	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 4d
	Title:	Consideration of a request to amend the Natural Area Easement at 818 Fox Glen Drive.	
	Presenter:	Ellen Johnson, Planner	
Meeting: Planning & Development Committee		Date: February 12, 2024	
Proposed Cost: N/A		Budgeted Amount: N/A	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain):			
<p>Muhammad Choudhry, owner of 818 Fox Glen Drive, is requesting approval from the City to modify the “Natural Area Easement” in his rear yard.</p> <p>The subject property is part of the Woods of Fox Glen subdivision. The rear yards of lots within the subdivision have a Natural Area Easement as designated on the plat of subdivision. The Natural Area Easement restricts the removal of living trees and shrubs, grade, grub, excavate, fill or construction of a structure of any kind on or within the area designated on the attached plat as “Natural Area Easements” except as may be approved in writing by the City of St Charles.</p> <p>The lot at 818 Fox Glen Drive is 280 feet deep, and the rear 100 feet is encumbered by the Natural Area Easement. Mr. Choudhry is requesting to reduce the Natural Area Easement by 60 feet in order to expand the usable area of the rear yard. He intends to construct a patio with pergola and hot tub, walkway, swing set, and create open space for play. He intends to retain mature trees greater than 4” in diameter.</p> <p>Historically, the City has allowed for limited reductions of Natural Area Easements within the Wood of Fox Glen based on unique circumstances specific to the lot, including whether any quality vegetation was present in the easement. A Tree Inventory has been prepared which surveyed 47 trees of 4”+ in diameter within the 60’ reduction area. The inventory identifies areas for the planned improvements. It appears that no large trees will need to be removed for these projects.</p> <p>The City reduced the Natural Area Easement on neighboring lots in the past to allow for space to construct rear yard improvements including pools and patios. The proposed reduction would allow for a usable area of the backyard similar in depth to many of the other properties within this portion of the subdivision.</p>			
Attachments (please list):			
Request letter, Plat of Survey, Aerial photo, Tree Survey, Subdivision Plat			
Recommendation/Suggested Action (briefly explain):			
<p>Based on this comparison with nearby lots, Staff believes the easement reduction request is reasonable, but would recommend it be scaled back to the area of the proposed improvements only. This would allow for the proposed improvements, but would limit the extent of usable backyard area behind the house that the owners are seeking.</p> <p>Once the Committee provides a recommendation, the owner will need to obtain written approval from the Woods of Fox Glen Homeowners Association, and provide a Plat of Easement Vacation, prior to City Council action. The Homeowners Association is aware of the request and has not expressed any significant concerns.</p>			

Muhammad Choudhry
818 Fox Glen Drive
St. Charles, IL 60174

Dated: October 24, 2023

Ms. Ellen Johnson
Building and Code Enforcement Division Director
City of Saint Charles, IL 60175

Ref: Natural Easement Variance

Ms. Ellen

We shall be applying for permits for the improvement of my property located at 818 Fox Glen Drive, St. Charles, IL 60174.

- Deck, Patios and Pergolas & Gazebos with Fireplace (See attachment 1)
- Spas and Hot Tub (see Attachment 2)
- Cleaning of the property line from broken branches, leaves, and weeds. (See attachment 3)

After receiving the Plat of Survey that shows the natural easement is few feet away from my home and goes back more than 100 feet to the edge of the property line (See Plat of Survey attachment 4). As per our telephonic conversation we are prevented from cutting the trees, clearing the growth of vegetation, removal of weeds, and other nuisance shrubs. We are also prevented to remove dead trees that are close to my home and property line. The current Natural Easement within my property line creates a hardship for my grandkids, they barely have a place to run around in the backyard to enjoy the woods.

We would like to make a humble request to you that the natural easement be pushed back 60 feet to the property line, that would allow us to have a small pergola patio, a walkway to pergola with a fireplace, and allow us to keep the property clean, remove the broken branches, leaves, and weeds. It will also allow me to have some backyard for my grandkids to run around and enjoy the woods.

The movement of natural easement is not to cut down any mature trees, may require to remove few trees less than 4 inches in diameter, that would allow us to create enough area for pergola, patio and walkway.

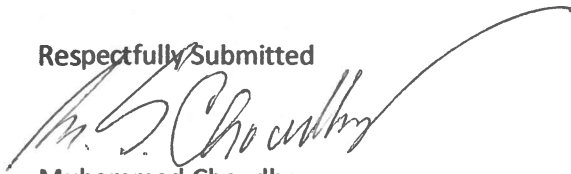
We love the city of Saint Charles, lived 18 years in Silver Glen Estate, St. Charles and moved to WFG to enjoy our retired life in the beautiful woods and fresh air of Fox Glen.

