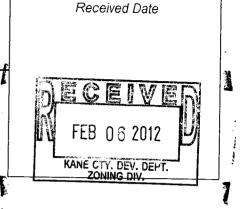
KANE COUNTY DEVELOPMENT DEPARTMENT

Subdivision and Zoning Division, Kane County Government Center

719 Batavia Avenue Geneva, Illinois 60134 Office (630) 232-3492

Fax: (630) 232-3411



APPLICATION FOR A VARIATION

Instructions:

To request a variation for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property	Parcel Number (s):
Information:	0903354012
Residential	Street Address (or common location if no address is assigned): 7NO42 Tackson Aw., 8t. Charks, 14 60174-6418

<pre>2. Applicant Information :</pre>	Name Myron Dvorak -mailing -	Phone 773 - 425 - 1410
	Address 7 3023 N. Clark St., Suite 292	Fax
	Chicago. 14 60657	Email mr. repairman@comcast.net

3. Record Owner Info:	Name Myron AvoraK Cloily Randall	Phone 773 - 871 - 8606
	-Home- Address	
	539 W. Roscoe St., Unit 35	Fax
	Chicago, 12 60657	mail mane comcast, ne

Current zoning of the property: Residential /F-District Farming
Current use of the property: Vacant, under renovation
Reason for Request:
Variation requested (state specific measurements): (9.67', 25.33' VARIANCE) FEB 06 2012
ICHT OF WAY Setback Variance KANE CIT DE DEPT.
Reason for request: Want to use existing foundation
Action by Applicant on Property:
What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance? The existing foundation septic and well- we wish to grandfother
the existing footprint for the residence.
Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain) No, intend to live in the home.
Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain) NO
The Kane County Zoning Ordinance requires that the Zoning Board of Appeals find that there is a practical difficulty or some particular hardship if existing regulations are applied. The Board must also consider certain factors related to the granting of a variance. As the Applicant, you should "make your case" by explaining how your request will not:
1. Impair an adequate supply of light and air to adjacent
property. The home footprint will not change.

2.	Increase the hazard from fire and other dangers to adjacent property. Afain, home footprint will not change.
	Diminish the value of adjacent land and buildings. Existing home at time of purchase was inhabitable. The work in our case should unhance the value of adjacent land and buildings.
4.	Increase congestion or create traffic hazards. Property Will remain a single family home.
	. Impair the public health, safety, comfort, morals and general welfare.
\ \ \	Nill create a more attractive single family home. The goal is not to impain but rather enhance the health, so fety, morals, general welfare of the immediate environs.
Attachn	nent Checklist
,	Plat of Survey prepared by an Illinois Registered Land, Surveyor. Legal description
ZŽ	Certification of Notification of adjacent property owners Aerial (air photo) with property clearly highlighted contact: The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549- 1000
	Trust Disclosure (If applicable) Application fee (make check payable to Kane County Development Department)
42	Site Plan drawn to scale showing house, well and septic.
, ,	tify that this application and the documents submitted with it are true and correct to the v (our) knowledge and belief.
MYMM I	DVOPAK Cecily Randall 1-31-2013
Record	Owner Date
Applica	int or Authorized Agent Date.

CERTIFICATION OF NOTIFICATION OF ADJACENT PROPERTY OWNERS

6. V A A H : C V VI (\$ 179) / M A A A A A A A A A A A A A A A A A A	Date: 3 - 20 - 13
o: KANE COUNTY ZONING BOARD OF A	
rom: Myron Dvorak and Ce Cily	r Randall
	· .
(#) 773 425 - 1410	
The undersigned, being sworn upon this oa	nth, deposes and says that the list below includes the
names and addresses of all owners of prope	erty adjacent to property referred to in petition for
(circle one) Variance Rezoning Speci	al I Ise
,	
for the purpose of	ay Setback Variance request
,	
and, further, that all persons owning proper	ty which is adjacent to parcel referred to in petition have
been notified of the intent of the petitioner(s).
itioner's property is located in Section To	ownship ST Challes Communication
gal Description Attached)	ownship 37 674.75, County of Kane.
gar bescription Attached)	
names of property owners below. (Property Ow	
	more do not have to simuthin fam.
channes of property owners below. (Froperty Ow	mers do not have to sign this form)
mannes of property owners below. (Froperty Ow	ners do not have to sign this form)
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^{*} We recommend that the petitioner duplicate this form and use it as notification to the adjacent property owners

LEGAL DESCRIPTION

LOTS 2550, 2551, 2552, 2553 AND 2554 OF MAP 3 OF THE FOX RIVER HEIGHTS, IN THE TOWNSHIP OF SAINT CHARLES, KANE COUNTY, ILLINOIS.

