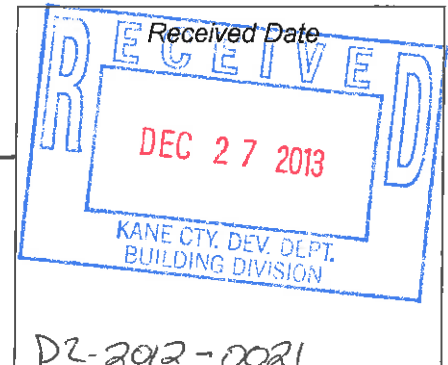


# KANE COUNTY DEVELOPMENT DEPARTMENT

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 Information:	Parcel Number (s): 01-04-200-014
	Street Address (or common location if no address is assigned): 47 W 217 BRIARWOOD LN.

2. Applicant Information:	Name Jerry Lee	Phone (847) 683-0117
	Address 47 W 217 BRIARWOOD LN.	Fax
	Hampshire, IL 60140	Email JDLLee@aol.com

3. Record Owner Info:	Name Gerald T. + Darlene H. Lee	Phone (847) 683-0117 cell (847) 421-0117
	Address 47 W 217 BRIARWOOD LN.	Fax
	Hampshire, IL 60140	Email JDLLee@aol.com

Zoning and Use Information:

Current zoning of the property: R-1 Single Family

Current use of the property: Residential

Reason for Request:

Variation requested (state specific measurements):

27 ft Building Setback 8 ft Variance from  
Harmony Rd. Right of way. J.L.

Reason for request:

To BUILD A BUILDING - closer To THE House - FURTHER  
DOWN 25 Flood Levels.

Action by Applicant on Property:

What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance?

Flood Levels FURTHER DOWN THE PROPERTY.  
Property Line 25 wider

Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)

NO, Sole Purpose Having THE BUILDING To STORE my  
CRAFT + HAVE A WORKSHOP

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.  
BUILDING WILL NOT BLOCK ANY LIGHTING IN THE AREA.

2. Increase the hazard from fire and other dangers to adjacent property.

BUILDING WILL BE FAR APART FROM RESIDENTIAL

3. Diminish the value of adjacent land and buildings.

WOULD NOT DIMINISH THE VALUE OF ADJACENT LAND + BUILDINGS

4. Increase congestion or create traffic hazards.

WOULD NOT CREATE CONGESTION OR ANY TRAFFIC HAZARDS

5. Impair the public health, safety, comfort, morals and general welfare.

WOULD NOT IMPAIR ALL OF THE ABOVE

**Attachment Checklist**

Plat of Survey prepared by an Illinois Registered Land Surveyor.

Legal description

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

N/A

Trust Disclosure (If applicable)

N/A

Application fee (make check payable to Kane County Development Department)

Site Plan drawn to scale showing house, well and septic.

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

Donald T. Lee

12-27-13

Record Owner

Date

Applicant or Authorized Agent

Date

**KANE COUNTY**  
**DIVISION of TRANSPORTATION**

Carl Schoedel, P.E.  
Director of Transportation  
County Engineer



41W011 Burlington Road  
St. Charles, IL 60175  
Phone: (630) 584-1170  
Fax: (630) 584-5265

**MEMORANDUM**

TO: Brooke Biewer, Building & Zoning Division

FROM: Kurt E. Nika, KDOT *K.E.N.*

DATE: January 8, 2014

RE: Gerald T. Lee  
Right of Way Setback Variance (4 ft; 31 ft Variance)  
PIN: 01-04-200-014

Staff from the Kane County Division of Transportation (KDOT) has reviewed this petition and we offer the following comments:

1. The site plan depicts the proposed building four feet from the existing Harmony Road right-of-way line. There do not appear to be any physical obstacles that prevent the proposed building from achieving the required 35' building setback.
2. While Kane County has no plans to widen Harmony Road in the foreseeable future, it is conceivable that the highway could be widened in the distant future, likely requiring additional right-of-way in this area. Therefore, the placement of a structure here could hinder any future expansion of right-of-way in this area. KDOT does not support zoning actions that could hinder future highway projects.
3. The existing shed appears to be positioned with a right-of-way setback of approximately 27 feet. KDOT does not object to a similar building setback for this proposed structure.