The current natural easement does not allow for reasonable development of our backyard-a significant portion of our property line. (see the photographs 1-6) that shows at present we don't have any backyard for my grandkids. We assure you that any trees that are removed will be replaced with new trees, and reclaiming 60 feet of the easement will not jeopardize the purpose of the easement. We would like to submit the following for your approval:

1. The push back 60 feet of natural easement to recover the property lines that ensure me to keep my property clean from vegetation, removal of broken branches, removal of fallen leaves, trimming of trees to look good, and removal of nuisance weed and shrubs.
2. Allow me to build a natural walkway to pergola patio with fireplace, Hot Spa, and develop a beautiful backyard for my grandkids to enjoy, without compromising the ecology of natural easement.

We sincerely appreciate your approval of reclaiming 60 feet of natural easement. I will submit permit applications to WFG for final approval.

Respectfully Submitted



Muhammad Choudhry
818 Fox Glen Dr
St. Charles, IL 60174
847 648 0739

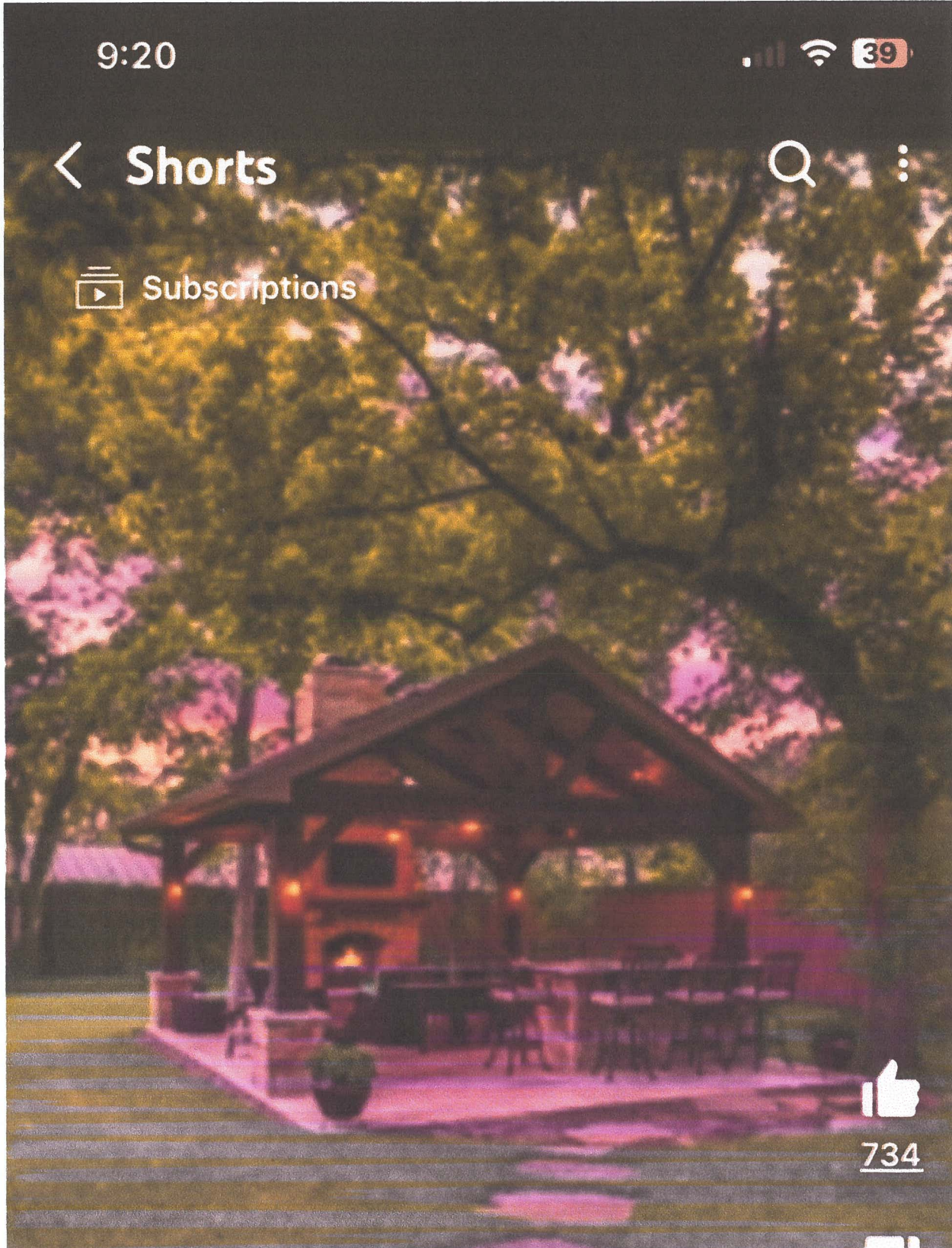
Attachment (1) Patio e Pergola

(No subject)

