_		
ITE		
ıtc	- N /A	

VILLAGE OF DOWNERS GROVE REPORT FOR THE VILLAGE COUNCIL WORKSHOP MARCH 24, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
	✓ Resolution	
	Ordinance	
Final Plat of Subdivision –	Motion	Tom Dabareiner, AICP
4736 Linscott Avenue	Discussion Only	Community Development Director

SYNOPSIS

A resolution for the Final Plat of Subdivision has been prepared to consolidate two existing lots into one for the property located at 4736 Linscott Avenue.

STRATEGIC PLAN ALIGNMENT

The Goals 2013 identified *Preservation of our Residential and Neighborhood Character*. Supporting this goal is the objective *Tolerance of Neighborhood Private Development*. Staff believes the proposed development complies with the Strategic Plan.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the April 7, 2009 active agenda per the Plan Commission's recommendation.

BACKGROUND

The 13,227-square foot property is zoned R-4 Single Family Residence district and consists of two 50-foot by 132-foot lots. The south lot is improved with a single family residence and a detached garage. The north lot is currently vacant and is used as a yard for the petitioner. The petitioner is requesting approval of the Final Plat of Subdivision to consolidate the two existing lots on the property into one new lot. The request will allow the property owner to construct a future expansion to the existing home.

The petitioner has not requested any exceptions from the Subdivision Ordinance. All required infrastructure currently exists and no new public improvements are required. The proposed lot will include an existing five-foot wide utility easement along the rear property line, and new five-foot wide easements along north and south side property lines which meet the requirement for public utility easements. The proposed lot will exceed all minimum lot dimension requirements for the R-4 Single Family Residence district as specified in the table below:

4736 Linscott Avenue	Required	Proposed
Frontage	45 feet	100 feet
Lot Width	50 feet	100 feet
Lot Depth	140 feet	132 feet
		(existing no change)
Lot Area	7, 500 sq. ft.	13, 227 sq. ft.

The petitioner is not proposing any new construction at this time. The proposed consolidation will increase the side yard setback requirement from five feet to ten feet. The petitioner is aware that the existing house, located seven feet from the south side property line, will become a legal nonconforming structure. The petitioner is consolidating the two lots into one larger lot to facilitate construction of an addition to the north side of the existing home. The increase in the side yard setback requirement will allow adequate space for appropriate drainage pattern on the property for any future building addition. Staff believes the proposed lot consolidation is consistent with the Future Land Use Plan and Village Planning documents.

The Plan Commission considered the petition at their March 2, 2009 meeting and found the proposal meets the standards for approval. Based on their findings, the Commission recommended unanimous approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

Aerial Map Ordinance Staff Report with attachments dated March 2, 2009 Minutes of the Plan Commission Hearing dated March 2, 2009

GRAPHIC SCALE	
0 10 20	40
	-
SCALE: 1° = 20°	

OWNER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE)

RODNEY LAWRENCE AND JENNIFER LAWRENCE, HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND THEY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.

DATED AT		. ILLINOIS, THIS	DAY O
_	CITY		DATE
	, A.D., 20)	
MONTH			
BY:			
	RODNEY I	LAWRENCE	

JENNIEER LAWRENCE

NOTARY'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DU PAGE)

....., A NOTARY PUBLIC, IN AND FOR SAID COUNTY

IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT RODNEY LAWRENCE AND JENNIFER LAWRENCE, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUSSONIBLED TO THE FORESCIONE INSTRUMENT AS SUCH OWNERS, APPEARED REFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DESTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

s		DAY OF		, A.D., 200 .
_	. DATE		NONTH	_
		NOTARY PUBLIC	SIGNATURE	
				_

DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE

L____COUNTY CLERX OF DUPAGE COUNTY,
ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL
TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND
NO REDEEMBLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE
ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, THIS ______DAY OF ______, A.D 20____.

COUNTY CLERK AND SEAL

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS,

ON THE_		DAY OF	, A.D.,20
AT	_o.crock_	M, AS DOCUMENT NUMBER_	

RECORDER	OF DEED	3	

R&J Lawrence Resubdivision

BEING A RESUBDIVISION OF LOTS 9 AND 10 IN BLOCK 12 IN E.H. PRINCE AND COMPANY'S ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

_, A.D., 20___

__, A.D., _____AS

HEREBY CONSENTS TO AND APPROVES THE

COUNTY OF DU PAGE)

APPROVED THIS ______ DAY OF _____, A.D. 20___ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE

VILLAGE CLERK

DOWNERS GROVE SANITARY DISTRICT

THIS _______ DAY OF ______, A.D., 20___.

