VILLAGE OF DOWNERS GROVE REPORT FOR THE VILLAGE COUNCIL MEETING AUGUST 10, 2010 AGENDA

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

SYNOPSIS

A resolution for the Final Plat of Subdivision has been prepared to consolidate three existing lots into two lots for the property located at 4500 Middaugh 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*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 17, 2010 active agenda per the Plan Commission's recommendation.

BACKGROUND

The 16,500 square foot property is zoned R-4 Single Family Residential and consists of two 50-foot wide lots and one 10-foot wide lot, all of which are owned by a single owner. The 10-foot wide lot is the southernmost 10 feet of the property. An existing single-family home is located across the common lot line of the two 50-foot wide lots. The petitioner is proposing to consolidate the three lots into two lots with a 60-foot wide by 150-foot deep northern lot and a 50-foot wide by 150-foot deep southern lot.

Currently by-right, the petitioner is allowed to construct two homes at this location using the two existing 50-foot wide lots. The existing 10-foot wide lot is not buildable. In essence, the request merely transfers the southernmost 10-foot wide unbuildable lot to the proposed northern lot, creating a 60-foot wide corner lot instead of the existing 50-foot wide corner lot.

The petitioner has not requested any exceptions from the Subdivision Ordinance. All required infrastructure, including sidewalks, currently exists and no new public improvements are required. The proposed lots 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 requirements for public utility easements. The proposed consolidation will increase the front yard setback requirement along Grant Street from 15 feet to 24 feet. The proposed lots will exceed all minimum lot dimension requirements for the R-4 Single Family Residence district as specified in the table below:

4500 Middaugh	Lot Width		Lot Depth		Lot Area	
Subdivision	Required	Proposed	Required	Proposed	Required	Proposed
North Lot	50 feet	60 feet	140 feet	150 feet	7,500 sq. ft.	9,000 sq. ft.
South Lot	50 feet	50 feet	140 feet	150 feet	7,500 sq. ft.	7,500 sq. ft.

The Plan Commission considered the petition at their July 12, 2010 meeting. Public comments at the meeting included questions regarding setbacks, building heights, and stormwater management. Although no new construction is proposed at this time, all future construction will be required to meet current R-4 district setbacks and building height requirements. Additionally, all new construction requires site engineering to ensure stormwater is handled in a positive manner. The review for compliance with bulk regulations and stormwater management are handled administratively by staff during the building permit review process. Based on their findings, the Plan Commission recommended unanimous approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

Aerial Map
Resolution
Staff Report with attachments dated July 12, 2010
Minutes of the Plan Commission Hearing dated July 12, 2010
Staff dais materials provided to Plan Commission on July 12, 2010

1\wp8\res.10\FP-4500-Middaugh-PC-06-10

RESOLUTION _____

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR 4500 MIDDAUGH 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 4500 Middaugh Avenue, located

at the southwest corner of Middaugh Avenue and Grant Street, Downers Grove, Illinois, legally described as follows:

Lots 27, 28, and the North 10 feet of Lot 29 in Repp's Subdivision, being a subdivision of part of Lot 1 in the Downer Estate, in the South East Quarter of Section 6, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Repp's subdivision aforesaid, recorded on April 14, 1923 as Document 164494, in DuPage County, IL

Commonly known as 4500 Middaugh Avenue, Downers Grove, IL (PINs 09-06-413-021, -022, -023)

WHEREAS, notice has been given and hearing held on July 12, 2010 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 4500 Middaugh Avenue as requested, subject to certain conditions.

