

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

October 6, 2025

NOTICE OF INTENT TO GRANT A MINISTERIAL VARIANCE

RE: Requests to allow total detached building size and right-of-way setback variances for an above ground pool in the E-3 Estate Residential District submitted by Michael & Anne Re. Property is located at 1N080 Denali Road, Section 3, Blackberry Township (11-03-361-003)

Property Owner:

As described in the Kane County Zoning Ordinance, Article IV, Section 4.4-5, this letter is a legal **NOTICE OF INTENT TO GRANT A MINISTERIAL VARIATION** for a detached building size variance (576 square feet is size, 70 square feet larger than allowed combined 900 square feet for both detached structures) and a right-of-way setback variance of (33' feet from the end of the right-of-way, a variance of 2' from the required 35' from the end of the right-of-way) for an above ground pool.

Please be advised that you as a property owner within 250 feet of the subject property you can file a written objection to the variance if you so desire. Any written objection should be sent to the Kane County Zoning Office, Attn.: Zoning Enforcement Officer, 719 Batavia Avenue, Geneva, IL 60134, within fifteen (15) days of receipt of this notice. A written objection will require this request to be heard at a public hearing in front of the Zoning Board of Appeals. If no response is made within the designated time frame this office will assume that there is no objection.

If you have any questions, please feel free to contact this office at 630-232-3495.

Sincerely,

KANE COUNTY DEVELOPMENT DEPARTMENT

Keith Berkhout
Zoning Planner

Enclosure



COUNTY OF KANE Zoning Application

Kane County Government Center
719 S. Batavia Ave, Geneva, IL 60134 - Building A | (630) 444-1236

INTERNAL USE ONLY

CV Project No.:

Zoning Petition No.:

Date Received:

ENTITLEMENT PROCESS (Zoning Ordinance Section 25-16-5: APPENDIX A)

The review process for a Zoning Application involves multiple steps and coordination among various stakeholders, typically spanning 4-5 months. It begins with a Pre-Application Meeting with the Technical Staff team, if you have not yet been scheduled for one of these meetings, please contact one of our Zoning Planners.

The deadline for submitting a Zoning Application for review is forty-five (45) days prior to the desired Zoning Board of Appeals (ZBA) meeting date. Please note, applicants are encouraged to submit their applications 1-2 weeks prior to the official deadline for a completeness review by a Zoning Planner to ensure a seamless review process.

If required, the petition may proceed to the Regional Planning Commission (RPC) for review and recommendations to the Zoning Board of Appeals (ZBA). The ZBA then holds a public hearing, to make recommendations to the Kane County Development Committee. The final decision is made by the Kane County Board (KCB) after reviewing all prior recommendations, with meetings typically held on the second Tuesday of each month.

PETITION TYPE (Select All that Apply)

☐

Map Amendment (Rezoning)

☐

Special Use Permit

☒

Variance

SUBJECT PROPERTY

Address/Common Location: 1N080 Denali Road, Elburn, IL 60119

Parcel Identification Numbers: 11-03-361-003

Township: Blackberry (11)

2040 Future Land Use Designation: Rural Residential

Gross Site Area (Acres): 1.26

Net Site Area (Acres): 1.26

Current Zoning District: R1-One-Family Residential

Proposed Zoning District: R1-One-Family Residential

Current Zoning District: (Select One If Applicable)

Proposed Zoning District: (Select One If Applicable)

Current Zoning District: (Select One If Applicable)

Proposed Zoning District: (Select One If Applicable)

Current Zoning District: (Select One If Applicable)

Proposed Zoning District: (Select One If Applicable)

PROJECT INFORMATION

Project Title: Utility Shed Construction/Swimming Pool

Proposed Land Use: Residential

Project Description: (Briefly describe your project below or attach a separate Project Narrative with this Application if more space is required)

Construction of 24X24 Utility Shed for storage of our classic car, outdoor accessories and patio furniture. Structure is 60 square feet over the allowed that we are allowed for our lot size. Swimming pool is 1.27 feet into the easement.

