

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
JULY 22, 2008 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision for 5532 and 5540 Main Street	✓ Resolution Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Final Plat of Subdivision resolution has been prepared that will subdivide two parcels into three parcels located at 5532 and 5540 Main Street.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Preservation of the Residential and Neighborhood Character*. Supporting these goals are the objectives *Tolerance of Neighborhood Private Redevelopment* and *Continuing Reinvestment in the Neighborhoods*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 5, 2008 active agenda.

BACKGROUND

The petitioner is requesting a Final Plat of Subdivision to divide two existing lots into three lots. The properties, commonly known as 5532 and 5540 Main Street, are located approximately 420 feet south of 55th Street along the west side of Main Street. The properties are currently zoned R-3, Single Family Residential. The property at 5532 Main Street measures 120 feet wide by 299.83 feet deep. The property at 5540 Main Street measures 130 feet wide by 299.79 feet deep.

The proposed northern lot (Lot 1) would measure 100 feet by 299.83 feet with the two southern lots (Lot 2 and 3) each measuring 75 feet by 299.79 feet. The three proposed lots meet the minimum lot depth, width and area requirements of the R-3 Single Family Residential District and are summarized in the table below.

	Required	Lot 1	Lot 2	Lot 3
Lot Width	75	100	75	75
Lot Depth	140	299.83	299.81	299.79
Lot Area	10,500	29,983	22,485	22,485

The existing house at 5540 Main Street is proposed to be demolished while the house at 5532 Main Street is proposed to remain. The 5532 Main Street house will be located on Lot 1 approximately 5.01 feet from the south property line. According to Section 28.1111(c) of the Zoning Ordinance, the required side yard setback for a 100-foot wide lot is ten feet. If the proposed subdivision is approved, the house at 5532 Main Street will be considered non-conforming because it does not meet the ten foot side yard setback

requirements. The petitioner has stated the ultimate disposition of 5532 Main Street is demolition of the existing house and redevelopment with a new house. When the existing house is demolished, the non-conformity will be eliminated and any new development will be required to meet the Zoning Ordinance's bulk regulations.

The Future Land Use Plan designates the site as Residential at a density of 0-6 dwelling units per acre. The proposed density is 1.74 dwelling units per acre. The petitioner will be required to submit School and Park District donations to the Village totaling \$4,736.72 (\$1,668.59 to Elementary School District 58, \$784.80 to High School District 99, and \$2,283.33 to the Park District). The petitioner has not requested any exceptions from the Subdivision Ordinance. At this time no public improvements are required as they are already in place.

The Plan Commission considered the petition at its July 7, 2008 meeting and recommended unanimous approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendations.

ATTACHMENTS

Resolution

Staff Report with attachments dated July 7, 2008

Draft Minutes of the Plan Commission Hearing dated July 7, 2008

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR HAIDER'S MAIN STREET SUBDIVISION**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for Final Plat of Subdivision for the Haider's Main Street Subdivision, located on the West side of Main Street, approximately 420 feet South of 55th Street, Downers Grove, Illinois, legally described as follows:

Lots 4, 5 and the North ten feet of Lot 6 in Branigar Brothers Downers Grove Farms, being a subdivision situated in the East Half of Section 18 and the West Half of Section 17, Township 38 North, Range 11 East of the Third Principal Meridian in DuPage County, IL

Commonly known as 5532 and 5540 Main Street, Downers Grove, IL (PIN 09-17-101-032,-033)

WHEREAS, notice has been given and hearing held on July 7, 2008 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision of Haider's Main Street Subdivision as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for the Haider's Main Street Subdivision, be and is hereby approved subject to the following conditions:

1. The Plat of Subdivision shall substantially conform to the Plat of Subdivision prepared by Cemcon, Ltd., dated October 17, 2007, except as such plans may be modified to conform to Village Codes and Ordinances.
2. Prior to recording the plat, the petitioner shall pay to the Village a total donation of \$4,736.72 (\$1,668.59 to Elementary School District 58, \$784.80 to High School District 99, and \$2,283.33 to the Park District) subject to verification by the Department of Community Development.
3. Upon recording of the Final Plat of Subdivision the existing house at 5532 Main Street shall be deemed legal non-conforming. Any modifications to the existing structure shall be subject to Section 28.1201 of the Downers Grove Zoning Ordinance.
4. Prior to recording the plat with the DuPage County Recorder, the house and all accessory structures at 5540 Main Street shall be demolished.
5. Prior to the demolition of 5540 Main Street, a common grading and soil erosion control plan shall be developed for all three parcels. The plan shall include the grading that will occur when the 5540 Main Street house and accessory structures are demolished.
6. Prior to the issuance of any development permits, the Plat of Subdivision shall be recorded with the DuPage County Recorder, and three copies of the recorded plat shall be submitted to the Village.
7. Stormwater permit applications and individual lot grading plans shall be reviewed for compliance with the approved common grading plan for the entire site during the building permit phase.

BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the Final Plat of Subdivision.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JULY 7, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-11-08 5532 and 5540 Main Street	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioners are requesting approval of a Final Plat of Subdivision to subdivide two parcels into three parcels at 5532 and 5540 Main Street.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: William Haider
5532 Main Street
Downers Grove, IL 60515

APPLICANT: James F. Russ, Jr.
4915 Main Street
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-3, Single Family Residential
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 74,967 square feet (1.721 acres)
PINS: 09-17-101-032, -033

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-3, Single Family Residential	Residential 0-6 DU/Acre
SOUTH:	R-3, Single Family Residential	Residential 0-6 DU/Acre
EAST:	R-4, Single Family Residential	Residential 0-6 DU/Acre
WEST:	R-3, Single Family Residential	Residential 0-6 DU/Acre

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Summary
3. Plat of Subdivision
4. Plats of Survey

PROJECT DESCRIPTION

The properties, commonly known as 5532 and 5540 Main Street, are located approximately 420 feet south of 55th Street along the west side of Main Street. The properties are currently zoned R-3, Single Family Residential. The property at 5532 Main Street measures 120 feet wide by 299.83 feet deep. The property at 5540 Main Street measures 130 feet wide by 299.79 feet deep. The petitioner is requesting a Final Plat of Subdivision to divide the two existing lots into three lots.

The proposed northern lot (Lot 1) would measure 100 feet by 299.83 feet with the two southern lots (Lot 2 and 3) each measuring 75 feet by 299.79 feet. The three proposed lots meet the minimum lot depth, width and area requirements of the R-3 Single Family Residential District and are summarized in the table below.

	Required	Lot 1	Lot 2	Lot 3
Lot Width	75	100	75	75
Lot Depth	140	299.83	299.81	299.79
Lot Area	10,500	29,983	22,485	22,485

The existing house at 5532 Main Street is proposed to remain while the house at 5540 Main Street is proposed to be demolished. The 5532 Main Street house will be located on Lot 1 approximately 5.01 feet from the south property line. According to Section 28.1111(c) of the Zoning Ordinance, the required side yard setback for a 100-foot wide lot is ten feet. If the proposed subdivision is approved, the house at 5532 Main Street will be considered non-conforming because it does not meet the ten foot side yard setback requirements.

The petitioner has stated the ultimate disposition of 5532 Main Street is demolition of the existing house and redevelopment with a new house. When the existing house is demolished, the non-conformity will be eliminated and any new development will be required to meet the Zoning Ordinance's bulk regulations.

The property is adequately serviced by storm and sanitary sewer lines. The petitioner will have to meet all provisions of the Stormwater Management Ordinance when they apply for development permits.

The petitioner has not requested any exceptions from the Subdivision Ordinance.

COMPLIANCE WITH FUTURE LAND USE PLAN

The Future Land Use Plan designates the site as Residential at a density of 0-6 dwelling units per acre. The proposed density is 1.74 dwelling units per acre. The proposal is consistent with the intent of the Future Land Use Plan to maintain the property for residential use and will not diminish the value of the surrounding properties.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-3, Single Family Residential. The proposed lots exceed the lot depth, width and area requirements as shown in the above table. The Zoning Ordinance requires 30-foot front yard setbacks and 20-foot rear yard setbacks. The side yard setbacks are ten feet for Lot 1 and 7.5 feet for Lots 2 and 3. The existing house at 5532 Main Street meets the front, rear and north side yard setbacks but does not meet the south side yard setback. If the subdivision is approved, the house at 5532 Main Street will be considered non-conforming. When the house is ultimately demolished, the non-conformity will no longer exist and any new development on the parcel will be required to meet the bulk regulations of the Zoning Ordinance.

