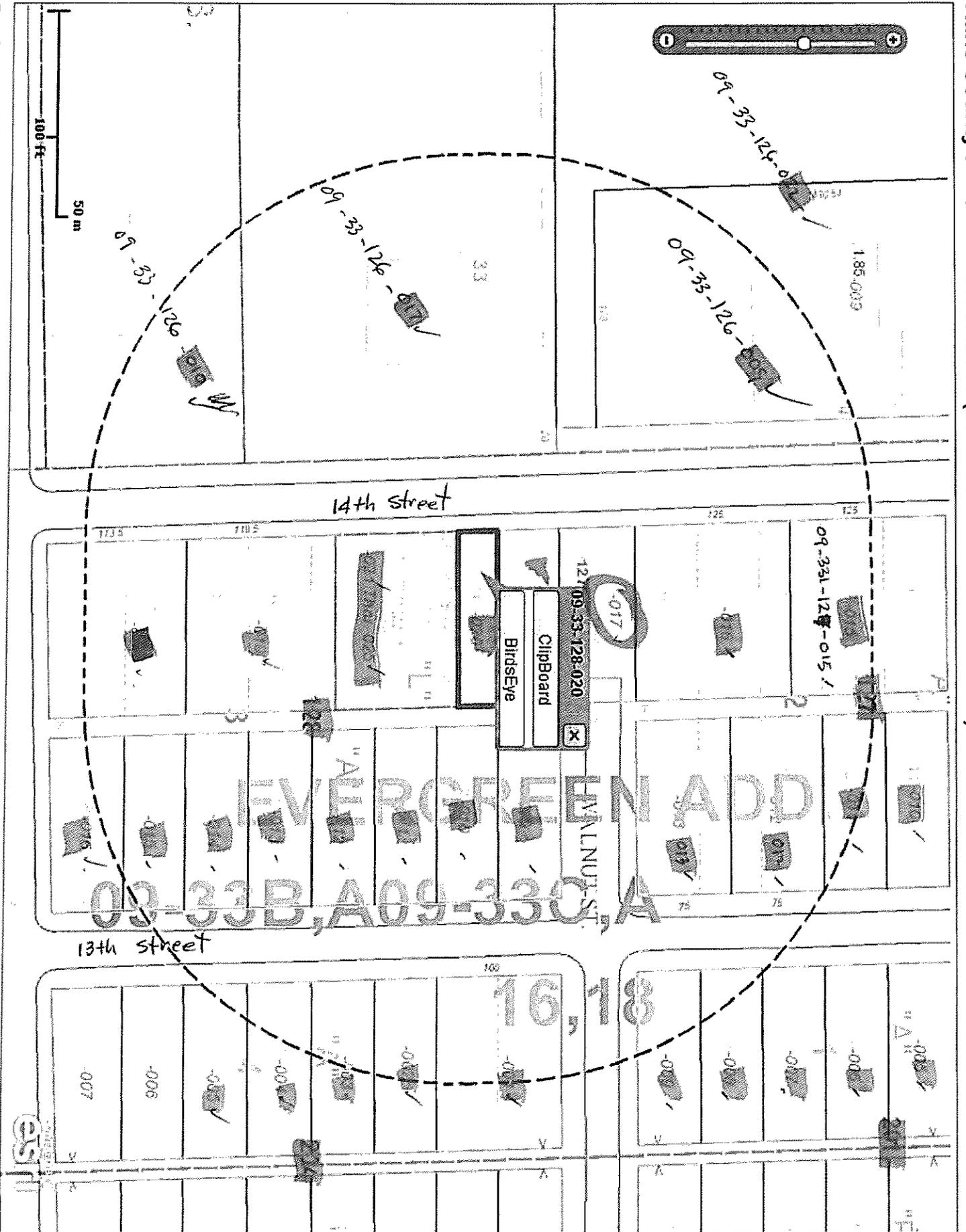
Tax Permanent Parcel No.	Name of Registered Owner	Mailing Address
09-33-128-013	Dena J. Lepenske	39 W 876 Alcott Ln St. Charles, IL 60175
09-33-128-014	Charles W. JR & Lindal Pyle	121 South 13 th Street St. Charles, IL 60174
09-33-128-015	Aaron E. Jr & Nancy R Baker	123 South 13 th Street St. Charles, IL 60174
09-33-128-016	Aaron E. Jr & Nancy R Baker	800 E. Micheltorena Santa Barbara, CA 93103
09-33-128-017	Patricia A. Stegall	815 Rte. 31 Oswego, IL 60543
09-33-128-018	No Parcel Found	
09-33-128-019	Scott Dixon & Warren Wolschlager DW II LLC	761 N. Seventeenth Street Unit 11 #229 St. Charles, IL 60174
09-33-128-020	Castle Bank NA	141 W. Lincoln Hwy DeKalb, IL 60115-3609
09-33-128-021	Michael J. Herr	102 S. Fourteenth Street St. Charles, IL 60174
09-33-128-022	Roman I. Kushyna & Beatak Dziduch	104 S. Fourteenth Street St. Charles, IL 60174
09-33-128-023	Lisa Ann Feltz	106 S. 14 th Street St. Charles, IL 60174
09-33-128-024	Megan Sager	108 S. Fourteenth Street St. Charles, IL 60174
09-33-128-025	James C. Capparelli	110 S. Fourteenth Street St. Charles, IL 60174
09-33-201-005	Christian & Tracie Cruver	14 S. Thirteenth Street St. Charles, IL 60174
09-33-201-006	Daniel C. & Lauren A. Hoyt	18 S. Thirteenth Street St. Charles, IL 60174
09-33-201-007	Brian K & Donnal Le Duc	22 South 13 th Street St. Charles, IL 60174
09-33-201-008	Aaron S. Conlon	26 S. 13 th Street St. Charles, IL 60174
09-33-201-009	Mary Lou Francis	36 S. Thirteenth Street St. Charles, IL 60174
09-33-204-001	Munoz, Madeline A Trust	102 S. Thirteenth Street St. Charles, IL 60174

