

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 19, 2009 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision – 4929 Montgomery Avenue	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP 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 4929 Montgomery 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.

UPDATE & RECOMMENDATION

This item was discussed at the May 12, 2009 workshop. Staff recommends approval on the May 19, 2009 active agenda.

BACKGROUND

The 15,260 -square foot property is zoned R-4 Single Family Residence district and consists of two 50-foot by 152.6-foot lots of record. An existing single family home is located across both lots. A detached two-car garage is located in the rear of the north lot. 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 for the demolition of the existing home and garage and construction of a new single family home with attached garage.

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 five-foot wide utility easements along the side property lines and a ten-foot wide utility easement along the rear property line 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:

4929 Montgomery Avenue	Required	Proposed
Frontage	45 feet	100 feet
Lot Width	50 feet	100 feet
Lot Depth	140 feet	152.6 feet

		(existing no change)
Lot Area	7, 500 sq. ft.	15,260 sq. ft.

The proposed consolidation will increase the side yard setback requirement from five feet to ten feet. The increase in the side yard setback requirement will allow adequate space for appropriate drainage pattern on the property for the new house. The petitioner has submitted plans and all required documents for the building permit for the new single family home on the property. The plans indicate the new structure will meet all requirements of the Zoning Ordinance. The petitioner is awaiting final approval by the Village Council to proceed.

The Plan Commission considered the petition at their May 4, 2009 meeting. Two residents inquired about the storm water management practices for new single family home construction. Staff confirmed that the building permit application for the new house is under review by the Community Development Department and by the Village's stormwater engineers. The proposed plans will have to meet all provisions of the Stormwater Ordinance.

Based on their findings, the Commission recommended unanimous approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENT
Resolution

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** May 19, 2009
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** PC-12-09
(Board or Department)

NATURE OF ACTION:

- Ordinance
 Resolution
 Motion
 Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR 4929 MONTGOMERY AVENUE", as presented.

SUMMARY OF ITEM:

At their meeting of May 4, 2009, the Plan Commission recommended approval of the Final Plat of Subdivision for 4929 Montgomery Avenue.

RECORD OF ACTION TAKEN:

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL
PLAT OF SUBDIVISION FOR 4929 MONTGOMERY 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 Subdivision for 4929 Montgomery Avenue, located on the East side of Montgomery Avenue, approximately 200 feet North of Warren Avenue, Downers Grove, Illinois, legally described as follows:

Lot 24 in Branigar Bros. Wooded Homesites, a subdivision in the North Half of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, and in the North Half of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded October 2, 1920, as Document No. 144598, in DuPage County, Illinois and Lot 25 in Branigar Bros. Wooded Homesites, a subdivision in the North Half of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, and in the North Half of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded October 2, 1920, as Document No. 144598, in DuPage County, Illinois,

Commonly known as 4929 Montgomery Avenue, Downers Grove, IL (PIN 09-07-210-019)

WHEREAS, notice has been given and hearing held on May 4, 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 4929 Montgomery 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 4929 Montgomery Avenue, be and is hereby approved subject to the following condition:

1. The final Plat of Subdivision shall substantially conform to the Sigerich Re-subdivision plat prepared by Landmark Consulting, PC. dated April 7, 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.

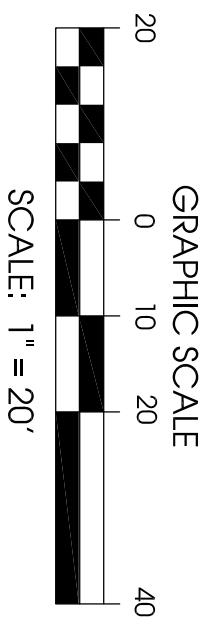
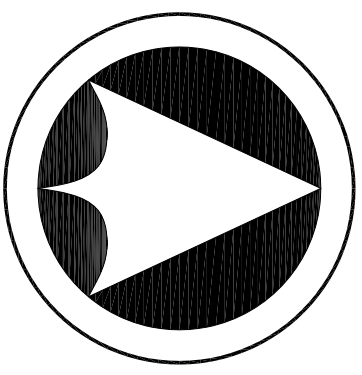
BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____

Village Clerk



Sigerich Resubdivision

BEING A RESUBDIVISION OF LOTS 24 AND 25 IN BRANIGAR BROS. WOODED HOMESITES, A SUBDIVISION IN THE NORTH HALF OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH HALF OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

OWNERS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

AND
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 HEREOF DRAWN.

