

**MINUTES  
CITY OF ST. CHARLES  
ZONING BOARD OF APPEALS  
THURSDAY, OCTOBER 23, 2014  
COUNCIL CHAMBERS**

Members Present:

Chairman Elmer Rullman III  
Scott Buening  
Acting Secretary-James Holderfield  
Robert Krawczyk

Member Absent:

Secretary Nabi Fakroddin  
Betty Weisman  
Charles Simpson

Also Present:

Russell Colby, Planning Division Manager  
Ellen Johnson, Planner  
Bob Vann, Building & Code Enforcement Manager  
Court Reporter

**1. Call to order**

Chairman Rullman called the hearing to order at 7:02 p.m. on Thursday, October 23, 2014.

**2. Roll call**

Roll was called with four members present.

**3. Presentation of minutes from the September 25, 2014 meeting**

Mr. Buening stated he has one correction on page 7 of the transcript, first paragraph, where Member Buening is mentioned, it says, "I was looking at the signal maps." That should have said "site plans."

**A motion was made by Mr. Holderfield and seconded by Mr. Krawczyk with a unanimous voice vote to approve the minutes with one correction.**

**4. Variation Application V-5-2014, filed by Victoria Montejo from Moran Signs and Lighting, Inc., as representative for Manuel Artega, owner of the property located at 2125 W. Main Street in the City of St. Charles.**

Chairman Rullman summarized/read into the record the following:

- Variation Application V-5-2014 filed by Victoria Montejo from Moran Signs and Lighting, Inc.

Mr. Colby said the notice of public hearing was republished to reflect a change to the variation request, and the setback request is now 4 feet 3 inches.

Chairman Rullman stated the following are still sworn in:

- Russell Colby, Planning Division Manager
- Victoria Montejo, 225 James Street, Unit 7, Bensenville, IL

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**A motion was made by Mr. Holderfield, and seconded by Mr. Buening as follows:**

**Whereas**, it is the responsibility of the St. Charles Board of Zoning Appeals to review all applications for variations; and

**Whereas**, the St. Charles Zoning Board of Appeals has reviewed File V-5-2014, dated 9/5/2014, and received 9/5/2014 from Victoria Montejo, Moran Signs and Lighting, Inc. for the property located at 2125 W. Main Street, St. Charles, Illinois, for a variation to reduce the front yard setback requirement for the freestanding sign from 10 feet to 4 feet 3 inches; and

**Whereas**, the alleged practical difficulty or particular hardship has been created by the Illinois Department of Transportation's expansion of US Route 64, Main Street, and not by the person presently having an interest in the property; and

**Whereas**, the Variation, if granted, will not alter the essential character of the neighborhood; and

**Whereas**, 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

**Whereas**, 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; and

**Whereas**, the existing sign located on the property is a nonconforming sign; and

**Whereas**, the St. Charles Zoning Ordinance requires all nonconforming signs to be brought into compliance with the Zoning Ordinance sign standards by October 16, 2014;

**Now therefore**, the St. Charles Zoning Board of Appeals grants the variation requested with the stipulation that is specified in Section 17.04.310.F of the Municipal Code of the City of St. Charles. This variation shall lapse after 12 months from the date of granting thereof unless the construction authorized is commenced on a building permit for the use specified by the variation within 12 months or the use is commenced within such period.

**Roll called:**

**Ayes:** Buening, Holderfield, Krawczyk, Rullman

**Nays:** None

**Motion carried; Variation granted. 4-0**

**5. Variation Application V-6-2014, filed by Melia Linardos as representative of KFP Family Associates, L.P., owner of the property located at 2536 E. Main Street in the City of St. Charles.**

Acting Secretary Holderfield summarized/read into the record the following:

- Variation Application V-6-2014 filed by Melia Linardos.
- Variation request was published in the Kane County Chronicle on October 3, 2014.
- Exhibit A-Letter dated Sept. 25, 2014 from KFP Family Assoc.

