

ST. CHARLES ZONING BOARD OF APPEALS

VARIATION #: V-5-2015
LOCATION: 801 E. MAIN ST.

Requested Action: Zoning variation to reduce the right-of-way setback requirement for a freestanding sign from 10 ft. to 2 ft. 6 in.

Purpose and Scope:

The existing freestanding sign located on the property does not meet the right-of-way setback requirement, and is therefore a non-conforming sign. The St. Charles Zoning Ordinance requires all non-conforming signs to be brought into compliance with the Zoning Ordinance sign standards by June 16, 2015, or 15 years after the sign is erected, whichever is later.

The applicant is requesting the variation due to the location of the building which results in an inability to move the sign back 10 ft. to comply with the setback requirement. Therefore, the applicant is requesting this variation to allow the sign to be set back 2 ft. 6 in. after the June 16, 2015 compliance deadline.

Existing Land Use: Commercial

Existing Zoning: RT-3 Traditional Single Family Residential & BT – Transitional Business Overlay



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



FOR OFFICE USE
Received <u>5/8/15</u>
File # <u>V-5-2015</u>
Fee Paid \$ <u>300</u>
Receipt _____

APPLICATION FOR A VARIATION

PLEASE PRINT AND PROVIDE ALL INFORMATION AS REQUESTED.

APPLICANT & OWNER:

Name of Applicant* Alvin Catella, represented by Paul Rzewuski
Phone 630-584-1830 Email Address luciacatella@sbcglobal.net
Address/City/State/Zip 801 E. Main St. St. Charles IL 60174
Applicant's interest in the property owner
Name and Phone of Owner(s) of Record* Lucia Catella
630-584-1830
Applicant is (check one) Attorney Agent Owner Other: _____
Owner acquired the property on (date): May 25th 1979

ADDRESS, USE & ZONING OF PROPERTY:

Address of Property (attach legal description) 801 E MAIN ST. ST. CHARLES
Present Use (commercial, industrial, residential, etc.) offices
Zoning District RT-31 BT overlay
To your knowledge, have any previous applications for variations been filed in connection with this property? NO
If YES, provide relevant information N/A

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 N/A
Appeal approved? (yes or no) N/A
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): Setback variation.
10' (178") mandated
2'6" requested setback.
- B. Reason for request: Road was made wider.
Building prevents sign being installed
in compliance with a 10' set back.
- C. Purpose for which property will be used: Law offices and general
office.

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)

A round sign is vital to the viability of this
parcel. The widening of Main St. combined with
the location of the building creates a unique hardship.

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. Each parcel is unique. The only spot for
a round sign at 801 E. Main St. is where
the current non-conforming sign is located.

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

No. The proposed sign will comply with all size
and height requirements. If the setback is
enforced at 10' the property effectively loses
it vital round sign.

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

No. Hardship caused by eminent domain.
The "take" of part of subject properties
land for MAIN ST. widening.

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

No. A new sign smaller than the existing sign,
will be installed in the same location
as the existing sign.

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. New sign will conform in all aspects
save for 40" of setback.

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)

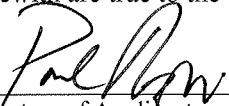
No. Having a ground sign will make it safer
for drivers to see entrance to this property.

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.
- 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