ADDITIONAL PROJECT INFORMATION

1. How does the proposed use relate to the existing uses of property within the general area of the property in question?

Same use

2. What are the zoning classifications of properties in the general area of the property in question?

Residential

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

Zoned residential with no change to zoning

4. What is the trend of development, if any, in the general area of the property in question?

Residential

5. How does the projected use of the property relate to the Kane County 2040 Land Use Plan?

Zoning not changing

PUBLIC NOTICE REQUIREMENTS

LETTER TO ADJACENT PROPERTY OWNERS FROM THE APPLICANT

- a. The **Petitioner/Applicant** shall send a letter to all property owners within two hundred fifty feet (250') of the property lines of the parcel which is the subject of the zoning request;
- b. The purpose of this letter is to advise the surrounding neighbors that an application for a rezoning/special use/variation has been filed and to provide a brief description of the proposed project. Neighbors should be advised that a public hearing date will be forthcoming, but do not provide an official date;
- c. Certification of said notifications must be filed with the Kane County Zoning Department along with the zoning application. See 'CERTIFICATION OF NOTIFICATION OF ADJACENT PROPERTY OWNERS' form.
- d. **This letter shall be mailed at the time of Zoning Application submittal to the County.**

Note: There are three (3) additional requirements that must be fulfilled in order to schedule a Public Hearing. 1) Letter to Adjacent Property Owners; the County will send a letter notifying all property owners within two hundred fifty feet (250') of the property lines of the parcel that a Public Hearing is scheduled for a Zoning Petition for a rezoning/special use permit. 2) Public Notice to the Local Newspaper; the County will publish the legal notice to the Kane County Chronicle newspaper within the required time frame and receive a Certificate of Publication, a copy of which may be requested by the applicant. 3) Sign Posted on Property; the County will post a public notice sign conspicuously on the property which is the subject of the rezoning or special use at the end of the right of way along a public road, street, driveway or any other easement of access at least fifteen (15) calendar days prior to the zoning board of appeals meeting. Legal Notices shall be published and postmarked not less than 15 days nor more than 30 days before the Zoning Board of Appeals Public Hearing date.

REQUIRED SUBMITTAL DOCUMENTS

A complete Zoning Petition shall include all documents listed below. Each document is required unless otherwise indicated.

1. **ZONING APPLICATION**
2. **STANDARDS WORKSHEET** (Submit applicable worksheet for petition type)
3. **PROJECT NARRATIVE** (When applicable)
4. **SITE PLAN** (Required for Special Use and/or Variance requests)
5. **PROOF OF OWNERSHIP** (Documentation demonstrating land ownership or legal control of the property; Petitioner must be the property owner or have legal control of the property)
6. **TRUST DISCLOSURE** (When applicable)
7. **PLAT OF SURVEY** (Shall accurately depict all current structures on the property)
8. **LEGAL DESCRIPTION** (Shall accurately describe the specific area being affected; must be submitted in a Word document)
9. **CERTIFICATION OF NOTICE** (Shall include a list of adjacent property owners & mailing addresses within 250' of the subject property; County may provide list upon request)
10. **NOTICE LETTER** (Copy of Notice Letter sent to Adjacent Properties from Petitioner)
11. **ECOLOGICAL COMPLIANCE ASSESSMENT TOOL (ECOCAT) REPORT** from the Illinois Department of Natural Resources (IDNR) (Required for Rezoning/Special Use applications involving land zoned F-Farming District)
12. **NATURAL RESOURCES INVENTORY (NRI) REPORT** from the Kane-DuPage Soil & Water Conservation District (SWCD) (Required for all Rezoning/Special Use applications)

Submittal Instructions:

Applicants shall submit all required submittal documents digitally via email or a USB drive; for applications comprising of more than 15 documents, a paper submittal shall also be required in addition to the digital version. Paper documents shall be collated and folded to fit into an 11x17 filing folder. Digital submittals may be emailed to Keith Berkhout at berkhoutkeith@kanecountyil.gov or Natalie Zine at zinenatalie@kanecountyil.gov. USB drives and/or paper submittals shall be mailed to the address provided.