ZONING PLANNER Keith T. Berkhout 719 s. Batavia Avenue Geneva, IL 60134

Greetings:

We have purchased 7N042 Jackson Avenue, a property near you and write to advise you that we are in the process of requesting a right-of-way setback variance.

The home on this lot was uninhabitable. We would like to rebuild using the original home footprint: garage, well, and, critically, the existing foundation. We've enlisted an architect and hope to build a home that will enhance the value of this property and thereby enhance the neighboring area.

You will be notified of a Zoning Board of Appeals meeting date at which our request for a variance will be on the agenda.

We look forward to residing in St. Charles provided our appeal is granted.

- Cecily Randall

Regards.

David Dvorak & Cecily Randall 539 W. Roscoe St., Unit 3S Chicago, IL 60657

Berkhout, Keith

From:

Harlan Spiroff <spiroff@thesglawfirm.com>

Sent:

Friday, March 08, 2013 12:14 PM

To:

Berkhout, Keith

Subject:

FNMA/Dvorak Variation Application - PIN 09-03-354-012

Keith -

As you will recall, I represent the Village of Wayne. The Village Board was briefed on the above variation at its meeting of March 5th. I was directed to advise you that the Village has no objections to the variation as requested.

Harlan Spiroff

Harlan Spiroff Spiroff & Gosselar, Ltd. 610 West Roosevelt Road, Suite A-2 Wheaton, Illinois 60187 Phone: 630-510-6000

Phone: 630-510-600 Fax: 630-510-6005

E-mail: spiroff@thesglawfirm.com

CONFIDENTIALITY NOTICE: The information contained in this e-mail message is attorney privileged and confidential information. It is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, electronic storage or use of this communication is prohibited. If you received this communication in error, please notify us immediately by e-mail, attaching the original message, and delete the original message from your computer, and any network to which your computer is connected. Opinions, conclusions and other information in this message that do not relate to the official business of Spiroff & Gosselar, Ltd. shall be understood as neither given, nor endorsed by it.

STATE OF ILLINOIS	}
	}§
COUNTY OF KANE	}

TO WHOM IT MAY CONCERN:

Public notice is hereby given to all persons concerned that on the 9th day of April 2013, A.D. at seven o'clock (7:00 P.M.) Central Time, in the evening of said day, a public hearing will be held at the Kane County Government Center, Bldg. A, 719 S. Batavia Ave., Geneva, IL, to consider the petition of Myron Dvorak, et ux, appealing from the ruling of the Enforcing Officer of the Kane County Zoning Ordinance, refusing to allow a home to be rebuilt closer to the public right-of-way than allowed (9.67', 25.33' variance) on the following described property: Lots 2550, 2551, 2552, 2553 and 2554 of Map 2 of the Fox River Heights, in the Twp of St. Charles, KCI. The property is located at 7N042 Jackson Avenue. All interested persons and especially those owning adjacent and adjoining property are requested to attend said hearing.

KANE COUNTY ZONING BOARD OF APPEALS

Mark VanKerkhoff
Zoning Enforcement Officer

DATED at Geneva, Illinois this 23rd day of March, A.D., 2013

KANE COUNTY DEVELOPMENT DEPT. BUILDING & ZONING DIVISION 719 BATAVIA AVENUE GENEVA, IL 60134 (630) 232-3492

Petition No.: 2013-0003

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

March 26, 2013

Myron Dvorak 3023 N. Clark Street Suite 292 Chicago, Illinois 60657

RE:

Petition No. 2013-0003

Myron Dvorak, et ux

Dear Mr. Dvorak,

The legal publication notice with regard to the referenced petition did appear in the Kane County Chronicle on March 23, 2013. The hearing will be held at the Kane County Government Center, Building A, 719 Batavia Ave, Geneva, IL, at 7:00 p.m. on the evening of **Tuesday**, **April 9, 2013**.