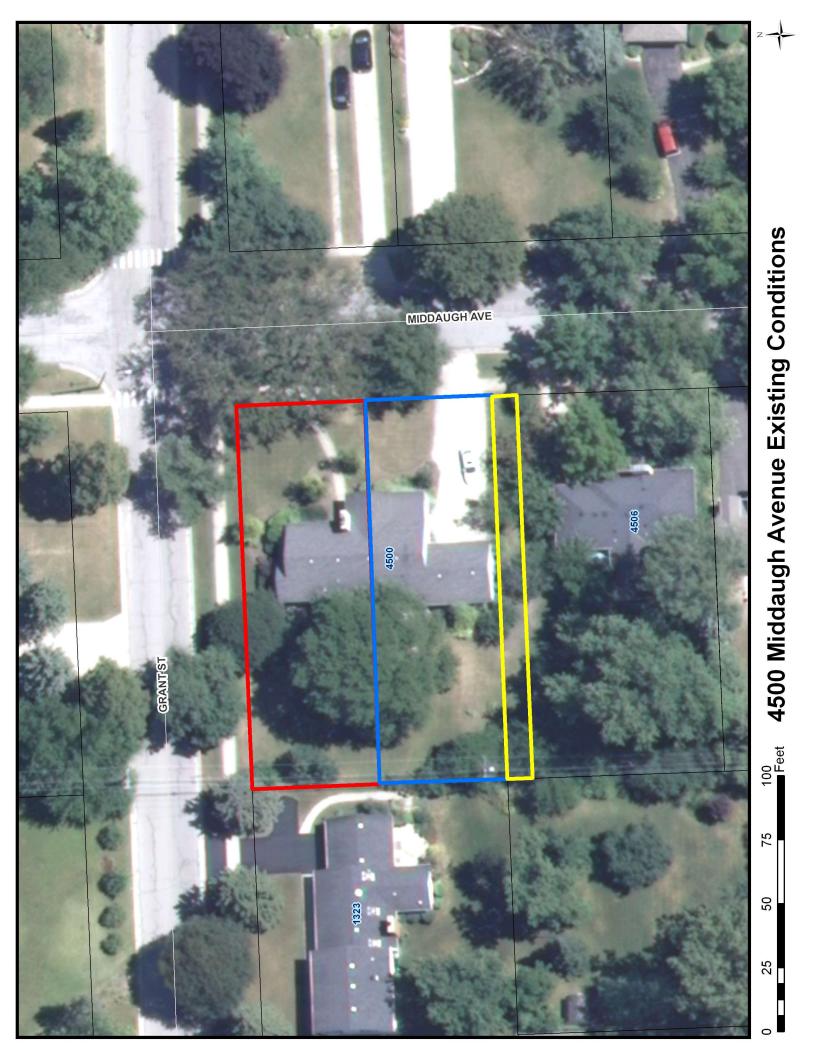
NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the final Plat of Resubdivision for 4500 Middaugh Avenue, be and is hereby approved subject to the following condition:

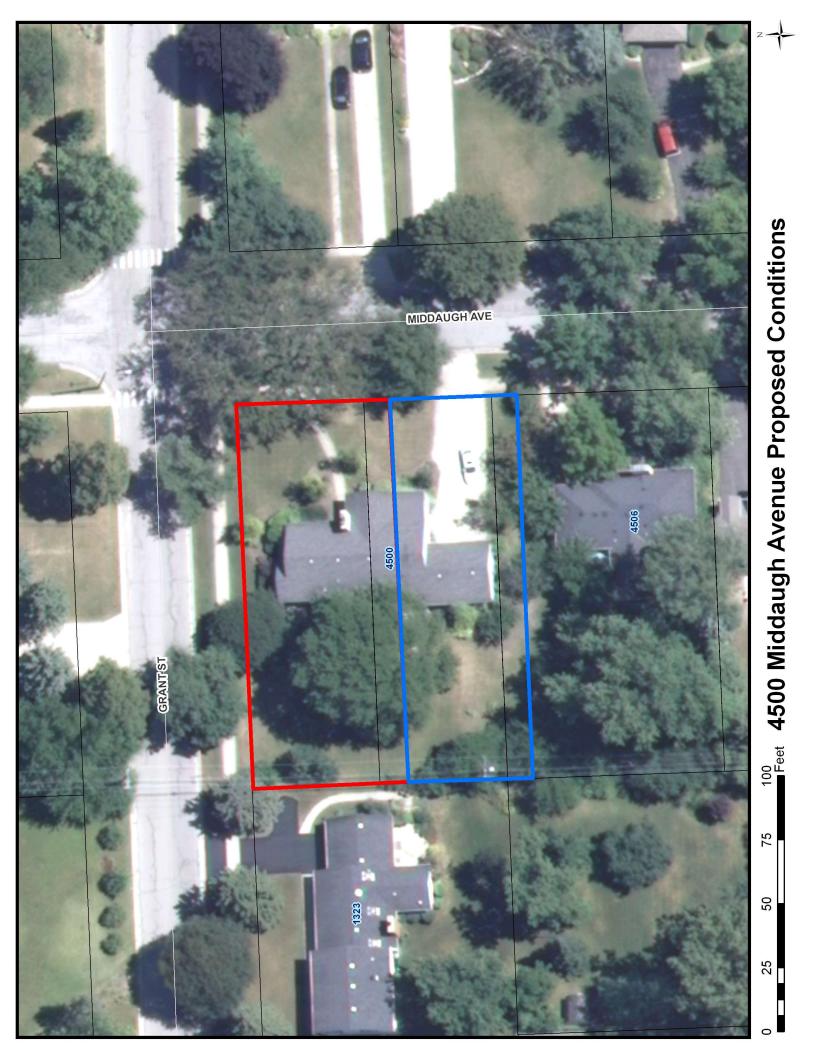
1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision prepared by InTech Consultants, Inc. dated May 24, 2010 except as such plans may be modified to conform to the Village Codes and Ordinances.