COUNTY OF KANE
Development & Community Services Department
Attn: Zoning Division
719 S. Batavia Ave
Geneva, IL 60134
Building A – 4th Floor

ZONING FEE SCHEDULE

Prior to processing any Zoning Application, the Applicant must submit the application fee to the County for the Application Fee per Chapter 16-1: ZONING ORDINANCE FEE SCHEDULE.

REZONING AND/OR SPECIAL USE			
Residential Use		Non-Residential Use	
> 2 Acres	\$800.00	> 2 Acres	\$1,500.00
2 - 5 Acres	\$900.00	2 - 5 Acres	\$1,800.00
5 - 10 Acres	\$1,125.00	5 - 10 Acres	\$2,250.00
10+ Acres	\$1,125.00 + \$50.00/acre over 10	10+ Acres	\$2,250.00 + \$75.00/acre over 10

VARIATIONS	
10% Change or less	\$300.00
> 10% Change	\$550.00
Each additional variation request after the first.	\$50.00
Each variation request as part of a rezoning or special use petition.	\$100.00

Online Payment Instructions:

1. Staff will send the Applicant/Primary Point of Contact an email with the fee information once a formal Application submittal has been received.
2. Please make your Zoning Application payment online at <https://ipn2.paymentus.com/rotp/kccs>.
 - a. Please make sure to select CC Zoning Application.
 - b. Enter Zoning Application Number **PLDZ2024XXXXXXX (TBD)**
3. Once completed, please email a copy of the pdf receipt to staff for the County's records.

APPLICANT CONTACT INFORMATION

Relationship to Project: Owner

Name: Michael J. & Anne E. Re' Company:

Mailing Address: 1N080 Denali Road

City: Elburn State: IL Zip: 60119

Telephone: 630-669-1742 E-Mail: annere17@gmail.com

- ☐ I am the Authorized Agent and Primary Point of Contact for this Zoning Petition Application.
- ☒ I am the Legal Owner of Record of the Subject Property

OWNER CONTACT INFORMATION (Required if Applicant is Not Property Owner)

Name: Company:

Mailing Address:

City: State: Zip:

Telephone: E-Mail:

Note: Pursuant to the state land trust disclosure act (bill 1508), if property involved is listed under "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.

APPLICATION VERIFICATION & AUTHORIZATION

I, the subject property owner, certify that all answers and information provided in this zoning application for a special use permit and associated documents are true, correct and complete to the best of his/her knowledge. Hereby authorize the listed authorized agent to act on my behalf in the processing of this application and to furnish, upon request, supplemental information in support of this zoning petition application. This person will act on my behalf as the point of contact for all petition related correspondence.

Michael J. & Anne E. Re'
Record Owner

9-29-25
Date

Applicant or Authorized Agent

Date

QUESTIONS

Additional resources are available on the [Zoning Administration](#) page of the Kane County Government website. For assistance with zoning and/or application-related questions, please contact a county Zoning Planner.

Keith Berkhout
P: (630) 232-3495
E: berkhoutkeith@kanecountyil.gov

Natalie Zine
P: (630) 232-3494
E: zinenatalie@kanecountyil.gov



VARIATION STANDARDS

Kane County Government Center
719 S. Batavia Ave, Geneva, IL 60134 - Building A | (630) 232-3485

INTERNAL USE ONLY

CV Project No.:

Zoning Petition No.:

Date Received:

PETITIONER NAME:

Michael J. Re' and Anne E. Re'

SIGNATURE:

Michael J. Re' Anne E. Re'

DATE:

9-29-25

STANDARDS OF A VARIANCE (ZONING CODE SECTION 25-4-4-3)

Variations, as defined by the Zoning Ordinance, shall be considered at a public hearing before the Zoning Board of Appeals (ZBA). The board of appeals shall reach its decision within thirty (30) days from the date of the public hearing on the request for variance. Four (4) of the seven (7) members of the board of appeals must concur in order to grant a variance. No variation shall be made unless the Zoning Board of Appeals finds that there is a practical difficulty or some particular hardship upon the property if the regulations are applied AND that each of the Standards of a Variance are met. If the variance is granted, the action of the Zoning Board in granting a variation shall contain or be accompanied by Findings of Fact specifying the reasons for making such variation.

