

4624

**KANE COUNTY DEVELOPMENT DEPARTMENT**

Zoning Division, Kane County Government Center

719 S. Batavia Avenue  
Geneva, Illinois 60134  
Office (630) 444-1236

Received Date

**APPLICATION FOR A VARIATION***Instructions:**To request a variation for a property, complete this application and submit it with all required attachments to the 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.*

<b>1. Property Information:</b>	<b>Parcel Number (s) :</b>  05-21-300-023 / 05-21-300-024
	<b>Street Address (or common location if no address is assigned):</b>  10N051 Kendall Road

<b>2. Applicant Information :</b>	<b>Name</b> Paige Billek  Leonard M. Monson, attorney	<b>Phone</b> 630.885.5110  630.420.8228 x6
	<b>Address</b> Billek: 5N385 Hanson Ridge Road, St Charles, IL	<b>Fax</b>
	Monson: 552 S Washington #100, Naperville, IL	<b>Email</b> paigedvm@gmail.com Len@KuhnHeap.com

<b>3. Record Owner Information:</b>	<b>Name</b> MacHarg, Vacek, Illian, LLC	<b>Phone</b>
	<b>Address</b> 6N146 Surrey Rd, Wayne, IL 60184	<b>Fax</b>
		<b>Email</b>

**Zoning and Use Information:**

Current zoning of the property: F2 (-023) / F (-024)

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Current use of the property: Veterinary Clinic (-023)  
Agriculture (-024)

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**Reason for Request:**

Variation requested (state specific measurements): Variation from  
the 250' frontage requirement to 33'

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Reason for request: To allow access, use, and separate ownership  
of the 40.23 acres to the rear of the veterinary clinic.

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**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 combination of the special use vet clinic, and the 2011 Library annexation of the rear 40.23 acres creates a practical difficulty for the conveyance and use of the rear 40.23 acres.

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Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)  
Yes, the current property configuration limits the appropriate use of the rear 40.23 acres.

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Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain)  
While the special use for the vet clinic was initiated by the owner the Library Board Annexation was not. The special use is limited to the front 7.46 acres.

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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 requested variance would have no impact on  
the supply of light and air to adjacent property.

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

The requested variance does not change the current  
entitlements to the property and would not increase  
the hazard from fire or other dangers.

3. Diminish the value of adjacent land and buildings.

The requested variance would not change the  
the current uses, and would therefore not  
diminish the value of adjacent land or  
buildings.

4. Increase congestion or create traffic hazards.

While the variance would increase access to  
Kendall Road by one, the underlying uses would  
not change and thus not increase congestion or  
traffic hazards.

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

The requested variance would not change the  
current uses, and would therefor not impair  
the public health, safety, comfort, morals,  
or general welfare.

### Attachment Checklist

- ☐ Plat of Survey prepared by an Illinois Registered Land Surveyor.
- ☒ Legal description
- ☒ Certification of Notification of adjacent property owners
- ☐ Trust Disclosure (If applicable)
- ☒ 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.

John R. Vacek 11/8/23  
Record Owner  
John R. Vacek DVM Date

M. A. MacHars 11/8/23  
M. A. MacHars DVM Applicant or Authorized Agent Date

LEGAL DESCRIPTION

10N051 Kendall Road APPLICATION FOR A VARIATION

THE SOUTHERLY 33.00 FEET OF THE WESTERLY 734.40 FEET AND THE EASTERLY 1900.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 45 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 582.52 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 06 SECONDS EAST 1451.42 FEET; THENCE NORTH 00 DEGREES 50 MINUTES 49 SECONDS EAST 575.59 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS EAST 1184.48 FEET TO THE EAST OF LINE SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 52 MINUTES 44 SECONDS WEST 1145.47 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 49 MINUTES 46 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 2634.40 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF PLATO, KANE COUNTY, ILLINOIS (CONTAINING 40.79 ACRES, MORE OR LESS).