Paul Rzewuski

Print name of applicant/agent

11-25-2014

Date



Signature of owner

Lucia D. Catella

Print name of owner

11-25-14

Date

Lucia D. Catella
801 East Main Street
St. Charles, Illinois 60174

City of St. Charles Illinois
Two East Main Street
St. Charles, Illinois 60174

May 11, 2015

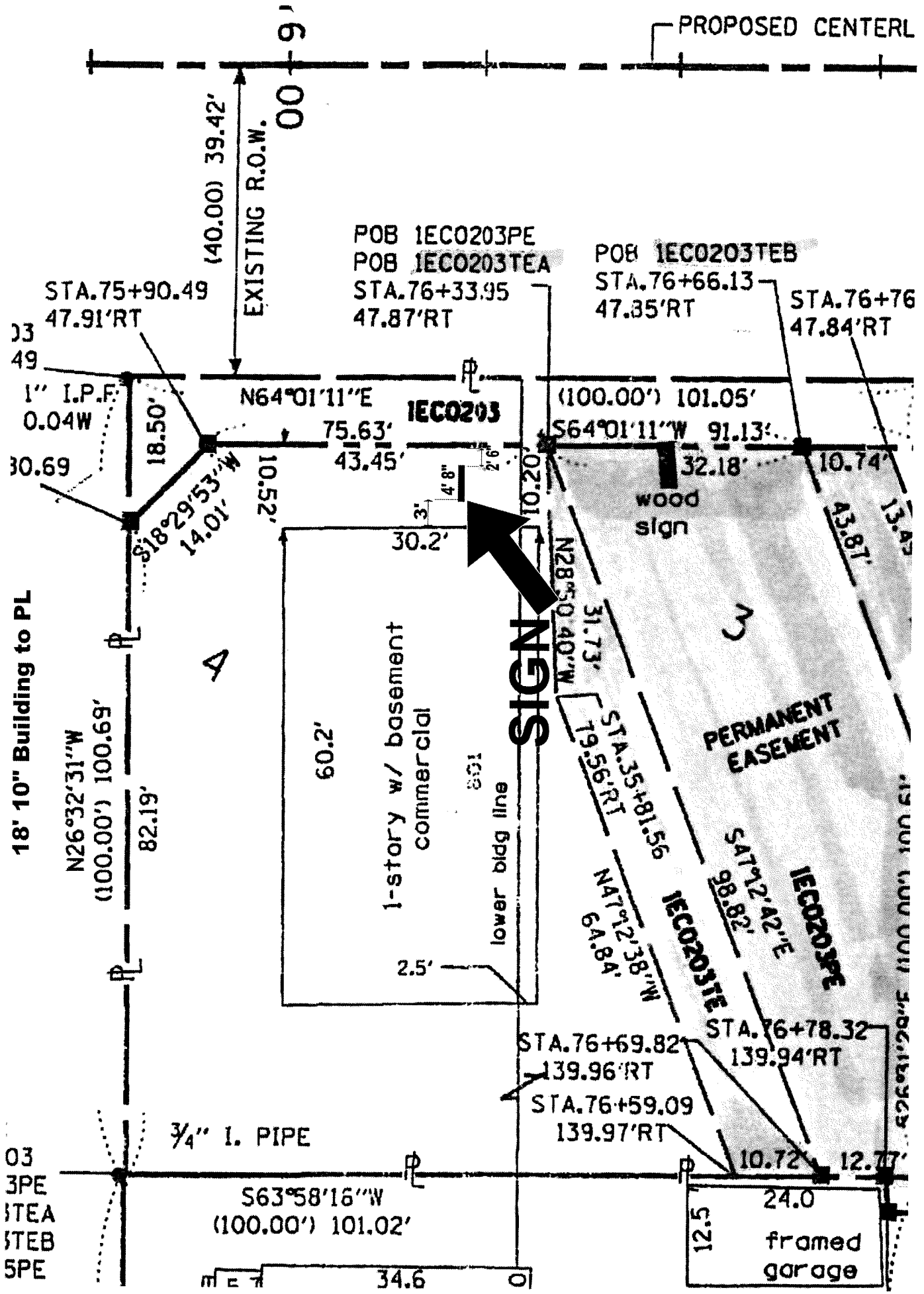
Dear Sir or Madamn:

I am the owner of the property located at 801 East Main Street in St. Charles, Illinois.

I hereby give Paul Rzewuski authority to act on my behalf in all proceedings that have to do with all the signs at or on the building at 801 East Main Street in St. Charles.

Yours truly,

Lucia D. Catella



1/16" = 1'

18' 10" Building to PL

1-story w/ basement commercial

SIGN

PERMANENT EASEMENT

IECO203PE

IECO203TE

framed garage

PROPOSED CENTERLINE

EXISTING R.O.W.

9'

(40.00) 39.42'

STA.75+90.49
47.91'RT

POB IECO203PE
POB IECO203TEA
STA.76+33.95
47.87'RT

POB IECO203TEB
STA.76+66.13
47.35'RT

STA.76+76
47.84'RT

N64°01'11"E

(100.00') 101.05'

S64°01'11"W 91.13'

N26°32'31"W
(100.00') 100.69'

82.19'

60.2'

lower bldg line

lower bldg line

SIGN

PERMANENT EASEMENT

IECO203PE

IECO203TE

24.0

12.5

S63°58'16"W
(100.00') 101.02'

3/4" I. PIPE

STA.76+69.82
139.96'RT

STA.76+59.09
139.97'RT

STA.76+78.32
139.94'RT

STA.75+181.56
19.56'RT

N41°12'38"W
64.84'

S47°12'42"E
68.82'

N28°50'40"W

31.73'

10.20'

wood sign

wood sign

43.81'

13.45'

30.2'

43.45'

75.63'

10.52'

18.50'

1" I.P.F.