muhammad choudhry <laboost@hotmail.com>

Sat 10/21/2023 8:20 PM

To: muhammad choudhry <laboost@hotmail.com>



Attachment 2 Spa Hot tub

(No subject)

muhammad choudhry <laboost@hotmail.com>

Tue 10/24/2023 3:03 PM

To: muhammad choudhry <laboost@hotmail.com>



Attachment 3) Backyard
Broken Branches
Dead Leaves & Weeds.

(No subject)

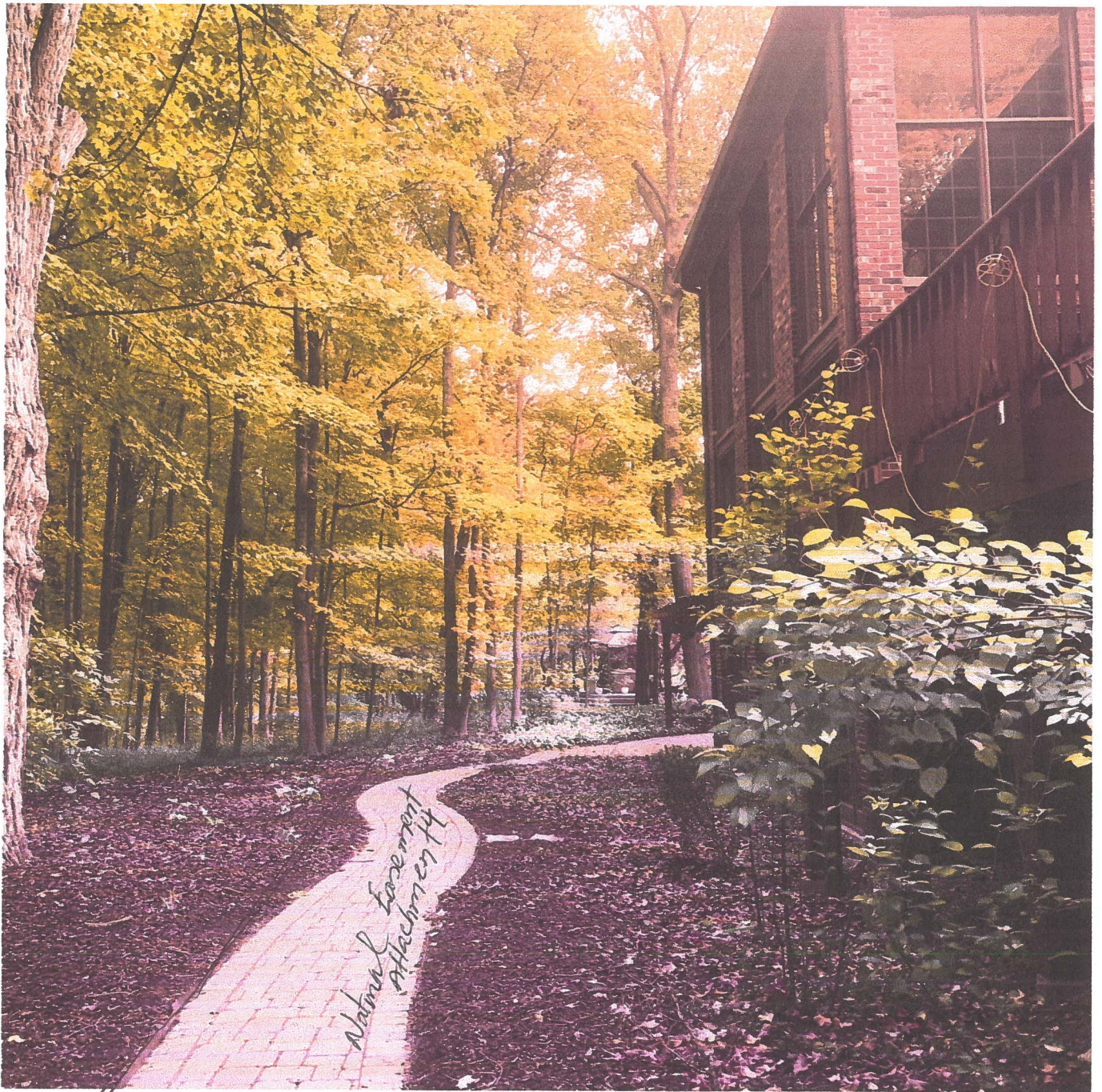
muhammad choudhry <laboost@hotmail.com>

Sat 10/21/2023 8:36 PM

To: muhammad choudhry <laboost@hotmail.com>



Sent from my iPhone



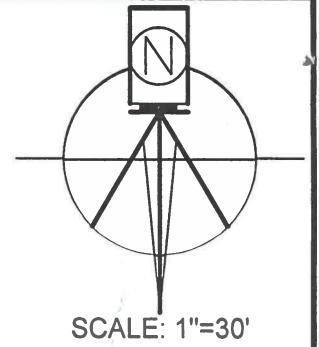
Natural Encement
Attachment 14

Sent from my iPhone

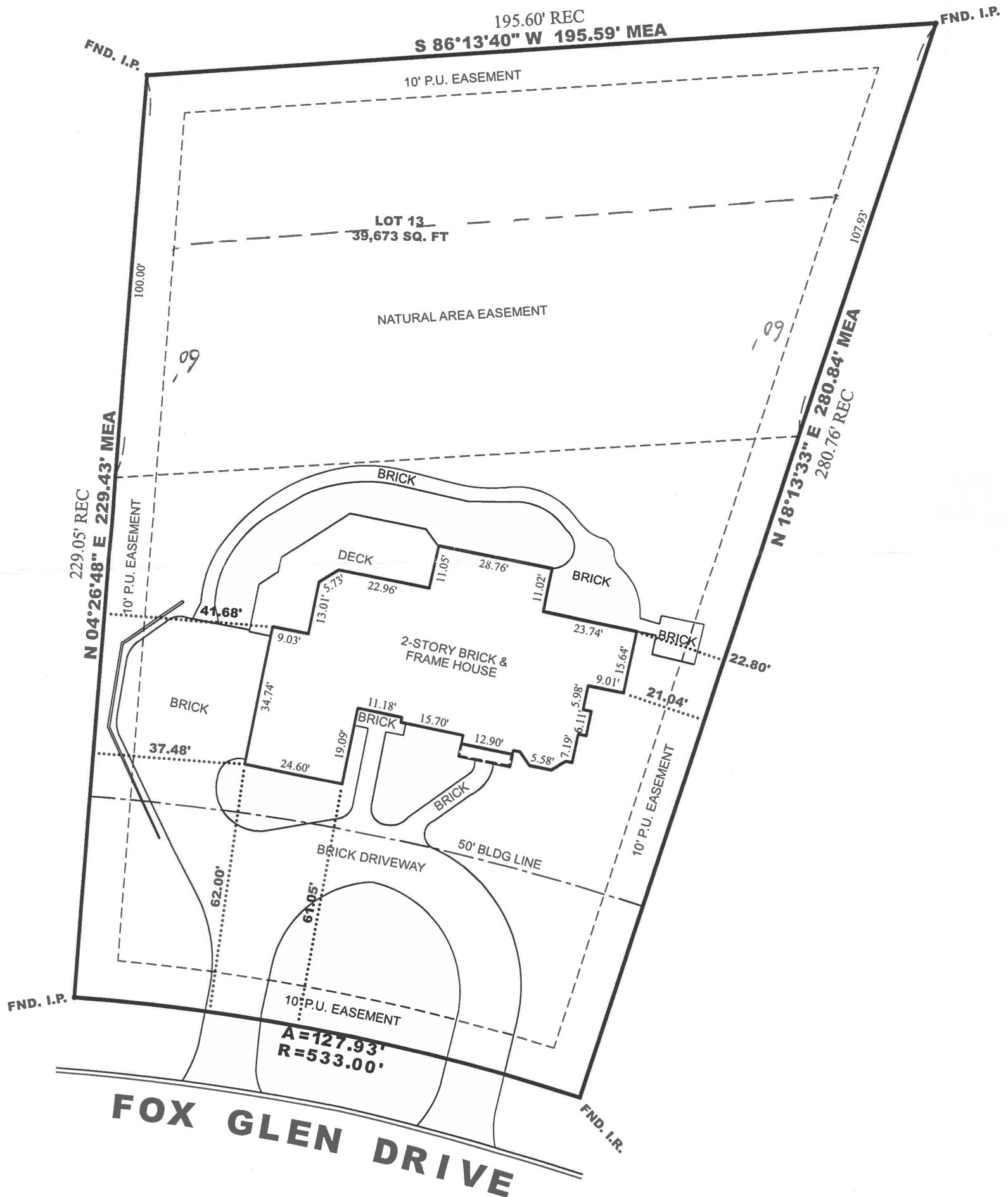
Natural encement 5-10ft
See Plat Survey

PLAT OF SURVEY D.F.L.S.