Chairman Rullman swore in the following:

- Russell Colby, Planning Division Manager
- Melia Linardos, 550 Renee Court, Geneva, IL
- John Catalano, 946 North Neltor, West Chicago, IL
- Bob Vann, Building & Code Enforcement Manager

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

**A motion was made by Mr. Buening, and seconded by Mr. Holderfield as follows:**

**Whereas**, it is the responsibility of the St. Charles Board of Zoning Appeals to review all applications for variations; and

**Whereas**, the St. Charles Zoning Board of Appeals has reviewed File V-6-2014, dated 9/25/2014, and received 9/25/2014 from Melia Linardos for the property located at 2536 E. Main Street, St. Charles, Illinois, for a variation to reduce the front yard setback requirement for a freestanding sign from 10 feet to 1 foot 6 inches; and

**Whereas**, the particular physical surroundings, shape or topographical condition of the specified 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 due to utility locations on the property; and

**Whereas**, the conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification; and

**Whereas**, the purpose of the Variation is not based exclusively upon a desire to make more money on the property; and

**Whereas**, the alleged practical difficulty or particular hardship has not been created by any person presently having an interest in the property; and

**Whereas**, the Variation, if granted, will not alter the essential character of the neighborhood; and

**Whereas**, 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

**Whereas**, 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.

**Now therefore**, the St. Charles Zoning Board of Appeals grants the variation requested with the stipulation that is specified in Section 17.04.310.F of the Municipal Code of the City of St. Charles. This variation shall lapse after 12 months from the date of granting thereof unless the construction authorized is commenced on a building permit for the use specified by the variation within 12 months or the use is commenced within such period.

**Roll called:**

**Ayes:** Buening, Holderfield, Krawczyk, Rullman

**Nays:** None

**Motion carried; Variation granted. 4-0**

**6. Additional Business from Board members, Staff, or Citizens. – None.**

**7. Adjournment at 7:24 p.m**

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF K A N E )

BEFORE THE ZONING BOARD OF APPEALS  
OF THE CITY OF ST. CHARLES

In Re the Matter of: )  
 )  
Variation Application ) No. V-5-2014  
for the Property )  
Located at 2125 West )  
Main Street. )

CONTINUED REPORT OF PROCEEDINGS  
City of St. Charles Council Chambers  
Second Floor  
2 East Main Street  
St. Charles, Illinois 60174

October 23, 2014  
7:02 p.m. to 7:08 p.m.

Reported by: Mel anie L. Humphrey-Sonntag,  
CSR, RDR, CRR, FAPR  
Notary Public, Kane County, Illinois

1 PRESENT:

2 MR. ELMER RULLMAN III, Chairman;

3 MR. JAMES HOLDERFIELD, Acting Secretary;

4 MR. SCOTT BUENING, Member; and

5 MR. ROBERT KRAWCZYK, Member.

6 ALSO PRESENT:

7 MR. RUSSELL COLBY, Planning Division Manager;

8 MS. ELLEN JOHNSON, Planner; and

9 MR. BOB VANN, Building and Code  
Enforcement Manager.

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**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

38

1 CHAIRMAN RULLMAN: All right. We will  
2 get started. I call the meeting to order at 7:02, it  
3 looks like, on the clock on the wall.

4 And since Mr. Fakroddin's not here,  
5 Mr. Holderfield will act, at least temporarily, as  
6 secretary.

7 So, Mr. Secretary, would you please call the  
8 roll.

9 SECRETARY HOLDERFIELD: Mr. Buening.  
10 MEMBER BUENING. Here.

11 SECRETARY HOLDERFIELD: Mr. Fakroddin.  
12 (No response.)

13 CHAIRMAN RULLMAN: Absent.

14 SECRETARY HOLDERFIELD: Mr. Holderfield,  
15 here.

16 Mr. Krawczyk.

17 MEMBER KRAWCZYK: Krawczyk, yes.

18 SECRETARY HOLDERFIELD: Yes.

19 Mr. Rullman.

20 CHAIRMAN RULLMAN: Here.

21 SECRETARY HOLDERFIELD: Mr. Simpson.

22 (No response.)

