



Staff Report
Plan Commission Meeting –June 4th, 2024

Applicant:	Zach Derrico	407 S 5th St.
Property Owner:	ZJD, LLC	
Location:	407 S. 5 th St.	
Purpose:	Easement Vacation	
Application:	N/A	
Public Hearing:	N/A	
Zoning:	RT-2 (Traditional Single Family)	
Current Land Use:	Single-Family	
Comprehensive Plan:	Single Family Detached Residential	
Summary of Proposal:	Zach Derrico has requested an easement vacation of 3ft for the property at 407 S 5 th St. A subdivision for this parcel was approved in August of 2023 and required a 10ft easement. Mr. Derrico would like the vacation to be able to add an addition onto the relocated garage.	
Info / Procedure on Application:	<ul style="list-style-type: none"> • Recommendation is based on compliance with all other code requirements (including Zoning & Subdivision Codes). Staff has provided an analysis in the Staff Report. • A public hearing is not required for this type of application. • No findings of fact are applicable to this application. 	
Suggested Action:	<p>Review the Plat of Vacation</p> <p>Staff has found the application materials to be complete and the Plat of Vacation to be in compliance with the Zoning and Subdivision Codes.</p> <p>Staff recommends approval of the Plat of Vacation</p>	
Staff Contact:	Rachel Hitzemann, Planner	

Subject Property

I. PROPERTY INFORMATION

A. History / Context

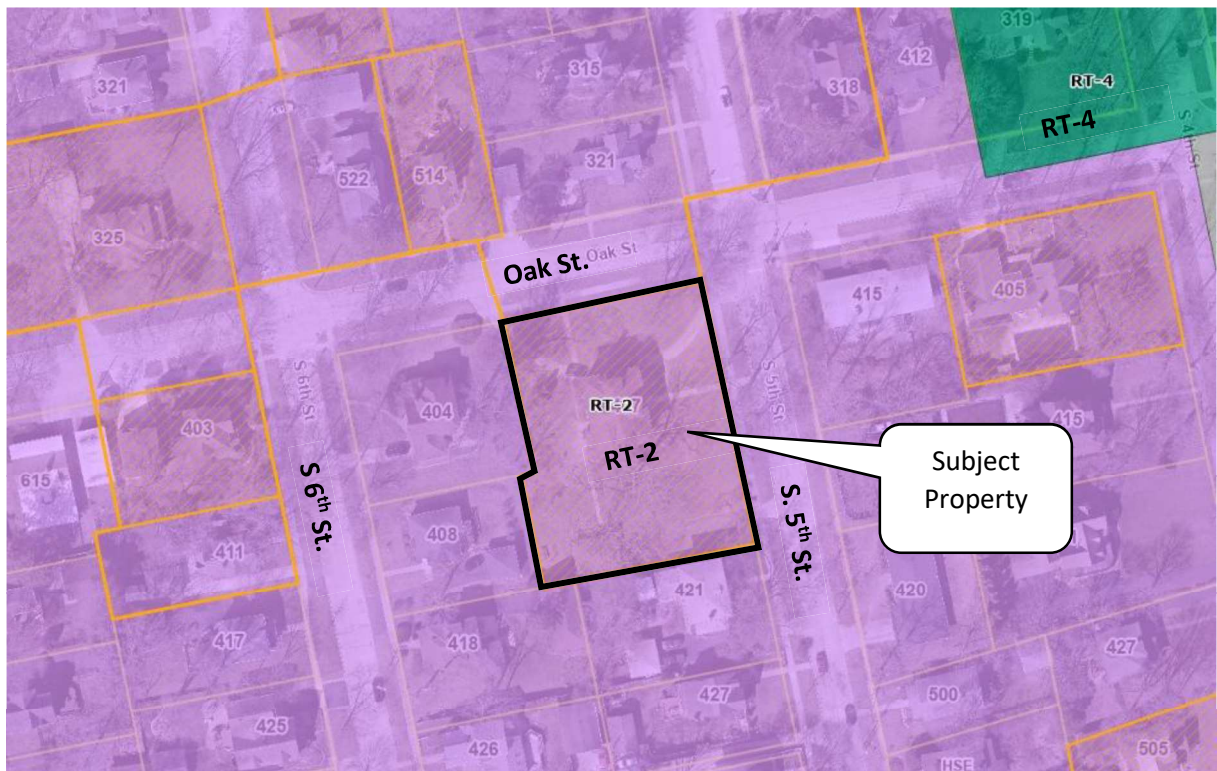
The property was part of a minor subdivision that was approved in August of 2023. That subdivision required easements be added around all property lines.

The home is historic and is locally landmarked under the City’s Historic Preservation Ordinance.

The adjacent lots contain single-family homes.