PIN: 05-21-300-023 (Underlying)

05-21-300-024



**10N051 Kendall Rd.**

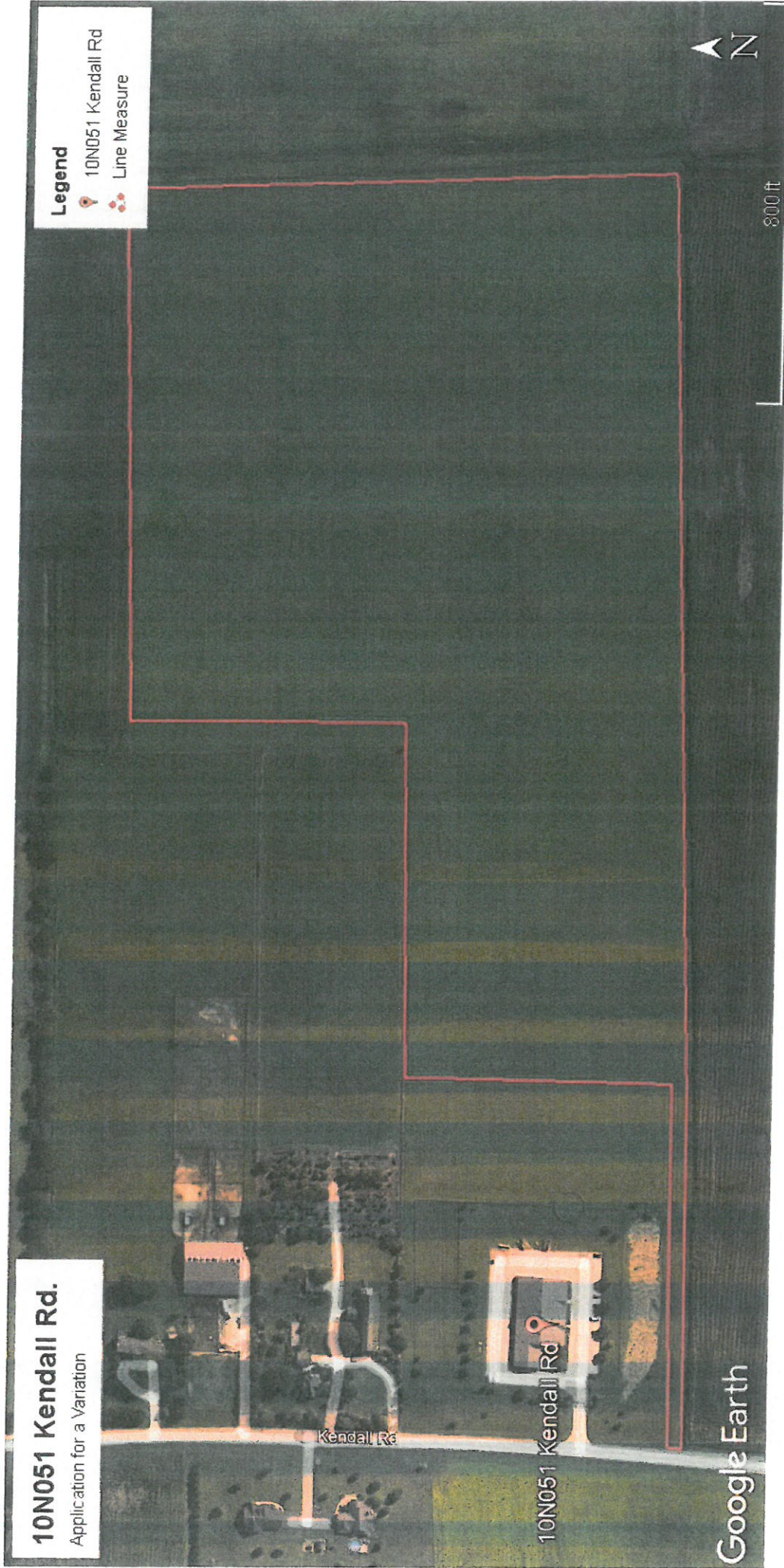
Application for a Variation

**Legend**

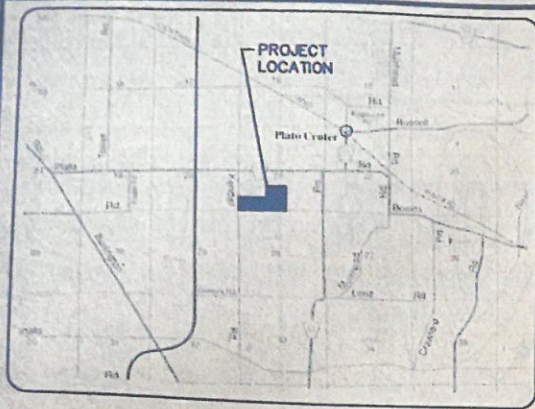
-  10N051 Kendall Rd
-  Line Measure

Google Earth

800 ft

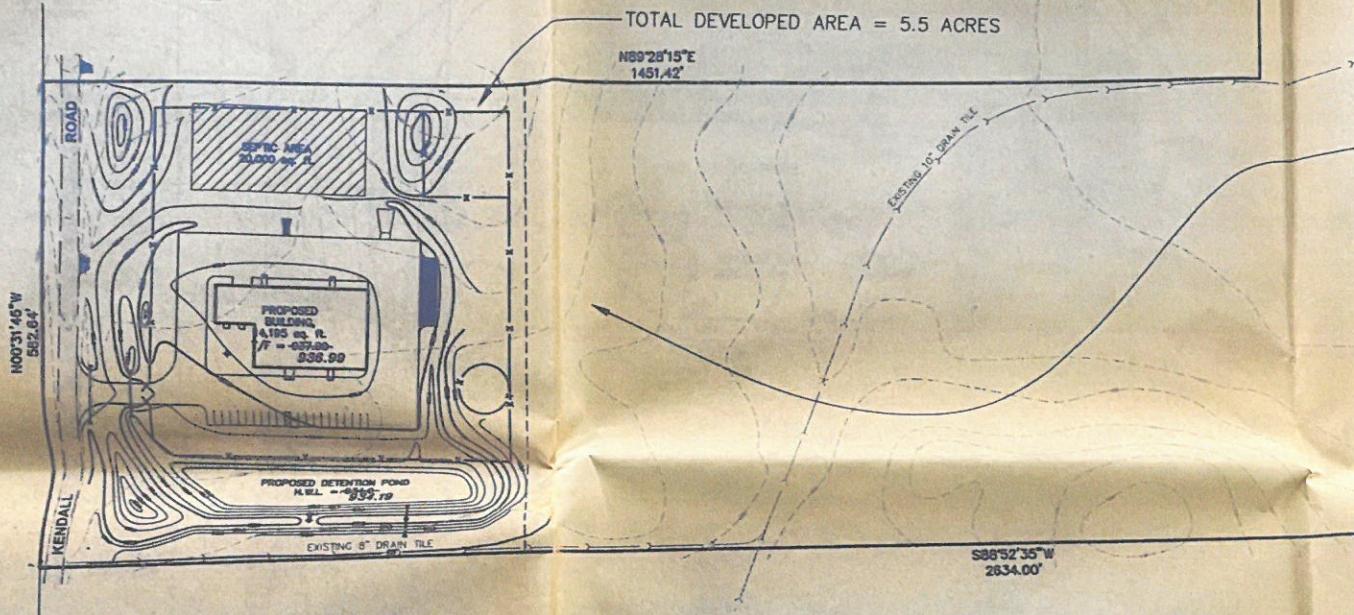






## LOCATION MAP

NOT TO SCALE



### SEEDING INFORMATION AND SCHEDULE

R.O.W. & REMAINING GRASSED AREA: CLASS 1 SEEDING MIXTURE  
 PERMANENT SEEDING MIXTURE - 50 LBS./AC. KENTUCKY BLUEGRASS  
 30 LBS./AC. PERENNIAL RYEGRASS  
 20 LBS./AC. CREEPING RED FESCUE  
 TEMPORARY SEEDING MIXTURE - 150 LBS./AC. RYE OR WHEAT  
 100 LBS./AC. OATS

