

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 17, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision	✓ 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 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.

UPDATE & RECOMMENDATION

This item was discussed at the August 10, 2010 Village Council meeting. Staff recommends approval on the August 17, 2010 consent agenda.

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 Subdivision	Lot Width		Lot Depth		Lot Area	
	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

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.

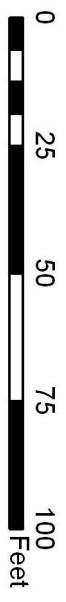
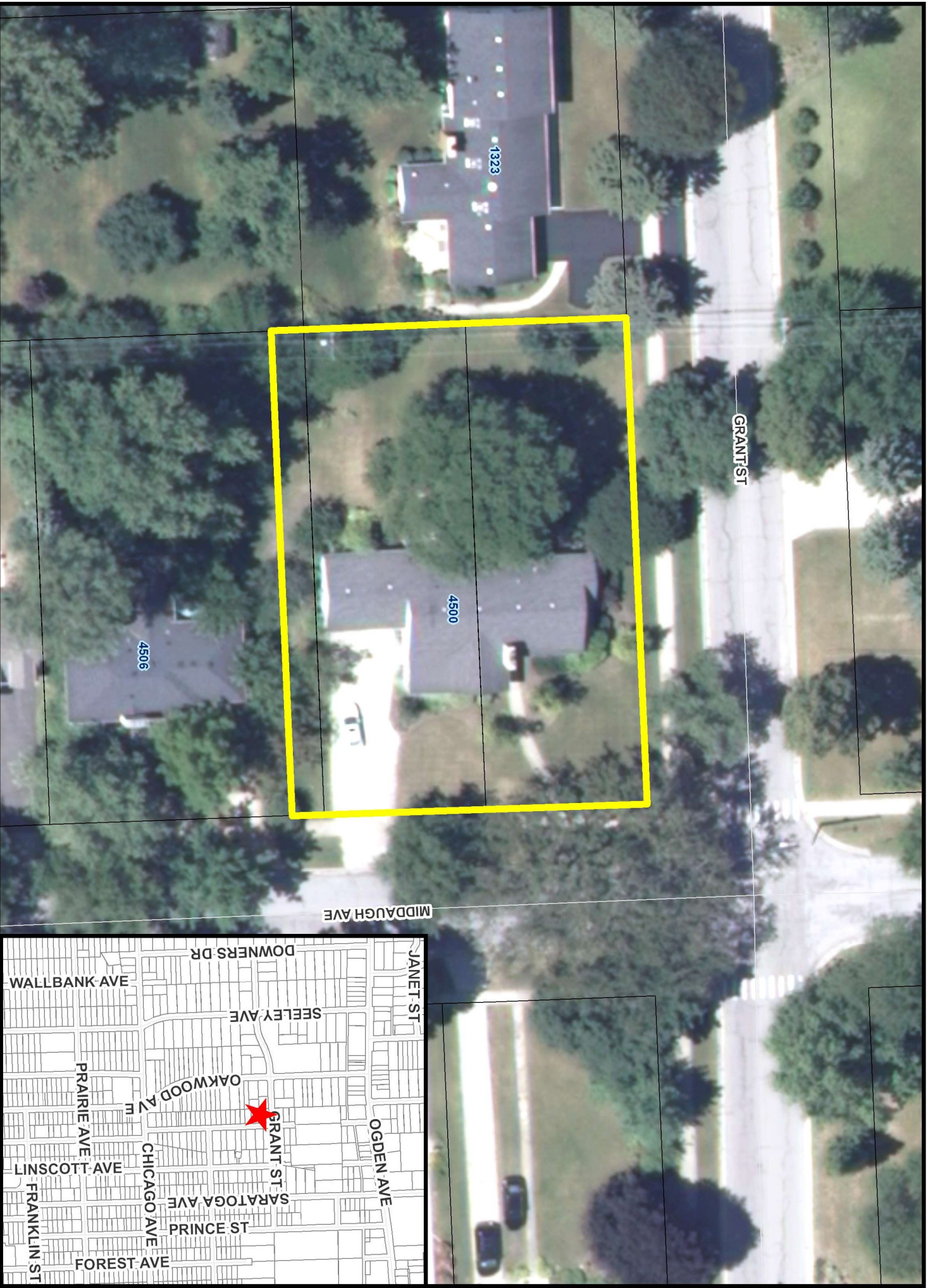
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat of subdivision.