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	





Project Summary/Narrative

The subject property for this submittal, 4500 Middaugh currently consists of three (3) parcels; a 10' X 50' interior, a 50' X 150' interior and a 50' X 150' corner. Currently, the two 50' X 150' parcels are buildable while the 10' X 150' parcel obviously is not. It is the petitioner's wish to reconfigure these three lots into two so the dimensions of the two new lots are 50' X 150' for the interior and 60' X 150' for the corner. Although this will result in, as before, two buildable lots, it will lend greater conformity to the neighborhood and allow for a 24 foot corner setback on Grant instead of a 15 foot setback as is currently the case.

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OWNER'S CERTIFICATE
STATE OF ILLINOIS) SS COUNTY OF THE PAGE
Society of bot Ase,
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 THIS DAY OF, A.D., 20
BY:
NOTARY CERTIFICATE
STATE OF (LLINOIS)
SS COUNTY OF DU PAGE)
. A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID DO HEREBY CERTIFY THAT
ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT THEY SIGNED AND DELIVERED THIS INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT, AS GIVEN UNDER MY HAND AND NOTARIAL SEAL,
DATED THISDAY OF, A.D., 20
NOVICE DE LA COLUMNICATION
NOTARY PUBLIC MY COMMISSION EXPIRES
PLAN COMMISSION APPROVAL
STATE OF ILLINOIS) SS
COUNTY OF DU PAGE) APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE
THISDAY OF, A.D., 20
BY:CHAIRMAN
DOWNERS GROVE SANITARY DISTRICT CERTIFICATE
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE)
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 APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.
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COLLECTOR
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VILLAGE COLLECTOR'S CERTIFICATE STATE OF ILLINOIS)
SS COUNTY OF DU PAGE)
1. COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND, INCLUDED IN THIS PLAT.
DATED THIS DAY OF, A.D., 20
BY:COLLECTOR
VILLAGE COUNCIL CERTIFICATE
STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)
APPROVED THIS DAY OF, A.D., 20 BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.
VILLAGE CLERK MAYOR
DU PAGE COUNTY CLERK'S CERTIFICATE
STATE OF ILLINOIS) SS
COUNTY OF DU PAGE) I, COUNTY CLERK OF DU PAGE COUNTY, RLINOIS, DO
HERENY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UMPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I, FURTHER CERTIFY THAT I THAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT. GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DU PRAGE COUNTY, ILLINDIS.
DATED THIS DAY OF, A.D., 20
COUNTY CLERK
MORTGAGEE CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF
WELLS FARGO BANK, A CORPORATION OF THE STATE
FOR SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON.

ATTEST:

FINAL PLAT OF SUBDIVISION SEGRETI CORNER RESUBDIVISION

PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

DECLARATION OF RESTRICTIVE COVENANTS

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

TRANSFERRED. SOLD. CONVEYED AND OCCUPRED SUBJECT TO THE FOLLOWING COVERANTS AND RESTRICTIONS.

