

**CITY OF ST. CHARLES**  
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

**ZONING MAP AMENDMENT APPLICATION**

**RECEIVED** Received Date  
**St. Charles, IL**  
  
**MAY 14 2020**  
  
**CDD**  
**Planning Division**

<b>CITYVIEW</b>	
Project Name:	<u>1001 N. 5th Ave.</u>
Project Number:	<u>2020 -PR- 006</u>
Application Number:	<u>PLMA202000024</u>

*Instructions:*

*To request a zoning map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a Plan Commission public hearing or meeting date.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Parcel Number (s): 09-27-203-007, 09-27-203-006	
	Street Address (or common location if no address is assigned): 1001 N 5th Ave, St. Charles, IL 60174, and adjacent parcel to the West	
<b>2. Applicant Information:</b>	Name Jeffrey Johnson	Phone (630) 746-9241
	Address 1031 S 2nd St, St. Charles, IL 60174	Fax
		Email jeffrjohnson91@gmail.com
<b>3. Record Owner Information:</b>	Name Christine I Soderstrom, c/o Kerstin A. Barrette, POA, TTEE	Phone (513) 484-3424
	Address 1509 Wisconsin Ave, #301, Grafton, WI 53024	Fax
		Email soderstromestate@gmail.com
<b>4. Billing:</b> <i>To whom should costs for this application be billed?</i>	Name Chad Carls	Phone (630) 204-6472
	Address 1815 Wallace Avenue, Unit # 307 St. Charles, IL 60174	Fax
		Email ccarls@comcast.net

**Zoning and Use Information:**

Comprehensive Plan Land Use Designation of the property: Single Family Residential

Current zoning of the property: RS-1

Is the property a designated Landmark or in a Historic District? No

Current use of the property: Single Family Residential

Proposed zoning of the property: RS-2

Proposed use of the property: Single Family Residential

If the proposed Map Amendment is approved, what improvements or construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)

A full rehab is planned of the existing house. No construction is currently planned for the vacant lot, however amending the zoning would allow for the future construction of a single family home, as shown on attached plat

***Attachment Checklist***

- APPLICATION:** Completed application form signed by the applicant.
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- PROOF OF OWNERSHIP and DISCLOSURE:**
  - a) A current title policy report; or
  - b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

- LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper
- PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- SITE PLAN:**

Simple site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.)
- SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

□ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnrecocat.state.il.us/ecopublic/>

**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.**

_____ Record Owner	_____ Date
<i>Jeffrey R. Johnson</i> Applicant or Authorized Agent	5/6/2020 Date

# FINDINGS OF FACT SHEET – MAP AMENDMENT



The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed zoning is more appropriate than the existing zoning. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the property in question, indicate “not applicable” and explain why it does not apply.

1001 N 5th Ave. and adjacent parcel to West  
Project Name or Address

5/6/2020  
Date

### From the Charles Zoning Ordinance, Section 17.04.320.D:

In making its recommendation to grant or deny an application for a Zoning Map Amendment, including changes to Zoning District and Overlay boundaries, the Plan Commission shall consider:

1. The existing uses and zoning of nearby property. *(Relate the proposed land use and zoning to the land use and zoning of other properties in the area)*

The properties surrounding the subject property are zoned RS-1 on the North, East, and West sides, and all appear to be single family uses. The property to the Southeast is zoned OR and is occupied by the St. Charles Episcopal Church. The property to the South is zoned RM-2, is listed as a planned unit development, and is occupied by Delnor Assisted Living.

2. The extent to which property values are diminished by the existing zoning restrictions. *(Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.)*

The property values of the subject properties are greatly reduced by the current zoning, because even though there are two tax parcels, both individual tax parcels are below the 18,000 square foot minimum lot size, creating a non-conforming use on the existing house parcel, and an unbuildable lot on the vacant parcel next door. If the two parcels are both rezoned to RS-2, our research leads us to believe that the market value of the bare land alone on each individual parcel would be \$120,000, or \$240,000 for both. The current listed asking price for both parcels is \$185,000, including the improvements on one parcel.

3. The extent to which the reduction of the property’s value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public. *(If the existing zoning decreases the value of the subject realty, does it also produce any perceptible public benefits?)*

Because the current zoning of the subject properties does not allow the more western parcel to be built on, it may facilitate a picture of large and open lots in the neighborhood, though in their current overgrown and dilapidated state, we believe this effect is minimal. In their current state, we do not believe that the subject properties create any real value to the public.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification. *(Can the subject property reasonably be used for any of the uses currently permitted? Physical and market conditions may be considered.)*

The properties are currently not suitable for the purposes for which they are zoned. A single family residential use is appropriate, however the existing RS-1 zoning does not make development feasible, and creates a non-conforming use of the existing house. The subject properties can not be used for any of the uses currently permitted, because of the current zoning.

