



United City of Yorkville  
 800 Game Farm Road  
 Yorkville, Illinois, 60560  
 Telephone: 630-553-4350  
 Fax: 630-553-7575  
 Website: www.yorkville.il.us

# APPLICATION FOR VARIANCE

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input checked="" type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
<b>AMENDMENT</b>	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
<b>ANNEXATION</b>	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres  # of Acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ Amount for Extra Acres _____ Total Amount _____		Total: \$
<b>REZONING</b>	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i>  # of Acres _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ Amount for Extra Acres _____ Total Amount _____		Total: \$
<b>SPECIAL USE</b>	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres  # of Acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ Amount for Extra Acres _____ Total Amount _____		Total: \$
<b>ZONING VARIANCE</b>	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
<b>PRELIMINARY PLAN FEE</b>	<input type="checkbox"/> \$500.00		Total: \$
<b>PUD FEE</b>	<input type="checkbox"/> \$500.00		Total: \$
<b>FINAL PLAT FEE</b>	<input type="checkbox"/> \$500.00		Total: \$
<b>ENGINEERING PLAN REVIEW DEPOSIT</b>	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
<b>OUTSIDE CONSULTANTS DEPOSIT</b>	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres	\$1,000.00 \$2,500.00 \$5,000.00	Total: \$
<b>TOTAL AMOUNT DUE:</b>			See Final Plat Fees





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<b>ATTORNEY INFORMATION</b>	
NAME: Anthony J. Bonomo, Esq.	COMPANY: Giorgi & Bonomo, LLC
MAILING ADDRESS: 444 North Michigan Ave.	
CITY, STATE, ZIP: Chicago, IL 60611	TELEPHONE: 312-300-4868
EMAIL: anthony@gb-lawyer.com	FAX: 312-300-4904
<b>ENGINEER INFORMATION</b>	
NAME: Cliff Tobermann	COMPANY: Norman J. Toberman & Associates, LLC
MAILING ADDRESS: 115 W Wilke Rd. STE 301	
CITY, STATE, ZIP: Arlington Heights, IL 60005	TELEPHONE: 847-439-8225
EMAIL: cliff@toberman.us	FAX: 847-439-8221
<b>LAND PLANNER/SURVEYOR INFORMATION</b>	
NAME: Cliff Tobermann	COMPANY: Norman J. Toberman & Associates, LLC
MAILING ADDRESS: 115 W Wilke Rd. STE 301	
CITY, STATE, ZIP: Arlington Heights, IL 60005	TELEPHONE: 847-439-8225
EMAIL: cliff@toberman.us	FAX: 847-439-8221
<b>ATTACHMENTS</b>	
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".	
Petitioner must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".	
<b>VARIANCE STANDARDS</b>	
PLEASE CONFIRM THE PROPOSED VARIATION IS CONSISTENT WITH THE OFFICIAL COMPREHENSIVE PLAN AND OTHER DEVELOPMENT STANDARDS AND POLICIES OF THE CITY.	
The proposed variation is consistent with the official Comprehensive Plan, to provide vibrant housing in residential uses. The proposed variation is consistent with other development standards and policies of the city, for suburban residential development.	



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# APPLICATION FOR VARIANCE

## VARIANCE STANDARDS

PLEASE STATE THE VARIANCE REQUESTED AND THE CITY ORDINANCE INCLUDING THE SECTION NUMBERS TO BE VARIED:

Petitioner seeks Variation of Sections T10.07.01 and 10-11B-3 to reduce the lot frontage from 100' to 97' on one lot of a 3-lot subdivision, on three lots of a new 3-lot subdivision.

PLEASE STATE HOW THE PARTICULAR SURROUNDINGS, SHAPE OR TOPOGRAPHICAL CONDITIONS OF THE SPECIFIC PROPERTY INVOLVED, A PARTICULAR HARDSHIP TO THE OWNER WOULD RESULT, AS DISTINGUISHED FROM A MERE INCONVENIENCE, IF THE STRICT LETTER OF REGULATIONS WAS CARRIED OUT:

The subject property has 308ft of length along the east property line (facing the access road, i.e. frontage) which would normally lend it to a 3-lot subdivision by right; however, it is a corner lot abutting Van Emmon Rd; therefore, the available frontage is decreased by the width of the road, as the measurement begins at the edge of the street line. The Kendallwood Estates subdivision, created 20 years ago, included a 20-30' tall retaining wall on the north edge of their subdivision adjacent to the south lot line of the subject property. Refer to the provided page 5 of the Kendallwood Estates record docs. This allowed Lot 34 on the Kendallwood Estates to be essentially flat from east to west vs the adjacent Lot 1 of Bowman Resubdivision which slopes from +609 to +589 or 20'-0 east to west along the retaining wall. There is a distance of 7 feet from the south lot line of Lot 1 to the north face of this fixed retaining wall, essentially adding 7 feet to the width of Lot 1 or unofficially 104 feet of lot width.

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

The Kendallwood Estates lots are the only other lots on Benjamin St. They are R-2 and are narrower lots. Refer to the provided page 5 of the Kendallwood Estates record docs.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN INTEREST IN THE PROPERTY:

The difficulty in compliance is a product of maintaining strict compliance with the ordinance as a function of the uniqueness of the aforementioned site conditions. This has been caused by no fault of the owner or anyone else having an interest in the subject property.