Please describe the practical difficulty and/or hardship that applies to your variation request.

We are 60 square feet over the allotted that we are allowed for a lot our size. It's not a great hardship or difficult be we would just like to have a space where we can store our classic car and all of our lawn and garden items when not in use. This includes our various utility trailers. We currently store many items at one of the storage facilities in Elburn which is very inconvenient and we are getting up there in age and having to move items several times a years is inconvenient. The building will also eliminate having to pay for the storage lockers. The swimming pool slightly over the easement would be difficult to move

A request for a variation shall also find the following statements to be true. Please explain how each of the statements listed below will be true should the request for a variance is granted. Responses should be as detailed as possible – if you require additional space, you may submit a separate sheet of paper.

A. The variation will not impair an adequate supply of light and air to adjacent property;

It will not, our property is already heavily lined in trees that are substantially taller than the structure will be.

B. The variation will not increase the hazard from fire and other dangers to adjacent property;

The structure will not increase will not increase fire hazard and will eliminate some dangers due to things not bein in the open.

C. The variation will not diminish the value of adjacent land and buildings;

This will not effect other at all, it will actually eliminate the eyesore of our items out in the open.

D. The variation will not increase the congestion or traffic hazards in the public streets and highways; and

Nothing will be effected, the structure is within the tree line that already exists and a new hedge row will be put in for the pool. We removed the previous hedge because it was not appealing.

E. The variation will not otherwise impair the public health, safety, comfort, morals and general welfare.

None of these items will be impacted by either the structure or the pool.

Date: 7/07/2025 - 10:23 AM

Design ID: 312159023259

Estimate ID: 99105

Estimated Price: \$16,266.39

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

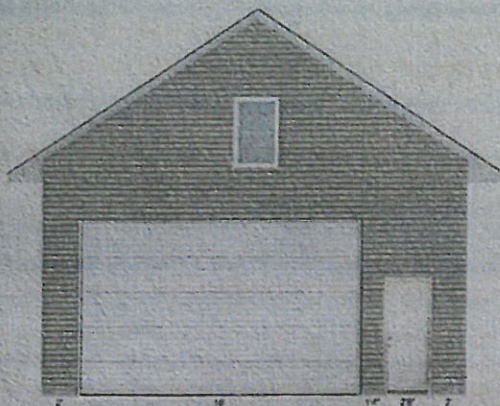
Design & Buy™

GARAGE

Dimensions

Wall Configurations

*Some items like wainscot, gutter, gable accents, are not displayed if selected.



ENDWALL B

Mastercraft® 32W x 80H Primed Steel 6-Panel

16X10 White Ribbed Torsion Spring (R-Value 6.5)

