

CITY OF ST. CHARLES

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

RECEIVED
St. Charles, IL

DEC - 3 2013

CDD
Planning Division

FOR OFFICE USE
Received 12/3/2013
File # V-1-2014
Fee Paid \$ 300.00
Receipt 6980085

APPLICATION FOR A VARIATION

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

jrshap@gmail.com

Name of Applicant* John and Karen Shap Phone 630-440-6171
Address/City/State/Zip 2917 Glenbriar Drive
Applicant's interest in the property Owner
Name and Phone of Owner(s) of Record* Same

Applicant is (check one) Attorney Agent X Owner Other:
Owner acquired the property on (date): May 12, 2006

ADDRESS, USE & ZONING OF PROPERTY:

Address of Property (attach legal description) 1044 North Second Avenue
Present Use (commercial, industrial, residential, etc.) residential
Zoning District RS-1
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 NA
Appeal approved? (yes or no) NA
Appeal Application accompanies this request for variation? (yes or no) 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) _____
Total lot is 35,002.90 square feet. Request is to divide into 2 parcels. Lot 1 would be in compliance with approximately 18,511 square feet. Lot 2 would be 16,491 square feet or approximately 92% of 18,000 square feet specified for RS-1 property and within the 90% required for consideration of variance. _____
- B. Reason for request Lot has been for sale for several years and is only attractive to potential buyers at a much lower price than we paid in 2006. We believe 2 parcels at much lower prices will be more consistent with current market conditions. _____
- C. Explanation of purpose for which property will be used To construct 2 single family homes. _____

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 lot is 35,002.9 sq. ft. Zone RS-1 requires 18,000 sq. ft. However, the lot is eligible for variance as proposed lots would each be 17,501 sq. ft. or over 97% of code. _____
- B. Are the conditions stated above applicable to other properties within the same zoning classification? (explain) We believe so. _____
- C. Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain) No. We have been trying to sell the lot for several years, but would have to do so at a significant loss based upon declining home values if sold as a single lot. _____
- D. Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain) No. _____
- 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 We purchased the lot in 2006 for \$525,000. It has been on the market for 3+ years with no offers. We believe dividing into 2 will present a better option for potential buyers. _____
 - The owner is deprived of all reasonable use of the property _____

HARMONY WITH GENERAL PURPOSE AND INTENT:

- A. Will the proposed variation alter the essential character of the property? (explain) _____
No, we don't believe so. Other lots in the area are of similar size as the proposed 2 lots. _____

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.

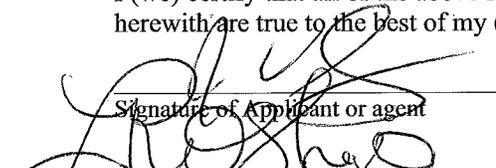
C. Will the proposed variation(s) impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood? (explain)

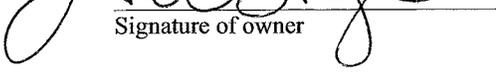
No.

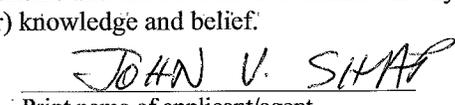
ATTACHMENTS REQUIRED:

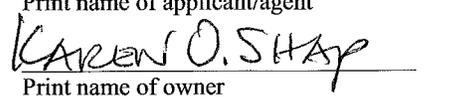
- A. One (1) copy of a plat of survey or plot plan (to scale) of the property showing dimensions of all lot lines, existing and proposed structures and distances from lot lines, easements and adjoining streets or uses.
- B. A written certified list containing the registered owners, their mailing addresses 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.