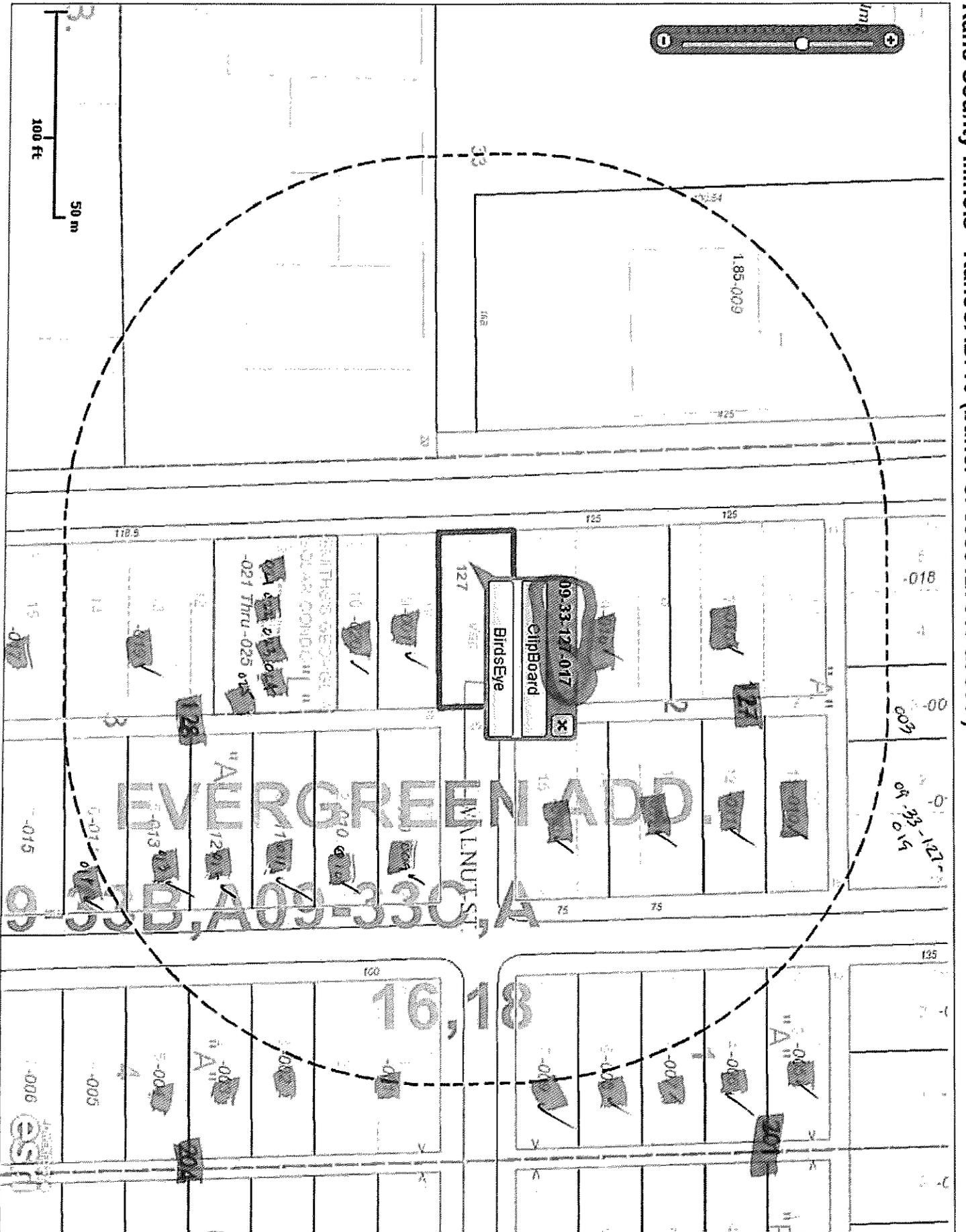
Tax Permanent Parcel No.	Name of Registered Owner	Mailing Address
09-33-204-002	Eunice G. Heal	112 S. Thirteenth Street St. Charles, IL 60174
09-33-204-003	Terrence M. Heffron	116 South 13 th Street St. Charles, IL 60174
09-33-204-004	Ronald M & Sandral Ciran	40 W 175 Deer Run Drive St. Charles, IL 60175
09-33-204-005	Tina Ann Biancalana	120 S. Thirteenth Street St. Charles, IL 60184