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



4500 Middaugh Avenue Location Map



RESOLUTION _____

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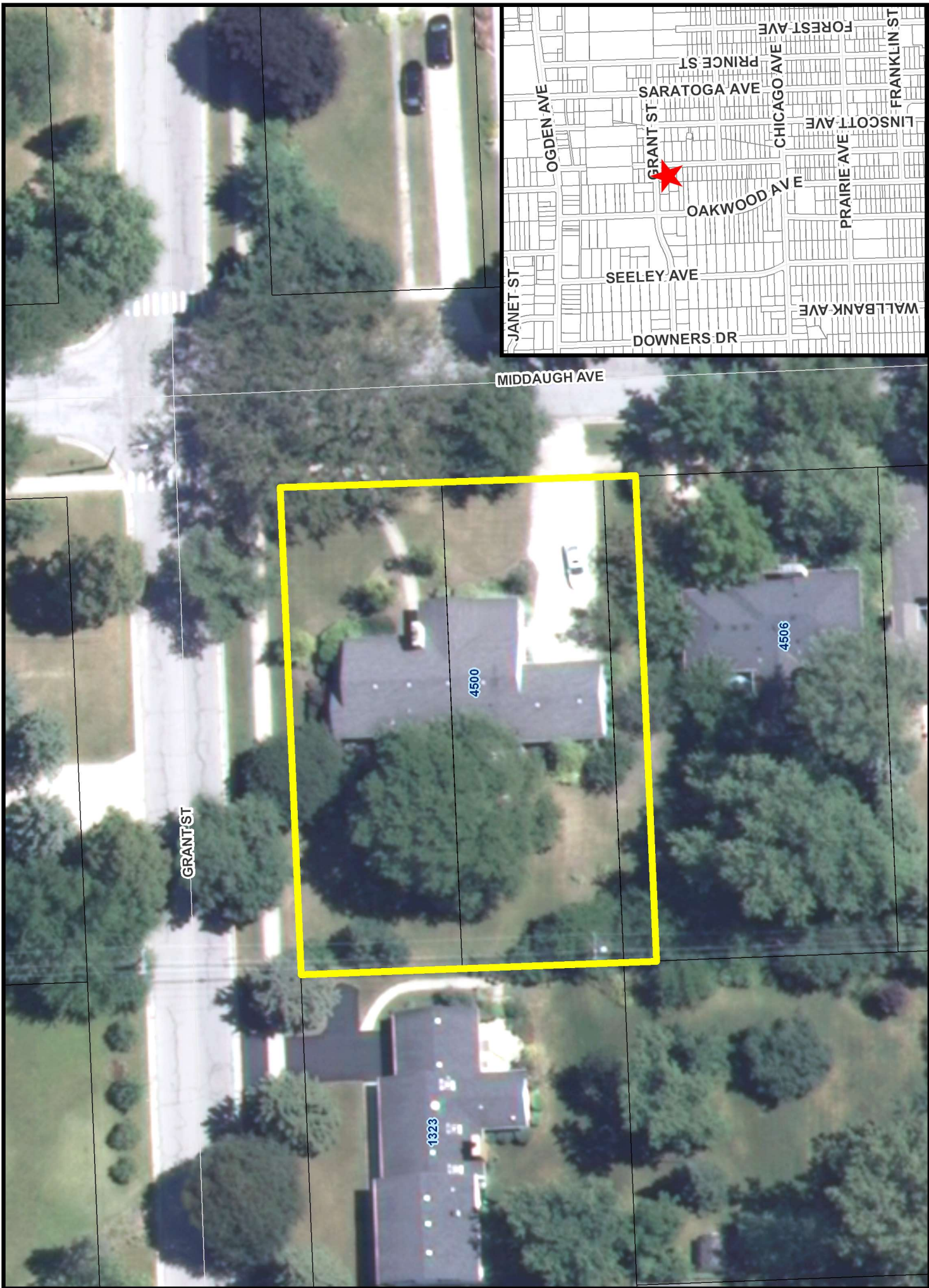
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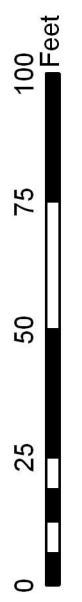
Mayor