0.04W

30.69

S18°29'53"W

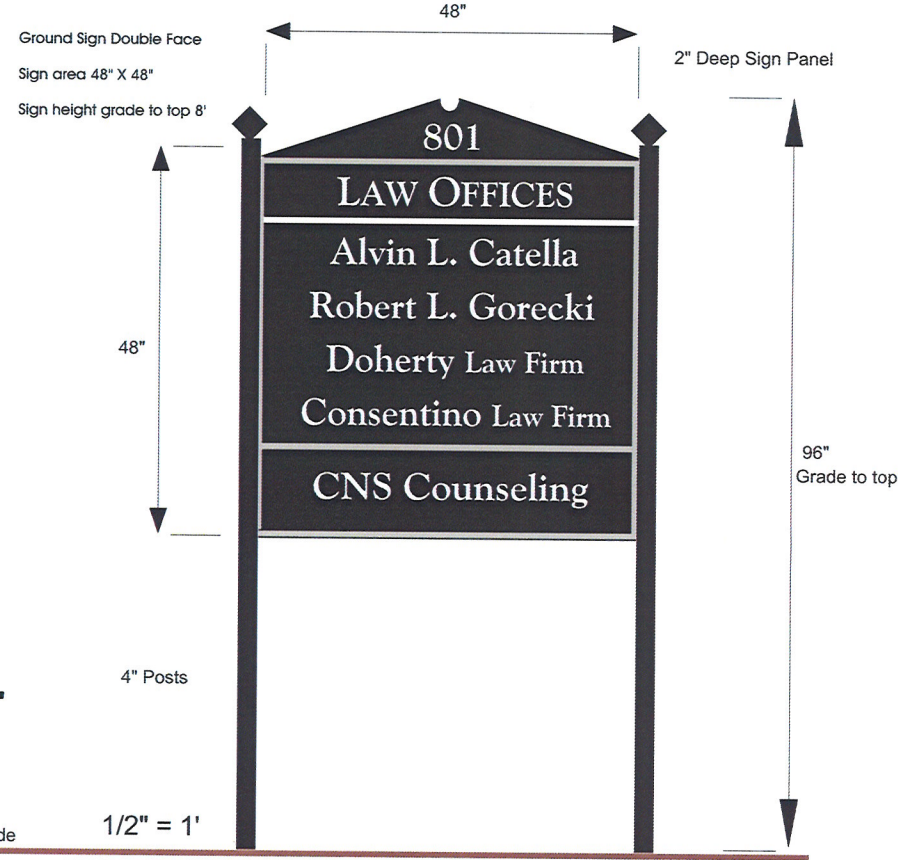
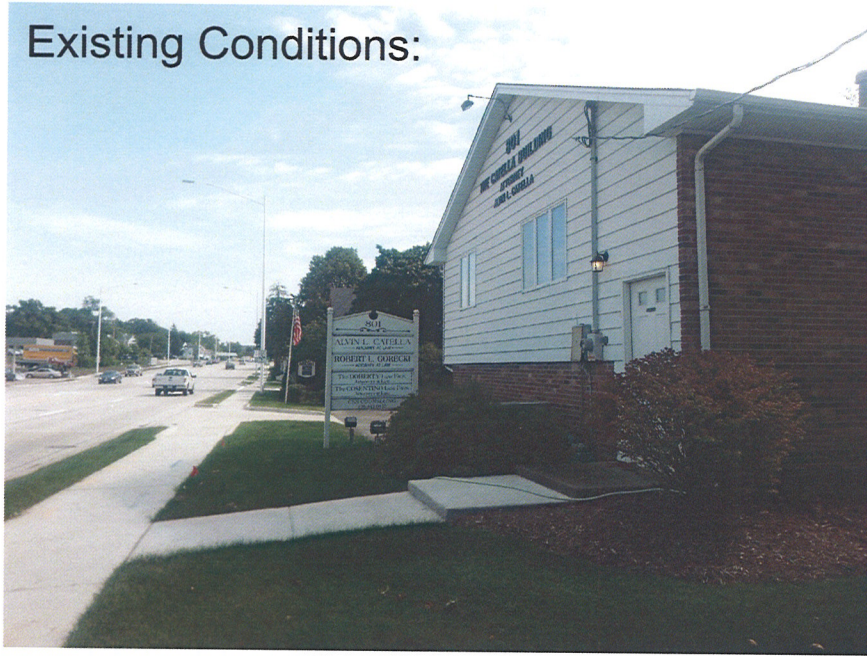
14.01'

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34.6

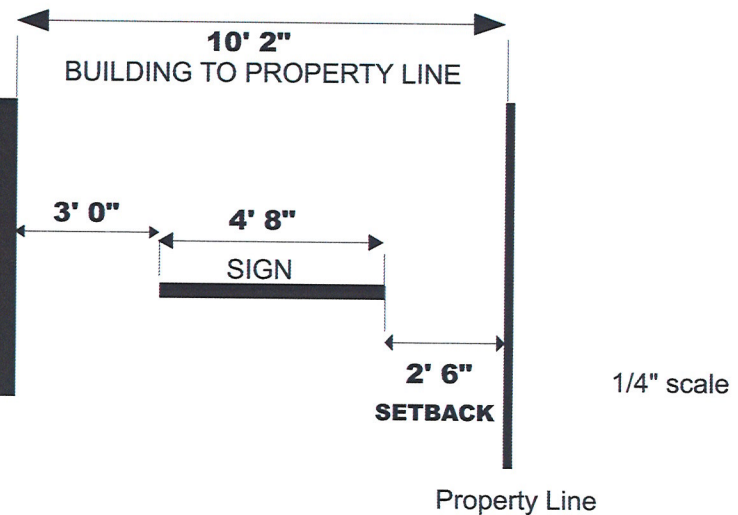
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Existing Conditions:



4' 8" Sign Width with Posts / 3' Between Building & Sign SETBACK 2' 6"

Proposed Sign:



801 East Main Street St. Charles IL.

Aluminum Ground Sign

Existing Conditions:

