



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 21-16

**Stanley Haseltine and Jackie Priorello
Side Yard Setback Variance**

INTRODUCTION

The Petitioners recently purchased the subject property and they would like to construct an addition connecting the existing home to the existing detached garage.

The existing detached garage is approximately thirty-two feet (32') from the western property line which is beyond the ten foot (10') required side yard setback for accessory structures on A-1 zoned property. However, if the addition constructed as proposed, the garage would become attached to the primary structure and would be considered part of the primary structure. Primary structure side yard setbacks on the A-1 zoned property is fifty feet (50'). Per the site plan, an eighteen foot (18') setback variance would be required.

The application materials are included as Attachment 1. The site plan is included as Attachment 2. The aerial of the property is included as Attachment 3.

SITE INFORMATION

PETITIONER Stanley Haseltine and Jackie Priorello

ADDRESSES 1650 Route 126, Plainfield

LOCATION Approximately 0.64 Miles West of Old Ridge Road on the South Side of Route 126

TOWNSHIP Na-Au-Say

PARCEL #S 06-14-100-012

LOT SIZE 1.34 +/- Acres

EXITING LAND USE Single-Family Residential

ZONING A-1 Agricultural

LRMP

Current Land Use	Agricultural/Farmstead
Future Land Use	Suburban Residential (1.00 DU/Acre Max)
Roads	Route 126 is an Arterial Road maintained by the State of Illinois.
Trails	The County has a trail planned along Route 126.
Floodplain/Wetlands	There are no wetlands on the property. The extreme southwest corner of the property is in the 100-year floodplain

REQUESTED ACTION Variance to allow a primary structure to be approximately thirty-two feet (32') from the western property line instead of the required fifty feet (50').

APPLICABLE REGULATIONS § 7:01.G.2.a – Primary Structure Setbacks on A-1 Zoned Property
 §13:04 – Variation Procedures and Requirements

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	LRMP	Zoning within ½ Mile
North	Agricultural	PUD Low Density Single-Family Residential (Plainfield)	Low Density Residential (Plainfield)	PUD Low Density Single-Family Residential (Plainfield) A-1 (County)
South	Agricultural	A-1	Suburban Residential (1.00 DU/Acre Max)	A-1
East	Single-Family Residential/Farmstead	A-1	Suburban Residential	PUD Low Density Single-Family Residential (Plainfield) A-1 (County)
West	Agricultural	A-1	Suburban Residential	PUD Low Density Single-Family Residential (Plainfield) A-1 (County)

GENERAL INFORMATION

The Petitioner intends to convert the garage to living space.

NA-AU-SAY TOWNSHIP

Na-Au-Say Township was emailed this proposal on March 31, 2021.

PLAINFIELD FIRE PROTECTION DISTRICT

The Plainfield Fire Protection District was emailed this proposal on March 31, 2021.

VILLAGE OF PLAINFIELD

The Village of Plainfield was emailed this proposal on March 31, 2021.

FINDINGS OF FACT

§ 13:04.A.3 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to

grant variations. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **There are several existing, mature trees around the subject property. The well is located to the north of the existing house and the septic field is located south of the existing house. The site limits options for expanding the house. The only way that the house can be expanded, without removing the trees or relocating the existing well and septic system is to encroach into the west side yard setback.***

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. **The number of properties zoned A-1 with mature trees and with a well and septic field placements in relation to existing houses on parcels of land of this size in the A-1 District is unknown.***

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. **The current owner did not plant the trees or select the location for the well or septic field. The current owner also did not select the location of the house or garage on the subject property.***

*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. **The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.***

*That 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. **The requested variance will not impair light reaching other properties, cause congestion on any public street, or diminish or impair property values. Provided the addition is constructed applicable building code, the variance will not increase the danger of fire or negatively impact public safety.***

RECOMMENDATION

Staff recommends approval of the requested variance subject to the following conditions:

1. The site shall be developed substantially in accordance with the site plan (Attachment 2) and no part of the primary structure shall encroach within thirty-two feet (32') of the existing western property line.
2. The owner of the property shall comply will all applicable federal, state, and local laws with regards to constructing and/or renovating structures on the subject property.
3. This variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns.

