

City of St. Charles
 Community Development Division
 2 E. Main Street
 St. Charles, IL 60174



Phone: (630) 377-4443
 Email: cd@stcharlesil.gov

SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

For City Use	
Project Name:	<u>Munhall Glen - Porch Amendment</u>
Project Number:	_____ -PR- _____
Cityview Project Number:	<u>PLSU202400032</u>

Received Date
RECEIVED
 SEP 24 2024
 City of St. Charles
 Community Development

- *File this application to request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property*
- *Complete the application and submit with all required attachments to the Community Development Division.*
- *The information you provide must be complete and accurate. If you have a question please contact the Community Development Division.*
- *City staff will review the submittal for completeness and for compliance with applicable requirements prior to establishing a public hearing date.*

1. Property Information:	Location: <p style="text-align: center;">Munhall Glen Subdivision</p>	
	Parcel Number (s): <p style="text-align: center;">Multiple Parcel Numbers Attached</p>	
	Proposed Name: <p style="text-align: center;">Munhall Glen Rear Porch Amendment</p>	
2. Applicant Information:	Name: <p style="text-align: center;">Court Airhart</p>	Phone: <p style="text-align: center;">630-293-3000 ext. 145</p>
	Address <p style="text-align: center;">500 E. Roosevelt Road West Chicago, IL 60185</p>	Email: <p style="text-align: center;">court@airhartconstruction.com</p>
3. Record Owner Information:	Name: <p style="text-align: center;">Attached</p>	Phone:
	Address:	Email:

4. Identify the Type of Application:

- Special Use for Planned Unit Development - PUD Name:** Munhall Glen
 - New PUD
 - Amendment to existing PUD- Ordinance #: 2020-Z-29
 - PUD Preliminary Plan filed concurrently

- Other Special Use (from list in the Zoning Ordinance):**
 - Newly established Special Use
 - Amendment to an existing Special Use Ordinance #:

5. Information Regarding Special Use:

Comprehensive Plan designation of the property: Single Family Detached Residential

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

What is the property's current zoning? RS-4 Suburban Single-Family Residential District

What is the property currently used for? Residential neighborhood

If the proposed Special Use is approved, what improvements or construction are planned?

This will provide the option for the owners to build unenclosed porches and enclosed porches in the rear of their homes.

6. For Special Use Amendments only:

Why is the proposed change necessary?

Due to an oversight during the original approvals this request was not made a part of the original PUD submittal. This oversight negatively impacts the ability to build rear unenclosed porches and enclosed porches in this neighborhood on some of the lots.

What are the proposed amendments? (Attach proposed language if necessary)

Allow unenclosed porches and enclosed porches to encroach up to 10' into the rear yard set back.

Note for existing buildings: If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

7. Required Attachments:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

Provide 1 copy of each required item, unless otherwise noted.

- APPLICATION FEE:** Special Use for PUD: \$1,000
All other Special Use requests: \$750

- 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.

- REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	<u>\$2,000</u>	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

- PROOF OF OWNERSHIP:** a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

- OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the zoning application with the City of St. Charles for the subject property.

- LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper and Microsoft Word file.

- PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

- FINDINGS OF FACT:** Fill out the attached "Criteria for Planned Unit Developments (PUDs)" form for any PUD application and the "Findings of Fact – Special Use" form for all other Special Use applications.

- LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html

- SOIL AND WATER CONSERVATION DISTRICT LAND USE OPINION APPLICATION:** As required by State law, submit a Land Use Opinion application and required fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy of completed Land Use Opinion application to the City. The Land Use Opinion application can be found on the Kane-DuPage SWCD website: <http://www.kanedupageswcd.org/>

ENDANGERED SPECIES REPORT: As required by State law, file an Endangered Species Consultation Agency Action with the Illinois Department of Natural Resources. Provide a copy of the report to the City. The online Ecological Compliance Assessment Tool (EcoCAT) should be utilized: <https://dnr2.illinois.gov/EcoPublic/>

TRAFFIC STUDY: If applicable. Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.