MORTGAGEE'S CERTIFICATE (LOT 10)

AND RECORDED IN THE RECORDER'S OF DEEDS OFFICE OF ___

SUBDIVISION OF THE LAND AND THE GRANTING OF THE EASEMENTS DEPICTED

(TITLE)

AND (NAME)

(TITLE)___OF___WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH

(TITLE) AND (TITLE)
RESPECTIVELY, APPEARED BEFORE WE THIS DAY IN PERSON AND ACKNOWLEDGED
THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND
VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT

, AS MORTGAGEE, FOR THE USES AND

DATED THIS ______ DAY OF ______, A.D., 20__.

PROVISIONS OF A CERTAIN MORTGAGE DATED

NOTARY'S CERTIFICATE (LOT 10)

ILLINOIS ON THE _____DAY OF

STATE OF ILLINOIS)
SS)
COUNTY OF DU PAGE)

NOTARY PUBLIC

GIVEN UNDER MY HAND AND SEAL

I, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUINT OR UNPAID CURRENT OR FORFEITS SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THAT HAVE NOT BEEN APPORTINGED AGAINST THE TRACT OF LIAD INCLUDED IN THIS

DATED THIS DAY OF .A.D 20 .

SANITARY DISTRICT COLLECTOR

DOWNERS GROVE COLLECTOR

STATE OF ILLINOIS COUNTY OF DU PAGE)

I. COLLECTOR OF THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUINT OR UNPAID CURRENT OR FOREITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTRUMENTS THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS

DATED THIS _____DAY OF _____AD 20___.

DOWNERS GROVE VILLAGE COLLECTOR

DRAINAGE CERTIFICATE

COUNTY OF DUPAGE?

I, JIUN-GUANG LIN, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND RODNEY AND JENNIFER LAWRENCE, THE CWINERS OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREON STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL SE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENSINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE AUDINING PROPERTY SECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN A SPECIAL FLOOD HOZAND AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS ___DAY OF _____, A.D 20___.

JIUN-GUANG LIN IL. PROFESSIONAL ENGINEER NO. 062-057024 LICENSE EXPIRES NOVEMBER 30, 2009

OWNER OR DULY AUTHORIZED ATTORNEY FOR OWNER

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF

__A.D., 20____. CHAIRMAN

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HERBEY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE,
ILLINDIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE
VILLAGE OF DOWNERS GROVE, INCLUDING, BUT NOT LIMITED TO, ARERTIECH, NORTHERN ILLINDIS
GAS COMPANY AND THEIR SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED PUBLIC
UTILITIES AND DRAINAGE EASEMENTS' OR "P.U. & D.E." ON THE PLAT FOR THE PERPETULA. RIGHT,
PRIVLEGE AND DATHORITY TO SURVEY, CONSTRUCT, REPORT, INSPECT, MAINTAIN
AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA
ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER TRUCTURES
AND APPLIATEMANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASSMENTS THAT INTERFERE WITH THE OPERATION OF THE SEMERS OR OTHER UTILITIES. NO PERMANENT BULDIONGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. WHERE AR EASEMENT IS USED BOTH FOR SEWERS OF OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE WILLIAGE OF THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY, OVER THE ENTIRE EASEMENT AREA FOR INGERSES, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE INCLUDING WATER, STORM AND SANITARY SEWER SERVICE

P.I.N. 09-07-205-022 (LOT 9) P.I.N. 09-07-205-023 (LOT 10)

ACREAGE SUMMARY:

LOT 1 13,227 SQ, FT, OR 0,304 AC.

TOTAL 13 227 SO FT OR 0.304 AC

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF E.H. PRINCE AND CO'S ADDITION TO DOWNERS GROVE SUBDIVISION, HAVING A RECORD BEARING OF NORTH 03 DEGREES 00 MINUTES 00

NOTES:

1. IRON PIPE MONUMENTS OR CUT CROSSES WILL BE PLACED AT ALL PROPERTY CORNERS CREATED BY THIS PLAT UNLESS OTHERWISE

2. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FECT AND DECIMAL PARTS THEREOF.