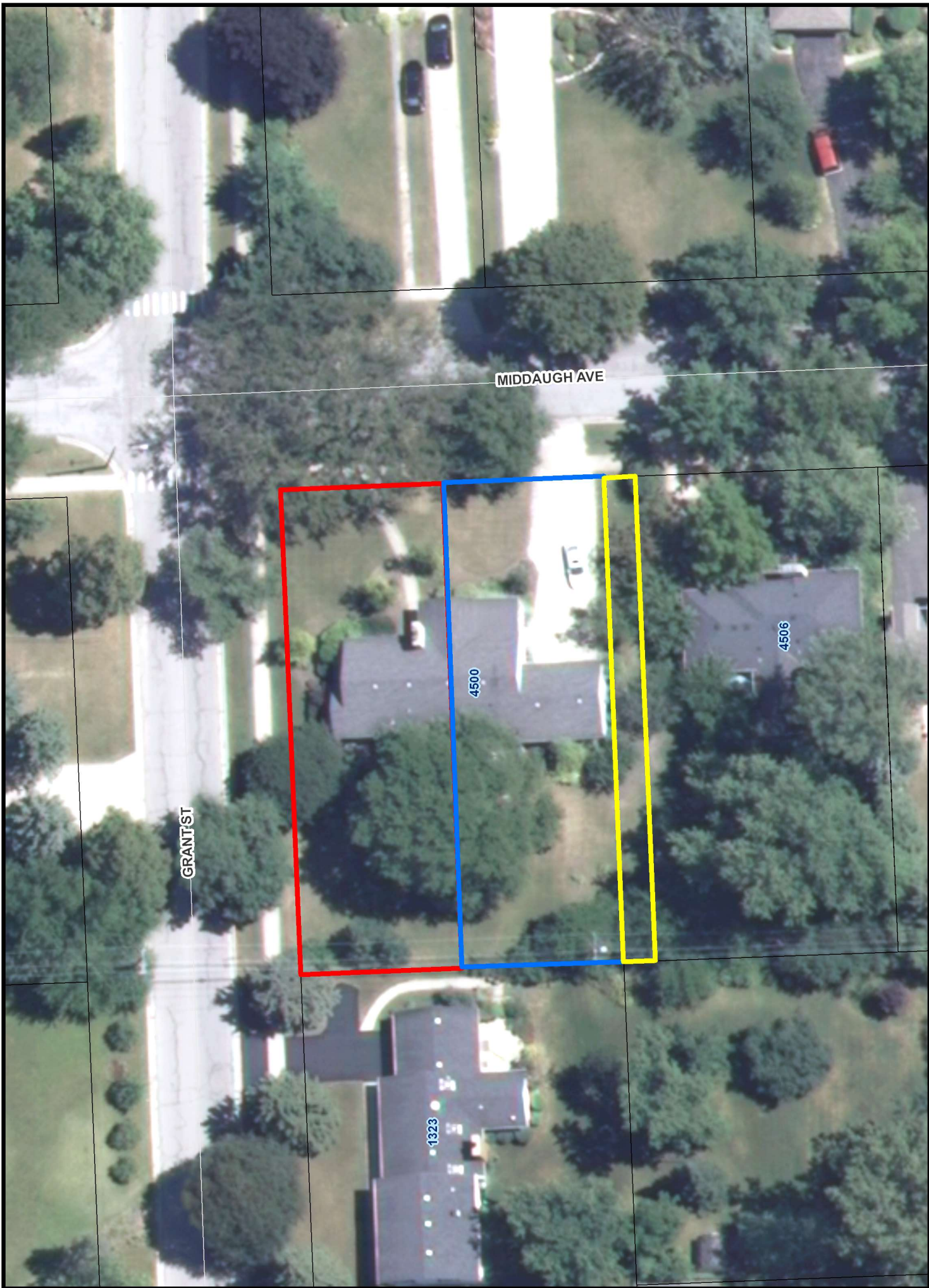
Passed:

Attest: _____
Village Clerk



4500 Middaugh Avenue Location Map





GRANT ST

MIDDAUGH AVE

4500

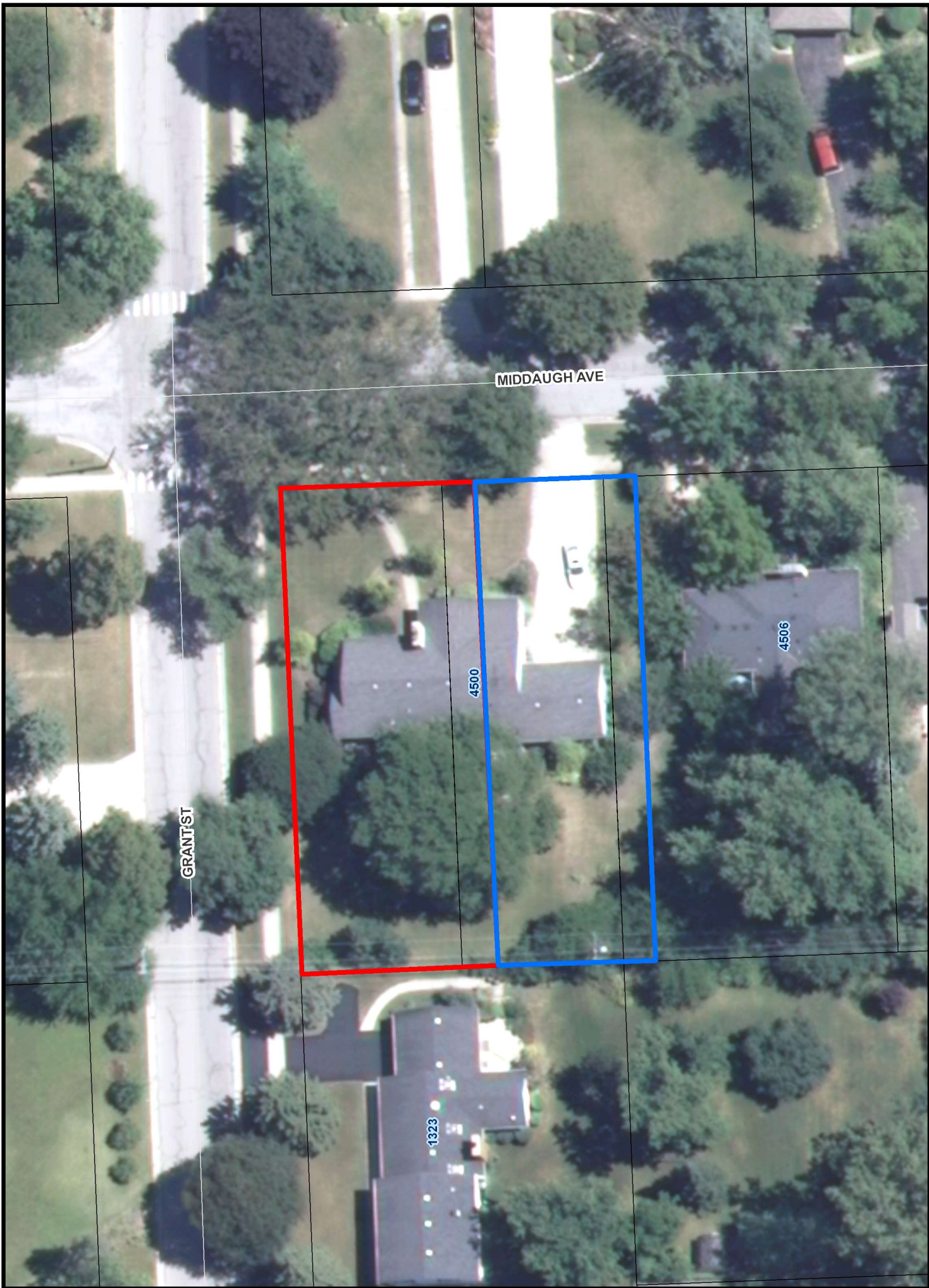
4506

1323



4500 Middaugh Avenue Existing Conditions





GRANT ST

MIDDAUGH AVE

4500

1323

4506



4500 Middaugh Avenue Proposed Conditions

100 Feet



Project Summary/Narrative

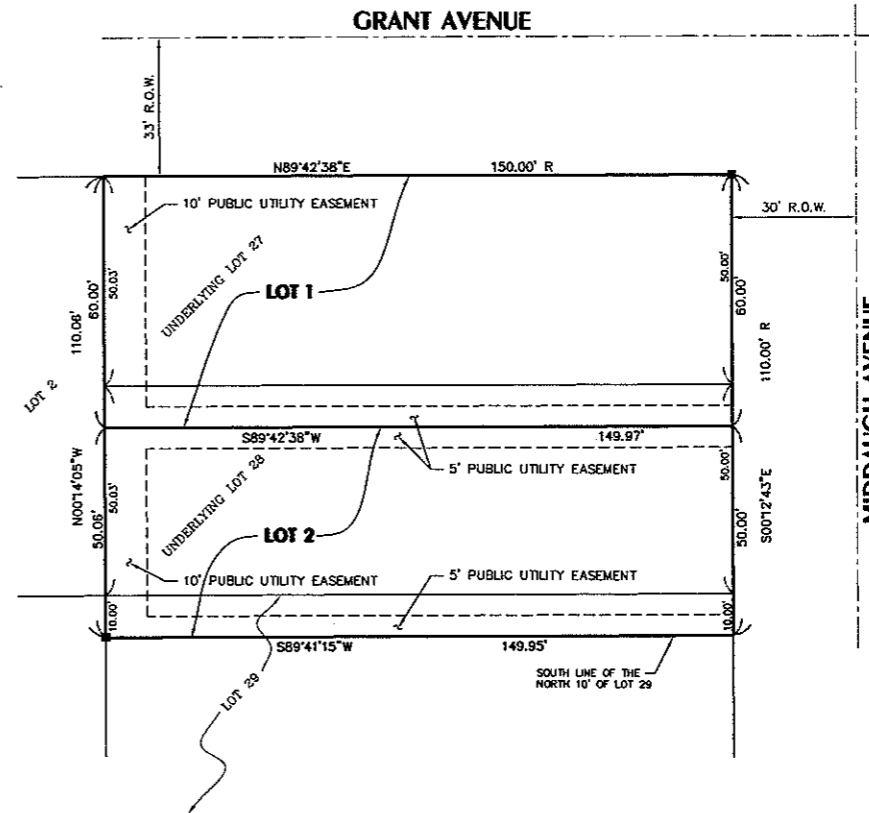
The subject property for this submittal, 4500 Middaugh currently consists of three (3) parcels; a 10' X 50' interior, a 50' X 150' interior and a 50' X 150' corner. Currently, the two 50' X 150' parcels are buildable while the 10' X 150' parcel obviously is not. It is the petitioner's wish to reconfigure 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.