It is required that you and/or your representative be present for said hearing.

Sincerely,

KANE COUNTY DEVELOPMENT DEPARTMENT

Keith Berkhout

Building & Zoning Division

cc:

Joseph White, Chairman, Zoning Board of Appeals

County Board Member District

M:\ZON\WP\SEC\Publications\Publication Letter.doc

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

April 22, 2013

Myron Dvorak, et ux 7N042 Jackson Avenue St. Charles, IL 60174-6418

RE:

Home Right-of-Way Setback Variance

Petition No.: 2013-0003

Dear Mr. Dvorak,

This office has received the results of the Kane County Zoning Board of Appeals public hearing held on Tuesday, April 9, 2013.

The petition for a variation to reconstruct a home closer to the right-of-way than allowed (9.67 ft; 25.33 ft. variance) for the property located at 7N042 Jackson Avenue, Section 3, St. Charles Township, Kane County, Illinois, has been **GRANTED**.

Before beginning any construction on said premises (including signs), a building permit is required. Applications for a permit are available from the Kane County Building Permit Division, 719 S. Batavia Avenue, Geneva, Illinois.

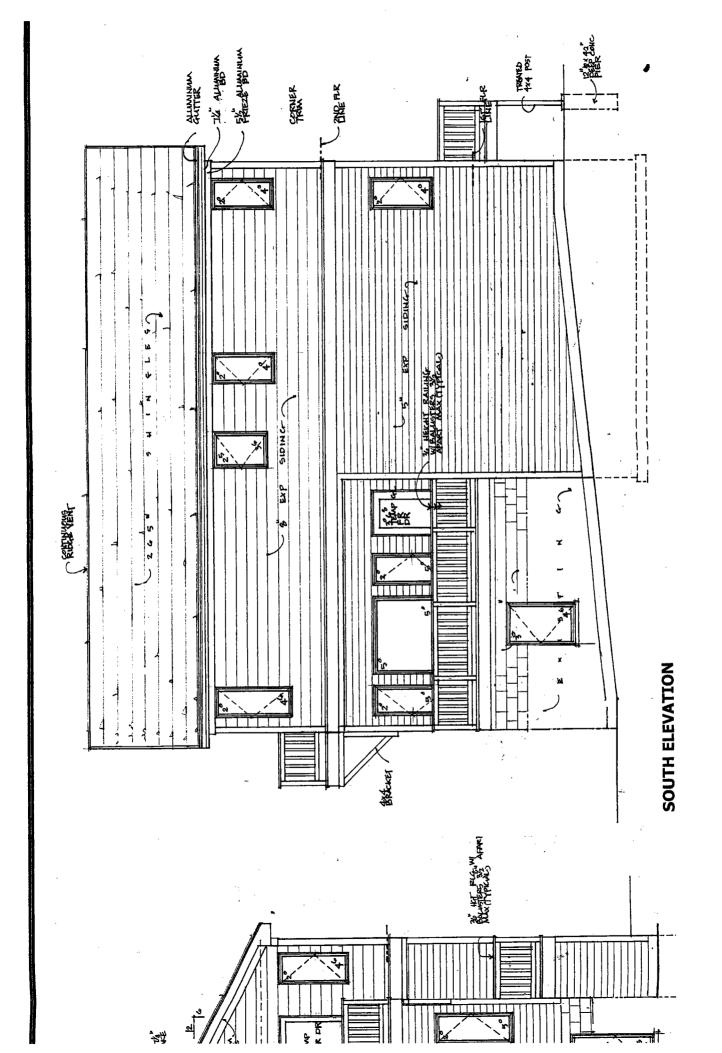
If you have any questions, please contact this office.