DALE FLOYD LAND SURVEYING L.L.C.
2600 KESLINGER ROAD SUITE A
GENEVA, ILLINOIS 60134
PHONE: 630-232-7705 FAX: 630-232-7725
E-MAIL: DFLS@SBCGLOBAL.NET



LOT 13 IN WOODS OF FOX GLEN UNIT ONE, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS
COMMONLY KNOWN AS: 818 FOX GLEN DRIVE, ST. CHARLES, ILLINOIS



LEGEND

FND. I.R.	= FOUND IRON ROD	P.U. =	PUBLIC UTILITY
FND. I.P.	= FOUND IRON PIPE	M.U. =	MUNICIPAL UTILITY
---	FENCE	[Hatched Box]	ASPHALT
.....	BLDG. TIE	[Dotted Box]	CONCRETE
---	BLDG. LINE	[Solid Box]	BUILDING
---	EASEMENT		

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCE.

JOB NO. 823-65

License expiration date 11-30-2024

FIELD WORK COMPLETED: 8-28-2023

PREPARED FOR VANEK, LARSON & KOLB



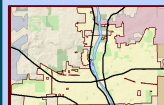
STATE OF ILLINOIS S.S.

COUNTY OF KANE
WE, DALE FLOYD LAND SURVEYING L.L.C., A PROFESSIONAL DESIGN FIRM, LICENSE NO. 184-007094 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

GENEVA, ILLINOIS 8-29 A.D. 2023

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003908



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: February 1, 2024 04:09 PM



0 41 81 Feet

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Powered by Precision GIS

Tree Inventory

Location: 818 Fox Glen Dr, St. Charles, IL. 60174

Completed by: Matthew Thompson ISA #IL-9600A

Date Completed: 11/12/2023

Completed For: Muhammed Choudhry

Below you will find a list of trees numbered 1-47. A Level I risk assessment was completed on each of these trees after Identifying the species and diameter at Breast height. All tree locations were plotted using google maps and are located in the backyard of 818 Fox Glen Dr. There are 2 boxes located on the map. The blue box is 20'x 24' and is where Mr. Choudhry would like to install a concrete pad and pergola. The black box is 8'x 12' and is where Mr. Choudhry would like to install a swing set with concrete footers. The Red Line shows where the current easement is located, and the green line is the requested new location of the easement line which would be a 60ft reduction in the natural area easement. If approved Mr. Choudhry plans to maintain all current trees in this area

It will not be necessary for any tree above 4" DBH to be removed for either of these projects. The Red Oak #8 should have a tree protection fence installed and a growth regulator applied before construction begins to ensure its health is maintained outside of this, I do not foresee any impact to the neighboring trees no additional tree preservation measures will be needed.

If any additional information is needed, please reach out to Matthew Thompson at matt@treecareandconsulting.com or via phone at (815) 263-8346

1

Species: Sugar maple
DBH: 4"
Condition: Healthy good condition
Location: -88.3016806,41.9496797,0

2

Species: Sugar maple
DBH: 4"
Condition: Healthy good condition
Location: -88.3016431,41.9497116,0

3

Species: Sugar maple
DBH: 6"
Condition: Healthy good condition
Location: -88.3016808,41.949716,0

4

Species: Sugar maple

- 5
DBH: 13”
Condition: Healthy good condition
Location: -88.301672,41.949706,0
- Species:** Sugar maple
DBH: 5”
Condition: Minor canopy die-back from shade overall fair condition.
Location: -88.3016981,41.94973,0
- 6
Species: Sugar maple
DBH: 7”
Condition: Healthy good condition
Location: -88.3016686,41.9497434,0
- 7
Species: Sugar maple
DBH: 9”
Condition: Fair condition canopy die-back from shade.
Location: -88.3016606,41.9497355,0
- 8
Species: Red Oak
DBH: 33.5”
Condition: Healthy good condition
Location: -88.3016741,41.9497554,0
- 9
Species: Sugar maple
DBH: 7.5”
Condition: Healthy good condition
Location: -88.3016539,41.9497619,0
- 10
Species: Sugar maple
DBH: 12.5”
Condition: Healthy good condition
Location: -88.3017183,41.9497011,0
- 11
Species: Sugar maple
DBH: 4.5”
Condition: Healthy good condition
Location: -88.3017109,41.9496926,0

12

Species: Sugar maple
DBH: 10”
Condition: Healthy good condition
Location: -88.3017149,41.9496966,0