PLANS: All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.


Copies: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

Site Plan or plans shall show the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line
21. Provision of handicapped parking spaces
22. Dimensions of handicapped parking spaces
23. Depressed ramps available to handicapped parking spaces
24. Location, dimensions and elevations of freestanding signs
25. Location and elevations of trash enclosures
26. Provision for required screening, if applicable
27. Exterior lighting plans showing:
 - a. Location, height, intensity and fixture type of all proposed exterior lighting
 - b. Photometric information pertaining to locations of proposed lighting fixtures

(Note- For a Special Use for PUD, submit PUD Preliminary Plan Application In lieu of Site Plan)


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

9/12/2024

Date



Applicant or Authorized Agent

9/12/2024

Date

**OWNERSHIP DISCLOSURE FORM
CORPORATION**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

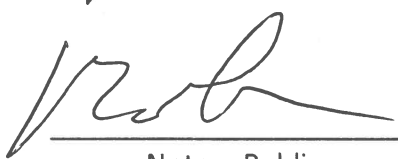
I, Court Airhart, being first duly sworn on oath depose and say that I am the
President of Airhart Construction Corp., an (Illinois)
() Corporation and that the following persons are all of the shareholders of 7%
or more of the common stock of said Corporation:

- | | |
|----------------------|-------|
| <u>Court Airhart</u> | _____ |
| <u>Mark Glassman</u> | _____ |
| <u>Mac Airhart</u> | _____ |
| _____ | _____ |

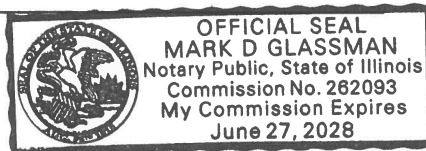
BY: 

TITLE: President - Airhart Construction Corp

Subscribed and Sworn before me this 17th day of
Sept, 2024.



Notary Public



CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

Use this form for PUD or PUD Amendment applications

The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether the proposed Planned Unit Development is in the public interest. As the applicant, the "burden of proof" is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.

PUD Name: Munhall Glen Rear Porch Amendment

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

The Plan Commission shall not favorably recommend, and the City Council shall not approve, a Special Use for a PUD or an amendment to a Special Use for a PUD unless they each make findings of fact based on the application and the evidence presented at the public hearing that the PUD is in the public interest, based on the following criteria:

i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.
2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

The proposed PUD Amendment for Munhall Glen promotes a creative approach to the site improvements by allowing for the construction of spaces that allow: the residents to more fully enjoy the outdoors.

ii. **The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**

- A. Conforming to the requirements would inhibit creative design that serves community goals, or**
- B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

The proposed PUD Amendment for Munhall Glen will:

- 1) provide spaces of superior architectural design;
- 2) allows for the superior site design to be more fully enjoyed by residents and guests;
- 3) meets all the original goals of the Munhall Glen PUD

iii. **The proposed PUD conforms with the standards applicable to Special Uses (Section 17.04.330.C.2):**

A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

The proposed PUD Amendment for Munhall Glen will serve the public convenience at the proposed location by meeting housing and using needs of St. Charles.

B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary utilities have been, or are being, provided.

Sufficient infrastructure has been provided and will meet the needs of the proposed PUD Amendment for Munhall Glen

C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The proposed PUD Amendment for Munhall Glen will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed PUD Amendment for Munhall Glen will not impact or impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed PUD Amendment for Munhall Glen will not be detrimental to or endanger the public health, safety, comfort or general welfare.

F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The proposed PUD Amendment for Munhall Glen conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to the amendment requested and those already in place for the Munhall Glen Planned Unit Development.

iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

The proposed PUD Amendment for Munhall Glen will be beneficial to the physical development, diversity, tax base and economic well-being of the City by serving those who are specifically looking for single level living.

v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The proposed PUD Amendment for Munhall Glen conforms to the purposes and intent of the Comprehensive Plan and the original Munhall Glen Planned Unit Development.