COMPLIANCE WITH SUBDIVISION CONTROL ORDINANCE

The proposed subdivision complies with the requirements of the Subdivision Ordinance except for the non-conforming structure. The approval of the subdivision will create a non-conforming house at 5532 Main Street.

As a result of the subdivision, one additional single family home will be created. As such, School and Park District donations are required per the Subdivision Ordinance. The petitioner will be required to submit a donation to the Village of \$4,736.72 (\$1,668.59 to Elementary School District 58, \$784.80 to High School District 99, and \$2,283.33 to the Park District). Payment of these donations must be made to the Village prior to recording the plat and is subject to confirmation by the Department of Community Development.

At this time no public improvements are required as they are already in place. The petitioner has not requested any exceptions from the Subdivision Ordinance.

ENGINEERING/PUBLIC IMPROVEMENTS

The petitioner is proposing to subdivide the two existing lots into three lots. The Plat of Subdivision identifies utility easements which comply with Village requirements. The petitioner will be required to submit a common grading and soil erosion control plan for the three parcels prior to the demolition of the house and accessory structures at 5540 Main Street. Future residential developments will have to provide individual lot grading plans during the building permit process. The individual plans will have to be in compliance with the common grading plan. There are no public improvements required at this time.

PUBLIC SAFETY REQUIREMENTS

The site provides adequate access for emergency vehicles and services.

NEIGHBORHOOD COMMENT

Staff has not received any written neighborhood comment regarding the proposal at this time.

RECOMMENDATIONS

The proposed Plat of Subdivision is compatible with surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

1. The Plat of Subdivision shall substantially conform to the Plat of Subdivision prepared by Cemcon, Ltd., dated October 17, 2007 except as such plans may be modified to conform to Village Codes and Ordinances.

2. Prior to Village Council consideration, the petitioner shall submit one paper copy and one mylar copy of the Plat of Subdivision for signature.
3. Prior to recording the plat, the petitioner shall pay to the Village a total donation of \$4,736.72 (\$1,668.59 to Elementary School District 58, \$784.80 to High School District 99, and \$2,283.33 to the Park District) subject to verification by the Department of Community Development.
4. Upon recording of the Final Plat of Subdivision the existing house at 5532 Main Street shall be deemed legal non-conforming. Any modifications to the existing structure shall be subject to Section 28.1201 of the Downers Grove Zoning Ordinance.
5. Prior to recording the plat with the DuPage County Recorder, the house and all accessory structures at 5540 Main Street shall be demolished.
6. Prior to the demolition of 5540 Main Street, a common grading and soil erosion control plan shall be developed for all three parcels. The plan shall include the grading that will occur when the 5540 Main Street house and accessory structures are demolished.
7. Prior to the issuance of any development permits, the Plat of Subdivision shall be recorded with the DuPage County Recorder, and three copies of the recorded plat shall be submitted to the Village.
8. Stormwater permit applications and individual lot grading plans shall be reviewed for compliance with the approved common grading plan for the entire site during the building permit phase.

Staff Report Approved By:

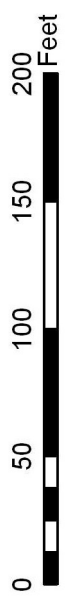
Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

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5532 & 5540 Main Street Location Map



WIEDEL, HUDZIK, RUSS & PHILIPP

A Partnership of Professional Corporations

Attorneys & Counselors

4915 Main Street

P.O. Box 578

Downers Grove, Illinois 60515

Michael C. Wiedel, P.C.
James F. Russ, Jr., P.C.[†]
Michael G. Philipp, P.C.

Beth A. Indelicato*

Of Counsel

Richard F. Hudzik, P.C.

Telephone 630/969-2300

Fax 630/969-1342

June 6, 2008

[†]Also Licensed in Wisconsin

*Also Licensed in California

Mr. Alan Jirik, Chairman
Village of Downers Grove Plan Commission
801 Burlington
Downers Grove, IL 60515-4776

Re: 5532 Main Street, Downers Grove, IL 60515

Dear Chairman Jirik:

This is a Petition currently pending before you for the resubdivision of land located at 5532 Main Street, Downers Grove, Illinois. The property is currently zoned Village of Downers Grove R3. We are currently looking to divide the existing parcels each measuring approximately 120' by 300' into three parcels. Two of the subdivided parcels will have a width of 75' and a depth of approximately 300'. The remaining parcel will have a width of 100' and a depth of approximately 300'. All of the parcels will be conforming with the Village of Downers Grove Subdivision Control Ordinance. We are not seeking any variations with regard to the subdivision of the property. The lot areas for these parcels will range from approximately 22,425 sq. ft. to 29,990 sq. ft.

As you are aware, under the Subdivision Control Ordinance, the minimum lot over the newly created lot is 75' and the minimum lot area is 10,500 sq. ft. As you can see, these lots far exceed the area requirements of the Subdivision Control Ordinance and meet or exceed the width requirements of the Subdivision Control Ordinance.

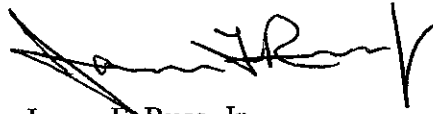
There is currently one home on each of the existing parcels. The home on the southern lot will be removed for redevelopment. The home on the northern lot, the 100'-wide lot will remain at this time as it is currently rented. The ultimate disposition of this property will be for redevelopment and the existing home will be removed. There is a concurrent petition pending before the Zoning Board of Appeals for a side yard setback variation as the existing home on the northern property currently encroaches into what will be the new side yard setback requirement. This subdivision will be conditioned upon the variation being granted for the home on the northern parcel or the removal of the existing residence on the northern parcel.

Page 2
6/6/2008

We look forward to presenting this matter to the Plan Commission at your July meeting.

