



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve a Petition for Annexation (Imming Property, Greenwood Lane)

Presenter: Matthew O'Rourke, Planner

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development – (11/11/13)		City Council
	Public Hearing		

Estimated Cost: N/A Budgeted: YES NO

If NO, please explain how item will be funded:

Executive Summary:

The applicant, Havlicek Builders, Inc., has submitted a Petition for Annexation on the behalf of the Imming family, who are under contract to the purchase this property. The details of the proposal are as follows:

- Annex the property into the City of St. Charles corporate limits.
- The property will be automatically zoned **RE-1 Single-Family Estate** upon annexation.
- Extend City of St. Charles utilities to the property and construct one single-family home on the lot.

Attachments: *(please list)*

Petition for Annexation; received 10/2/2013; Plat of Annexation; ASM Consultants, Inc.; dated 9/18/2013

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve a Petition of Annexation.

For office use only: *Agenda Item Number: 3a*

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

PETITION FOR ANNEXATION APPLICATION

Received Date
RECEIVED
St. Charles, IL

OCT 02 2013

CDD
Planning Division

CITYVIEW
Project Name: Imming Property - Red Gate lot
Project Number: 2013-PR-014
Application Number: 2013-AP-023

Instructions:

To request annexation of property, complete this application and submit it with all required attachments to the Planning Division.

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.

1. Property Information:	Parcel Number (s): <u>09-16-400-055 + 09-21-201-028</u>	
	Street Address (or common location if no address is assigned): <u>Red Gate Lot, St Charles, IL</u>	
2. Applicant Information:	Name <u>Havlicek Builders, Inc.</u>	Phone <u>430-232-4000</u>
	Address <u>321 Stevens Street, Suite A</u> <u>Meneva, IL 60134</u>	Fax <u>430-232-8558</u>
		Email <u>Kerry@HavlicekBuilders.com</u>
3. Record Owner Information:	Name <u>Jeffrey Q + Anne C. Imming</u>	Phone <u>847-922-3620</u>
	Address <u>211 Campbell Court</u> <u>Meneva, IL 60134</u>	Fax <u>430-715-7314</u>
		Email <u>Jeff@Car-mon.com</u> <u>Anne@Car-mon.com</u>
4. Billing: <i>To whom should costs for this application be billed?</i>	Name <u>Havlicek Builders, Inc.</u>	Phone <u>430-232-4000</u>
	Address <u>321 Stevens Street, Suite A</u> <u>Meneva, IL 60134</u>	Fax <u>430-232-8558</u>
		Email <u>Kerry@HavlicekBuilders.com</u>

Application Checklist

- **APPLICATION:** Completed application form signed by the applicant
- **APPLICATION FEE:** Refer to attached Schedule of Application Fees
- **REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City.
- **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.
- **ANNEXATION PETITION (Complete either Form #1 for Electors, or Form #2 for No Electors).**

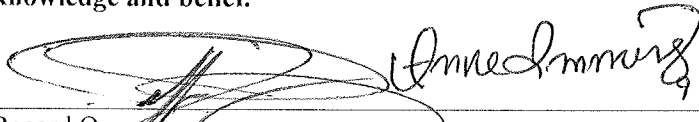
Petition to include the following information:

 - Addressed to: Mayor and Members of the City Council, City of St. Charles, 2 E. Main Street, St. Charles, Illinois 60174
 - A common address of the property and tax parcel number are included in the petition
 - Signatures of all of the owners of record of the territory to be annexed and also by the majority of electors, if any, residing in the territory. Petition shall be signed under oath.
- **ONE MYLAR PRINT OF THE PLAT OF ANNEXATION.** The Plat shall contain the following information:
 - Survey of property to be annexed
 - Legal description of property to be annexed
 - Present corporate limits
 - Number of acres to be annexed
 - Name and address of person who prepared plat
 - Indicate that the new boundary shall extend to the far side of any adjacent highway and shall include all of every highway within the area annexed.
 - Certificate for signature by Mayor and the City Clerk as follows:

This is to certify that this Accurate Map of Territory Annexed is identified as that incorporated into and made a part of the City of St. Charles Ordinance No. _____ adopted by the City Council of said City on the _____ day of _____, 20_____.