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5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located. *(If a property has been vacant longer than other similar properties in the area, it may be an indicator that the existing zoning is inappropriate.)*

As far as we are able to discern, the more Western parcel has always been vacant. It is one of very few remaining vacant parcels in this highly desirable area of St. Charles.

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6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district. *(Development trends, market forces, and the Comprehensive Plan may be considered.)*

With the proposed RS-2 zoning, the use of the parcels will remain single family residential. The neighborhood in which the properties are located is highly desirable, and home prices have steadily risen, proving a demand for more quality housing stock. Additionally, the change in zoning is the only thing that would make it make sense financially to restore the existing 1925 house to its former glory, creating an attractive entrance into downtown St. Charles along RT. 25.

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7. The consistency of the proposed amendment with the City's Comprehensive Plan.

The comprehensive plan dated 2013 recommends the following for detached single family residential neighborhoods: "The City should investigate new methods to improve the conditions of all residential neighborhoods, including maintenance programs and incentives for developing vacant properties, while continuing to enforce building and design codes, regulations, and standards." The proposed RS-2 zoning will make it financially feasible for us to restore the 1925 house, therefore improving the condition of the neighborhood and bringing another house up to code. It will also allow for the future development of a single family home on the vacant property.

8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

To our knowledge, the current RS-1 zoning of the subject properties is not the result of an error or omission.

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9. The extent to which the proposed amendment creates nonconformities. *(Generally it is not appropriate to rezone a property unless it can comply with the requirements of the new zoning.)*

The proposed amendment to the zoning map does not create any nonconformities, in fact, it corrects one, as the existing house is nonconforming under the current zoning.

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10. The trend of development, if any, in the general area of the property in question. *(New development, redevelopment, changes in use, or other changes in the area may help to justify a change in zoning.)*

There is a trend of development and improvement in the area. On the Northern end of the same block as the subject properties, there are two homes that have recently been extensively rehabbed, and it appears that there is at least one custom home lot available from a local homebuilder.

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Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

# Authorization to Pursue Zoning Amendment

The purpose of this document is for the current owner/s of the tax parcels numbered 09-27-203-007 and 09-27-203-006 in the city of St. Charles, to convey their permission to Jeffrey R Johnson, of 1031 S 2<sup>nd</sup> St., St. Charles, IL to pursue a zoning amendment to the aforementioned tax parcels on their behalf. The amendment will be to change the zoning from the current RS-1, to an RS-2. The current owner/s also agree to allow access to the exterior of the property as needed for a survey. Additionally, the owner/s grant their permission to file on their behalf a "Soil and Water Conservation District Land Use Opinion Application" and an "Endangered Species Consultation Agency Action Application", as required by the city of St. Charles with a zoning amendment application.

Jeffrey R Johnson Jeffrey R Johnson

Date 5/6/2020

### Name/s And Signature/s of Owner/s

\* (property address:)  
Address 1001 North 5<sup>th</sup> Avenue, St. Charles, IL 60174

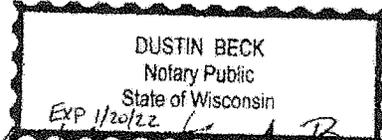
Phone (513) 484-3424 POA/TTEE cell or  
soderstromestate@gmail.com

Name Christine I. Soderstrom

Signature [Handwritten Signature] POA/TTEE

SUBSCRIBED AND SWORN BEFORE ME BY  
KERSTIN A BARRETTE ON THIS 7<sup>th</sup> May 2020

Date 3:33 pm May 7, 2020



billing address: Christine Soderstrom /  
(assisted living, St. Charles, IL)  
residence

1509 Wisconsin Ave.,  
#301  
Grafton, WI 53024  
1 of 3

OWNERSHIP DISCLOSURE FORM  
LAND TRUST

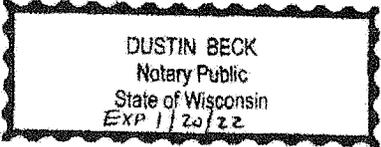
STATE OF ILLINOIS )  
 ) SS.  
KANE COUNTY )

I, KERSTIN A. BARRETTE, being first duly sworn on oath depose and say that I am  
Trust Officer of PN No. 09-27-203-007 & 09-27-203-006  
ERNEST G. SODERSTROM &, and that the following  
A. CHRISTINE I. SODERSTROM  
persons are all of the beneficiaries of Land Trust No. 7601 LCS 5/8.5

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By: [Signature], Trust Officer May 20 3:32 pm  
PCA ~ TTEE

Subscribed and Sworn before me this 7<sup>TH</sup> day of  
May, 20 20.



[Signature]  
Notary Public

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