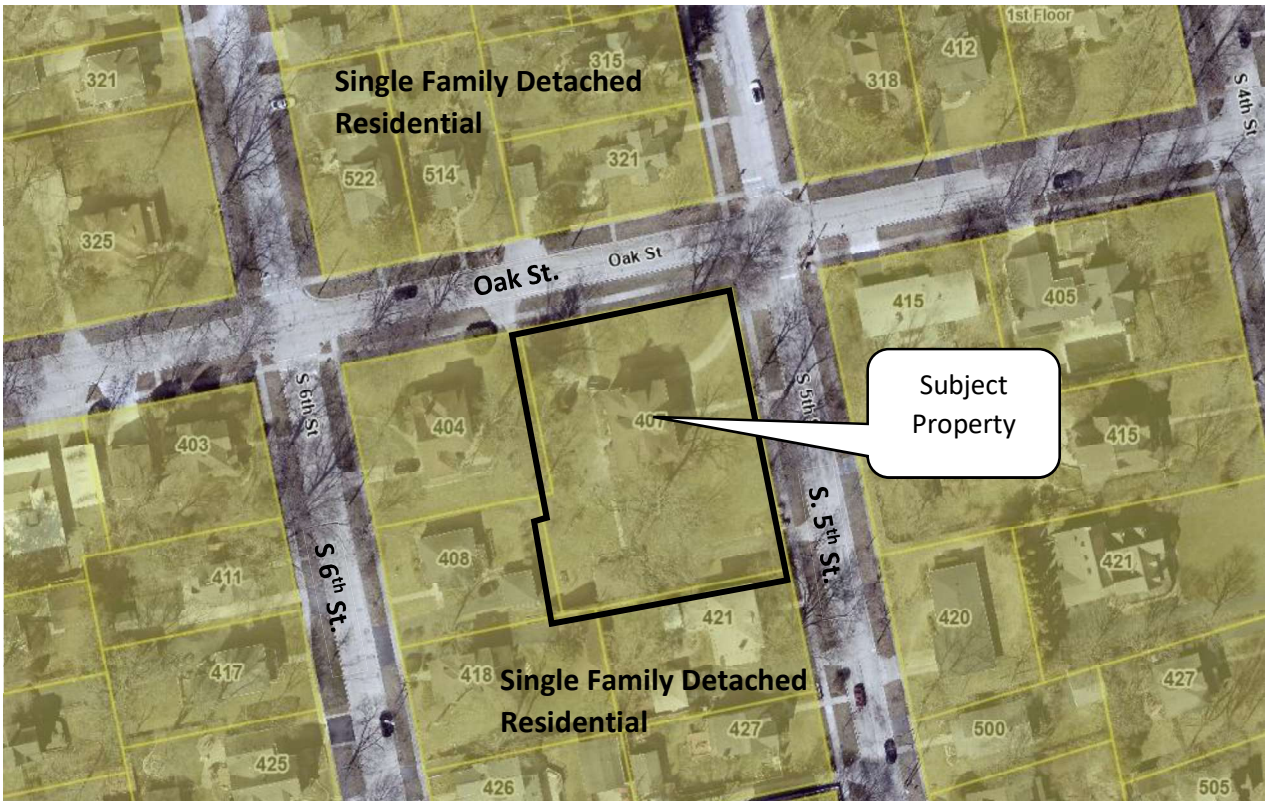
B. Zoning

The subject property is zoned RT-2 Traditional Single Family. The same zoning designation exists adjacent to the property on all sides. The surrounding properties all contain single-family homes.



C. Comprehensive Plan

The subject property is designated Single Family Detached Residential in the Land Use Plan adopted as part of the 2013 Comprehensive Plan. All surrounding properties have the same designation.



II. PROPOSAL

Zach Derrico would like to Vacate 3ft of the newly created utility easement for the purpose of adding onto the recently relocated garage.

III. ANALYSIS

A. Plat Review

10ft Utility easements are required in all rear yards of newly created subdivisions. The Code does allow for modifications to be made to those easements if necessary. There are currently no utilities within the easement. An overhead line runs along the rear yard of the neighbor's property.

Since the original subdivision is older, there are no easements on other lots within the subdivision.

Staff has no issues with the proposed vacation.

B. Historic Commission

The Historic Commission has reviewed the architectural designs for the garage and have given approval for the garage addition.