30"W x 48"H Performax™ Double Hung Window with Nailing Flange
and Brickmould



SIDEWALL D

30"W x 48"H Performax™ Double Hung Window with Nailing Flange
and Brickmould

30"W x 48"H Performax™ Double Hung Window with Nailing Flange
and Brickmould

Design ID: 312159023259

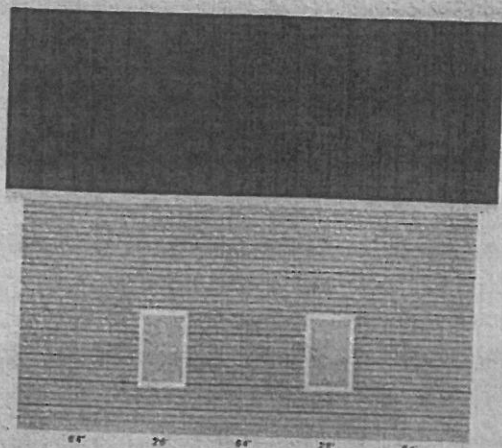
Estimate ID: 99105

Estimated Price: \$16,266.39

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

Design & Buy

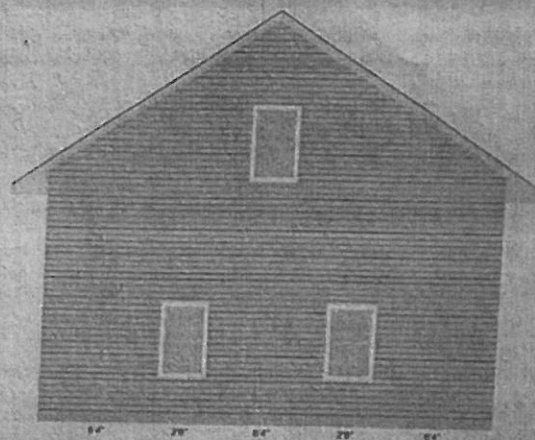
GARAGE



SIDEWALL C

30"W x 48"H Performax™ Double Hung Window with Nailing Flange and Brickmould

30"W x 48"H Performax™ Double Hung Window with Nailing Flange and Brickmould



ENDWALL A

30"W x 48"H Performax™ Double Hung Window with Nailing Flange and Brickmould

30"W x 48"H Performax™ Double Hung Window with Nailing Flange and Brickmould

30"W x 48"H Performax™ Double Hung Window with Nailing Flange and Brickmould