Additional Mailing

	Beverly Staton	97 E Richard Oswego IL 60543
	Kevin Staton	“ “
	Alex Teipel	427 E State St Geneva IL 60134
09.33.127.018	David & Julieanne Lundeen	1315 W Main St
09.33.127.019	Richard Baginski	1303 W Main St
09.33.126.015	VSC Property/Henry Funk	PO BOX 582 St. Charles
09.33.204.006	Florence Shapiro	124 S 13 th St
09.33.204.007	North Star Bk Tr HSC 25918	126 S 13 th St
	Jane Butler	

KaneCADr10

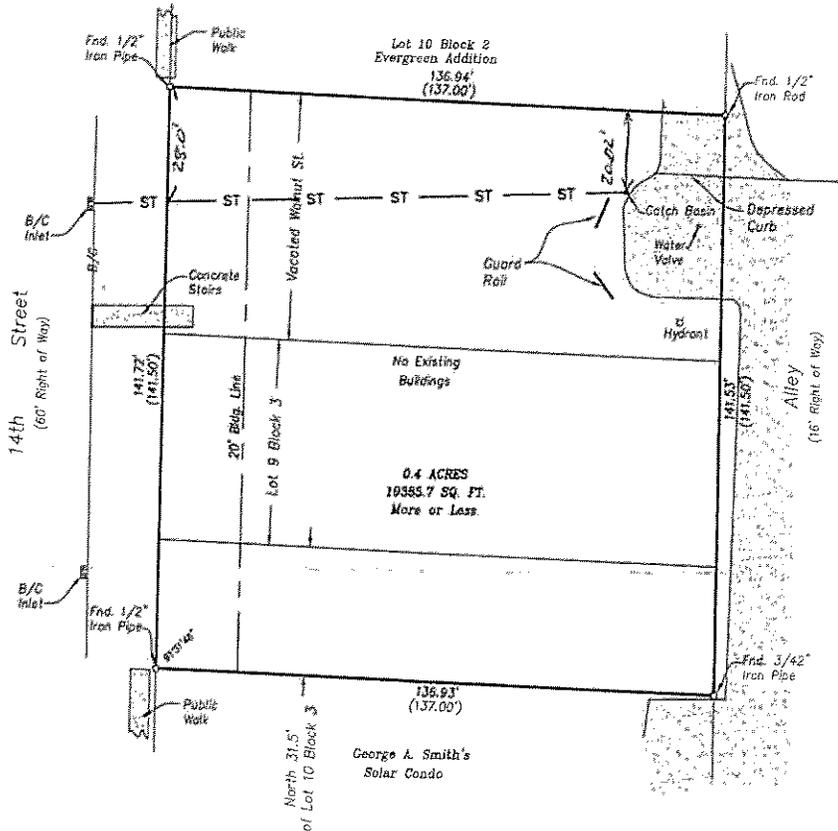




PLAT OF SURVEY

LOT 9 AND THE NORTH 31.5 FEET OF LOT 10 IN BLOCK 3 OF EVERGREEN ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS, AND ALSO THAT PART OF WALNUT STREET AS SHOWN ON THE PLAT OF EVERGREEN ADDITION TO ST. CHARLES, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 10 OF BLOCK 2 OF EVERGREEN ADDITION TO ST. CHARLES; THENCE 137 FEET WESTERLY TO THE SOUTHWESTERLY CORNER OF LOT 10; THENCE 60 FEET SOUTHERLY TO THE NORTHWESTERLY CORNER OF LOT 9 IN BLOCK 3 OF EVERGREEN ADDITION TO ST. CHARLES; THENCE 137 FEET EASTERLY TO THE NORTHEASTERLY CORNER OF LOT 9; THENCE 60 FEET NORTHERLY TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

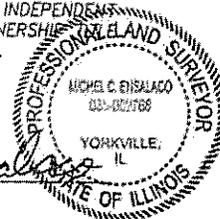
COMMONLY KNOWN AS 20 S. 14TH STREET, ST. CHARLES, ILLINOIS.



STATE OF ILLINOIS)
) SS
 COUNTY OF KENDALL)

I, MICHEL C. ENSALACO, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2768, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT YORKVILLE, ILLINOIS ON NOVEMBER 12, 2011.



Michel C. Ensalaco

1" = 30'

SCALE 1" = 30'

○ FOUND 3/4" DIA. IRON PIPE UNLESS OTHERWISE NOTED