Sincerely,

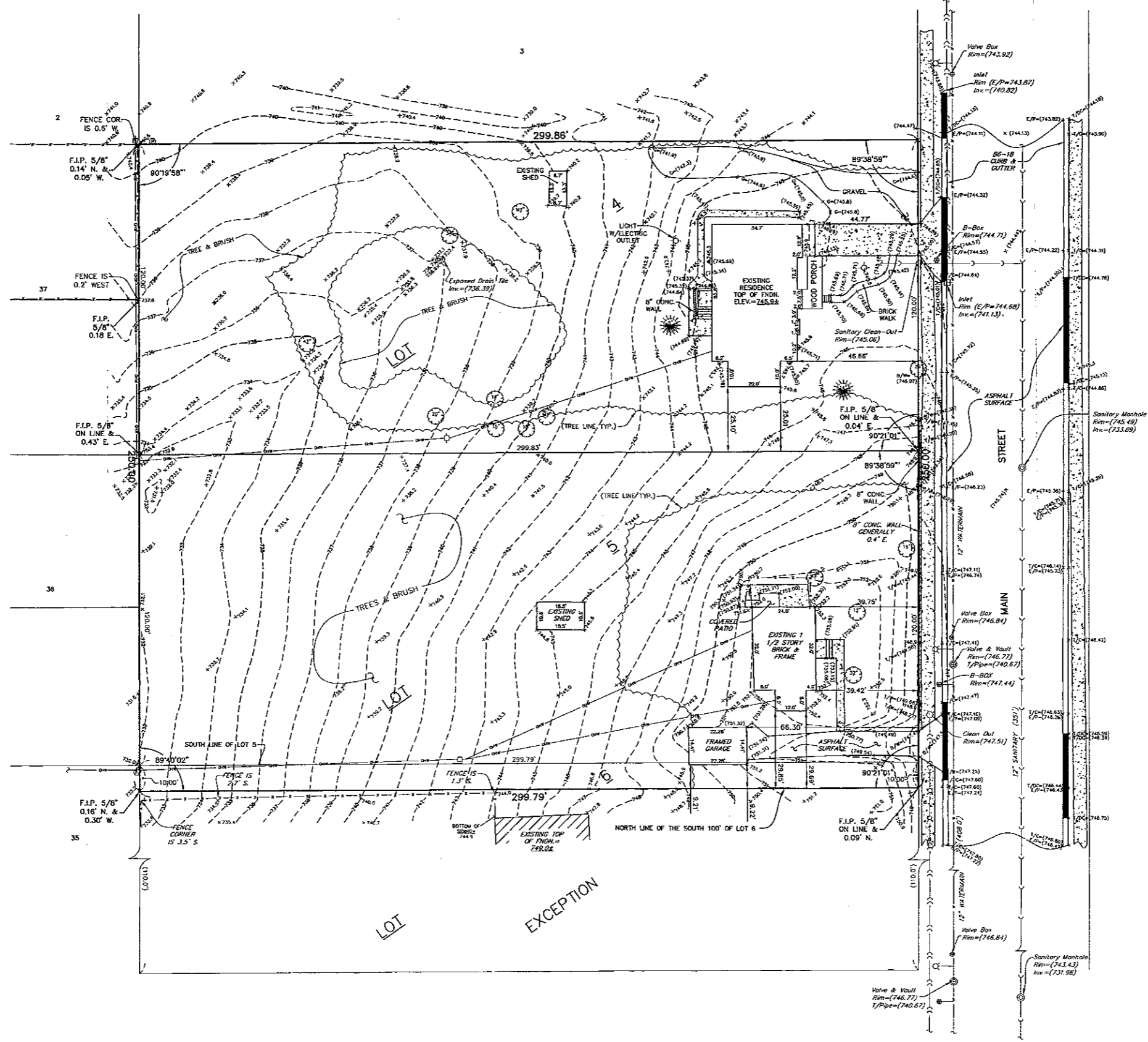
WIEDEL, HUDZIK, RUSS & PHILIPP

A handwritten signature in black ink, appearing to read "James F. Russ, Jr.", with a stylized flourish at the end.

James F. Russ, Jr.

JFR/brd

Enclosure



BENCHMARKS

TBM 305 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT OF THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF 55TH STREET AND WASHINGTON STREET.
ELEV.=731.85

TBM 118 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT ON THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF MAIN STREET AND SUNNY STREET.
ELEV.=759.82

{BENCHMARKS TAKEN FROM VILLAGE OF DOWNERS GROVE VERTICAL DATUM BOOK, JUNE 1988}

NOTES

BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY PERFORMED BY CEMCON, LTD. ON 11-15-04.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND DRAWINGS IN SURVEYOR'S POSSESSION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

- SYMBOL LEGEND**
- WINDOW WELL
 - MANHOLE
 - CATCH BASIN
 - INLET
 - WATER VALVE
 - HYDRANT
 - VALVE & VAULT
 - UTILITY POLE
 - STREET LIGHT
 - TELEPHONE CANISTER
 - FENCE LINE
 - EXIST. CONTOURS
 - SANITARY SEWER
 - STORM SEWER
 - WATERMAIN
 - OVERHEAD WIRES
 - DECIDUOUS TREE - LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
 - EVERGREEN TREE - LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
 - TREE/BRUSH LINE
 - (XXX.XX) - ELEV. TO HUNDRETH IN PARENTHESIS INDICATES EXISTING LITHOIDAL SURFACE ELEVATIONS (UNLESS OTHERWISE INDICATED)
 - XXX.X - ELEV. TO TENTH INDICATES EXISTING
 - DEPRESSED CURB
 - BUFFALO BOX
 - DRAIN TILE
 - CONCRETE SURFACE

PREPARED BY:
CEMCON, Ltd.
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Aurora, Illinois 60504-9675
 PH: 630.862.2100 FAX: 630.862.2199
 E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 244218 FILE NAME: TOPO-BASE
 DRAWN BY: MSD/KOA FLD. BK. / PG. NO.: 978/3-8,10-12
 COMPLETION DATE: 11-12-04 JOB NO.: 244.218
 EXREF: N/A T-NET FILE NAME: 244218BT

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DRAWING DATE: 11/15/04 BY: MSD/KOA

FINAL PLAT OF SUBDIVISION
FOR

SHEET 1 OF 2

HAIDER'S MAIN STREET RESUBDIVISION

BEING A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 38 NORTH,
RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

THIS PLAT WAS SUBMITTED TO THE COUNTY
RECORDER FOR THE PURPOSES OF RECORDING BY:

(PRINT NAME)

ADDRESS

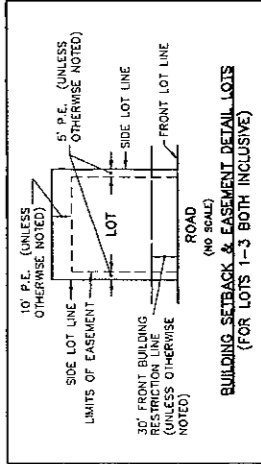
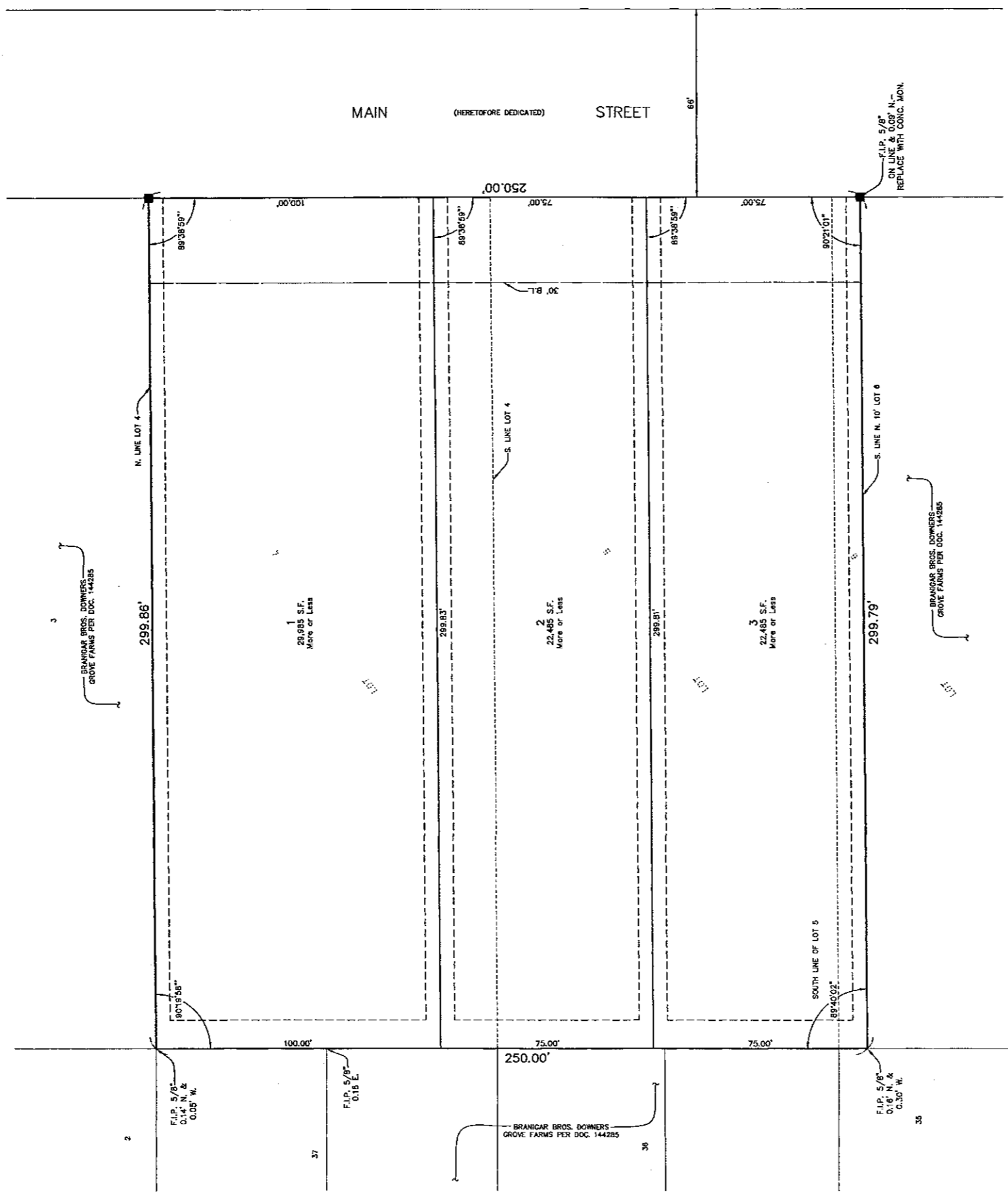
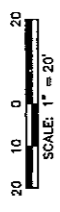
CITY/TOWN

STATE

ZIP CODE

TOTAL AREA OF SUBDIVISION
1.721 ACRES
(MORE OR LESS)

PARCEL INDEX NUMBERS
09-17-101-032
09-17-101-033



NOTES

3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED.

ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.

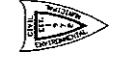
P.E. - INDICATES PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GRANTED. SEE PROVISIONS PART DETAILS.

B.L. - BUILDING SETBACK LINE

F.I.P. - FOUND IRON PIPE (IF AS SHOWN)

LEGEND

- SUBDIVISION BOUNDARY LINE (THICK SOLID LINE)
- LOT LINE/PROPERTY LINE (DASHED LINE)
- ADJACENT LOT LINE/PROPERTY LINE (DASHED LINE)
- EASEMENT LINE (DASHED LINE)
- CASUALTY LINE/LIMITS OF EASEMENT (DASHED LINE)
- UNRECORDED ORIGINAL LOT LINES (THIN DASHED LINE)
- SET CONCRETE MONUMENT (DOUBLE DASHED LINE)



PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100
Aurora, Illinois 60502-9675
FAX: 630.862.2199
E-Mail: ce@cemcon.com Website: www.cemcon.com

DISC NO.: 244218 FILE NAME: SUBPLAT
DRAWN BY: KOA FLD. BK. / PG. NO.: 978/3-B-10-12
COMPLETION DATE: 10-17-07 JOB NO.: 244.218

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)
THIS INSTRUMENT WAS FILED FOR RECORD ON THE DAY OF A.D. 20 AT O'CLOCK P.M. AND WAS RECORDED IN BOOK OF PLATS ON PAGE

RECORDER OF DEEDS

DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
I, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID CURRENT TAXES OR UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

COUNTY CLERK

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
APPROVED AND ACCEPTED BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, THIS DAY OF A.D. 20

MAYOR VILLAGE CLERK

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
I, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT, DATED THIS DAY OF A.D. 20

VILLAGE COLLECTOR

DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
I, COLLECTOR FOR THE DOWNERS GROVE SANITARY DISTRICT DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT, DATED THIS DAY OF A.D. 20

DISTRICT OFFICER

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
APPROVED AND ACCEPTED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS THIS DAY OF A.D. 20

CHAIRMAN

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
THIS IS TO CERTIFY THAT I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:
LOT 4, LOT 5 AND THE NORTH 10 FEET OF LOT 6 IN BRANTGAR BROTHER'S DOWNERS GROVE FARMS, BEING A SUBDIVISION OF PART OF SECTIONS 17 & 18, TOWNSHIP 38 NORTH, RANGE 09 EAST OF THE THIRD MERIDIAN, INCORPORATED IN THE PLAN HEREBY REFERENCED, RECORDED SEPTEMBER 14, 1920 AS DOCUMENT 144285, IN DUPAGE COUNTY, ILLINOIS.

THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AS SHOWN IN FEET AND DECIMAL PARTS THEREOF.
I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE WHICH HAS ALSO BEEN A COMPREHENSIVELY ZONED AND EXISTING ARTICLE 11 OF ILLINOIS MUNICIPAL CODE AS HERETOFORE AND HEREAFTER AMENDED AND THAT BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 15097R0004G, I AM OF THE OPINION THAT NO PART OF SAID PROPERTY PLATTED HEREON IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY SAID FEMA MAP.

GIVEN UNDER MY HAND AND SEAL THIS 17TH DAY OF OCTOBER, 2007.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 30723
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2008
PROFESSIONAL DESIGN FIRM LICENSE NO. 164-002897
EXPIRATION DATE IS APRIL 30, 2009

OWNER'S CERTIFICATE SCHOOL DISTRICT STATEMENT DECLARATION OF RESTRICTIVE COVENANTS

STATE OF ILLINOIS)
COUNTY OF)
IS THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE CAPTION TO THE HEREON DRAWN PLAT, AND THAT, AS SAID RECORD OWNER, IT CONSENTS TO THE SUBDIVISION OF SAID PROPERTY, THE VARIOUS DEDICATIONS, GRANTS, BARGAINS AND EASEMENTS, RELEASES AND RESERVATIONS, OF EASEMENTS AND RIGHT-OF-WAYS SHOWN THEREON.

ALSO, THIS IS TO CERTIFY THAT THE PROPERTY BEING SUBDIVIDED AFORESAID LIES, TO THE BEST OF OWNER'S KNOWLEDGE AND BELIEF, ENTIRELY WITHIN THE LIMITS OF UNIT SCHOOL DISTRICT.
ALSO, THE UNDERSIGNED OWNER HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED IN AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:
1. THE PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE, WHETHER CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT FOR TRANSFORMERS, AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

1. AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND OTHER PUBLIC UTILITY SERVICES, SHALL BE GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES AND EQUIPMENT USED IN CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION LINE SYSTEMS OR OTHER PUBLIC UTILITY SERVICE, AND LIGHTING SYSTEMS OR OTHER PUBLIC UTILITY SERVICE, AND THEIR APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED "P.U.E." OF SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND THE PROPERTY DESIGNATED THEREON, TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTION SHALL NOT BE PLACED OVER GRANITEE'S FACILITIES OR IN UPON OR OVER, THE PROPERTY OF ANY GRANTEE HEREIN, WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

1.13) THE FOLLOWING DECLARATIONS, OR OTHERS SIMILAR THERETO, SHALL BE SET FORTH ON THE FACE OF THE PLAT:
WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION TO THE END THAT THE RESTRICTIONS AND COVENANTS HEREIN SHALL BE ENFORCED BY GRANTEE AND PURCHASERS OF SUCH LOTS WHETHER THEY SHALL HAVE BECOME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS;

1. NO IMPROVEMENTS SHALL BE MADE IN OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREA, AS DESCRIBED IN THE PLAT OF SUBDIVISION, EXCEPT FOR LANDSCAPE INSTALLATION OF TREES, SHRUBS, BUSHES AND GRASS DRIVEWAYS.
2. EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS/HER LOT IN SUCH A MANNER AS TO PREVENT ANY OBSTRUCTION TO THE FLOW OF WATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
3. IN THE EVENT ANY OWNER OR PURCHASER FAILS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL UPON TEN DAYS PRIOR WRITTEN NOTICE, RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, NECESSARY TO INSURE ADEQUATE STORM WATER STORAGE AND FREE FLOW OF STORM WATER THROUGH THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS.
4. IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL BE RESPONSIBLE FOR THE MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREA, THE COST TOGETHER WITH THE ADDITIONAL SUM OF TEN PERCENT SHALL, UPON RECORDATION OF A NOTICE OF LIEN WITHIN SIXTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
5. THE AFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT, AND SHALL BE AND REMAIN SO PENDING THE DATE OF RECORDATION OF THIS INSTRUMENT TO THE OFFICES AND RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF DUPAGE, ILLINOIS, AND SHALL BE BINDING ON EACH OF THEIR SUCCESSORS, HEIRS, AND ASSIGNS.

IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN THEREON.

DATED THIS DAY OF A.D. 2006.