By: _____ Attest: _____
Mayor City Clerk

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.

 Anne L. Murray
Record Owner _____ Date 9-20-2013

Applicant or Authorized Agent _____ Date

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

BEFORE THE MAYOR AND CITY COUNCIL
OF THE CITY OF ST. CHARLES, ILLINOIS

PETITION FOR ANNEXATION

The undersigned Petitioners hereby respectfully petition to annex to the City of St. Charles, Kane and DuPage Counties, Illinois, the territory described as follows:

See Exhibit "A" attached hereto and made a part hereof

Commonly know as: Red Gate Lot, St Charles, IL

Parcel Number(s): 09-16-400-055 & 09-21-201-028

And under oath state (s) as follows:

1. Your undersigned Petitioner (s) is (are) the sole owner (s) of record of the territory hereinbefore described, and *have) (has) also executed this Petition as such owner.
2. The territory hereinbefore described is not within the corporate limits of any municipality.
3. The territory hereinbefore described is contiguous to the City of St. Charles, Kane and DuPage Counties, Illinois.
4. There are no electors residing within the territory hereinbefore described.

WHEREFORE, Petitioner(s) respectfully request(s) that the corporate authorities of the City of St. Charles, Kane and DuPage Counties, Illinois, annex the territory hereinbefore described to said City in accordance with the provisions of the Petition and in accordance with law.

The undersigned petitioner(s) and elector(s), being first duly sworn on oath, state(s) that the statements set forth in the petition for annexation above are true and correct.

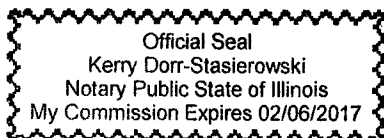
Dated this 2nd day of October, 2013.

OWNER(S)

[Handwritten Signature]

Subscribed and sworn to
Before me this 10th
Day of October, 2013

[Handwritten Signature: Kerry Dorr-Stasierowski]
Notary Public



October 8, 2013

City of St. Charles
2 E. Main Street
St. Charles, Illinois 60174
Attn: Mr. Matthew O'Rourke, AICP

Re: Annexation of residential lots in the Red gate Subdivision
PIN #'s 09-16-400-055 and 9-21-201-028

Dear Mr. O'Rourke

I, Mr. Gerard R. Dempsey, am the owner of the above-referenced property.

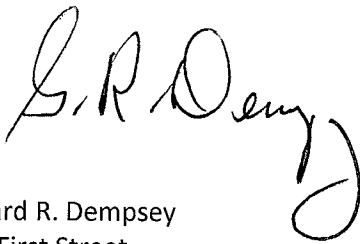
Jeffrey Q. and Anne C. Imming are the contract purchasers of the property and the sale is contingent upon annexation into the corporate limits of the City of St. Charles.

Havlicek builders will be constructing a custom home on the property in question for the Imming's so they have my permission, as owner, to present the Petition of Annexation Application on my behalf.

I have also attached a copy of the deed for the property proving ownership.

Please feel free to contact me with any questions on this matter.

Respectfully,

A handwritten signature in black ink that reads "G. R. Dempsey". The signature is written in a cursive style with a large, looped "D" at the end.