(A) ALL PUBLIC UTLITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY LUBDERGROUND, EXCEPT FOR PRANSFORMERS, TRANSFORMERS PADE, LIGHT POLLS, REGULATORS, VALVES, MARKERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBJUNISION, B) AN EASEMENT FOR SERVING THE SUBDIVISION, B) AND OTHER PROPERTY WITH STORM DERAINAGE, SAINTARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND OTHER PUBLIC UTILITY SERVICES, IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SAINTARY DISTRICT. THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM THE TOTAL THE RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM THE TOTAL THE RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM THE TOTAL THE RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM THE TOTAL TO THE TOTAL SERVICES. THE PROPERTY LISEO IN CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION OR OTHER PUBLIC UTILITY SERVICE, AND THER APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE COTTED LINES ON THE PLAT MARKED PUBLIC UTILITY AND/OR DRAINAGE EASEMENT, OR SIMILAR LANGUAGE DESIGNATING A STORMMATER OR SEWER EASEMENT, AND THE PROPERTY DESIGNATION AS TOWNERS, SAND HERE AND THE PROPERTY DESIGNATION AS ATOMISMS. THE PROPERTY DESIGNATION OF THE SUBDIVISION PROPERTY FOR ALL SUCCESSORS, SAND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSTRESTS AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREBY GIVEN, AND THE RIGHT TO CUT, THE PROPERTY FOR ALL SUCCESSORS, SAND TOTTE IN RIGHT TO SUT COVENANTS AND RESTRICTIONS:
(A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC

AND GRASS AND THE INSTITUTION OF GUIDERSKOUND DILITY LINES AND DERIVEWAYS.

2. EACH OWNER OR PURCHASSER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMMATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORM WATER THROUGH THE DRINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE ILLINOIS

HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLNOIS.

3. IN THE EVENT ANY OWNER OR PURCHASER FALLS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SMALL UPON TEN DAYS PRIOR WRITTEN NOTICE. RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON THE BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FREE FLOW OF STORMWATER THROUGH THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS.

IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLNOIS, SMALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE COST TOGETHER WITH THE ADDITIONAL SUM OF TEN PERCENT SHALL, UPON RECORDATION OF A NOTICE OF LIEU WITHIN STUTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEU WITHIN STUTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEU AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.

THE ACPRESSAD RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF 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 OF PERPETUAL EFFICACY AND OBLIGATION IN RESPECT TO THE SAID PREMISES AND THE PARTIES HEREIN DESIGNATED, THEIR AND 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 HEREON

14.	
Y:	

NOTARY CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF DU PAGE)

I_______, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID DO HERBY CERTIFY THAT

ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT THEY SIGNED AND DELIVERED THIS INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT, AS GIVEN UNDER MY HAND AND NOTARIAL

3D/L	
DATED THISDAY	OF, A.D., 20
NOTARY PUBLIC	MY COMMISSION EXPIRES

EASEMENT PROVISIONS

AN EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HERREBY RESERVED FOR AND GRANTED TO COMMONWEALTHE DISCON COMPANY AND SEC-MERRITECH, ILLINOIS AKA. ILLINOIS BELL TELEPHONE COMPANY, GRANTEES, THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTY, AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, WAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, RANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOLINDS AND SIGNALS IN OVER LUNDER ACROSS, ALONG AND LIPOT HE SUBPECC OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", UTILITY EASEMENT", PUBLIC UTILITY GASEMENT", DUE TO CONDOMINIUM ANDIOR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS," AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS," AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS," AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS," AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS." AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVALE, TO COMMON AREA OR AREAS. THE RIGHT TO CUT. TRIM OR REMOVE TREES, BUSINES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS. THE RIGHT TO CUT. TRIM OR REMOVE TREES, BUSINES, ROOTS AND SAPLINGS AND TO CHER OR DOSTRUCTIONS FROM THE SURFACE OF THE RIGHT TO THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS SHALL NOT BE PLACED OVER GRANTEES FACILITIES OR IN, UPON OR OVER THE PROPERTY SHITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) WITHIN THE ASSEMENT", "UPUR OR WITHIT FOR THE FROM THE SURFACE OR FORTH TO THE GROTS FROM THE SURFACE OR FORTH FOR WRITTEN ON INJURNANCE OR OW

FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE SENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, ARCELS OR AREAS WITHIN THE PLANED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND," "PARKING" AND "COMMON AREA", THE TERM "COMMON AREA" THE TERM "COMMON AREA" OF THE TERM TOMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACE WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUISNESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT. EQUIPMENT, RELOCATION OF FACILITIES WILL BE DONE BY GRANTEES AT COST OF THE

SCHOOL DISTRICT CERTIFICATION

STATE OF ILLINOIS)

COUNTY OF DU PAGE)

DATED AT	, ILLINOIS THIS	DAY OF	, A.D., 20

ENGINEER'S CERTIFICATE

STATE OF ILLINOIS

COUNTY OF DU PAGE)

ENGINEER IN ILLINOIS AND.

THE OWNER OF THE LAND DEPICTED HÉREON OR THEIR DULY AUTHORIZED IS THE OWNER OF THE LAND DEPICTED HÉREON OR THEIR DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE IEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIMERSION OF SUCH SURFACE WATER AND 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 ENIGNEERING PRACTICES SO AS TO REDUCE THE LIKELHHOOD OF DAMAGE TO ADJIDITING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. SPECIFICALLY EXCLUDED FROM THIS STATEMENT ARE IMPROVEMENTS CONSTRUCTED PRIOR TO THIS DATE. 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.

REGISTRATION EXPIRATION DATE
ILLINOIS REGISTERED PROFESSIONAL ENGINEER, STATE REGISTRATION NUMBER

10' PUBLIC UTILITY EASEMENT 30' R.O.W. LOT AVENUE MIDDAUCH S89'42'38"W 149.97 5' PUBLIC UTILITY EASEMENT - LOT 2-- 5' PUBLIC UTILITY EASEMENT - 10"/PUBLIC UTILITY EASEMENT /_____

GRANT AVENUE

DU PAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS 1

COUNTY OF DU PAGE)

THIS INSTRUMENT WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF DUPAGE COUNTY. LINIOIS, ON THE ADAY OF A.D., 20 AT O'CLOCK M.A. AND WAS _____, A.D., 20_ RECORDED IN BOOK _ AT O'CLOCK OF PLATS ON PAGE

RECORDER OF DEEDS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS 1 COUNTY OF DU PAGE)

THIS IS TO STATE THAT I, THOMAS E. FAHRENBACH, ILLINOIS PROFESSIONAL LAND SURVEYOR #35-2126, 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 OR DECIMALS

LOTS 27 AND 28 AND THE NORTH 10 FEET F LOT 29 IN REPP'S SUBDIVISION, BEING A SUBDIVISION OF PART OF LOT 1 IN DOWNER ESTATE, IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE HIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID REPPS SUBDIVISION AFORESAID, RECORDED ON APRIL 14, 1923 AS DOCUMENT 164494, IN DU PAGE COUNTY, ILLINOIS.

I FURTHER STATE THAT ALL THE LAND INCLUDED IN THIS PLAT IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I FURTHER STATE THAT NONE OF THE PROPERTY INCLUDED IN THIS SUBDIVISION IS SITUATED IN ZONE "X" AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, DUPAGE COUNTY, BLUINDIS, PANEL MUNIBER 170430990H, DATED DECEMBER 16, 2004. ZONE "X" IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

DATED THIS	DAY OF	, A.D., 20

ILLINO'S PROFESSIONAL LAND SURVEYOR #35-2126 LICENSE EXPIRATION/RENEWAL DATE 11-30-2010

NOTES:

- 1. IRON PIPES ARE AT ALL LOT CORNERS
- 2. EXISTING STRUCTURES TO BE DEMOLISHED

LEGEND

CONCRETE MONUMENT SET SETBACK LINE ---- EASEMENT UNE - PROPERTY LINE - SUBDIVISION BOUNDARY LINE

AREA SUMMARY GROSS

0.3788 AC. 16.502 S.F. 0.2066 AC. 8,999 S.F. 0.1722 AC. 7.503 S.F.

DEVELOPER: SEGRETI 4500 MIDDAUGH AVENUE DOWNERS GROVE, IL



INTECH CONSULTANTS, INC. ENGINEERS / SURVEYORS

P.I.N. No.: 09-06-413-021

SCALE: 1'' = 20'

BASIS OF BEARING IS ASSUMED

09-06-413-022

5413 WALNUT AVENUE DOWNERS GROVE, ILLINOIS TEL.: (630) 964-5656 FAX: (630) 964-5052 E-MAIL: CADGINTECHCONSULTANTS.COM ILLINOIS REGISTRATION No. 184-001040

SHEET No. 1 of 1 JOB No.: 6374

VILLAGE OF DOWNERS GROVE PLAN COMMISSION MEETING PUBLIC HEARING

JULY 12, 2010, 7:00 P.M.