BY: SIGNATURE ATTEST: SIGNATURE
PRINT NAME PRINT NAME
TITLE TITLE

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF)
I, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) ARE(S) SUBSCRIBED TO THE FORESAID INSTRUMENT, AS ACKNOWLEDGED THAT THEY(SHE) SIGNED AND DELIVERED THE SAID INSTRUMENT AS THE IRISH/HERI OWN FREE AND VOLUNTARY ACT(S), FOR THE USES AND PURPOSES THEREIN SET FORTH:
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS DAY OF A.D. 20

NOTARY PUBLIC

MY COMMISSION EXPIRES

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SUCH SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF WATER DRAINAGE WHICH WILL BE CHANGED. REASONABLE PROVISIONS HAVE BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO PREVENT THE CONSTRUCTION OF THE SUBDIVISION BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS DAY OF A.D. 20

ENGINEER

MY LICENSE EXPIRES ON

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO COMMONWEALTH EDISON COMPANY B SBC ILLINOIS

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, TO MAINTAIN, OPERATE, REPAIR, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION LINES, SOUNDING AND SIGNALS IN ELECTRICITY, COMMUNICATIONS AND SIMILAR PURPOSES, OR SIMILAR DESIGNATION ON THE PLAT AND MARKED "P.U.E." OF SIMILAR LANGUAGE DESIGNATED IN THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, AND THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES ON THE PLAT MARKED "P.U.E." OF SIMILAR LANGUAGE DESIGNATING A UTILITY EASEMENT, WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 805/2, AS AMENDED FROM TIME TO TIME.
THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPORTIONMENT TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS SHOWN ON THE PLAT, AND WHICH IS COMMON TO SUCH AREAS BEING OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING", AND "COMMON AREA". THE TERMS "COMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH ASPHALT OR PHYSICALLY OCCUPIED BY A BUILDING, REAL PROPERTY DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEES AT COST OF THE GRANITOR/LOT OWNER, UPON WRITTEN REQUEST. OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LUSH OR SHRUBBERY, SHALL BE THE RESPONSIBILITY OF THE GRANTEE OR PURCHASER FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

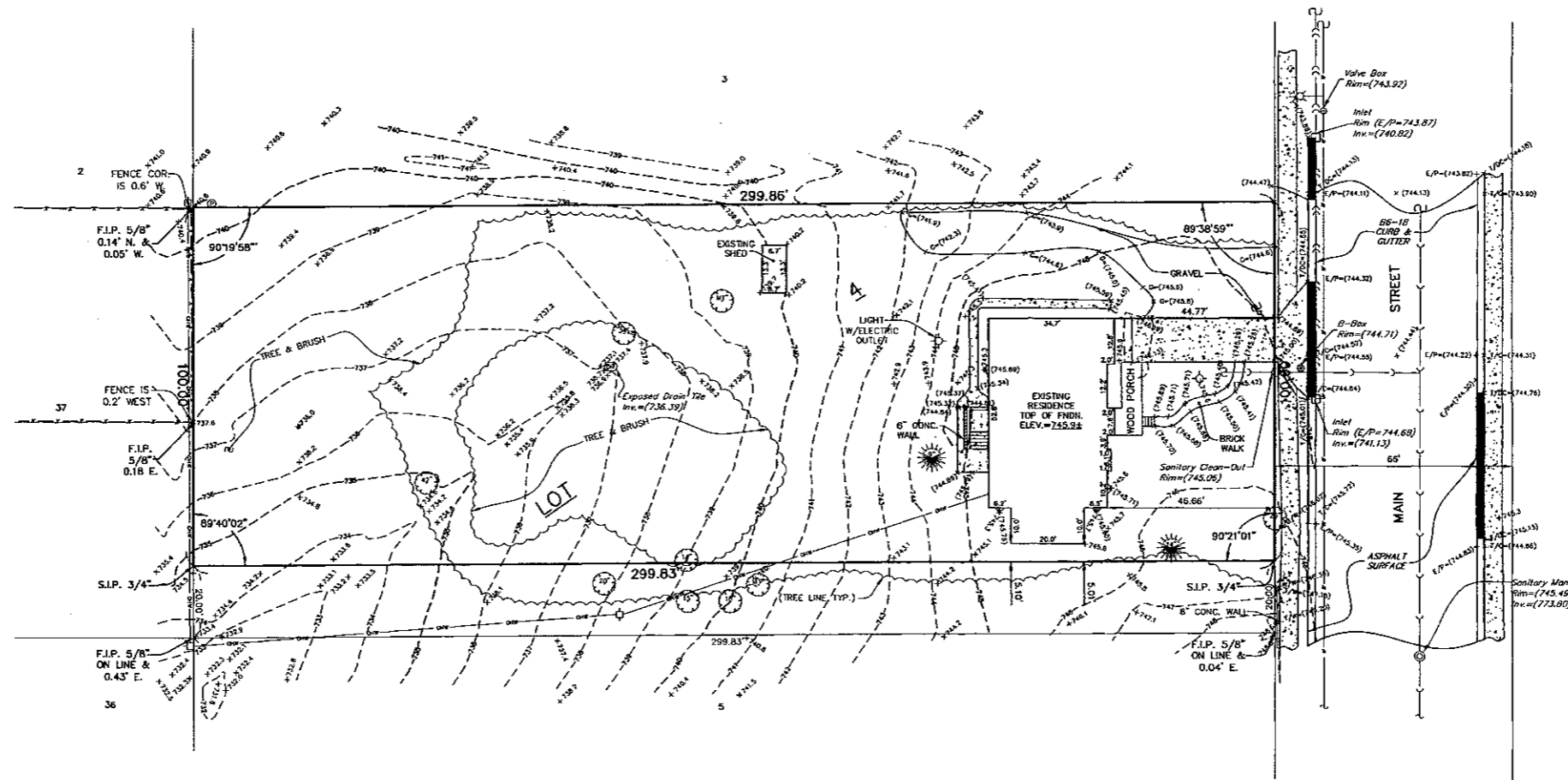
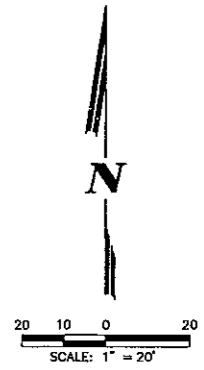


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E-Mail: cecon@cemcon.com FAX: 630.859.2100
WebSite: www.cemcon.com

DISC NO: 244218 FILE NAME: SUBPLAT
DRAWN BY: KOA FLD. BK. / PG. NO: 978/3-8,10-12
COMPLETION DATE: 10-17-07 JOB NO: 244-218

PLAT OF SURVEY

THE NORTH 100 FEET OF LOT 4 IN BRANIGAR BROTHERS DOWNERS GROVE FARMS, BEING A SUBDIVISION SITUATED IN THE EAST HALF OF SECTION 18 AND THE WEST HALF OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 1, 1950 AS DOCUMENT 144285, IN DUPAGE COUNTY, ILLINOIS.



SURVEYOR'S NOTES

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.

FIP = FOUND IRON PIPE (* AS SHOWN)
 FIR = FOUND IRON ROD
 SIP = SET IRON PIPE

A PRELIMINARY TITLE COMMITMENT WAS NOT FURNISHED TO CEMCON, LTD. FOR USE IN PREPARATION OF THIS PLAT. THEREFORE, ADDITIONAL EASEMENTS AND/OR SERVITUDES MAY AFFECT THE SUBJECT LOT.

THIS PLAT IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.

COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY THE SAME, AND REPORT ANY DIFFERENCES TO THE SURVEYOR IMMEDIATELY.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 SS.
 COUNTY OF DU PAGE)

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 15TH DAY OF NOVEMBER, A.D., 2004.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2008
 PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002937,
 EXPIRATION DATE IS APRIL 30, 2009

BENCHMARKS

TBM 305 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT OF THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF 55TH STREET AND WASHINGTON STREET. ELEV. = 731.55

TBM 118 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT ON THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF MAIN STREET AND SUNNY STREET. ELEV. = 759.02

(BENCHMARKS TAKEN FROM VILLAGE OF DOWNERS GROVE VERTICAL DATUM BOOK, JUNE 1988)

SYMBOL LEGEND

- - WINDOW WELL
- ⊙ - MANHOLE
- - CATCH BASIN
- - INLET
- ⊙ - WATER VALVE
- ⊙ - HYDRANT
- ⊙ - VALVE & VAULT
- ⊙ - UTILITY POLE
- ⊙ - STREET LIGHT
- ⊙ - TELEPHONE CANISTER
- - FENCE LINE
- - EXIST. CONTOURS
- - SANITARY SEWER
- - STORM SEWER
- - WATERMAIN
- - OVERHEAD WIRES
- ⊙ - DECIDUOUS TREE - LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- ⊙ - EVERGREEN TREE - LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- - TREE/BRUSH LINE
- (XXX.XX) - ELEV. TO HUNDREDTH IN PARENTHESES INDICATES EXISTING LITHODAL SURFACE ELEVATIONS (UNLESS OTHERWISE INDICATED)
- XXX.X - ELEV. TO TENTH INDICATES EXISTING
- - DEPRESSED CURB
- ⊙ - BUFFALO BOX
- ⊙ - DRAIN TILE
- - CONCRETE SURFACE

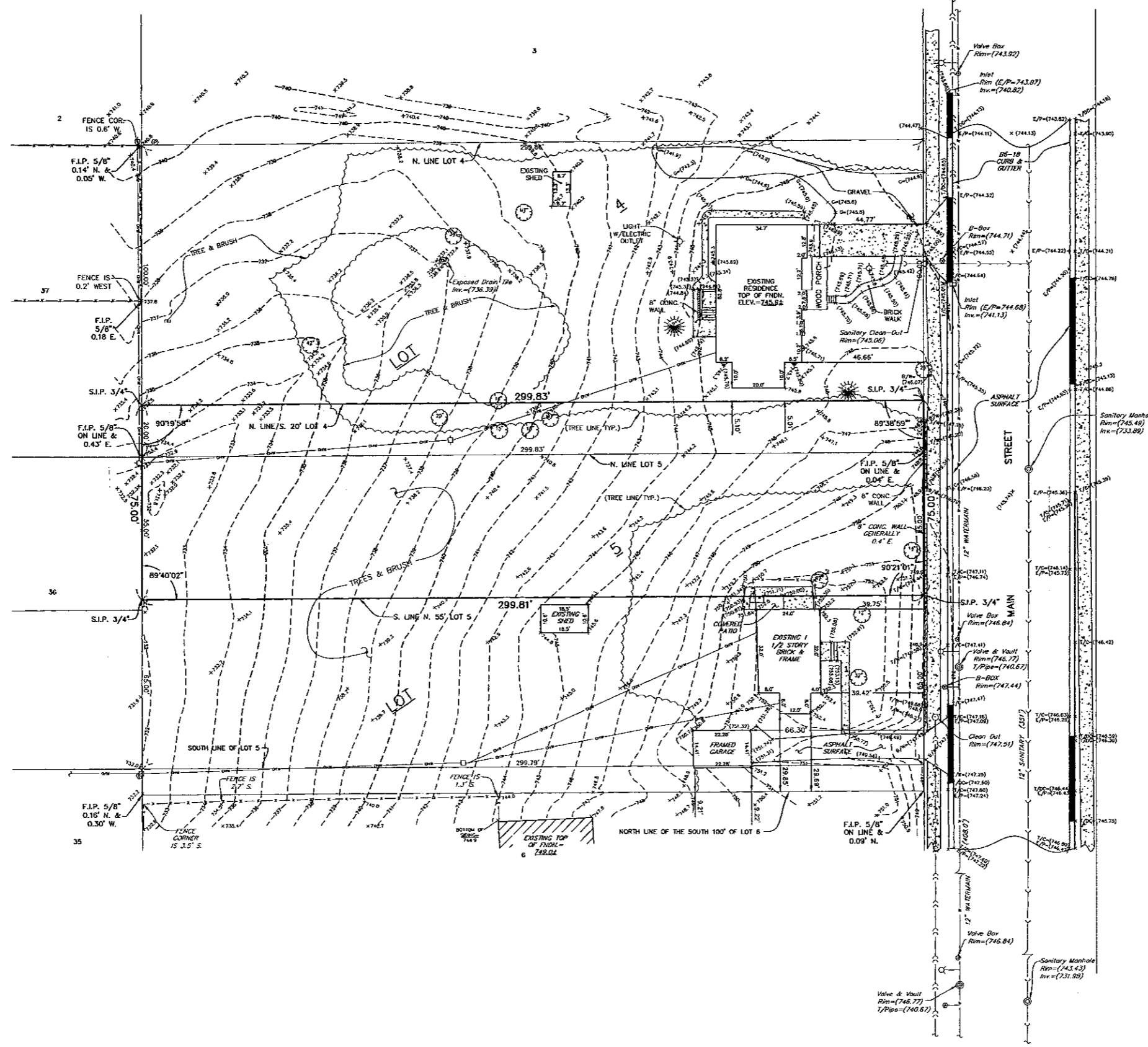
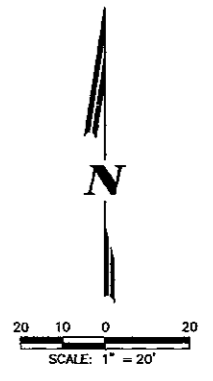
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 2280 White Oak Circle, Suite 100
 Aurora, Illinois 60504-9675
 PH: 630.862.2100 FAX: 630.862.2199
 E-Mail: codd@cemcon.com Website: www.cemcon.com

DISC NO.: 244218 FILE NAME: SURVEY LOT 4
 DRAWN BY: MSD/KQA FLD. BK. / PG. NO.: 978/3-8
 COMPLETION DATE: 10-16-07 JOB NO.: 244-218
 EXREF: N/A T-NET FILE NAME: 244218BT

PLOT FILE CREATED: 10/16/07 - 10:23 BY 1942
 DRAWING NAME: P:\244218\107\Plot_Survey\184-002937-LOT 4.dwg

PLAT OF SURVEY

THE SOUTH 20 FEET OF LOT 4 AND THE NORTH 55 FEET OF LOT 5 IN BRANIGAR BROTHERS DOWNERS GROVE FARMS, BEING A SUBDIVISION SITUATED IN THE EAST HALF OF SECTION 18 AND THE WEST HALF OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 1, 1950 AS DOCUMENT 144285, IN DUPAGE COUNTY, ILLINOIS.



BENCHMARKS

BM 305 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT OF THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF 55TH STREET AND WASHINGTON STREET. ELEV. -731.55

BM 118 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT ON THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF MAIN STREET AND SUNNY STREET. ELEV. -729.82

(BENCHMARKS TAKEN FROM VILLAGE OF DOWNERS GROVE VERTICAL DATUM BOOK, JUNE 1988)

SURVEYOR'S NOTES

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.

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COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY THE SAME, AND REPORT ANY DIFFERENCES TO THE SURVEYOR IMMEDIATELY.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS))
 COUNTY OF DU PAGE)

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 15TH DAY OF SEPTEMBER, A.D., 2004.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2009
 PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-002937
 EXPIRATION DATE IS APRIL 30, 2009