Gerard R. Dempsey
140 First Street
Batavia, Illinois 60510
630-879-3680

CC: Mr. George Havlicek

Community Development
 Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



ST. CHARLES
 SINCE 1834

STAFF REPORT

TO: Chairman Daniel P. Stellato
 And the Members of the Planning & Development Committee

FROM: Matthew O'Rourke, AICP
 Planner

RE: Imming Annexation

DATE: November 1, 2013

I. APPLICATION INFORMATION:

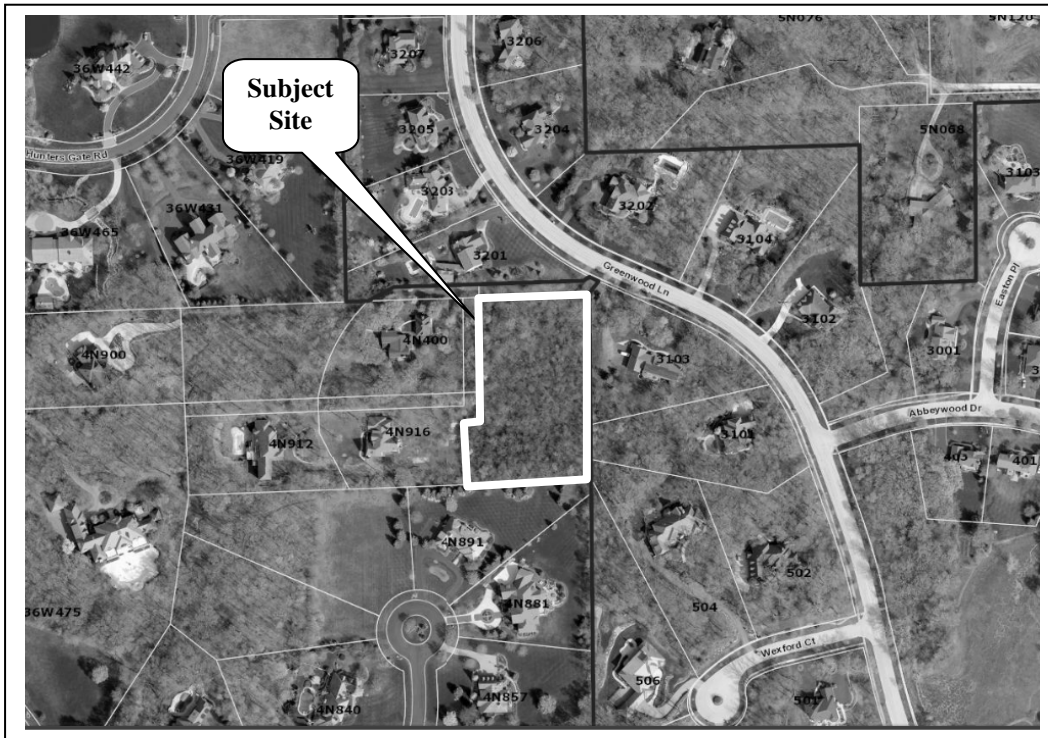
Project Name: Imming Annexation

Applicant: Havlicek Builders, Inc.