23 SECRETARY HOLDERFIELD: Ms. Weisman.

24 (No response.)

**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

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1 CHAIRMAN RULLMAN: All right. Four  
2 members present and three absent.

3 At this time --

4 SECRETARY HOLDERFIELD: Presentation of  
5 the minutes from the September 25 --

6 CHAIRMAN RULLMAN: Any additions or  
7 corrections to the last -- the minutes of the last  
8 meeting?

9 MEMBER BUENING: Yes. I have one  
10 correction on page 7 of the transcript.

11 First paragraph, where Member Buening is  
12 mentioned, the second sentence, it says, "I was  
13 looking at the signal maps," and that should have said  
14 "site plans."

15 Other than that, that's fine.

16 CHAIRMAN RULLMAN: Any other corrections?

17 (No response.)

18 CHAIRMAN RULLMAN: If not, I'll  
19 entertain a motion to accept the minutes as corrected.

20 SECRETARY HOLDERFIELD: So moved.

21 MEMBER KRAWCZYK: I'll second.

22 CHAIRMAN RULLMAN: It's been moved and  
23 seconded.

24 All in favor?



**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

40

1 (Ayes heard.)

2 CHAIRMAN RULLMAN: Any opposed, same  
3 sign.

4 (No response.)

5 CHAIRMAN RULLMAN: All right.

6 At this time we'll reconvene on the tabled  
7 motion, Variation 5-2014, filed by Victoria Montejo  
8 from Moran Signs and Lighting, Inc.

9 Is the Petitioner present?

10 MS. MONTEJO: Yes.

11 CHAIRMAN RULLMAN: Okay. Let the record  
12 show that both Ms. Montejo and Russell Colby are still  
13 sworn.

14 Is there anyone else who wished to be heard  
15 on this petition?

16 (No response.)

17 CHAIRMAN RULLMAN: If not, the floor is  
18 yours.

19 MR. COLBY: Mr. Chairman, if I could  
20 just note for the record that the notice of public  
21 hearing was republished to reflect a change to the  
22 variation request, and the setback request is now  
23 4 feet 3 inches.

24 CHAIRMAN RULLMAN: Thank you.

**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

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1 MS. MONTEJO: Basically, what he just  
2 said. That's why it was -- just changes that they had  
3 requested.

4 CHAIRMAN RULLMAN: So you amended it  
5 according to the previous . . . all right.

6 Anything else you would like to add?

7 MS. MONTEJO: No.

8 CHAIRMAN RULLMAN: All right.

9 Let me point out one thing here. With being  
10 four members present, in order for us to act on  
11 anything, we have to have four votes. It's not  
12 majority rules.

13 MS. MONTEJO: So are you going to vote  
14 on it today?

15 CHAIRMAN RULLMAN: We certainly may vote  
16 and we will do so if you wish us to do so.

17 MS. MONTEJO: Yes, please.

18 CHAIRMAN RULLMAN: All right.

19 Any other additional questions from the  
20 Board?

21 SECRETARY HOLDERFIELD: No.

22 MEMBER KRAWCZYK: No.

23 CHAIRMAN RULLMAN: If not, we'll  
24 entertain a motion.

**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

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1                   SECRETARY HOLDERFIELD: I'll make the  
2 motion.