FLOOD STATEMENT

THE PROPERTY HEREON DESCRIBED IS NOT AFFECTED BY A FLOOD HAZARD AREA AS DEFINED BY THE DUPAGE REGULATORY FLOOD MAP COMMUNITY-PANEL NUMBER - 17043

LEGEND:

CONCRETE MONUMENT SET
O IRON PIPE FOLIME O IRON PIPE FOUND
IRON PIPE SET
ROAD CENTERLINE

SECTION LINE
SECTION LINE
SECTION LINE
PROPERTY LINE

ABBREVIATIONS:

(R) = RECORD VALUE (M) = MEASURED VALUE

(C) = CALCULATED VALUE (D) = DEED VALUE DOC. = DOCUMENT

LOT 17 FOUND IRON ROD LOT 8 0.34' NORTH AND 0.08 WEST OF TRUE CORNER SET CONCRETE N87°56'03"W 132.29' (M) LOT 16 ≯ (BLOCK 12) E.H. PRINCE & CO'S ADDITION TO DOWNERS GROVE LOT N87"56"03"W 132.29" (M) 132.00" (R) φ (1) LOT 10 LOT 15 E.H. PRINCE & CO'S ADDITION TO DOWNERS GROVE 5 PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GR N87°56'03"W 132.29' (M) MONUMENT (+) LOT 14 SET CONCRETE LOT 11 MONUMENT

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, CHARLES S. MARSHALL, ILLINOIS PROFESSIONAL LAND SURVEYOR #35-05377 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION; ALL

LOTS 9 AND 10 IN BLOCK 12 IN E.H. PRINCE AND COMPANY'S ADDITION TO DOWNERS GROVE, BEING A SUBDINISION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP SA MORTH, ANNO E11, EAST OF THE THIRD PRINCIPAL MEDIDAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 30, 1890 AS DOCUMENT 43600, IN DUPAGE COUNTY, LLINOS.

CHARLES S. MARSHALL PROFESSIONAL LAND SURVEYOR NO. 035-003377. MY LICENSE EXPIRES NOVEMBER 30, 2010.

Landmark Consulting, 25030 Ramm Drive, Napewille, IL. PH; 630,742,1278 FAX; 630,566

 $\overline{\sigma}$

 $\overline{\mathbf{v}}$

RODNEY AND JENNIFER LAWRENCE

PROJECT NO. 6671



1\wp8\res.09\FP-4736-Linscott-PC-06-09

RESOLUTION	D TO 4	~	·	- -
	RESC	11 11	TTTO	

A RESOLUTION APPROVING THE FINAL PLAT OF RESUBDIVISION FOR 4736 LINSCOTT AVENUE

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the final Plat of Resubdivision for 4736 Linscott Avenue, located on the West side of Linscott Avenue, approximately 100 feet North of Prairie Avenue, Downers Grove, Illinois, legally described as follows:

Lots 9 and 10 in Block 12 in E. H. Prince and Company's Addition to Downers Grove, being a subdivision in Sections 5, 6, 7 and 8, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded September 30, 1890 as Document 43600, in DuPage County, Illinois.

Commonly known as 4736 Linscott Avenue, Downers Grove, IL (PIN 09-07-205-022,-023)

WHEREAS, notice has been given and hearing held on March 2, 2009 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 for 4736 Linscott Avenue 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 Resubdivision for 4736 Linscott Avenue, be and is hereby approved subject to the following condition:

1. The final Plat of Resubdivision shall substantially conform to the R&J Lawrence Resubdivision plat prepared by Landmark Engineers and Surveyors, dated January 15, 2009 except as such plan may be modified to conform to the Village Codes and Ordinances.

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 MARCH 2, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
PC-06-09 4736 Linscott Avenue	Final Plat of Subdivision	Damir Latinovic, AICP Planner

REQUEST

The petitioner is requesting approval of the Final Plat of Subdivision to consolidate two existing lots into one new lot.