 ● SET IRON PIPE 1/2" DIA x 24"

N = NORTH E = EAST
 S = SOUTH W = WEST

(XX.XX)' = RECORD DISTANCE
 XX.XX' = MEASURED DISTANCE

CONCRETE/ASPHALT

MICHEL C. ENSALACO P.L.S. 2768 EXP. 11/30/2012

TODD SURVEYING

PROFESSIONAL LAND SURVEYING SERVICES

SITE SURVEYING, INC
 1304 SUNSET AVENUE, SUITE E
 YORKVILLE, ILLINOIS 62458
 PHONE 630-892-1309 FAX 630-892-6644

Survey is valid only if original seal is shown in red.

Client: KEVIN STANTON	
Book #: 2125	Dwg. Size: S
Drawn By: SK	Plat #: 2161
Reference:	
Field Work Completed: 11-11-11	
Rev. Date	Rev. Description
Project Number:	
2011-0728	

14th STREET

30' SETBACK LINE PER CURRENT ZONING ORDINANCE

9 UNIT MULTI FAMILY BUILDING
3 UNITS @ 1,124 SF/FLOOR
3,578 SF FOOTPRINT
10,682 SF BLDG AREA

30' SETBACK LINE PER CURRENT ZONING ORDINANCE

30' SETBACK LINE

SITE PLAN
SCALE: 1" = 30'



RM-3 ZONING DATA

Lot Area = 19,415 sq. ft.
Maximum Lot Coverage = 40% = 7,766 sq. ft.
Building Footprint = 3,564 sq. ft.

Set Backs
Front 25'
Side 25'
Rear 30'

10 PARKING SPACES

WALNUT STREET

ARCHITECTURAL RESOURCES, LLC
W. Alex Teipel - Architect
427 West State Street
Geneva, Illinois 60134
(630) 232-1774



I hereby certify that these plans were prepared under my supervision and to the best of my knowledge they comply with the building ordinances, zoning ordinances and all other applicable codes and ordinances including the Illinois Assembly Code and ASCE 2317.1-1984.

Site Plan
14th Street Property
Kevin Stanton
Geneva, Illinois
Date: 02/27/11
Scale: AS NOTED
Drawn: W.A.T.
File: 11-2012
Sheet
Site 1
Of 1 Sheets