FINAL PLAT OF SUBDIVISION OF 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.

GRANT AVENUE

SCALE: 1" = 20'
BASIS OF BEARING IS ASSUMED



MIDDAUGH AVENUE

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

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 ILLINOIS)
SS
COUNTY OF DU PAGE)

I, _____, 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 THIS _____ DAY OF _____, A.D., 20____

NOTARY PUBLIC MY COMMISSION EXPIRES _____

PLAT COMMISSION APPROVAL

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

APPROVED BY THE PLAT COMMISSION OF THE VILLAGE OF DOWNERS GROVE
THIS _____ DAY 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.

DATED THIS _____ DAY OF _____, A.D., 20____

COLLECTOR

VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

I, _____, 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, ILLINOIS, DO
HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID
FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND
INCLUDED IN THIS PLAT. I, FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY
FEES IN CONNECTION WITH THIS PLAT, GIVEN UNDER MY HAND AND SEAL OF THE COUNTY
CLERK OF DU PAGE COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____, A.D., 20____

COUNTY CLERK

MORTGAGEE CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF _____)

WELLS FARGO BANK, A CORPORATION OF THE STATE _____, AS MORTGAGEE
OF THE ABOVE DESCRIBED PROPERTY, HEREBY CERTIFIES THAT IT GRANTS APPROVAL
FOR SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON.

DATED THIS _____ DAY OF _____, A.D., 20____

BY: _____ ATTEST:

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
COVENANTS AND RESTRICTIONS:

(A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC
OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT
FOR TRANSFORMERS, TRANSFORMER PADS, LIGHT POLES, REGULATORS, VALVES,
MARKERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE
VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.
(B) AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH
STORM DRAINAGE, SANITARY 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 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
LINES, SANITARY SEWERS, STORM DRAINAGE SYSTEM, STREET LIGHTING SYSTEM,
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 "PUBLIC UTILITY AND/OR DRAINAGE EASEMENT", OR SIMILAR
LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND THE
PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH
THE RIGHT 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. OBSTRUCTIONS
SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER, THE
PROPERTY WITHIN THE STORMWATER OR SEWER 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.

WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS
DECLARATION TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INURE TO THE
BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SUCH LOTS WHETHER THEY
SHALL HAVE BECOME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR
RESPECTIVE HEIRS AND ASSIGNS, AND
WHEREAS, THE AFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLAT IS
LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS
GROVE, ILLINOIS, AND
WHEREAS, ALL OF THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS,
AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF
SAID LOTS AND LAND AND SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE
BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF
ANY OF THE LOTS OF LAND COMPRISED WITHIN SAID PLAT, AND THEIR RESPECTIVE
HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS, NOW,
THEREFORE, ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING THE
AFORESAID PROPERTY DO COVENANT AND AGREE THAT THEY OR ANY PERSON, FIRM
OR CORPORATION HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON
THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECTED TO THE FOLLOWING
RESTRICTIONS RUNNING WITH SAID PROPERTY TO WHOMSOEVER OWNED, TO WIT:

1. NO IMPROVEMENTS SHALL BE MADE IN OR UPON THE STORMWATER EASEMENT,
INCLUDING DETENTION OR RETENTION AREAS, AS DESCRIBED IN THE PLAT OF
SUBDIVISION, EXCEPT FOR LANDSCAPE INSTALLATION OF TREES, SHRUBS, BUSHES
AND GRASS AND THE INSTALLATION OF UNDERGROUND UTILITY LINES AND
DRIVEWAYS.
2. EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE
STORMWATER 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 DRAINAGE 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.
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, 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.
4. IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL 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 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 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.

BY: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

I, _____, 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 THIS _____ DAY OF _____, A.D., 20____

NOTARY PUBLIC MY COMMISSION EXPIRES _____

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH
ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED
TO COMMONWEALTH EDISON COMPANY AND SBC - AMERITECH, ILLINOIS A.K.A.
ILLINOIS BELL TELEPHONE COMPANY, GRANTEE. THEIR RESPECTIVE LICENSEES,
SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE,
REPAIR, MAINTAIN, MODIFY, 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 AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND
SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE
PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR
DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC
UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED
IN THE DECLARATION OF CONDOMINIUM AND/OR 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 FOR STREETS AND ALLEYS,
WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL, REQUIRED
SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON
AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND
COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES,
ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND
SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO 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 DASHED OR DOTTED LINES (OR
SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY
EASEMENT", "P. U. E." (OR SIMILAR DESIGNATION) 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.