NOTICE

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

GENERAL INFORMATION

OWNER/APPLICANT: Rodney & Jennifer Lawrence

4736 Linscott Avenue Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residence District

EXISTING LAND USE: Residential

PROPERTY SIZE: 13,227 square feet **PINS:** 09-07-205-022; -023

SURROUNDING ZONING AND LAND USES

ZONING FUTURE LAND USE

NORTH: R-4 Single Family Residence District Residential (0-6 DU/Acre)

SOUTH: R-4 Single Family Residence District Residential (0-6 DU/Acre)

EAST: R-4 Single Family Residence District Residential (0-6 DU/Acre)

WEST: R-4 Single Family Residence District 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 Narrative
- 3. Plat of Survey
- 4. Final Plat of Subdivision

PROJECT DESCRIPTION

The petitioner is requesting approval of the final plat of subdivision to consolidate two existing lots into one

The property, commonly known as 4736 Linscott Avenue, is zoned R-4 Single Family Residence district and consists of two 50-foot by 132-foot lots of record. The south lot is improved with a single family residence and a detached garage. The north lot is currently vacant and is used as open green space.

The petitioner, owner of both lots, is proposing to consolidate the two lots into one new larger 100-foot wide by 132-foot deep lot to allow for future addition to the single family home.

COMPLIANCE WITH FUTURE LAND USE PLAN

According to the Future Land Use Plan, the subject property is designated for residential use. By consolidating the two lots into one larger lot, the petitioner will be able to construct an addition to the existing single family home and maintain the property for residential use. Staff believes the proposed lot consolidation is consistent with the Future Land Use Plan and Village planning documents.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. Existing residential use is a permitted use in the district. By consolidating the two existing lots on the property into one larger lot, the required side yard setback (ten percent of the lot width) will increase from five feet to ten feet. The petitioner is not proposing any new construction at this time. Any future building addition will have to meet all Zoning Ordinance requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The proposed new lot will meet all minimum lot dimension requirements for residential lots. The petitioner has not requested any exceptions from the Subdivision Ordinance. The lot dimensions are specified in the table below:

4736 Linscott Avenue	Required	Proposed
Frontage	45 feet	100 feet
Lot Width	50 feet	100 feet
Lot Depth	140 feet	132 feet
		(existing no change)
Lot Area	7, 500 sq. ft.	13, 227 sq. ft.

The proposed lot will include an existing five-foot wide utility easement along the rear property line, and new five-foot wide easements along north and south side property lines which meet the requirement for public utility easements.

NEIGHBORHOOD COMMENT

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

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the two existing lots into one new lot is consistent with the Zoning and Subdivision Ordinances and other planning objectives of the Village. The proposed consolidation will increase the required side yard setbacks from five feet to ten feet and allow adequate space for appropriate drainage pattern on the property for any future building addition.

RECOMMENDATIONS

The proposed Final Plat of Subdivision to consolidate the two existing lots into one new lot is compatible with surrounding zoning and land use classifications. Staff recommends Plan Commission make a *positive* recommendation for the Final Plat of Subdivision associated with PC 06-09 to the Village Council subject to the following conditions:

1. The final Plat of Subdivision shall substantially conform to the R&J Lawrence Resubdivision plat prepared by Landmark Engineers and Surveyors, dated January 15, 2009 except as such plan may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:dl -att

P:\P&CD\PROJECTS\PLAN COMMISSION\2009 PC Petition Files\PC-06-09 4736 LINSCOTT FINAL PLAT OF SUBDIV\Staff Report PC 06-09.doc



Jennifer & Rodney Lawrence 4736 Linscott Ave. Downers Grove, IL 60515 February 4, 2009

Planning Commission Village of Downers Grove 801 Burlington Ave. Downers Grove, IL 60515

Dear Planning Commission:

Please find enclosed our Petition to consolidate our two properties located at 4736 Linscott Ave. in Downers Grove. We wish to consolidate these properties in order to build an addition on the north side of our existing home using both lots. The addition will include a two-car garage, mud room, laundry and an additional second floor study and bathroom. The property PIN numbers are 09-07-205-022 and 09-07-205-023.

For your review, I have enclosed three copies of the Petition for Plan Commission, the plat of surveys for the current properties, a final subdivision plat (eight sets with one smaller set for distribution), mailing labels for the surrounding property owners and a signed copy of the Certification of Public Notice Information. I have also enclosed a check to cover the fees. Please contact me at 630-649-4601 with any questions.

Thank you in advance for your consideration.