ATTACHMENTS

1. Application (Including Petitioner's Findings of Fact)
2. Site Plan
3. Aerial



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Haseltine Addition and Remodel FILE # 24-16

NAME OF APPLICANT Stanley Haseltine and Jackie Priorello		
CURRENT LANDOWNER/NAME(s) Stanley Haseltine and Jackie Priorello		
SITE INFORMATION ACRES 1.34 acres	SITE ADDRESS OR LOCATION 1650 Rt. 126 Plainfield, Illinois 60544	ASSESSOR'S ID NUMBER (PIN) 06-14-100-012
EXISTING LAND USE Agricultural	CURRENT ZONING A-1 Agricultural	LAND CLASSIFICATION ON LRMP Agricultural
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
PRIMARY CONTACT Stanley Haseltine	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT OTHER #(Cell, etc.) [REDACTED]
ENGINEER CONTACT Don Rickard, Architect	ENGINEER MAILING ADDRESS [REDACTED]	ENGINEER EMAIL [REDACTED]
ENGINEER PHONE # [REDACTED]	ENGINEER FAX # [REDACTED]	ENGINEER OTHER #(Cell, etc.) [REDACTED]
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT [REDACTED]		DATE 3-29-21

FEE PAID: \$ 475.00
 CHECK #: [REDACTED]

RECEIVED

MAR 29 2021

KENDALL COUNTY
 PLANNING, BUILDING
 & ZONING

Date Stamp Here If
 Checklist Is Complete

¹ Primary Contact will receive all correspondence from County

² Engineering Contact will receive all correspondence from the County's Engineering Consultants

Exhibit A - Legal Description

THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 14, THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 710 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF SECTION, THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, FOR A DISTANCE OF 40.00 FEET TO THE SOUTH LINE OF THE EXISTING RIGHT OF WAY LINE OF ILLINOIS ROUTE 126 FOR A POINT OF BEGINNING, THENCE CONTINUING SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, FOR A DISTANCE OF 260.00 FEET, THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 225.00 FEET, THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 260.00 FEET TO THE SOUTH LINE OF THE EXISTING RIGHT OF WAY LINE OF ILLINOIS ROUTE 126, SAID LINE BEING 40.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SAID NORTHWEST 1/4 OF SECTION 14, THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LINE, FOR A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.342 ACRES, MORE OR LESS, SITUATED IN NA-AU-SAY TOWNSHIP, IN KENDALL COUNTY, ILLINOIS.

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

AFFIDAVIT OF TITLE

Your affiant JJJ Holdings LLC, an Illinois Limited Liability Company, by all of its Managers, namely Julie A. Pristas, Jeffery Pristas and Jerry Nelson, being first duly sworn and on oath state, covenant and warrant to grantees, Jaclyn Priorello and Stanley Haseltine, as follows:

- 1. That your affiants have an interest in the premises described below (or in the proceeds thereof) or are the grantors in a warranty deed dated March 16, 2021 to grantee, conveying the following described premises:

Please see LEGAL DESCRIPTION on back page.

That since January 29, 2021, the effective date of a title commitment issued by Stewart Title on the above property, your affiants have not done or caused to be done anything that could effect title to the premises, and no proceedings have been filed by or against affiants, nor has any judgment or decree been rendered against affiants, nor is there any judgment, note or other instrument which could result in a judgment or decree against affiants within five (5) days from the date hereof.

- 2. That no security agreements or financing statement have been executed on any fixture or fixtures attached to or a part of the improvements on the above described premises itself, which have not been fully paid for, satisfied and released.
3. That no labor or material has been furnished for the premises within the last four (4) months that has not been fully paid for.
4. That all water, electric, gas, taxes and other utilities have been fully paid and satisfied, except the current bills for each.
5. That your affiants have not received notice of any alleged or pending ordinance violation of any city or county government governing the above premises.

FURTHER AFFIANTS SAYETH NAUGHT.

JJJ Holdings LLC

[Redacted signature]
By: Julie A. Pristas, Manager

[Redacted signature]
By: Jerry Nelson, Manager

[Redacted signature]
By: Jeffery Pristas, Manager

Subscribed and sworn to before me this March 16, 2021.

[Redacted signature]
Notary Public



BILL OF SALE

Seller, JJJ Holdings LLC, an Illinois Limited Liability Company with its principal place of business at 12421 S. Cherry Blossom Blvd., Plainfield, Illinois by all of its Managers, namely Julie A. Pristas, Jeffery Pristas and Jerry Nelson, in consideration of TEN DOLLARS AND NO/100 (\$10.00) in hand paid by Buyers, Jaclyn Priorello and Stanley Haseltine, of 1650 State Route 126, Plainfield, Illinois do hereby bargain, sell and deliver unto Buyers the following goods and chattels, if any, presently located at 1650 State Route 126, Plainfield, Illinois 60544:

All fixtures and personal property listed in the Real Estate Contract dated February 4, 2021 between the parties.