SCHOOL DISTRICT CERTIFICATION

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY
DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS _____ TO THE
BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE
HIGH SCHOOL DISTRICT, AND _____ ELEMENTARY
SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

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

BY: _____

ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

I, _____, A REGISTERED PROFESSIONAL
ENGINEER IN ILLINOIS AND _____ IS
THE OWNER OF THE LAND DEPICTED HEREON OR THEIR DULY AUTHORIZED
ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF,
REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION 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 ENGINEERING PRACTICES SO AS TO
REDUCE THE LIKELIHOOD OF DAMAGE TO ADJOINING 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.

DATED THIS _____ DAY OF _____, A.D., 20____

REGISTRATION EXPIRATION DATE _____
ILLINOIS REGISTERED PROFESSIONAL ENGINEER, STATE REGISTRATION NUMBER _____

PROPERTY OWNER: _____

DU PAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DU PAGE)

THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE
RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE _____ DAY OF
A.D., 20____, AT _____ O'CLOCK _____ M., AND WAS
RECORDED IN BOOK _____ OF PLATS ON PAGE _____

RECORDER OF DEEDS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS
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
THEREOF:

LOTS 27 AND 28 AND THE NORTH 10 FEET OF 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 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 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, ILLINOIS, PANEL NUMBER 17043C0901H, 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____

ILLINOIS 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 LINE
- _____ PROPERTY LINE
- _____ SUBDIVISION BOUNDARY LINE

AREA SUMMARY		
GROSS	0.3788 AC.	16,502 S.F.
LOT 1	0.2066 AC.	8,999 S.F.
LOT 2	0.1722 AC.	7,503 S.F.

DEVELOPER:
SEGRETI
4500 MIDDAUGH AVENUE
DOWNERS GROVE, IL

INTECH CONSULTANTS, INC.
ENGINEERS / SURVEYORS
5413 WALNUT AVENUE DOWNERS GROVE, ILLINOIS
TEL: (630) 964-5656 FAX: (630) 964-5052
E-MAIL: CAD@INTECHCONSULTANTS.COM
ILLINOIS REGISTRATION No. 184-001040

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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.

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The petitioners have provided for the required five-foot public 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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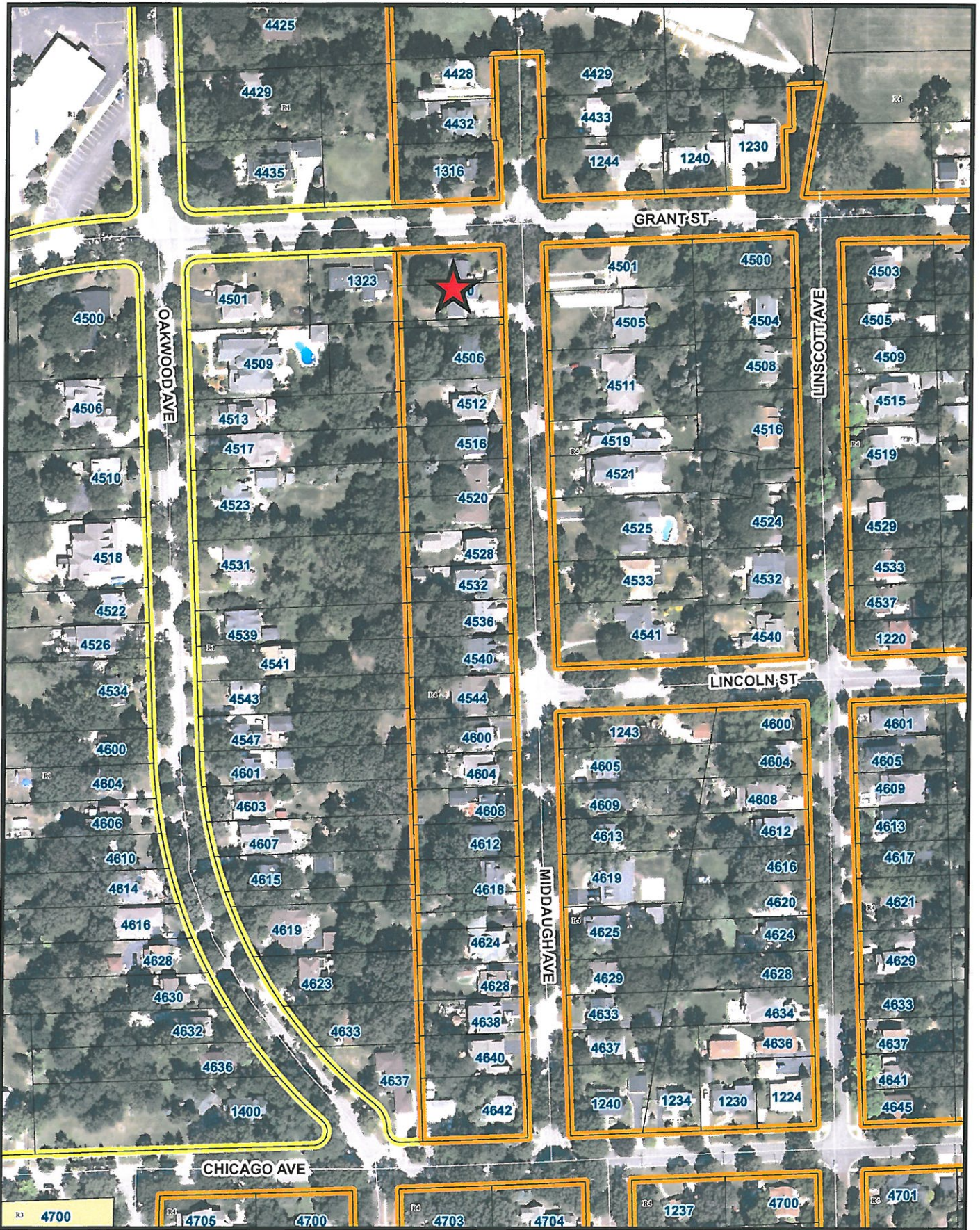
- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED MAY 24, 2010 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

