

# COUNTY OF KANE

**DEVELOPMENT & COMMUNITY  
SERVICES DEPARTMENT**  
Mark D. VanKerkhoff, AIA, Director



**County Government Center**  
719 Batavia Avenue  
Geneva, IL 60134  
Phone: (630) 232-3480  
Fax: (630) 232-3411

## **KANE COUNTY DEVELOPMENT DEPARTMENT BUILDING & ZONING DIVISION**

Kane County Government Center  
719 Batavia Avenue  
Geneva, IL 60134  
(630) 444-1236

### **APPLICATION INSTRUCTIONS FOR A MINISTERIAL VARIANCE**

An application for a ministerial variance from the Kane County Zoning Ordinance of 10% or less as to location of structures or as to bulk regulations must be addressed to the **Kane County Zoning Enforcement Officer, 719 S. Batavia Avenue; Geneva, Illinois 60134**. No special application form is required. Request in the form of a letter is sufficient.

The application must include the legal description of the property involved. This description can be copies from the deed covering the property and must be accurate. In addition, the actual variation desired must be specified with a clear explanation of what is wanted and why the request is made. This explanation should show why the regular requirements of the Zoning Ordinance cannot be met, and must show proof that a particular hardship would result if a variation were not granted. Such hardship must not be self-created.

A sketch of the property involved, drawn to scale, must accompany the application for a variation. This sketch should show the outline and dimensions of the property and all the buildings and structures located thereon. The distances from the buildings to the property line must be measured accurately and be shown on the sketch. The portion of the building or structure for which a variation is requested should be clearly shown on the sketch.

The name and address of the applicant must be given. The petition must be signed by the owner of the record of the property. In case the property is under purchase contract, the owner of record must sign and the contract purchaser should also sign the petition.

A certified list of property owners within 250 feet of the property must be submitted. \*A form for this purpose is available from the Zoning Division, 719 Batavia Avenue, Geneva, IL 60134.

In submitting an application for a ministerial variation, a fee of \$300.00 shall accompany same.

Pursuant to the State Land Trust Disclosure Act (Bill #1508), if property involved is listed under a "Trust", a notarized certification, signed by the Trust Officer, giving names, addresses and percentage of interest, of all beneficiaries, is to be filed with all petitions.

Upon receipt of the application and accompanying documents, the Zoning Enforcement Officer will send a Notice of Intent to Grant Variation to all land owners within 250 feet of the property by certified mail. If any adjoining landowner files a written objection with the Zoning Enforcement Officer within 15 days of receipt of such notice, the variance shall not be considered by the Zoning Enforcement Officer and shall be considered by the Board of Appeals in the manner provided in Illinois State Statutes, Chapter 34, Section 5.12009, and Section 4.4-2 of the Kane County Zoning Ordinance.

If no adjoining landowner files an objection, the Zoning Enforcement Officer may schedule a meeting with the petitioner to review the variance prior to rendering a decision. The applicant or a representative must attend the meeting.

KANE COUNTY DEVELOPMENT DEPARTMENT

DATED: March 28, 2018