Sellers hereby represent and warrant to Buyers that Sellers are the absolute owners of said property, that said property is free and clear of all liens, charges and encumbrances, and that Sellers have full right, power and authority to sell said personal property and to make this bill of sale. ***All warranties of quality, fitness, and merchantability are hereby excluded.***

If this bill of sale is signed by more than one person, all persons so signing shall be jointly and severally bound hereby.

IN WITNESS WHEREOF, Sellers signed and sealed this bill of sale this March 16, 2021.

JJJ Holdings LLC

By: Julie A. Pristas, Manager

By: Jerry Nelson, Manager

By: Jeffery Pristas, Manager

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Julie A. Pristas, Manager, Jeffery Pristas, Manager and Jerry Nelson, Manager appeared before me this day in person and they acknowledged and swore that they signed and delivered this bill of sale as their free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal, this March 16, 2021.



Notary Public

ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

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THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 14, THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 710 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF SECTION, THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, FOR A DISTANCE OF 40.00 FEET TO THE SOUTH LINE OF THE EXISTING RIGHT OF WAY LINE OF ILLINOIS ROUTE 126 FOR A POINT OF BEGINNING, THENCE CONTINUING SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, FOR A DISTANCE OF 260.00 FEET, THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 225.00 FEET, THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, FOR A DISTANCE OF 260.00 FEET TO THE SOUTH LINE OF THE EXISTING RIGHT OF WAY LINE OF ILLINOIS ROUTE 126, SAID LINE BEING 40.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SAID NORTHWEST 1/4 OF SECTION 14, THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LINE, FOR A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.342 ACRES, MORE OR LESS, SITUATED IN NA-AU-SAY TOWNSHIP, IN KENDALL COUNTY, ILLINOIS.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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008UN - ALTA Commitment For Title Insurance (8/1/16)



Please fill out the following findings of fact to the best of your capabilities. § 13.04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

The existing physical surroundings create a practical difficulty for expansion. The practical solution to expanding the living space is by converting the existing attached garage to living space and adding a small addition to the west of the garage. There are difficulties in expanding in the other three directions. The well is in the North yard and there is a septic tank and field in the South yard and The East doesn't allow use of the existing attached garage space. There are a significant amount of mature trees in these same three yards that would have to come down to make an addition work.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

The existing conditions are unique to this property. These are existing conditions and existing circumstances. This is not a typical property layout in the Agricultural zoning district.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

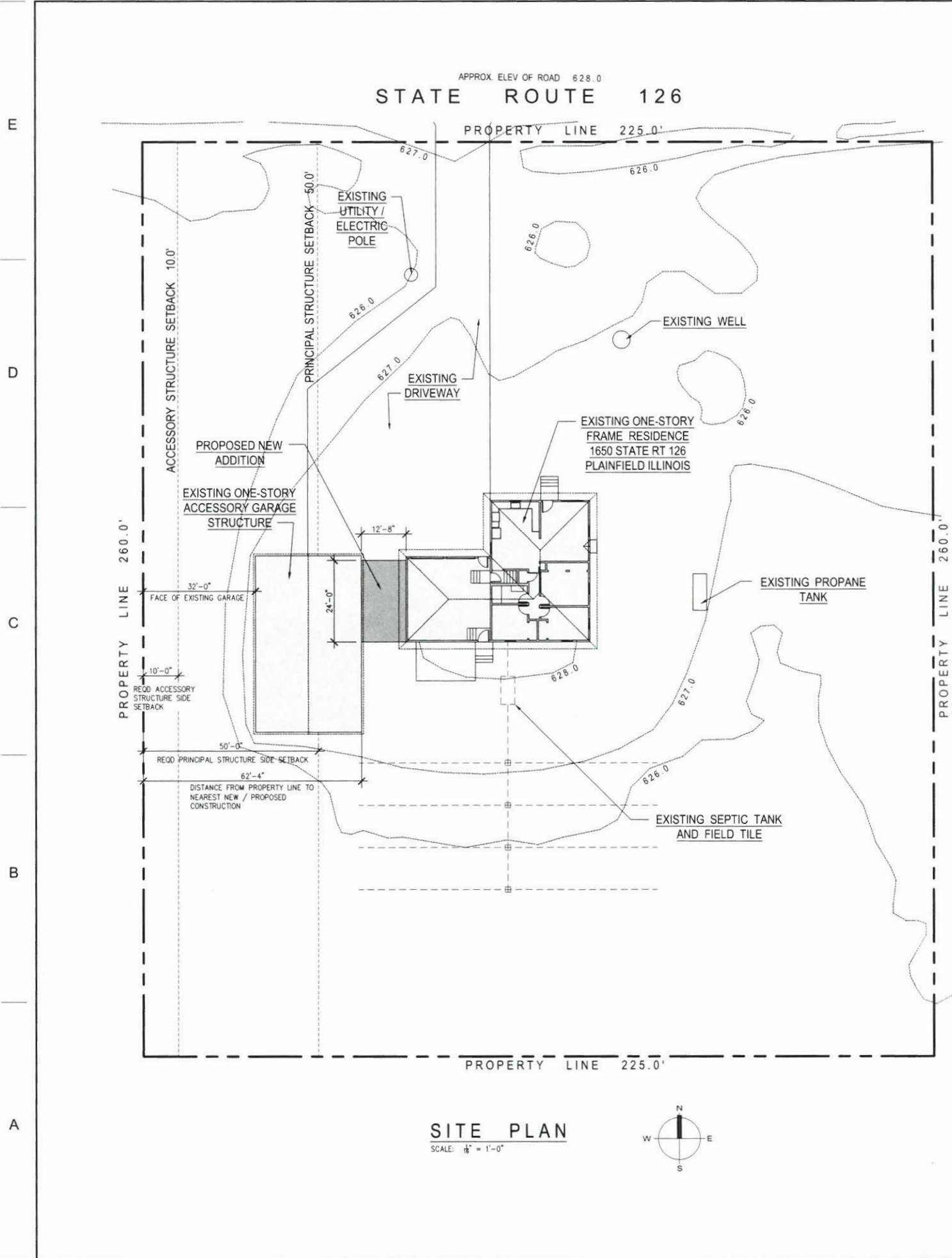
The applicant is a new purchaser and did not build either of the 2 buildings and did not develop or subdivide the property. These are long standing existing conditions that were created by prior owners. The current applicant did not create these conditions.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