3                   CHAIRMAN RULLMAN: All right.

4                   SECRETARY HOLDERFIELD: Whereas, it is  
5 the responsibility of the St. Charles Zoning Board of  
6 Appeals to review all applications for variations; and

7                   Whereas, the Zoning Board of Appeals has  
8 reviewed File V-5-2014, dated 9/5/2014 and received  
9 9/5/2014 from Victoria Montejo, Moran Signs and  
10 Lighting, Incorporated, for the property located at  
11 2125 West Main Street for the zoning variation to  
12 reduce the front yard setback requirement for the  
13 freestanding sign from 10 feet to 4 feet 3 inches; and

14                   Whereas, the alleged practical difficulty or  
15 particular hardship has been created by the Illinois  
16 Department of Transportation's expansion of  
17 US Route 64, Main Street, and not by the person

18 presently having an interest in the property; and

19                   Whereas, the variation, if granted, will not  
20 alter the essential character of the neighborhood; and

21                   Whereas, the granting of the variation will  
22 not be detrimental to the public welfare or injurious  
23 to other property or improvements in the neighborhood  
24 in which the property is located; and

**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

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1           Whereas, the property variation will not  
2 impair an adequate supply of light and air to adjacent  
3 property or substantially increase the congestion in  
4 the public streets or increase the danger of fire or  
5 endanger the public safety or substantially diminish  
6 or impair property values within the neighborhood; and

7           Whereas, the existing sign located on the  
8 property is a nonconforming sign; and

9           Whereas, the St. Charles Zoning Ordinance  
10 requires all nonconforming signs to be brought into  
11 compliance with the Zoning Ordinance sign standards by  
12 October 16, 2014;

13           Now, therefore, the St. Charles Board of  
14 Zoning Appeals grants the variation requested with the  
15 stipulations as specified in Section 17.42.040.C of  
16 the Municipal Code of the City of St. Charles, this,  
17 quote/unquote, "variation shall lapse after 12 months  
18 from the date of grant thereof unless construction  
19 authorized is commenced on a building permit for the  
20 use specified by the variation within 12 months or the  
21 use is commenced within such a period." It may not  
22 apply later.

23           Now, therefore, the St. Charles Board of  
24 Zoning Appeals grants the variation requested.

**REPORT OF PROCEEDINGS -- 10/23/2014  
2125 WEST MAIN STREET, NO. V-5-2014**

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1 MEMBER BUENING: I'll second that motion.

2 CHAIRMAN RULLMAN: It's been moved and  
3 seconded.

4 Any further discussion?

5 (No response.)

6 CHAIRMAN RULLMAN: If not, Mr. Secretary,  
7 please call the roll.

8 SECRETARY HOLDERFIELD: I should have  
9 marked who was here.

10 Mr. Buening.

11 MEMBER BUENING: Yes.

12 SECRETARY HOLDERFIELD: Mr. Holderfield,  
13 yes.

14 Mr. Krawczyk.

15 MEMBER KRAWCZYK: Yes.

16 SECRETARY HOLDERFIELD: Yes.

17 Mr. Rullman.

18 CHAIRMAN RULLMAN: Yes.

19 All right. The motion is carried and the  
20 variation is granted.

21 MS. MONTEJO: Thank you.

22 CHAIRMAN RULLMAN: You're welcome.

23 This closes the hearing on File V-5-2014.

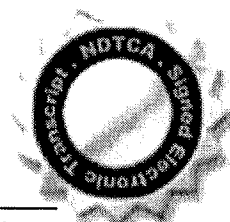
24 PROCEEDINGS CONCLUDED AT 7:08 P.M.

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STATE OF ILLINOIS )  
 ) SS.  
 COUNTY OF K A N E )

I, MELANIE L. HUMPHREY-SONNTAG,  
 Certified Shorthand Reporter No. 084-004299, CSR,  
 RDR, CRR, CCP, FAPR, and a Notary Public in and  
 for the County of Kane, State of Illinois, do  
 hereby certify that I reported in shorthand the  
 proceedings had in the above-entitled matter and  
 that the foregoing is a true, correct, and  
 complete transcript of my shorthand notes so taken  
 as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my  
 hand and affixed my Notarial Seal this 31st day of  
 October, 2014.



Melanie L. Humphrey-Sonntag  
 Certified Shorthand Reporter  
 Registered Diplomate Reporter  
 Certified Realtime Reporter  
 Certified CART Provider  
 Fellow of the Academy of  
 Professional Reporters

My commission expires  
 May 31, 2017

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF K A N E )

BEFORE THE ZONING BOARD OF APPEALS  
OF THE CITY OF ST. CHARLES

In Re the Matter of: )  
 )  
Variation Application ) No. V-6-2014  
for the Property )  
Located at 2536 East )  
Main Street. )

REPORT OF PROCEEDINGS  
City of St. Charles Council Chambers  
Second Floor  
2 East Main Street  
St. Charles, Illinois 60174

October 23, 2014  
7:08 p.m. to 7:24 p.m.

Reported by: Mel anie L. Humphrey-Sonntag,  
CSR, RDR, CRR, FAPR  
Notary Public, Kane County, Illinois

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PRESENT:

- MR. ELMER RULLMAN III, Chairman;
- MR. JAMES HOLDERFIELD, Acting Secretary;
- MR. SCOTT BUENING, Member; and
- MR. ROBERT KRAWCZYK, Member.

ALSO PRESENT:

- MR. RUSSELL COLBY, Planning Division Manager;
- MS. ELLEN JOHNSON, Planner; and
- MR. BOB VANN, Building and Code Enforcement Manager.



**REPORT OF PROCEEDINGS -- 10/23/2014**  
**2536 EAST MAIN STREET, NO. V-6-2014**

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1                   SECRETARY HOLDERFIELD: Okay. The  
2 variation --

3                   CHAIRMAN RULLMAN: Okay. At this time  
4 we'd like to open the hearing on Variation V-6-2014  
5 for the property located at 2536 East Main Street.

6                   Mr. Secretary, please read the details.

7                   What we need to know is basically the first  
8 couple of pages here so . . .

9                   SECRETARY HOLDERFIELD: Okay.

10                   Name of Applicant, Melia Linardos; phone is  
11 (630) 660-4643; address, 550 Renée Court, Geneva,  
12 Illinois; zip code, 60134.

13                   Applicant's interest in the property,  
14 president and owner. Name and phone number of the  
15 owner of record, KFP Family Associates, LP,  
16 (630) 660-4643. Owner acquired the property  
17 approximately in the 1950s.

18                   (Discussion off the record.)

19                   SECRETARY HOLDERFIELD: The Applicant --  
20 the variation requested is a setback of 1 foot  
21 6 inches, variation to allow an existing sign to be  
22 lowered to be in compliance with the current zoning  
23 district.

24                   Reason for request, due to location of

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

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1 underground utilities and parking limitations.

2 Explanation of purpose for which the  
3 property will be used, current use is business use and  
4 there will not be a change in use.

5 CHAIRMAN RULLMAN: All right. Then we  
6 also have a letter here authorizing . . .

7 SECRETARY HOLDERFIELD: We do have a  
8 letter dated September 25th, 2014. This is from KFP  
9 Family Associates, LP, Kacheres Management Company,  
10 LLC, 550 Renée Court, Geneva, Illinois 60134.  
11 Telephone number (630) 232-7622.

12 "City of St. Charles. Please be advised, as  
13 managing partners of Kacheres Management Company, LLC,  
14 that runs KFP Family Associates, LP, authorizes Melia  
15 Linardos to be acting agent to handle the variation  
16 request for the sign at 2536 East Main Street, known  
17 as Bosa Donuts.

18 "Regards, Georgia Mangos Darras."

19 CHAIRMAN RULLMAN: Okay. That will be  
20 marked as Exhibit A.

21 (Exhibit A marked for  
22 identification.)

23 CHAIRMAN RULLMAN: Is the Petitioner  
24 present?

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

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1 MS. LINARDOS: Yes.

2 CHAIRMAN RULLMAN: All right.

3 Would everyone who wants to be heard on this  
4 petition please rise, raise your right hand.

5 (Four witnesses duly sworn.)

6 CHAIRMAN RULLMAN: All right. Please  
7 give your name and address to the reporter.

8 MS. LINARDOS: Melia Linardos, M-e-l-i-a  
9 L-i-n-a-r-d-o-s, 550 Renée Court, Geneva 60134.

10 MR. CATALANO: John Catalano,  
11 C-a-t-a-l-a-n-o. Address is 946 North Neltnor,  
12 N-e-l-t-n-o-r, West Chicago 60185.

13 CHAIRMAN RULLMAN: And let the record  
14 show that Bob Vann, Building Commissioner, and  
15 Mr. Colby, the Planning Division Manager, have also  
16 been sworn.

17 All right. The floor is yours.

18 MS. LINARDOS: I want to -- basically,  
19 everything is pretty much self-explanatory, as he  
20 laid out.

21 The property's been in our family a very  
22 long time. Bosa Donuts has also been there a very  
23 long time.

24 And we just completely did a new parking lot

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

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1 there, took the old -- did all new. We did the  
2 landscaping with the 10 foot on each side. They share  
3 the driveway with Jersey Mike's, so there is not  
4 really much other space to go by.

5 I assume you guys have these.

6 I assume.

7 CHAIRMAN RULLMAN: Yes.

8 MS. LINARDOS: But there just isn't any  
9 other place to put it.

10 If you look at this picture where it's the  
11 older parking lot, this is where the sewer line is.  
12 It's going all completely across the entire parking  
13 lot, and there just is not a safe space to put that  
14 anywhere.

15 And then, if you look at the one where the  
16 Bosa sign actually is, you can see a little yellow  
17 post there, and that's where the gas line is. That  
18 goes straight on the property line between Corfu and  
19 Bosa, so you also have that.

20 You have the cable, electric, and we cannot  
21 figure out any other place to put it, so we're  
22 proposing to keep the posts where they're at so  
23 they're safe and they won't infringe on anybody's  
24 sewers that they do have to maintain, and it will be

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

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1 lowered to conform with that part of it.

2 That's basically it for what we're saying.  
3 We've put a lot of money into it this past year, over  
4 70,000 between the landscaping and the parking lot, so  
5 in that respect, it does look much better, both of  
6 them do -- I'm sure you guys have probably driven by  
7 it many times -- so . . . thank you for your  
8 consideration.

9 CHAIRMAN RULLMAN: Any questions from  
10 the Board?

11 MEMBER BUENING: As usual, I have a few  
12 questions.

13 CHAIRMAN RULLMAN: Okay.

14 MEMBER BUENING: The utility line that's  
15 in there, is that a City line? Is that a City  
16 utility? And what kind of utility is that?

17 MR. VANN: I can probably talk a little  
18 bit better about the utility lines, better than the  
19 property owner.

20 The utility line that is shown on the map  
21 here, the green arrow is a sewer line that runs --  
22 there's a wide easement that goes across this property  
23 line. It kind of goes at an angle from in front of  
24 the 2540 building heading -- this would be heading

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

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1 westbound. So that is the City sewer.

2 MEMBER BUENING: Okay.

3 MR. VANN: There is -- as she mentioned,  
4 there's a gas meter that serves the building that is  
5 on -- just to the lower left of that -- where the  
6 location of the existing sign is.

7 That heads to the north, and it goes right  
8 along where that yellow line -- which is the property  
9 line on the City GIS map, which I think there's a copy  
10 of that in there. That was one of the considerations  
11 that we looked at.

12 I did meet with the property owner out  
13 there. We looked for locations that we could relocate  
14 this thing, and because this is a shared drive,  
15 there -- this map does not show the landscaping, which  
16 is a 10-foot landscaping buffer that was placed this  
17 summer.