 Signature of Applicant or agent


 Signature of owner


 Print name of applicant/agent


 Print name of owner

12/3/13
 Date

12/3/13
 Date

PLAT OF SURVEY

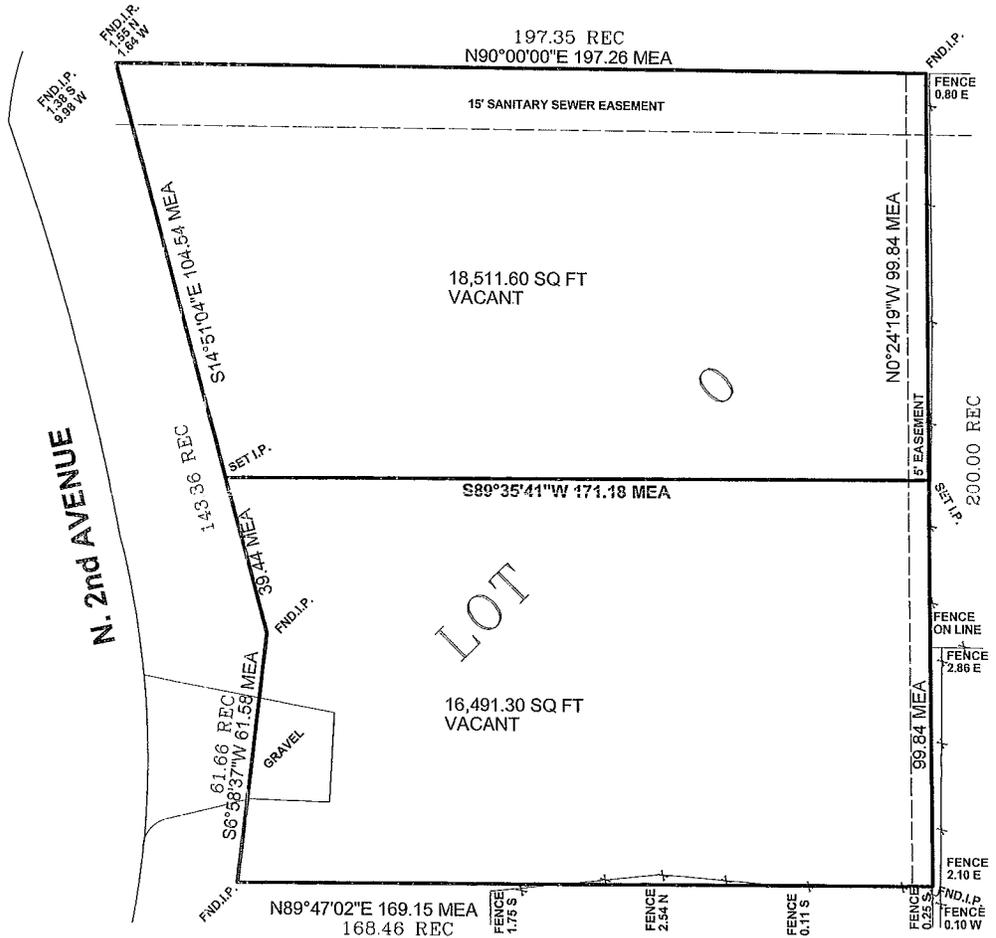
DALE FLOYD LAND SURVEYING L.L.C.

2600 KESLINGER ROAD SUITE A
 GENEVA, ILLINOIS 60134
 PHONE: 630-232-7705 FAX: 630-232-7725

LOT 0 OF DELNOR PARK ADDITION TO UNIT NO. 3, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
 COMMONLY KNOWN AS: 1044 N. 2ND AVENUE, ST. CHARLES, ILLINOIS.



SCALE: 1"=30'



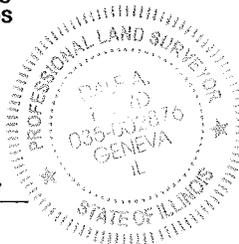
NOTE: THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCE

STRUCTURE LOCATED AND INITIAL SURVEY COMPLETED 9-30-2013

[Signature]
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002876

JOB NO. 000913-20 NORTH



STATE OF ILLINOIS
 COUNTY OF KANE S.S.

WE, DALE FLOYD LAND SURVEYING L.L.C., A PROFESSIONAL DESIGN FIRM, LICENSE NO. 184-004129 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

GENEVA, ILLINOIS 11-19 A.D. 2013

[Signature]
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002876

LICENSE EXPIRATION DATE 11-30-2014



City of St. Charles, Illinois

Two East Main Street, St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 www.stcharlesil.gov

Precision GIS

RAYMOND ROGINA Mayor

MARK KOENEN City Administrator



Subject Property



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983



0 180 360 Feet

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Approved by Raymond Rogina