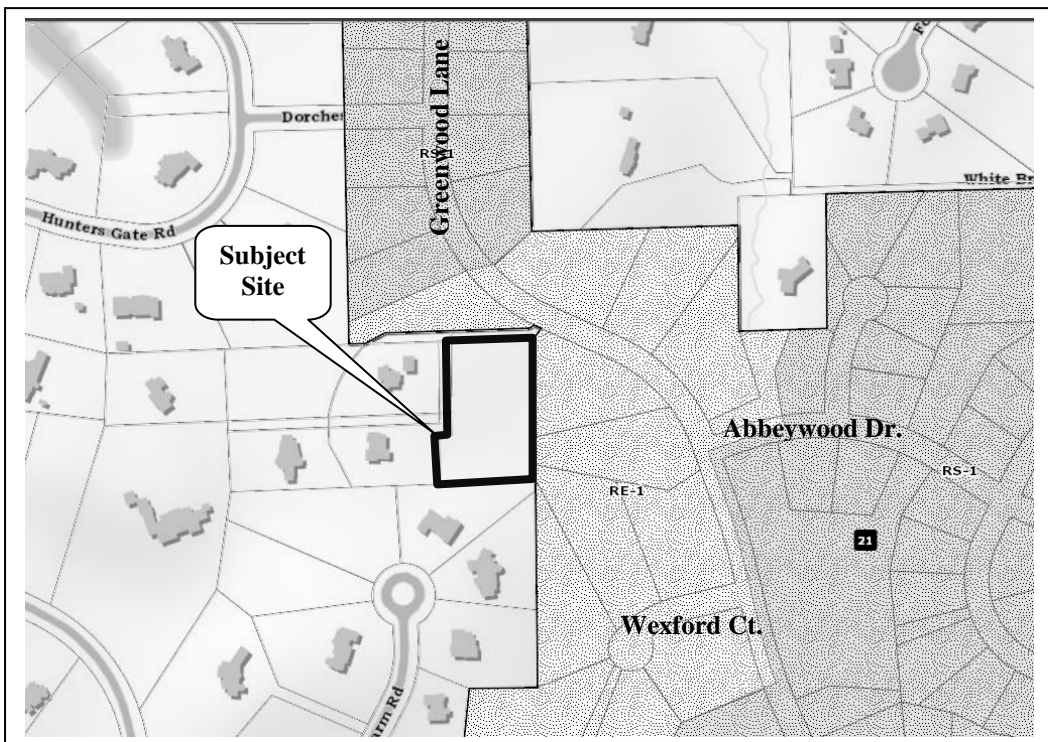
Purpose: To annex the property into the city of St. Charles for the purpose of constructing one single-family home.

General Information:		
Site Information		
Location	West of Greenwood Lane.	
Acres	2.011	
Applications:	1) Petition for Annexation	
Applicable Zoning Code Sections	Chapter 17.02 – Title, Purpose and Interpretation	
	Chapter 17.12 - Residential Districts	
Existing Conditions		
Land Use	Vacant/Undeveloped Property	
Zoning	E-3 Estate Family Residential District (Kane County)	
Zoning Summary		
North	RE-1 Single-Family Estate (PUD)	Red Gate Unit #2
East	RE-1 Single-Family Estate (PUD)	Red Gate Units # 2 & 8
South	E-3 Estate Family (Kane County)	Crane Road Estates
West	E-3 Estate Family (Kane County)	Single-Family Homes
Comprehensive Plan Designation		
Rural Single-Family Residential		

Aerial Photograph



Zoning Map



II. OVERVIEW

A. PROPOSAL

The applicant has submitted a Petition for Annexation on the behalf of the Imming family, who are under contract to the purchase this property. The details of the proposal are as follows:

- Annex the property into the City of St. Charles corporate limits.
- The property will be automatically zoned **RE-1 Single-Family Estate** upon annexation.
- Extend City of St. Charles utilities to the property and construct one single-family home on the lot.

III. ANALYSIS

A. COMPREHENSIVE PLAN

Future Land Use Map

The Comprehensive Plan recommends Rural Residential for this property.

Rural Residential is described in the Comprehensive Plan as follows:

“The Rural Residential land use designation is intended to accommodate large-lot single-family development on the outer limits of the City. Rural Residential areas are characterized by large lots that may have developed as part of a formal subdivision or independently in unincorporated Kane County prior to annexation. These areas are typically located on the periphery of the City, removed from the busier commercial areas, providing a unique opportunity to live in a rural setting near a vibrant city.”

Proposal

Per **Section 17.02.030.B Zoning of Annexed Land** of the Zoning Ordinance, “*Unless requested otherwise, land being annexed shall automatically be zoned RE-1 Single Family Estate District upon annexation.*” The applicant has not filed a map amendment application to change the zoning district from RE-1.

The proposal does comply with the land use recommendations of the Comprehensive Plan based on the following:

1. The proposed lot will remain in the RE-1 Single-Family Estate Zoning District which is the least dense residential district in the City of St. Charles’ Zoning Ordinance.
2. This property is surrounded by residential lots that are of a similar size and comparable density.