13

Species: Sugar maple
DBH: 5”
Condition: Healthy good condition
Location: -88.3018101,41.949728,0

14

Species: Sugar maple
DBH: 4”
Condition: Healthy good condition
Location: -88.3017753,41.9497365,0

15

Species: Sugar maple
DBH: 4”
Condition: Healthy good condition
Location: -88.3018041,41.9497434,0

16

Species: Sugar maple
DBH: 5”
Condition: Healthy good condition
Location: -88.301788,41.9497494,0

17

Species: Sugar maple
DBH: 14”
Condition: Healthy good condition
Location: -88.3018001,41.9497459,0

18

Species: Sugar maple
DBH: 12”
Condition: Healthy good condition
Location: -88.3018276,41.9497529,0

19

Species: Sugar maple
DBH: 6”
Condition: Healthy good condition
Location: -88.3018034,41.9497888,0

20

Species: Sugar maple
DBH: 15”
Condition: Healthy good condition
Location: -88.301782,41.9497794,0

21

Species: Sugar maple
DBH: 11”
Condition: Healthy good condition
Location: -88.3017639,41.9497978,0

22

Species: Sugar maple
DBH: 5.5”
Condition: Healthy good condition
Location: -88.3017914,41.9498028,0

23

Species: Sugar maple
DBH: 16”
Condition: Healthy good condition
Location: -88.3018188,41.9498407,0

24

Species: Sugar maple
DBH: 4.5”
Condition: Healthy good condition
Location: -88.3018551,41.9498067,0

25

Species: Sugar maple
DBH: 5”
Condition: Minor canopy die-back from shade overall fair condition.
Location: -88.3018852,41.9498142,0

26

Species: Sugar maple
DBH: 5”
Condition: Healthy good condition
Location: -88.3018839,41.9497962,0

27

Species: Shagbark Hickory
DBH: 25”
Condition: Hollow at base some signs of internal decay but maintains structural integrity annual inspection recommended. Overall, the tree’s health is good.
Location: -88.3018698,41.9497399,0

28

Species: Sugar maple
DBH: 16”
Condition: Healthy good condition
Location: -88.3019516,41.9497633,0

29

Species: Sugar maple
DBH: 16.5”
Condition: Healthy good condition
Location: -88.3019409,41.9497832,0

30

Species: Sugar maple
DBH: 6”
Condition: Dead top caused by shade die-back. Overall, the condition is poor.
Location: -88.3019268,41.9497832,0

31

Species: Sugar maple
DBH: 23”
Condition: hollows throughout main stem signs of internal decay present. Included bark on main branch unions and hazardous deadwood within the canopy this is a moderate risk tree for storm damage or failure during major wind events. The overall condition of tree is fair.
Location: -88.3019483,41.9498142,0

32

Species: Sugar maple
DBH: 11”

Condition: Healthy good condition
Location: -88.3019429,41.9498316,0

33

Species: Sugar maple
DBH: 11.5”
Condition: Healthy good condition
Location: -88.3019711,41.9498451,0

34

Species: Sugar maple
DBH: 14.5”
Condition: Storm Damaged cracked/hanging limber otherwise the tree is healthy and in good condition
Location: -88.3019979,41.9498271,0

35

Species: Sugar maple
DBH: 6.5”
Condition: Healthy good condition
Location: -88.3020133,41.9497608,0

36

Species: Norway maple
DBH: 16”
Condition: Healthy good condition
Location: -88.3020746,41.9497767,0

37

Species: Black Cherry
DBH: 13.5”
Condition: Healthy good condition
Location: -88.3020679,41.9498365,0

38

Species: Sugar maple
DBH: 6”
Condition: Healthy good condition
Location: -88.3020759,41.9498665,0

39

Species: Black Cherry
DBH: 10”
Condition: Bacterial gummosis on the main stem otherwise the tree is healthy and in good condition
Location: -88.3020505,41.9498795,0

40

Species: Sugar maple
DBH: 5”
Condition: Healthy good condition
Location: -88.3020813,41.9498912,0

41

Species: Sugar maple
DBH: 14”
Condition: Healthy good condition
Location: -88.3020531,41.9499022,0

42

Species: Black Cherry
DBH: 13.5”
Condition: Leaning tree, moderate risk of failure during storm events due to species characteristics. Otherwise, the tree is healthy and in good condition.
Location: -88.302088,41.9498832,0

43

Species: Sugar maple
DBH: 6.5”
Condition: Healthy good condition
Location: -88.3020773,41.9498982,0