VEGETATED SWALE & FILTER STRIP  
 PERMANENT SEEDING MIXTURE - 50 LBS./AC. KY 31 TALL FESCUE  
 TEMPORARY SEEDING MIXTURE - 150 LBS./AC. RYE OR WHEAT  
 100 LBS./AC. OATS

SEEDING SCHEDULE	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
PERMANENT SEEDING MIXTURE NON IRRIGATED DORMANT (DOUBLE RATE)												
TEMPORARY SEEDING MIXTURE RYE OR WHEAT OATS												

FERTILIZER MIXTURE FOR PROPOSED SEEDING AREAS  
 NITROGEN (N) 120 LBS./AC.  
 PHOSPHORUS (P) 52 LBS./AC. OR 120 LBS./AC. P<sub>2</sub>O<sub>5</sub>  
 POTASSIUM (K) 100 LBS./AC. OR 120 LBS./AC. K<sub>2</sub>O

D3A  
2/14/00

### PROJECT IMPLEMENTATION SCHEDULE

CONSTRUCTION SCHEDULE	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY
PROJECT START-UP												
SITE GRADING												
EROSION CONTROL												
SEEDING												
PROJECT CLOSE-OUT												

1/15/02

FOR UNDERGROUND UTILITY LOCATIONS  
 CALL 48 hrs. BEFORE YOU DIG



**JULIE**  
 1-800-892-0123  
 TOLL FREE

PROPOSED  
 PARKING STALL SUMMARY  
 HANDICAP STALLS = 1  
 CONVENTIONAL STALLS = 19  
 TOTAL PARKING STALLS = 20

- NOTES: 1. EXISTING FIELD TILE INFORMATION PROVIDED BY OWNER  
 2. ROPE OFF SEPTIC AREA PRIOR TO START OF CONSTRUCTION  
 3. RESTORE ALL DISTURBED AREAS WITH 6" TOPSOIL CLASS 1 SEEDING AND MULCH

### BENCHMARKS:

**BENCHMARK #1**  
 CHISELED "X" ON 18" CMP CULVERT AT SE INTERSECTION OF KENDALL ROAD AND PLATO ROAD  
 ELEV. = 937.94

**BENCHMARK #2**  
 CHISELED "X" 6"x4" S&R CMP CULVERT ON SOUTH SIDE OF PLATO ROAD, 1 MILE EAST OF IL ROUTE 47  
 ELEV. = 922.66

TOPOGRAPHY WAS PROVIDED BY:  
 ENGINEERING ENTERPRISES, INC.

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**Engineering Enterprises, Inc.**  
 Consulting Engineers  
 52 Wheeler Road  
 Sugar Grove, Illinois 60554 630/466-9350