Chairman Jirik called the July 12, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mrs. Hamernik, Mr. Matejczyk, Mr. Quirk,

Mrs. Rabatah, Mr. Waechtler, Mr. Webster

STAFF

PRESENT: Village Planning Manager Jeff O'Brien; Village Planners Stan Popovich and Damir

Latinovic

VISITORS: Jim Pesavento, Concorde Builders, 222 W. Roosevelt Rd., Wheaton, IL; Ed and

Nancy Segreti, 4508 Bryan Place, Downers Grove; Pat Rooney, Kimco Realty, 10600 W. Higgins Rd., Rosemont, IL; Greg Bedalov, EDC, 2001 Butterfield, Rd.; Downers Grove; Dan Loftus, Downers Grove Downtown Management Corp., 4704 Main Street; Downers Grove; Kurt Wiesner, 4516 Middaugh, Downers Grove;

David Force, 4506 Middaugh; Downers Grove

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

JUNE 7, 2010 MEETING MINUTES - MR. MATEJCZYK MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 9-0.

A review of the meeting's protocol followed.

PC-06-10 4500 Middaugh Avenue:

PETITION SEEKING FINAL PLAT OF SUBDIVISION APPROVAL TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, COMMONLY KNOWN AS 4450 MIDDAUGH, DOWNERS GROVE, ILLINOIS; JAMES PESAVENTO, CONCORDE BUILDERS, PETITIONER; ED AND NANCY SEGRETI, OWNERS.

Chairman Jirik swore in those individuals who would be speaking on behalf of File PC-06-10.

Mr. Popovich, Village Planner, discussed the petition is a final plat of subdivision to consolidate three lots zoned R-4 into two lots at the southwest corner of Middaugh Avenue and Grant Street. The total land area is 110 feet by 150 feet and the lots are currently platted as two 50-foot wide lots with a 10-foot wide lot (part of Lot 29). One single-family structure sits on the two 50-foot wide lots. The petitioner is seeking to create a plat of subdivision with a 60 ft. x 150 ft. lot on the northern lot and a 50 ft. x 150 ft. lot to the south to provide for two homes.

DRAFT

The petitioners have provided for the required five-foot pubic utility easements on the side property lines and for the 10-foot public utility easements on the rear property lines. The Future Land Use Map calls for the site to be Residential (0-6 units per zoning acre). All bulk requirements for the proposed lots are met.

Referring to a report on the dais that discussed Mr. Waechtler's concerns about lot sizes in the area, Mr. Popovich reviewed on the overhead the area in discussion, noting two zoning districts existed: the R-4 District and the R-1 District. A review of the various lots sizes followed. From staff's point of view, the proposed two lots were consistent with the surrounding neighborhood.

No neighborhood comments were received by staff prior to the meeting. Staff believed the proposal was consistent with the Village's Zoning Ordinance, Subdivision Ordinance, and the planning objectives of the Village. Staff recommended that the commission forward a positive recommendation to the Village Council with the single condition listed on page 3 of staff's report.

Per a question, Mr. Popovich recalled the owners purchased the ten-foot wide lot some time ago. Per a question on determining corner setbacks, Mr. Popovich explained that for all corner lots, the lots are afforded a 30-foot wide buildable width for a home. For a 60-foot wide lot, adding together the 30-foot buildable width and a six-foot side yard setback, the setback off of the Grant Street property line is 24 feet. If a 50-foot wide lot existed, a 15-foot setback from the Grant Street property line would be required, due to the five-foot south setback and 30-foot buildable width. By placing the lots in their proposed locations, Mr. Popovich stated the house would be setback further from Grant Street but no additional width is gained for the house itself.