B. ZONING REVIEW

Staff has reviewed the proposed Petition for Annexation for conformance with the Standards of the **RE-1 Single-Family Estate District** established in **Table 17.12-2 Residential Bulk Requirements** of the Zoning Ordinance. The following table summarizes Staff’s review:

	Minimum Zoning Code Standards for the RE-1 Zoning District	Proposal
Minimum Lot Area	1.25 Acres	2.011 Acres
Minimum Lot Width	250 ft	The lot is 250.72’ wide
Minimum Front Yard	40 ft	Per Zoning Standard
Minimum Rear Yard	50 ft	Per Zoning Standard
Minimum Interior Side Yard	20 ft per side	Per Zoning Standard
Minimum Exterior Side Yard	N/A	Per Zoning Standard

C. SITE ACCESS & UTILITIES

The property will be accessed off of an existing private drive that serves the unincorporated residential property to the west.

In order to receive a building permit the home owners are required to serve the property with City of St. Charles utilities. The necessary utilities are accessible to this property from Greenwood Lane. The property owner will be responsible for the cost of extending the utilities.

IV. RECOMMENDATION

Staff recommends approval of the Petition for Annexation.

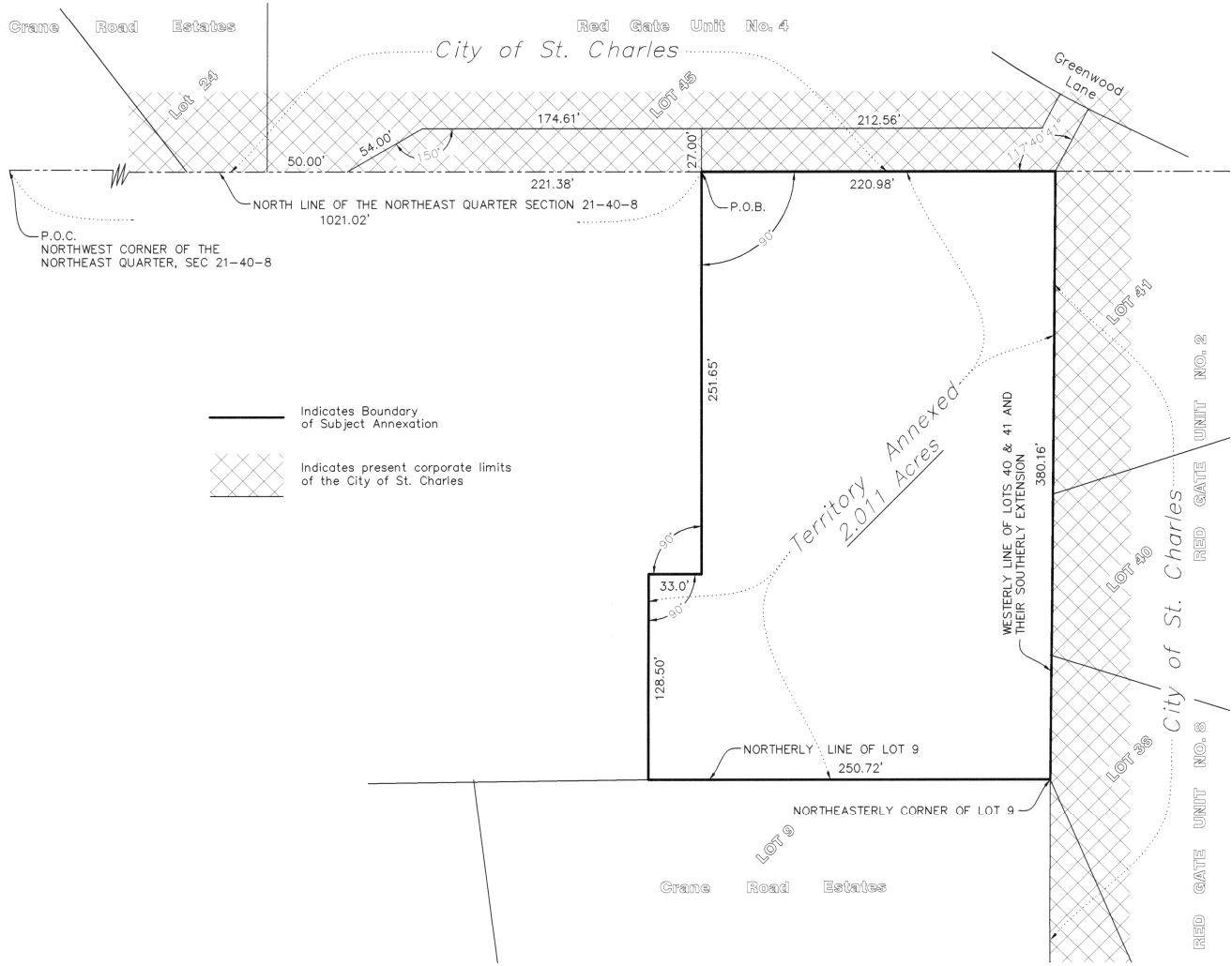
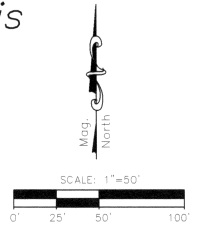
V. ATTACHMENTS