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## VARIANCE STANDARDS

PLEASE STATE HOW THE GRANTING OF THE VARIATION WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD IN WHICH THE PROPERTY IS LOCATED:

The granting of the variations will not cause any undue harm or be a detriment to any adjacent property or neighborhood. In fact, the variance of lot width is only a 3% variance.

PLEASE STATE HOW 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 TO THE PUBLIC SAFETY, OR SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

The granting of the variance will not impair adequate light and air to adjacent lots, nor will it substantially increase congestion in the public streets. In an of itself, if not for the roadway, the subject property has size for a 3-lot subdivision. The proposed reduction in frontage on one lot still allows adequate buildable area, while maintaining compliance with all other bulk setback requirements. Two or the 3 lots conform 100% and the third lot is a 3% variance from the required min. lot width.

## AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

*TRK PROPERTIES LLC*

*[Signature]*

PETITIONER SIGNATURE

*10/14/22*

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

*[Signature]*

OWNER SIGNATURE

*10/14/22*

DATE

**THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:**

*[Signature]*

Official Seal  
 Kevin Timothy Bowman  
 Notary Public State of Illinois  
 My Commission Expires 10/18/2025



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# APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
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## PETITIONER DEPOSIT ACCOUNT FUND:

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

## ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

NAME: Thomas A. Bowman	COMPANY: TBK Properties LLC
MAILING ADDRESS: 100 Picton Rd.	
CITY, STATE, ZIP: Roselle IL 60172	TELEPHONE: 630-988-3020
EMAIL: tomsr@tabowman.com	FAX: 630-523-5910

## FINANCIALLY RESPONSIBLE PARTY:

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Thomas A Bowman

PRINT NAME

Manager

TITLE

10-14-22

DATE

SIGNATURE\*

*\*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

## INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

### ENGINEERING DEPOSITS:

Up to one (1) acre	\$5,000
Over one (1) acre, but less than ten (10) acres	\$10,000
Over ten (10) acres, but less than forty (40) acres	\$15,000
Over forty (40) acres, but less than one hundred (100)	\$20,000
In excess of one hundred (100.00) acres	\$25,000

### LEGAL DEPOSITS:

Less than two (2) acres	\$1,000
Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres	\$5,000

**CERTIFIED MAILING**  
**AFFIDAVIT**

STATE OF ILLINOIS        )  
                                  ) SS  
COUNTY OF KENDALL )

I/We, \_\_\_\_\_, petitioner, being first duly sworn, do hereby state under oath that to the best of my knowledge the **attached** list is a true, correct and **complete list of all permanent parcel numbers, and names and addresses of owners**, of all lots and parts of lots located within 500 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for annexation, rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the Kendall County Treasurer's Office. I further state that I mailed by U.S. Certified Mail, Return Receipt Requested, a copy of the Public Notice of Public Hearing before the United City of Yorkville Planning and Zoning Commission for the Public Hearing held on Wednesday, \_\_\_\_\_, at the United City of City Council Chambers, Yorkville, Illinois. The notice was mailed to the attached list of all of the permanent parcel numbers and names and addresses of owners at the U.S. Post office on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner(s)


Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public



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# APPLICATION FOR PUBLIC HEARING SIGN

<b>PERMIT NUMBER:</b>		<b>DATE/TIME RECEIVED:</b>
SITE ADDRESS: Southwest corner Van Emmon St. & Benjamin St.		PARCEL NUMBER: 02-33B-376-014
SUBDIVISION: Bowman Resubdivision		LOT/UNIT: Lots 1-3
<b>APPLICANT INFORMATION</b>		
NAME: TBK Properties LLC		TELEPHONE: <input checked="" type="radio"/> HOME <input type="radio"/> BUSINESS 630-988-3020
ADDRESS: 100 Picton Rd		E-MAIL: <input type="radio"/> HOME <input type="radio"/> BUSINESS
CITY, STATE, ZIP: Roselle IL 60172		FAX: 630-523-5910
<b>SIGN INFORMATION</b>		
DATE OF PICK UP:		NUMBER OF SIGNS:
DATE OF PUBLIC HEARING:		SIGN RETURN DATE:
<p>The undersigned hereby states that they have acquired Public Hearing Signs from the United City of Yorkville's Community Development Department and agrees to return said sign/s to Yorkville City Hall, 800 Game Farm Road, Yorkville, Illinois, immediately following the date of the public hearing.</p> <p>Petitioner or Representative agrees to pay to the United City of Yorkville a deposit of \$50 for each sign. The deposit will be returned to the petitioner when the public hearing sign/s have been returned to the City.</p> <p>Petitioner or Representative further agrees to pay to the United City of Yorkville the full amount of the purchase price for each sign not returned to the United City of Yorkville within seven (7) days after the date of the public hearing.</p>		
SIGNATURE/AUTHORIZED AGENT		DATE
		10/14/22
DATE RETURNED: _____		
RECEIVED BY: _____ PZC# _____		