SYMBOL LEGEND

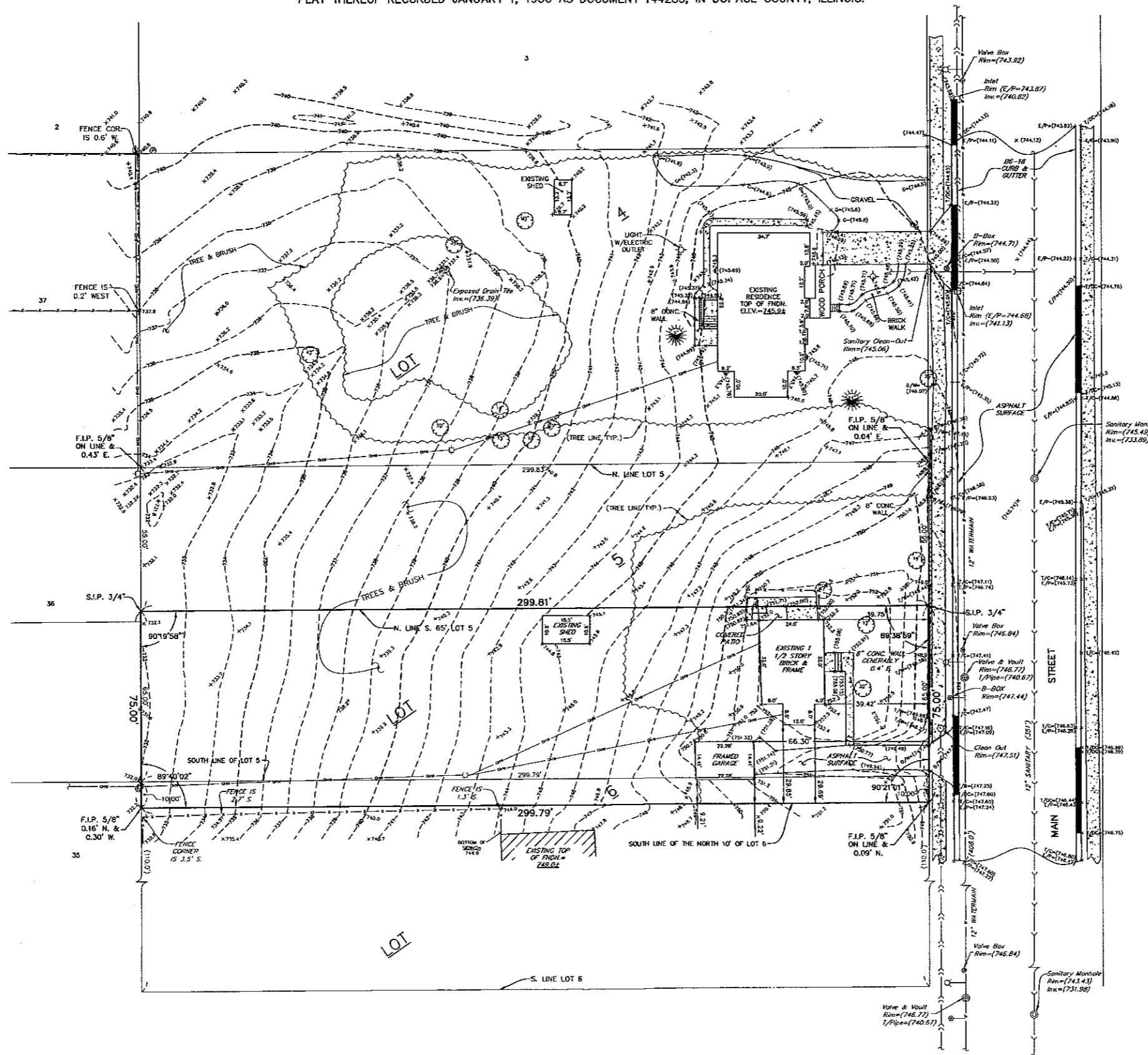
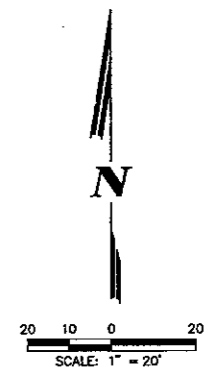
- - WINDOW WELL
- ⊙ - MANHOLE
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- - INLET
- ⊕ - WATER VALVE
- ⊕ - HYDRANT
- ⊕ - VALVE & VAULT
- ⊕ - UTILITY POLE
- ⊕ - STREET LIGHT
- ⊕ - TELEPHONE CANSISTER
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- - EXIST. CONTOURS
- - SANITARY SEWER
- - STORM SEWER
- - WATERMAIN
- - OVERHEAD WIRES
- - DEODOROUS TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- ⊙ - EVERGREEN TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- - TREE/BRUSH LINE
- (XXX.XX) - ELEV. TO HUNDRETH IN PARENTHESIS INDICATES EXISTING LITHODIAL SURFACE ELEVATIONS (UNLESS OTHERWISE INDICATED)
- XXX.X - ELEV. TO TENTH INDICATES EXISTING
- - DEPRESSED CURB
- ⊕ - BUFFALO BOX
- ⊕ - DRAIN TILE
- - CONCRETE SURFACE

PREPARED BY:
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 Consulting Engineers, Land Surveyors & Planners
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 Aurora, Illinois 60504-9675
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 E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 244218 FILE NAME: SURVEY LOT 4-5
 DRAWN BY: MSD/KOA FLD. BK. / PG. NO.: 978/3-8,10-12
 COMPLETION DATE: 10-16-07 JOB NO.: 244.218
 EXREF: N/A T-NET FILE NAME: 244218BT

PLAT OF SURVEY

THE SOUTH 65 FEET OF LOT 5 AND THE NORTH 10 FEET OF LOT 6 IN BRANIGAR BROTHERS DOWNERS GROVE FARMS, BEING A SUBDIVISION SITUATED IN THE EAST HALF OF SECTION 18 AND THE WEST HALF OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 1, 1950 AS DOCUMENT 144285, IN DUPAGE COUNTY, ILLINOIS.



BENCHMARKS

TBM 305 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT OF THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF 55TH STREET AND WASHINGTON STREET. ELEV. = 731.55

TBM 118 - FOUND CUT "X" ON THE NORTHWEST BONNET BOLT ON THE FIRE HYDRANT ON THE SOUTHWEST CORNER OF MAIN STREET AND SUNNY STREET. ELEV. = 759.02

(BENCHMARKS TAKEN FROM VILLAGE OF DOWNERS GROVE VERTICAL DATUM BOOK, JUNE 1988)

SURVEYOR'S NOTES

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SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS.
 COUNTY OF DU PAGE)

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 15TH DAY OF NOVEMBER, A.D., 2004.

[Signature]
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2008
 PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-002937
 EXPIRATION DATE IS APRIL 30, 2009

SYMBOL LEGEND

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DISC NO.: 244218 FILE NAME: SURVEY LOT 5-6
 DRAWN BY: MSD/KOA FLD. BK. / PG. NO.: 978/3-8,10-12
 COMPLETION DATE: 10-16-07 JOB NO.: 244.218
 EXREF: N/A T-NET FILE NAME: 244218BT

PC-11-08 5532 Main Street A petition seeking 1) Final Plat of Subdivision approval for three lots located on the West side of Main Street; and 2) a Side Yard Setback Variation. The property is located approximately 420 feet South of 55th Street, commonly known as 5532 and 5540 Main Street, Downers Grove, IL (PIN s 09-17-101-032,-033); James F. Russ, Jr., Attorney/Petitioner:
William Haider, Owner

Chairman Jirik swore in those individuals who would be speaking on PC-11-08.

Mr. O'Brien summarized that the request was to take the two lots, 5532 and 554 Main Street and to subdivide them into three lots. The combined property is approximately 1.7 acres and measures approximately 250 feet by 300 feet deep. The petitioner is requesting a Final Plat of Subdivision to divide the two existing lots into three lots. The existing house at 5532 Main Street is proposed to remain, while the house at 5540 Main Street will be razed. Lot 1 will be 100 feet by 299 feet; Lot 2 will be 75 feet by 300 feet deep; and Lot 3 will be 75 by 300 feet. The three lot dimensions will meet the minimum zoning district requirement for R-3 zoning. The 5532 Main Street house will be located on Lot 1 approximately 5.01 feet from the south property line. According to Section 28.1111(c) of the Zoning Ordinance, the required side yard setback for a 100-foot wide lot is ten feet. If the proposed subdivision is approved, the house at 5532 Main Street will be considered legal non-conforming because it does not meet the ten-foot side yard setback requirement and will be subject to the nonconforming structures provisions (Section 28.1201) of the Zoning Ordinance. If the building were destroyed at some point, the home would be required to be constructed under conforming requirements.

Continuing, the property is adequately serviced by storm, sanitary sewer lines and sidewalks and meets the Village's Future Land Use Plan. Upon the subdivision, the petitioner will be required to pay Subdivision donations for the new home. The proposal is consistent with the Village's zoning ordinances except for the non-conforming issue mentioned earlier.