Cc: File

## Township of Hampshire

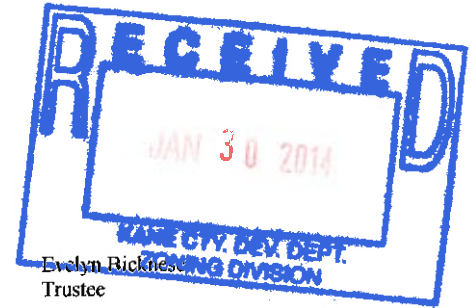
170 Mill Ave  
Hampshire, IL 60140  
847-683-4480

Jody Remakel  
Township Supervisor

Stan Walker  
Highway Commissioner

Rose Letheby  
Township Assessor

Lori Marwig  
Township Clerk



Evelyn Rickness  
Trustee

Carl Brooks  
Trustee

Steven Gustafson  
Trustee

Roger Paddock  
Trustee

January 24, 2014

Brooke Biewer,  
Building and Zoning Division  
County Government Center  
719 Batavia Ave  
Geneva, IL 60134

Dear Ms. Biewer,

The Hampshire Township Board of Trustees met on January 14, 2014 and reviewed the petition request for right of way setback variance located at 47W217 Briarwood Ln., Hampshire Township (01-04-200-024), dated December 27, 2013. They have requested I advise you that they reviewed the request and have no opinion.

Sincerely,

Lori Marwig  
Hampshire Township Clerk

## Berkhout, Keith

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**From:** Nika, Kurt  
**Sent:** Tuesday, February 04, 2014 2:47 PM  
**To:** Berkhout, Keith  
**Cc:** Biewer, Brooke  
**Subject:** RE: Lee building setback petition  
**Attachments:** 2014-01-08 Review to Development.pdf

Keith,

My understanding is that the building setback variance has been adjusted such that the proposed shed would be located 27 feet from the existing right-of-way line (similar to the existing shed on the parcel). With this adjustment, KDOT has no objection to the petition.

Kurt,

-----  
Kurt E. Nika, P.E.  
Chief of Traffic & Permitting  
Kane County Division of Transportation  
41W011 Burlington Road  
St. Charles, IL 60175  
(630) 584-1171  
(630) 584-5239 (FAX)  
-----

-----Original Message-----

**From:** Nika, Kurt  
**Sent:** Wednesday, January 08, 2014 1:27 PM  
**To:** Biewer, Brooke ([biewerbrooke@co.kane.il.us](mailto:biewerbrooke@co.kane.il.us))  
**Subject:** Lee building setback petition

Brooke,

Here are KDOT's comments on the Lee parcel petition. Give me a call if you have any questions or comments.

Kurt,

# 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

February 11, 2014

Jerry Lee  
47W217 Briarwood Lane  
Hampshire, Illinois 60140

RE: Building right-of-way setback variance request  
Petition No.: 4312

Dear Mr. Lee,

This office has received the results of the Kane County Zoning Board of Appeals public hearing held on Tuesday, February 4, 2014.

The petition for a variation to allow a building to be constructed closer to the right-of-way than allowed (27 feet, 8 foot variance) for the property located at 47W217 Briarwood Lane, Section 4, Hampshire 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

A handwritten signature in black ink, appearing to read "Keith Berkhout", is written over a faint, illegible typed name.

Keith Berkhout, Zoning Planner  
Building & Zoning Division

Parcel one

LOT 19 OF PRIMROSE LAKE ESTATES, IN THE TOWNSHIP OF HANPSHIRE, KANE COUNTY, ILLINOIS.