This variance, if granted, would not be materially detrimental to the public or injurious to any of the surrounding properties. The existing barn is approximately 30' from the West property line and that will not change. All new proposed construction would happen between the two existing buildings and would not project beyond the North or South faces of the existing structures.

That 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.

This variance would not impair adequate supply of light or air to any surrounding property. This variance will not create any congestion in the streets. This variance will not create any danger related to fire or any public safety concerns. This variance would not have any negative impact on property values.



COUNTY GIS TOPO PLAN
SCALE: NTS



GENERAL AREA PLAN
SCALE: NTS

DRA
Don Rickard Architect
4735 Main Street
Downers Grove, Illinois 60515
708.381.9139
donrickardarchitect@gmail.com

LICENSED ARCHITECT IN ILLINOIS, INDIANA, WISCONSIN, FLORIDA, SOUTH CAROLINA, GEORGIA, NEW JERSEY AND MARYLAND

NCARB, NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS

30 YEARS OF EXPERIENCE
OVER 750 PROJECTS COMPLETED

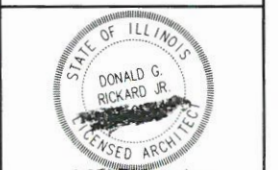
ARCHITECTURE, DESIGN AND PLANNING,
REAL ESTATE ENTITLEMENT REPRESENTATION, FULL ARCHITECTURAL AND CONSTRUCTION CONSULTING SERVICES

RESIDENTIAL, COMMERCIAL, INDUSTRIAL

PROJECT

Variance Request Application for:
Haseltine Residence
1650 State Rt 126
Plainfield, Illinois 60586

FOR VARIANCE ONLY



SIGNED: [Signature]
DATE: 2021-01-29

I HEREBY CERTIFY THAT THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLY WITH ALL BUILDING CODES HAVING JURISDICTION AND THE STATE OF ILLINOIS RULES & REGULATIONS, INCLUDING THE AMERICANS WITH DISABILITIES ACT, AND WITH THE ILLINOIS ACCESSIBILITY CODE WHERE APPLICABLE.

THESE DRAWINGS AND THIS DESIGN ARE BOTH THE PROPERTY OF DON RICKARD, ARCHITECT. THEY ARE LENT TO THE RECIPIENT FOR THEIR CONFIDENTIAL, ONE TIME USE ONLY FOR THE PURPOSE OF CONSTRUCTING THE PROJECT ONE TIME. AT THIS SITE ONLY. THE RECIPIENT AGREES THAT THE CONTENTS WILL BE KEPT CONFIDENTIAL AND WILL NOT BE REPRODUCED, COPIED, LENT OR OTHERWISE DISPOSED OF DIRECTLY OR INDIRECTLY. THEY SHALL NOT BE USED IN ANY WAY DETRIMENTAL TO THE INTERESTS OF DON RICKARD, ARCHITECT.