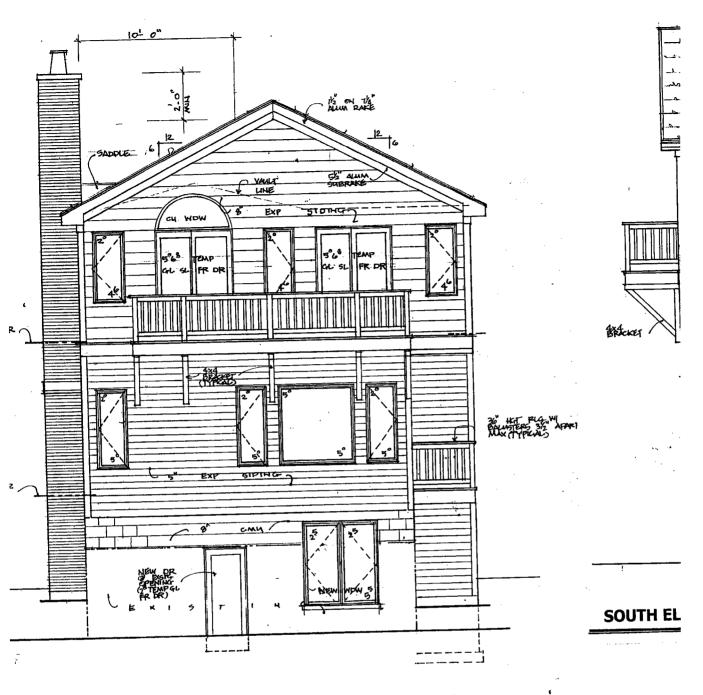
Sincerely,

KANE COUNTY DEVELOPMENT DEPARTMENT

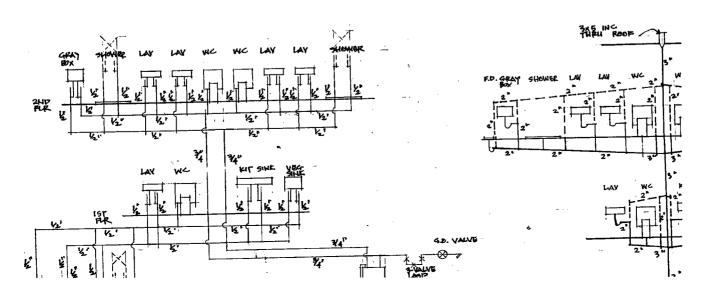
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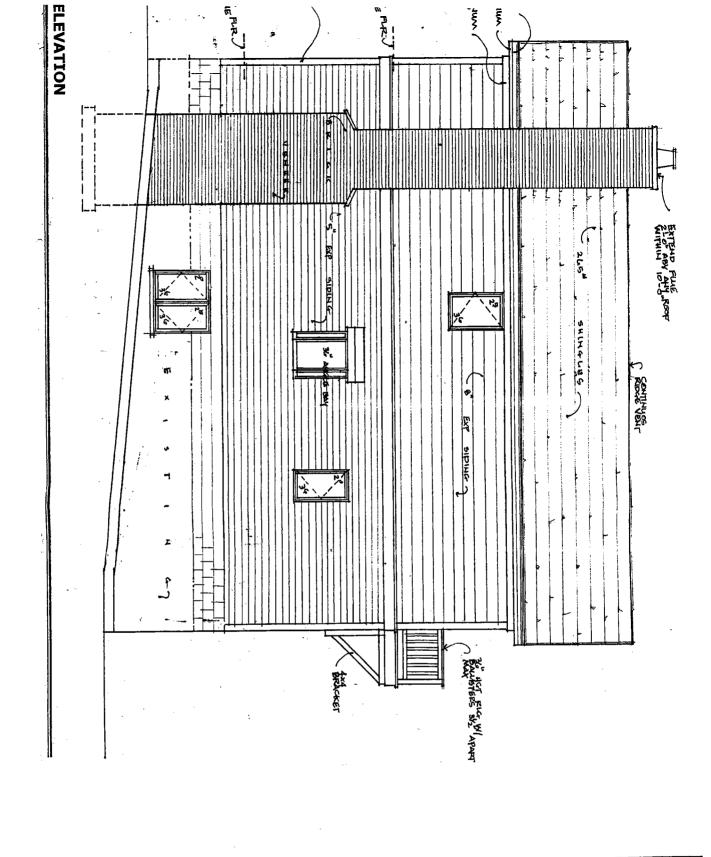
Keith Berkhout, Zoning Planner Building & Zoning Division