44

Species: American Elm
DBH: 4”
Condition: Healthy good condition
Location: -88.3021176,41.9498782,0

45

Species: Black Cherry
DBH: 13”
Condition: Leaning tree and has large deadwood within the canopy. Otherwise, Healthy and in good condition.
Location: -88.3021143,41.9498433,0

46

Species: Sugar maple
DBH: 11.5”
Condition: Healthy good condition
Location: -88.3021196,41.9498274,0

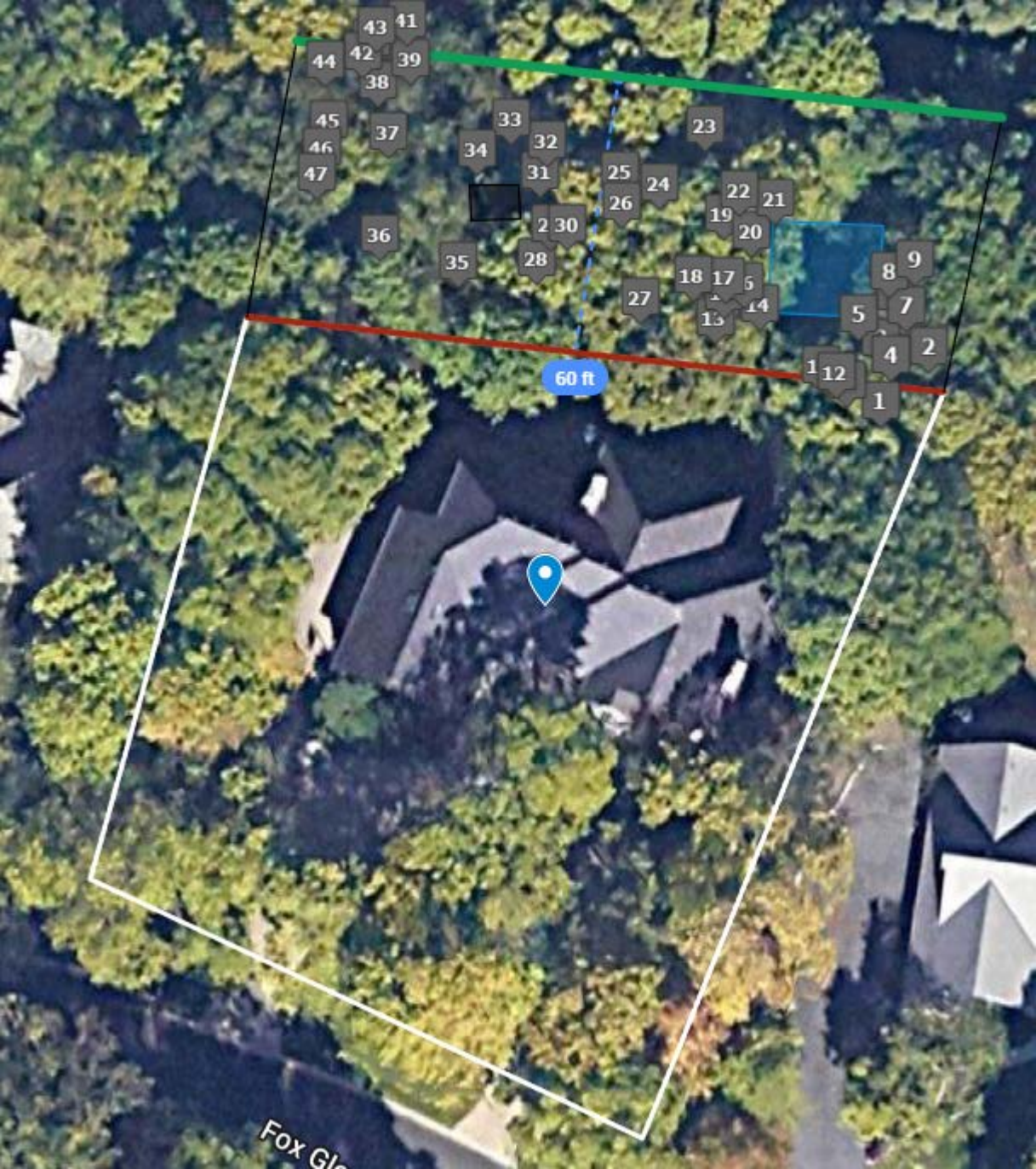
47

Species: Sugar maple

DBH: 4.5"