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REVISIONS & ISSUANCES

REV.	DATE	DESCRIPTION	INITIALS
2021-0401		COUNTY VARIANCE PETITION	DGR

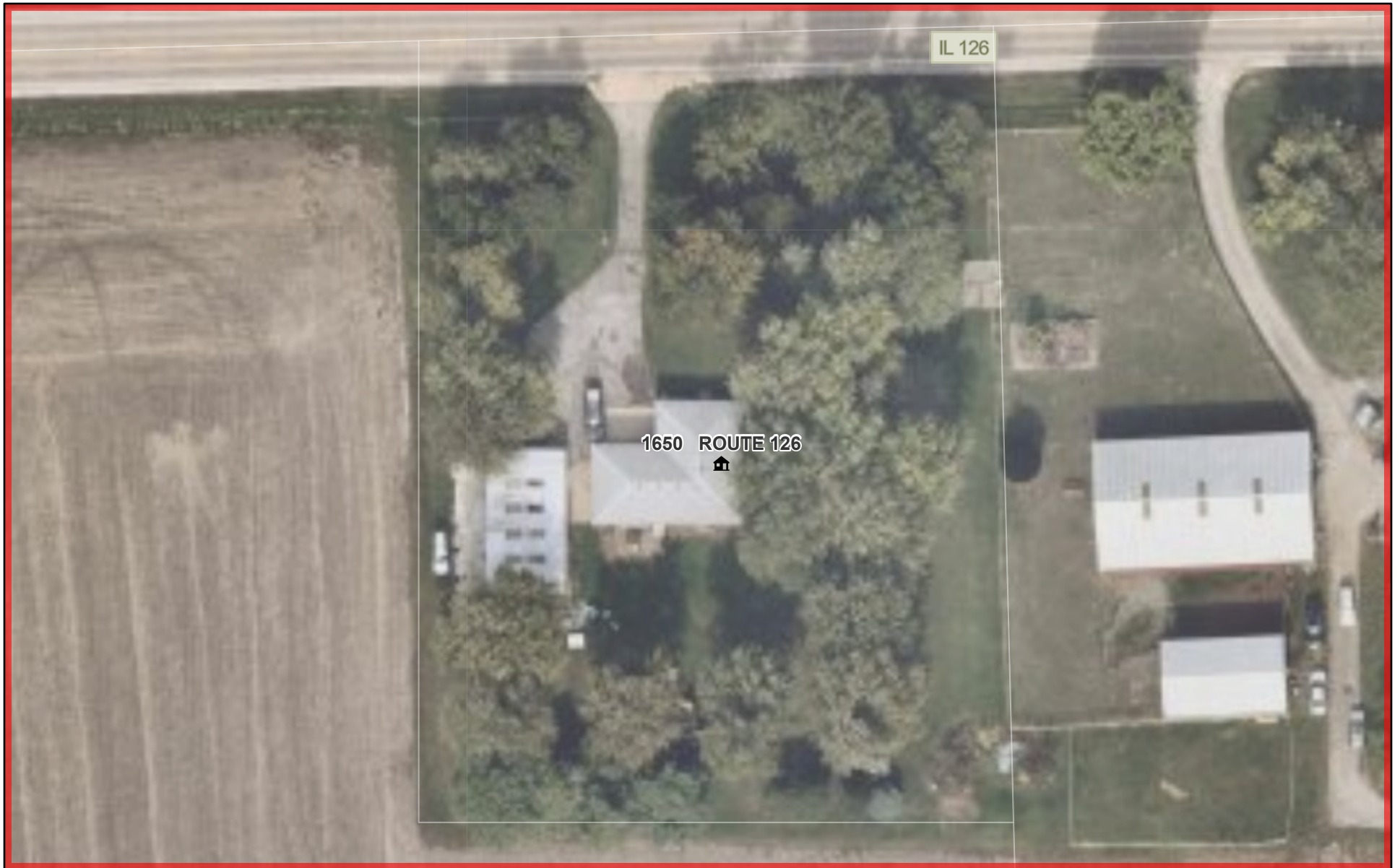
DATE: 2021-01-29

DRAWN BY: DGR | CHECKED BY: DGR


JOB NO.: 2021 - 029

SITE PLAN ZONING EXHIBIT

SHEET NO. **A-1**

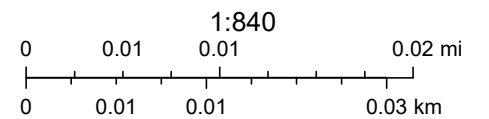


March 29, 2021

 Kendall County Address Points

Parcels

Ownership Parcel



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Kendall County Web GIS

View GIS Disclaimer at <https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/>.