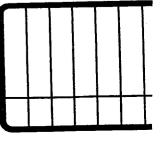
EST ELEVATION

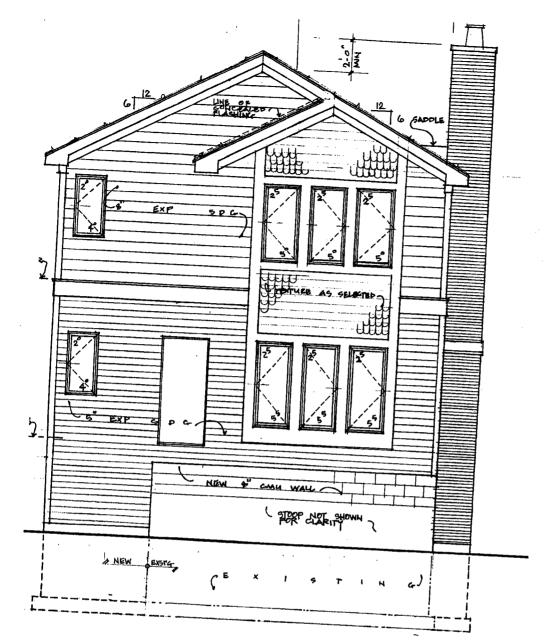




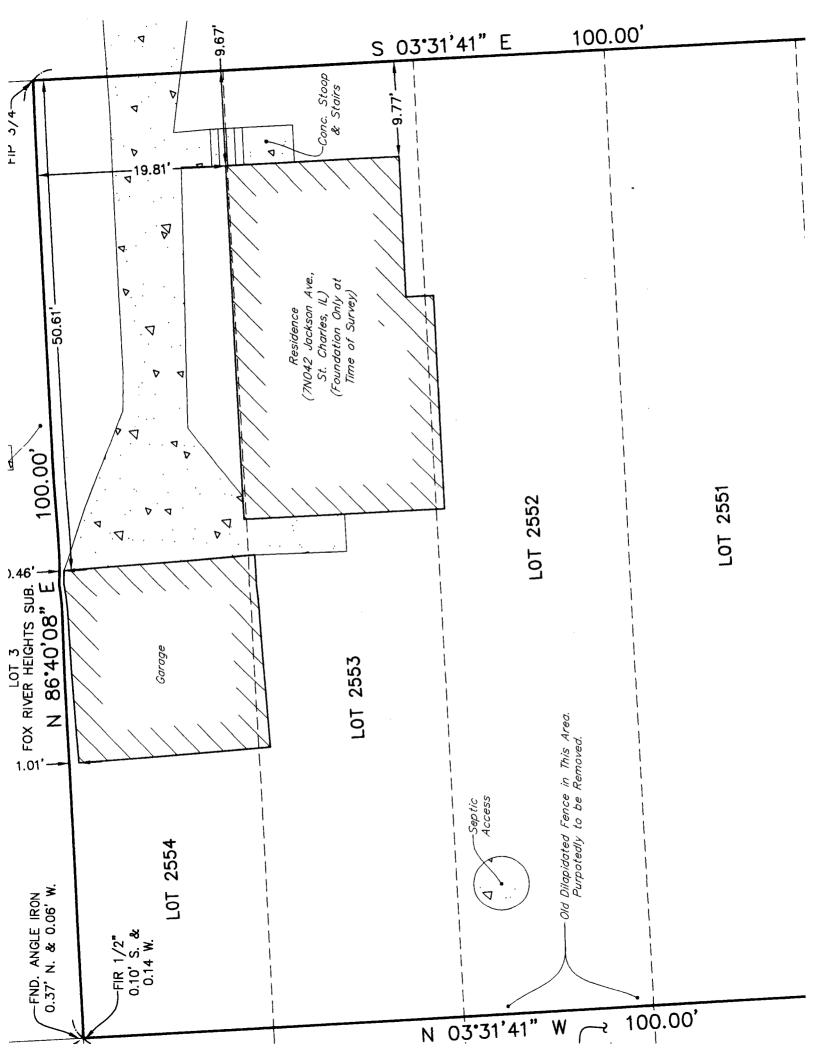
BRIAN MCNICHOLS ARCHITECT

5825 W Arthington Chicago, IL Tel 708 612 8068 Email <u>brianmenarch@vahoo.com</u>





EAST ELEVATION



ST. CHARLES twp. T.40 N - R.8E