Sincerely,

Jennifer Lawrence

GRAPHIC SCALE	
0 10 20	40
	-
SCALE: 1° = 20°	

OWNER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE)

RODNEY LAWRENCE AND JENNIFER LAWRENCE, HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND THEY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.

DATED AT		. ILLINOIS, THIS	DAY O
_	CITY		DATE
	, A.D., 20)	
MONTH			
BY:			
	RODNEY I	LAWRENCE	

JENNIEER LAWRENCE

NOTARY'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DU PAGE)

....., A NOTARY PUBLIC, IN AND FOR SAID COUNTY

IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT RODNEY LAWRENCE AND JENNIFER LAWRENCE, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUSSONIBLED TO THE FORESCIONE INSTRUMENT AS SUCH OWNERS, APPEARED REFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DESTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

s		DAY OF		, A.D., 200 .
_	. DATE		NONTH	_
		NOTARY PUBLIC	SIGNATURE	
				_

DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE

L____COUNTY CLERX OF DUPAGE COUNTY,
ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL
TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND
NO REDEEMBLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE
ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, THIS ______DAY OF ______, A.D 20____.

COUNTY CLERK AND SEAL

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS,

ON THE_		DAY OF	, A.D.,20
AT	_o.crock_	_M, AS DOCUMENT NUMBER_	

RECORDER	OF DEED	S	

R&J Lawrence Resubdivision

BEING A RESUBDIVISION OF LOTS 9 AND 10 IN BLOCK 12 IN E.H. PRINCE AND COMPANY'S ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

_, A.D., 20___

__, A.D., _____AS

HEREBY CONSENTS TO AND APPROVES THE

COUNTY OF DU PAGE)

APPROVED THIS ______ DAY OF _____, A.D. 20___ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE

VILLAGE CLERK

DOWNERS GROVE SANITARY DISTRICT

THIS _______ DAY OF ______, A.D., 20___.

MORTGAGEE'S CERTIFICATE (LOT 10)

AND RECORDED IN THE RECORDER'S OF DEEDS OFFICE OF ___

SUBDIVISION OF THE LAND AND THE GRANTING OF THE EASEMENTS DEPICTED

(TITLE)

AND (NAME)

(TITLE)___OF___WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH

(TITLE) AND (TITLE)
RESPECTIVELY, APPEARED BEFORE WE THIS DAY IN PERSON AND ACKNOWLEDGED
THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND
VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT

, AS MORTGAGEE, FOR THE USES AND

DATED THIS ______ DAY OF ______, A.D., 20__.

PROVISIONS OF A CERTAIN MORTGAGE DATED

NOTARY'S CERTIFICATE (LOT 10)

ILLINOIS ON THE _____DAY OF

STATE OF ILLINOIS)
SS)
COUNTY OF DU PAGE)

NOTARY PUBLIC

GIVEN UNDER MY HAND AND SEAL

I, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUINT OR UNPAID CURRENT OR FORFEITS SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THAT HAVE NOT BEEN APPORTINGED AGAINST THE TRACT OF LIAD INCLUDED IN THIS

DATED THIS DAY OF .A.D 20 .

SANITARY DISTRICT COLLECTOR

DOWNERS GROVE COLLECTOR

STATE OF ILLINOIS COUNTY OF DU PAGE)

I. COLLECTOR OF THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUINT OR UNPAID CURRENT OR FOREITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTRUMENTS THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS

DATED THIS _____DAY OF _____AD 20___.

DOWNERS GROVE VILLAGE COLLECTOR

DRAINAGE CERTIFICATE

COUNTY OF DUPAGE?

I, JIUN-GUANG LIN, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND RODNEY AND JENNIFER LAWRENCE, THE CWINERS OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREON STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL SE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENSINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE AUDINING PROPERTY SECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN A SPECIAL FLOOD HOZAND AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS ___DAY OF _____, A.D 20___.