83-7343

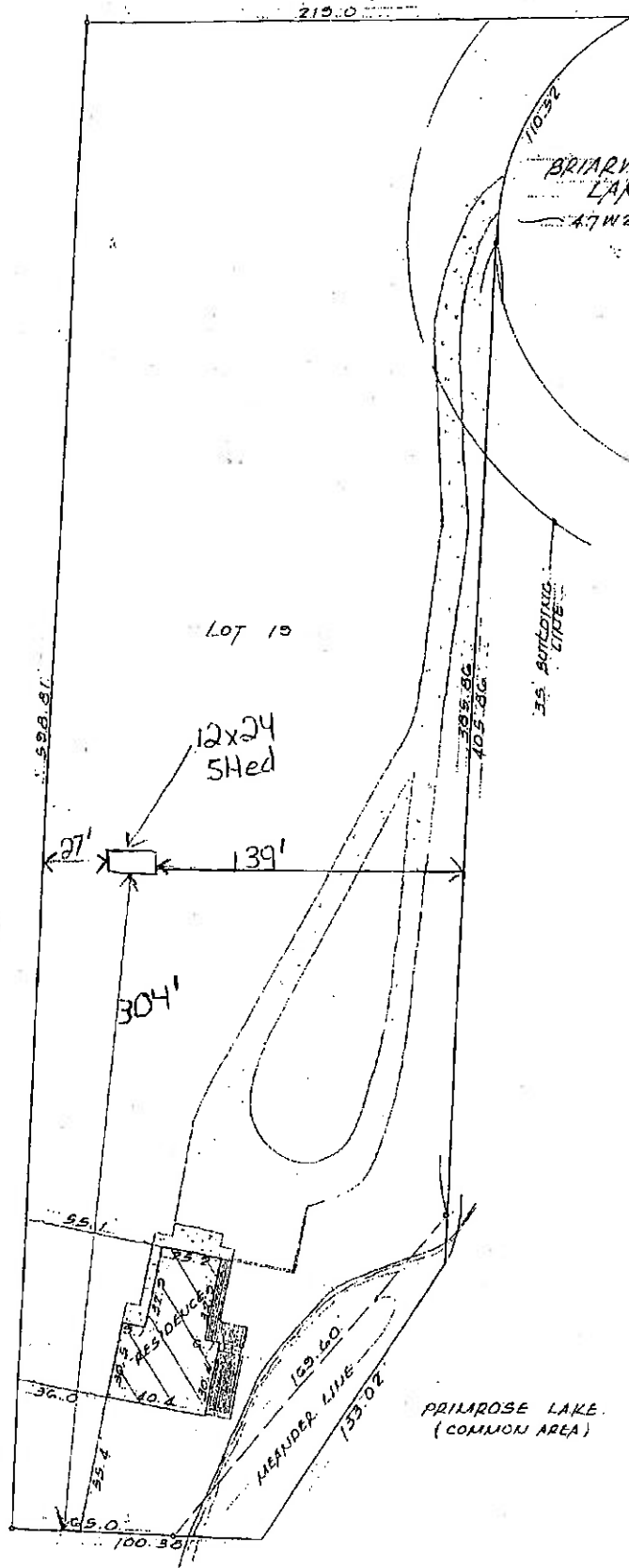
PARCEL TWO:

A 1/19TH INTEREST IN PRIMROSE LAKE (COMMON AREA) OF PRIMROSE LAKE ESTATES, IN THE TOWNSHIP OF HANPSHIRE, KANE COUNTY, ILLINOIS.



SCALE 1" = 30'

1/2" = 30'



STATE OF ILLINOIS )  
COUNTY OF KANE )

I, GERALD SOPHA, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A TRUE AND ACCURATE REPRESENTATION THEREOF.

DATE: JUNE 3, 1992

NO. 8139



*Gerald Sopha*  
GERALD SOPHA  
ILLINOIS REGISTERED LAND SURVEYOR NO. 2473  
51 DEBORCHIE  
ELGIN, ILLINOIS 60123



GETTY RD.

36

GETTY RD. 36

TOLLWAY 

HARMONY RD.  
36

NORTHWEST TOLLWAY

90

HARMONY RD.  
36

BRIARWOOD LN.

36

Primrose Lake

PRIMROSE LN.

HAWTHORNE LN.

4 STOXEN RD.

Jerry Lee, et ux