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**

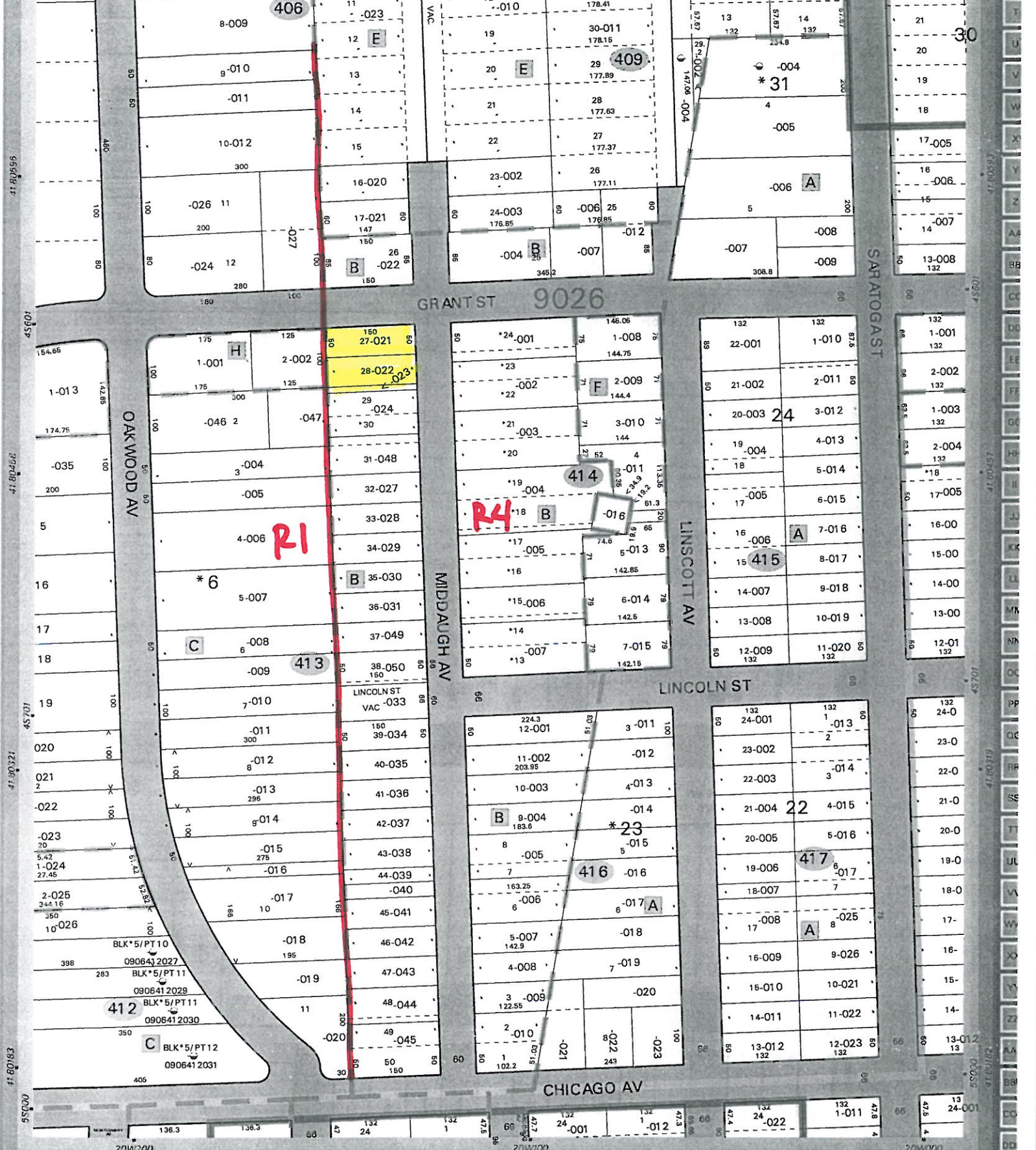
NAY: NONE