JIUN-GUANG LIN IL. PROFESSIONAL ENGINEER NO. 062-057024 LICENSE EXPIRES NOVEMBER 30, 2009

OWNER OR DULY AUTHORIZED ATTORNEY FOR OWNER

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF

__A.D., 20____. CHAIRMAN

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HERBEY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE,
ILLINDIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE
VILLAGE OF DOWNERS GROVE, INCLUDING, BUT NOT LIMITED TO, ARERTIECH, NORTHERN ILLINDIS
GAS COMPANY AND THEIR SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED PUBLIC
UTILITIES AND DRAINAGE EASEMENTS' OR "P.U. & D.E." ON THE PLAT FOR THE PERPETULA. RIGHT,
PRIVLEGE AND DATHORITY TO SURVEY, CONSTRUCT, REPORT, INSPECT, MAINTAIN
AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA
ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER TRUCTURES
AND APPLIATEMANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROVENTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY, OVER, UPON, UNDER AND
PROPERTY FOR NECESSARY MEN AND EXCESSARY BY SAID CITY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASSMENTS THAT INTERFERE WITH THE OPERATION OF THE SEMERS OR OTHER UTILITIES. NO PERMANENT BULDIONGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. WHERE AR EASEMENT IS USED BOTH FOR SEWERS OF OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE WILLIAGE OF THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY, OVER THE ENTIRE EASEMENT AREA FOR INGERSES, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE INCLUDING WATER, STORM AND SANITARY SEWER SERVICE

P.I.N. 09-07-205-022 (LOT 9) P.I.N. 09-07-205-023 (LOT 10)

ACREAGE SUMMARY:

LOT 1 13,227 SQ, FT, OR 0,304 AC.

TOTAL 13 227 SO FT OR 0.304 AC

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF E.H. PRINCE AND CO'S ADDITION TO DOWNERS GROVE SUBDIVISION, HAVING A RECORD BEARING OF NORTH 03 DEGREES 00 MINUTES 00

NOTES:

1. IRON PIPE MONUMENTS OR CUT CROSSES WILL BE PLACED AT ALL PROPERTY CORNERS CREATED BY THIS PLAT UNLESS OTHERWISE

2. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FECT AND DECIMAL PARTS THEREOF.

FLOOD STATEMENT

THE PROPERTY HEREON DESCRIBED IS NOT AFFECTED BY A FLOOD HAZARD AREA AS DEFINED BY THE DUPAGE REGULATORY FLOOD MAP COMMUNITY-PANEL NUMBER - 17043

LEGEND:

CONCRETE MONUMENT SET
O IRON PIPE FOLIME O IRON PIPE FOUND
IRON PIPE SET
ROAD CENTERLINE

SECTION LINE
SECTION LINE
SECTION LINE
PROPERTY LINE

ABBREVIATIONS:

(R) = RECORD VALUE (M) = MEASURED VALUE

(C) = CALCULATED VALUE (D) = DEED VALUE DOC. = DOCUMENT

LOT 17 FOUND IRON ROD LOT 8 0.34' NORTH AND 0.08 WEST OF TRUE CORNER SET CONCRETE N87°56'03"W 132.29' (M) LOT 16 ≯ (BLOCK 12) E.H. PRINCE & CO'S ADDITION TO DOWNERS GROVE LOT N87"56"03"W 132.29" (M) 132.00" (R) φ (1) LOT 10 LOT 15 E.H. PRINCE & CO'S ADDITION TO DOWNERS GROVE 5 PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GR N87°56'03"W 132.29' (M) MONUMENT (+) LOT 14 SET CONCRETE LOT 11 MONUMENT

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, CHARLES S. MARSHALL, ILLINOIS PROFESSIONAL LAND SURVEYOR #35-05377 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION; ALL

LOTS 9 AND 10 IN BLOCK 12 IN E.H. PRINCE AND COMPANY'S ADDITION TO DOWNERS GROVE, BEING A SUBDINISION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP SA MORTH, ANNO E11, EAST OF THE THIRD PRINCIPAL MEDIDAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 30, 1890 AS DOCUMENT 43600, IN DUPAGE COUNTY, LLINOS.

CHARLES S. MARSHALL PROFESSIONAL LAND SURVEYOR NO. 035-003377. MY LICENSE EXPIRES NOVEMBER 30, 2010.