Condition: Healthy good condition

Location: -88.3021236,41.9498124,0

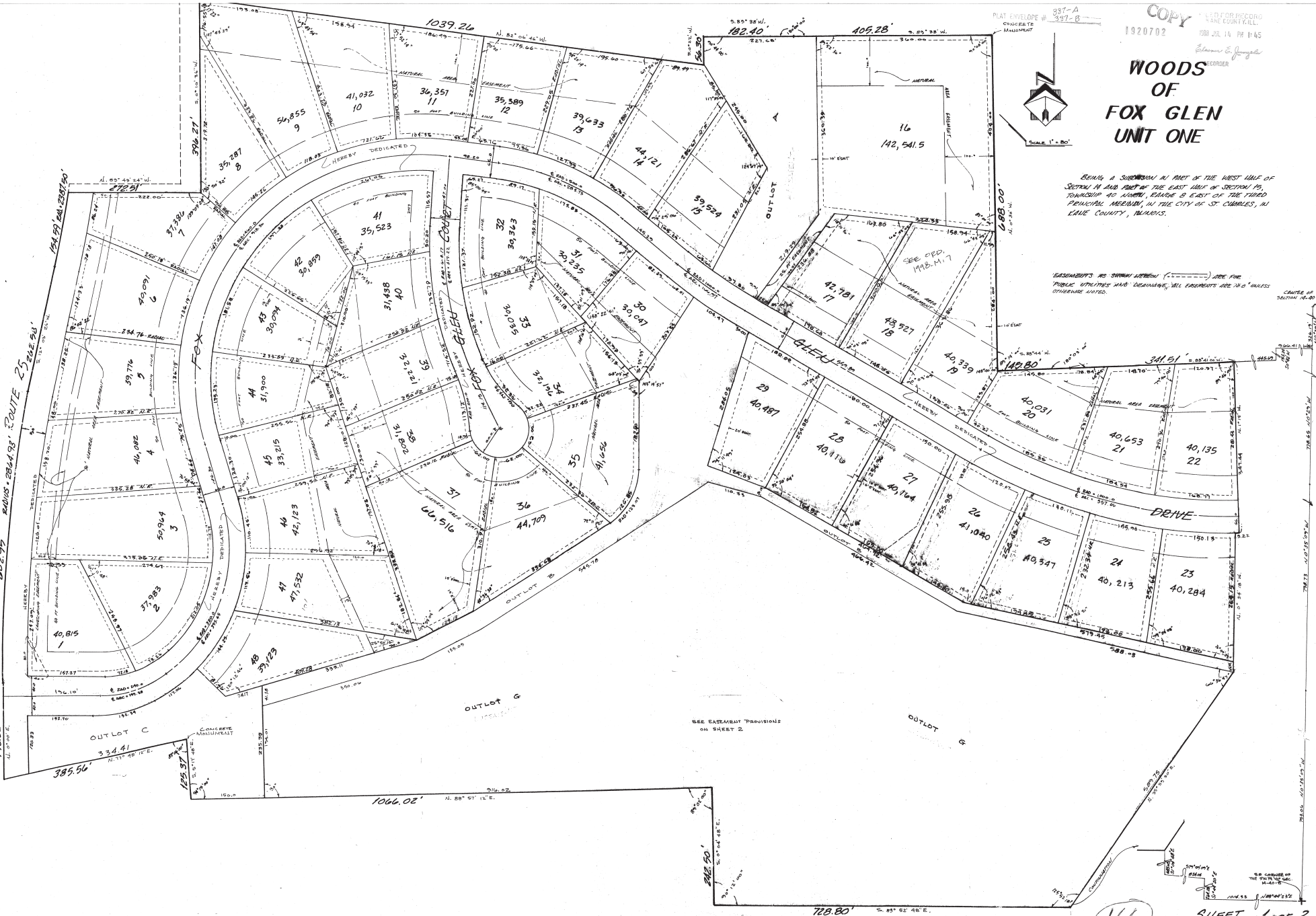


Fox Gl

198.22' ILLINOIS STATE

602.95' ROUTE 25

154.59' 228.70'



PLAT ENVELOPE 387-A
 CONCRETE 397-B
 MANUFACTURE

1920702

FOR RECORD
 COUNTY CLERK
 1988 JUL 14 PM 1:45
 Recorder
 E. J. [unclear]



WOODS OF FOX GLEN UNIT ONE

BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 16 AND PART OF THE EAST HALF OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF ST. CHARLES, IN LAKE COUNTY, ILLINOIS.

SEPARATIONS AS SHOWN HEREON (---) ARE FOR PUBLIC UTILITIES AND DEAMINGS, ALL DIMENSIONS ARE 10' UNLESS OTHERWISE NOTED.

SEE EASEMENT PROVISIONS ON SHEET 2

166

SHEET 1 OF 2