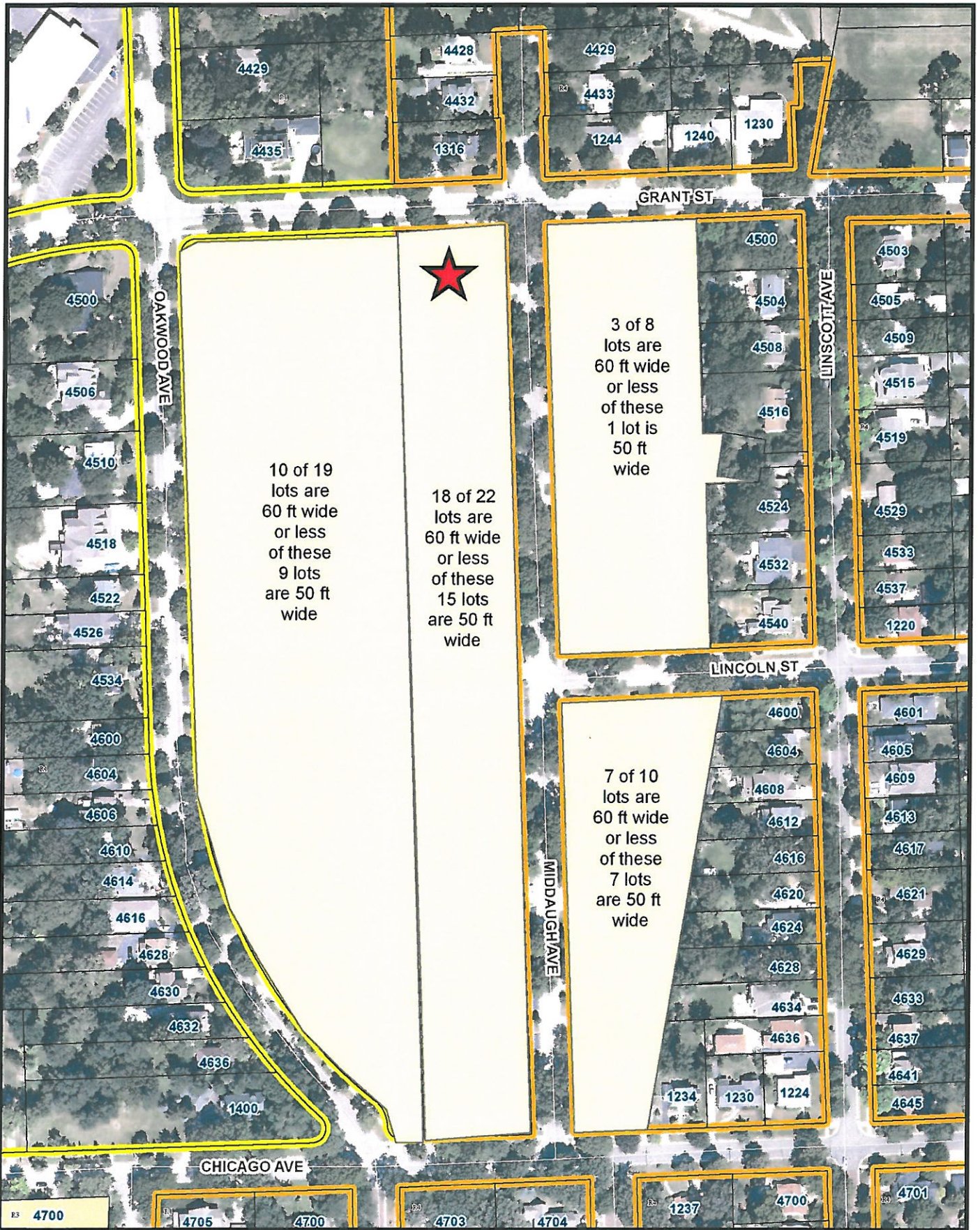
MOTION CARRIED. VOTE: 9-0



4500 Middaugh







4500 Middaugh