18 If we relocated that to that location, it  
19 would be in that drive area, so that wasn't the most  
20 ideal spot.

21 If we moved the sign, we would move the sign  
22 further to the north in a new location; however, with  
23 the property line where it's at, we would need to put  
24 it on the property line, which was -- you can't do.

**REPORT OF PROCEEDINGS -- 10/23/2014  
2536 EAST MAIN STREET, NO. V-6-2014**

1 There's no setback from property line to property  
2 line.

3           However, that would be in the drive aisle,  
4 and because of that landscaping requirement that we --  
5 that the City has provided, that pushed that 10-foot  
6 setback, which would now -- if we move that sign  
7 further back out of the location and out -- basically,  
8 what would happen is we would have to move that sign  
9 probably about 20 feet because, if there's a dig  
10 area -- if we have to go there and relocate or correct  
11 that line, there's a dig area there, so that sign  
12 would have to be moved back further.

13           And because of where that gas line is and  
14 there's utilities, that would be very difficult.  
15 I mean, it doesn't make a lot of sense to do that.

16           So staff is believing that the best location  
17 is where it's at right now and just lower that sign.  
18 We can deal with the utilities if it needs to be  
19 redone.

20           So if you have any questions on that, I'd be  
21 happy to try to explain it to you.

22           MEMBER BUENING: Yeah. That was my main  
23 concern with the location, is I was trying to figure  
24 the hardship because, you know, the sanitary line --

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1 obviously, the plat of survey didn't show the  
2 easements, nor did it show the gas line, which it's  
3 not typically shown on there so --

4 MR. VANN: Right.

5 MEMBER BUENING: So that was my one main  
6 concern, knowing that, you know, the party's known  
7 that there was a requirement to relocate the sign for  
8 some time now, and, you know, the opportune time to do  
9 it would be when they redid the parking lot,  
10 obviously. But that's good information I wasn't  
11 aware of.

12 Thank you.

13 CHAIRMAN RULLMAN: Any other questions?

14 MEMBER KRAWCZYK: It's not a question  
15 but if the sign was moved further north, there's a --  
16 where that curve curves there is striping there;  
17 there's no parking.

18 But if it was moved further, the 20 feet  
19 you're suggesting, then the business would lose that  
20 one parking space in the corner; correct?

21 MR. VANN: Yes. It would have to lose  
22 it; however, with the parking requirement that is  
23 required by the City, they're at --

24 MEMBER KRAWCZYK: The minimum.



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1 MR. VANN: -- they're at the minimum  
2 right now, so we're trying not to lose any more  
3 parking spots.

4 MEMBER KRAWCZYK: I was just trying to  
5 clarify it.

6 MEMBER BUENING: So that would be part  
7 of the hardship, then.

8 MR. VANN: We're trying to maintain that  
9 requirement for off-street parking.

10 CHAIRMAN RULLMAN: Any other questions?

11 (No response.)

12 CHAIRMAN RULLMAN: If not, I'll  
13 entertain a motion.

14 SECRETARY HOLDERFIELD: I can make the  
15 motion.

16 MEMBER BUENING: Do you want me -- I can  
17 do it. I'll make a motion.

18 Whereas, it is the responsibility of the  
19 St. Charles Zoning Board of Appeals to review all  
20 applications for variations;

21 Whereas, the St. Charles Zoning Board of  
22 Appeals has reviewed File V-6-2014 dated 9/25/14,  
23 received 9/25/14, by Melia Linardos for the property  
24 located at 2536 East Main Street in the city of

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1 St. Charles for a reduction in sign setback from  
2 10 feet to 1 foot 6 inches; and

3           Whereas, the physical surroundings, shape,  
4 or topographical condition of the specific property  
5 involved would result in a practical difficulty or  
6 particular hardship to the property owner, as  
7 distinguished from a mere inconvenience, if the strict  
8 letter of the regulations were carried out due to  
9 utility locations on the property;