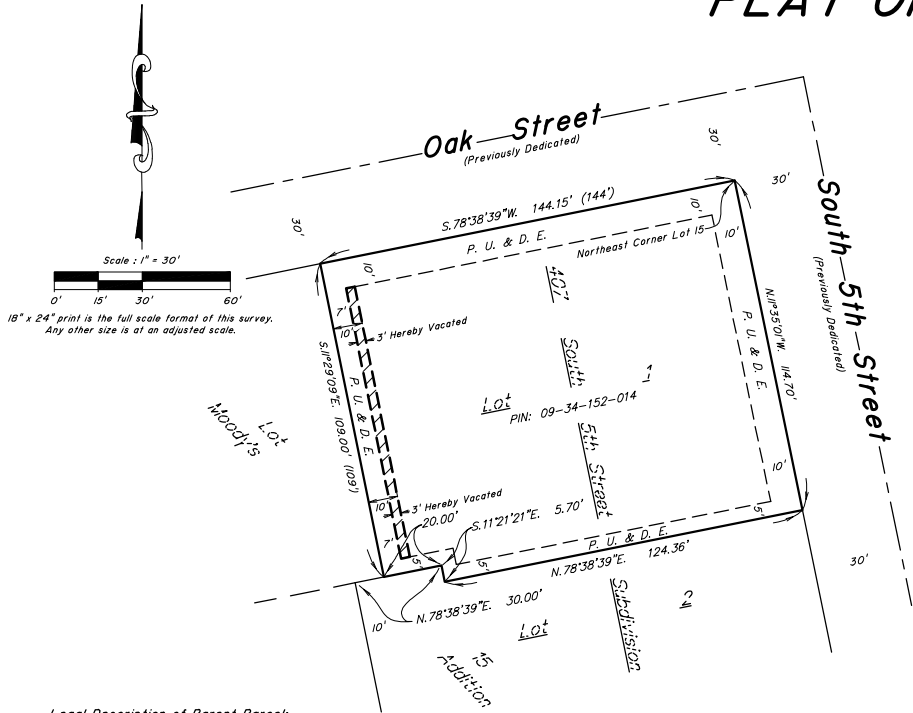
IV. SUGGESTED ACTION

Staff recommends approval of the Plat of Vacation

V. ATTACHMENTS

- Plat of Vacation; received 5/29/24

PLAT OF VACATION



Scale: 1" = 30'
 0' 15' 30' 60'
 18" x 24" print is the full scale format of this survey.
 Any other size is of an adjusted scale.

Legal Description of Parent Parcel:

Lot 1 of 407 South 5th Street Subdivision, being a subdivision of that part of Lot 15 of Moody's Addition to St. Charles, in the City of St. Charles, Kane County, Illinois according to the plat thereof recorded December 28, 2023 as Document 2023K045174.

Legal Description of Public Utility and Drainage Easement Hereby Vacated:

The East 3 feet of the West 10 feet (except the North 10 feet and the South 5 feet thereof) of Lot 1 of 407 South 5th Street Subdivision, being a subdivision of part of Lot 15 of Moody's Addition to St. Charles, in the City of St. Charles, Kane County, Illinois.

Legend

- Indicates Public Utility & Drainage Easement Hereby Vacated
- Indicates Property Line
- Indicates Easement Line
- P. U. & D. E. Indicates Public Utility & Drainage Easement

Owner's Certificate:

State of Illinois }
 County of Kane } ss

This is to certify that Robert Greenlee and Brook Greenlee are the owners Lot 1 of 407 South 5th Street Subdivision and has caused the same to be platted as indicated hereon, for the uses and purposes therein set forth and does hereby vacate the public utility and drainage easements as shown hereon.

Dated this _____th day of _____ A.D., 2024.

By: _____
 Robert Greenlee (Owner)

By: _____
 Brook Greenlee (Owner)

Notary Public:

State of Illinois }
 County of Kane } ss

I, _____ a notary public in and for the County and State aforesaid, do hereby certify that Robert Greenlee and Brook Greenlee who, are personally known to me to be the same whose names are subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this _____th day of _____ A.D., 2024.

Notary Public
 My commission expires _____

Mortgagee's Certificate:

State of Illinois }
 County of Kane } ss

Approved and accepted by The Harvard State Bank, as Mortgagee.

Dated at _____ this _____th day of _____, 2024.

By: _____ Attest: _____

Notary Public:

State of Illinois }
 County of Kane } ss

I, _____ a notary public in and for the County and State aforesaid, do hereby certify that _____ and _____ who, are personally known to me to be the same whose names are subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this _____th day of _____ A.D., 2024.

Notary Public
 My commission expires _____

Owner's Certificate:

State of Illinois }
 County of Kane } ss

This is to certify that ZJD LLC is the owner Lot 2 of 407 South 5th Street Subdivision and does hereby consent to vacate the public utility and drainage easements as shown hereon.

Dated this _____th day of _____ A.D., 2024.

By: _____
 ZJD LLC, by Zachary Derrico, Managing Member

Notary Public:

State of Illinois }
 County of Kane } ss

I, _____ a notary public in and for the County and State aforesaid, do hereby certify that Zachary Derrico is personally known to me to be the same whose name is subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this _____th day of _____ A.D., 2024.

Notary Public
 My commission expires _____

City Council Certificate:

Approved and accepted this _____th day of _____ A.D., 2024.

Dated this _____th day of _____, 2024.
 City Council of City of St. Charles, Illinois.

Mayor
 Attest: _____
 City Clerk

Surveyor's Certificate:

State of Illinois }
 County of Kane } ss

I, Shawn R. VanKampen, Illinois Professional Land Surveyor No. 2170, do hereby certify that the plat hereon drawn was prepared under my direction for the purpose of vacating a public utility and drainage easement as hereon shown and is a correct representation of said easement.

Dated at Batavia, Illinois, this 29th day of May, 2024.

PRELIMINARY
 Shawn R. VanKampen
 Illinois Professional Land Surveyor No. 2170
 License expiration date: November 30, 2024



ADVANCED SURVEYING & MAPPING

PREPARED BY:

ASM Consultants, Inc.
 16 E Wilson St. Batavia IL 60510
 (630) 879-0200 - advanced@advct.com
 Professional Design Firm# 184-006014
 Expires 4/30/2025

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