- Petition for Annexation; received 10/2/2013
- Plat of Annexation; ASM Consultants, Inc.; dated 9/18/2013

Cc: Russell Colby, Planning Division Manager

Accurate Map of Territory Annexed to the
 City of St. Charles Kane County Illinois

RECEIVED
 St. Charles, IL
 OCT 03 2013
 CDD
 Planning Division



————— Indicates Boundary of Subject Annexation
 [Cross-hatched pattern] Indicates present corporate limits of the City of St. Charles

State of Illinois)
 County of Kane) ss This is to certify that this Accurate Map of Territory Annexed
 is identified as that incorporated into and made a part of the
 City of St. Charles Ordinance No. _____ adopted
 by the City Council of said City on the _____ day of _____, 20____

By: _____ Attest: _____
 Mayor City Clerk

State of Illinois)
 County of Kendall) ss This is to certify that the plat hereon drawn is a correct
 representation of that part of the Northeast Quarter of Section
 21, Township 40 North, Range 8 East of the Third Principal
 Meridian described as follows: Commencing at the northwest corner of said Northeast
 Quarter; thence easterly along the north line of said Northeast Quarter 1021.03 feet to
 the point of beginning; thence southerly at right angles to said north line 251.65 feet;
 thence westerly parallel with said north line 33.0 feet; thence southerly at right angles
 to the last described course 128.50 feet to the northerly line Lot 9, Crane Road
 Estates, St. Charles Township, Kane County, Illinois; thence easterly along the northerly
 line of said Lot 9, 250.72 feet to the northeasterly corner of said Lot 9, being also on
 the westerly line extended southerly of Lots 40 and 41, Unit No. 2, Red Gate, St.
 Charles, Kane County, Illinois; thence northerly along said westerly line extended and
 said westerly line 380.16 feet to said north line; thence westerly along said north line
 220.98 feet to the point of beginning, in St. Charles Township, Kane County, Illinois.

PIN# 09-21-201-028
 Dated at Plano, Illinois on this 18th day of September, A.D., 2013.

Stacy L. Ferguson
 Illinois Professional Land Surveyor No. 2952
 License Expires 11/30/2014



RETURN TO:

ASM Project No. 747001AP

PREPARED BY: **ASVCO**

ASM Consultants, Inc.
 PO Box 7, Plano, IL 60545
 Tel (630) 273-2500 Fax (630) 273-2600
 advanced@advct.com
 Professional Design Firm #184-006014
 expires 4/30/2015