10           Whereas, the conditions upon which the  
11 petition for variation is based would not be  
12 applicable, generally, to other property within the  
13 same zoning classification;

14           Whereas, the purpose of the variation is not  
15 based exclusively upon desire to make more money out  
16 of the property;

17           Whereas, the alleged practical difficulty or  
18 particular hardship has not been created by any person  
19 presently having an interest in the property;

20           Whereas, the variation, if granted, will not  
21 alter the essential character of the neighborhood;

22           Whereas, the granting of the variation will  
23 not be detrimental to the public welfare or injurious  
24 to other property or improvements in the neighborhood

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1 in which the property is located;

2           Whereas, the proposed variation will not  
3 impair an adequate supply of light and air to adjacent  
4 property or substantially increase the congestion in  
5 the public streets or increase the danger of fire or  
6 endanger the public safety or substantially diminish  
7 or impair property values within the neighborhood;

8           Now, therefore, the St. Charles Zoning Board  
9 of Appeals grants the variation requested with the  
10 stipulations specified in Section 17.04.310,  
11 "Variations," of the Municipal Code of the City of  
12 St. Charles, and I do not have the initials.

13           CHAIRMAN RULLMAN: Before there's a  
14 second, I was remiss in asking, are there any  
15 objectors present?

16   (No response.)

17           CHAIRMAN RULLMAN: Let the record show  
18 there are no objectors present.

19           Is there a second?

20           SECRETARY HOLDERFIELD: So moved.

21           CHAIRMAN RULLMAN: All right.

22           Let me also add that this variation was  
23 published on the 3rd day of October, 2014.

24           All right. Any other discussion by the

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14

1 Board?

2 (No response.)

3 CHAIRMAN RULLMAN: Mr. Secretary, please  
4 call the roll.

5 SECRETARY HOLDERFIELD: Mr. Buening.

6 MEMBER BUENING: Yes.

7 SECRETARY HOLDERFIELD: Mr. Holderfield,  
8 yes.

9 Mr. K.

10 MEMBER KRAWCZYK: Yes.

11 SECRETARY HOLDERFIELD: Mr. Rullman.

12 CHAIRMAN RULLMAN: Yes.

13 The variation is granted.

14 MS. LINARDOS: Thank you for your time.

15 CHAIRMAN RULLMAN: Thank you.

16 So this will close the hearing on V-6-2014.

17 Any other business?

18 (No response.)

19 CHAIRMAN RULLMAN: All right. Is there  
20 a meeting in the near future?

21 MR. COLBY: There are no variation  
22 applications scheduled at this time.

23 CHAIRMAN RULLMAN: All right. Thank you  
24 very much.

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We'll close this meeting at 7:24 on the wall  
clock.

PROCEEDINGS CONCLUDED AT 7:24 P.M.

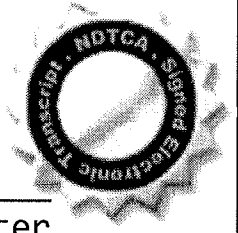
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STATE OF ILLINOIS   )  
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COUNTY OF K A N E   )

I, MELANIE L. HUMPHREY-SONNTAG,  
Certified Shorthand Reporter No. 084-004299, CSR,  
RDR, CRR, CCP, FAPR, and a Notary Public in and  
for the County of Kane, State of Illinois, do  
hereby certify that I reported in shorthand the  
proceedings had in the above-entitled matter and  
that the foregoing is a true, correct, and  
complete transcript of my shorthand notes so taken  
as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my  
hand and affixed my Notarial Seal this 31st day of  
October, 2014.

Melanie L. Humphrey-Sonntag  
Certified Shorthand Reporter  
Registered Diplomate Reporter  
Certified Realtime Reporter  
Certified CART Provider  
Fellow of the Academy of  
Professional Reporters



My commission expires  
May 31, 2017