PLAT OF SURVEY

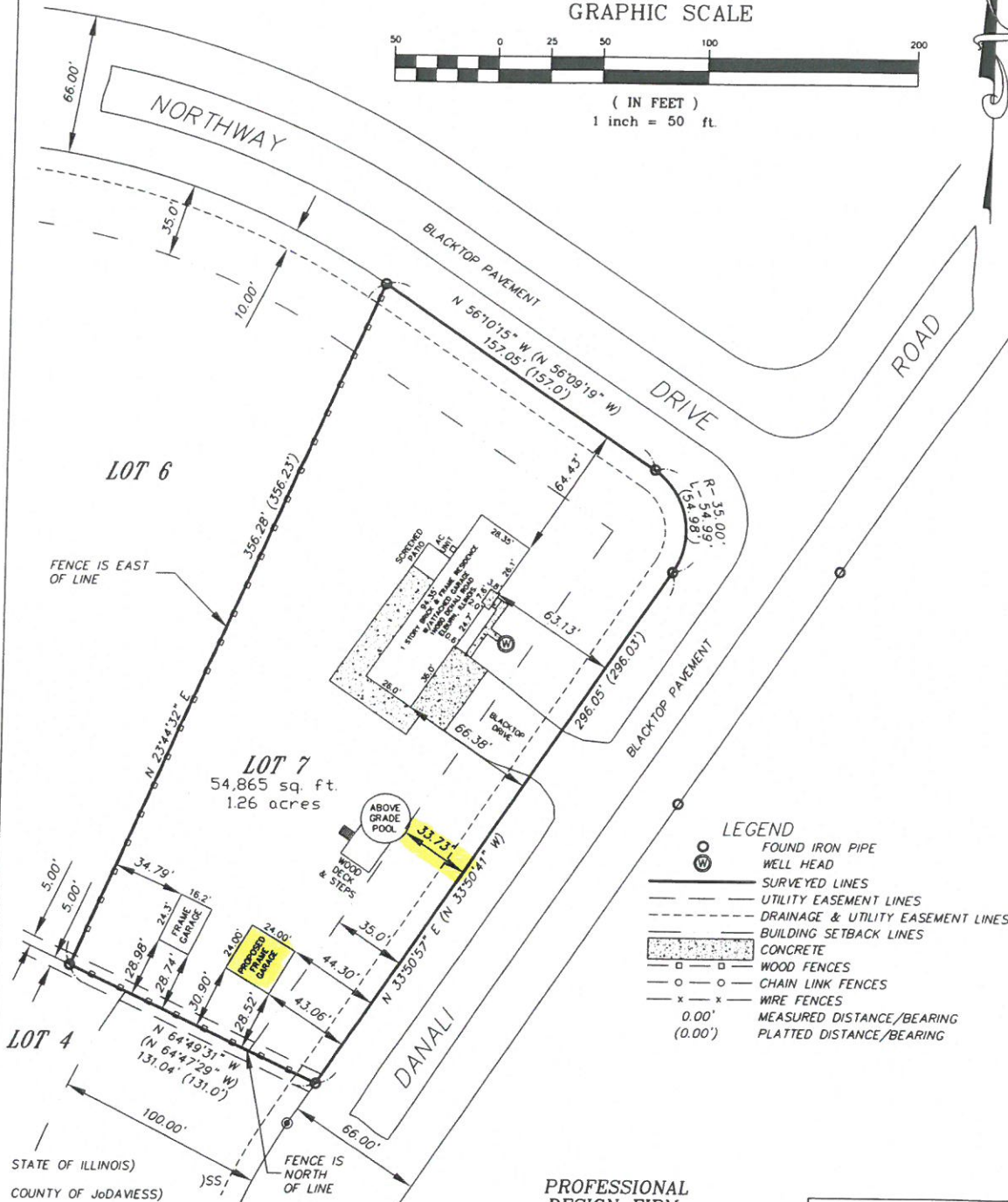
OF PROPERTY DESCRIBED AS

LOT 7 OF UNIT NO. 1, NATIVE PRAIRIE, BLACKBERRY TOWNSHIP, KANE COUNTY, ILLINOIS, IN THE TOWNSHIP OF BLACKBERRY, KANE COUNTY, ILLINOIS.

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



LEGEND

- FOUND IRON PIPE
- WELL HEAD
- SURVEYED LINES
- UTILITY EASEMENT LINES
- DRAINAGE & UTILITY EASEMENT LINES
- BUILDING SETBACK LINES
- CONCRETE
- WOOD FENCES
- CHAIN LINK FENCES
- WIRE FENCES
- 0.00' MEASURED DISTANCE/BEARING
- (0.00') PLATTED DISTANCE/BEARING

PROFESSIONAL
DESIGN FIRM
NO. 184-004015

I, STEVEN L. ROSSMAN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3324, HEREBY CERTIFY THAT UNDER MY DIRECTION I HAVE CAUSED THE ABOVE DESCRIBED PROPERTY TO BE SURVEYED AND THAT ACCORDING TO THE FOUND ARTIFICIAL MONUMENTATION AND THAT THE PLAT DRAWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