If the petition is not granted, and the owner constructed a home on the northern lot, it would require a 15-foot setback off of Grant Street on a 50-foot lot. Mr. Beggs asked for clarification of staff's condition in its report, which basically explained that the petitioner cannot make any changes to the plat of subdivision after the Commission reviews the petition.

Petitioner, Mr. Jim Pesavento, with Concorde Builders, 222 W. Roosevelt Road, Wheaton, Illinois, on behalf of owners Ed and Nancy Segreti, introduced himself. Mr. Pesavento explained he and the owners were trying to reconfigure the two lots to make them more appealing, fit better within the neighborhood, and to add some space to the corner lot. Mr. Pesavento stated that the sidewalks are already in place.

Chairman Jirik opened up the meeting to public participation.

Mr. Kurt Wiesner, 4516 Middaugh, stated he has resided at his home for 37 years and he had concerns about the setbacks and their relationship to the other homes. He asked for clarification of the setbacks for the lots located on the west side of Middaugh, wherein Mr. Popovich stated that the R-4 District requires a 25-foot front yard setbacks from Middaugh Avenue for both proposed lots. Mr. Popovich could not specifically confirm what the setback was for the majority of the houses on the west side of Middaugh but in reviewing quickly, he believed the five or six homes to the south appeared to be located slightly east of the existing corner house.

Mr. Wiesner voiced concern about the compatibility of the two new parcels and believed the setbacks for a majority of the homes on the west side were greater than 25 feet. He asked that the setbacks be consistent with the neighborhood. Staff, in reviewing the aerials, did not feel

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Mr. Wiesner's setbacks were significantly greater than the proposed 25 feet setback. Mr. Wiesner discussed two other homes on the east side of Middaugh Avenue that were recently built which were not consistent with the area and he asked that the same consistency be assigned to the two lots.

Mr. David Force, 4506 Middaugh, located his home on the overhead. His concern was about stormwater. Mr. Force asked if the 10-foot lot was providing any easement stormwater drainage currently, because the street did fill with water. He asked that a review be done to ensure the 10-foot lot was not providing any stormwater benefit. He also expressed concern that there was a lot of congestion in the area but he was not opposed to a new home.

Mr. Wiesner asked staff to review the height of the proposed homes as compared to the surrounding homes, wherein Mr. Popovich stated the maximum height is measured on the front elevation. In the R-4 District the maximum height is 33 feet from the average grade to the peak of the roof and 23 feet to the highest eave.

Mr. Popovich, using Parcel Navigator, pointed out that it did not appear that the proposed setbacks were much different from the existing setbacks -- calculated roughly from 29 to 31 feet. On the east side of Middaugh, he agreed the homes were set back further due to the homes sitting on deeper lots. Regarding the stormwater concerns, he reported that engineering approval would be required during the building permit phase so as not to create drainage issues.

With no further public comment, Chairman Jirik closed Public Participation.

It was pointed out by staff that if the petitioner did not include the 10-foot lot in the consolidation, the petitioner would not have to come before the Commission to construct the homes on the two 50-foot lots with the same 25-foot setback from Middaugh Avenue.

Petitioner, Mr. Pesavento stated there were no immediate plans for a specific home on either lot currently and the concerns raised would be addressed when applying for a building permit.

Mr. Matejczyk brought to the attention of the commissioners that he lives in the neighborhood and while he has seen others seek the consolidation of lots to create one larger lot, he noted that this petitioner already has two lots and wishes to enhance them. He felt the petition was appropriate. Mrs. Rabatah also concurred, mentioning that the lots were a nice reconfiguration. Chairman Jirik believed that staff addressed the stormwater issue appropriately and used the appropriate technology to quickly obtain setback information, which he believed was consistent. Regarding height, it was not under the Commission's purview currently.

MOTION:

WITH RESPECT TO PC-06-10, MRS. HAMERNIK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE APPROVAL OF THE FINAL PLAT OF SUBDIVISION TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, INCLUDING THE FOLLOWING CONDITION:

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1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED MAY 24, 2010 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.

SECONDED BY MR. MATEJCZYK. 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. VOTE: 9-0