**M.V.I., LLC.**  
 6N146 SURREY ROAD  
 WAYNE, IL 60184

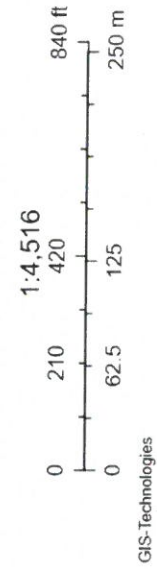
2	10/25/02	PER OWNER
NO.	DATE	REVISION



# Map Title



November 29, 2023

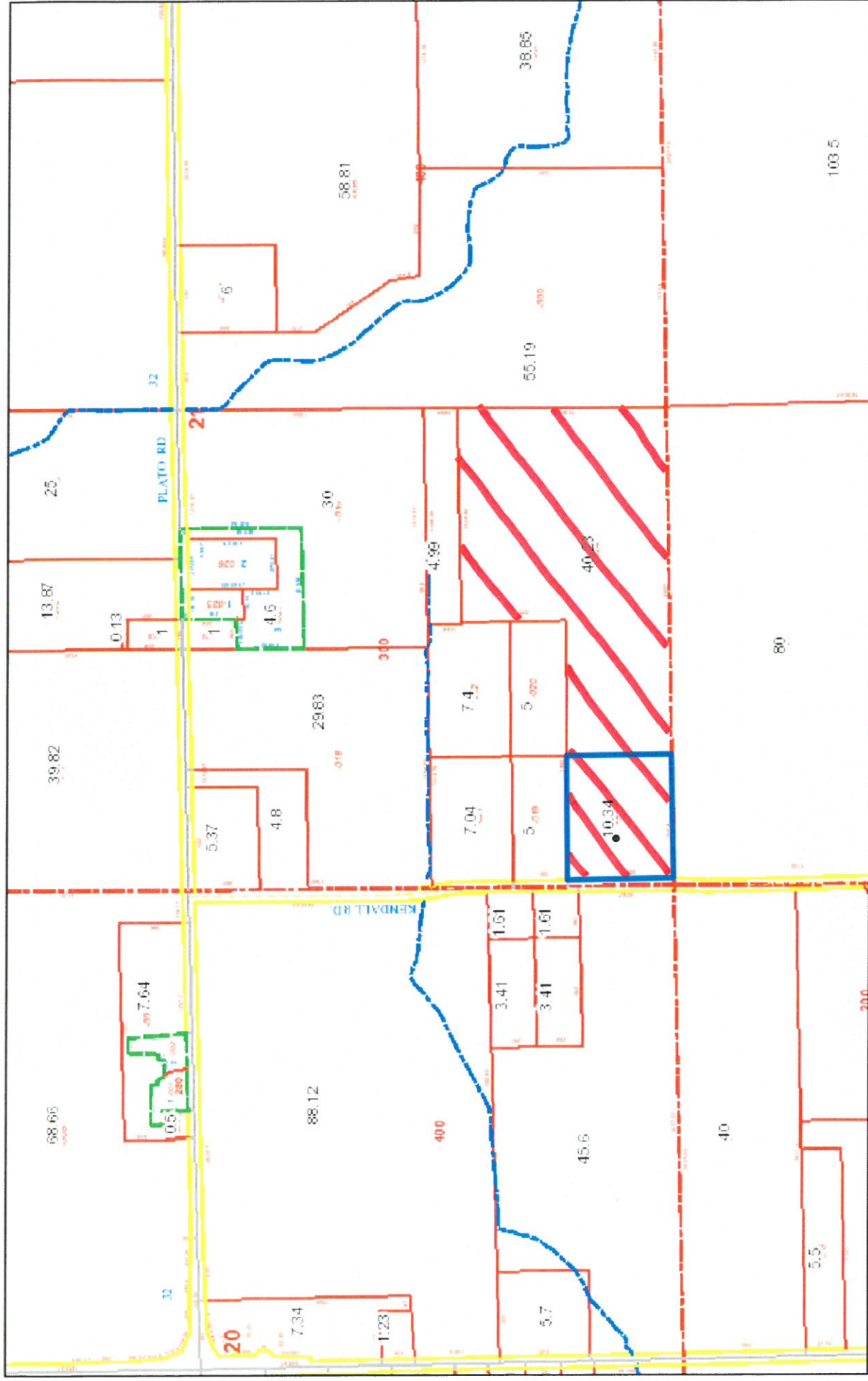


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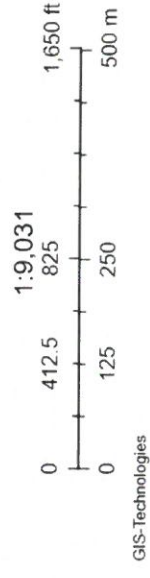
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Kane County Illinois



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November 29, 2023



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