Per a question as to what point does a rehab require that the setback be no longer non-conforming, Mr. O'Brien stated the ordinance explains if a petitioner loses 50% of the fair market value of a structure, the non-conformity is lost and all new buildings or reconstruction must meet the zoning requirements. Asked if the 50% would apply to an expansion, Mr. O'Brien explained if an expansion takes place on the ground, the setback must be met. He explained if the expansion takes place above ground for a second story addition, it would be permitted, but certain reductions in height take place. Asked if there was a limitation on how long the existing structure can remain, Mr. O'Brien confirmed there was none.

Petitioner, Mr. James F. Russ, Jr., Attorney, 4915 Main Street, Downers Grove, introduced owner Mr. William Haider. Mr. Russ reviewed the findings that staff just

reviewed and believed the lots were consistent with the mixture of the lots in the neighborhood. He reviewed the lot footage of surrounding lots in the area, noting 75-foot lots were consistent with the neighborhood, the R-3 zoning, and the Subdivision Ordinance. He asked for a positive recommendation.

Mr. William Haider, 5523 Main Street, Downers Grove, owner, did not know whether a foundation existed or not under the remaining home. Mr. Russ believed there was no a foundation under the screened porch. He did confirm that the home was currently occupied.

Chairman Jirik opened up the meeting to public comment.

Mr. Mike Born, 5522 Main Street, Downers Grove, resides north of the parcel and asked the owner the length of the subdivision process, wherein Mr. Russ explained the original petition began in September 2005 where two 60-foot lots were being requested, but the motion failed at that time, and the petitioner did not proceed with the request.

Chairman Jirik clarified this petition was new and had no connection to the prior petition.

Mr. Born stated it was his first time that the petition actually came forth and he voiced concern on why he or his neighbors were not notified about prior notices/continuances. Mr. Born asked if traffic studies existed since his wife and neighbors were in accidents involved just off these lots.

Staff clarified a traffic study was only required for a use that would generate a 100 trips at the peak hours or if the petition involved a drive-through. Mr. O'Brien stated that if there was concern about traffic among the Commissioners, they could request a traffic study be done.

Mr. Born further voiced concern about stormwater issues, specifically regarding the pond to the rear of his home. He voiced concern about adding more homes on the lots and asked if the stormwater issues have been addressed for the lots. He voiced concern about the proposal going to a potential four-lot plat, wherein Chairman Jirik clarified the request was for three lots and explained what the petitioner was specifically requesting. Mr. O'Brien stated the variance was not for the lots. Mrs. Hamernik explained to Mr. Born that once the County records the three-lot subdivision, Village staff would not allow the petitioner a building permit for four homes on the three lots. Per Mr. Waechtler's question, Mr. Born said he did speak with the Public Works Department on the water issue at the rear of his home.

Mr. Tom Venetis, 5558 Main Street, Downers Grove, also had concerns about floods and road safety issues. He inquired as to when the 5540 Main Street home would be demolished since it was an eyesore, wherein the Chairman stated the home would be demolished after the process had been completed. He stated the project would still require approval from the Mayor and Village Council if the Plan Commission were to recommend approval. Mr. Venetis also said all the properties on his block between

Blanchard and 55th are at least 75 feet wide. He asked if the owner would develop the lots or sell them off. He inquired about minimum setback requirements for the lots, and about saving the nearby trees.

There being no further comments, Chairman Jirik closed public comment.

In response to the above concerns, Mr. Russ, Petitioner' representative, explained there was no ordinance requirement for a traffic study and if one was done, he believed it would not address the safety concerns and would probably report back that there was no substantial impact on traffic flows on Main Street. Safety issues would have to be addressed by other Village departments. Regarding the stormwater issue, he reviewed the elevations of the property to the north with the current proposal, noting the water drained from north to the south on the property and from the west it swaled to the southwest of the property. Mr. Russ reminded the neighbor that the Stormwater Management Department would have to review the proposal.

Mr. O'Brien explained that any new development on the lots would have to follow the Village's Stormwater Management Ordinance, which restricts run-off rates from new developments. In addition, there will be a condition by the owner to provide a common grading plan for all three lots prior to demolishing the house at 5540 Main Street and recording the final plat of subdivision. Chairman Jirik reiterated that more engineering would take place regarding the drainage plan.

According to Mr. Beggs, he felt the neighbors would convey what was actually occurring at the site as it relates to stormwater issues. Mr. Quirk asked how a developer would maintain current run-off wherein Mr. O'Brien explained it was done through swales, connecting to the Village's stormwater drain, a French drain, etc. He noted the final grading plan could be reviewed by the public by contacting Village staff.

Continuing, Mr. Russ stated he did not know what the plans were for future development and believed the owner would not be developing the land. No specific plans existed.

Discussion followed by the Commissioners. Mr. Waechtler asked about similar petitions of non-conformity, wherein Mr. O'Brien did not recall any specifically, but believed similar requests would be forthcoming due to the amount of infill development within the Village. If setbacks were increased, more non-conformances would be seen.

Mr. Waechtler voiced concern about future owner change and its non-conformity, wherein staff explained if the home burned down, an owner would be subject to the zoning laws, and a new home could be constructed as long as it conformed to the zoning laws. Dialog followed that there was no obligation to demolish the home, and Mr. Waechtler thought the word "demolished" should be removed from the petition. Mr. Beggs suggested that the trees remain.

WITH RESPECT TO FILE NO. PC-11-08, MRS. HAMERNIK MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION

TO THE VILLAGE COUNCIL REGARDING THIS PETITION SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE PLAT OF SUBDIVISION PREPARED BY CEMCON, LTD., DATED OCTOBER 17, 2007 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. PRIOR TO VILLAGE COUNCIL CONSIDERATION, THE PETITIONER SHALL SUBMIT ONE PAPER COPY AND ONE MYLAR COPY OF THE PLAT OF SUBDIVISION FOR SIGNATURE.**
- 3. PRIOR TO RECORDING THE PLAT, THE PETITIONER SHALL PAY TO THE VILLAGE A TOTAL DONATION OF \$4,736.72 (\$1,668.59 TO ELEMENTARY SCHOOL DISTRICT 58, \$784.80 TO HIGH SCHOOL DISTRICT 99, AND \$2,283.33 TO THE PARK DISTRICT) SUBJECT TO VERIFICATION BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**
- 4. UPON RECORDING OF THE FINAL PLAT OF SUBDIVISION, THE EXISTING HOUSE AT 5532 MAIN STREET SHALL BE DEEMED LEGAL NON-CONFORMING. ANY MODIFICATIONS TO THE EXISTING STRUCTURE SHALL BE SUBJECT TO SECTION 28.1201 OF THE DOWNERS GROVE ZONING ORDINANCE.**
- 5. PRIOR TO RECORDING THE PLAT WITH THE DUPAGE COUNTY RECORDER, THE HOUSE AND ALL ACCESSORY STRUCTURES AT 5540 MAIN STREET SHALL BE DEMOLISHED.**
- 6. PRIOR TO THE DEMOLITION OF 5540 MAIN STREET, A COMMON GRADING AND SOIL EROSION CONTROL PLAN SHALL BE DEVELOPED FOR ALL THREE PARCELS. THE PLAN SHALL INCLUDE THE GRADING THAT WILL OCCUR WHEN THE 5540 MAIN STREET HOUSE AND ACCESSORY STRUCTURES ARE DEMOLISHED.**
- 7. PRIOR TO THE ISSUANCE OF ANY DEVELOPMENT PERMITS, THE PLAT OF SUBDIVISION SHALL BE RECORDED WITH THE DUPAGE COUNTY RECORDER, AND THREE COPIES OF THE RECORDED PLAT SHALL BE SUBMITTED TO THE VILLAGE.**
- 8. STORMWATER PERMIT APPLICATIONS AND INDIVIDUAL LOT GRADING PLANS SHALL BE REVIEWED FOR COMPLIANCE WITH THE APPROVED COMMON GRADING PLAN FOR THE ENTIRE SITE DURING THE BUILDING PERMIT PHASE.**

MR. MATEJCZYK SECONDED THE MOTION.

ROLL CALL:

AYE: MRS. HAMERNIK, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. QUIRK, MRS. RABATAH, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED BY A VOICE VOTE OF 9-0.