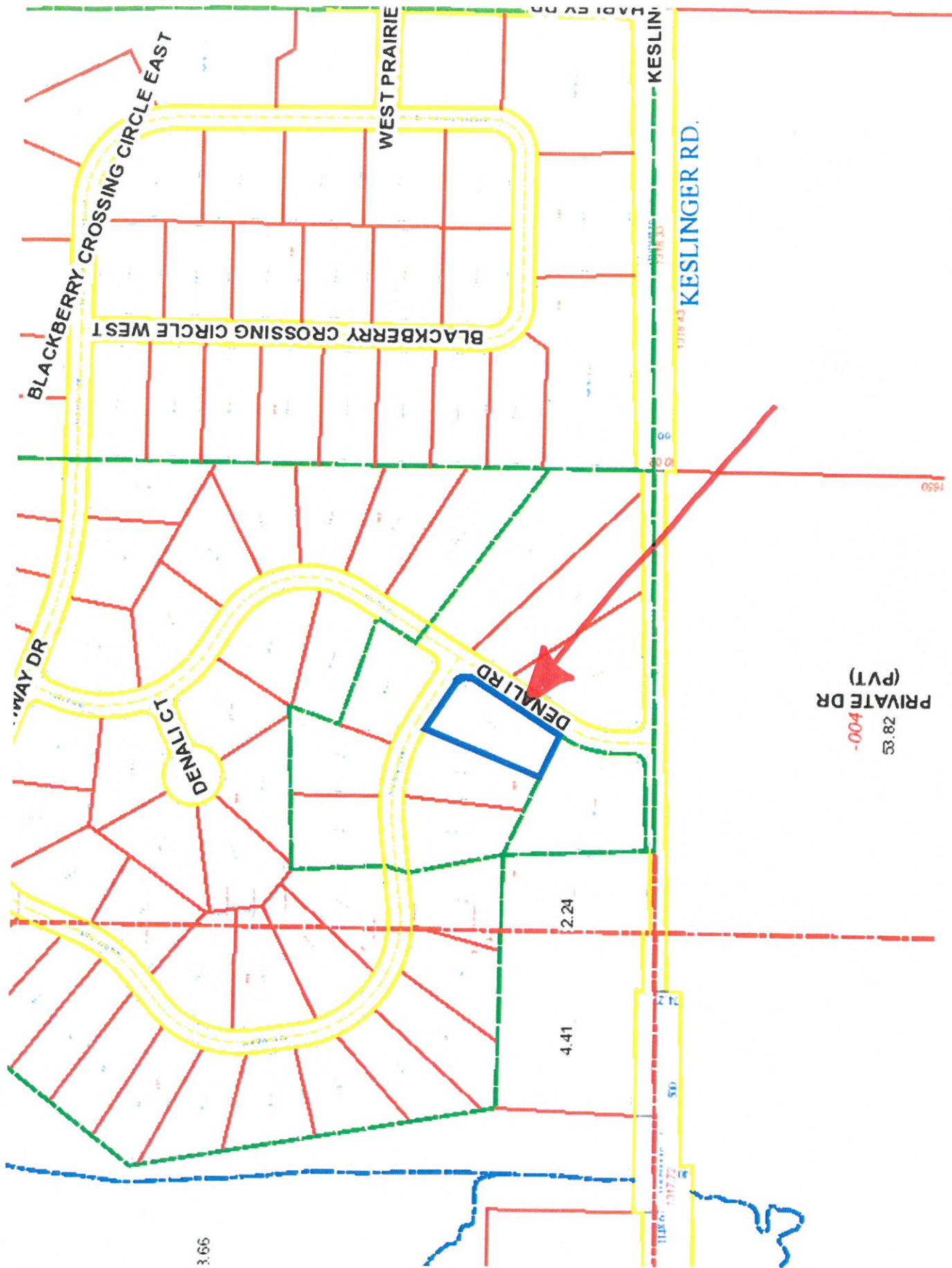
NOTE: COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. NO DISTANCE SHOULD BE ASSUMED BY SCALING. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN AND NOTED. NO REPRESENTATION AS TO OWNERSHIP, USE, OR POSSESSION SHOULD BE HEREON IMPLIED. REFER TO ABSTRACT, TITLE OR LOCAL ORDINANCES FOR ANY ADDITIONAL RESTRICTIONS, EASEMENTS OR BUILDING LINES. NO ABSTRACT, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL. THIS PLAT OF SURVEY IS ONLY FOR THE USE AND BENEFIT OF THE PREPARED FOR NAMED HEREON. THIS DOCUMENT IS PROHIBITED FROM BEING RECORDED AT ANY GOVERNMENT AGENCY WITHOUT THE WRITTEN PERMISSION OF STEVEN L. ROSSMAN ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 35-3324.

JOB #	250680	LICENSE EXPIRES 11/30/26			
DRAWN BY:	CHECKED BY:	FIELD WORK:	SCALE:	SHEET:	PREPARED FOR:
S.L.R.	S.L.R.	9/1/25	1"=50'	1/1	Mike & Anne Re'

BASELINE PROFESSIONAL SERVICES CORP. P.O. BOX 736 SPRING GROVE, ILLINOIS P.O. BOX 4 STOCKTON, ILLINOIS steve@baselinesurveyors.com 815-385-2217

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DENOTES CERTIFIED COPY
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BASELINE PROFESSIONAL SERVICES CORP.





PRIVATE DR
(PVT)
53.82
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