Landmark Consulting, 25030 Ramm Drive, Napewille, IL. PH; 630,742,1278 FAX; 630,566

 $\overline{\sigma}$

 $\overline{\mathbf{v}}$

RODNEY AND JENNIFER LAWRENCE

PROJECT NO. 6671 DRAFT

PC-06-09 A petition seeking a Final Plat of Subdivision to consolidate two existing lots into one new lot for the property located on the West Side of Linscott Avenue, approximately 100 feet North of Prairie Avenue, commonly known as 4736 Linscott Avenue, Downers Grove (PIN 09-07-205-022-023); Rodney & Jennifer Lawrence/Petitioners/Owners

Mr. Latinovic explained the petition is for the property commonly known as 4736 Linscott Avenue, zoned R-4 Single-Family Residence District which consists of two lots of record, with the south lot improved with a single-family residence and detached garage. The north lot is vacant and is used as open space by the owners. The petitioner wishes to consolidate the two lots into one100-foot wide by 132-foot deep lot to allow for a future addition to her home without crossing the property line.

Both the Village's Future Land Use Plan and Land Use Map designate the property as Residential. The consolidation will allow the property owner to add an addition onto the northern part of the residence and maintain the property for residential use. The existing Residential use is a permitted use in the district. Also, the consolidation of the two existing lots into one larger lot will increase the side yard setback from five feet to ten feet. To date, no new construction is being proposed by the petitioner, and any future addition will have to meet all Zoning Ordinance requirements.

The proposed new lot will meet all minimum lot dimension requirements. At this time, the petitioner has not requested any exceptions from the Subdivision Ordinance. The new combined lot will include an existing five-foot wide utility easement along the rear property line and new five-foot wide easements along the north and south property lines, which meet the public utility easement requirements.

Staff has not received any comments from the neighbors. Staff believes the proposed Final Plat of Subdivision to consolidate the two existing lots into one new lot is consistent with the Zoning and Subdivision Ordinances and other planning objectives of the Village.

Staff recommends the Plan Commission make a positive recommendation for the Final Plat of Subdivision associated with PC-06-09 to the Village Council subject to the one condition outlined in the Staff Report.

For clarification to the petitioner, Ms. Hamernick asked if the increase in side yard setback would put the house as a legal non-conforming house. Mr. Latinovic did not recall how far the existing house was from the existing south property line but indicated the change in the required side yard setback could create a legal non-conforming structure, if the existing house is not already a nonconforming structure. If the existing house is less than 10 feet from the south property line it would not comply with the new side yard setback and the house becomes a legal nonconforming structure. If the house is damaged by any means past 50% of its value, it would have to be constructed back in full compliance with the current code, which would require a 10-foot setback from the south property line. Mr. Latinovic stated this issue was discussed with the petitioner, and the petitioner is fully aware of the situation.

Mr. Matejczyk inquired about a swimming pool that used to be on this lot and similar situations were pools are constructed on vacant lots adjacent to homes. Mr. Latinovic stated prior to the zoning change in September 2006, multiple lots of records were considered a one zoning lot, and the owners were allowed to cross boundaries within their property and construct accessory

DRAFT

structures, such as pools on vacant but adjacent lots of record. Now, a zoning lot coincides with a lot of record and all structures must be on one lot of record or a special use must be obtained.

Asked how many lot consolidations the Village was seeing, staff stated the Village has been seeing an increase since the change in the Zoning Ordinance in 2006. Mr. Latinovic recalled the consolidations are being created for larger lots and to clean up the smaller, non-conforming lots, which was the Village Council's intent.

Ms. Jennifer Lawrence, petitioner/owner of the property, reiterated her goal was to consolidate the two lots, which she purchased approximately ten years ago. Eventually she would like to add an addition to the north side of the home but keep a large portion of the current yard. As to relocating the driveway after the addition is added, she intends to have an attached garage on the addition given that a driveway cut already exists on the northern property. The second driveway cut would be removed and restored to a yard.

Chairman Jirik opened up the meeting to public comment. There being no public comment, public participation was closed.

Mr. Matejczyk stated that he is familiar with the property and supports the petition to consolidate the lots to allow for future home expansion.

WITH RESPECT TO FILE PC- 06-09, MS. HAMERNICK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE FINAL PLAT OF SUBDIVISION, SUBJECT TO THE FOLLOWING CONDITION:

• THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE R&J LAWRENCE RESUBDIVISION PLAT PREPARED BY LANDMARK ENGINEERS AND SURVEYORS, DATED JANUARY 15, 2009 EXCEPT AS SUCH PLAN MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.

MR. WAECHTLER SECONDED THE MOTION.

ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 9-0