DATED AT _____ CITY _____ ILLINOIS, THIS _____ DAY OF _____ A.D. 20____
MONTH _____

BY: _____
WALTER SIGERICH
BY: _____
CAROL SHEPARD

NOTARYS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, _____ PRINT NAME _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT

AND
PERSONALLY KNOW TOGETHER TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND THAT THE SAID INSTRUMENT WAS SIGNED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN, FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL
THIS _____ DAY OF _____ MONTH _____, A.D. 20____

NOTARY PUBLIC SIGNATURE

PRINT NAME

DUPAGE COUNTY CLERKS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, _____ COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORGOTTEN TAXES, AND NO REDEEMABLE 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 RECORDERS CERTIFICATE

STATE OF ILLINOIS)
) SS
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'CLOCK _____ M. AS DOCUMENT NUMBER _____
RECORDED OF DEEDS _____

DOWNERS GROVE SANITARY DISTRICT

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, _____ COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORGOTTEN SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED THIS _____ DAY OF _____, A.D. 20____
SANITARY DISTRICT COLLECTOR _____

DOWNERS GROVE COLLECTOR

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

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

DATED THIS _____ DAY OF _____, A.D. 20____
DOWNERS GROVE VILLAGE COLLECTOR _____

DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, JUAN-QUANG LIN, A REGISTERED PROFESSIONAL ENGINEER IN

ILLINOIS AND _____ AND THE OWNERS OF THE LAND DEPICTED HEREOF OR HIS DULY AUTHORIZED ATTORNEY DO HEREBY STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND REMOVAL OF SUCH SURFACE WATER AS MAY ACCUMULATE ON THE SURFACE OF THE LANDS HEREIN HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKLIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE 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 HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS _____ IN DAY OF _____, A.D. 2009.

JUAN FENG HUA, P.E.
IL PROFESSIONAL ENGINEER NO. 062-059586
LICENSE EXPIRES _____

OWNER OR DULY AUTHORIZED ATTORNEY FOR OWNER

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, _____ MAYOR
APPROVED THIS _____ DAY OF _____, A.D. 20____
BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE

MAYOR

VILLAGE CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, _____ APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE, THIS _____ DAY OF _____, A.D. 20____

BY: _____ CHAIRMAN

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF DOWNERS GROVE, INCLUDING, BUT NOT LIMITED TO, AMERITECH, NORTHERN ILLINOIS 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 PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNICANT ANTENNA TELEVISION SYSTEMS AND INCLUDING STORM AND SANITARY SEWERS AND APPURTENANCES AS MAY BE DETERMINED NECESSARY BY SAID CITY OVER, UPON, UNDER AND THROUGH SAID INDICATED EASEMENTS TOGETHER WITH RIGHT OF ACCESS ACROSS THE GRANTORS PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENTS THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS 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 AN EASEMENT IS USED BOTH FOR SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF DOWNERS GROVE.

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 INGRESS, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

ACREAGE SUMMARY:

LOT 1 15,294 SQ. FT. OR 0.35 AC.
R.O.W. 0
TOTAL 15,294 SQ. FT. OR 0.35 AC.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREOF ARE BASED ON THE EAST LINE OF BRANIGAR BROS. WOODED HOMESITES SUBDIVISION, HAVING AN ASSUMED BEARING OF NORTH 10 DEGREES 10 MINUTES 21 SECONDS EAST.

FLOOD STATEMENT

THE PROPERTY HEREOF DESCRIBED IS NOT AFFECTED BY A FLOOD HAZARD AREA AS DEFINED BY THE DUPAGE REGULATORY FLOOD MAP, COMMUNITY PANEL NUMBER: 17043 C 0801 B, HAVING REVISION DATE OF OCTOBER 19, 2005.

NOTES:

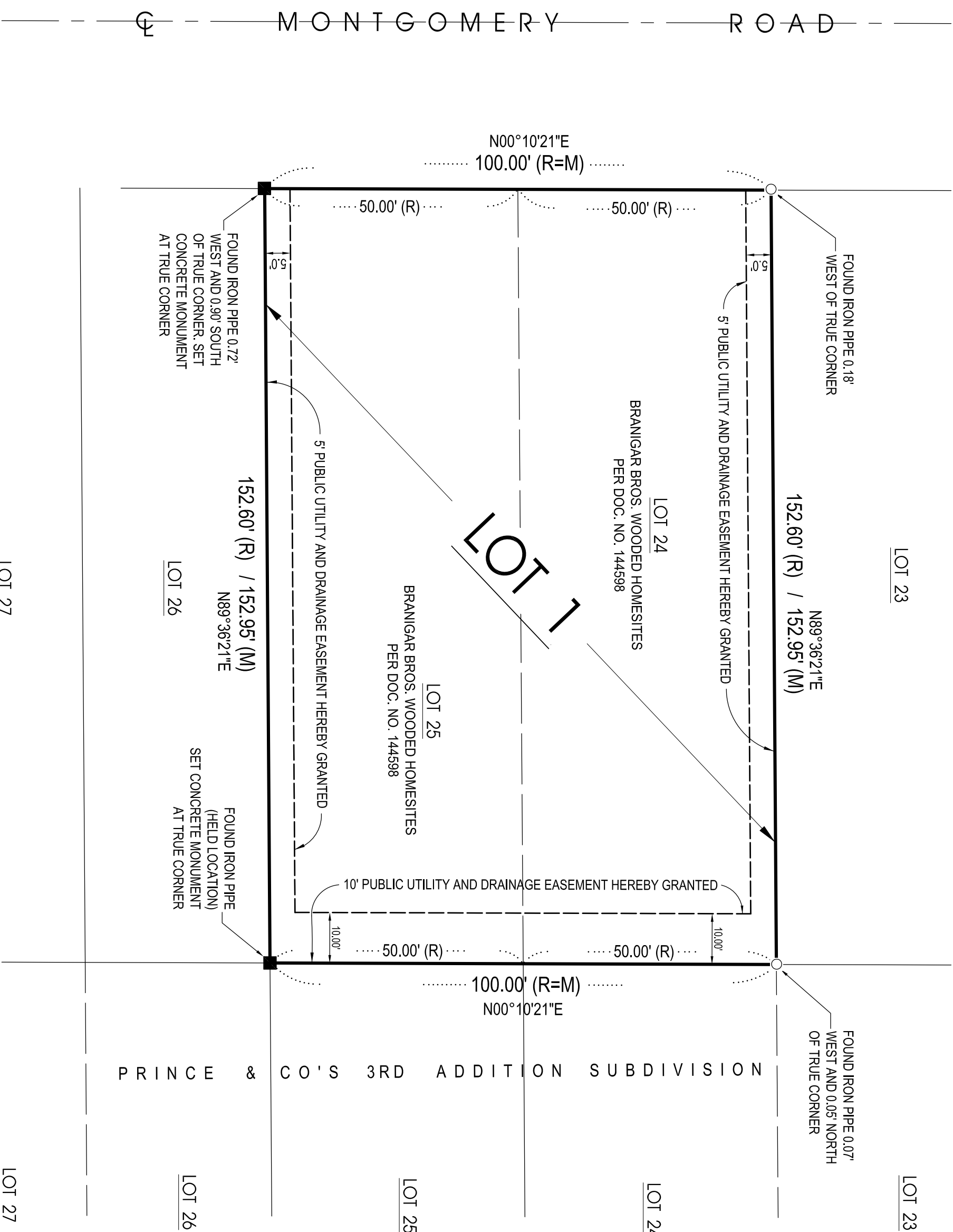
- 1. IRON PIPE MONUMENTS OR CUT CROSSERS WILL BE PLACED AT ALL PROPERTY CORNERS CREATED BY THIS PLAT UNLESS OTHERWISE NOTED.
- 2. ALL MEASUREMENTS AND DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

LEGEND:

- CONCRETE MONUMENT SET
- IRON PIPE FOUND
- IRON PIPE SET
- ROAD CENTERLINE
- SECTION LINE
- EASEMENT LINE
- PROPERTY LINE

ABBREVIATIONS:

- (R) = RECORD VALUE
- (M) = MEASURED VALUE
- (C) = CALCULATED VALUE
- (D) = DEED VALUE
- DOC. = DOCUMENT



SURVEYORS CERTIFICATE

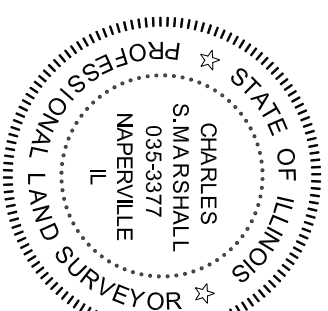
THIS IS TO CERTIFY THAT CHARLES S. MARSHALL, ILLINOIS PROFESSIONAL LAND SURVEYOR #55-003377 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

LOTS 24 AND 25 IN BRANIGAR BROS. WOODED HOMESITES, A SUBDIVISION IN THE NORTH HALF OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH HALF OF SECTION 12, CORNERING 38 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 2, 1920 AS DOCUMENT NUMBER 144598, IN DUPAGE COUNTY, ILLINOIS.

THE PROPERTY DESCRIBED HEREIN LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE.

DATED THIS 5TH DAY OF APRIL, A.D. 2009.

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



REV.	DATE	DESC.

Landmark Consulting, P.C. 25030 Romm Drive, Naperville, IL 60564 PH: 630.742.1278 FAX: 630.566.5815			
DRAWN BY:	ERP	DATE:	4-7-2009
CHECKED BY:	CSM	DATE:	4-7-2009



PREPARED FOR:
WALTER SIGERICH
Sigerich Resubdivision
4929 Montgomery Road, Downers Grove, Illinois

PROJECT NO.
6664Q
SHEET NO.
1 OF 1